

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

June 10, 2025
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Malakoutian¹ and Councilmembers Bhargava, Hamilton², Lee, Nieuwenhuis and Sumadiwiryra

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding.

Mayor Robinson expressed appreciation for Executive Assistant Michelle Luce, who is retiring after a long career with the City. Ms. Robinson praised Ms. Luce's dedication to the City and the Council and her invaluable support over the years.

Councilmember Nieuwenhuis thanked Ms. Luce for all of her hard work to support the Council. He said she has been amazing to work with and he thanked her for keeping him on track over the past several years.

Councilmember Sumadiwiryra thanked Ms. Luce for her assistance and for making everything more enjoyable.

Councilmember Lee expressed appreciation for Ms. Luce's effectiveness in working with the Council. He said he has enjoyed talking and laughing with her over the years, and he thanked her for understanding and accommodating each individual Councilmember.

Councilmember Bhargava wished Ms. Luce well and thanked her for her work for the Council and the community. Noting he is new to the Council, he said Ms. Luce has made it an easy, efficient and fun transition.

Deputy Mayor Malakoutian expressed appreciation for Ms. Luce's assistance and hard work and wished her well in retirement.

¹ Deputy Mayor Malakoutian participated remotely.

² Councilmember Hamilton participated remotely.

Councilmember Hamilton thanked Ms. Luce and commended her vast knowledge of the City. He said Ms. Luce sets a high standard as an employee. He congratulated her on her retirement and wished her well with her travels and her grandchildren.

2. Roll Call; Flag Salute

Deputy City Clerk Karin Roberts called the roll and all Councilmembers were present. Councilmember Sumadiwiry led the flag salute.

(a) World Elder Abuse Awareness Day Proclamation

Councilmember Bhargava read the proclamation recognizing June 15, 2025, as World Elder Abuse Awareness Day in Bellevue. He urged everyone to join in raising awareness, preventing elder abuse and ensuring that older adults live with dignity and respect.

Shana Aucsmith, representing the Bellevue Network on Aging, thanked the Council for the proclamation. She said elder abuse includes the neglect, abandonment, financial and material exploitation, and physical and mental abuse of a vulnerable adult. She said incidents occur in private homes, care institutions and businesses with nearly 47 percent perpetuated by a family member and 13 percent by a medical caregiver. She described a real case filed by the King County Prosecutor's Office last year in which a medical assistant committed identity and financial theft using an elderly patient's ID and credit card. She said to report elder abuse emergencies by calling 911. Otherwise, reports can be made and more information is available by calling Washington State Adult Protective Services at 1-877-734-6277 or accessing the web site: www.dshs.wa.gov/altsa/adult-protective-services. Ms. Aucsmith encouraged the public to call the Bellevue Police Department for assistance as well.

3. Approval of Agenda

- Councilmember Nieuwenhuis moved to approve the agenda, and Councilmember Lee seconded the motion.
- The motion carried by a vote of 7-0.

4. Oral Communications

Mayor Robinson encouraged speakers to be respectful and to avoid being offensive or demeaning toward any individuals. She said all comments must relate to City business. She encouraged those commenting on housing to be specific in addressing individual issues and concerns.

Deputy City Clerk Roberts said the total time for oral communications is for a period not to exceed 30 minutes and topics must relate to City of Bellevue government. Persons speaking to items on the agenda will be called first and if time remains, others will be called. The presiding officer is authorized to give preference to individuals who have not spoken to the Council within the past 60 days or who are speaking to items that will come before the Council in the upcoming

60 days. Ms. Roberts said individuals are allowed to speak for up to three minutes and only three speakers are allowed to speak to any particular side of a topic. In compliance with Washington state campaign laws regarding the use of public facilities, no speaker may support or oppose a ballot measure or candidate for election.

- (a) Troy Schmeil, a local builder, expressed support for the middle housing Land Use Code Amendment (LUCA) as recommended by the Planning Commission. He expressed support for the variety of housing types and sizes. He has built a number of housing types in other communities and they have all been well received by residents and the City Councils. He asked the Council to retain the maximum size of 1,750 square feet for cottage housing. He expressed concern about the proposed fee in lieu that has been discussed.
- (b) Jazmine Smith, Director of Local Advocacy, Futurewise, expressed support for the Planning Commission's recommendation for the middle housing LUCA. Noting the critical need for housing, she urged the Council to go big and bold in setting housing regulations that create opportunity and options.
- (c) Alex Kon expressed support for the Planning Commission's recommended middle housing LUCA. He acknowledged that change can be scary and commented on the critical need for housing.
- (d) Craig Spiegle expressed concern regarding the proposed middle housing LUCA. He said he recently tried to sell his home in the Lochleven area and two offers were withdrawn after the buyers learned about the proposed regulations and the impact they would have on density. He said he has heard from other West Bellevue residents who are concerned that increased density will lower their property values. He encouraged the Council to prioritize quality of life for current homeowners and to vote against the proposed LUCA.
- (e) Anne Coughlin, a northeast Bellevue resident, said that the characterization of residents in favor of the state model ordinance for middle housing are incorrect, inflammatory and insulting. She said an argument has been made that only the Planning Commission's recommendation will increase housing. She expressed concern regarding infrastructure and property tax impacts. She said residents opposed to the increased density have been unfairly labeled as elitist and discriminatory.
- (f) Pamela Johnston expressed concern regarding increased density throughout Bellevue and spoke in favor of focusing increased density in transit-oriented development (TOD) areas. She expressed concern regarding the loss of trees with increased redevelopment and whether there is sufficient infrastructure capacity. She suggested this is counter to the City's low-impact development principles adopted several years ago. She expressed concern regarding the treatment of transition areas in the proposed middle housing LUCA. She expressed concern that there could be up to eight units on a lot, including accessory dwelling units (ADUs).

