

From: phyllisjwhite@comcast.net
To: [Miller, Caleb](#)
Cc: [PlanningCommission](#); [Council](#)
Subject: Fwd: Re: Wilburton-BelRed Proposed Tree Code
Date: Wednesday, May 1, 2024 3:31:15 PM
Attachments: [Outlook-btfootr4.png](#)
[Attachment B - Strike-Draft.pdf](#)

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello Caleb,

What is the city of Bellevue's definition of critical areas? Would you provide a current map? Also, what are the City's current policies on Species of Local Importance and the protection of significant and landmark tree canopies for areas where they are frequently sighted and possibly live?

King County

"Update on Best Available Science Critical Areas Ordinance Review, 2024 King County Comprehensive Plan, December 2023

- As part of the 2024 King County Comprehensive Plan update, the County is required to review its policies and Critical Areas Ordinance (CAO) to include the current Best Available Science (BAS) and reflect changes in state law.
- The Growth Management Act (GMA) requires that counties and cities protect the functions and values of critical areas, including wetlands, critical aquifer recharge areas (CARAs), frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas (FWHCAs). "Protection" in the context of critical areas refers to both preservation of the functions and values of the natural environment and to safeguarding the public from hazards to health and safety (WAC 365-196-830). Examples of functions and values of wetlands include preventing downstream flooding, filtering pollutants, and supporting stream flows in the summer."
- The Washington Department of Fish and Wildlife recommendations include the riparian ecosystem, retaining a buffer of highest trees, such as 195 feet, or 200 feet, which cannot be grown in short periods of time:

[Priority Habitats And Species: Riparian Ecosystems and the Online SPTH Map Tool \(arcgis.com\)](#)

Best regards,
Phyllis White

----- Original Message -----

From: "Gallant, Kristina" <KGallant@bellevuewa.gov>
To: phyllisjwhite@comcast.net
Cc: "Miller, Caleb" <CWMiller@bellevuewa.gov>
Date: 04/29/2024 2:14 PM PDT
Subject: Re: Wilburton-BelRed Proposed Tree Code

Hi Phyllis,

I have attached the draft Tree Code LUCA, which will apply to Wilburton when adopted.

The proposed code has requirements that vary depending on the specific land use district.

At the same time, the Wilburton Vision Implementation code update may implement specific standards for Wilburton, which would be adopted later this year. If you would like to share any comments specific to trees in Wilburton, I recommend reaching out to Caleb Miller, the Senior Planner managing that project. He is copied on this message, his email is cwmiller@bellevuewa.gov.

Thanks,
Kristina



Kristina Gallant, AICP
Planning Manager

Code and Policy, Development Services, City of Bellevue
(She/Her)

425-452-6196 | kgallant@bellevuewa.gov | BellevueWA.Gov

From: phyllisjwhite <phyllisjwhite@comcast.net>

Sent: Friday, April 26, 2024 6:30 PM

To: Gallant, Kristina <KGallant@bellevuewa.gov>

Subject: Wilburton-BelRed Proposed Tree Code

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello Kristina,

What is the proposed Land Use/Tree Code LUCA for Wilburton closest to the BelRed Road, between BelRed and NE 8th in the single-family neighborhoods, 130th, 132nd, and 134th?

As I mentioned in the Planning Commission meeting, we are Wilburton residents on the north side of NE 8th near to BelRed Rd. There used to be fish, such as salmon, swimming down the stream, and they are not present as they were previously. Sometimes the stream turns murkey with foam. The City spent millions near 132nd and NE 8th hoping to restore the stream.

We still see blue herons, bald eagles, red tailed hawks, bats, bobcats, beavers, coyotes, and other animals frequenting our yards and neighborhood.

Best regards,

Phyllis White

Sent from my Galaxy

20.20.900 Tree retention and replacement.

Commented [A1]: Section is rewritten. Draft only indicates tracked changes since previous Planning Commission meeting for ease of review.

A. Purpose.

The purpose of this section is to:

1. Prevent Citywide net loss of tree canopy and address local canopy gaps;
2. Reduce the impacts of development on the storm and surface water systems and water resources;
3. Provide guidance and flexibility to support “the right tree in the right place”; and
4. Preserve other public benefits of Bellevue’s urban forest, including minimizing heat impacts, enhancing ecosystem resilience, and storing carbon.

B. Applicability.

1. The requirements of this section shall be imposed any time a permit, approval, or review for Development Activity is required by the Bellevue City Code or Land Use Code.
2. The requirements of this section alone shall not reduce maximum allowed density, number of allowed lots, or preclude required access and utility connections.
3. Tree removal that is not associated with development activity is regulated by the Clearing and Grading Code (Chapter 23.76 BCC).
4. Trees growing within or overhanging any public right-of-way are also subject to the requirements of Chapter 14.06 BCC.
5. Exceptions.
 - a. Trees located in the Shoreline Overlay District are regulated by Part 20.25E LUC Shoreline Overlay District.
 - b. Trees located in critical areas or their associated buffers are regulated by Part 20.25H LUC Critical Areas Overlay District.
 - c. The portions of this section which require retention of Significant Trees or planting new trees are not applicable in any Downtown Land Use District or in the East Main Transit Oriented Development Land Use District.

C. Definitions

The following definitions are specific to this section. Where a term defined below is used in this section its meaning shall be as defined below.

1. "Development Activity" means any alteration or development regulated by the Bellevue City Code or Land Use Code, including subdivisions, short subdivisions, planned unit developments, changes in lot coverage, changes in the area devoted to parking and circulation, and additions to impervious surface areas that exceed 20 percent.
2. "Grove" means a group of three or more Significant Trees with overlapping or touching crowns.
3. "Hazardous Tree" means a tree that, in the written opinion of a Qualified Tree Professional who also has the International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ), meets all of the following criteria:
 - a. The tree has a combination of structural defects, disease, or both structural defects and disease that makes it subject to a high probability of failure;
 - b. The location of the tree is in proximity areas where, with moderate to high frequency, persons or property are likely to be located that could be injured or damaged by tree failure;
 - c. The assessed tree has a high to extreme risk rating using the International Society of Arborists Tree Risk Assessment Qualification method in its most current form; and
 - d. The hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices.
4. "Invasive or Noxious Species" means any species identified in the invasive or noxious weed lists established by Washington State or King County, as amended, or any species listed by the Director, who is hereby authorized to formulate and maintain a list of Invasive and Noxious Species likely to cause economic or environmental harm or harm to human health or infrastructure.
5. "Tree Canopy Site Area" means, for the purpose of determining the minimum tree density required for a site, the area of a site remaining after subtracting the following areas from the gross site area:
 - a. Critical areas and their buffers (As modified pursuant to 20.25H LUC, if applicable); and
 - b. Shoreline vegetation conservation areas; and
 - c. Public rights-of-way; and
 - d. Private roads in separate tracts; and
 - e. Submerged lands (lands waterward of the ordinary high water mark).

Commented [A2]: Clarifies that any critical areas removed through modification should be included in the Tree Canopy Site Area

6. "Tree Protection Zone (TPZ)" means the circular area around a tree calculated as one foot of radius for every inch of d.b.h., or at least six feet, whichever is greater. The TPZ may instead be determined by a Qualified Tree Professional.
7. "Viable Tree" means a tree rated by a Qualified Tree Professional as fair, good, or excellent condition based on the criteria in Table 20.20.900.C.1 or the most recent edition of the *Guide for Plant Appraisers*, published by the Council of Tree and Landscape Appraisers.

Table 20.20.900.C.1 Tree Condition Rating Table

Rating Category	Condition Components			Percent Rating
	Health	Structure	Form	
Excellent - 1	High vigor and nearly perfect health with little or no twig dieback, discoloration, or defoliation.	Nearly ideal and free of defects.	Nearly ideal for the species. Generally symmetric. Consistent with the intended use.	81% to 100%
Good - 2	Vigor is normal for species. No significant damage due to diseases or pests. Any twig dieback, defoliation, or discoloration is minor.	Well-developed structure. Defects are minor and can be corrected.	Minor asymmetries/deviations from species norm. Mostly consistent with the intended use. Function and aesthetics are not compromised.	61% to 80%
Fair - 3	Reduced vigor. Damage due to insects or diseases may be significant and associated with defoliation but is not likely to be fatal. Twig dieback, defoliation, discoloration, and/or dead branches may compromise up to 50% of the crown.	A single defect of a significant nature or multiple moderate defects. Defects are not practical to correct or would require multiple treatments over several years.	Major asymmetries/deviations from species norm and/or intended use. Function and/or aesthetics are compromised.	41% to 60%
Poor - 4	Unhealthy and declining in appearance. Poor vigor. Low foliage density and poor foliage color are present. Potentially fatal pest infestation. Extensive twig and/or branch dieback.	A single serious defect or multiple significant defects. Recent change in tree orientation. Observed structural problems cannot be corrected. Failure may occur at any time.	Largely asymmetric/abnormal. Detracts from intended use and/or aesthetics to a significant degree.	21% to 40%
Very Poor - 5	Poor vigor. Appears dying and in the last stages of life. Little live foliage.	Single or multiple severe defects. Failure is probable or imminent.	Visually unappealing. Provides little or no function in the landscape.	6% to 20%
Dead - 6				0% to 5%

D. Required Review.

The Development Services Department shall review the proposed removal of any significant or Landmark Trees with each permit, approval, or review for Development Activity within the applicability of this section.

E. Minimum Tree Density.

1. The applicant shall maintain in the Tree Canopy Site Area at least the minimum tree density, measured in tree credits, as provided in this subsection.
2. Minimum Tree Credits by Land Use District. Minimum tree credits are determined based on the Land Use District, use and Tree Canopy Site Area. The minimum tree credits required are calculated by dividing the Tree Canopy Site Area, measured in square feet, by 1,000 then multiplying by the applicable rate identified in either Table 20.20.900.E.1, if the site is located in a residential Land Use District, or Table 20.20.900.E.2, if the site is located in other Land Use Districts.

a. Residential Land Use Districts

Table 20.20.900.E.1. Minimum Tree Credits per 1,000 Square Feet of Tree Canopy Site Area, Residential Land Use Districts

Land Use District	One Dwelling per Lot	Two or More Dwellings per Lot, or Other Use
R-1 R-1.8 R-2.5	5	4 3
R-3.5 R-4 R-5	2	1.5
R-7.5 R-10 R-15 R-20 R-30	1	0.75

b. Other Land Use Districts

Table 20.20.900.E.2. Minimum Tree Credits by Use, Other Land Use Districts

Use	Minimum Tree Credits per 1,000 Square Feet of Tree Canopy Site Area
One Dwelling per Lot	1
Two or More Dwelling Units per Lot	0.75
Commercial, Office, Light Industrial, and All Other Uses	0.5

3. Retained Trees.

- a. Priorities for Retention. In ~~applying the requirement for retention of significant trees~~ selecting Significant Trees for retention, the Director shall consider the preservation of the following types of Significant Trees in the following order of priority:
 - i. Landmark Trees.
 - ii. Trees located in Groves.
 - iii. Significant Trees located in the required perimeter landscaping area, as set forth in LUC 20.20.520.F.1. For properties located in BelRed, refer to LUC 20.25D.110.
 - iv. Other Significant Trees.
- b. Tree Credits for Retained Trees. Each retained Significant Tree provides a tree credit value determined by its d.b.h. or Landmark Tree classification, as identified in Table 20.20.900.E.3. When determining tree credits for a Significant Tree that is an alder or cottonwood, the applicable tree credit value identified in Table 20.20.900.E.3 shall be reduced by 50%.

Table 20.20.900.E.3. Tree Credits for Retained Trees

DBH	6"-10"	Larger than 10" and up to 12"	Larger than 12" and up to 14"	Larger than 14" and up to 16"	Larger than 16" and up to 18"	Larger than 18" and up to 20"	Larger than 20" and up to 22"	Larger than 22" and less than 24"	24" or greater and all Landmark Trees
Tree Credits	2	3	4	5	6	7	8	9	10

- c. Exceptions. The following shall not provide any tree credits if retained:
 - i. Invasive or Noxious Species.
 - ii. Trees located outside the Tree Canopy Site Area.
 - iii. Trees in areas devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC).
4. Dimensional Standard Modification for Tree Retention.
- a. Reduced Parking. Where the provision of required parking would impact the TPZ of viable Landmark Trees or groves, the Director may approve a reduction of required parking in order to avoid a Grove or Landmark Trees, if the reduction would result in a project that would avoid the TPZ and that would exceed the required minimum tree density.
 - b. Front and Rear Yards. Subject to street intersection sight obstruction requirements, BCC 14.60.240, development may extend into up to 50% of the required front yard or five feet into the rear yard in the following circumstances:

- i. The maximum density of development allowed on the site cannot be achieved without extending into the TPZ of existing significant or Landmark Trees required to achieve the minimum tree density; or
 - ii. The modification will enable the applicant to retain a grove, additional Landmark Trees, or both a Grove and additional Landmark Trees beyond the required minimum tree density; or
 - iii. The proposal is for affordable housing development provided under LUC 20.20.128 and will exceed the required minimum tree density.
- c. Building Height. Except in transition areas and for proposals of one dwelling unit per lot, the maximum building height may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line in the following circumstances:
- i. The maximum density of development allowed on the site cannot be achieved without extending into the TPZ of existing significant or Landmark Trees required to achieve the minimum tree density; or
 - ii. The modification will enable the applicant to retain a Grove, additional Landmark Trees, or both a Grove and additional Landmark Trees beyond the required minimum tree density; or
 - iii. The proposal is for affordable housing development provided under LUC 20.20.128 and will exceed the required minimum tree density.

Commented [A3]: New flexibility for building height, per Planning Commission direction. Similar approach to existing height bonus for affordable housing.

5. Planted Trees.

- a. Tree planting shall be required to achieve the minimum required tree density on sites which lack sufficient existing trees. On sites with insufficient existing tree density, existing viable Significant Trees may only be removed if:
 - i. The maximum density allowed on the site cannot be achieved without extending into the TPZ or into a required front and/or rear yard to an extent greater than provided for in LUC 20.20.900.E.4.; or
 - ii. Existing trees are hazardous or inappropriate for retention, in the written opinion of a Qualified Tree Professional; or
 - iii. Site is located in a wildland-urban interface area and additional tree removal is required to maintain applicable defensible space requirements, BCC 23.11.10.
- b. Tree Credits for Planted Trees. Each planted tree that is a minimum of 2-inch Caliper (deciduous trees) or 6 feet in height (conifer trees) provides 1 tree credit, except Alders and Cottonwoods, which provide ~~0.5 tree credits per planted tree~~ no tree credits when planted. ~~Planted trees below these minimum sizes provide no tree credits.~~

Commented [A4]: Removed credit for newly-planted Alders and Cottonwoods, per Planning Commission direction.

- c. The applicant shall utilize plant materials which complement the natural character of the Pacific Northwest, and which are, in the written opinion of a Qualified Tree Professional, adaptable to the climatic, topographic, and hydrologic characteristics of the site.
- d. Planting Invasive or Noxious Species is prohibited.
- e. Tree Removal Before Development Activity. If a site has insufficient existing tree density, any trees removed from the Tree Canopy Site Area within the previous three years shall be replaced, unless replacement was previously required as a condition of their removal. Significant Trees shall be replaced at a 1:1 ratio, and Landmark Trees shall be replaced at a 2:1 ratio.
- f. Relationship to Other Requirements. Any trees planted or retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, shall count towards the minimum required tree credits. The number of trees required to be planted or retained to meet other requirements shall not be reduced if exceeding the required minimum tree credits.
- g. All plantings required by this section are subject to the street intersection sight obstruction requirements, BCC 14.60.240.
- h. Trees planted to form a clipped or sheared hedge shall not provide any tree credits if planted.
- i. Locations. Planted trees providing credit toward the required minimum tree density shall be planted within the Tree Canopy Site Area in locations suitable for the planted trees to reach maturity, in the following order of priority:
 - i. Within required setbacks and transition areas.
 - ii. Adjacent to existing Groves.
 - iii. Other locations within the Tree Canopy Site Area.
 - iv. In-Lieu Fee. If the applicant demonstrates that all planting options have been considered and are infeasible, for each additional tree credit required, the applicant shall pay a fee-in-lieu equivalent to the cost of a tree meeting the requirements of this section for planted trees, installation (labor and equipment), maintenance for three years, and fund administration.
 - (1) The in-lieu fee rate, published in the City's fee rate schedule, shall be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.
 - (2) In-lieu fee monies ~~may~~shall be used to support Bellevue's tree canopy and related initiatives including, but not limited to, one or more of the following: planting and

maintaining individual trees (including supporting infrastructure), restoration activities, urban forestry education, or the purchase of land for reforestation or preservation.

6. Alternative Tree Density Option.

- a. An applicant may request a modification of the minimum tree density requirement when the proposed use is classified within transportation or utilities in the land use charts contained in LUC 20.10.440.
- b. The Director may administratively approve a modification of the on-site tree planting requirements if:
 - i. The modification is consistent with the stated purpose of this section; and
 - ii. The modification proposal either:
 - (1) Incorporates retained and planted trees equal or greater in tree credits required for the Tree Canopy Site Area, with the option to plant or protect trees in locations outside the Tree Canopy Site Area but within the City of Bellevue; or
 - (2) Incorporates the retention or replacement of other natural vegetation in consolidated locations which promote the natural vegetated character of the site and neighborhood including use as pasture land or for agricultural uses; or
 - (3) Incorporates an innovative mitigation plan based on the best available science.
- iii. Where a modification proposal includes newly planted trees, the applicant shall utilize plant materials which, in the written opinion of a Qualified Tree Professional, complement the natural character of the Pacific Northwest, and which are adaptable to the climatic, topographic, and hydrologic characteristics of the site.

Commented [A5]: New alternative option to accommodate projects which are not compatible with achieving minimum tree density as otherwise provided in this section.

F. Tree Protection.

1. Tree Protection Techniques. The applicant shall utilize tree protection techniques identified in the tree protection plan approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained Significant Trees, as provided in BCC 23.76.060.
2. Tree Protection Covenant. When a modification to development standards is granted to avoid development within a TPZ, the applicant shall record with the King County Division of records and Elections a covenant, in a form approved by the City Attorney's Office, prohibiting development on or within any portion of a TPZ located on the site that was avoided through the modification to development standards. The covenant shall include a site plan, prepared by a qualified professional, clearly delineating the TPZ(s) that were avoided through the modification to development standards located wholly or partially on the site.

3. Maintenance Assurance. If planted trees are necessary to achieve the minimum required tree density, the Director may require a maintenance assurance device for a period of three years from the completion of planting or construction in conformance with LUC 20.40.490. The Director may require a longer period depending on the plant materials used and site conditions.

Commented [A6]: 3 years is recommended for a typical establishment period for most newly-planted trees, however the period required for trees to be established can be longer in certain circumstances. This provides flexibility to extend the maintenance assurance period when appropriate for the plant materials or site conditions.

20.25A.020 Definitions.

A. Definitions Specific to Downtown.

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~~**DT – Caliper:** The diameter measurement of the stem or trunk of nursery stock. Caliper measurement should be taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four inch caliper size interval. If the caliper measured at six inches is four and one half inches or more, the caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate.~~

Commented [A7]: Cleanup: Incorporating provisions in 20.50 definitions instead, to apply throughout code, including Downtown.

~~**DT – Diameter at Breast Height (D.B.H.):** The diameter of the tree trunk at four and one half feet (or 54 inches) above natural grade level. The diameter may be calculated by using the following formula: D.B.H. = circumference at four and one half feet divided by 3.14 (which is the numerical representation of pi). To determine the D.B.H. of multi trunk trees or measuring trees on slopes, consult the current Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.~~

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B. General Definitions Not Applicable to Downtown.

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~~Caliper, LUC 20.50.014.~~

Commented [A8]: Central definition being updated incorporating necessary detail, will now apply Downtown.

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~~Tree – Large Diameter, LUC 20.50.048.~~

Commented [A9]: Cleanup: Unused definitions which are being removed from 20.50

~~Tree – Small Diameter, LUC 20.50.048.~~

20.25B.040 Development Standards.

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C. Landscaping, Open Space and Buffers.

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2. Buffer.

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- b. All ~~significant tree~~ **Significant Trees** within 15 feet of the property line shall be ~~retained as required by LUC 20.20.520.E.~~

Commented [A10]: 520 points to 20.20.900, which no longer always requires retaining all trees in perimeter.

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20.25F.040 Site and design requirements.

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C. Design Requirements.

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2. Landscaping and Vegetation Preservation.

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- e. A significant number of trees at least 12 feet to 14 feet in height or two and one-half inches to three inches in ~~caliper~~ **Caliper**, in conformance with the American Standard for Nursery Stock, and predominantly evergreen, must be included in each planted area. ~~Caliper is measured four feet above existing grade.~~ Shrubs at least three and one-half feet in height along a parking area or site perimeter and at least two feet in height at any other location must be interspersed among the trees, and the majority of the remaining area planted with living ground cover so that the ground will be covered in three years.
- f. Wherever practical and consistent with proposed site design, tree line and existing trees at least six inches in ~~caliper~~ **Diameter at Breast Height** must be retained. ~~Caliper is measured four feet above existing grade.~~ Tree protection techniques, approved by the Technical Committee must be utilized during construction. Where changes in grade have occurred, permanent tree preservation methods, approved by the Technical Committee must be utilized.
- g. The applicant must install street trees at least three inches in ~~caliper~~ **Caliper** along the street frontage. ~~Caliper is measured four feet above existing grade.~~ The location and species installed are subject to approval of the Technical Committee.

Commented [A11]: Cleanup: Inappropriate applications of "caliper"

Commented [A12]: Inappropriate usage of "caliper", replaced with DBH measurement for existing trees

20.25Q.020 Definitions specific to East Main.

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B. General Definitions Not Applicable to East Main.

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~~Tree – Large Diameter. LUC 20.50.048.~~

~~Tree – Small Diameter. LUC 20.50.048.~~

Commented [A13]: Cleanup: Unused definition being removed from the LUC.

20.50.014 C definitions.

Caliper. The diameter measurement of the stem or trunk of nursery stock. Caliper measurement should be taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch Caliper size interval. If the Caliper measured at six inches is four and one-half inches or more, the Caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate. The diameter of a tree in inches as measured according to specifications promulgated by the American Association of Nurserymen in American Standard For Nursery Stock, ANSI Z60.1-1990. See also Significant Tree.

Commented [A14]: Replacing with current Downtown definition, to apply throughout.

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Continuous Tree Canopy. Tree crown cover which forms a predominately solid overhead plane.

Commented [A15]: Cleanup: Not used in code

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20.50.016 D definitions.

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Development Services Department. The Development Services Department is an administrative department of the City as described in Chapter 3.44 BCC.

Diameter at Breast Height (D.B.H.). The diameter of a tree trunk measured at 4.5 feet above the highest point of the natural or existing topography touching the trunk of the tree. Where a tree splits into several trunks close to ground level, the d.b.h. for the tree is the square root of the sum of the d.b.h. of each individual trunk squared. If a different method of measurement is recommended in the current Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers, a Qualified Tree Professional may use that method.

Director. The Director of the Development Services Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager, unless otherwise specified.

District. A land use district established under LUC 20.10.020.

Commented [A16]: Cleanup: Improves clarity

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20.50.032 L definitions.

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Land Use. The use to which an area of land, or building thereon, is put; human activity taking place thereon. Categories of land uses in this Code are found in Chart 20.10.440 and district-specific land use charts contained in Chapter 20.25 LUC.

