

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

April 24, 2024  
6:30 p.m.

Bellevue City Hall  
Room 1E-113

COMMISSIONERS PRESENT: Vice Chair Goepple, Commissioners Lu, Villaveces

COMMISSIONERS REMOTE: Commissioners Cálad, Ferris

COMMISSIONERS ABSENT: Chair Bhargava, Commissioner Khanloo

STAFF PRESENT: Thara Johnson, Emil King, Gwen Rousseau, Scott MacDonald, Department of Community Development; Nick Whipple, Kristina Gallant, Department of Development Services; Matt McFarland, City Attorney's Office

COUNCIL LIAISON: Deputy Mayor Malakoutian

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER  
(6:32 p.m.)

The meeting was called to order at 6:32 p.m. by Vice Chair Goepple who presided.

2. ROLL CALL  
(6:34 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Chair Bhargava and Commissioner Khanloo.

3. APPROVAL OF AGENDA  
(6:35 p.m.)

A motion to approve the agenda was made by Commissioner Lu. The motion was seconded by Commissioner Ferris and the motion carried unanimously.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS  
(6:35 p.m.)

Deputy Mayor Malakoutian thanked the Commissioners for their hard work over long meeting hours. The Commissioners were informed that at its April 23 meeting the Council extended the construction hours from 6:00 p.m. to 8:00 p.m. The move hopefully will prove to be a balance between construction efficiency, economic impacts and minimizing community disruptions.

5. STAFF REPORTS

(6:36 p.m.)

A. Planning Commission Meeting Schedule

Comprehensive Planning Manager Thara Johnson took a few minutes to review the Commission's schedule of upcoming meeting dates and agenda items.

Thara Johnson stated that a detailed report on all engagement activities over the last two years has been compiled and is available in hard copy and online on Engaging Bellevue.

6. WRITTEN AND ORAL COMMUNICATIONS

(6:41 p.m.)

Chair Bhargava took a moment to note that under Ordinance 6752, the topics about which the public may speak during a meeting are limited to subject matters related to the city of Bellevue government and within the powers and duties of the Planning Commission. Additional information about the new rules of decorum governing conduct of the public during meetings can be found in Ordinance 6752.

A. Written Communications

(6:42 p.m.)

Thara Johnson said the majority of written comments received were in regard to the topic of the public hearing, though some additional comments were received specific to BelRed.

B. Oral Communications

(6:43 p.m.)

Betsi Hummer thanked the Commissioners for their service and admiration for the comments being made. Deputy Mayor Malakoutian's reports as liaison are also excellent. With regard to the Sunset Ranch rezoning, the neighborhood would prefer not to be rezoned, leaving things as they are. In all city outreach efforts, staff should include neighborhood liaisons and associations in the list of community-based organizations. Change is difficult and no one appreciates surprises, so the better the city communicates with the residents, the easier the changes will be for everyone. The Commission should still ask staff to report on how the proposed rezone came about and about the future implications. The top Council priority is to identify and implement enterprise approaches to service management, community engagement and data analytics to improve customer service, access and transparency. While full of jargon, the statement can be deciphered and applied in ways that will make sure the public is notified.

Alexis Chartouni spoke as a development consultant working with Legacy Partners Residential on the Copal project at the intersection of 132<sup>nd</sup> Avenue NE and Spring Boulevard adjacent to the 130<sup>th</sup> Avenue light rail station, and for a couple of landowners in the BelRed district who would be affected by the current rezone. What is needed is a menu for incentive zoning, particularly are arts and culture incentives that will allow for keeping dollars in the building and providing art in BelRed. Specific to the arts and culture policy section of the policy documents, many peers are Luddites when it comes to public art and do not necessarily understand the benefits. The city is one of the largest landowners in BelRed given its holdings around the 130<sup>th</sup> Avenue station and the policies should recognize the wonderful opportunity to create an arts hub community center within the development of the site as the city moves to dispose of the

property. The policy document could go a long way toward recognizing that opportunity. With regard to the environmental improvement section and specifically the comment about including rehabilitating riparian corridors is worrisome in terms of the unintended consequences. Daylighting the streams, particularly Goff Creek, will render a slew of properties in BelRed undevelopable, resulting in retention of the existing buildings. There must be a mechanism found by which landowners can be incentivized to make the changes to enlarge the riparian corridors while undergoing development.

Alex Tsimerman began with a Nazi salute and called the Commissioners dirty damn Nazi garbage rats and Deputy Mayor Malakoutian a dirty Council Nazi pig and barracuda. With regard to Ordinance 6752, it was noted that the first three pages are repeated six times. It was done by the very stupid Mayor Robinson. The ordinance is a fraud and a crime supported by the city attorney. Since the Commission enforces the ordinance, the Commissioners are also criminals and frauds. The ordinance is absolutely not legal because it is opposed to the US constitution, First Amendment rights of freedom of speech, the Open Public Meetings Act and many court decisions. There are many idiots working for Bellevue government and the only good man is Alex Tsimerman. The ordinance should be put in the garbage.

For the record, Vice Chair Goepple asked to have the record reflect that the previous comments were a blatant violation of Ordinance 6752.

## 7. PUBLIC HEARING (6:57 p.m.)

### A. Land Use Code Amendment (LUCA) to Update Tree Preservation, Retention and Protection Provisions

A motion to open the public hearing was made by Commissioner Lu. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

Senior Planner Kristina Gallant explained that the city's tree retention requirements are layered in other development activity reviews and they are triggered by any permit approval or review for development activity, and the review is incorporated as part of the broader decision. The proposed minimum tree density system maintains this approach. The proposal also maintains exceptions for Downtown and East Main given that both of those areas currently have an alternate green factor approach. For projects subject to the proposed minimum tree density requirements in the LUC, under the proposal projects must maintain a minimum tree density within the tree canopy site area, not including critical areas and shorelines which have separate regulations.

The proposed LUCA includes several new definitions aimed at achieving more consistent measurements of trees, establishing professional qualifications for who is considered a qualified tree professional, and in regard to tree health and safety. There are updates to the definitions of significant and landmark trees. The regulations are only applicable to the retention of significant trees which under the current code must have an eight-inch diameter. The proposal reduces that to six inches. Currently there is an interim definition for landmark trees and the proposal would implement a permanent definition of 24 inches in diameter, with a smaller diameter allowed for select slow-growing species; alders and cottonwoods are not eligible for landmark status under any circumstance. In addition, significant and landmark trees must also be determined to be viable.

With regard to minimum tree density, applicants must maintain minimum tree credits on their sites within the tree canopy site area. They have the ability to retain or plant, but there is an emphasis on retention in the weighting of the credits. The minimum is scaled by land use district and proposed use. The more intensive uses generally have lower minimum densities required; the highest expectations are for single family development in the lower-density residential land use districts. The proposal provides guidance on priorities for retention without changing the minimum density requirements. These guidelines prioritize landmark trees, trees in groves, significant trees in required perimeter landscaping, and other significant trees.

As the minimum tree density system relates to new plantings, one tree credit is earned for each planted tree that meets the code standards. No credits are given for planting alders or cottonwoods. The proposal includes the option of paying a fee-in-lieu when the applicant demonstrates that all planting options are exhausted.

Kristina Gallant said there are provisions that allow development flexibility for achieving the tree outcomes. Reduced parking is possible if it enables a landmark or grove tree preservation, and front and rear yards can be reduced if necessary to achieve the maximum development density, if it enables landmark or grove preservation beyond the minimum, and to accommodate an affordable housing project exceeding the minimum.

It was noted that the Commissioners had previously expressed an interest in granting flexibility for height. Similar to the flexibility for front and rear yards, the proposal includes a provision that allows for an additional 12 feet of building height if necessary to achieve the maximum development density, if it enables landmark or grove preservation beyond the minimum, or to accommodate an affordable housing project that exceeds the minimum tree density. The additional building height is limited to the development of other than new single family homes. Under the current code there is an option for an alternative tree density option. It is envisioned for those projects that are highly atypical and the option can be requested for transportation and utilities projects. Tree removal can still happen, but more flexibility is given to allow offsite planting within the city or for an innovative mitigation proposal.

The proposal requires a tree protection plan. For projects that are granted development flexibility, a tree protection covenant is required for any trees that were protected in exchange for flexibility. Additionally, a maintenance assurance device may be required for any projects that have to plant in order to achieve their minimum density.

The LUCA was initiated in November 2022 and it has been the subject of three study sessions with the Planning Commission to date. Once the Commission develops a recommendation, it will be forwarded to the City Council for study and action.

Under the Land Use Code, code amendments must be consistent with the Comprehensive Plan; must enhance the public health, safety or welfare; and cannot be contrary to the best interests of the citizens and property owners of the city.

Mike Nikum commented that the direction of staff to hold the public hearing, develop a recommendation and forward it to the Council for action can be interpreted to mean the Commission is not willing to listen to the public. The Commissioners were asked to raise their hands if they believe in climate change, and if they remember the 1962 Columbus Day windstorm, an event that ravaged the Puget Sound area with winds of up to 150 miles per hour. In 1936 Bellevue's tree canopy was not even ten percent of what the city currently has. In the 1962 storm, tree damage was horrendous. Now 62 years later the city's large Douglas firs are

going to kill people during upcoming storms. The tree code does not protect the citizens of Bellevue. The city should insist on having the right tree in the right place, and the right tree is not Douglas firs. There should be an immediate across the board permitting of cutting down Douglas firs that are 80 feet tall or more. Seattle's tree code is very progressive. If the Douglas firs are allowed to remain, 10,000 people will die in the next storm like the Columbus Day storm.

Don Marsh, co-founder and vice president of 300 Trees, which has offered thousands of free native trees to Bellevue residents, schools, houses of worship and small businesses over the last four years, and a member of the board of Trees for Livability, said the proposed tree protection code was developed through outreach by city staff and participation on the part of Bellevue residents. The process of developing the proposals has been a model of interaction. The staff presented research and draft regulations to residents very early in the process. The approach is yielding optimism for the city and for the protection of natural resources that benefit everyone. A little optimism is appreciated at a time when Bellevue's trees are enduring the triple threat of infrastructure projects; development in single family neighborhoods where developers are scraping lots and developing huge houses on them; and higher temperatures and altered precipitation patterns. The threats are somewhat mitigated by large-scale tree giveaways held by the city and 300 Trees, but small trees cannot match the carbon storage and air quality benefits of the large trees that are being lost at an alarming rate. Bellevue's tree canopy is a distinguishing feature of the city and it should be retained, providing current and future residents with a high quality of life.

Paul Rood said one rationale for tree preservation is carbon capture or energy conversion. A comprehensive analysis would have included both energy capture and consumption by the trees. On the capture side is the carbon of the wood produced and less air conditioning on summer days. On the consumption side are greater heating and lighting costs most of the year based on branch removal, trimming, tree removal and significant roof repairs given that the some percentage of the trees will fall on homes. For comparison purposes, the wood produced by a single 100-foot conical tree over a period of 60 years would be 7000 pounds, containing about 8800 kilowatt hours of energy. The same lot having a roof-top solar bank over the same period of time would generate about 1.2 million kilowatt hours of electricity. The cost of the cells and their maintenance must be factored in. An energy argument cannot be made for an urban tree at 47 degrees north latitude. The sole argument for urban trees is aesthetics. They do not benefit residents in terms of energy or carbon. At a recent Commission meeting it was stated that according to the most recent analysis of the tree canopy was that it stood at 39 percent. The previous measurement came in at 37 percent. A two percent increase corresponds to a net gain of 420 acres of canopy, as opposed to the stated loss of 65 acres. The planners were asked what they were actually measuring but they did not know. In the context of sunlight hitting green vegetation and converting the sun's energy to plant matter, Bellevue is easily already at 65 percent tree canopy. For individual lots, what is needed is a simple definition of canopy for which if met there would be no further restrictions applied. Property owners need to be able to cut down one tree per year, with permit fees set at one percent of the project cost. Property owners should be able to top or remove a tree once it reaches 60 feet for safety. Tall trees are death traps and flexibility is needed in order to remove them when necessary.

Phillip Harden commented that in order for property owners to conduct vegetation maintenance on their properties, it is necessary to follow the same guidelines and fill out the same forms as developers for major projects. That is completely unfair and unnecessary. A developer will go in and change the landscape dramatically. All property owners want to do is remove invasive species, keep underbrush under control, and on occasion remove a tree. A developer comes in, fills out the forms, performs the project and goes away. Property owners must continue

maintenance work year after year. The proposed code does nothing to make that work reasonable. It was stated that the speaker's local community has spent tens of thousands of dollars on permit just to maintain the vegetation the community owns, and that is unreasonable. The code is oriented toward lots. The local community has two lots that total 20 acres, and the code restricts them to the same per-acre lot definition that applies to someone with a quarter acre lot. That is completely unreasonable and needs to be changed. There needs to be more equity and the flexibility to maintain properties. There is nothing in the code that allows for addressing the risk of fire. Bellevue has a lot of open space that is currently not maintained, and which in dry weather is a severe fire hazard.