Mayor Robinson warned Alex Tsimmerman to stop interrupting the speaker.

Continuing, Ms. Johnston said she grew up in a family of six kids in a 1,200 square-foot home, which is the size proposed for ADUs and smaller than the proposed cottages. She said her grandmother has a three-bedroom, 1,010 square foot home. Ms. Johnston urged the Council to reduce the allowed lot coverage.

- (g) Nicole Myers spoke to the need to provide different housing types and sizes. She said there are many good models for cottage housing. She expressed concern that the treatment of pitched roofs could result in boxes with flat roofs. She encouraged walkable streets with trees in neighborhoods.

Mayor Robinson issued a second warning to Mr. Tsimmerman to stop interrupting the speakers.

- (h) Allen Huang, an electrical engineer contracting with Puget Sound Energy (PSE), said he is working on a project near the Eastgate Park and Ride facility. He expressed concern regarding the existing design of the power lines in the area. He noted an apartment building in the area and encouraged underground power lines.

Mayor Robinson asked staff to follow up with Mr. Huang.

- (i) Dr. Sue Mercer expressed concerns regarding traffic, road conditions, housing and mental health. She submitted copies of the mission statement for her non-profit organization that houses individuals experiencing homelessness for short periods of time. She noted her plans to provide a taxi service for disadvantaged individuals and to provide home health care services. She encouraged the City to resurface SE 22nd Street between 156th Avenue SE and 148th Avenue SE. She thanked the City for filling most of the potholes on SE 16th Street and for resurfacing Main Street.
- (j) Murali Munugeti spoke in opposition to the middle housing LUCA. He described moving here from India in 2011. He said he made the decision to demolish and rebuild their home, trusting that the City would keep its promises about protecting neighborhoods from density and upzoning in single-family areas. He expressed support for ADUs and detached ADUs. However, he expressed concern regarding the impacts of too much density. He encouraged the Council to change the threshold for housing proximity to major transit stops from one half-mile to one quarter-mile as required by state law. He urged the Council to require off-street parking for residents and to ensure that projects blend in with the neighborhood. He said a 1,750 square-foot cottage will cost \$1.7 million in Bellevue and will not be affordable.

Mr. Tsimmerman objected to not being able to speak during oral communications. Mayor Robinson asked that he be escorted from the meeting.

Mayor Robinson said Mr. Tsimmerman has disrupted meetings a number of times. She asked staff to follow up with information about how he could be banned from City Hall, or at least from Council meetings. City Manager Diane Carlson said staff would research the issue and follow up. Ms. Robinson noted that he is also disrupting board and commission meetings at times.

5. Reports of Community Councils, Boards, and Commissions: None.
6. Report of the City Manager: None.
7. Council Business and New Initiatives
 - (a) Council Liaison Recommendations for Appointments to Human Services Commission, Planning Commission and Transportation Commission

→ Councilmember Nieuwenhuis moved to approve the following appointments:

 - Olga Perelman to the Human Services Commission for a partial term expiring on May 31, 2027.
 - Mariah Kennedy to the Planning Commission for a partial term expiring on May 31, 2026.
 - Arshia Nilchian to the Planning Commission for a partial term expiring on May 31, 2027.
 - Kay Williams to the Transportation Commission for a full term expiring on May 31, 2029.

Councilmember Bhargava seconded the motion.

→ The motion carried by a vote of 7-0.
8. Consent Calendar

→ Councilmember Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Lee seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

 - (a) Council Minutes
Minutes of May 20, 2025 Regular Meeting

At 6:50 p.m., Mayor Robinson declared a short break. The meeting resumed at 7:04 p.m.
9. Public Hearings: None.
10. Study Session
 - (a) Recommended Land Use Code Amendment (LUCA) and proposed Bellevue City Code Amendment (BCCA) revising the City's regulations in response to the passage of House Bills 1110 and 1337, requiring cities to expand housing options and densities in residential areas.

City Manager Diane Carlson recalled that the middle housing LUCA was last discussed with the Council on May 13 and the Council raised a number of questions. She said those questions and staff's responses have been posted online and will be discussed tonight. She said the State requires the adoption of its model code, at a minimum, by June 30.

Rebecca Horner, Director, Development Services Department, introduced discussion regarding the recommended Land Use Code Amendment (LUCA) and Bellevue City Code Amendment (BCCA) in response to the passage of House Bills 1110 and 1337 by the state legislature. She noted that John Resha, Chief Financial Officer, was in attendance to be available for questions.