Landmark Tree. A viable tree at least 24 inches in diameter at breast height, or a viable tree meeting or exceeding the alternate diameter criteria for its species listed in Table 20.50.032.1.

Commented [A17]: New, permanent Landmark Tree definition. Viability criteria are provided in table in 20.20.900.

Table 20.50.032.1. Landmark Tree Threshold Exceptions by Species and Diameter

<u>Common Name</u>	<u>Scientific Name</u>	<u>Diameter at Breast Height (D.B.H.)</u>
<u>Red alder</u>	<u><i>Alnus rubra</i></u>	<u>Not Landmark Trees</u>
<u>Pacific madrone</u>	<u><i>Arbutus menziesii</i></u>	<u>8 inches</u>
<u>Cascara</u>	<u><i>Franqula purshiana</i></u>	<u>8 inches</u>
<u>Lodgepole or shore pine</u>	<u><i>Pinus contorta</i></u>	<u>12 inches</u>
<u>Black cottonwood</u>	<u><i>Populus trichocarpa</i></u>	<u>Not Landmark Trees</u>
<u>Oak</u>	<u><i>Quercus spp.</i></u>	<u>12 inches</u>
<u>Pacific yew</u>	<u><i>Taxus brevifolia</i></u>	<u>8 inches</u>

Landscape Area. An outdoor landscaped area providing visually or physically accessible space for tenants of the development of which it is a part.

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20.50.042 Q definitions.

Qualified Professional. A “Qualified Professional” is one who, by meeting certain defined educational, licensing or other qualifications established by the director, has the knowledge to provide expert design, engineering, habitat, or other evaluations necessary to allow the City to make a decision on a specific proposal. Where the applicant for a proposal is a City, county, state or federal agency, a Qualified Professional may include trained staff whose job functions include providing the expertise required by this code.

Qualified Tree Professional. A “Qualified Tree Professional” is one with relevant education and training in arboriculture or urban forestry and one of the following credentials:

1. ISA certified arborist;
2. ISA certified arborist municipal specialist;
3. ISA board certified master arborist;
4. American Society of Consulting Arborists (ASCA) registered consulting arborist (RCA); or
5. Society of American Foresters (SAF) certified forester for forest management plans.

20.50.046 S definitions.

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Significant Tree. A ~~healthy viable evergreen or deciduous tree at least eight six inches in diameter at breast height or greater, measured four feet above existing grade. The Director of the Development Services Department may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain.~~

Commented [A18]: Updated definition with reduced threshold. DBH is now defined separately, and additional blanket authorization has been removed, to be replaced with specific considerations in relevant code sections. Table with viability criteria is provided in 20.20.900.

Draft Tree Canopy LUCA
April 16, 2024

Attachment B

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20.50.048 T definitions.

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~~Tree, Large Diameter. A tree having a mature spread of at least 50 feet.~~

~~Tree, Small Diameter. A tree having a mature spread of less than 50 feet.~~

Commented [A19]: Cleanup: Not used in code.

From: [Betsi Hummer](#)
To: [PlanningCommission](#); [Magill, Drew](#); [Anne Morisseau](#); [Malakoutian, Mo](#); [Goepppele, Craighton](#); [Ferris, Carolyn](#); [Bhargava, Vishal](#); [Cuellar-Calad, Luisa](#); [Lu, Jonny](#); avillavecetes@bellevuewa.gov; [Khanloo, Negin](#)
Subject: Wilburton Public Hearing May 1 2024
Date: Wednesday, May 1, 2024 5:04:32 PM

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello

I am unable to attend tonight's public hearing in person, so want to let you know my concerns.

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I believe the NE 6th should be a direct connection for Wilburton traffic to 405.

NE 6th should cross 405 and the Eastrail path up to 120th, and provide a steady connection for commuters to 405.

NE 8th is already backed up, bringing traffic to 405 from East Bellevue and its offices; NE 4th already gets backed up doing the same; and Main Street is regularly congested getting commuters and shoppers out of North and East Bellevue.

Dangerous cut through traffic in the Wilburton single family neighborhood - from BelRed, south through 134th and 132nd, across NE 8th, to 130th and past Kelsey Creek park - is testimony to the Main Street and SE 7th Place and SE 8th commuter, school, and shopper traffic.

The Wilburton neighborhood cut through traffic is joined by the Lake Hills Connector commuter traffic with people throughout East Bellevue, NorthEast Bellevue, and South Redmond - all accessing 405 however they can.

NE 6th as a commuter on and off access road from and to Wilburton is imperative to give the thousands of expected new Wilburton workers an efficient and safe way to access 405 to make sure they get home. Better access to 405 will also decrease the neighborhood cut through traffic.

<https://wstc.wa.gov/wp-content/uploads/2020/11/2020-1118-BP12-BelRed-Streetscape.pdf>

Additionally, I encourage the Commissioners to heed the requests of the Wilburton Commercial Area Property Owners, Developers, and Businesses to make the flexible changes to staff's draft design. Throughout Bellevue people friendly ground floors coexist within high rises. Builders build for the public - restricting what they can do with their property runs the risk of no development. I understand the pedestrian users asking for more human scale buildings closer to the Eastrail, however, that can be included in the Land Use Codes while still including the higher building that will lend itself to greater diversity among the building uses.

Thank you for your dedication and service.

Betsi Hummer 425.591.4784 betsihummer@yahoo.com

From: [Betsi Hummer](#)
To: [PlanningCommission](#); [Magill, Drew](#); [Malakoutian, Mo](#); [Goepple, Craighton](#); [Ferris,Carolynn](#); [Bhargava, Vishal](#); [Cuellar-Calad, Luisa](#); [Lu, Jonny](#); [avillaveces@bellevuewa.gov](#); [Khanloo, Negin](#); [Villaveces, Andres](#)
Subject: Re: Wilburton Public Hearing May 1 2024
Date: Wednesday, May 1, 2024 7:32:02 PM

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TR-2. To aggressively plan, manage, and expand transportation investments to reduce congestion and expand opportunities in a multimodal and comprehensive manner ..

Betsi Hummer 425.591.4784 betsihummer@yahoo.com

On Wednesday, May 1, 2024 at 05:04:23 PM PDT, Betsi Hummer <betsihummer@yahoo.com> wrote:

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From: [Betsi Hummer](#)
To: [PlanningCommission](#); [Magill, Drew](#); [Anne Morisseau](#); [Malakoutian, Mo](#); [Goepppele, Craighton](#); [Ferris, Carolyn](#); [Bhargava, Vishal](#); [Cuellar-Calad, Luisa](#); [Lu, Jonny](#); avillaveces@bellevuewa.gov; [Khanloo, Negin](#)
Subject: Re: Wilburton Public Hearing May 1 2024
Date: Wednesday, May 1, 2024 7:46:55 PM

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Please put the TR2 into the Wilburton CPA.
Please ask about current congestion and future access to 405 from Wilburton, especially if NE 6 does not go directly from 112 to 120.

Betsi Hummer 425.591.4784 betsihummer@yahoo.com

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May 1, 2024

Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: BDA Comments on the Proposed Wilburton Comprehensive Plan Amendments

Dear Chair Bhargava and Commission Members:

On behalf of the Bellevue Downtown Association (BDA), we are providing feedback on the draft Wilburton Comprehensive Plan Amendments (CPA) and City staff-recommended Future Land Use Map for the Wilburton TOD Area. Our mission is to strengthen the economic and cultural vitality of Downtown Bellevue, and we believe a vibrant mixed-use neighborhood in Wilburton will complement and amplify Downtown as a regional destination for people to live, work and play. The feedback shared in this letter reflects the BDA’s accumulated work over the past two years to evaluate Wilburton with the goal of generating constructive input to help inform the City’s Wilburton rezone process.

We’ve structured our comments into two sections:

SECTION 1. Recap decision-making principles and desired neighborhood qualities:

We have developed a list of guiding principles and attributes that define the BDA’s values for Wilburton’s future as a neighborhood that complements Downtown.

SECTION 2. BDA recommendations on the draft CPA and proposed future land use map:

We are largely aligned with the staff recommendations and offer further thoughts on how to strengthen the Comprehensive Plan Policies based on our decision-making principles and neighborhood qualities.

