



MEMORANDUM

DATE: February 21, 2008

TO: Chair Jennifer Robertson and Members of the Planning Commission

FROM: Cheryl Kuhn and Steph Hewitt
Neighborhood Outreach

SUBJECT: Neighborhood Character Phase Two Introduction

At the Commission's meeting of February 27, staff plans to re-engage the Commission on the topic of neighborhood redevelopment and its impacts on the character and livability of Bellevue neighborhoods. We will not be seeking Commission action at this time, but rather presenting you with:

- ❖ A brief review of the issues being addressed and the actions taken to date;
- ❖ A preview of the discussion planned for upcoming Commission meetings; and
- ❖ A summary of the public outreach planned for Phase Two of the Neighborhood Character deliberations.

Background

In fall of 2006, the City Council approved the Neighborhood Livability Action Agenda, a strategy for addressing three issues of major concern to Bellevue neighborhoods: (1) Perceived inadequacy of neighborhood sidewalks; (2) Declining property maintenance in older neighborhoods; and (3) Negative impacts of infill and redevelopment on existing neighborhood character. In January of 2007, the City Council directed the Planning Commission to work with staff on proposals for addressing the redevelopment/neighborhood character issue.

Several months of research, public outreach, and Planning Commission discussion led commissioners to agree on a series of proposals for addressing three areas of public concern about neighborhood redevelopment: loss of trees and greenscape; loss of privacy and sunlight due to out-of-scale development; and impacts of construction activity. The City Council directed that code amendments be prepared based on the Planning Commission proposals, and that those amendments be brought forward for consideration in two phases.

Phase One

With adoption of Phase One Neighborhood Character code amendments on December 3, 2007, the City Council approved regulatory changes that were not only necessary for preserving neighborhood character, but also relatively simple to draft and implement.

Specifically, the Phase One amendments, approved by the East Bellevue Community Council in January and now in effect throughout Bellevue:

- ❖ Require that new single family homes provide at least 50 percent greenscape within front yard setbacks (a setback is normally the first 20 feet next to the right-of-way);

- ❖ Require retention of 30 percent of significant trees when a single family home is redeveloped, or when the impervious surface of a single family lot is expanded by more than 20 percent;
- ❖ Change the way the city measures building height (from finished to existing grade) to discourage unnecessary lot build-up;
- ❖ Eliminate the height exemption for rooftop mechanical equipment in single family residential zones;
- ❖ Prohibit portable carports and storage structures in locations visible from public streets and rights-of-way;
- ❖ Declare unscreened construction debris a public nuisance;
- ❖ Require that lodging at construction sites comply with temporary use regulations, and;
- ❖ Authorize the city to require construction notification signs in single family zones.

Phase Two

Phase Two topics include more complex and potentially more controversial solutions previously identified by the Planning Commission as worthy of further study and development. Topics for Phase Two discussion could include:

- ❖ Additional steps to preserve trees in single family residential zones (see additional comments below);
- ❖ Steps to address size and scale issues – creating development standards for building projects exceeding a certain size threshold, or establishing Floor Area Ratio standards for single family zones;
- ❖ Separate setback requirements for mechanical equipment and guest cottages;
- ❖ Limitations on the ability to combine multiple single family lots into one large lot, for the purpose of exceeding the typical district lot size;
- ❖ Changes in codes or procedures that define remodels;
- ❖ Changes in codes or procedures pertaining to setbacks in Planned Unit developments;
- ❖ Requirements for clean-up of abandoned building sites.

Tree preservation

Many Bellevue residents see the green and wooded appearance of their neighborhoods as a community asset – a significant element of overall neighborhood character. The desire to preserve the forested character of neighborhoods prompted residents to identify tree protection as a major focus of the City’s Phase One efforts to address negative impacts of redevelopment.

However, tree preservation is a complex issue extending far beyond considerations of neighborhood character. Trees are an important part of Bellevue’s overall livability and its image as a “City in a Park.” In addition, trees have a significant monetary value as they enhance the beauty and appeal of both public and private property. Perhaps most important, trees contribute in a major way to environmental health and sustainability: they purify the air, stabilize soils, reduce stormwater runoff, slow global warming, and provide needed shade and habitat. The City’s current Environmental Stewardship Initiative is focused on these benefits of tree preservation.

Phase One achieved the primary tree retention goal of the Neighborhood Character project by establishing a retention requirement for single family lots undergoing redevelopment or adding more than 20 percent of impervious surface. But Phase One discussions also raised the

question of whether the City should consider steps toward tree retention on single family properties *not* undergoing redevelopment.

Because of the complex and often controversial issues involved with preserving and enhancing Bellevue's tree canopy, particularly with regard to single family properties not undergoing redevelopment, careful consideration must be given to determine the most appropriate strategy for proceeding with this subject. Staff will meet next month with the City Council to obtain Council's direction on the next steps for tree preservation. If the Council directs staff to proceed with additional tree retention discussions as part of the Neighborhood Character project, the broader environmental dimensions of tree retention should be part of this process. Further, the research and public involvement aspects are likely to extend this portion of the Neighborhood Character work into 2009. In that event, staff would likely continue working with the Planning Commission on the other Neighborhood Character topics, with an eye to concluding these topics ahead of tree preservation.

Next steps

Outreach staff proposes to work with the Planning Commission over the next three months as commissioners develop and refine a Phase Two proposal for the City Council's consideration. At the same time, Outreach staff will be:

- ❖ Conducting an extensive public involvement campaign, to include reconvening the 2007 focus/advisory groups, targeted outreach to stakeholder groups, extensive media contacts, meetings with neighborhoods, written communications with the Phase One interested parties list, and a community meeting with a creative flair;
- ❖ Continuing our research into the approaches employed by other cities to address the impacts of neighborhood redevelopment (a summary of some staff research to date is attached to this memo); and
- ❖ Conferring with city staff – particularly Land Use staff – and working hand-in-hand with them to incorporate their expert advice and assistance into solutions that are appropriate for Bellevue.

Questions and comments

Staff welcomes questions and comments at any time: Cheryl Kuhn, 4089; Steph Hewitt, 2564.

Intervention Options ~ Neighborhood Character Phase 2

TOPIC/ APPROACH	BELLEVUE – CURRENT REGULATIONS	OTHER APPROACHES	INTERVENTION OPTIONS FOR BELLEVUE
SIZE AND SCALE			
Issues: Incompatible scale, architecture, bulk; loss of privacy, light, views			
Development standards for buildings over threshold	<ul style="list-style-type: none"> • No development standards specific to sf building size • SF lot coverage maximum of 35-40% • 30' maximum height – from average existing grade to midpoint of pitched roof, or ridge of flat roof 	<ul style="list-style-type: none"> • Woodinville, WA – Homes > 8500 sq ft require conditional use permit in R-1 through R-6 zones • Redmond, WA – Individual neighborhood plans restrict size, placement, and dimensions of single family homes • Aspen, CO – Considering 15,000 sq ft cap on single family homes • Boulder, CO – Considering size cap on single family homes (e.g., total square footage caps per zone = 6500 to 4000 sq ft.) (Note: To build a larger home, owners must buy development rights from landowners who do not develop their land.) • Menlo Park, CA – Daylight plane measurement (i.e., 17' of vertical plane height and 34 degree angle inward); design review required if house > .35 FAR by adding second story, or new two-story home • Palo Alto, CA – The largest home allowed without an appeal process is 6000 sq ft; new second story additions and second story additions in excess of 150 sq ft trigger design review. • San Jose, CA – No FAR max, but if a developer builds a home with FAR over .65, he must go to City Council and have a public hearing • Bethany Beach, DE – Requires minimum roof pitch • St. Augustine, FL – Banned flat roofs for homes on some small lots over concerns about style and rooftop parties • Seattle, WA – Proposal for the Sustainable Single Family Housing Ordinance pending • Ashland, OR – Maximum house size ordinance for new homes in Historic District • Tacoma, WA – Requires daylight plane to ensure compatibility between residential and non-residential districts • Kent, WA – Solar access setback is encouraged, but not mandatory for residential zones • Tacoma, Kent, Seattle, Sumner, Issaquah, Lynnwood, Olympia, and Auburn have either a daylight plane or upper story setback requirement for commercial and/or residential view areas. • Medina, WA – Site plan review encourages better site planning to help ensure that new development enhances the character of the city and sensitively fits into neighborhoods, minimizes undesirable impacts of redevelopment on environment and addresses neighbor impacts by improving communication and addressing massing/bulk of new home. • Minnetonka, MN – Considering a policy concerning larger homes needing variances in existing neighborhoods (e.g., the new home or proposed addition must have FAR that is no more than the FAR of the largest home within 400' of proposed house, <i>and</i> on the same street). City may limit building mass in PUDs where there are reduced lot sizes and/or setbacks. City created "McMansion" Tool Box. • Note: Tacoma, Kent, Seattle, Sumner, Issaquah, Lynnwood, Olympia, and Auburn have either a daylight plane or upper story setback requirement for commercial zones adjacent to residential zones and/or residential view areas. 	<ul style="list-style-type: none"> • Establish size threshold triggering development standards: <ul style="list-style-type: none"> ○ Daylight plane analysis ○ Articulated second story ○ Increased setbacks ○ Required roof pitch (no flat roofs) ○ Recessed garage ○ Reduced lot coverage <p>(Threshold: >5k = 25% of new sf in '05; >7k = 5% new sf in '05)</p>
FAR	<ul style="list-style-type: none"> • No FAR requirement for single family 	<ul style="list-style-type: none"> • Mercer Island – .45 GFAR 	<ul style="list-style-type: none"> • Establish FAR limits for single family (Typical range, other

<p>(Floor Area Ratio -- Lot/structure ratio)</p> <ul style="list-style-type: none"> 	<p>* In Bellevue, FAR (Floor Area Ratio) is defined as a measure of development intensity equal to the gross floor area divided by net on-site land area. In cities that apply FAR to single family residential, there is variation as to which building elements are counted. Most often, FAR refers to livable square footage.</p>	<ul style="list-style-type: none"> • Kirkland, WA – FAR per zone (.20-.60); e.g., RS-5 = .50 (.60 if 4:12 roof pitch, 7.5' side setback) • Hunts Point, WA – FAR per lot area (e.g., Lot area is 0-14,800 sq ft = .25 FAR or 5200 sq ft, whichever is greater) • Bellingham, WA – .45 FAR or 2000 sq ft, whichever is greater • Naperville, IL – .40 FAR w/ front or side-loading garage, .45 FAR with detached garage • Surrey, BC – FAR limit and size cap in all residential zones • San Mateo, CA – Draft proposal for FAR per parcel size (e.g., 5000-7500 sq ft parcel = .45 FAR + 400 sq ft garage credit); FAR = total house size (i.e., living area and garage) • San Jose, CA – Proposed single family homes w/ FAR > .65 trigger public hearings and individual design review • Cupertino, CA – All two-story homes with FAR > .35 require design review conducted by the Planning Department in a public forum (Note: The developer must erect a temporary structure that matches the proposed development in terms of bulk three weeks prior to the hearing.) All other single family construction, FAR per zone (e.g., all R1 zones max FAR = .45; if floor to ceiling height is over 15', the area above 15' gets counted twice in FAR calc) • Albany, CA – FAR per zone; all single family zones, maximum .55 FAR, up to .60 for lots 2500 sq ft or more • Berkeley, CA – FAR applies only to Environmental Preservation Area Zone – maximum FAR = .45 • Carmel, CA – FAR per zone (e.g., R1 = .45, R1 subset A3 = .40) • Palo Alto, CA – FAR per zone (e.g., R1 = max .45 FAR) • Puyallup, WA – RS 10 – RS 06 = .45 FAR; RS-04 = .50 FAR • Atlanta, GA – FAR per zone (Note: FAR includes basement and attic space.) 	<p>cities: .35-.50</p> <ul style="list-style-type: none"> ○ Vary by zone ○ Vary by neighborhood <ul style="list-style-type: none"> • Establish FAR as a trigger for development standards
<p>Setbacks for mechanical equipment</p>	<p>No HVAC in building setbacks (recently required to show HVAC on site plans)</p> <p>HVAC complaints generally handled through Noise Ordinance</p>	<ul style="list-style-type: none"> • Kirkland – No closer than 5' to property line in side and back yards; HVAC not allowed in front yards • Redmond – No regs • Woodinville – No regs for placement; regs for noise impacts • Seattle – Heat pumps and similar mechanical equipment (not including incinerators) may be permitted in required yards if the requirements of the noise control ordinance are not violated. Any heat pump or similar equipment shall not be located within 3' of any lot line. • Mercer Island – Heat pumps can be located within required yard provided they will not exceed maximum permissible noise levels; any such equipment shall not be located within three feet of any lot line. 	<ul style="list-style-type: none"> • Prohibit HVAC units in side yards, or require HVAC placement 5' from side setback
<p>Setbacks for guest cottages</p>	<p>No separate setback requirements for guest cottages</p>		<ul style="list-style-type: none"> • Require sensitive placement of guest houses or accessory structures (establish separate setbacks) • Do not allow private streets to count as part of setback; or require agreement of all surrounding property owners
<p>Lot assembly</p>		<ul style="list-style-type: none"> • MSRC – Not aware of any WA cities that have placed limits on the number of adjacent lots that can be combined under single ownership 	

		<ul style="list-style-type: none"> Seattle, WA – Proposal for the Sustainable Single Family Housing Ordinance – demo permit is not allowed for the purpose of tearing down two or more houses on lots next to each other //fewer homes are built 	
<ul style="list-style-type: none"> NEIGHBORHOOD APPEARANCE AND QUALITY 			
<ul style="list-style-type: none"> Issues: Negative impacts of construction; impacts of development regulations on neighborhood character 			
Abandoned building sites		<ul style="list-style-type: none"> Redmond – No code guidance; would pursue case by case with attorney or code enforcement Woodinville – If site presents a public danger, owner must present a plan for City approval Tacoma – Declares as a public nuisance: “any building or structure where construction was commenced and the building or structure was left unfinished ...” Seattle – Building Maintenance Code requires maintaining all vacant structures in a safe condition; excavations must be brought back to grade 	<ul style="list-style-type: none"> Require clean-up and aesthetic treatment of abandoned building projects to reduce visual impact on surrounding neighborhood
Guidelines for developers		<ul style="list-style-type: none"> Sections: construction hours, respect the environment, keep Bellevue clean, obey traffic rules, be a good neighbor, code of conduct, site appearance, permit timelines, info re: code/ordinance and how to report violations 	<ul style="list-style-type: none">

<p>Private streets in setbacks</p>		<ul style="list-style-type: none"> • Issaquah – Allows for flexible setbacks and/or cluster housing 	<ul style="list-style-type: none"> •
<p>Building permit length</p>	<p>3 years</p>	<ul style="list-style-type: none"> • Typically less than Bellevue, and same for new construction and remodel • Seattle – 18 months, can be renewed an additional 18 months, and renewed another 18 months with limitations • Kirkland – 2 years, (recently increased from 1 year to 2), no provisions for extensions • Redmond – 180 days from issuance, or 180 days from most recent inspection • Woodinville – 1 year • Issaquah – 18 months, can be renewed for an additional year • Bothell – 2 years • Mercer Island – 2 years, with provisions for extension 	<ul style="list-style-type: none"> •
<p>Definition of remodels</p>	<p>Building definition: Remodel if one wall and foundation remain, including additions >3000 sq ft if original floor joists and plywood remain Land Use definition:</p>	<ul style="list-style-type: none"> • Redmond – New construction is foundation and up; it's a remodel if foundation remains • Kirkland – If foundation floor remains intact, it can be considered a remodel • Issaquah – An addition, regardless of size is an addition 	<ul style="list-style-type: none"> •

Incentives and disincentives (All categories)	<ul style="list-style-type: none">• No existing incentives	<ul style="list-style-type: none">• Kirkland, WA – FAR per zone (.20-.60); e.g., RS-5 = .50 (.60 if 4:12 roof pitch, 7.5' side setback)	Could offer FAR or lot coverage bonus if: <ul style="list-style-type: none">○ Garages side-loaded, recessed, windowed○ Steps take to reduce sun-shadow (e.g., second story setback)○ Perimeter trees retained
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