

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
MINUTES

May 13, 2026  
6:30 p.m.

Bellevue City Hall  
Room 1E-113

COMMISSIONERS PRESENT: Chair Khanloo, Vice Chair Lu, Commissioners Ferris, Goepple, Kennedy, Nilchian, Villaveces

COMMISSIONERS REMOTE: None

COMMISSIONERS ABSENT: None

STAFF PRESENT: Kate Nesse, Thara Johnson, Community Development Department; Nick Whipple, Development Services Department; Matt McFarland, City Attorney's Office

COUNCIL LIAISON: Councilmember Bhargava

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER  
(6:30 p.m.)

The meeting was called to order at 6:30 p.m. by Chair Khanloo who presided.

2. ROLL CALL  
(6:30 p.m.)

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA  
(6:31 p.m.)

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS  
(6:31 p.m.)

Commissioner Bhargava acknowledged the recent commission appreciation event held at City Hall, noting that there had been strong representation from the Planning Commission.

The City Council’s May 12 meeting included a briefing from the King County Wastewater Treatment Division concerning sewer system rates, capacity forecasts, and long-term infrastructure planning over the next 20 years, with particular emphasis on the coming six years.

Commissioner Bhargava reported that the Council took action to advance the high-density residential planned unit development Land Use Code amendment and the related rezones stemming from the 2024 Comprehensive Plan updates. The Council also adopted an ordinance concerning targeted residential protests and the associated criminal conduct provisions.

## 5. STAFF REPORTS

(6:42 p.m.)

### A. Planning Commission Meeting Schedule

Staff Liaison Dr. Kate Nesse took a few minutes to review the Commission’s schedule of upcoming meeting dates and agenda items.

Commissioner Ferris questioned holding three public hearings at the July 22 meeting. Dr. Kate Nesse explained that one involves a minor change and will move forward quickly. The other two will have more engagement but not be overly long.

## 6. WRITTEN AND ORAL COMMUNICATIONS

(6:43 p.m.)

### A. Written Communications

(6:43 p.m.)

Dr. Kate Nesse noted that four written communications had been received and distributed to the Commissioners earlier in the day. No additional submissions were received subsequently.

### B. Oral Communications

(6:44 p.m.)

Chair Khanloo reviewed the procedural rules, including the three-minute time limit per speaker, the total 30-minute allotment for oral communication, and the requirement under Ordinance 6752 that comments relate to matters within the Planning Commission’s authority.

Alex Tsimerman delivered remarks criticizing the Commission and city governance while repeatedly diverging from agenda-related subjects. During the comments, the Chair twice interrupted to remind the speaker of the requirements under Order 6752 and requested that remarks be confined to agenda-related matters and appropriate language. Despite the interventions, the speaker continued with generalized criticisms concerning free speech, public meeting procedures, and government.

7. PUBLIC HEARING – 2026 Omnibus LUCA  
(6:50 p.m.)

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

Code and Policy Director Nick Whipple explained that the Commission was being asked to conduct the public hearing and subsequently provide a recommendation to the City Council regarding the proposed Land Use Code Amendment package. The presentation reviewed the overall scope of the omnibus amendments, including straightforward clean-up corrections such as scrivener's errors, outdated cross-references, and typographical revisions. The amendments were described as being required to maintain compliance with state law. The limited policy adjustments are intended to better align the code language with the existing adopted policy objectives discussed at a Commission meeting in April.

Nick Whipple said one of the amendments involving limited policy consideration concerned the continued allowance of single-family residential development within areas designated in the Comprehensive Plan for higher-density residential uses. Portions of the existing Land Use Code were no longer aligned with the Future Land Use Map adopted through the Comprehensive Plan update process. In particular, some areas planned for densities of approximately 30 dwelling units per acre still permitted single-family development. The proposed amendment seeks to better align the zoning regulations with the adopted policy objectives by prioritizing multifamily residential development in designated high-density areas while maintaining ample opportunities for single-family housing elsewhere in the city.

With regard to the revisions affecting the SR-1 suburban residential district, Nick Whipple explained that the district had previously been grouped with the Large Lot residential categories despite having substantially smaller lot sizes more comparable to standard suburban residential zones. The practical implementation of the recently adopted tree code revealed calibration problems within the SR-1 district. In some redevelopment cases, applicants were required to plant as many as 90 trees or pay fee-in-lieu amounts exceeding \$150,000, outcomes considered to be disproportionate when compared with requirements elsewhere in the city. The proposed amendment regroups SR-1 with residential categories possessing more comparable lot dimensions.

Under the existing code provisions, relatively minor projects such as restriping parking lots or adding electric vehicle parking spaces can trigger full site compliance with the tree code, substantially increasing project costs beyond the original scope of work. Examples were cited in which project budgets more than doubled because of the requirements. The amendments are intended to prevent narrowly focused improvements from inadvertently triggering extensive landscaping and tree compliance obligations.

Nick Whipple also described a series of process-related amendments intended to improve efficiency and consistency within the permitting system. Previously, development process requirements were dispersed among multiple overlay districts, including BelRed, Downtown,

East Main, and Eastgate, each with somewhat different procedural provisions. The proposed amendments consolidate the master development plan requirements, design review procedures, and departure processes into a unified process chapter within the Land Use Code. The changes were described as primarily organizational and procedural rather than substantive policy changes. The goal is to streamline administration and simplify the code structure citywide.

The Commission's April 8 study session resulted in feedback from the Commission and stakeholders. The Commissioners had expressed interest in allowing residential development projects within the East Main Transit-Oriented Development area to utilize a fee-in-lieu option similar to the option already available to commercial developments. Nick Whipple confirmed that the change had been added to the revised draft ordinance.

With regard to the conditional use permit decision criteria, it was noted that an earlier draft had proposed removing language requiring conditional use permits to remain consistent with the Comprehensive Plan. Following additional internal review and consideration of how the criteria has historically been applied, particularly to school-related projects, staff determined that consistency with the Comprehensive Plan remains an important requirement. Accordingly, the amendment restores the longstanding decision criterion, an approach that differs from the version previously presented during the April study session.

Nick Whipple said the proposal includes a substantive revision involving the residential lot splitting regulations. The city updated its approach following new interpretive guidance issued by the Washington State Department of Commerce. Under the earlier draft language, any lot created through the residential lot split process would have been prohibited from further subdivision. The Department of Commerce subsequently clarified that while a property owner could not repeatedly use the lot split process on the same parcel, the resulting lots could still undergo additional subdivision through conventional short plat procedures if they otherwise meet the applicable standards. The proposed code language was revised to reflect that interpretation, allowing for subsequent subdivision through the standard platting process while prohibiting repeated use of the lot split process. Bellevue is among the first jurisdictions implementing the new state lot splitting legislation.

Commenting on the outreach and engagement efforts associated with the proposal, Nick Whipple indicated that much of the internal consultation involved land use planners identifying recurring code issues encountered during project review. Input was also solicited from the development community and residents where appropriate, and the project scope was previously reviewed with both the Planning Commission and the City Council. The outreach process primarily was informational and remained open to public feedback and comment.

Nick Whipple explained that following the public hearing and the forwarding of a recommendation from the Commission, the proposal will proceed to the City Council in June, with final Council action anticipated by July. The Commissioners were reminded that any recommendation must find the proposed amendments consistent with the Comprehensive Plan, supportive of the public health, safety, and welfare, and not contrary to the interests of Bellevue residents and property owners.

Chair Khanloo then turned to public comment on the proposed Land Use Code Amendment.

Jessie Clawson with McCullough Hill expressed support for advancing the omnibus amendment package to the City Council and specifically thanked both the Planning Commission and staff for incorporating the fee-in-lieu provision for the East Main Transit-Oriented Development area. The ordinance is relatively straightforward and hopefully will move through the approval process efficiently.