SECTION 1

A. BDA Board Principles & Desired Outcomes for the Comprehensive Plan Update

In preparing to comment on the draft EIS last summer, the BDA Board of Directors produced a set of four principles to guide our review of the Comprehensive Plan Update (for both the city at large and Wilburton) and to achieve desired outcomes that support Downtown and Bellevue as a whole.

The BDA continues to urge the City to follow these principles throughout the Comprehensive Plan Update process.

1. Balance uses to support sustainable growth and long-term viability.
2. Focus density around light rail stations to encourage transit-oriented development (TOD).
3. Promote flexibility to ensure plans can adapt to changing conditions.
4. Support maximum density to optimize development potential.

B. Neighborhood Qualities that Complement Downtown and Support Bellevue's Growth

The BDA Land Use & Livability Committee generated the following list of neighborhood qualities over the last two years, all geared to support an outcome where future development in Wilburton will synergize with Downtown and support Bellevue's growth trajectory. The committee's review included the 2018 Wilburton Commercial Area Study findings, observations from The Spring District's transformation from an industrial commercial area, participation in the City's Environmental Impact Statement (EIS) process, and engagement with Wilburton property owners.

The BDA urges the City to reference these neighborhood qualities as a means for benchmarking success when drafting policy and code language for Wilburton.

Wilburton should be:

1. An 18-hour destination catering to all economic, cultural, and social backgrounds. A place that offers experiences for various occasions and preferences.
2. An attractive place to develop and assemble land with thoughtful economic incentives that reduce investor risks, and that are resilient and adaptable to capital market trends and changes.
3. Easy to travel to and through, with street grid connectivity that creates a system of roads, transit infrastructure, bike lanes, and pedestrian pathways.
4. A walkable community prioritizing the pedestrian experience and accessible linkages to 2 Line stations, Eastrail and the Grand Connection.
5. Built to maximize density yet maintain human scale in areas with street-level activity.
6. Residentially focused with many multifamily housing options and types, with particular attention to affordable and workforce units.

Wilburton should have:

1. An abundance of housing for both the missing middle and lower-income residents to support near-term needs and long-term goals as a resilient place.
2. A character that defines Wilburton as a unique neighborhood that can foster a sense of community.
3. Distinctive urban experiences achieved by developing unique neighborhoods, or "places within a place," each capitalizing on its surrounding environment.
4. A sustainable and vibrant makeup of building uses, active uses (restaurants, shops and entertainment venues), open spaces, and amenities that create a place where people can live, work and play.

SECTION 2

BDA Recommendations Proposed Future Land Use Map and Draft CPA

A. City Staff-recommended Future Land Use Map for a Wilburton TOD Area

The BDA endorses the City staff's recommendation for the Wilburton Future Land Use Map based on our examination of its neighborhood qualities that complement Downtown and reflect the BDA Board principles for the Comprehensive Plan Update. The proposed map achieves the desired density with mixed-use flexibility on the westside to respond to market conditions and residentially-designated density on the eastside to ensure an internal buildout that prioritizes housing. It also supports the concept of a walkable neighborhood by centralizing density in the core around the nexus between the Grand Connection and Eastrail. Although there were questions raised about additional density around the Wilburton station, we are satisfied with the designations proposed and recognize development around Lake Bellevue will be constrained by critical area regulations.

B. Draft Wilburton Comprehensive Plan Amendments (CPA)

The BDA supports the proposed CPA's intent and goals. The BDA finds strong alignment when reviewing the new and modified policies against its desired neighborhood qualities and principles for the Comprehensive Plan Update process. There are no "red flags" that conflict with the BDA's positions, but we offer that certain policies would benefit from additional language and clarity, as explained below.

1. The BDA urges the City to incorporate stronger language that aligns with some of the proposed new policies and includes a point about the importance of Wilburton's adjacency to Downtown. Below are the BDA's recommendations.
 - a. Emphasize the importance of housing types that will support a range of incomes. The proposed new policies highlight this notion, and we suggest it be included in the description.

- b. Further describe what sustainable means. Add language about balancing uses to support sustainable growth as a viable neighborhood where people can work, live and play.
 - c. Include language about Wilburton's importance to Downtown and how these two areas should synergize as mutually beneficial neighborhoods.
2. **New Policy S-WI-38:** The BDA supports the evolution of Wilburton and understands the transition will involve relocating existing businesses when development occurs. At the same time, development will be incremental, and existing businesses should be allowed to remain until sites are ready to develop as supported by S-WI-38. We suggest the City include an additional policy promoting development through incentives that encourages developers to participate and/or collaborate with adjoining property owners to fulfill the overall vision. This is a policy to support a thoughtful transformation that will likely occur over multiple development phases.
3. **New Policy S-WI-39:** We recommend additional language beyond the "retailer" description to include active uses that support restaurants, bars, entertainment, cultural uses, arts, and family-friendly spaces along Eastrail and the Grand Connection. Ensuring a variety of active uses along Eastrail and the Grand Connection is consistent with the BDA's position on supporting vibrant, walkable areas in Wilburton.
4. **New Policy S-WI-40:** We request clarity on whether "flexibility" as written is regarding to shape/configuration or size. The BDA seeks information on whether there is a conflict between this policy and New Numbers S-WI-37, S-WI-64, and S-WI-65 (policies that support a connected neighborhood of through-block passageways). We support tailoring floorplate sizes to uses in the code so that certain uses are not barred from locating in Wilburton.
5. **New Policy S-WI-44:** We support partnership opportunities that will help spur neighborhood and community development, but there is a lack of information about what is envisioned for the "district energy system" concept. This amendment should include more information about the district and clarify the goals and intent.
6. **Transportation Policies S-WI-63 through S-WI-73:** We request the City clarify how these proposed policies interact with bicycle corridor and facility planning for Wilburton, including "Bike Bellevue." We are concerned that removing S-WI-25 while keeping S-WI-30 could be seen as conflicting with the City Council's direction for evaluating and implementing nonmotorized facilities in a TOD area. Please address this concern.

We appreciate the City's thoughtful process for seeking community input on the policies that will frame Wilburton's future buildout as a new type of neighborhood with higher density and improved connectivity. In a sense, Wilburton is the urban frontier to Downtown. The BDA sees the value of Wilburton to Downtown's future and supports its transformation.

Thank you for your leadership and support of Downtown Bellevue's future relationship with Wilburton.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trinity Parker', with a long horizontal flourish extending to the right.

Trinity Parker, BDA Board Chair

A handwritten signature in black ink, appearing to read 'Patrick Bannon', with a large, stylized initial 'P' and a long horizontal flourish extending to the right.

Patrick Bannon, BDA President/CEO

Hi there - I've watched from Seattle as Bellevue has been working on its Tree Code - I'm encouraged to see you are taking forward steps - compared to what's going on over here :(- and wanted to offer the following regarding your meeting and presentations earlier this week on potential Tree Code Revisions:

1. The PPT deck from the meeting - comments:

slide 4: Development Committee Feedback

Provide clarity early -

KEVIN - I agree with this in principle - however what this means to Developers vs. Tree Advocates are two quite different things. Developers (in Seattle and most other places) typically want 'no regulation', meaning if push comes to shove, clear-cut the lot and build whatever they want. In a time of climate change and continued heat islands persisting throughout our cities, this is 1950s thinking. Tree Advocates would argue for protecting big trees whenever/wherever possible, and, using some creativity and making the actual effort to save them, rather than excuses and convenience just to make a quick buck.