Nick Whipple, Code and Policy Director, recalled that the Council initiated the Comprehensive Plan periodic update in February 2022 with a special interest in housing. In January 2023, the Council selected middle housing and accessory dwelling units (ADUs) as one of six Next Right Work items to focus on over the next 2-3 years. The state legislature passed HB 1110 and HB 1337 in July 2023 and staff began engaging with the Planning Commission in October 2024 to address middle housing following the adoption of the Comprehensive Plan periodic update. Mr. Whipple said code updates to comply with HB 1110 and HB 1337 must be adopted by June 30, 2025.

Kirsten Mandt, Senior Planner, said HB 1110 requires cities to allow four units by right citywide, or six units when the property is within one quarter-mile of a major transit stop or when two of the units are affordable. Cities cannot apply more restrictive regulations for middle housing than for other single-family zones. Parking reductions are available adjacent to transit. HB 1337 allows two accessory dwelling units (ADUs) on all lots and sets a minimum size and height. Impact fees are reduced and no frontage improvements are required. Parking exemptions and reductions are available.

Ms. Mandt highlighted the role of state law in the development of the model ordinance by the Washington State Department of Commerce. The model ordinance will take effect if no local ordinance is adopted. The proposed LUCA contains Bellevue-specific regulations tailored to implement state law, align with recently completed Comprehensive Plan update and to address lot sizes and housing needs.

Ms. Mandt recalled that on May 13, Councilmembers provided feedback and raised a number of questions regarding outreach, infrastructure impacts, attached ADUs, density near growth centers, fee-in-lieu amount, parking requirements, density near transit, building heights, which middle housing types to allow, and the proposed scale of cottage housing. She noted that more information, including frequently asked questions, is provided online.

Ms. Mandt recapped the outreach process for the Comprehensive Plan update beginning in February 2022 and extending through October 2024. Middle housing policies were addressed last fall. The formal middle housing LUCA outreach began in October and is ongoing. Six information sessions were held between November 2024 and March 2025. A workshop and survey regarding density options was held and the current draft LUCA has been updated three times based on the Council's and the public's input.

Ms. Mandt addressed concerns regarding the impact of middle housing density on existing infrastructure. She said related policies were updated in the Transportation, Utilities and Capital Facilities Elements of the Comprehensive Plan. Functional plans to guide specific infrastructure projects and funding include the Mobility Implementation Plan, Water System Plan, Wastewater System Plan, Storm and Surface Water System Plan and Stormwater Management Program. Ms. Mandt said the Final Environmental Impact Statement (FEIS) related to the Comprehensive Plan update studied the theoretical zoning capacity of 152,000 housing units and 185,000 jobs, which is much higher than what is anticipated. She said the middle housing LUCA is strategically planned to grow responsibly with supporting infrastructure. She said developers must show that the infrastructure can support their project or fund the needed upgrades. Typical upgrades include utility mains, sidewalks and street trees.

Ms. Mandt said the proposed LUCA suggests that detached ADUs would count toward density (maximum number of units) but attached ADUs would not. The Planning Commission determined that detached ADUs resemble other middle housing types while attached ADUs are integrated into an existing structure and smaller in scale.

Moving to density near growth centers, Ms. Mandt said HB 1110 requires that cities allow six housing units per lot when two of the units qualify as affordable. The LUCA recommends allowing six units per lot by right within one quarter-mile of a regional or candidate countywide growth center.

Ms. Mandt said three fee-in-lieu options were considered. The low fee was \$75,000 per unit, the medium fee was \$100,000 per unit and the recommended fee is \$150,000 per unit.

For parking, HB 1110 requires one space per unit for lots smaller than 6,000 square feet and two spaces per unit for lots larger than 6,000 square feet. No parking is required within one half-mile of a major transit stop. The LUCA recommends requiring one space per unit, regardless of lot size, and no required parking within one half-mile of a major transit stop.

Mr. Resha addressed the property tax implications of the housing regulations. He said the property tax is a fixed dollar amount the Council levies. The property tax rate does not arbitrarily increase due to a change in value but changes only based on the relative value of properties overall. In 2024, the City levied approximately \$92 million, which is divided amongst all residential and commercial properties. Bellevue properties are currently valued at approximately \$93 million. Mr. Resha said that when the overall value increases, each property's relative share of the pie does not change.

Mr. Whipple said Council direction is needed in four policy areas: density near transit, middle housing types, dimensional standards and the scale of cottage housing.

Regarding density near major transit stops, Mr. Whipple HB 1110 allows six units by right within one quarter-mile walking distance of a major transit stop. The LUCA recommends allowing six units within one half-mile of a major transit stop.

Mr. Whipple said HB 1110 indicates that cities must select at least six of the nine middle housing types: duplex, triplex, fourplex, fiveplex, sixplex, stacked flats, courtyard apartments, cottage housing and townhouses. The recommended LUCA allows all nine types of housing.