Phyllis White spoke representing a local SR-1 neighborhood regarding concerns about tree preservation and wildlife protections within the area. Many residents in the neighborhood are first-time homeowners. The community appreciates its mature natural environment, including the streams, wildlife habitats, bald eagle nests, blue herons, and trees estimated to be more than 200 years old and reaching heights of approximately 175 feet. While acknowledging that future growth and development within SR-1 areas is expected and not opposed by residents, the community desires to preserve the wildlife habitat and mature trees. The neighborhood should retain its SR-1 designation until the city can further analyze the area's potential value as a wildlife refuge and conservation area.

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

Commissioner Lu asked for clarification in regard to how partial tree credits will be calculated when a tree trunk straddles a property boundary, and also asked how such situations might be addressed if a tree extends across more than two lots, such as at a corner intersection. Nick Whipple explained that the proposed amendment arose from practical difficulties encountered by staff when regulating property line trees. Under the existing code, property line trees receive no credit because the code is silent on how such trees should be treated, effectively removing incentives to preserve them. The proposal allows partial credit for trees whose trunks cross property lines. It is the trunk itself that must be determined to exist exactly on the property line rather than the canopy or root system. If a survey shows any portion of a trunk extends onto a property line, the tree will qualify as a property line tree and receive a discounted credit of 0.5 for regulatory purposes. More complex multi-property situations involving three or four adjoining lots could eventually require additional code interpretation.

Commissioner Nilchian asked if staff had considered granting a full one-to-one tree credit rather than a partial 0.5 credit for property line trees. A concern was expressed that awarding full credit could potentially incentivize the removal of trees by allowing too much compliance credit for too few trees, and staff was asked if there were any data or examples from other jurisdictions that use alternative approaches. Nick Whipple noted that during the original drafting of Bellevue's tree code, staff reviewed numerous tree preservation ordinances from other jurisdictions, particularly those employing tree credit systems. Property line tree regulations of the type currently under discussion are not commonly addressed explicitly in the codes from other jurisdictions. Further outreach will likely be necessary to gather comparative information. Granting full credit for shared property line trees could unintentionally reduce tree retention overall by allowing fewer

trees to satisfy the compliance requirements.

Commissioner Villaveces encouraged staff to consider expanding eligibility for tree credits beyond the physical trunk location to include portions of the critical root zone that extends across property lines. If a neighboring tree's root system and canopy affects the development on an adjoining property, and if the property owner is already obligated to protect those roots during construction, some degree of tree credit should also be provided. Using the inner critical root zone rather than the trunk itself might better reflect the interconnected nature of tree preservation responsibilities.

Commissioner Kennedy noted the receipt of comments from the Kelsey Creek Neighborhood Association, and comments submitted by Tesla. Referring first to the testimony from the Kelsey Creek Neighborhood Association, it was suggested that the city should explore whether there are particular conditions within that neighborhood, such as proximity to critical areas, parks, or wildlife corridors, that might justify additional protections separate from the omnibus code amendment. Staff was encouraged to continue discussions with neighborhood representatives regarding potential preservation strategies.

With regard to the comments from Tesla, Commissioner Kennedy asked if the proposed amendments adequately address the issues that might unintentionally hinder the installation of electric vehicle charging infrastructure under the existing tree code. An interest was expressed in ensuring that the city continues to encourage EV charging deployment while refining tree code implementation thresholds. Nick Whipple said the Tesla comments were in support of the omnibus amendment package. The concern involves projects where parking lots are merely being restriped or reconfigured to accommodate electric vehicle charging stations without expanding the impervious surface area or adding new parking stalls. Under the current code, even such limited modifications trigger full tree code compliance. Staff considers that threshold to be too low. The proposed amendments instead rely on a more substantial threshold involving a 20 percent increase in impervious surface area or lot coverage before the full tree code requirements apply. Staff does not believe minor parking lot restriping projects should require extensive additional tree planting obligations.

Commissioner Goeppele voiced support for the proposed revisions.

Commissioner Ferris voiced support for Commissioner Kennedy's earlier suggestion that staff continue engaging with the Kelsey Creek neighborhood regarding its unique environmental character and potential preservation concerns. Support was also expressed for the omnibus amendment package as drafted.

Chair Khanloo agreed with the need to continue focusing on the SR-1 neighborhoods and the issue of tree preservation, specifically referencing the Kelsey Creek neighborhood and similar areas characterized by distinctive natural environments. Emphasized was the importance of identifying approaches that will incentivize retention of mature trees and preserve wildlife habitat. In the Downtown area there is a noticeable absence of birds and wildlife, largely due to the lack of tree canopy and ongoing construction activities.

Vice Chair Lu recalled an earlier discussion about excluding species such as cottonwoods and alders from receiving tree credits and asked staff to confirm if that direction had been incorporated into the proposed amendments. Nick Whipple said the prior policy direction regarding cottonwoods and alders was retained in the draft amendments. The proposal maintains zero credit for those trees.

Vice Chair Lu asked about the rationale behind the proposed lot splitting provisions that permit one residential lot split but prohibits repeated use of the same process on the resulting parcels. Nick Whipple explained that the limitation is dictated directly by state statute and is likely intended to prevent piecemeal subdivision practices that could circumvent procedural requirements otherwise triggered by larger subdivision applications. While the interpretation of the legislative intent is somewhat speculative, the Washington State Department of Commerce has reinforced the approach as being the proper statutory interpretation.

Commissioner Ferris returned to the issue of property line trees and critical root zones and voiced support for recognizing root systems that extend across property lines. However, any such approach should preserve full tree credit for the property owner hosting the trunk itself. Neighboring properties impacted by a root system might receive an additional fractional credit without diminishing the primary owner's full credit for preserving the tree.

A motion to recommend adoption of the 2026 Omnibus Land Use Code Amendment and forward it to the City Council given that the proposal satisfies the applicable Land Use Code decision criteria, is consistent with the Comprehensive Plan, serves the interests of Bellevue residents and property owners, and enhances the public health, safety, and welfare, was made by Commissioner Goepple. The motion was seconded by Commissioner Ferris.

A motion to amend the motion to change the credit system definition to refer to the inner root system rather than the trunk was made by Commissioner Villaveces. The motion to amend was seconded by Vice Chair Lu.

Commissioner Goepple questioned how to define "inner root system" and questioned if the standard could even be implemented. Nick Whipple allowed not being familiar with the term. The language used needs to align with formally defined industry standards, and it needs to be clear, objective, and readily implementable. Even the proposed 0.5 property line tree credit has already introduced additional administrative complexity for land use review staff, and further expanding the criteria could complicate implementation and potentially necessitate future corrective amendments.

Commissioner Nilchian voiced opposition to the proposed amendment to the motion despite understanding the intent behind rewarding the preservation of neighboring tree root systems. The concern is that extending tree credits based on root systems could unintentionally reduce overall tree retention by allowing properties without trees of their own to satisfy tree credit requirements solely through neighboring trees. Such an outcome would undermine the intended incentive structure of the code and could ultimately result in fewer trees citywide.

Vice Chair Lu stated appreciation for the intent behind the proposal but similarly expressed reservations regarding the administrative burden that would accompany its implementation. Applying such a standard will likely require individualized lot-by-lot analysis to determine the extent and location of root systems, increasing complexity and the workload for city staff.

The motion to amend failed with no one voting for it.

The main motion recommending approval of the 2026 Omnibus Land Use Code Amendment package carried unanimously.

8. STUDY SESSION – None  
(7:28 p.m.)

9. OTHER BUSINESS – None  
(7:28 p.m.)

10. APPROVAL OF MINUTES

A. April 8, 2026

A motion was made by Commissioner Ferris and seconded by Vice Chair Lu to approve the minutes from the April 8 meeting, and the motion passed without objection.

11. EXECUTIVE SESSION – None  
(7:29 p.m.)

12. ADJOURNMENT  
(7:29 p.m.)

The meeting concluded with a motion to adjourn by Commissioner Ferris. After receiving a second by Vice Chair Lu and unanimous approval, Commissioners briefly remarked that the meeting had set a record for brevity, lasting approximately forty-nine minutes. Commissioners then exchanged closing remarks before adjournment.

Chair Khanloo adjourned the meeting at 7:29 p.m.