• *Desire for in-lieu fee, off-site planting*

KEVIN - there will be some in-lieu fees, even if I personally don't favor them. However, these cannot be a panacea to again, permit clear-cuts and pay a token fee into a fund. Notable In-lieu risks involve

a) that fund not being 'locked' (in other words, when the city or local agency needs money, guess where it comes from - then later when it comes time to restore it, guess what doesn't happen due to other priorities)

b) in-lieu fees rarely approach what is needed to both plant new and maintain young trees as they try to survive amid a host of challenges. Ask your Parks Dept. what it costs to plant and maintain new trees over their first 5-8 years of critical growth to survive- and please price in-lieu fees accordingly.

c) When you cut down big trees, you can't replace those environmental services within a decade or two, earliest. So replacement (assuming it's tracked and again properly funded and cared for) needs to be at least 3:1 or more vs. the tree getting cut down and even then it may not suffice for replacement services (clean air, bird and wildlife habitat, stormwater runoff - the list goes on).

• Incorporate flexibility for: • Right tree in the right place (with arborist recommendation) • Tree location within site • Height, FAR, setbacks

KEVIN - the word 'flexibility' again means something quite different to a Developer vs. a Tree Advocate. A developer would again favor 'flexibility' meaning if push comes to shove, let us clear-cut. A tree advocate would favor actually making a true effort to protect the tree(s). Say a developer bought 4 single-family lots to build a multiplex and there were a couple big trees in the respective corners, so ends up in the middle of all four when a bigger project. Why not build a 'donut' building with a central pocket park within the bigger building? If the trees were on the corners - why not a 'cross' configuration? If in the middle of some of the sides - why not an 'x' - this isn't rocket science, it's just actually making the effort instead of the conventional clear-cut and build on the entire lot approach common

today.

- Affordable housing and middle housing

KEVIN - it's been readily apparent the past several years that the words 'affordable housing' have been seen as the magic phrase to get housing clearances passed through the legislature and around the state. However, when you look at what actually happens when on the ground - you get either larger single-family houses extending to the corners of the lot replacing the usually far smaller one previously there and any trees; or, you get a larger set of rowhouses or condos that again cover the lot. However, in probably 80%+ cases - NONE of these are 'affordable housing' - they are market-rate housing (or beyond). So this ends up being pretty dishonest in the end- get clearances to build more density (which is inevitable anyway at whatever price) but then selling it (to politicians) as 'affordable housing'. Beware and be skeptical, please.

Slide 5 - (public information section feedback) - singing my song here :)

But I'd also add consideration for the environmental services provided by the big trees already on the lot before they would be cut down and how the Developer proposes to replace that 'for free' - because Trees don't charge \$\$ for all the underappreciated work they do - 24/7. Some examples:

- Will providing expensive A/C be enough to compensate for free shade and the energy footprint they will multiply throughout the city?
- Will paving a big driveway thereby putting more drain pressure on city and septic systems vs. the trees that formerly absorbed it be a worthwhile tradeoff?

Slide 6: more public session feedback

- Tree service registries are great - but they must be **enforced** - putting it politely, in Seattle this is very inconsistent at best and usually very biased in favor of them vs. trees. And, the usual 'cut down on sat/sun am and beg forgiveness on Monday' - if they even bother - undercuts the whole scheme in the first place. When I turned one in several months ago, it was first referred to WA L&I (???) by mistake after a couple weeks, then when i checked back, only then did they admit their mistake and ask for compliance, but even then it was a slap on the wrist at best. Compare that to someone who plants a tree in their HOA and gets the smackdown by an org that doesn't even have the power of **law** to enforce its wishes?
- strict enforcement, sufficient staff - AMEN. this is a key flaw in Seattle's, in addition to the fact that SDCI inspectors typically don't start before 10a, and don't work on weekends, leaving residents left to **calling the police** if illegal cutting is going on??

Slide 7 - city comparisons. You can easily see Bellevue sits in a very privileged space currently as to its tree canopy, vs. the ever-shrinking canopy in Seattle. Moreover, Bellevue may or may not have a construction agency funded by building permits (SDCI) in control of protecting trees (an inherent, blatant conflict of interest) the way Seattle does. Finally, **every** person of **every** political

stripe can agree on the 'ounce of prevention' rule - cities like Cleveland and Tacoma are trying to put back all the trees they used to have - why would Bellevue pave everything and then be in that situation 10-15 years from now (if not sooner)? Thank you for directly considering this data and acting upon it now rather than later.

Slides 8 and 9 - clarity! Thank you for openly including it!

Slide 10 - limitations on tree credit system - important points all - I would add the following:

- like the above point re tree registries - **consistent**, even application, **not piecemeal** must be the rule of the day;
- I would put the word 'regular' ahead of 'education' and I would also set parameters for annually (or even biannually) review of what's working and what needs improving, and, learning from elsewhere on both fronts, then providing that data back to those on the ground

Slide 11 - 'extreme 2' - I would **not** call strict protection of big trees 'extreme' in any way, shape or form - I would call it 'fair' - when you consider trees aren't in it for the money, they have to literally live or die by the chainsaw (whether legally or illegally done, and don't kid yourself about the latter – drive around Seattle in the am on Sat or Sun)

- I would also **not** call protecting big trees 'least development flexibility' – maybe in the 1950s it might have been – but the most tired cliché out there is 'we can put a man on the moon, but' – and we can't protect a few big trees? Seems like we can, though – if we want to. Architects (besides of course Arborists) can play a huge role here but have they to date?

- Finally – while Bellevue doesn't hold the tax strings, certainly there would be interest on the King County level about potential tax incentives? Even for developers that protect trees? Every one of every political stripe understands those two words too, I suspect. King County has been planting trees all over the place for the past several years – certainly they'd be interested in helping protect them too?

Slide 12 – (more on Tree Credit Calibration) – commensurate with increased density will be transit and other transportation services, which means we must ultimately stop placating cars everywhere. If you see typical row houses and then take into account the mandatory 'mini-garage' they include – wouldn't that also provide likely space for at least another unit of housing (likely market-rate, but still density either way)? Also to at least some degree – more room to protect trees?

Slide 13 - (more on Tree Credit Calibration) – two points here:

- there is no legal right to 'a view' – that is law school 101, ask any attorney (we specifically covered it when I was there). No matter how much a (often wealthier) landowner says otherwise, they are wrong.

- be **very careful** with (again) the definition of a '**hazardous**' tree. That (again) means different things to a tree service provider, developer and tree advocate. That needs very strict (and then enforced, including by a 3rd party arborist not employed by the developer – see Seattle) regulation, please.

Slide 14 - (more on Tree Credit Calibration) – tree ‘density’ is called a “tree grove” – this needs to be defined using objective arborist standards, not simply looking at a group of trees and making a snap decision. Just like with building and safety standards, same deal.

Slide 16 – Proposed LUCA topics (cont.) - again ‘the right tree in the right place’ – potential for a lot of ‘opinions’ here that could end up as law if not careful. I’m also very encouraged to see so many oft-ignored or overlooked tree benefits all on one slide – thank you!

Slide 17 – main question here is who administers any Bellevue tree regulation (now or forthcoming) – please do not allow a direct conflict of interest as already exists in Seattle (with the former head of MBAKS as Mayor Harrell’s chief of staff making sure it stays that way for the immediate future at minimum ☹)

Some additional comments beyond the PPT:

- **Strongly beware the word: ‘balance’** – this, like ‘flexibility’ and ‘affordable housing’ are classic misdirections from the development community to provide cover to gutting tree protection in favor of profit, plain and simple. We know what affordable housing looks like – think of lower-middle class workers all across Bellevue who don’t necessarily work at tech companies, don’t live in downtown high-rises or large peripheral single-family homes, and don’t shop at The Bravern – those are the potential residents of such housing. How many such developments have actually been built in Bellevue the last 10-15 years to serve them? I’d be very, very interested to know, whether trees have anything to do with it at all?
- **Beware ‘discretion’** as to tree preservation authority in nearly all situations (I have no illusions I’m going to get 100% on that one ☺) – the rules must apply across the board in nearly all situations once created, no exceptions! Otherwise why have rules at all? Also as we see in every other govt that exists (in the USA, anyway) there are laws, then there are regulations interpreting and hopefully enforcing those laws – please make sure the latter actually follows the former to the letter of the law (see above re ‘balance’ and ‘flexibility’)
- **Protect tree covenants!** This isn’t done in Seattle – I witnessed an older house with big trees in the front yard two blocks from me (easily protected as were in the corner of the lot) that **had** covenants, completely ignored by the ‘cut now, ask forgiveness later’ rule by the developer. Plus to make things worse, there was a big tree in the back that straddled the lot with the church next door – sayonara there too – unbelievable. Now the lot has a huge nearly corner-to-corner oversized single family house on it, hardly ‘affordable housing’ even for above average techies, I’m sure it sold for at least \$2M given the pricing of other much smaller houses recently sold in the area (north Seattle)? New trees providing minimum density are no effective substitute here – see above. Will the developer still be around to protect those trees for the next 8-10 years while the trees hopefully survive? Nope. That will fall on the city and landowner while the developer moved on years ago. That isn’t ‘balance’ in any definition of the word, period.



April 30, 2024

Planning Commission
City of Bellevue
450 110th Ave NE
Bellevue, WA 98004

Re: Eastrail Partners Comments on Proposed Wilburton Comprehensive Plan Amendments

Dear Chair Bhargava and Members of the Commission:

Thank you for considering Eastrail Partners' overall support, and the following comments, on the draft Wilburton Comprehensive Plan Amendments (CPA). Eastrail Partners seeks to make the 42-mile Eastrail that runs from Renton, through Bellevue, and all the way to Snohomish, for everyone, every day. Our mission is to create a thriving trail that reflects the diversity of the Puget Sound in partnership with communities, business, and governments to raise awareness, secure trail funding, and connect people to each other and the trail.

The Wilburton area of Bellevue is an incredibly important area for the city, as it is primed for Eastrail-oriented development with direct connections to transit and the future [Grand Connection Crossing](#). The greater Wilburton neighborhood, and the Eastrail corridor specifically, can and should be a vibrant mixed-use neighborhood through the City's Wilburton rezone process and unique public-private partnerships. We encourage the commission to use the [Wilburton Framework Plan](#) (which Eastrail Partners sat on the Steering Committee of) as a foundational lens for Wilburton planning work going forward.

Eastrail Partners supports the overall staff recommendations on the Comprehensive Plan Policies, and we look forward to collaborations that will create a thriving, people-oriented development, and public spaces along the Eastrail in Wilburton. We echo the Bellevue Downtown Association's comments on New Policy S-WI-39, in that we would like to ensure the use of "retailer" includes active uses supporting active uses like arts, restaurants, family-friendly space, and cultural uses and arts.

Thank you all for your continued focus on planning that will create a thriving Wilburton neighborhood seamlessly connected to public spaces like Eastrail, that all make for a thriving, vibrant mixed-use community.

Sincerely,

A handwritten signature in black ink that reads "Katherine Hollis". The signature is written in a cursive, flowing style.

Katherine Hollis,
Executive Director

Johnson, Thara

From: Barb Braun <bbraun@live.com>
Sent: Wednesday, May 1, 2024 8:51 AM
To: PlanningCommission
Subject: Comments: Wilburton PH, Braun
Attachments: Wilburton Public Hearing Braun 05012024.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Public Hearing: Wilburton

May 1, 2024

Good Evening Commissioners and City Leaders,

Please accept my comments for this public hearing.

While we are not a fan of the high rises and the race to extend Bellevue's urban core all the way to Redmond, we are encouraged by the focus on affordability, TOD, sustainability and quality of life. Bellevue is rich enough and has enough interested developers to have all of these things. We do not have to sacrifice any of these objectives, even though developers like to tell us otherwise.

Wilburton Should Be Truly Remarkable

With the vision the Planning Commission has that Bellevue should overtake Seattle as the economic center, Wilburton should be truly remarkable. It should not be just another redeveloped downtown. It should be more remarkable than downtown Redmond, Kirkland, Bothell or other areas that have undergone redevelopment. It should be more than just another TOD like Northgate.

Eastrail, grand connection, parks, trees, pedestrian centric, vibrant gathering places, small businesses, small food (vs today's big box) are all great ingredients. It is how we knit it all together that will make the difference and ensure Wilburton stands out.

Sustainability

The vision does not clearly articulate that Wilburton will be a Sustainability District (SD). A SD can be some of the "knitting" we need in the district. The SD needs to be specified in the vision objectives and put forth in an ordinance. Additionally, BelRed and all areas undergoing significant development henceforth, should operate under a Sustainability District framework.

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We will never reach our TOD vision for Wilburton if we continue to dedicate so much space to parking. Wilburton is small. The majority will be within ¼ mile of public transit. There is ample parking nearby at South Bellevue Station Park & Ride and the Wilburton Park & Ride. If additional parking is absolutely necessary, it should be provided on the periphery, say in the Spring District, and it should be underground. Special parking provisions can be made for accessible parking or transport to the interior of the area.

Thank you,
Barb Braun and Curt Allred, 13609 SE 43rd Place

Johnson, Thara

From: Janis Hyne <janishyne1945@gmail.com>
Sent: Wednesday, May 1, 2024 6:33 AM
To: PlanningCommission

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I assume that E1-126 is a room in City Hall? Correct me if I'm wrong, please!

Johnson, Thara

From: Katherine Hollis <Katherine@eastrailpartners.org>
Sent: Tuesday, April 30, 2024 10:33 AM
To: PlanningCommission
Subject: Comment Letter on Wilburton CAP for 5.1.24 Commission Meeting
Attachments: Eastrail Partners, Bellevue Planning Commission Wilburton CAP 4.30.24.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Chair Bhargava and Commission Members,

Please find attached comments from Eastrail Partners on the Wilburton CAP amendments and the important of Eastrail to the future of Wilburton.

Many thanks,
Katherine

Katherine Hollis (She/her)

Executive Director | Eastrail Partners

425-679-9595 (o) 336-749-2680 (c)

Email Katherine@eastrailpartners.org

Web www.eastrail.org

Johnson, Thara

From: John Bagge <johnbagge@gmail.com>
Sent: Tuesday, April 30, 2024 9:00 AM
To: PlanningCommission
Subject: Fwd: Bellevue

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

----- Forwarded message -----

From: John Bagge <johnbagge@gmail.com>
Date: Mon, Apr 29, 2024 at 12:00 PM
Subject: Bellevue
To: <planningcommissions@bellevuewa.gov>

Dear folks, where can I view the plans for improving Bellevue without cutting down our cities beautiful fir trees? I would also like to know that our neighborhood will not become developed to include multi-family housing, apartments and condos. I live at 1815 166th Ave NE Bellevue. The west side of 164th Ave from NE 8th ave to Northup have been completely developed and I want to make sure that you have no plans of destroying our neighborhood and housing values by allowing people to sell their land to developers that will completely change our quiet neighborhood east of Interlake HS and South of Sherwood Forest elementary. This would extend on the East side of 164th Ave NE from NE 24th all the way South to I-90 The neighborhood is called Bellewood East.

Thank you

John and Jamie Bagge

Johnson, Thara

From: Johnson, Thara
Sent: Monday, April 29, 2024 2:49 PM
To: Ryan Gillis; City of Bellevue; PlanningCommission
Subject: RE: Coming Next Week - Comp Plan Final Draft Info Session

Good Afternoon,

All the Planning Commission agendas and minutes after 2017 are available on the City's calendar (see link below) and there is a note on the webpage which includes the link:

<https://bellevue.legistar.com/DepartmentDetail.aspx?ID=34800&GUID=E2B592F1-4F81-48A7-8202-88AA2D380B94&R=8da5c08f-28cb-466e-b789-5db4c06ef202>

The draft of the policies will be released to the community by May 1 and included in the May 8th Planning Commission packet. The packet is typically published by end of day on Thursday prior to the meeting.

Please let me know if you have any additional questions.

Best Regards,

Thara Johnson



Thara Johnson

Comprehensive Planning Manager, City of Bellevue
tmjohnson@bellevuewa.gov | [425-452-4087](tel:425-452-4087) | BellevueWA.gov

From: Ryan Gillis <ryang@liberty-investments.net>
Sent: Monday, April 29, 2024 1:27 PM
To: City of Bellevue <bellevuewa@public.govdelivery.com>; PlanningCommission <PlanningCommission@bellevuewa.gov>
Subject: RE: Coming Next Week - Comp Plan Final Draft Info Session

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Hello,

Looking at your website, the last time the planning commissions agenda's and minutes were updated is in 2017. See the link below. If we are commenting on the final draft of newly proposed changes, where can I find this DRAFT to review prior to the meeting on 5/8?

Thank you

<https://bellevuewa.gov/city-government/departments/community-development/planning-commission/planning-commission-agendas-and-minutes>

Ryan Gillis

m: 425-770-2962

e: ryang@liberty-investments.net

w: liberty-investments.net



P.O. Box 2670 Issaquah, WA 98027

From: City of Bellevue <bellevuewa@public.govdelivery.com>

Sent: Monday, April 29, 2024 11:27 AM

To: Ryan Gillis <ryang@liberty-investments.net>

Subject: Coming Next Week - Comp Plan Final Draft Info Session



Community Input & the Comprehensive Plan

Over 7000 individuals, 78 events, countless pieces of feedback have gone into shaping the periodic update to the Comprehensive Plan. Later this week the planning team will release the final draft.

This important milestone will kick-off another round of review prior to a public hearing and a formal recommendation from the Planning Commission later this summer.

As part of this review process community members are invited to learn more about the final draft at an **Information Session** that will be held **Monday, May 6 | 6:30 - 8 p.m.** During the event the planning team will review major changes, talk about how community input informed the update and answer questions.

This will be a hybrid event and people can either attend in-person at City Hall or via Zoom. For more information or to register please visit: <https://Bellevue-2044-Final-Draft-Info-Session.eventbrite.com>.

People can also learn more about how community input informed this update, check out the newly released [Community Engagement Report](#), which provides a summary of all the engagement that happened over the past two years.

Planning Commission to Review Final Draft in May

The Planning Commission will begin their review of the final draft on **Wednesday, May 8 | 6:30 p.m.** Community members are encouraged to provide comments and can do so via email to planningcommission@bellevuewa.gov or in-person or virtually during the meeting. Information on how to sign-up to provide comment and/or attend a meeting virtually can be found on the [Planning Commission webpage](#).

BELLEVUE 2044
COMPREHENSIVE PLAN

Building A Livable City for All

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This email was sent to ryang@liberty-investments.net using GovDelivery Communications Cloud on behalf of:
City of Bellevue WA · 450 110th Ave NE · Bellevue, WA 98009 · 425-452-6800



Johnson, Thara

From: Matt Jack <matt@bellevuedowntown.com>
Sent: Monday, April 29, 2024 1:49 PM
To: PlanningCommission
Cc: Trinity Parker; Ka-Chung Kwok; Mia Marshall; Patrick Bannon; Shull, Janet; Johnson, Thara; Carlson, Diane (she/her); Malakoutian, Mo
Subject: BDA Comment Letter on Wilburton's Proposed Future Land Use Map and Draft CPA
Attachments: BDA Letter on Wilburton Future Land Use Map and CPA (05.01.24).pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Greetings Chair Bhargava and Planning Commission Members,

On behalf of the Bellevue Downtown Association (BDA), I've attached a [BDA Board](#)-approved comment letter regarding Wilburton's proposed Future Land Use Map and draft Comprehensive Plan Amendments (CPA). Please review the letter in advance of the May 1 public hearing on Wilburton.

If needed, I'm available to address questions or provide clarity. Thank you and City staff for all your work on Wilburton. We appreciate your thorough process to hear community input and weigh different options.

Sincerely,
Matt

Matt Jack (he/him)

Bellevue Downtown Association
Director of Public Policy
Cell: (469) 693-6463 | matt@bellevuedowntown.com
bellevuedowntown.com

Note: email responses may be delayed or at irregular hours.

Johnson, Thara

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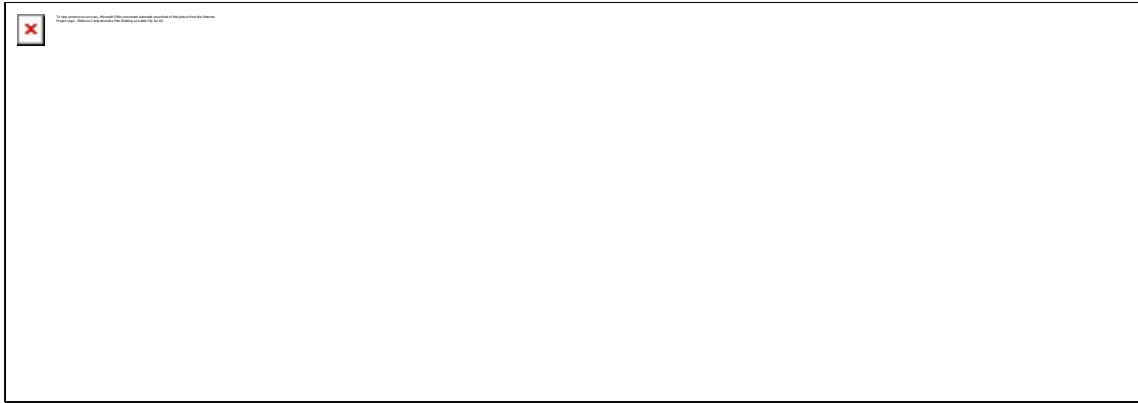
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Johnson, Thara

From: kevinorme <kevinorme@protonmail.com>
Sent: Sunday, April 28, 2024 12:29 PM
To: Council; PlanningCommission
Subject: some comments on the discussion of Bellevue Tree Canopy Code amendments
Attachments: Bellevue Tree Code Land Use comments 4-28-24.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thank you for the opportunity to comment on meeting topics from this past Wed the 24th regarding updates to the Bellevue Tree Code under consideration. This is great momentum in hoping that Bellevue maintains its statewide top position in preserving its 40% tree canopy for generations to come.

kevin orme
North Seattle

Sent with [Proton Mail](#) secure email.

Johnson, Thara

From: leesgt@aol.com
Sent: Saturday, April 27, 2024 1:16 PM
To: PlanningCommission
Subject: Planning Commission meeting April 24, 2024

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

I was impressed by the whole meeting and the way it was conducted which really points to all the parts of the meeting. Like several of the meetings that have occurred recently, this one went longer than expected but it did not change your efforts to get at the heart of the concerns in each item presented and work to strengthen the clarity and completeness of each. I am amazed at your endurance, responsibility to the city as a whole and abilities. You have deserved applause for each session. So few people know of your actions for them that I wish to share my applause with them in mind as well.

Thank you for choosing this important task for our city!

Lee Sargent
425-641-7568
16246 NE 24th ST
Bellevue, WA 98008-2414

trees4livability.org

Public Hearing: Wilburton

May 1, 2024

Good Evening Commissioners and City Leaders,

Please accept my comments for this public hearing.

While we are not a fan of the high rises and the race to extend Bellevue's urban core all the way to Redmond, we are encouraged by the focus on affordability, TOD, sustainability and quality of life. Bellevue is rich enough and has enough interested developers to have all of these things. We do not have to sacrifice any of these objectives, even though developers like to tell us otherwise.

Wilburton Should Be Truly Remarkable

With the vision the Planning Commission has that Bellevue should overtake Seattle as the economic center, Wilburton should be truly remarkable. It should not be just another redeveloped downtown. It should be more remarkable than downtown Redmond, Kirkland, Bothell or other areas that have undergone redevelopment. It should be more than just another TOD like Northgate.

Eastrail, grand connection, parks, trees, pedestrian centric, vibrant gathering places, small businesses, small food (vs today's big box) are all great ingredients. It is how we knit it all together that will make the difference and ensure Wilburton stands out.

Sustainability

The vision does not clearly articulate that Wilburton will be a Sustainability District (SD). A SD can be some of the "knitting" we need in the district. The SD needs to be specified in the vision objectives and put forth in an ordinance. Additionally, BelRed and all areas undergoing significant development henceforth, should operate under a Sustainability District framework.

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