Aaron Hollenberry spoke representing Coe Brothers, creator of communities and homes in Bellevue for more than 20 years. Tree retention and replacement is important to the region, the city and all communities. Where existing trees can be preserved, they provide immediate environmental and aesthetic impacts. Where trees need to be removed to facilitate development, tree replacement is appropriate. What is needed is balance. Bellevue is facing a housing crisis that can only be addressed by building more housing units. Housing affordability is a clear issue facing the city. The proposed LUCA and its move to a density or credit-based system is positive. The approach has served as a predictable method for evaluating trees on sites proposed for development. On the flip side, the impact of the proposed minimum tree credits under the minimum density system need to be further evaluated. The city-commissioned tree canopy report, Exhibit C in the Commission packet, recommends between 0.75 and 1.0 credit per acre in the R-1 to R-30 zones. The report references the city of Kirkland as a comparable example. Kirkland's code requires 50 per acre, equating to 1.5 credits per thousand square feet across residential zones. The proposed LUCA is dramatically higher in its requirements. The proposed minimum required credits for R-1 to R-5 are two to five times those numbers represented in the canopy report and required by Kirkland. The higher minimum credit rates will decrease the buildable area of lots and as a result the ability to provide additional housing. The city has housing growth targets but does not appear to be any analysis of how the proposed tree amendments will impact the city's ability to meet its housing goals. That study needs to be done in order to show consistency with the Comprehensive Plan. Additional development flexibility is important to provide housing and to preserve trees. The draft code attempts to provide some flexibility where housing density is challenged, but the proposed provisions for minor setback adjustments and limited height allocation will not sufficiently protect housing. Provisions need to be added to prioritize housing.

Todd Levitt with Murray Franklin Homes, which has been building homes in Bellevue for more than 30 years, applauded the work of staff in reaching out to the wide range of interested parties. The Master Builders Association submitted a letter to the Commission on April 23, and support was voiced for everything in the letter. The credit-based system is absolutely the right approach, but it all comes down to being able to say exactly how an applicant will meet the credit-based system. The code should be black and white when it comes to what needs to be done to get there. A clear code is also needed for residents. It cannot be said with any degree of certainty whether or not a developer coming in with a plan to fully clear a lot of all trees, including some significant trees, develop and then replant will be able to have the plan approved. Anytime there is an emphasis on priorities and discretion there is a lot of gray area. The code, once approved, needs to be long lasting and clear without any unsolvable pitfalls.

Veronica Shukotko with the Master Builders Association of King and Snohomish Counties voiced appreciation for the time and effort that has gone into preparing the amendments. Both the Commission and the staff were thanked for all the work. The MBA members agree that a healthy tree canopy is important, but they also have strong concerns about the lack of housing

balance in the proposal and that it does not meet the Growth Management Act obligations. While environment and climate change are two of the 15 GMA planning goals, they are not the only goals that should be considered. Additional goals include encouraging urban growth, preventing sprawl, protecting property rights, and planning for and accommodating housing for all income levels. Neither the language nor the technical report address the supply or affordability of housing. There is no mention of the housing targets required by the GMA. The application of the tree code should not result in a net loss of housing. The requirements for retention and replacement are not clear and objective. An applicant should be able to determine from reading the code how it is to be interpreted and applied. It should not be left to the subjective determinations of staff. If the intent is to give the applicant flexibility to determine retention versus replacement, then no staff review should be needed. Likewise, there should be no need for the director to prioritize which trees to retain. That ambiguity in the language should be eliminated. There is a concern that the amendments do not consider other development regulations. The GMA requires cities to densify to accommodate for population growth, which results in smaller lots, making it more challenging to design a plat layout that meets all city codes and design standards, and making tree removal on sites more of a necessity. The MBA wants the amendments to include provisions that reflect that tree retention and replacement requirements will not reduce the maximum allowed density, the number of allowed lots, the maximum floor area ratio, or lot coverage, and they will not preclude the ability to build ADUs or middle housing consistent with state legislation, and that they will not preclude the required access and utility connections.

Sandy Shettler noted being an advocate for urban trees to protect public health and livability in Seattle. The Commissioners were asked to approve the tree code amendments as written and with no amendments to the in-lieu fee or the trunk diameter provisions. Bellevue can learn from Seattle's mistakes. Last May Seattle passed a new tree ordinance which made two options available for trees on development sites. Developers can now either pay an in-lieu fee to cut and replace trees onsite or somewhere else, or they can retain trees in return for incentives like additional height. Every project approved since the ordinance took effect has chosen to completely clear cut lots. Seattle's fees are among the highest in the nation, but they still are not enough to save a single tree. Seattle now has the dubious distinction of being number five in the nation for urban heat islands and hardscape temperature differential. In-lieu fees should be a last resort. The six-inch diameter threshold as proposed should be retained as well. An oak tree with a six-inch diameter trunk is at least 20 years old.

Norm Hansen remarked on living in a Bridle Trails neighborhood for 52 years and having watched the trees grow. Twenty-five years ago Bridle Trails was a forerunner in the area of tree preservation. Working in partnership with the city, an ordinance was approved that has been very successful in helping Bridle Trails reach 54 percent tree canopy. Bridle Trails at the same time offers a diversity of housing, and is in fact the number two subarea for affordable housing in the city. The concern of the neighborhood now is maintaining its tree canopy by working with the city to make sure that will happen. City staff will attend the Bridle Trails Community Club meeting on May 15 to explain the proposed tree ordinance. Trees do have to be managed over time, and there have been problems with enforcement.

Alex Tsimerman began with a Nazi salute and called the Commissioners dirty damn Nazi fascists. The Commissioners are great because they are all clowns. It would be good to cut all the trees and plant tobacco from Alabama. It would fit the circus. The people in Bellevue are naïve. No one cares about the opinions of the Commission or the Council. The Council is totally working with corporations to make Bellevue the number one fascist city in America. For the next 20 or 30 years everyone will be controlled by the government that supports corporations,

allowing them to do whatever they want. What the proposed LUCA says it will do is not possible and nothing will change because the Commission and the people cannot control the Council from making decisions with corporations. There will be nothing because thousands of people will be coming to Bellevue. Another 30,000 people from Amazon will be coming. Everything will be built bigger and bigger and all the trees will disappear. That cannot be controlled when the corporations have all the power. Everything the Commission is doing is only a circus and the Commissioners are all clowns. The trees will disappear without the Commission's permission.

Khaiersta English, founder of Trees for Livability, an organization formed in 2021 that has been advocating for improvements to Bellevue's tree code, noted working with the city and various environmental groups to strengthen the tree code to bring Bellevue up to standard in the region. The proposals in the draft code are good. The organization's approach has not been to be overbearing or unrealistic. The advocacy work has been focused on aesthetics, decreased costs associated with heating and cooling, soil stability and reducing heat island effects. Housing affordability and the ability to build reasonable housing is a large problem, but it does not have to be addressed at the risk of trees. The housing issue can be addressed by opening more options on residential lots, increasing building height, attached ADUs and detached ADUs, and alternative forms of housing, none of which means trees have to be cut down. Trees are a community resource that cannot easily be replaced. The proposed code is balanced, logical and on par with other codes in the region. The proposed LUCA should be approved.

