

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 23, 2021
6:30 p.m.

Bellevue City Hall
Virtual Meeting

COMMISSIONERS PRESENT: Chair Malakoutian, Vice Chair Ferris, Commissioners Bhargava, Brown, Morrisseau

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COMMISSIONERS ABSENT: Commissioner Moolgavkar

STAFF PRESENT: Thara Johnson, Emil King, Department of Community Development; Kristina Gallant, Trisna Tanus, Department of Development Services; Matt Mcfarland, City Attorney's Office; Kevin McDonald, Department of Transportation; Loreana Marciano, Transportation Commission Chair, Karen Stash, Transportation Commission Vice Chair.

COUNCIL LIAISON: Councilmember Barksdale

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:32 p.m.)

The meeting was called to order at 6:32 p.m. by Chair Malakoutian who presided.

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Chair Malakoutian stated that the meeting was being held remotely via zoom in order to comply with the Governor's emergency order concerning the Open Public Meetings Act, which prohibits in-person meetings.

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2. ROLL CALL
(6:33 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Moolgavkar who was excused.

3. APPROVAL OF AGENDA
(6:33 p.m.)

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

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4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS
(6:34 p.m.)

Councilmember Barksdale reported that the City Council adopted the Sequence One Grand

Connection design guidelines. He thanked the Commissioners and the staff for their work on that. He also announced the launch of the “State of Our Neighborhoods” dashboard which includes some excellent data.

5. STAFF REPORTS
(6:35 p.m.)

A. Planning Commission Meeting Schedule

Comprehensive Planning Manager Thara Johnson took a few minutes to review the Commission’s schedule of upcoming meeting dates and agenda items.

6. ORAL AND WRITTEN COMMUNICATIONS
(6:38 p.m.)

Ms. Michelle Niethammer spoke on behalf of a group of neighbors who have strong concerns about the proposed Land Use Code amendment (LUCA) to establish a density bonus for affordable housing. She said while the need for affordable housing is understood, there are concerns around the implementation details. One important criteria missing from the LUCA is the requirement to have infrastructure to support the increased density. There has been consistent feedback from the Northeast Bellevue neighborhood about the significant transportation challenges in and out of the neighborhood. One of the proposed sites, which is on the border of Crossroads and Northeast Bellevue, would impact mobility in the area. Traffic backs up consistently in the neighborhood, the intersections serving the neighborhood are close to failing their levels of service, people have a hard time turning onto arterial streets, and the walkability score is low with few bike lanes and incomplete sidewalks. She noted that the Commission had a study session on the agenda about moving to a multimodal method of measuring traffic and noted that while changing how the measurements are made will on paper improve the level of service scores at intersections in the neighborhood, nothing will in reality be any better, and in fact it will be worse because the new measurement system will only mask the problems. If each project that moves forward with the LUCA will have to tackle the transportation challenges along with potentially other infrastructure challenges, it is possible that the Affordable Housing Strategy will not have the desired outcome. Another concern is that there are no plans before the Human Services Commission to complement the Affordable Housing Strategy. The proposed LUCA would enable housing units for people making zero percent of area median income. The concern is that the city is creating a strategy that will effectively enable no barrier homeless shelters in residential neighborhoods. It will be up to each development to determine what level of affordability it wants to offer, and what if any services will be offered. Without an accompanying requirements program from the human services department for services such as counseling, drug testing and job training, the framework created will not help people become self reliant. Housing alone does not provide the skills and interventions many people need to become successful. Most concerning is that residents will need to monitor the plans for each site and provide feedback on each one individually. The Commission was strongly urged to remove the option to have housing for zero percent of area median income. If the Council and the Human Services Commission wants to include it, they should be required to come up with a plan that has been subject to the public comment process before adding it back in. the Affordable Housing Strategy needs to be a comprehensive plan aimed at serving the people who will live in the units and be responsive to the needs of the residents of the surrounding neighborhoods. The plan as proposed falls short of meeting those needs.

