



DATE: April 9, 2025

TO: Chair Goepple and Members of the Planning Commission

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Development Services Department

SUBJECT: Proposed Land Use Code Amendment (LUCA) to revise the Land Use Code (LUC) to accommodate more housing choice by adopting middle housing regulations to implement House Bills (HB) 1110 and 1337. File No. 25-103771-AD.

I. BACKGROUND

In 2023, the Washington State Legislature passed, and the Governor signed into law, House Bills (HB) 1110 and HB 1337, amending the Growth Management Act, Chapter 36.70A RCW (GMA). These amendments require many cities to update their codes to allow additional densities and housing typologies in predominantly residential land use districts, along with several other associated requirements to help encourage the development of these housing types.

Before this GMA amendment, the City Council already initiated work on the middle housing code updates in January 2023 as a part of the “Next Right Work” program to boost housing supply in the city. Now, Bellevue is required to adopt necessary amendments to comply with these new GMA requirements by June 30, 2025.

Bill Overview

HB 1110 (middle housing) requires Bellevue to:

- Allow a diverse mix of housing types on all residential lots, including: multiplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.
- Permit at least four housing units on all residential lots.
- Allow at least six housing units on residential lots that:
 - Are within a quarter mile of a major transit stop, or
 - Include at least two affordable units.
- Allow for separate ownership of units.
- Not require off-street parking for lots within ½ mile of a major transit stop.
- Not require more than one off-street parking space on lots 6,000 square feet or less.
- Not require more than two off-street parking spaces on lots greater than 6,000 square feet.

HB 1337 (accessory dwelling units) requires Bellevue to:

- Allow at least two accessory dwelling units (ADUs) on any lot zoned for single-family housing, attached or detached.
- Not assess impact fees greater than 50 percent of the fees that would be imposed on the principal unit.
- Not restrict an ADU size below 1,000 square feet.
- Not restrict an ADU height below 24 feet.
- Not require off-street parking within ½ mile of a major transit stop.
- Not require more than one off-street parking space on lots 6,000 square feet or less.
- Not require more than two off-street parking spaces on lots greater than 6,000 square feet.
- Allow conversion of existing structures.
- Not require public street improvements.

II. PROPOSED LUCA

New Residential Land Use District Names

The draft proposes to rename the existing Residential (R) land use district as shown in the table below. Middle housing density is based off units per lot (DU/lot), which makes retaining land use district names based off dwelling units per acre (DU/AC) alone misleading. The proposed change bases the land use district names off the future land use designations rather than either DU/AC or DU/lot to align with the recently adopted Comprehensive Plan.

Future Land Use Map	Proposed Land Use District Name	Current Land Use District Name
Large Lot Residential (LL)	LL-1	R-1
	LL-2	R-1.8
Suburban Residential (SR)	SR-1	R-2.5
	SR-2	R-3.5
	SR-3	R-4
	SR-4	R-5
Low Density Residential (LDR)	LDR-1	R-7.5
	LDR-2	R-10
	LDR-3	R-15
Medium Density Residential (MDR)	MDR-1	R-20
	MDR-2	R-30

Proposed Residential Densities

Additional revisions have been made to the March LUCA strike-draft to reflect feedback

from the community and Planning Commission. This updated strike-draft is included as Attachment A. The below table provides additional information as to where six units are proposed to be allowed by-right in key geographies throughout the city. An updated map showing where these geographies intersect is included below. The areas within the dashed lines show the Regional and Candidate Countywide Growth Centers.

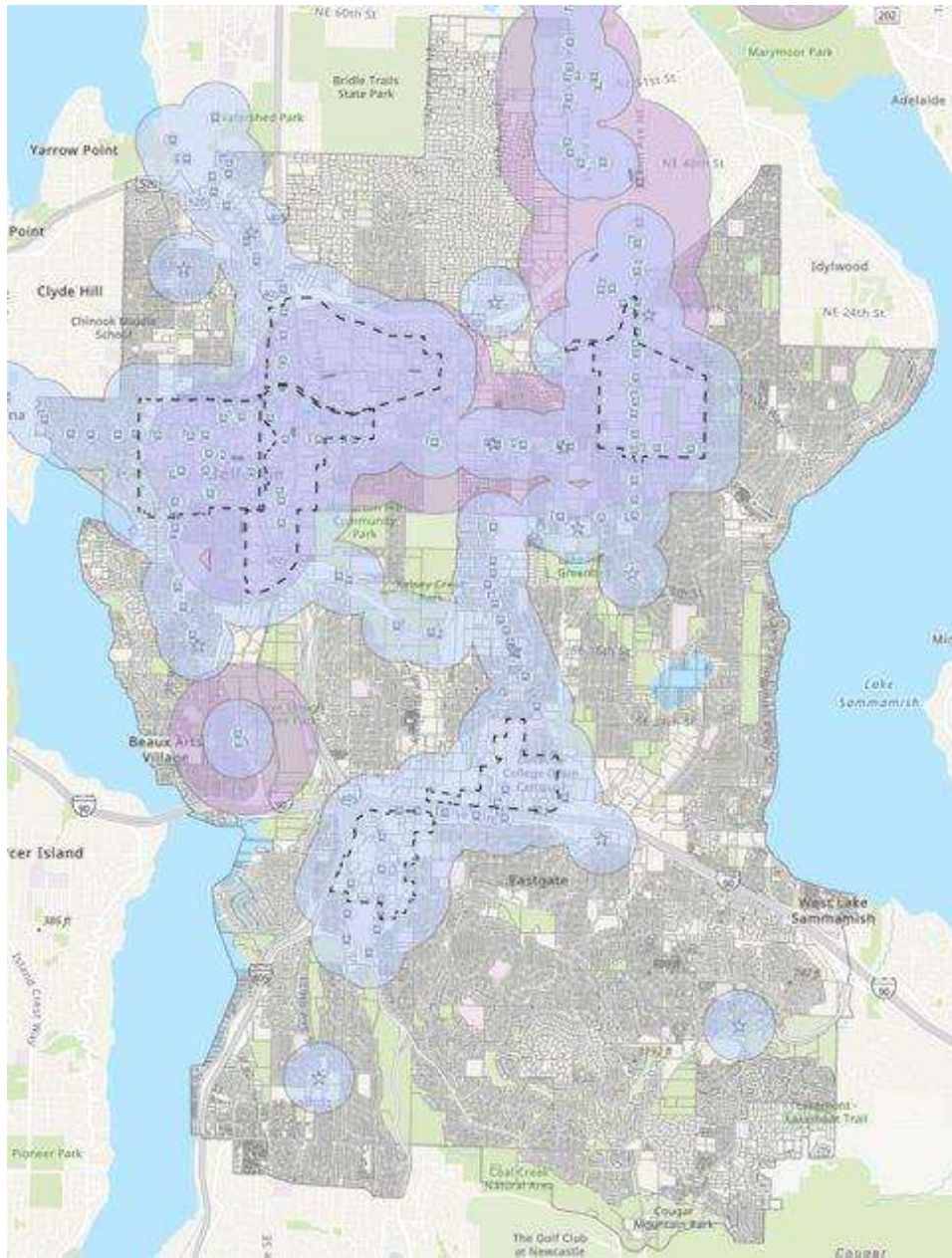


Figure 1 – Map showing ¼ mile boundary from frequent transit service and centers and ½ mile boundary from major transit stops

Four Units By-Right	Six Units By-Right	Six Units with Incentives
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• Citywide in all R districts	• ¼ Mile of Frequent Transit • ¼ Mile of Neighborhood Centers • ¼ Mile of Regional Growth Center • ¼ Mile of Countywide Growth Centers • ½ Mile of Major Transit Stops	• With two affordable units • Option to pay a fee in-lieu of providing two affordable units
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The walking distances to these transit stops and geographies will be required to be confirmed as a part of the application process, and the draft code utilizes language similar to existing code language that allows for parking reductions within certain distances of frequent transit. The language in section LUC 20.20.538.C.2 of the draft code reads:

2. *Walking Distance. If a physical impediment exists that would require pedestrians to walk more than one-quarter or one-half mile to the station, stop, or center, as applicable, from the location of the middle housing dwelling units, then the Director may determine that the location does not meet the requirements of the applicable tier.*

Floor Area Ratio (FAR)

An additional revision has been included in the updated strike-draft reflecting feedback heard from additional engagement with the development community as well as from Planning Commission at the second study session on March 12. Below is the current FAR proposal for single-family and middle housing. For one unit proposed on one lot, the 0.3 FAR is proposed to apply only to the square footage of a lot above 10,000 square feet. The strike draft still includes the proposal that ADUs not count towards total FAR, and that cottage housing not be limited based on DU/lot, but rather letting structure size, site development standards, and the overall FAR for six units drive development potential.

Number of units	Floor Area Ratio
1	0.5/0.3
2	0.5
3	0.6

4	0.7
5	0.75
6	0.9

Middle Housing Development Regulation Flexibilities

The strike draft includes proposed flexibilities for some middle housing development regulations. These include:

- Reductions to setbacks, primarily in the front and rear yard areas
 - Includes zero side yard setbacks for structures proposed to be developed on adjacent lots
- Increase to building height up to 38 feet
- Increase in lot, impervious, hard surface, and alternative hard surface coverage by five percent.

Cottage and Courtyard Site Design

A few key requirements for cottage and courtyard site design are included in the draft, which include:

- Required open space for cottage and courtyard projects
- Maximum cottage square footage of 1,750 square feet
 - Exemption of up to 250 square feet for garage area.
- U- or L-shaped building form for courtyard buildings
- Orientation around open space
- Consolidated parking areas where feasible

ADUs

The strike draft proposes an allowance of up to two ADUs on any lot zoned to permit single-family use, which is consistent with the state requirements of HB 1337. These may be attached or detached units in any combination. The strike draft includes the additional revision:

- Maximum Detached ADU square footage of 1,200 square feet
 - Exemption of up to 250 square feet for garage area
- One required parking space per ADU in alignment with proposed parking reductions for middle housing and multifamily units detailed below.

Unit Lot Subdivisions

The current land use code provides an avenue by which attached multifamily dwelling units may be subdivided into “unit lots” from a “parent lot” without requiring compliance with minimum lot sizes. This process allows for individual units to be owned in fee simple. Fee simple ownership means absolute title in improvements of the unit and the land. The proposed strike-draft would expand this ownership option and subdivision process, and the HB 1110 requirement that we permit zero lot line subdivisions for middle housing, to all middle housing units.

Transition Area Design District

The current transition area design district requires multifamily and mixed-use land use districts to “provide transition” to single-family land use districts through various restrictions. However, HB 1110 mandates that middle housing types cannot be subjected to stricter development regulations than single-family homes. Because of this, the code can no longer include the provision that the R-10 through R-30 districts provide transition to R-1 through R-7.5 with regards to middle housing projects.

The current draft includes revisions that retain some of the landscaping transition provisions for projects that qualify as multifamily projects, which would be projects that include seven or more units.

Parking

HB 1110 requires that we not impose more than one parking space per unit for lots under 6,000 square feet. To better support residential development in mixed-use areas, the Housing Opportunities in Mixed-use Areas (HOMA) project proposes a minimum parking standard of one space per unit for projects including two or more residential units. The proposed middle housing strike draft also includes residential parking at this rate to align with the HOMA project proposal for middle housing units, multifamily units, and ADUs and to ensure consistency with HB 1110.

III. REVIEW PROCESS

The City Council initiated this LUCA as part of the “Next Right Work” program in January 2023 to increase housing supply in the City.

At the Planning Commission’s October 9, 2024 study session, staff provided an overview of HB 1110 and 1337 in the context of the proposed strike-draft and citywide approach to implementing these mandates. The overview included the proposed scope of work and engagement plan for November and December.

On February 12, the Planning Commission reviewed the initial proposal for many of the key elements of the LUCA to provide staff feedback to be incorporated into the strike draft released later that month. On March 12, the Planning Commission reviewed the full strike draft, provided comment, and directed staff to schedule the public hearing for April 9. Following the public hearing, the Planning Commission will be asked to make a recommendation for transmittal to the City Council for final action. The state deadline to adopt regulations complying with HB 1110 and 1337 is June 30, 2025.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The application for SEPA review was noticed together with the notice of application for the Middle Housing LUCA on February 27, 2025. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal for the Middle Housing LUCA. A Determination of Non-significance (DNS) was issued on March 20, 2025, pursuant to the threshold determination requirements in WAC 197-11-310.

V. PUBLIC ENGAGEMENT

Required Public Notice

The notice required for City Council Legislative Actions (Process IV) is governed by LUC 20.35.415 through 20.35.450. Public notice of the LUCA application was provided on February 27, 2025 and notice of the public hearing was published in the Weekly Permit Bulletin on March 20, 2025, and availability of the Weekly Permit Bulletin was noticed in the Seattle Times.

Department of Commerce Notice

Pursuant to the Washington State Growth Management Act, proposed amendments to the LUC must be sent to the Washington State Department of Commerce to review and comment on the proposed amendments to the LUC. The required notice to the Department of Commerce and the initial draft LUCA were transmitted on March 20, 2025 and a copy of both documents is available for review in the code amendment file. No comments have been received by Commerce as of the date of this report.

Public Comments

Engagement work related to middle housing began with the Comprehensive Plan in 2022 and includes a November 2022 [engagement questionnaire](#) with 567 participants. Key findings from that report include an overall interest in expanding housing options throughout the city, particularly near neighborhood centers and major access corridors. Further middle housing engagement on the eastside includes [a report from A Regional Coalition for Housing \(ARCH\) in partnership with Eastside Housing for All](#), which included

228 Bellevue residents. Results from that report also showed general support for middle housing options in the city.

Staff held a total of six outreach events for this project between November 2024 and March 2025. The first three events included two virtual sessions and one in-person event at Stevenson Elementary School. The second series of three events also included two virtual sessions and one in-person event at City Hall. A total of around 250 attendees participated in the first series and around 175 attendees participated in the second series. The goal of these events was to provide information on the middle housing and ADU state legislation, describe the proposed scope and approach to the project, and answer questions and take feedback from attendees.

Additional engagement was conducted via [an online StoryMap](#) that provided information on middle housing with a focus on the proposed densities included in the scope. The StoryMap included interactive webmaps showing the geographies in the city where both additional densities are proposed, as well as what is required by the state. A questionnaire was provided in this StoryMap asking the public to provide feedback on the proposed additional densities, including the location, distances from certain features such as transit stops, and the number of additional units that should be supported. The questionnaire was available to the public for around two months, and notification of the tool was provided via e-mail communication to a list of around 20,000 individuals on two occasions one month apart. A summary of the results of this questionnaire was provided to Planning Commission at the [March 12 study session](#) and included a total of 60 respondents. Those respondents were generally supportive of providing additional housing units in the depicted geographies.

Overall staff heard feedback on many topics including concerns over additional density and potential impacts to critical areas, parking, and traffic. Residents had questions about covenants and the applicability of city code to their neighborhoods. Many residents both at these events and in questions staff received via email and phone communication are interested in building middle housing and ADUs and had questions about the process and requirements. Staff also heard questions about how to determine walking distance, and the unit lot subdivision code and process. Suggestions on how to increase middle housing feasibility were also provided.

VI. DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of these proposed amendments to them, are discussed below:

- A. The amendment is consistent with the Comprehensive Plan; and

Finding: The proposed LUCA is consistent with the Comprehensive Plan. The City of Bellevue has adopted the following comprehensive plan policies that encourage the production of a diverse array of housing types, increasing opportunities for affordable housing, and promoting land use and housing policies that site housing near transit, and mixed-used areas that provide access to jobs, services, and retail:

Policy LU-4: Promote a land use pattern integrated with a multimodal transportation system.

Policy LU-10: Work toward a land use pattern that makes it possible for people to live closer to where they work regardless of household income.

Policy LU-20: Support development of compact, livable and walkable mixed-use centers in BelRed, Eastgate, Factoria, Wilburton, East Main and Crossroads

Policy LU-28: Provide for a mix of housing, office, service and retail uses in a compact walkable development pattern that optimizes the benefits of transit investment in Bellevue's mixed-use areas.

Policy LU-47: Implement land use patterns that promote walking, bicycling, or other active transportation modes in order to increase public health.

Policy HO-17: Allow attached and detached accessory dwelling units in residential and mixed-use areas with the ability to be rented or sold individually.

Policy HO-18: Promote housing density, choice and affordability in areas served by the frequent transit network, businesses serving the community's day-to-day needs and significant nodes of employment.

Policy HO-19: Ensure that policies and regulations allow for middle scale housing, such as duplexes, triplexes, fourplexes, townhomes, small apartment buildings, cottage housing, and courtyard apartments.

Policy HO-35: Create opportunities to require or incentivize affordable housing when increases to development capacity are made.

B. The amendment enhances the public health, safety or welfare; and

Finding: This LUCA will enhance public health, safety, and welfare by allowing an increase in the availability of a diverse array of housing types in the city in order to help meet our established housing target of 35,000 new housing units by 2044.

- C. The amendment is not contrary to the best interests of the citizens and property owners of the City of Bellevue.

Finding: The proposed LUCA is not contrary to the best interests of the citizens and property owners of the City of Bellevue. The LUCA serves the best interests of Bellevue's citizens and property owners by providing more opportunity and flexibility in the ability for properties to develop housing.

VII. RECOMMENDATION

Staff has concluded that the Middle Housing LUCA, as drafted in Attachment A, is consistent with the decision criteria required for adoption of amendments to the text of the LUC, pursuant to Part 20.30J LUC. Staff recommends that the Planning Commission recommend adoption of the proposed LUCA.

ATTACHMENT:

- A. Middle Housing LUCA Strike-Draft