Nicole Myers agreed with the suggestion from the Washington State Department of Fish and Wildlife about having a higher multiplier for replacement. There is a clear need to make sure planted trees survive. It is important to think in terms of replacing the canopy volume of the average tree, even if that means planting ten street trees for each tree that does not fit on lots being developed. It appears the code as written would mean that one significant tree that barely encroaches on a setback of the buildable area would trigger both a reduction in the front yard setback and a simultaneous increase in building height by 12 feet. That could easily apply to a mega-mansion that technically has an ADU that can be separated off either for guest housing or nanny quarters while only preserving a little area of a six-inch tree. It would make more sense to allow for shifting square footage into the front yard, back yard or vertical space in proportion to the overlap. In general it makes sense to give people the option of either height incentives or setback reduction incentives. A giant house with an ADU is not the same as a fourplex in terms of housing provided for the community. It should also be recognized that trees do not stop growing at 24 inches. At the end of the day what is being proposed will result in a unique housing style that will be very recognizable as a Bellevue style. It is good that the city is prioritizing both trees and the creation of housing. Landmark trees specifically should be protected.

Abbey DeWeese, a local land use attorney, thanked the Commissioners for the hard work on the tree ordinance. The idea of a tree credit system is a good flexible and workable approach for development. Agreement was voiced in regard to the comment of the Master Builders Association in regard to prioritizing the retention of trees. The ordinance does not set out how the director should yield that discretion, however; that should be clarified with standards. The idea that significant trees cannot be removed where there is insufficient tree canopy existing on a site is somewhat troubling. The exceptions listed are not broad enough and will ultimately lead to projects and housing not happening. The exceptions do not talk about utility or access conflicts. As written, the code would not allow for the removal of a tree to accommodate those things that are necessary for development. The idea of having to prove maximum density cannot be achieved will be difficult in practice, especially in areas like BelRed and Wilburton where there is now and in the future will be significant density. Midrise development pencils much easier

than highrise development, and the proposal may actually preclude those sorts of projects from happening.

Ruth Lipscomb with Trees for Livability voiced support for the code as written. The staff have done a wonderful job of balancing a lot of input over many years. Trees for Livability has been watching the process play out and has a petition with more than 1700 signatures of people who support the recommendations made by the group, which are in line with the proposed LUCA. Some have said trees are dangerous, and that is true when they are not in groves and if they are topped. People asking for permission to top their trees are asking for those trees to fall on their houses. Additionally, people who are not keeping enough trees to keep the ground stable are also asking for trees to fall. The required tree density will keep the trees on lots healthy. The LUCA should be approved as written.

Jane Gershovich, volunteer coordinator for Trees for Livability, voiced support for the proposed tree code and for getting the code approved as soon as possible. Trees for Livability has been able to accomplish a lot even though the experience has been challenging. Time has passed since the canopy percentage was documented, and the number of significant landmark trees that have been removed has been catastrophic. East Bellevue, including Robinswood, has been targeted by developers and trees in the community have paid the price. There is a clear need for the process to be equitable.

Joann Atwell Scribner allowed not being able to speak in regard to large lots where the undergrowth needs to be cleaned and maintained, or as a developer, but only as a homeowner in an older East Bellevue neighborhood. The speaker noted that the lot adjacent had three large trees with circumferences of at least 36 inches. The trees were maintained and taken care of properly. The house was sold and the first tree came down as part of a remodel. Then after the remodel the home was sold and the new owners removed the two remaining trees and replaced with cement blocks, pebbles and gravel. The heat over the summer months emanating from there was markedly higher. One concern with the removal of trees in East Bellevue lies with the fact that people ask for forgiveness rather than going through the process of getting a permit. Even where trees are replanted, the ecosystem changes.

Lee Sargent remarked on having seven trees in a small yard. During storms trees move like grass. During a recent storm only one tree on the Uniguard site fell. There have been some trees in the neighborhood fall over the years, but the damage to houses and to people was superficial. Many get overly worried about what groups of trees can do without looking at it from the standpoint of what happens when trees are removed down to only ten percent coverage, leaving them vulnerable to wind. There will be significant trees removed going forward, especially as the city addresses the need for affordable housing, but the work should be done responsibly. The proposed LUCA is workable and consistent with other jurisdictions.

Phyllis White thanked the Commissioners for the hard work they do. The planning staff also work hard. With regard to Wilburton, the speaker noted living near streams, marshes and creeks, and noted enjoying trees. In personal surveys done in Wilburton, 95 percent indicated enjoying trees so much that they do not want to see them removed. Wilburton is home to a lot of wildlife living in and around trees that are more than 95 feet tall. They give everyone a sense of wellbeing. There is a need to increase density, but in doing so the wildlife should be respected.

A motion to close the public hearing was made by Commissioner Lu. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

Commissioner Ferris praised the fact that no credit will be given for alders and cottonwoods, and approved of the notion of providing greater height in cases other than residential in exchange for preserving trees. There were public comments made regarding the potential impact of the code on the provision of housing and staff was asked if they had considered that. There also were comments about the code being relatively ambiguous in terms of what a developer could expect and suggested it would be helpful, even if in a separate document, examples of how the interpretation of the code might be affected. The points raised by Nicole Myers should also be addressed by the staff.

Kristina Gallant said impacts on housing has been a concern of the staff from the beginning. The technical report does not focus on housing only because that deliverable was produced by the technical consultant with a focus only on trees. The main directive of the technical consultant's work was focused on informing the process on how to define things from the perspective of an arborist for tree health and how the code can support the more technical environmental aspects. Given staff's concerns over housing, the minimum densities in the residential districts are differentiated between single family and multifamily proposals specifically to give more flexibility for proposals that provide more housing units. That background also went into the thinking around granting additional development flexibility in acknowledgment that some projects may be more challenged.

When it comes to ambiguity, there have been concerns raised about the stated priorities for retention provided in the code. The priorities are provided as guidance; they are not standards and they do not overrule any other standards in the code. The recommendation is to prioritize landmark trees first, then groves of trees, but that does not overrule the minimum tree density standard. There is flexibility that allows arborists to weigh in.

Code and Policy Division Director Nick Whipple directed the Commission to the specific language around the development assurances offered as part of the code. There is flexibility for when retention alone results in a reduction in the maximum density allowed for a site. That is important for responding to the Council's direction to balance housing production alongside the desire to increase the tree canopy. The specific assurance language will guide the department in its review of projects to prevent a reduction in density that would otherwise be allowed on a parcel by strictly applying the tree regulations.

Commissioner Ferris asked if some examples could be provided and Kristina Gallant said that can be done.

Commissioner Calad voiced concern over the fact that non-developer individuals who may have a need to remove a tree will still have to face a difficult and expensive process. The proposed code evokes a great deal of progress compared to where things started, but there is still opportunity to make some refinements, especially for individuals dealing with their own small spaces. Kristina Gallant said the proposal being discussed specifically applies to development proposals only. An individual homeowner who needs to remove a tree on their property or otherwise conduct regular maintenance is regulated through the city code. While that code will also be updated as directed by the Council, the intent is to still allow for maintenance and tree removal within reason. Much has been heard from the public and the Council about keeping permitting costs low

Commissioner Villaveces referred to Table 20.20.900.E.3 and noted that the smallest trees, with diameters of six to ten inches, are given two credits. Reference was then made to Table 20.20.900.E.1 and it was pointed out that someone with a 10,000-square-foot lot in an R-4

district will need two credits per thousand square feet. Kristina Gallant said in the example given, if there was 10,000 square feet of tree canopy site area after removing all critical areas and any public rights-of-way, and if the smallest size qualifying trees were used, there would need to be ten trees retained. Through planting alone, it would take 20 trees, but two landmark trees would get to the same place. Landmark trees are actually very common in Bellevue.

Answering a question asked by Commissioner Villaveces, Kristina Gallant said the requirements of other jurisdictions were used as a starting point. The technical report cites Kirkland's minimum tree density standard as an alternative. Burien also has a minimum tree density standard, but both of those jurisdictions have additional restrictions on tree removal that apply on top of their retention standards. In the interest of flexibility, the proposal for Bellevue relies more solely on the minimum tree density. Recent Bellevue development proposals were reviewed as well, particularly in large lot neighborhoods. From all that work, staff calibrated the need to increase the minimums in the larger lot areas.

Commissioner Villaveces referred to the building height flexibilities and asked why the exceptions were included for transition areas and proposals for only one building per lot and only for affordable housing. One way to preserve trees is simply to allow for taller buildings, reducing the building footprint on sites. Kristina Gallant said affordable housing is one of the conditions where additional height is available. It is also an option where extra height will enable the preservation of a grove or additional landmark trees beyond the minimum whether or not affordable housing is involved. Additionally, extra height is allowed where a development cannot achieve its maximum density without going higher, also irrespective of affordable housing. Single family homes have the flexibility for front and rear setbacks, but because of comments regarding scale, the additional height is allowed only for multifamily housing, which does include an ADU or other housing types that may potentially need flexibility.

Commissioner Villaveces commented that by virtue of the small-lot nature of single family homes, they are the ones most affected by the footprint issue. The more houses built, the more affordability there will be. The additional height flexibility for single family homes would be helpful. Kristina Gallant explained that the height bonus as proposed is similar to what is allowed for affordable housing more generally. The approach allows for some buffering from neighboring sites. Commissioner Villaveces noted that natural light access for neighboring properties can be affected depending on where development occurs on a site. Pushing additional height toward the south end of properties would help with that.

Commissioner Lu voiced support for the higher R-1 and R-1.8 tree cover provision, and for not counting alders and cottonwoods.

With regard to enforcement actions and the language indicating that the director may require a longer period depending on the plant materials used and site conditions, Commissioner Lu suggested the approach brings on a bit of a gray area. The question asked was if staff had considered alternative enforcement approaches. Kristina Gallant said the three-year piece is for projects that are reliant on planting even to achieve the minimum standard, in which case the developer may be required to provide a maintenance assurance device for three years. The city's environmental planners recommend three years as a good baseline for new trees to become established. If that period were to be extended, it would depend on the local circumstances and the type of tree. Commissioner Lu said language stronger than "may require" should be used.

Commissioner Lu agreed that the development of the credit system inherently provides flexibility. With regard to permit costs, Commissioner Lu agreed that they can spiral out of

control and the question asked was if there could be a maximum permit cost established. Kristina Gallant said that is difficult to isolate specifically to trees given the tie to the larger project permit. The Department of Development Services reviews all development proposals and operates on a cost-recovery model. There is some legislation being worked on based on guidance from the state relative to permit timelines.

Nick Whipple added that one area the city is continuing to explore is the cost of a permit to remove any tree outside of development. A lot of concern has been voiced by property owners, the Commission and the Council about removing trees outside of any redevelopment proposal. That element will be part of the upcoming city code amendments.

**\*\*BREAK\*\***

(8:25 p.m. to 8:32 p.m.)

Vice Chair Goepppele asked how the tree code relates to HB-1110 and the level of flexibility. There is a clear need for housing, especially middle housing, but there may be situations where unless it is removed is a significant tree might block a transition from having a single family house to maybe a row of three or four townhomes. Kristina Gallant said in the full implementation of HB-1110 will involve a dedicated code project, which will launch later this year. That effort will look at new development types, including how detached ADUs will be implemented, whether there could be two ADUs, one attached and one detached, and other issues. There are a number of outstanding variables that cannot yet be incorporated into the tree code until the HB-1110 issues are addressed. Section E.5 is set up for projects that come in that already have existing trees above their minimum tree density; those projects are granted additional flexibility to select which trees are to be retained and which to be accommodated with replanting. There is a tool to prevent tree removal before development occurs. For projects that come in with very few existing trees, below the minimum density standard, existing viable trees can be removed only if the maximum density cannot be achieved, the trees are hazardous, if an arborist determines trees are inappropriate for retention, or if the site is in a wildland urban interface and trees must be removed in order to maintain defensible space for fire prevention. Development flexibility is a separate issue and is not restricted to cases of low canopy.

With regard to flexibility specific to middle housing types, Kristina Gallant said there are housing types for which flexibility cannot be addressed because they are not yet allowed in the city. Detached ADUs fall into that category currently. The code scales the minimum residential requirement by district, so the higher-intensity districts that allow for more units there is a lower minimum canopy; the minimum canopy requirement is lower still where more units are proposed. As the full code for HB-1110 implementation is developed, some additional changes could be made to the tree code.

Vice Chair Goepppele envisioned a scenario involving existing single family residential lots where there is a large concentration of significant or landmark trees right in the center of the lot, restricting the development opportunities for townhomes and more density. There does not appear to be any provision for flexibility in that circumstance. The replanting option is only available when there are not enough existing trees on site. Kristina Gallant said for properties with existing trees in the center of the site, there may be other trees around other parts of the site that could be retained, allowing for meeting the minimum density even with the removal of the trees in the middle. In the case of a site that only has one significant tree located in the middle of the site, and where development of the site cannot achieve its minimum without removing the tree, there is flexibility involving planting of trees. As the code is set up, the minimum tree density must be maintained either through replanting or retention. In those cases of properties

already below the minimum density, they will be limited in their ability to remove any existing trees.

Vice Chair Goepppe brought up for discussion a situation where a 10,000 square foot lot requiring 20 tree credits has existing trees located in the middle of the lot amounting to 25 credits. The question asked was if trees could be removed in conjunction with some replanting in order to create new townhomes. Kristina Gallant said trees can be removed to a point below the minimum, provided trees are planted to get back up to the minimum. One credit is allowed for each newly planted tree, but preserving one landmark tree yields ten credits. Preserving two landmark trees would get the site to 20 credits, but to reach that level through planting alone would require planting 20 trees. In cases where it is truly infeasible to reach the minimum number of credits, the in-lieu fee is an option of last resort.

Vice Chair Goepppe noted the language of Section E.5.a does not appear to allow for compensating for the removal of trees through planting. Kristina Gallant said one implementation option would be to take a purely market-based approach under which the minimum tree density can be achieved in any fashion involving replanting or retaining trees. There have been comments made on both sides of that argument. The proposed approach starts from a point of flexibility, but there are also limits on the removal of existing trees, in part to discourage lot clearing before development and to protect sites that have very few existing trees. Section E.5 specifically speaks to the scenario where the tree canopy is low.

Nick Whipple added that Section A.2, the applicability section, also refers to the issue of needing to assure site density can be achieved. The section spells out that the application of the tree requirements alone cannot result in a reduction of the maximum density allowed for a site. The implementation of HB-110 and HB-1337 will offer additional opportunities for making refinements to the provisions to consider other development types when the middle housing dimensional standards are before the Commission. The same is true for the Wilburton and BelRed areas.

Vice Chair Goepppe said the purpose section at the beginning is useful for describing the intent of the code, but to the extent the code does not specifically allow for flexibility around replanting in E.5, there could be some confusion.

Commissioner Villaveces noted having open an arborist's report concerning a 60,000 square foot lot having only 12 trees on it, including a Western Red Cedar of 40 inches diameter, four Red Oaks of 29 inches diameter, and a Douglas Fir at 30 inches diameter. The tree credit system caps tree diameter at 24 inches, which could be a missed opportunity to save trees given that sometimes to be able to save the larger special trees some others might need to be removed. It is possible to transplant significant trees, but under the proposed code putting large healthy trees onto a new property will only yield one tree credit; it should be worth more than that. Additionally, the development of a lot may be negatively impacted by the root system of trees on neighboring properties. In those instances, consideration should be given to allowing the tree on the neighboring property to be counted toward retention credits. Given that trees may exist in odd places on lots, making them more difficult to deal with. The question asked was if there are additional avenues that can be used for sites to achieve their maximum density where even after using all possible flexibility, including setbacks and height, a site cannot achieve its maximum density.

Kristina Gallant explained that when the code was first being developed consideration was given to granting a multiplier for certain landmark trees. It was found that adding a multiplier and

cranking up the scoring for an individual tree too much, there can be resulting situations where someone will only be retaining one tree, even on larger sites. In drafting the code the focus was on striking a balance when it comes to retaining more trees and giving too much credit to certain trees. Commissioner Villaveces asked if the balanced approach could prove to be counterproductive given that someone might choose to take down a Giant Sequoia in favor of a Hemlock of the same diameter just because both are given the same value under the credit system. Kristina Gallant stressed that just because a tree is larger does not mean it is healthier. There are tradeoffs involved.

Kristina Gallant said staff also considered giving credits for replanting larger trees. The one credit for newly planted trees applies to the smaller nursery stock variety. The code does not have a provision currently for given more points for transplanting very large trees, a scenario that likely will not be as common. The challenge in regard to granting credits for neighboring trees is that things could get complicated down the line should the neighbor then want to redevelop their site, leading to multiple credits given to the same tree. The credit system is designed towards what is achieved within the tree canopy site area.

A motion to extend the meeting to 10:00 p.m. was made by Commissioner Lu. The motion was seconded by Commissioner Ferris and the motion carried unanimously.

Commissioner Villaveces said the focus on retaining trees extends beyond property lines and will have real impacts. Credits should be given for preserving even neighboring trees. Nick Whipple clarified that the Land Use Code currently does not address neighboring trees, and neither does the draft tree code. Trees on neighboring properties are outside the control of the property owner applying for a permit. It is true that root zones extend across property lines, and there are ways for projects to work with the neighbor to determine appropriate ways to protect the neighboring tree, including modification of the tree protection zone. Arborists are well aware of the types of disturbances to their root zones that trees can tolerate. There is flexibility built into both the current code and the proposed code. Staff would not recommend providing credit for neighboring trees.

Kristina Gallant said the flexibility options include granting additional building height and modifying the setbacks where the maximum development density cannot be achieved without extending into the tree protection zone of an existing of a landmark tree. Nick Whipple allowed that the code language does not specifically call out neighboring trees, but suggested that would be different from the intent of focusing only on trees on the property seeking a redevelopment application. Should a property be granted some flexibility to avoid the tree protection zone of a tree on a neighboring property, there still would be nothing requiring the adjacent property owner to retain the tree. Part of what the city wants to receive in exchange for the flexibility is an assurance that a tree will be retained. The neighbor would have to grant the covenant protecting the tree on their property.

Commissioner Cálad voiced support for the concerns outlined by Commissioner Villaveces. The point made by staff is understandable, but the reality is there are many situations in which neighbors are not willing to cooperate. There should be some way to allow a property owner to take action when they are impacted by the roots of a tree on a neighboring property. Some language should be included in the code that would benefit both of the affected properties.

With regard to the fee in-lieu, Commissioner Cálad noted the concerns previously raised about how much easier it would be for people to just pay the fee instead of going through the other options. Kristina Gallant said the code language for the fee in-lieu states that the option is

available only in the event an applicant demonstrates that all planting options have been considered and are infeasible.

Commissioner Lu pushed against establishing a multiplier for a larger individual tree. The environmental impact and benefit of having a grove of trees is greater than a single large tree. A multiplier would disincentivize multiple groves.

Commissioner Lu also advocated for retaining the six-inch significant tree diameter over the eight-inch diameter. The most biomass accumulates in a tree at roughly between 20 and 70 years, and it takes roughly 15 to 20 years to hit the six-inch diameter mark. Trees with a diameter of six inches or less are right on the cusp of significant biomass accrual.

Vice Chair Goepple allowed being able to support the six-inch diameter threshold but stressed a desire to see greater flexibility with respect to planting to avoid inadvertently creating situations that foreclose opportunities for middle housing.

Commissioner Calad commented that should someone suffer damage from a neighbor's tree fall on their house, the person suffering the damage will have to pay for the damage. That is very unfair. A way needs to be found to deal with trees that affect multiple properties.

A motion to adopt the resolution and move it forward to the Council was made by Commissioner Ferris. The motion was seconded by Commissioner Lu.

Vice Chair Goepple reiterated a concern about the one provision in relation to replanting flexibility. The proposal does not provide as much flexibility as it should to accommodate other housing types.

Commissioner Lu agreed that from a process perspective the middle housing piece will be addressed as part of implementation of HB-1110 and HB-1337. There is a range of flexibility provided by the resolution in terms of multiple units versus single units. There is also flexibility in terms of building heights, and the fee in-lieu outlet.

The motion on the floor carried unanimously.

## 8. STUDY SESSION (9:15 p.m.)

### A. BelRed Look Forward Comprehensive Plan Amendment: Recommend Changes to the BelRed Vision and General, Housing, Urban Design and Arts and Culture Policies

Assistant Director Emil King stated that staff are on track to produce a full draft of the Comprehensive Plan, including the BelRed Subarea Plan, at the beginning of May. A public event is slated for May 6 and the updates for all of the general elements and the BelRed Subarea Plan will be before the Commission on May 8.

Senior Planner Gwen Rousseau reminded the Commissioners that the BelRed Look Forward was launched as part of the Comprehensive Plan Periodic Update with the intent of looking for opportunities to increase capacity to help accommodate the project housing and job growth, and to strengthen and clarify the policy direction for implementing the BelRed vision. When the Plan was adopted in 2009, the city was in between major updates to the Comprehensive Plan. As a result, new policy ideas were incorporated into the subarea plan instead of Volume 1. Since then,

however, many of the policies have been incorporated into Volume 1. Because Volume 1 policies apply citywide, many of them are no longer needed within the subarea plan. Removing them will avoid potential inconsistencies between Volumes 1 and 2 going forward.

While the intent of the initiative is not to change the vision for BelRed, the city's vision for the BelRed Arts District has developed more fully since 2009 and there is a need to refine the vision statement. The proposed revisions to the vision include minor language changes regarding environmental improvements and sense of place, and a more fully developed statement that clarifies and strengthens the vision of BelRed being a unique destination for arts, culture and creativity.

The General section provides overarching direction for implementing the plan. The proposed changes include an update to highlight the importance of existing creative and cultural businesses, an update to clarify the objective of minimizing the environmental impacts of growth, and a new policy to incorporate social equity into the overarching objectives of the plan.

The Housing section provides direction for achieving the vision of having a broad range of housing types in BelRed that meet the needs of a diverse population at various incomes levels. The proposed policy changes include updates to terminology, updates to ensure alignment with the citywide Affordable Housing Strategy, and updates to provide greater clarity on the objective of providing for housing affordable to a range of incomes within every BelRed neighborhood district to ensure all households have access to similar amenities and opportunities.

The Urban Design section focuses on creating a distinct sense of place within BelRed, and on improving the pedestrian experience to achieve the vision of the area having a pedestrian friendly and walkable character with convenient access to shopping, jobs and community amenities. The proposed changes include removing policies that are redundant with Volume 1, updates to broaden the historic context of BelRed and to use more inclusive language, and updates to highlight the importance of arts and culture in developing a sense of place in BelRed.

The Arts and Culture section received the most updates, reflecting the growth of creative businesses within the district and the development of a community-based organization, the BelRed Arts District Alliance, which has invested a lot of time and energy into implementing the vision for arts, culture and creativity in BelRed. The arts, culture and creativity policies provide broad direction within four policy areas related to organization, visibility, creative space and community connections. The proposed changes include modifications to support the organization, visibility and presence of the BelRed Arts District, the addition of new policies supporting the development of affordable housing for artists, and the addition of new policies to foster community connections through the provision of a central meeting space, the development of programs, supportive infrastructure and events. Figure S-BR-2 in the plan delineates the area in which the provision of affordable arts and culture space will receive higher priority for incentives, as described in policy S-BR-71.

The Arts Commission was involved in the review of the arts and culture policy amendments as directed by the city code. They brought their expertise in encouraging the development of arts and culture to their review of the policies. They reviewed, discussed, and provided direction on proposed updates during their March meeting, and then voted unanimously to recommend the arts and culture amendments as included in Attachment B of the Commission packet.

Gwen Rousseau said a full draft of the subarea plan will be brought back before the Commission on May 8. That will be followed by continued discussion on May 22 and a public hearing on

either June 20 or 26.

Commissioner Lu noted that throughout the document a switch has been made from neighborhood to residential. However, both S-BR-64 and S-BR-65 use the word “neighborhood.”

Commissioner Lu said S-BR-65 calls for offering housing affordable at a range of income levels and suggested adding “and different family needs.” Income should not be the only determinant of a family’s needs.

Commissioner Villaveces referred to S-BR-63 and noted that as drafted it appears to exclude mixed use. Gwen Rousseau said there is no intention to exclude mixed use in referencing various building types.

Commissioner Cálad asked about the provision to provide affordable housing for artists. Gwen Rousseau said there were two provisions in the arts and culture section. S-BR-72 seeks to promote the development of flexible and affordable artist live/work units, and S-BR-73 calls for stimulating the development of affordable artist housing through public/private partnerships. Commissioner Cálad noted having previously called out the need for affordable housing for police and fire personnel and teachers the answer given was that would be discriminatory.

Commissioner Ferris said there are fair housing laws in place that say persons seeking housing cannot be discriminated against based on their occupations and other factors. Developments can be marketed to specific populations, but even then, there cannot be any discrimination. Scott MacDonald added that the fair housing laws specifically include a carve-out for artists as well as for seniors.

Emil King agreed to come back with information on housing for different population groups in BelRed so that you have the information that you need.

Commissioner Ferris noted that about a year ago, there was recognition that there had been relatively little affordable housing development in the BelRed area. It was acknowledged at that time that the incentive programs in place were not effective. As a general comment regarding BelRed, and indeed the city as a whole, Commissioner Ferris stressed the need to pay attention to what has not worked and to zero in on the things that have worked to make sure the right policies are in place. Support was also voiced for the suggestion made by Commissioner Lu regarding housing types for “different family needs.” Family housing requires multiple bedrooms, and those houses are more expensive to build, and there needs to be policy support for developing family housing.

Commissioner Ferris commented that while it is known there is a need for a range of affordable housing, the incentive system can really only be depended upon for the upper income units. Any units affordable at 60 percent of area median income and below are going to need subsidies from public funding. A multipronged approach is needed.

Commissioner Cálad asked about facilities for the performing arts, both within buildings and outdoors, noting that outdoor facilities would need to take into account such things as noise and weather, allowing for people of all abilities to engage in the arts. Gwen Rousseau said there are policies in the arts and culture that encourage the creation of a central space that would include indoor performance, studio or events space. There are also policies in the urban design and parks and open space sections that call for dedicating space outside for art and performance events, and

there are policies that call for including supportive infrastructure in the rights-of-way to accommodate things like street festivals. With regard to noise control, Gwen Rousseau said the city code regulates noise. Any outdoor event would have to go through a permitting process.

Commissioner Cálad commented that currently the city's only art festival happens on Kemper Development Company land. The city needs to think about taking things to the next level when it comes to accommodating arts and other event in other parts of the city. Gwen Rousseau said the notion of having more events as the various districts develop is supported by the policies.

Scott MacDonald said there are policies regarding festival streets and a central meeting space for arts and culture activities. S-BR-76 talks about providing infrastructure needed for those types of events.

Commissioner Ferris referred to S-BR-42 which talks about creating welcoming streetscapes and neighborhoods as well as other issues. The question asked was if things like water features could be encouraged as an element that creates vibrancy and warmth. Gwen Rousseau said staff had a long list of different things in the policy and the desire was to pare them down to avoid having a list that ends up being limiting, but agreed to look at ways to incorporate water features into the policies.

Commissioner Lu agreed with Commissioner Ferris. With regard to S-BR-42, the intent of Old PA-38 could be captured by adding "ecologically oriented pedestrian experience." That could include water features.

Commissioner Lu suggested adding "multimodal" or "active transportation" to policies S-BR-43 and S-BR-44.

Commissioner Villaveces called attention to S-BR-38 and the previous proposal to add to the policy "provide administrative flexibility to deviate from building standards to achieve these goals," noting support for making that change.

Commissioner Villaveces referenced Old S-BR-19 and stated it would be good to add "appropriate material installation and detailing practices" to UD-5 in Volume 1. S-BR-39 is clear in its direction but is somewhat contradictory in encouraging innovative building and site design while also calling for materials reflecting historic context.

Commissioner Villaveces noted that Old S-BR-22 was removed because it was deemed to be redundant, but said points (b) and (c) about parking do not appear elsewhere in the policies.

Commissioner Villaveces observed that S-BR-41 calls for the use of vibrant color as an accent in the Arts District Intensive Area and asked why color should only be an accent rather than a feature. There is also a question of how the use of color accents is to be curated and who will make the final decision.

Vice Chair Goepple asked if the references to creating a pedestrian friendly zone could be more specific in regard to block size. Block size matters with regard to creating pedestrian friendly zones. Gwen Rousseau said there is a policy in the Transportation section that calls for smaller block sizes. It has also been implemented in code to have a standard block perimeter length of 1200 feet for BelRed.

Commissioner Cálad questioned why S-BR-41 should call out the use of vibrant colors. That

feels like something that should be addressed at the implementation level. There are some in the city who believe it is okay to allow anyone to spray paint graffiti wherever they want, but that is not art. Gwen Rousseau said how the use of vibrant colors should be curated is something that will be addressed when the code is developed. At the policy stage, the intent is to allow the arts district to have a high-level of visibility and recognition.

Commissioner Calad agreed with the need to make BelRed a walkable community. BelRed is a perfect place to go big on walkability. Gwen Rousseau said the pedestrian experience is emphasized in the policies starting with S-BR-42.

With regard to the Arts, Culture and Creativity section, Commissioner Lu referred to S-BR-67 and asked for clarification regarding the phrase “intersection of art and technology.” Scott MacDonald said the Spring District is a part of BelRed, and that is why the notion of technology was included. BelRed is uniquely positioned in that it has both a high number of arts organizations, artists and non-profits and technology companies. The data around many who work at technology companies shows they are doing a lot of the same work the artists are doing, just in a different medium. Commissioner Lu suggested leaving out buzz words like “cutting edge” given that they may not age well.

Commissioner Villaveces asked if the policy should include a reference to the creative economy given that so many people are involved in doing creative work from their own homes. There could be opportunity to bring them in and expose their work to the public.

Commissioner Villaveces pointed out that there is no reference made to live music along with art, murals and technology. Scott MacDonald commented that back in 2017 the city was working with a group that was the precursor to the BelRed Arts Alliance. The members were mostly representing music organizations, of which many are located in BelRed. The thing heard most from them was the need for space for events, and that became the focus for this policy. Consideration could be given to more clearly emphasizing live music in the next draft.

Commissioner Villaveces referred to the depiction of the BelRed area on Slide 6 of the staff presentation and pointed out that it includes no public squares or plazas. Those are major elements that should be considered. Scott MacDonald said plazas certainly are included in the references to central meeting spaces. Gwen Rousseau said the Parks and Open Space section may also make references to plazas.

Vice Chair Goepppele voiced full support for including in policy a focus on the intersection of art and technology. There have been discussions about having places young people will be interested in going, and the policy also plays to two of the city’s strengths.

Vice Chair Goepppele asked for clarification regarding how the BelRed Arts District Intensive area, shown on the map in Slide 16 of the staff presentation and referenced in S-BR-71, was determined. Scott MacDonald said the boundary was first drawn quite small by focusing on what was seen as the core of what an intensive area should be, which was the area around the 130<sup>th</sup> light rail station. A number of arts organizations are located in that concentrated area. From there the focus turned to creating a geographic feeling of being in an arts district. The western boundary is defined by topography, and the eastern boundary lies in proximity to the central core of the district. The north and the south boundaries came into focus by considering the parcels that might be conglomerated into a bigger development.

A motion to extend the meeting until 10:15 p.m. was made by Commissioner Ferris. The motion

was seconded by Commissioner Lu and the motion carried unanimously.

Emil King summarized the policies earmarked for additional review by the Commissioners as being S-BR-64, S-BR-65, S-BR-38, Old S-BR-19, UD-5, S-BR-39, Old S-BR-22, LU-25, S-BR-41, S-BR-42, S-BR-43, S-BR-44 and S-BR-67, in addition to the overall concepts of creator economy, central plazas; affordable housing for different groups such as artists, teachers, police and firefighters; indoor and outdoor spaces in affirmation of BelRed being a great place for events in the future; and reviewing the incentives that have worked and those that have not worked.

9. OTHER BUSINESS – None  
(10:05 p.m.)

10. APPROVAL OF MINUTES  
(10:05 p.m.)

A. March 27, 2024

A motion to approve the minutes was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

B. April 3, 2024

A motion to approve the minutes was made by Commissioner Ferris. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

11. EXECUTIVE SESSION – None  
(10:07 p.m.)

12. ADJOURNMENT  
(10:07 p.m.)

A motion to adjourn was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

Vice Chair Goepppe adjourned the meeting at 10:07 p.m.