Mr. Ryan Donahue, advocacy and policy director for Habitat for Humanity Seattle/King County, applauded the efforts of the Commission and the planning staff for their work on the proposed LUCA. He noted that the endeavor has been challenging. The efforts undertaken have yielded a creative solution for boosting density through the proposed super bonus. While the proposal may work for Habitat for Humanity, the solution would not be enough to address the overall problem, and it risks putting developments through the conditional use permit process that could slow down the development of much needed affordable housing. Habitat for Humanity stands with its partners the Housing Development Consortium, the Bellevue Chamber of Commerce and more than 15 other organizations in asking the Commission to take a different approach. Instead of pursuing a policy that will not accomplish the desired outcome, the Commission should table the proposal and advance and fully support a Comprehensive Plan amendment that would change current code to establish an efficient process to allow the city to advance robust and targeted increases in development capacity on public properties and properties owned by non-profits and religious organizations where well served by frequent transit. Under such an approach the city would be able to optimize the capacity of sites and provide for urgently needed and more feasible to produce affordable housing projects. The approach would allow the city to make more efficient use of the C1 LUCA as a tool to address the growing affordable housing crisis.

Mr. Russell Paravecchio, 2495 NE 158th Place NE, said the likely reasons for false research to gain publication or recognition include inappropriate experimental design and the misapplicability of otherwise viable statistical models. Flaws in experimental design and statistical analysis by both well-intended but mistaken scientists and bias-funded researchers have enabled the propagation of mis-truths and dangerous information which have resulted in public harm. It is known that the same collection of data can be run through different statistical models to get different perspectives to more closely match a bias researcher's preferred conclusion. With regard to multimodal travel analysis, he questioned if it can be demonstrated that the use of the model has produced viable information which benefitted a meaningful and responsible analysis elsewhere. No examples have been shared showing its correct and successfully applied usefulness, nor have examples of attempted but failed uses. Nothing has been said about any unanticipated consequences resulting from its implementation. It has not been demonstrated that the model actually matches the situation in Bellevue. An impact study is needed to correlate the model's results with other known and proven models, including local models. There is a need to know if there are any meaningful drawbacks to the current methodology for measuring concurrency other than the results are disempowering for those in favor of increased growth and density. It may not be the time to jump ship, or frying pan, in the face of the impending perfect traffic storm the current models are predicting. It is not known what motivation is behind seeking out and promulgating the multimodal traffic analysis approach. The bicycle community has voiced support for the proposal, but supporting bicycle safety while preventing paralyzing density are not mutually exclusive events. There are cycling advocates who feel that when it becomes too inclement, or when they are too old to cycle, who will be happy to have car travel options. The summary question remains, namely whether or not the functional result will simply change the rules for a model that might mistakenly yield a concurrency picture which ignores the obvious and supports a premise for continued increased growth to a point of intolerable density.

Mr. Bruce Whittaker, 1924 160th Avenue NE, stated that increased traffic congestion has been a constant concern for him. During the Great Neighborhoods process, traffic congestion was repeatedly raised by all residents. As intersections are predicted to fail existing LOS standards, the city is proposing a multimodal approach. The proposed change to LOS and concurrency methodology appears to create more congestion, a lowering of the standards, and adds to safety

issues and emergency vehicle response times. The vehicle congestion problems need to be fixed instead of just loosening the standards by which congestion is measured and concurrency is granted. It is possible the proposed multimodal approach will benefit certain areas of the city, such as the Downtown and the transit-oriented development areas, but it does not seem to make sense citywide, especially in neighborhoods that are and will remain car dependent due to infrastructure and terrain. The proposed change appears to lower the standards for LOS and concurrency. The proposal would benefit from having an unbiased third-party review by a traffic engineering firm before further consideration by the Planning Commission.

Mr. Victor Bishop said he is a professional traffic engineer who served for eight years on the Transportation Commission, including during the development of the MMLoS guidelines. He spoke in opposition to the proposed Comprehensive Plan amendment. He noted that on June 10 he had sent to the Planning Commission an email on behalf of the Eastside Transportation Association and had sent another earlier in the day. During the last two budget surveys, traffic was identified as the number one issue for Bellevue residents. Congestion and too many people was the second issue. The least important issue on the list was bikeways. Bellevue's citywide trip growth graph showing the results of the city's BKR model and modesplit shows that 76 percent of all trips are made by car. The Eastside Transportation Association recommends two alternative policies, one, TR-2, focused on retaining or strengthening congestion relief as a key policy in the Transportation Element, and a new policy focused on matching transportation spending to the city's travel demand forecast to optimize the overall throughput of Bellevue's transportation system.

Ms. Patience Malaba, director of government relations and policy for the Housing Development Consortium of Seattle/King County (HDC), requested a delay on the current C1 proposal and asked the Commission to recommend advancing a Comprehensive Plan amendment that would enable a code change that establishes a contract rezoning process. She emphasized the appreciation of the HDC for the Commission's advocacy for the proposal, and for the work of city staff who innovatively crafted the super bonus amendment. As groundbreaking as the new proposal may be, there remain concerns about effectiveness of the LUCA, specifically because the super bonus would still require projects to observe the maximum limits allowed under the current code, and require projects to go through the conditional use permit process, which can be onerous and appealed through the hearing examiner process. The intent of C1 is to provide a density bonus to qualifying projects and to avoid the arduous legislative Comprehensive Plan amendment and discretionary processes. Yet the proposed uniform bonus of 50 percent above the current zoning limit and the additional super bonus will not serve the purpose for many faith communities. In advancing the discussion, the Commission should remain committed to a bolder C1 LUCA. The Commission should recommend to the Council moving forward a Comprehensive Plan amendment that will enable an effective C1 tool.

Ms. Betsi Hummer, 14541 SE 26th Street, said demographically she is an old white woman who owns a house in Bellevue. She said there are three types of residents. Consumer residents move into an area to take advantage of amenities such as schools and parks and does not give back to the community. Neighborhood advocate residents do not want things to change in their neighborhoods, and choose to leave when things do not go their way. She said she is the third type of resident, a community builder. She said spent ten years' savings to buy a house in Bellevue and raised all four of her children in the city. Over the years as issues have come up, she has visited with others in her neighborhood to hand out flyers and to talk about the issues. She said she does not pass judgment on the hundreds of people who choose not to come to or otherwise participate in city meetings and processes. She urged the Commission to pay attention

to the public input and to postpone the C1 LUCA and the proposed CPA to allow time to properly study and investigate both.

Comprehensive Planning Manager Thara Johnson noted the inclusion in the Commission's packet since then additional communications had been received related to the Transportation Element CPA and the C1 LUCA.

7. PUBLIC HEARING – None
(7:05 p.m.)

8. STUDY SESSION

A. 2021 Annual Comprehensive Plan Amendments: Amendments to the Transportation Element of the Comprehensive Plan as Part of the Annual Work Program With the Final Review Process

(7:05 p.m.)

Principal Transportation Planner Kevin McDonald explained that the proposed Comprehensive Plan recommendations came to the Planning Commission from both from the Transportation Commission and the city's transportation staff. While the Transportation Commission is focused on transportation issues, including transportation policy, the Planning Commission is charged with reviewing, considering amendments and making recommendations to the City Council regarding the Comprehensive Plan. Thus the recommended policies developed by the Transportation Commission are before the Planning Commission for review and recommendation to the City Council.

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Mr. McDonald said he began working for the city in June 1989. At that time the Comprehensive Plan transportation policies were all about driving. They were focused on building the transportation system so that cars could have access throughout the city to the developing areas of both residential and commercial without inconvenience, without being time consuming, and without being unsafe. Much of the city's transportation system was built under that policy direction. The Comprehensive Plan adopted in 1993 was the first subject to the state Growth Management Act. Its emphasis on mobility was shifted based on policies that promoted level of service standards differently in different areas of the city in light of growth management and livability objectives. Under that direction, the existing concurrency standards were developed, and the geographic areas were called Mobility Management Areas and set into the Traffic Standards Code. The 2015 major update of the Comprehensive Plan established that multimodal level of service measures, standards and targets should be developed in line with the evolution of the city's vision for the future. With that policy direction, the Transportation Commission went to work on a foundational report that describes the multimodal approach to concurrency. Then in 2021, the Council directed the Transportation Commission to develop policy recommendations to establish multimodal concurrency as the approach for Bellevue going forward.

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Loreana Marciante, chair of the Transportation Commission, allowed that transportation concurrency is a difficult topic. Under the Growth Management Act, cities are required to ensure that transportation programs, projects and services needed to serve growth are regionally coordinated and are in place either when new development occurs or within six years. That is done to make sure the city can provide the transportation improvements needed to maintain the adopted level of service standards in line with the city's projected growth. Concurrency involves

making sure conditions operate within the adopted the level of service, standards. The GMA requires jurisdictions to ensure transportation infrastructure supports land use concurrent with the demand. Land use is a combination of the growth projections of the Puget Sound Regional Council and includes job and population numbers. If the defined level of service is not met, then concurrency is not met, and development must stop. Currently, Bellevue's level of service standard is based on vehicles. There are 14 Mobility Management Areas (MMAs) and concurrency is measured by averaging the levels of congestion at system intersections within those MMAs; as such, concurrency is primarily focused on intersection capacity. The multimodal standard approach is more sustainable, but to get there requires policy amendments.

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The Council initiated a Comprehensive Plan amendment on April 5 and the Transportation Commission was directed to recommend policy to broaden the concurrency standard to include all modes of travel. The Transportation Commission was directed to recommend amendments to current policies, the repeal of some policies, and the addition of policies in the Transportation Element as they relate to multimodal concurrency.

Transportation Chair Marciante said the MMLOS Metrics, Standards and Guidelines is a report the Transportation Commission worked on and finalized in 2017. The multimodal approach outlined in the report moves away from the vehicle-only level of service and also takes into account bicycles, pedestrians and transit. Each mode will receive specific metrics with the performance targets for each varying according to the land use context. The report served at the foundation for the recommended policy amendments.

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Transportation Chair Marciante reiterated that the Transportation Element currently employs a vehicle level of service approach. A transportation analysis is done for new developments to calculate the number of vehicle trips during the evening peak period. All system improvements are calculated to accommodate those vehicle trips at system intersections. The approach is expensive in that it requires the city to continue building out its intersections and roadways to accommodate vehicles. None of the investments made in transit, bike lanes and sidewalks are not taken into consideration under the current approach.

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The MMLOS approach advances completing the system for all modes. The vehicle network as it exists is fairly well built out, leaving primarily adjustments in the form of smart network signal timing and the like. There are many gaps in terms of the bicycle and sidewalk networks so that many who may choose to use those modes cannot really do so. The MMLOS approach seeks to develop performance metrics and targets for all modes in the context of land use. Equity and sustainability will also inform project prioritization.

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Transportation Chair Marciante stated that on June 10 the Transportation Commission voted 5-1 to approve the policies that are recommended to embed multimodal concurrency in the Transportation Element. She said policies as submitted to the Planning Commission are part of the 2021 Comprehensive Plan annual amendment process. The Transportation Commission's actions respond to the direction given by the Council and is part of the larger task of preparing a new Mobility Implementation Plan, which will outline the mechanics of how the MMLOS concurrency standard will operate. The recommended policies were developed by the Transportation Commission in conjunction with transportation staff. The process began with a review of all existing policies in the Transportation Element related to concurrency. Some Recommendations include amending some policies, repealing some policies, and adding some policies in support of a multimodal approach.

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The Transportation Commission conducted three study sessions that included lively discussions and a number of questions. Staff and consultants worked to flush out ideas along with the Transportation Commission. Public input was received both written and oral that ranged across the spectrum from support to concern. The policy recommendations preceded the work to develop the Mobility Implementation Plan. The Transportation Commission acknowledged that there are issues with the way the city currently monitors concurrency and recognized the many opportunities for implementing a MMLOS approach. The Transportation Commission is fully committed to the multimodal approach and the discussions were focused on how to implement it a straightforward way to achieve the desired goals.

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Transportation Chair Marciante stressed the importance of clarifying the goal of the multimodal approach. Accordingly, the recommended goal is to improve all mobility options so that everyone in Bellevue has a safe, comfortable, reliable and efficient experience on their preferred mode, while encouraging and transitioning to more environmentally and fiscally sustainable modes. She went on to briefly outline the list of recommended policies and explain that the current intersection-based Mobility Management Area construct is recommended to transition to Performance Management Areas focused on traveling via all different modes. She noted that the Mobility Implementation Plan will be used to track a number of indicators and targets. Recommended New Policy A serves as a summary of multimodal level of service and makes clear that multimodal concurrency is a standard that must be met to accommodate new development. New Policy B calls for planning for transportation projects to accommodate the forecast demand and to meet the performance targets in each update of the Transportation Facilities Plan.

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There are three legs to the transportation planning stool. The demand leg is determined by the Puget Sound Regional Council and the work of the Planning Commission in terms of growth. The second leg is the supply of transportation facilities built as outlined in the Transportation Facilities Plan, which is updated every two-three years and which houses the 12-year inventory of improvements to accommodate the growth in that time period. The third leg is the performance targets for each mode which will be defined in the Mobility Implementation Plan.

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Commissioner Bhargava thanked Transportation Chair Marciante for the thoughtful and easy to digest summary of the work that has been done. He said it seemed to him that one impact from the MMLOS framework will be a change in vehicular trips generated by new development since they will be more distributed across multiple modes. That will impact the intensity of development allowed based on transportation impacts. He asked how the estimates and assumptions that go into the trip generation analysis are validated specific to Bellevue's context. Mr. McDonald said Bellevue has been doing trip generation analysis for quite some time, and all major developments are required to conduct a traffic impact analysis which to date has focused on vehicle trips. The work is specific to the land uses in Bellevue. Under the multimodal approach, trip generation will be expressed in terms of person trips independent of the mode of travel. It will require that the transportation network will be sufficient to accommodate the number of person trips generated by a project. The standard is a multimodal standard rather than just a vehicle standard, and the projects that support the multimodal approach are identified, prioritized and funded through the Transportation Facilities Plan and the Capital Investment Program.

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Transportation Chair Marciante said there is a technical analysis involved in understanding the modeshare in terms of the percentages of people who commute by transit, bike, walking and by

car, and how those trips are distributed through the system. The intent is that as the overall multimodal system is improved, there will be capacity to handle all trips.

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Commissioner Bhargava asked about the assumptions that go into projects the modesplits and how they are validated. Transportation Chair Marciante said targets are set in each update of the Transportation Facilities Plan, and every year the actual performance of the facilities is measured and validated, so it is known how many trips a building in the Downtown will generate as compared to a building in Crossroads.

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Commissioner Morisseau said the direction outlined is conceptually good, but noted that she still was unclear in regard to implementation. She said she did not have the sense and the research has been done in that regard. She asked why one Transportation Commissioner chose not to vote to approve the proposed policies. Chair Marciante explained that the biggest discussion at the Transportation Commission level was around removal of the word “congestion” from the policies. She stressed that the Transportation Commission fully understands the need to continue focusing on and addressing vehicular congestion. In its last session, one Commissioner sought to introduce a new policy that included a reference to congestion as a reminder that the MMLOS approach will not magically remove congestion. The concern of the Commissioner was that by not mentioning congestion in the policies that the city would do nothing about congestion, but in fact the opposite is true. Under the MMLOS approach there will be two measures relative to congestion: corridor travel speed and intersection LOS. In the end the majority of Transportation Commissioners felt that under the multimodal approach it would not be right to perpetuate the reference to congestion with regard to vehicles only, and that mobility would need to be referenced in regard to all of the modes. Congestion relief will remain a priority under the multimodal approach.

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Commissioner Brown said it was good to see how the work of the two Commissions intersects. The land use planning work done by the Planning Commission clearly impacts the work of the Transportation Commission relative to transportation planning. She said she agreed with the policy aimed at having access to transit for all areas of the city, but pointed out that that is not currently the case. There are many areas of the city where accessing a bus is not possible, unless one is willing to walk a mile or so. Lakemont is one example. Lack of access to transit has a huge impact on members of the community, especially those who struggle with affordable housing. The Planning Commission struggles with finding ways to make housing more affordable. Someone may be able to afford a particular apartment, but if they cannot afford both the apartment and a car they must look for housing where they have access to transit. Those living on the edge financially who rely on their cars to get to work because they have no transit options can find themselves out of work and out of their homes if their car breaks down and they cannot afford to fix it. She asked if equity was a major topic of conversation with the Transportation Commission. Chair Marciante said equity is an ongoing analysis area. The work to develop the Mobility Implementation Plan will include an equity index that will help the city geographically understand where low-income residents and senior citizens live. The consultant team is working through a number of different factors, including the location of low-income jobs and the degree to which they are served by transit. The equity lens will ultimately come into play in planning for transportation facilities. New technology options becoming available are improving accessibility for certain communities, but equity will be very important as determinations are made about what investments should be made in the transportation system.

Commissioner Ferris asked if the Transportation Commission studied or reached out to other cities that have transitioned from vehicle-centric approaches to a multimodal approach to learn

from them what works and what does not work. Chair Marciante said part of the background work by staff and the consultants included reaching out to other communities to gain a better understanding of the issues. Mr. McDonald added that many communities are embarking similar approaches to multimodal transportation. Redmond was the first to fully embed a multimodal approach and much has been learned from them. Bellingham was also an early adopter and lessons learned from them have been applied. Olympia, Tacoma, Kirkland and Kent have also taken on the approach. Chair Marciante said it was shared with the Transportation Commission that as jurisdictions moved to embrace a multimodal approach they found it necessary to make adjustments. Bellevue is a growing city and as it changes year to year adjustments to the city's transportation system will be needed. Accordingly, it will be important to have in place the tools necessary to make the needed adjustments.

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Mr. McDonald said often lessons are learned from within. He noted that earlier in the day he and Vice-Chair Stash participated in a presentation for the Bellevue Downtown Association and the Chamber of Commerce. The business community or an individual might look at the multimodal approach as a diversified portfolio of investments. Bellevue is diversifying its portfolio to include all modes of transportation, and different metrics and targets will be embedded for each of those modes. As the city evolves and its needs and circumstances change, the allocation of investments between the different strategies will be changed to match the needs of the community going forward.

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Commissioner Bhargava asked for a brief overview of what the community engagement was like at the Transportation Commission level. Mr. McDonald said community engagement was focused on study sessions with the Transportation Commission. However, that is about to change. During the month of July a number of engagement strategies will be rolled out as input is sought regarding implementation of the policies. As the Mobility Implementation Plan is developed, the public will be invited to look at the recommended policies and provide input as to what implementation should look like. Outreach will be sought via an article in *It's Your City, Neighborhood News*, and via an on-line questionnaire in mid-July. The Transportation Commission will have the data from the questionnaire available for its meetings in September. There is also a Mobility Implementation Plan website that contains a wide spectrum of information and data.

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Chair Malakoutian thanked Transportation Chair Marciante and Mr. McDonald for their presentation.

Turning to the recommendation of staff relative to the Comprehensive Transportation Project List (CTPL), Mr. McDonald explained that in the 2015 major update of the Comprehensive Plan the Transportation Commission took on the immense work of consolidating all of the transportation projects that were housed in different places in the Comprehensive Plan. He noted that in all there were 781 projects described in some ten different places. Some of the projects had been built; some through subsequent planning work had had their project descriptions changed; and in some cases projects were deemed to be no longer needed. The Transportation Commission reviewed all 781 projects and consolidated them into a single list of 79 projects that was adopted as the CTPL. The CTPL resides in Volume II of the Comprehensive Plan and it is thus under the purview of the Planning Commission to make amendments to it. Any time the CTPL is changed to reflect a completed project, a changed project description, or the addition of a new project, a Comprehensive Plan amendment is needed.

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Mr. McDonald said the recommendation of the staff for the 2021 Comprehensive Plan

amendment process is to repeal the CTPL in favor of maintaining all transportation projects in the Transportation Improvement Program (TIP). The state requires updating the TIP annually. The Transportation Commission seeks public input and holds a public hearing to develop a recommendation for amendments to the document. The amendments typically involve projects that evolve through subarea plans and corridor plans. Projects get added to the TIP, and because the list is updated annually the projects on it are fresh. It makes sense to be able to keep the TIP project list updated without having to go through a Comprehensive Plan amendment.

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Mr. McDonald said the TIP will contain the full inventory of all projects in the city. The Transportation Facilities Plan (TFP) projects are derived from the TIP. The TFP projects are prioritized for funding. Projects from the TFP are selected for the CIP and are thereby fully funded for construction. Once projects are fully funded for construction, they become part of the concurrency program in that they become the supply to meet the land use demand. Additionally, projects in the TIP are eligible for outside funding grants.

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Commissioner Ferris commented that the proposed approach makes a lot of sense.

No questions were raised by any of the Commissioners.

There was consensus to set July 28 as the public hearing date for the multimodal concurrency policies and the repeal of the CTPL.

- B. Land Use Code Amendment (LUCA) to Establish a Density Bonus and Additional Modifications to Other Standards and Requirements in the Land Use Code (LUC) for Affordable Housing Developments on Certain Public, Non-Profit or Religious Organization-Owned Properties

(8:19 p.m.)

Consulting attorney Trisna Tanus noted that following the study session she would seek direction from the Commission to prepare the proposed LUCA for a public hearing. She noted that the LUCA has three objectives: to conform with new provisions of RCW 35A.63.300; to support the recommendations of the 2017 Affordable Housing Strategy, Action C-1; and to implement the Comprehensive Plan Housing Element policies HO-33 and HO-34.

Ms. Tanus reminded the Commissioners that RCW 35A.63.300 requires cities such as Bellevue to give a density bonus for affordable housing development. The bonus must be made available to any property in single family or multifamily districts that is owned or controlled by a religious organization. Any affordable housing constructed must be affordable for at least 50 years at or below 80 percent of area median income.

The city's Affordable Housing Strategy, adopted in 2017, was affirmed by the Council as one of the city's priorities for 2021-2023 work items. The proposed LUCA specifically responds to Action C-1 which calls for increasing the development potential on suitable lands owned by public agencies, non-profits and faith-based entities for the construction of affordable housing. Policies HO-33 and HO-34 in the Housing Element are directed tied to Action C-1. Policy HO-33 calls for implementing the Affordable Housing Strategy C-1 by providing bonuses and incentives to increase permanently affordable housing on any qualifying property; and HO-34 calls for implementing the bonuses and incentives for qualifying properties that respond to different conditions of multifamily and single family land use districts that are outside of Downtown, BelRed and Eastgate TOD.

Ms. Tanus noted that the Commission had previously asked for responses to several questions and requests during the previous study session, beginning with explaining the rationale for the 50 percent density bonus included in the draft LUCA. The 50 percent bonus is the largest and most common increment between Bellevue's residential land use districts, and as a by-right bonus it is consistent with other Comprehensive Plan policies and Land Use Code provisions. It is driven by determining a bonus percentage that may work in all cases and be compatible in any eligible situation.

The Commission also asked a question regarding housing type flexibility. Ms. Tanus noted that the proposed draft LUCA already includes an allowance to build attached multifamily in the form of duplexes and triplexes in single family districts. Currently, attached housing of any kind is only allowed through a planned unit development in single family land use districts. The proposed LUCA does not change that allowance, rather it adds to it. There is justification to allowing duplexes and triplexes, primarily because they can be specifically comparable and compatible with single family homes. Allowing higher-density multifamily development types, such as horizontal or stacked units on a by-right basis in single family land use districts would be difficult to achieve in terms of consistency within the context of the Comprehensive Plan and the Land Use Code. The city's multifamily land use districts already accommodate great flexibility in housing type, including townhouses and apartment buildings.

With regard to the question asked by the Commission concerning whether or not Downtown, BelRed and Eastgate could be included as eligible for a density bonus, Ms. Tanus reminded the Commissioners that the proposed LUCA is intended to implement the new C-1 policies, of which Policy HO-34 specifically and explicitly precludes including Downtown, BelRed and Eastgate in the new density bonus.

Addressing the question previously asked by the Commission regarding a way of providing certainty that future Comprehensive Plan amendments and rezones will be adopted to capture what may be the untapped potential on certain single family properties, Ms. Tanus reminded the Commissioners that the City Council directs the legislative work program for the city, including all Comprehensive Plan amendments, LUCAs and rezone actions. The Council reaffirmed that the Affordable Housing Strategy is a priority and the proposed LUCA advances Action C-1, which is part of the Affordable Housing Strategy, which means the proposed LUCA is a Council priority. Staff are committed to the objectives and actions of the Affordable Housing Strategy, but they do not have a role in directing or guaranteeing what work items will be initiated and processed.

Ms. Gallant responded to the Commission's request for more information about the city's other affordable housing programs and initiatives. She referenced the attachment to the packet regarding an update given to the Council in March about progress relative to the Affordable Housing Strategy. She highlighted the fact that since 2017 the city's annual affordable housing unit production has increased from only 89 units to 729 units in 2020. That is not to say the work is done but it is evidence of work that has been happening and is continuing.

With regard to the super bonus option, Ms. Gallant said clear feedback was received from the Commission regarding interest in incorporating some site-specific review that would consider the characteristics of a location and its ability to support greater density. Staff went back to the code to consider how a location-specific review could happen within the context of the available tools. There are currently three established tools that can incorporate such a review: the

conditional use permit; the administrative conditional use permit; and the development agreement. Of the three, the conditional use permit has been deemed the most appropriate. Such permits require meeting the five decision criteria defined in the Land Use Code. The criteria generally speak to addressing neighborhood compatibility, neighborhood impacts, and ensuring adequate public facilities.

Ms. Gallant said based on comments heard in previous study sessions, and in line with the considerable bar the conditional use permit criteria presents, staff distilled some additional criteria to capture the single family parcels that could be more likely to meet the criteria. She shared with the Commissioners a map indicating the location of the parcels that currently meet the ownership and location criteria for the super bonus. She said the updated draft includes the criteria that properties must be eligible for the C-1 bonus in a single family land use district. Additionally, it must be located on an arterial located within a half mile of a frequent transit stop, and within 300 feet of a more intensive land use district.

There are 22 parcels that meet all of those criteria. In the event a property would be eligible for a super bonus, the owner could apply for a conditional use permit seeking additional density up to what could be possible in the most intensive multifamily land use districts within 300 feet. The conditional use process takes into account the neighborhood, so there is no guarantee of granting the super bonus. Ms. Gallant stressed that staff is not aware of any of the property owners being interested in pursuing the bonus. Of the 22 parcels, 11 are zoned R-5 and the rest are split among the lower-density land use districts. With a base zoning capacity of 221 units, the 50 percent bonus would increase that number to 334 and the super bonus option would yield 1351 units, assuming each parcel would be built to their maximum capacity.

Ms. Gallant reiterated that the additional density cannot be guaranteed within the framework of the code. The conditional use permit process can be very lengthy and it requires an experienced applicant team to move through the process, thus in reality the Comprehensive Plan amendment process is likely to be more favorable than the conditional use permit process.

Commissioner Bhargava said the super bonus is an interesting option, and the criteria as outlined seems logical. He asked what challenges can be faced by applicants seeking a conditional use permit. Ms. Tanus said the decision criteria requires compatibility with surrounding properties and uses. The process involves the hearing examiner process, which is an added layer to the overall process. The public engagement process associated with the conditional use permit can make it more difficult to meet all the decision criteria square on, particularly in terms of compatibility.

Commissioner Bhargava commented that the overall intent is to encourage affordable housing. He asked what the city can do to simplify the application process on behalf of the landowners. Ms. Tanus reiterated that there are only three tools in the toolbox to use in considering site-specific characteristics.

Commissioner Ferris pointed out the city goal of achieving 2500 affordable housing units within ten years, and clarified that the goal refers to new units, not necessarily preserved units. In tallying possible units, the focus should be on new units only. She said she appreciated the work done by staff to identify solutions. The conundrum is that Action C-1 alone will not produce the desired number of affordable units, and neither will the bonus density. She suggested a pause is needed to consider doing another Comprehensive Plan amendment in the coming months. Moving forward with either of the solutions will not get the city where it wants to be. She asked

if it would appropriate to move forward with the public hearing if the Commission were to call for a pause in the process. Ms. Tanus said the role of staff is to work on the Action C-1 LUCA per the direction given by the Council. A request to pause the processing of the LUCA would not be consistent with what the staff have been directed to do by the Council. For its part, the Commission is tasked with developing a recommendation to the Council regarding the proposed LUCA.

Assistant City Attorney Matt McFarland pointed out that the Commission was in the middle of a Process IV legislative action concerning the proposed LUCA. The role of the Commission is to gather public input consistent with the process for procedure, conduct a public hearing, and then provide a recommendation to the Council based on the decision criteria. Should the Commission decide not to participate in the process, the Commission would to a certain extent not be fulfilling its legislative process role.

There was consensus to direct staff to prepare for a public hearing at a future meeting.

9. OTHER BUSINESS – None
(8:39 p.m.)

10. APPROVAL OF MINUTES
(8:39 p.m.)

A. June 9, 2021

A motion to approve the minutes as submitted was made by Commissioner Brown. The motion was seconded by Commissioner Bhargava and the motion carried unanimously.

11. CONTINUED ORAL COMMUNICATIONS – None
(8:40 p.m.)

Ms. Michelle Neithammer noted that during the study session on MMLOS the staff indicated that Redmond was one of the cities that has implemented a multimodal approach. She said as a resident of Bellevue and someone who visits Redmond often, one thing that is different in Redmond is that they have the strategy of having their planning and transportation commissions in sync in terms of how the city should grow. There is a lot of mixed use development in Downtown Redmond which serves well for multimodal transportation. In Downtown Bellevue there are also mixed uses. Outside of Downtown Bellevue, however, in places like BelRed mixed use is not the norm. Some of the most recent developments that have been suggested are just large apartment complexes. In light of that, there is no clear strategy in terms of aligning planning and zoning with transportation. The city's zoning strategy needs to be changed to compliment the multimodal approach, otherwise there will be just as many people in cars trying to get where they need to go and the traffic will be miserable.

12. EXECUTIVE SESSION – None
(8:44 p.m.)

13. ADJOURNMENT
(8:44 p.m.)

A motion to adjourn was made by Commissioner Brown. The motion was seconded by

Commissioner Ferris and the motion carried unanimously.

Chair Malakoutian adjourned the meeting at 8:44 p.m.