

From: [Veronica Shakotko](#)
To: [PlanningCommission](#)
Cc: [Mandt, Kirsten](#); [Gallant, Kristina](#); [Whipple, Nicholas](#); [Shull, Janet](#)
Subject: MBAKS Middle Housing Written Comments - October 9 Agenda
Date: Wednesday, October 9, 2024 10:37:51 AM
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[Bellevue_PC_Middle_Housing_Comment_Letter_Oct_9_2024.pdf](#)

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Chair Goepple and Planning Commissioners,

In preparation for this evening's study session on middle housing LUCA and BCCA, attached please find MBAKS' comment letter dated October 9, 2024.

MBAKS appreciates your thoughtful consideration. If you have any questions, please don't hesitate to contact me at vshakotko@mbaks.com or 425.435.8990.

Respectfully,
Veronica



Veronica Shakotko
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October 9, 2024

Bellevue Planning Commission
450 110th Ave. NE
Bellevue, WA 98004

RE: Middle Housing Policy & Code Update

Dear Chair Bhargava and Planning Commissioners:

With nearly 2,500 members, the Master Builders Association of King and Snohomish Counties (MBAKS) is the largest local homebuilders' association in the United States, helping members provide a range of housing choice and attainability.

As Bellevue evaluates middle housing policies that will influence housing supply and affordability, MBAKS suggests adopting codes with the following features to facilitate the implementation of middle housing:

- Provide a [streamlined review process](#) that includes allowing concurrent review of construction/engineering plans with the proposed preliminary plat.
- Adopt a model home building permit ordinance allowing up to 13 building permit applications to be submitted and issued prior to final plat recording, or at a minimum, allow up to 13 building permit applications to be submitted and processed (but not issued) prior to final plat recording.
- Implement SEPA and planning-related actions¹ to facilitate housing supply, including middle housing.
- Reduce costs to create middle housing by waiving or greatly reducing permit fees and impact fees, utility connection fees, and street improvement requirements.
- Do not require design review for middle housing. If Kenmore already has design review in place, ensure design review is based on meeting clear and objective standards, as required by [state law](#), within the shortest timeframe possible.
- Adopt financial and/or regulatory incentives for property owners to renovate and convert existing single-family homes into middle housing.

Regulatory Changes to Facilitate Middle Housing

- Allow middle housing on all lots zoned predominantly for residential use and rename single-family zones to “neighborhood residential” (or something similar) without reference to “single-family.”

¹ Where appropriate, adopt a subarea plan pursuant to RCW 43.21C.420 together with a planned action pursuant to RCW 43.21C.440(1)(b)(ii); Adopt a categorical exemption pursuant to RCW 43.21C.229(2) for [infill residential or mixed-use development](#); Adopt the [maximum allowable exemption levels](#) pursuant to WAC 197-11-800(1) for “minor new construction”



- Cities with a population greater than 25,000 should allow all middle housing types, among those identified in [House Bill 1110](#), that are authorized on lots zoned predominantly for residential use.²
- Adopt provisions allowing middle housing to be created for ownership through methods in addition to a condominium.
- Allow up to 12 units per lot and provide other incentives for condominium and townhome development. This would help leverage newly passed condo bills, which among other things, exclude buildings with 12 or fewer units that are no more than three stories³ from the definition of "multiunit residential building."
- To incentivize development of cottage housing, allow: at least a two-for-one density bonus; cottages up to 1,750 square feet of net floor area, excluding attached garages; and reduced side yard setbacks.
- Either eliminate mandated minimum parking requirements or significantly reduce parking requirements, especially near transit or in areas with available street parking.
- Allow greater use of private drive access without placing limits on the number of homes that can be served by them, to increase flexibility for site layouts, to reduce costs, and to help facilitate more housing choices.
- Allow reduced private driveway widths of 10 feet.⁴
- Simplify design standards and architectural treatment requirements.
- Ensure that regulations and design standards are updated to facilitate, not inhibit, development of middle housing.
- Provide flexibility to manage the scale of projects through lot coverage and floor area ratio (FAR).⁵
- For cities with a population greater than 25,000, adopt setbacks recommended in [model ordinance](#).⁶

² This includes duplexes, triplexes, and fourplexes; fiveplexes and sixplexes; townhouses; stacked flats; cottage housing; and courtyard apartments.

³ As authorized under [Senate Bill 5792](#)

⁴ While the model ordinance recommends private driveways shall not be required to be wider than 12 feet, some jurisdictions, such as Seattle and Kirkland, currently allow for 10 feet.

⁵ Allow the following FAR at a minimum:

Unit density on the lot	Minimum floor area ratio (FAR)
1	0.6
2	0.8
3	1.0
4	1.2
5	1.4
6	1.6

⁶ Street or front: 15 feet, except 10 feet for lots with a unit density of three or more; Street or front, garage door (where accessed from a street): 20 feet; Side street: Five feet; Side interior: Five feet, and zero feet for attached units internal to the development



- Exclude items from the calculation of interior floor area as recommended in the model ordinance guidance.⁷
- Allow a maximum building height of 35 feet for middle housing.
- Consider adopting a form-based development code.
- Update local building codes to allow middle housing types with up to 6 units to be built under the International Residential Code.
- Ensure local codes and design standards for tree retention/replacement do not preclude development of middle housing on a lot or reduce the number of middle housing units that could be developed.
- Allow middle housing units to be independently metered by utilities.
- Do not require undergrounding of utilities when doing so makes project financially infeasible.

We thank you for the opportunity to comment on the middle housing policies. If you have any questions, please don't hesitate to contact me at vshakotko@mbaks.com or 425.435.8990. Thank you for your consideration.

Sincerely,



Veronica Shakotko
Senior King County Government Affairs Manager
Master Builders Association of King and Snohomish Counties

CC: Kirsten Mandt, Senior Planner
Kristina Gallant AICP, Planning Manager
Nick Whipple, Assistant Director

⁷ Exclude the following from calculation of interior floor area: Cottage housing developments meeting the standards of Section 8 of the [model ordinance](#) for cities with a population greater than 25,000; Unoccupied accessory structures, up to a maximum equal to 250 square feet per middle housing unit; Basements, as defined by the city's development regulations; Unenclosed spaces such as carports, porches, balconies, and rooftop decks.

Nesse, Katherine

From: Nicole Myers <nicolemikomyers@gmail.com>
Sent: Wednesday, October 9, 2024 7:35 PM
To: Nesse, Katherine; PlanningCommission
Subject: Comment on tonight's agenda - Missing Middle Housing

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Hello,

My apologies for the technical issues. The comment I had hoped to provide for tonight's meeting relates to the middle housing agenda memo. I noticed that there was a question about whether it would be possible to meet code for EV readiness while also avoiding new requirements that do not apply to single-family housing.

Presumably we will still require these missing middle buildings to meet code in terms of sound-proofing and fire walls, since we can assume that the legislature intended these requirements to be workable and create safe, desirable housing. I also think the legislature intended us to support EV readiness. Still, there could be kinks in any new legislation that we might need to work out with the help of the state legislature. I hope we are working with Bellevue's legislative outreach team to identify legislative tweaks that we might need and make sure we have the support of elected officials to make that happen.

In addition, there is no reason not to require garage wiring for all single family homes or any building over 4000 sf, for instance. When I look around our city streets, EVs are plentiful, and knowing how hard it is for apartment-dwellers to get charging spots, they're probably mostly owned by people in single family homes. It makes sense that these are incredibly popular with anyone who has garage space and the potential for solar on their roof. Requiring an electrical supply for all new parking spots or one per garage would be perfectly reasonable, since these would be selling features for both single-family homes and multifamily residences.

I would appreciate any clarification the team can provide about whether there are other code differences between multifamily codes and the missing middle requirements that we expect, and if we're reaching out to the legislature yet.

I also hope our missing middle building recommended designs have generous minimum window requirements for livability and the happiness of the future residents. Some of the nicer multifamily housing in my neighborhood has lots of glass, balconies, enclosed parking, and large trees. Much of our nicer housing is from the 80s, 90s, and 2000s, and we should have designs that match that era if we want them to fit in.

Thanks,
Nicole Myers

Nesse, Katherine

From: Fay Hou <fayhou@gmail.com>
Sent: Wednesday, October 9, 2024 4:50 PM
To: PlanningCommission
Subject: Written Comments on the Great Neighborhoods Program and Recent Development Concerns

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Dear Bellevue Planning Commission, As we approach the initial briefing on the Great Neighborhoods Program for Newport, I write to express serious concerns about recent development in our Newport. [See details](#). This case highlights critical issues that the Great Neighborhoods Program must address to preserve Newport's character and environmental integrity. Key Concerns:

1. Tree Protection Violations:

The site plan's tree survey was grossly inaccurate, omitting at least five trees and misrepresenting a landmark tree's species and size. Most alarmingly, all trees on the property were removed, despite explicit protection requirements. This wholesale destruction of the property's tree canopy represents a severe violation of regulations and undermines the integrity of the development approval process.

2. Excessive Floor Area Ratio (FAR): The approved site plan shows a Total Floor Area Ratio (FAR) of 5,693 sq.ft., which is 63.7% of the lot area. The lot area is 8,936 sq.ft., and the allowed FAR is only 50% (4,468 sq.ft.). This represents a 27.4% increase over the permitted FAR. Additionally, the King County Assessor's website lists the size of the house as 4,800 sq.ft. This raises serious questions: Did we know the actual size of the house when it was approved?

3.

- Justification: The circumstances under which such a substantial increase was approved require clarification.
- Precedent: This approval may influence future interpretations of zoning standards in our community.
- CC&R Compliance: The Newport Hills community has long-standing Covenants, Conditions, and Restrictions (CC&Rs) designed to maintain neighborhood character. A house significantly larger than others may challenge these established norms.
- Community Impact: The increased building size may affect neighboring properties' views, sunlight access, and overall neighborhood character.

4. Environmental Impact:

The extensive tree removal, topographical changes, and increased impervious surface raise

serious concerns about natural drainage patterns, soil stability, and sunlight distribution to neighboring properties.

5. Need for Comprehensive Inspection:

Given these issues, we urge the Planning Commission to mandate a thorough, independent inspection of this property. This should include structural integrity assessments and environmental impact evaluations, with results made publicly available.

6. Transparency and Accountability:

We seek clear, detailed explanations of how these violations occurred and how the city plans to address them. The community needs assurance that such breaches will not be repeated and that our concerns are taken seriously.

As the Great Neighborhoods Program moves forward, it's crucial that it addresses these systemic issues to truly preserve and enhance Newport's unique character. We need stronger enforcement mechanisms, better interdepartmental coordination, and more transparent processes for community input throughout the development process. Thank you for your attention to these critical matters. We look forward to working with you to ensure that the Great Neighborhoods Program fulfills its promise of strengthening our community while preserving what makes Newport special. Sincerely,
Fay Hou