Turning to dimensional standards, Mr. Whipple said state law prohibits the City from applying more restrictive standards to middle housing than to single-family homes. The LUCA allows slight increases in building height, lot coverage and setback reductions to enable feasible and functional middle housing development on a range of lot types. Mr. Whipple recalled that Councilmembers and the public expressed concern regarding the proposed building height of 38 feet. He said the current limit is 35 feet with a pitched roof and 30 feet with a flat roof. He said there were concerns that the result would be four-story housing structures. Mr. Whipple said that is a very unlikely outcome because people prefer taller ceilings and more light. He noted the option for a building height limit of 35 feet for a pitched roof and 32 feet for a flat roof. He said the additional height helps support rooftop solar panels.

Mr. Whipple said staff heard questions about the scale of the proposed cottage housing, with a maximum height of 38 feet and maximum size of 1,750 square feet plus a 300-foot garage. He noted the option to consider a building height of 24 feet and total square footage of 1,500 square feet plus a 300-foot garage.

Mr. Whipple said staff is seeking direction regarding the regulations to incorporate into the final LUCA and ordinance for Council action on June 24 to meet the June 30 state adoption deadline.

Mayor Robinson thanked staff for the presentation.

Councilmember Nieuwenhuis thanked staff for the additional community engagement in the Somerset area. However, he said he is still hearing from members of the public about the need for more robust outreach.

Mr. Nieuwenhuis asked whether a building height limit of 35 feet would rule out any of the housing types. Ms. Mandt said not necessarily. However, it might remove some of the design flexibility.

Mr. Nieuwenhuis asked whether an analysis of the impacts considered the number of occupants versus the number of housing units. Mr. Whipple said it would be difficult to predict the number of occupants within housing types. Mr. Nieuwenhuis expressed concern about the potential number of new residents within an area and the impact on infrastructure.

Director Horner said the Comprehensive Plan update included the development of a growth projection for housing and jobs. She said the environmental analysis studied the impacts of 152,000 housing units, while the actual goal is to create 35,000 units by 2044. She said utilities and other impacts will be mitigated at the time of permit issuance.

Responding to Mr. Nieuwenhuis, Mr. Whipple said that fee-in-lieu funds are applied toward affordable housing projects.

Councilmember Bhargava thanked staff for the comprehensive and clear presentation. Mr. Resha responded to questions of clarification regarding the property tax.

Deputy Mayor Malakoutian thanked the public for their questions and input throughout this process. He said the extensive public engagement demonstrates what makes Bellevue a special place to live. He commended the Planning Commission for their dedication, patience and careful consideration of regulations.

Mr. Malakoutian asked about the development of middle housing in other cities, including the percentage of housing that is middle housing. Ms. Mandt said the cities of Bothell, Kirkland and Spokane have adopted middle housing regulations. The City of Kirkland has a helpful online dashboard that tracks their increase in housing development over time. Ms. Mandt said that in 2019 in Kirkland, six cottages and 28 ADUs were permitted. No two- or three-unit structures were developed. The highest year for middle housing development in Kirkland was 2023, when 65 cottages, 77 ADUs and 16 two- and three-unit structures were developed. The City of Spokane adopted middle housing regulations in 2023 and approximately 59 housing units were created that year.

Responding to Mr. Malakoutian, Ms. Mandt said other constraints on the development of housing and affordable housing include the market and current mortgage rates. She said the extension of utilities is quite expensive, which makes it difficult to develop certain sites. She said some neighborhoods have restrictive covenants as well.

Deputy Mayor Malakoutian asked how the City will handle individuals who might want to develop more housing units on property with a restrictive covenant. Ms. Horner said the issue will be addressed in printed materials provided to permit applicants to highlight that covenants might take precedence over individual ordinances.

Mr. Malakoutian commended staff for the continued improvement in the City's public engagement efforts over the past eight years. He thanked everyone for their work.

Mayor Robinson said her concept of cottage housing is smaller units, for example, for senior adults or first-time homebuyers, that would be more affordable. Responding to Ms. Robinson, Mr. Whipple said the floor area ratio (FAR) would control the site development. For example, if a cottage is limited to 1,500 square feet and a person comes in with a proposal for 1,750 square feet, the City would just not call it a cottage and would permit it as another middle housing type. Mr. Whipple said cottages do not count toward unit density and are not subject to the same density limits as other middle housing types.

Responding to Ms. Robinson, Mr. Whipple said staff and the Planning Commission reviewed information regarding cottage regulations in the City of Kirkland. He said the square footage was in line with Bellevue's draft LUCA. However, Kirkland's allowed building height is taller.

Councilmember Sumadiwiry said she appreciated all of the emails and input from the public. Responding to Ms. Sumadiwiry, Mr. Resha provided additional comments regarding the property tax. In further response to Ms. Sumadiwiry, Mr. Whipple said the target for middle

housing is to produce 121 dwelling units per year through 2044. He said approximately 68 new housing units are being produced per year in Bellevue. Mr. Whipple said much of the increased density will occur in key growth areas.

Councilmember Lee thanked staff for their extensive public engagement. He noted the importance of the regulations for property owners. He said it is important for the public to understand the choices before the Council. He said it is difficult to predict the impacts of the proposed LUCA on Bellevue residents and properties.

Responding to Mayor Robinson, Ms. Horner said there will be an analytical process by the Utilities Department to determine the current infrastructure capacity and projected needs.

Councilmember Lee expressed concern about high sewer utility rates in Bellevue and the region. Responding to Mayor Robinson and Councilmember Lee, Mr. Whipple said he could follow up with more information regarding the EIS (Environmental Impact Statement).

Mr. Lee said he has seen a number of attractive ADUs and cottages in Kirkland. He said each unit sells for \$1.5 million, which is not affordable. Mr. Whipple acknowledged that the middle housing types will not necessarily qualify as affordable housing. However, they do increase the housing supply.

Councilmember Lee spoke to the importance of reviewing all of the City's infrastructure. He expressed concern about the impacts of increased density on current residents. He expressed support for a range of housing types.

Councilmember Nieuwenhuis expressed concern that residents, especially senior adults, will experience a significant increase in their property valuations and taxes if they are near major transit stops or growth centers. Mr. Resha said there could be some fluctuations but he advised they would be minor relative to all other properties.

At 8:33 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:46 p.m.

Mayor Robinson thanked the community for their extensive and valuable input. She said she has mixed feelings about the state mandate to allow more growth and density in neighborhoods. She said she has seen it done well and poorly in other cities. Her goals are to increase housing at all affordability levels, provide smaller housing options, increase opportunities for families to live in neighborhoods, increase opportunities for children to be enrolled in Bellevue's excellent schools, provide housing options for workers, enable living in Bellevue without owning a car, retain and expand the tree canopy, provide senior adult housing and starter homes, retain neighborhood character and build a sustainable community. She wants an equitable, accessible and multigenerational community.

Mayor Robinson said she will be making her decisions knowing that the Council can evaluate and assess the impact of those decisions versus other options in the future. She thanked everyone for their hard work.

Councilmember Nieuwenhuis said he does not like the loss of local control reflected in HB 1110 and HB 1337. He encouraged stronger advocacy for local control and against state mandates going forward. He said the State Department of Commerce's definition of middle housing is "buildings that are compatible in scale, form and character with single-family houses." He opined that some of the nine middle housing types identified in state law do not align with that definition. While it will be difficult to create affordable housing, Mr. Nieuwenhuis said an increase in housing supply could help to manage cost increases. He said it is important to consider overall quality of life in Bellevue as well.

Mr. Nieuwenhuis expressed concern regarding a number of impacts affecting public safety, parking, traffic and pedestrian safety, and the tree canopy.

Councilmember Bhargava thanked staff for working so hard with the public and thanked the public for their extensive involvement in this complicated topic. He spoke to the importance of obtaining a diversity of opinions. He thanked the Planning Commission for their time and comprehensive review of the issues.

Councilmember Hamilton thanked staff for their good work and for following up so quickly to the questions raised in May. He thanked staff for adding FAQs to the web site and for including the Council's questions. He said the public engagement has been robust and the iterative process has resulted in a Planning Commission recommendation that implements new state law and strives to meet local housing needs. He said middle housing is an important component of Bellevue's housing mix. He said the implementation of HB 1110 and HB 1337 provides the opportunity to alter policies that have hindered the production of small-scale affordable housing in Bellevue. He expressed support for moving forward.

Deputy Mayor Malakoutian thanked everyone who submitted a comment or otherwise contributed to the LUCA planning process. He said there were concerns from the public about preserving neighborhood character, traffic impacts, parking requirements and infrastructure capacity. He commented on high housing prices and the lack of adequate housing supply. He encouraged the use of appropriately scaled solutions (e.g., duplexes, cottages) that can fit seamlessly into existing neighborhoods. He said many Bellevue homes are being torn down to build huge homes occupied by only 2-3 people. He acknowledged it will be difficult to create affordable housing. However, increasing the housing supply will hopefully have a positive impact. He commented on providing opportunities to age in place. Mr. Malakoutian said many people would like to live within easy walking distance of transit services. He opined that the LUCA provides a balanced approach to pursue housing goals.

Councilmember Sumadiwirya commented on the changes and growth in Bellevue over the past 30 years. She thanked staff for their expertise and dedication. She thanked the public for their significant input. She commented on the importance of transparency and sharing housing information with the public. She said she is leaning toward the state requirements for middle housing regulations.

Councilmember Lee thanked everyone for their involvement in this complex challenge. He thanked staff for their hard work and thanked the Planning Commission for their review and

deliberations. Mr. Lee complimented his colleagues for carefully reviewing all of the potential housing policies and regulations. He concurred with Councilmember Nieuwenhuis' comment about state mandates and the loss of local control. Mr. Lee said he hopes to continue to expand public engagement in the City's planning practices. He acknowledged the importance of private property rights but encouraged the development of more housing types and opportunities.

Mayor Robinson suggested voting on each of the options described earlier by staff.

Beginning with density near major transit stops, Mr. Whipple said Option A reflects the minimum requirement of HB 1110, which allows six units by right within one quarter-mile walking distance of major transit stops (i.e., light rail station or RapidRide bus). The Planning Commission's recommendation is to allow six units by right within one half-mile of major transit stops.

→ Councilmember Nieuwenhuis moved to direct staff, regarding density near major transit stops, to incorporate Option A in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Sumadiwirya seconded the motion.

Mayor Robinson said she did not favor Option A because it could be less effective in achieving affordable housing.

Councilmember Hamilton expressed support for the Planning Commission's recommendation.

Deputy Mayor Malakoutian expressed support for the Planning Commission's recommendation and suggested revisiting the issue in the future.

Councilmember Bhargava expressed support for the Planning Commission's recommendation, which puts increased density near transit services, retail services and restaurants.

→ The motion to adopt Option A carried by a vote of 4-3, with Deputy Mayor Malakoutian and Councilmembers Bhargava and Hamilton opposed.

Mr. Whipple recapped the nine middle housing types cited in the legislation. HB 1110 states that a jurisdiction must allow at least six of those types. The Planning Commission recommends allowing all nine housing types (Option B). Option A would be the minimum six types the Council might want to choose.

→ Councilmember Bhargava moved to direct staff, regarding types of middle housing, to incorporate Option B into the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Hamilton seconded the motion.

Responding to Councilmember Lee, Mr. Whipple said the Planning Commission recommends a 38-foot building height limit. Mr. Whipple said HB 1110 does not specify a maximum building height.

Councilmember Hamilton said the agenda memo notes that allowing all nine housing types will minimize confusion and avoid unintended restrictions. He opined that more options are better to accommodate different types of sites.

Responding to Councilmember Lee, Mr. Whipple said staff was able to find examples of all nine housing types throughout Bellevue. Mr. Whipple said eliminating any of the types could cause confusion and reduce flexibility for developers. He said controlling the scale of all housing types will keep them compatible with existing neighborhoods.

→ The motion carried by a vote of 7-0.

Mr. Whipple said the next issue relates to dimensional standards, including building height, lot coverage and setback reductions. The state legislation does not provide a baseline requirement but does provide guidance in the model ordinance. Option B is the Planning Commission's recommendation to allow a 38-foot building height. Option C, based on feedback from the Council and the public, is a 32-foot building height. Mr. Whipple said this would align the building height more closely with the 30-foot limit on existing single-family homes.

→ Councilmember Sumadiwiryra moved to direct staff, regarding dimensional standards, to incorporate Option C (32-foot flat roof or 35-foot pitched roof) in the final ordinance to be brought back for Council consideration and action at a future meeting.
Councilmember Nieuwenhuis seconded the motion.

Councilmember Sumadiwiryra said she visited some neighborhoods and talked to residents to consider the appropriate building height. She suggested that taller heights would be incompatible with single-family neighborhoods.

Responding to Deputy Mayor Malakoutian, Mr. Whipple said staff considered which building height would enhance development feasibility and looked at other jurisdictions to see how they are addressing building height. Mr. Whipple said staff believes that Option C would provide sufficient feasibility for developers.

→ The motion carried by a vote of 7-0.

Moving to cottage housing, Mr. Whipple said the Council previously expressed concern regarding the size and scale of this housing type and questioned whether it reflects the original intent of encouraging affordable housing. The LUCA recommended by the Planning Commission allows a 38-foot building height and a maximum size of 1,750 square feet plus 300 square feet for a garage (Option A). Mr. Whipple said the state legislation does not include any requirements for cottage housing other than open space. The model ordinance provides guidance on building height and does not differentiate cottage housing from other types of middle housing in terms of building height. The guidance that cottages should be larger than 1,000 square feet is based on the current state requirement for a maximum size of 1,000 square feet for detached accessory dwelling units (DADUs). Mr. Whipple said the Planning Commission recommendation aligns the size more closely with the City of Kirkland.

Option C proposes a maximum building height of 24 feet, maximum size of 1,500 square feet and a 300-square-foot garage exemption. This would provide cottages that are larger than DADUs (maximum of 1,200 square feet in Bellevue).

- Councilmember Nieuwenhuis moved to direct staff, regarding cottage housing, to incorporate Option C in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Lee seconded the motion.

Responding to Deputy Mayor Malakoutian, Mr. Whipple confirmed that Option B has a maximum building height of 35 feet, or 32 feet with a flat roof.

Mayor Robinson said she would like to see Option C in Bellevue neighborhoods to provide housing opportunities for more people. She said a lot of older residents want to downsize their home but they also want to stay in their neighborhoods. She believes this would create that opportunity for residents.

Councilmember Hamilton said the smaller square footage eliminates a bedroom, which he feels is unfortunate. He expressed support for the Planning Commission's recommendation.

Mayor Robinson said she has seen three-bedroom homes smaller than 1,500 square feet. Mr. Whipple confirmed that 1,200 square feet and smaller can accommodate three bedrooms. However, buyers in Bellevue tend to want larger homes.

Responding to Councilmember Lee, Mayor Robinson said Option B could be defined to allow 1,750 square feet with a 24-foot building height. In further response to Mr. Lee, Mr. Whipple said there were concerns about the potential for three-story cottages, which is not in line with how people were envisioning cottages. The 24-foot height would ensure a maximum two-story home. Councilmember Lee said he would support 1,750 square feet with the 24-foot height limit.

- The motion carried by a vote of 4-3, with Deputy Mayor Malakoutian and Councilmembers Bhargava and Hamilton dissenting.

Councilmember Lee asked whether he could modify the motion.

- At 9:55 p.m., Councilmember Nieuwenhuis moved to extend the meeting to 10:25 p.m. Councilmember Lee seconded the motion.

- The motion carried by a vote of 7-0.

Deputy City Clerk Roberts said the votes this evening are not final action so the Council could consider another option when it takes final action at a future meeting.

Moving to density near centers, Mr. Whipple said this is not a requirement of HB 1110. The Planning Commission recommended going beyond the baseline requirements that would allow six units only when two units are affordable (Option A).

Option B (Planning Commission's recommendation) allows six units by right within one quarter-mile walking distance of a regional or candidate countywide growth center.

→ Councilmember Hamilton moved to direct staff, regarding density near centers, to incorporate Option B in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Bhargava seconded the motion.

Councilmember Hamilton said growth centers are ideal locations to encourage increased density.

Deputy Mayor Malakoutian said this would enable residents to walk to businesses and services, which would also reduce traffic. He expressed support for Option B.

Councilmember Sumadiwiryra said this would accommodate increased density in growth centers and reduce the impact of new housing on neighborhoods. She said Option B would help small businesses as well.

Councilmember Nieuwenhuis expressed support for the motion.

Mayor Robinson recalled that the Council discussed this issue in the past and voted against it. She remains opposed to the idea because it does affect neighborhoods that already have middle housing. She prefers the requirement for two affordable housing units to build a total of six units.

Responding to Councilmember Lee, Senior Planner Kirsten Mandt said Bellevue has one regional growth center, the downtown, and the criteria defining a regional growth center are set by the Puget Sound Regional Council (PSRC). Ms. Mandt said candidate countywide growth centers are defined by King County and Snohomish County, and they are typically smaller than regional growth centers. She said the designated centers must meet criteria regarding housing density, job density, access to transit and other factors. Ms. Mandt said those definitions and concepts are included in Bellevue's adopted Comprehensive Plan.

Councilmember Bhargava opined that the growth centers are the most appropriate locations for increased residential density and mixed uses.

→ The motion carried by a vote of 5-2, with Mayor Robinson and Councilmember Nieuwenhuis opposed.

Mr. Whipple said the fee-in-lieu option is not provided by HB 1110. However, the State has established an incentive for cities to allow four units by right citywide plus two additional units if they qualify as affordable housing. Mr. Whipple suggested that a lower 10-percent set aside for affordable housing is potentially more supportable for on-site affordable housing. The Planning Commission considered ways to incentivize on-site performance but ran into concerns about higher densities.

Mr. Whipple said the commission considered three options and recommended the high option with a fee of \$150,000 per unit (Option A, included in the recommended LUCA). The medium

option is \$100,000 per unit (Option B) and the low fee-in-lieu option is \$75,000 per unit (Option C). Option D eliminates the fee-in-lieu option.

- Deputy Mayor Malakoutian moved to direct staff, regarding fee-in-lieu options, to incorporate Option A in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Bhargava seconded the motion.

Deputy Mayor Malakoutian said this recommendation has been vetted by many stakeholders. He said developers have indicated they will not build six-unit projects if two units, or 33 percent of the project, are required to be affordable housing units. He said it is challenging to achieve affordable housing with even a 10 percent requirement.

Mayor Robinson said she is not in favor of Option A and prefers Option D that removes the fee-in-lieu option. She wants to see affordable housing and she is concerned that the higher fee will be passed on to the home buyer, which makes units even more expensive.

Councilmember Nieuwenhuis said there was quite a bit of outreach to developers about this topic and the feedback indicated that the higher fee-in-lieu might be cost prohibitive. Mr. Whipple confirmed that developers are not in favor of the higher fee. However, some have indicated that it could make sense on the right lot in the right location, where they could achieve a higher sale price or provide larger units.

Councilmember Sumadiwiryia said she concurred with Mayor Robinson's concern that the fee will increase the housing price.

Councilmember Bhargava said the requirement for two affordable housing units out of six total units will require tradeoffs for the developers. He wondered whether we would ever get six units or whether most development would be capped at four units. He said the fee-in-lieu option enables the City to start collecting funds to invest in affordable housing that is not performance-based in another location to create deeper affordability.

Councilmember Hamilton expressed concern that developers might not provide any housing under the fee-in-lieu option. He expressed support for the motion.

- As a substitute motion, Councilmember Lee moved to direct staff to include Option D in the middle housing ordinance. Councilmember Sumadiwiryia seconded the motion.
- The substitute motion failed by a vote of 3-4, with Councilmember Lee and Councilmember Sumadiwiryia in favor and Mayor Robinson abstaining. *[Pursuant to the Council Rules, an abstention is counted in the affirmative.]*

Deputy Mayor Malakoutian said some developers prefer the fee-in-lieu option regardless of the cost because they believe that the two affordable unit requirement for a total of six units is not feasible for construction. Mr. Whipple concurred with that understanding.

Responding to Mayor Robinson, Mr. Whipple said that while developers are not in favor of the \$150,000 per unit fee, they prefer a fee-in-lieu over on-site performance. He said most developers would likely prefer six units by right citywide.

Mayor Robinson said it appears that Option A and Option D might not produce affordable housing units. She said Option B balances revenue generation with the likelihood of developer participation, which is more likely to result in both units and funds.

Deputy Mayor Malakoutian expressed support for the Planning Commission recommendation for the \$150,000 fee. Mr. Whipple said the initial staff recommendation was \$100,000. He said the \$150,000 fee is supportable. However, it depends on the right site and right-sized project.

Councilmember Bhargava concurred with Mayor Robinson's comments. However, he said the benefit of Option A is it is feasible for certain sites. With Option D, the City loses the opportunity for the fee and does not achieve affordable housing.

Councilmember Lee said it seems counter-intuitive to apply a fee-in-lieu, which will make the housing more expensive.

→ At 10:21 p.m., Councilmember Nieuwenhuis moved to extend the meeting to 10:40 p.m. Councilmember Lee seconded the motion.

→ The motion carried by a vote of 7-0.

Deputy Mayor Malakoutian commented on the impact of market demand and supply on housing prices.

Councilmember Bhargava said the fee-in-lieu might be absorbable within current market conditions.

Councilmember Lee said he did not think a developer would need to lower the price by subsidizing the market-rate unit by \$150,000. He said most likely they have already determined that the market can bear whatever they do without the \$150,000 fee. He said it would be interesting to hear from developers on this issue.

Councilmember Sumadiwirya said she did not think the fee would add to the cost of units.

→ The main motion in favor of Option A carried by a vote of 4-3, with Mayor Robinson and Councilmembers Lee and Nieuwenhuis opposed.

At approximately 10:30 p.m., Mayor Robinson called for a short break. The meeting resumed within a few minutes.

→ At 10:33 p.m., Councilmember Nieuwenhuis moved to extend the meeting to 11:00 p.m. Councilmember Bhargava seconded the motion.

→ The motion carried by a vote of 7-0.

Mr. Whipple described options for parking requirements. HB 1110 requires one parking space per unit for lots smaller than 6,000 square feet and two spaces per unit for lots larger than 6,000 square feet. No parking is required within one half-mile of a major transit stop. This is defined as Option A. Option B in the recommended LUCA requires one parking space per unit regardless of lot size and no parking is required within one half-mile of a major transit stop.

→ Councilmember Nieuwenhuis moved to direct staff, regarding parking requirements, to incorporate Option A in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Lee seconded the motion.

Councilmember Nieuwenhuis said he is concerned about overall safety in the community and the potential danger of increased density with more cars parked on the street.

Responding to Deputy Mayor Malakoutian, Mr. Whipple said there are few lots smaller than 6,000 square feet in Bellevue. The City's current minimum lot size for one of the denser residential districts is 7,200 square feet.

Mayor Robinson said she favored Option B.

Councilmember Bhargava and Councilmember Hamilton concurred.

→ The motion failed by a vote of 3-4, with Councilmembers Lee, Nieuwenhuis and Sumadiwiry in favor.

Mr. Whipple described the treatment of ADUs in the proposed LUCA. HB 1337 states that cities must allow two ADUs per lot, and HB 1110 states that ADUs may be counted toward the minimum four units per lot or toward a total of six units per lot. State law does not require them to be counted toward the unit density. The guidance in the model ordinance recommends not counting ADUs toward the unit density. Mr. Whipple said the Planning Commission recommended that a DADU should count toward density but an attached ADU should not be counted (Option B) because the latter is integrated into the primary residence and is smaller and less visible. He said Bellevue has allowed attached ADUs since 1993 and they are not counted toward unit density.

→ Deputy Mayor Malakoutian moved to direct staff, regarding the treatment of ADUs, to incorporate Option B in the final ordinance to be brought back for Council consideration and action at a future meeting. Councilmember Bhargava seconded the motion.

Responding to Councilmember Nieuwenhuis, Mr. Whipple said DADUs are more visible while attached ADUs are less visible. Mr. Whipple said if the City counted both types of units toward unit density, middle housing options would be limited to two middle housing types. He said DADUs are not listed in the state's nine middle housing types. He said counting both toward unit density acts as a disincentive for developing ADUs.

→ The motion carried by a vote of 7-0.

Mayor Robinson said she would like to discuss and consider pre-approved cottage designs. She would like to look into the enforcement of illegal, short-term rentals. She wants to ensure that middle housing meets the demand for longer term housing and not transient short-term rentals. Referring to the one quarter-mile or one half-mile radius from a transit stop, Ms. Robinson said the need for a car is largely based on whether there is a grocery store within that radius. She would like a discussion about how the City might be able to encourage grocery store equity, particularly in transit-oriented development (TOD) areas.

Deputy Mayor Malakoutian expressed support for the three topics raised by Mayor Robinson.

11. Land Use Reports: None.

12. Other Ordinances, Resolutions, and Motions: None.

13. Written Reports

(a) Intergovernmental Relations Monthly Update as of May 31, 2025

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 10:48 p.m., Mayor Robinson declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw