

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

October 25, 2021
6:00 p.m.

Virtual Meeting
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis, and Councilmembers Barksdale, Lee, Robertson, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:00 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely. Councilmember Zahn led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

(a) Salman Taj commented regarding the growing interest in cricket in recent years in this region. He encouraged infrastructure for the sport in local parks.

(b) Jagan Nemani encouraged the development of cricket facilities to support the growth in the sport.

(c) William Swann spoke in favor of the development of cricket facilities on the Eastside, including in Marymoor Park.

- (d) Matt Jack, representing the Bellevue Downtown Association (BDA), expressed support for the proposed Comprehensive Plan Amendments (CPAs) under agenda item 10(c): DASH Glendale and Evergreen Court and policy amendment to the Transportation Element of the plan in support of multimodal concurrency and repealing the Comprehensive Transportation Project List (CTPL).
 - (e) Victor Bishop, representing the Eastside Transportation Association, expressed support for the Planning Commission's recommendation to retain references to congestion relief in the Transportation Element of the Comprehensive Plan. He said the proposed policy amendment changes "relieve" congestion to "manage" congestion.
 - (f) David Heldreth encouraged the City to explore the decriminalization of psychedelic substances and infusions. He said some substances are used to treat post-traumatic stress disorder (PTSD) in veterans, depression, anxiety, and opiate addiction, and others are used for religious purposes.
- 5. Reports of Community Councils, Boards, and Commissions: None.
 - 6. Report of the City Manager: None.
 - 7. Council Business and New Initiatives

Responding to Mayor Robinson, Councilmember Zahn, liaison to the Parks and Community Services Board, said cricket is one of the sports identified in the City's Parks and Open Space Plan.

Mayor Robinson suggested that Councilmember Zahn raise the issue of cricket facilities, including potentially at Marymoor Park, during next week's Council meeting to consider whether to ask the Parks and Community Services Board to explore the issue.

Councilmember Robertson said a cricket field is more than twice the size of a football field. She suggested that staff first determine whether the City owns any land large enough for a cricket field. She recalled the Council's interest in moving forward to update the master plan for Airfield Park and said she would want to have a better understanding of the Parks and Community Services Board's overall work plan.

- 8. Consent Calendar
 - Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.
 - The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
 - (a) Council Minutes
Minutes of October 11, 2021 Regular Meeting

- (b) Ordinance No. 6610: 1) amending the 2021-2022 General Capital Investment Program (CIP) Fund to increase the appropriation by \$195,000 with funds donated by Amazon; 2) amending the 2021-2022 Operating Grants, Donations, and Special Reserves Fund to increase the appropriation by \$195,000 to transfer Amazon donation funds to the CIP Fund; and 3) amending the 2021-2027 CIP Plan to increase the budget for Parks Renovation and Refurbishment Plan (CIP Plan No. P-R-11) by \$150,000 for improvements at Kelsey Creek Farm, Northtowne Park Playground and Bellevue Botanical Garden; ESI Implementation (CIP Plan No. CD-46) by \$35,000 for Citywide tree planting; and Neighborhood Enhancement Program (CIP Plan No. NEP-2) by \$10,000 for the installation of bat houses at the Lake Hills Greenbelt.
 - (c) Resolution No. 10012 authorizing execution of Amendment 1 to the Professional Services Agreement with M. Arthur Gensler Jr. & Associates (Gensler), in an amount not to exceed \$122,200, plus all applicable taxes, for Phase 2 of workplace strategy consulting and design services.
 - (d) Ordinance No. 6611: 1) authorizing execution of an interagency agreement with the Washington State Department of Commerce to accept \$173,748 in Community Development Block Grant (CDBG-CV2) funding for projects to prepare for, prevent or respond to the coronavirus; 2) amending the 2021-2022 Operating Grants and Donations Fund to increase the appropriation by \$173,748; and 3) authorizing the City Manager or his designee to enter into agreements with grant subrecipients recommended by the Human Services Commission to expend grant funds.
 - (e) Ordinance No. 6612: 1) authorizing execution of a two-year interlocal agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept up to \$204,946 of state funds to support the City's Commute Trip Reduction (CTR) program; and 2) amending the 2021-2022 Operating Grants, Donations and Special Reserves Fund to increase the appropriation by \$153,702.
9. Public Hearings: None.
10. Study Session
- (a) Land Use Code Amendment (LUCA) to Remove Residential Occupancy Limits

City Manager Brad Miyake introduced discussion regarding the proposed Land Use Code Amendment (LUCA) to replace the interim official control (IOC) in place regulating the number of unrelated occupants in a dwelling.

Mike Brennan, Director, Development Services Department (DSD), said staff is seeking Council direction to finalize the LUCA for final action at a future meeting.

Trisna Tanus, Consulting Attorney, DSD, recalled that SB 5235 went into effect on July 25, amending RCW 35A.21.314 to prohibit cities from regulating the number of unrelated occupants in a dwelling. The state legislature wanted to remove barriers and restrictions that limit housing and affordable housing opportunities. At that time, Bellevue's Land Use Code defined a family as a maximum of four unrelated adults that live together as a functional equivalent of a family. The LUCA amends the definitions of family and single housekeeping unit and removes limits on the number of occupants for specific housing types (e.g., accessory dwelling units, boarding houses, rooming houses).

The Council adopted the IOC on July 12 and held the required public hearing on August 2. The Council subsequently initiated the development of permanent regulations to be processed by the Planning Commission.

Ms. Tanus said staff conducted a review of the City's regulations that apply to dwelling units. She said the building and fire codes require certain standards for fire safety (e.g., adequate egress from bedrooms). The City's building official and fire marshal have the authority to require corrections, including preventing the use and occupancy of homes and buildings that present a danger to the occupants and neighboring properties. The building code requires that improvements such as converting a garage to living space must be permitted and inspected to ensure that safety measures have been taken. The uniform housing code, which was incorporated into the city code, contains standards for adequate sanitation facilities, heating, and light/air. There are also city codes to address noise, nuisances, and parking. Ms. Tanus said no changes are proposed to those existing codes. She noted that the Land Use Code addresses transient lodging as well as parking and circulation on private property.

Caleb Miller, Senior Planner, recalled that the single family rental ordinance (Ordinance No. 6223) was adopted in 2015 and imposed certain requirements, including a limit on the number of unrelated adults living in a dwelling. The proposed LUCA is targeted to comply with the new state law regarding the number of occupants. The LUCA removes the limitation on the number of unrelated adults that can be considered a family and amends the definition of single housekeeping unit. All occupants must have access to the entire home and share in the maintenance of the home. Mr. Miller said the previous requirement for all occupants to be on a single lease is removed from the definition of single housekeeping unit.

Transient lodging, including boarding houses and bed and breakfast inns, are owner occupied units and are limited to renting two rooms to a maximum of two people at any one time. Operators of transient lodging and short-term vacation rentals are required to obtain a home occupation permit.

The LUCA establishes regulations for rooming houses, which are dwelling units that are rented on an individual room basis and are not owner-occupied. Under the ordinance, no more than four rooms may be rented to no more than five adults at any one time. Mr. Miller said that existing regulations related to minimum parking requirements, health and safety remain in place. He encouraged the public to report violations or concerns via the MyBellevue app.

Mr. Miller said the development of the LUCA followed Process IV requirements regarding noticing and holding a public hearing. A courtesy hearing was held for the East Bellevue Community Council (EBCC) on October 5, and the Planning Commission held a public hearing on October 13. Mr. Miller noted that information is provided on the City's web site, including staff contacts and the LUCA schedule and status. The City received one comment from the public, which expressed concerns regarding traffic and parking impacts. Following future action by the City Council, the EBCC will hold a public hearing and take formal action on the City Council's ordinance. The current IOC expires on January 12, 2022.

Mr. Miller said the public expressed concerns regarding overcrowding and parking during the EBCC public hearing, and members of the EBCC generally echoed those concerns and suggested increasing public engagement regarding the proposed LUCA. EBCC members questioned whether the change in state law will actually promote more affordable housing.

Mohammad Malakoutian, Planning Commission Chair, said the commission held a study session to discuss the LUCA on September 8 and held the public hearing on October 13. The only public comment on October 13 was from EBCC Chair Betsi Hummer, who provided an overview of the EBCC's courtesy hearing and discussion.

Mr. Malakoutian said the Planning Commission discussed the potential impacts of the proposed LUCA, including parking and traffic impacts and potentially overcrowded or dangerous living conditions. He said the commission concluded that the existing provisions in the City's codes would address those concerns and that there are a number of avenues for community members to report possible violations.

The commission voted unanimously, with one commissioner absent, to recommend the adoption of the LUCA without modification. Mr. Malakoutian said the commission found that the LUCA meets the decision criteria in the code, is consistent with the Comprehensive Plan, enhances public safety and welfare, and is not contrary to the interests of the citizens and property owners in Bellevue.

Mr. Miller said staff is seeking direction to prepare the final LUCA ordinance for Council action at a future meeting.

Mayor Robinson thanked staff for the presentation and Chair Malakoutian for his comments.

Councilmember Barksdale expressed support for the Planning Commission's recommendation.

Councilmember Robertson said the International Property Maintenance Code contains occupancy limits based on public health and safety issues. Chair Malakoutian confirmed that staff discussed the code with the Commission.

Ms. Tanus said the International Property Maintenance Code is not part of the city code. She said a holistic review would make sense if the Council wanted to consider incorporating the code into the city code. She said it includes a provisions regarding the number of occupants per square

foot. Ms. Tanus said there could potentially be challenges if the City chose to select only certain provisions of the International Property Maintenance Code into the city code.

Councilmember Robertson said she supports the revisions in the LUCA. However, she would also like to see additional occupancy limitations. She expressed concern that there could be two adults and 10 children living in a small room, which is not safe or healthy. She said the International Property Maintenance Code is consistent with federal fair housing laws with regard to occupancy. That code allows one occupant in a bedroom with 70 square feet, and an additional 50 square feet is needed for an additional occupant. Ms. Robertson said she has used the code in her legal practice for other cities, including those that have not adopted the full international code. She would like to see additional provisions in the LUCA to establish minimum health and safety standards.

Chair Malakoutian noted that Ms. Tanus discussed the International Property Maintenance Code with the Planning Commission.

Mr. Brennan said the International Property Maintenance Code will be considered when the City conducts a broader assessment of codes for the next major code update. He said the international code contains language regarding dangerous buildings, unsafe conditions and housing code requirements. He said the code includes property maintenance requirements as well.

Councilmember Stokes expressed support for the proposed LUCA and said it is a responsible step to comply with the state requirement. He said it will be especially helpful to people in cities and provide additional housing options.

Councilmember Lee thanked the Planning Commission for their work and asked about the state legislature's purpose in adopting the legislation. Ms. Tanus said they wanted to remove barriers and restrictions that limit housing and affordable housing opportunities. Mr. Lee acknowledged that certain health and safety codes are already in place. However, he expressed concern about enforcement and support for Councilmember Robertson's interest in more specific standards.

Responding to Mr. Lee, Ms. Tanus said that code compliance staff are able to review complaints and advance them through the complaint process. She said there are enforcement mechanisms and tools in place in the City's existing regulations to address problems. Mr. Brennan noted the importance of public education and reiterated that there are a number of codes in place to protect neighborhoods. Mr. Lee said he wants to ensure the LUCA is based on realistic and enforceable standards.

Councilmember Zahn thanked the Planning Commission and staff for their work. She said she is glad to hear there are health and building codes already in place to address unsafe or unsanitary conditions. Responding to Ms. Zahn, Ms. Tanus confirmed that transient rentals are limited to renting two bedrooms with a maximum of two adults in each room, even if there are additional bedrooms in the house. Ms. Zahn expressed concern about setting occupancy limits that might not be reflective of an international city with visitors and immigrants from other parts of the world. She asked how the City came up with the limits. Ms. Tanus clarified that the regulations apply to owner-occupied homes in single-family land use districts, and they are intended to

protect neighborhood character. Ms. Tanus said there are different provisions for housing in multifamily districts and in the Downtown.

Deputy Mayor Nieuwenhuis thanked the Planning Commission and staff. He asked about the potential for extending the IOC to allow time to study the International Property Maintenance Code. Ms. Tanus said staff is seeking direction to finalize the LUCA before the January 12 expiration date. She said it is likely the IOC would need to be extended to allow time for staff's analysis.

Responding to Mr. Nieuwenhuis, Ms. Tanus said an IOC was established and extended to develop the single family room rental ordinance adopted in 2015. She said the genesis of the ordinance was to address rooming house violations and conditions, especially near Bellevue College and in the Lake Hills neighborhood. Ms. Tanus said the residential occupancy LUCA does not change the single family room rental ordinance. She said rooming houses are not allowed in single-family districts.

Mayor Robinson said she interprets the LUCA as a fine tuning of the 2015 ordinance. Responding to Ms. Robinson, Mr. Brennan said the building and fire codes do not set a specific maximum occupancy load for residential uses. He said the enforcement of potentially unsafe conditions is at the discretion of the building official or fire marshal. He said the International Property Maintenance Code provides more specific criteria regarding occupant loads based on a building's square footage.

Councilmember Barksdale asked about the complaint history and whether it justifies the need for further fine tuning of the LUCA provisions. He raised the issue of how far local government should go in determining whether a resident's space is safe, given the existing provisions in the code. Ms. Tanus said the City does receive complaints about the improper use of single family homes, and most of the time they are related to excess cars parked on the street or the operation of transient lodging. She said the Land Use Code already allows for an unlimited number of related adults, and the proposed LUCA extends that to unrelated adults as well.

Councilmember Barksdale expressed support for the proposed LUCA without further modification.

Councilmember Stokes said the proposed LUCA is required to comply with the new state law and he would like to move forward. He noted other priorities in need of attention, including planning for the Wilburton area.

Responding to Councilmember Lee, Mr. Miller said staff did not reach out to any specific neighborhood groups regarding the proposed LUCA. However, standard noticing procedures have been followed and the required public hearings have been held to date. Mr. Miller said the language in the LUCA is targeted to address occupancy limits, and the existing provisions related to single room rentals in rooming houses remain in place.

Councilmember Zahn said she supports the LUCA as proposed by staff and recommended by the Planning Commission given the health, building code and enforcement provisions that are already in place.

Councilmember Robertson said the initial reason for establishing a definition of family was to safely manage occupancy in residences. Under the new state law and proposed LUCA, there could be 10-15 people living in a 300-square-foot accessory dwelling unit (ADU). While she supports the creation of affordable housing, she is concerned about the safety of crowded living conditions for the occupants and for the neighbors. Ms. Robertson said she is very concerned about having no limitations on the number of occupants.

Responding to Mayor Robinson, Mr. Brennan said the review and adoption of the International Property Maintenance Code would be a significant body of work that is not currently in the work plan. Mr. Brennan said a review of that code could be included as part of the City's comprehensive code update that will begin next spring.

Responding to Councilmember Barksdale, Mr. Brennan said the building official or fire marshal would have the authority to determine whether unsafe conditions exist in a residential unit.

- Deputy Mayor moved to direct staff to bring back the proposed ordinance as drafted for Council consideration and action at a future meeting. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 5-2, with Councilmember Lee and Councilmember Robertson dissenting.

At 7:30 p.m., Mayor Robinson declared a short break. The meeting resumed at 7:40 p.m.

(b) Development Services Fees Update

City Manager Miyake said the update to Development Services fees is part of the 2021-2022 Mid-Biennium Budget update. He noted that the department conducts an internal cost of service study each year to assess service levels and financial performance, and to forecast changes in development activity.

Director Brennan said staff is seeking Council direction to prepare ordinances for consideration and final adoption related to the 2022 Development Services permit fees and rates and the 2022 school impact fee schedule. The budget public hearing is scheduled for November 15 and adoption of the mid-biennium update is slated for November 22 or December 6. Mr. Brennan said there continues to be robust development activity with large office buildings and mixed-use development. The department has increased staffing and continues to be focused on customer service as well as technology and process improvements.

Mr. Brennan said the proposed fee adjustments maintain alignment with the financial policies that have been established. The adjustments include an update to hourly rates and to building

review and inspection fees. The flat rate fees have been adjusted to reflect hourly rate changes and process improvements.

Mr. Brennan highlighted the financial management guiding principles: 1) funding structure should support the development services line of business through economic cycles, 2) permit applicants should pay for services received, 3) fees should be predictable and understandable to the customer, and 4) fees should be regionally competitive. The cost recovery objectives for permits are 50 percent for land use and discretionary review and 100 percent for engineering review, inspection and business support.

Teri Jones, Fiscal Manager, Development Services Department, said that building permit fees are based on the estimated valuation using the building fee table adjusted by inflation and applying a regional modifier. For 2022, staff proposes adjusting the tables by CPI-W 6.3 percent and adjusting the Washington state valuation modifier from 1.15 to 1.14. Hourly rates are proposed to increase by up to four percent to recover the increase in the cost for services. No changes are proposed for land use review (\$187/hour) and utilities review and inspection (\$170/hour). A four percent increase is proposed for transportation review and inspection (\$206/hour) and a 2.2 percent increase is proposed for fire review and inspection (\$184/hour). In 2018, the Council approved a two percent surcharge to rates as a result of the cost of service study by a consultant to evaluate reserve levels. However, the two percent surcharge is no longer needed.

Ms. Jones said that no change is proposed for the flat fee associated with land use review for a commercial mechanical permit. The flat fee for right-of-way review increases from \$238 to \$308. The building permit fee for a tenant improvement project increases from \$3,592 to \$3,881, and the building permit fee for a single family 500-square-foot addition increases from \$3,438 to \$3,636. Ms. Jones compared Bellevue's proposed building permit fee for tenant improvements with neighboring jurisdictions and noted that it falls between King County and the City of Seattle. Bellevue's proposed single-family addition permit fee falls below both Seattle and King County. Ms. Jones noted that permit costs are part of the general fund for the cities of Issaquah, Kirkland and Redmond.

Mr. Brennan said school impact fees are charged by the Issaquah School District and the Renton School District to support capital programs. The fee is collected by the City of Bellevue for new residential construction and the funds are transferred to the school districts. The Issaquah School District's proposed fees are \$20,291 for single-family development, an increase of \$2,078, and \$8,353 for multifamily development, a decrease of \$3,690. Renton School District's single-family impact fee is \$2,659, a decrease of \$5,022, and the multifamily fee is \$4,737, a decrease of \$252.

Councilmember Lee thanked staff for their work and noted that he hears good things about them from the community. He expressed support for the proposed adjustments to development services fees. He asked whether the City has received public comments from Bellevue residents with students in the Issaquah or Renton school districts. He asked about the relatively high single-family impact fee for Issaquah.

Mr. Brennan said the City has not received any public comments regarding the school impact fees.

Tom Mullins, Issaquah School District, said the school impact fee calculations are based on a number of factors. He noted a dramatic increase in construction costs and in the number of students per single-family home.

Councilmember Zahn suggested it would be helpful as part of the City's Environmental Stewardship Plan to consider providing resources regarding retrofits and remodels to be able to promote energy conservation and efficiency with permit applicants.

Deputy Mayor Nieuwenhuis expressed support for the proposed fee adjustments. Responding to Mr. Nieuwenhuis, Mr. Brennan said there is a significant cost to managing development and permit services. Ms. Jones said the 2020 operating budget was \$29 million and the revenue collected totaled approximately \$33 million.

Councilmember Stokes said he hears compliments from developers about the services provided and the professionalism of development services staff. He expressed support for the proposed fee adjustments.

Councilmember Robertson expressed support for the adjustments to development services fees. She noted that a portion of the Lake Washington School District overlaps Bellevue but the City does not collect impact fees for them. Mr. Brennan said they have not approached the City about school impact fees. Ms. Robertson said the City has the authority to not collect the fees or to place caps on the fees. She said the Issaquah School District's single-family impact fee is very high. She noted that some school districts vary the fees depending on where the new housing is located within cities.

Responding to Ms. Robertson, Mr. Mullins said the impact fee for homes in Bellevue is the same as the fee for all new housing throughout the Issaquah School District. In further response to Ms. Robertson, Mr. Mullins said he would follow up with information regarding the percent of the capital budget that is covered by school impact fees. Ms. Robertson noted that, under state law, school districts cannot fully fund using impact fees. She asked whether the Issaquah School District has ever issued refunds because it did not spend all of the impact fee collections within 10 years. She requested information regarding the total impact fees collected annually.

Councilmember Barksdale expressed support for the proposed development services fee adjustments and the school impact fees.

Mayor Robinson said she shares Councilmember Robertson's concern about the high impact fee in the Issaquah School District. Ms. Robinson noted that the Bellevue School District uses levies to fund capital projects. She expressed an interest in considering a maximum school impact fee.

Ms. Robinson commended Mr. Brennan and his staff for their ability to handle the busy workload, even during the pandemic. She said it was fortunate that the City had transitioned to full online permitting before the pandemic. Mr. Brennan said staff has not explored the potential

for setting a maximum school impact fee. Mayor Robinson said she would support the currently proposed fees but would like to discuss the issue of setting a cap on fees during the coming year.

- Deputy Mayor Nieuwenhuis moved to direct staff to bring back ordinances amending the 2022 Development Services permit fees and rates and the 2022 school impact fees for Council consideration and action at a future meeting. Councilmember Lee seconded the motion.
- The motion carried by a vote of 7-0.

(c) 2021 Annual Comprehensive Plan Amendments (CPAs)

Mr. Miyake introduced discussion regarding the 2021 annual Comprehensive Plan Amendments (CPAs): 1) DASH Glendale and Evergreen Court, and 2) transportation policies and project list.

Emil King, Assistant Director of the Community Development Department, noted that the amendments address two key issues and priorities, affordable housing and transportation.

Thara Johnson, Planning Manager, said the purpose of the discussion is to present the Planning Commission's recommendations regarding the 2021 DASH and transportation policy CPA proposals. She noted that the commission held a public hearing in July. She said the Comprehensive Plan may be amended once annually under state law.

Ms. Johnson said the EBCC held a courtesy public hearing in July prior to the Planning Commission's hearing, and the comments from that meeting have been provided to the Council.

Ms. Johnson highlighted the CPA final review criteria (Land Use Code 20.30I.150) considered by the Planning Commission as a basis for their recommendations. The commission found that the CPAs met all of the decision criteria and recommended approval of the applications.

The DASH Glendale and Evergreen Court CPA proposes map amendments for two parcels totaling 7.5 acres from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU). The parcels are located at 12600 NE 8th Street and 900 124th Avenue NE in the Wilburton area. The transportation policy CPA proposes removing the Comprehensive Transportation Project List (CTPL) from the Comprehensive Plan and amending the Transportation Element to embed a multimodal approach to transportation concurrency that will supplement and/or replace the vehicle-centric concurrency policies.

Mohammad Malakoutian, Planning Commission Chair, said the commission discussed the CPA proposals on June 9 and July 7 before the public hearing on July 28. The commission recommended, by a vote of 6-0, that the Council adopt the DASH Glendale and Evergreen Court CPA. Mr. Malakoutian said the commission found that the proposal met all of the decision criteria provided in the Land Use Code.

Ms. Johnson said the City received 19 letters of support for the DASH CPA and heard testimony from five speakers during the July public hearing. She requested Council direction to return with

an ordinance for formal action to approve the 2021 DASH Glendale and Evergreen Court CPA application.

Councilmember Barksdale expressed support for the Planning Commission's recommendations.

Councilmember Robertson said she supports the commission's recommendations for the two CPA proposals.

Responding to Deputy Mayor Nieuwenhuis, Ms. Johnson said that one communication from the public expressed concern regarding trees. Mr. Nieuwenhuis expressed support for the Planning Commission's recommendations.

Councilmember Stokes expressed support for the DASH CPA proposal.

Councilmember Lee expressed support for the Planning Commission's recommendations for both CPA proposals.

Mayor Robinson and Councilmember Zahn concurred.

- Deputy Mayor Nieuwenhuis moved to direct staff to bring back an ordinance approving the 2021 annual CPA for DASH Glendale and Evergreen Court, for Council consideration and action at a future meeting. Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

Kevin McDonald, Senior Planner, said the transportation policy CPA repeals the CTPL from the Comprehensive Plan and relies on the Transportation Improvement Program (TIP) as the comprehensive, citywide inventory of transportation projects to be considered for prioritization in the Transportation Facilities Plan (TFP). In 2015, the Council consolidated all transportation projects into the CTPL. While useful as a source of projects for the TFP, the list duplicates the work by the Council and Transportation Commission in the TIP process. Mr. McDonald said the Council updates the TIP annually following a recommendation by the Transportation Commission. He said the TIP is responsive to planning and engineering work, and TIP projects are eligible for grant funding.

Mr. McDonald said the Growth Management Act requires jurisdictions to ensure that transportation facilities support land uses concurrent with the land use demand. If concurrency is not met, a jurisdiction may not approve new development. Bellevue currently uses a vehicle concurrency standard and the transportation system capacity is addressed through intersection improvement projects. The proposed multimodal concurrency approach will provide capacity and connected networks for all travel modes to accommodate growth and satisfy concurrency standards. Mr. McDonald said the transportation policy CPA is required to implement multimodal concurrency.

Mr. McDonald highlighted previous transportation policy amendments to the Comprehensive Plan. In the 1980s, the Comprehensive Plan indicated that traveling on arteries should not be too inconvenient, time consuming or unsafe. In 1993, after the adoption of the Growth Management Act, the City established vehicle level of service (LOS) standards for each mobility management area. The 2015 Comprehensive Plan update established multimodal LOS measures, standards and targets.

The current CPA proposal establishes a multimodal concurrency standard. The Council initiated the CPA on April 5, 2021 and directed the Transportation Commission to recommend policies to broaden the concurrency standard to include all travel modes. The Transportation Commission's recommendation was reviewed and supported by the Planning Commission. Mr. McDonald said the Transportation Commission's recommendation is part of the work program to prepare a Mobility Implementation Plan (MIP) to provide a transparent framework for building a complete and connected network of all transportation modes. The MIP expands vehicle performance targets to include intersection capacity and travel times along corridors and adds performance targets for pedestrians, bikes and transit.

Loreana Marciante, Transportation Commission Chair, noted the list of Transportation Element policies in support of implementing multimodal concurrency.

Chair Malakoutian thanked the Transportation Commission for their recommendations. He said the Planning Commission recommends that the City Council adopt the CPA policy revisions to incorporate policy that supports the multimodal approach to transportation concurrency. He noted that concerns were raised by the public regarding changes to policy TR-2, which currently references reducing congestion. The Planning Commission voted 3-2 to amend the initial motion to recommend amendments to policy TR-2 that modify the language regarding congestion reduction. Mr. Malakoutian said the Transportation Commission determined that the policy amendments meet the decision criteria contained in the Land Use Code.

Mr. McDonald said the Transportation Commission and the Planning Commission received comments from the Bellevue Downtown Association (BDA) and the Bellevue Chamber of Commerce, and both organizations support the recommended policy changes. He said staff provided a briefing to the East Bellevue Community Council (EBCC) and discussed the proposal with the Eastside Transportation Association, and both groups oppose the policy recommendation, particularly the revision to policy TR-2. He said both of the commissions received public comments supporting and opposing the proposed CPA.

Mr. McDonald said staff continues to support the recommendations. He noted that policy TR-2 has been revised to address congestion management and overall improvements to the multimodal transportation system.

Ms. Johnson noted that the revision to TR-2 was proposed by the Planning Commission. She requested Council direction to staff to prepare an ordinance approving the 2021 transportation policy CPA.

Mayor Robinson thanked the commissioners and staff for the presentation.

Councilmember Robertson, liaison to the Transportation Commission, said the commission thoroughly reviewed the proposed policy revisions. She expressed support for the City moving to a multimodal concurrency framework that reflects and counts all travel modes. She said the policies set the City up well for future growth and reflect the type of community envisioned for the future. She said Amazon anticipates that only 50 percent of its employees will drive to work. Ms. Robertson said there is only so much pavement for transportation purposes and Bellevue has done a good job of shifting people to other travel modes. She said the City will continue to make improvements to roadways and facilities for all transportation options including vehicles, bikes, pedestrians and transit.

Ms. Robertson expressed support for the revision to policy TR-2 as proposed by the Planning Commission. She thanked both commissions and staff for their hard work on the CPA proposal.

Councilmember Barksdale said he supports the CPA and the emphasis on multimodal transportation concurrency, as well as the recommended revision to policy TR-2.

Deputy Mayor Nieuwenhuis thanked everyone for their great work. He said the City needs a multimodal concurrency standard that is tied to land use patterns and urban land use districts. He concurred with the revision to policy TR-2.

Councilmember Stokes expressed support for the proposed transportation policy CPA. He thanked the commissions and staff for the comprehensive and future-focused review and recommendations. He concurred with Councilmember Robertson's earlier comments and said the emphasis on multimodal concurrency is largely supported by the community.

Councilmember Lee noted that he served on Bellevue's first Transportation Commission. He expressed support for the policy focus on multimodal transportation and congestion reduction. He thanked the commissions and staff for their work and recommendations.

Councilmember Zahn said she served on the Transportation Commission in 2015 when it was discussing multimodal LOS and how it would be measured. She expressed support for the focus on both intersection capacity and travel times through corridors. She noted that light rail will be transformational for Bellevue and travel patterns. She said that ensuring a multimodal system works as well as possible will complement the Complete Streets and Vision Zero programs as well. Referring to policy TR-2, Ms. Zahn suggested the following language: "Improve the multimodal transportation system while striving to manage congestion."

Mayor Robinson said the policy amendments reflect a holistic view of transportation. She expressed support for Ms. Zahn's suggestion to reference the multimodal transportation system first in policy TR-2. Ms. Robinson said she looks forward to the completion of the pedestrian and bike network throughout Bellevue.

→ Deputy Mayor Nieuwenhuis moved to direct staff to bring back an ordinance for Council consideration and action at a future meeting approving the 2021 annual CPA for transportation-related policy and project list amendments, as recommended, except for

policy TR-2 which will be amended to read: “Improve the multimodal transportation system while striving to reduce congestion.” Councilmember Stokes seconded the motion.

Councilmember Lee said it is important to support all transportation modes. He suggested “and strive” instead of “while striving” to reduce congestion.

→ Councilmember Robertson suggested, as a friendly amendment, adding a reference to “improve the quality of the travel experience for all users.” Councilmember Stokes seconded the amendment.

Councilmember Barksdale expressed support for the multimodal and travel experience language. However, he suggested that manage congestion (instead of reduce) more accurately reflects the intent to focus on the bigger picture of a multimodal system.

Mayor Robinson read her notes: “Improve the multimodal transportation system and reduce and manage congestion, while striving to improve the quality of the travel experience for all users.”

Councilmember Robertson suggested: “Improve the multimodal transportation system and strive to reduce congestion, and improve the quality of the travel experience for all users.”

Councilmember Stokes expressed a preference for “manage” congestion. Councilmember Zahn concurred. Mayor Robinson noted Councilmember Barksdale’s support as well.

Councilmember Lee expressed a preference for “reduce” congestion. Deputy Mayor Nieuwenhuis concurred.

Mayor Robinson suggested maintaining “manage” as recommended by staff. She suggested restating the motions to vote first on the CPA and second on the TR-2 language.

→ Deputy Mayor Nieuwenhuis withdrew his earlier motion and moved to direct staff to bring back an ordinance for Council consideration and action on a future meeting approving the 2021 annual CPA for transportation-related policy and project list amendments, as recommended. Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

→ Deputy Mayor Nieuwenhuis moved to amend the policy TR-2 language as follows: “Improve the multimodal transportation system and strive to manage congestion and improve the quality of the travel experience for all users.” Councilmember Stokes seconded the motion.

Responding to Councilmember Lee, Councilmember Robertson said the language referring to “travel experience” was proposed by the Transportation Commission.

Chair Marciante said the language comes from a number of Transportation Commission conversations about the layered transportation network and providing the best experience for each travel mode. She said the commission talks about both actual safety and how users feel in terms of safety and comfort.

Councilmember Lee proposed a friendly amendment to change “manage” to “reduce.” There was no second and the amendment was not accepted by the maker and seconder of the motion.

→ The motion to approve the policy TR-2 language carried by vote of 7-0.

(d) Regional Issues
[Written information only. No presentation.]

Lacey Jane Wolfe, Interim Director of Intergovernmental Relations, noted the updated agreement in the meeting packet for the Eastside Transportation Partnership (ETP). The ETP is convened by King County and is a resource for education, advocacy and regional leadership for transportation priorities. The City has been a member of ETP since 1987. The 2022-2023 membership contract extends Bellevue’s participation by two years at a cost of \$200 annually. The agreement will be presented for Council action on the November 1 consent calendar. Staff recommends approval of the agreement.

Mayor Robinson thanked Ms. Wolfe for the update.

11. Land Use: None.
12. Other Ordinances, Resolution, and Motions: None.
13. Unfinished Business: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 9:08 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw