

Title 20: Land Use Code

Chapter 20.10: Land Use Districts

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

<u>District</u>	<u>Designation</u>
...	...
Urban Core	UC
Mixed-Use Highrise	MU-H
Mixed-Use Midrise	MU-M
Mixed-Use Residential Midrise	MUR-M

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20.10.100 District descriptions.

LUC 20.10.180 through ~~20.10.397~~[20.10.398](#) describe the purpose and scope of the City's land use districts. These sections may be used to guide the interpretation of the regulations associated with each district.

20.10.398 Mixed-Use Land Use Districts

A. Purpose. The Mixed-Use Land Use Districts are intended to be walkable, transit-oriented, and dense urban neighborhoods with a mix of uses that support the local and regional economy and a livable community. Refer to LUC 20.10.445 for allowed uses.

1. Goals.

- a. Develop Mixed-Use Districts as livable, sustainable, viable and memorable neighborhoods;
- b. Promote sustainable and resilient development that is responsive to the climatic and regional context of Bellevue;
- c. Encourage safe, functional, and attractive development that prioritizes pedestrians, and promotes sustainable transportation options;
- d. Develop cohesive and contextual urban development with a strong identity and connection to adjacent neighborhoods; and,
- e. Foster a sense of community, pride and stewardship of the built and natural environment.

B. District descriptions.

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1. Urban Core (UC). The purpose of the UC Land Use District is to provide for the highest-density mixed-use development nearby to Downtown. The district is limited in area so that the highest levels of density outside of Downtown are nearest to unique public amenities located within the districts, such as light rail stations, the Grand Connection, and Eastrail.
2. Mixed-Use Highrise (MU-H). The purpose of the MU-H Land Use District is to provide for a mix of housing, retail, service, office, and complementary land uses at a high scale and density. The district provides a level of intensity appropriate for areas in proximity to high levels of transit and activity in Mixed Use Centers.
3. Mixed-Use Midrise (MU-M). The purpose of the MU-M Land Use District is to provide for a mix of housing, retail, service, office, and complementary land uses at a medium scale and density. The district provides for a transition between higher and lower density land use districts in mixed use areas throughout the City.
4. Mixed-Use Residential Midrise (MUR-M). The purpose of the MUR-M Land Use District is to provide for primarily housing with retail, service, office, and complementary uses at lower floors at a medium scale and density. The district provides a transition between higher and lower density land use districts while providing shopping, services, and amenities close to housing.

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20.10.420 Interpretation of land use charts by Director.

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B. Conflict.

In the case of a conflict between the Land Use District Descriptions (contained in LUC 20.10.180 through ~~20.10.395~~20.10.398) and the use chart, the use charts contained in LUC 20.10.440, LUC 20.10.445, or Chapter 20.25 LUC shall prevail.

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20.10.445 Land uses in Mixed-Use Land Use Districts

A. This section only governs land uses in mixed-use land use districts listed in LUC 20.10.398. The provisions of this section do not apply to any other land use districts.

B. Permitted uses.

1. All land uses are permitted outright, except as provided in this subsection B, and except those expressly prohibited under LUC 20.10.445.C and those permitted only as conditional uses under LUC 20.10.445.D.

a. In the MUR-M Land Use District, nonresidential uses may only be located within the first two (2) stories of a building, except eating and drinking establishments may be located on the top story of a building.

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- b. Uses may be permitted either as the principal use or a subordinate use subject to LUC 20.20.840.
- 2. In the case of a question as to the inclusion or exclusion of a particular proposed use, the Director shall have the authority to make the final determination per LUC 20.10.420.
- 3. Use-specific requirements. The following uses are permitted, but subject to specific requirements as follows:
 - a. Manufacturing uses shall be limited to 20,000 gross square feet. Larger manufacturing uses may be allowed through an Administrative Departure as provided in LUC 20.25R.010.D.
- C. Prohibited uses. The following land uses are prohibited as both principal and subordinate uses, except as otherwise noted:
 - 1. Agricultural production of animals and animal products.
 - 2. Agricultural processing.
 - 3. Drive-in businesses and drive-throughs.
 - 4. Hazardous waste treatment and storage facilities (on- or off-site), unless associated with medical or life science uses and meeting all applicable standards for safe storage and handling of hazardous waste.
 - 5. Junk yards.
 - 6. Marijuana production and processing. See LUC 20.20.535 for general requirements applicable to marijuana uses.
 - 7. Outdoor storage and displays, except:
 - a. Storage for florists and other horticultural uses including nurseries;
 - b. Temporary display of retail products, provided all products are kept indoors outside of business operating hours.
 - 8. Recycling center and solid waste storage and processing facilities, except those qualifying as subordinate uses under LUC 20.20.725 and meeting the requirements of LUC 20.20.820.
 - 9. Surface parking exceeding 10 percent of the lot area, or 15 percent for small sites as defined in LUC 20.50.046. Larger surface parking may be allowed through an Administrative Departure as provided in LUC 20.25R.010.D.
 - a. Surface parking shall be measured as the area of all parking spaces and drive aisles adjacent to parking spaces.

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b. Existing nonconforming surface parking may be re-surfaced and re-striped, provided that:

i. No additional hardscape coverage is added to the site; and

ii. If restriping results in a reconfigured parking area or increases the number of parking spaces, the spaces shall meet applicable requirements in LUC 20.20.590.

10. Warehousing and storage services.

D. Conditional uses.

1. The following land uses shall require an Administrative Conditional Use Permit pursuant to Part 20.30E LUC:

a. Animal boarding and commercial kennels, except these uses may be permitted as subordinate to retail pet shops, pet day cares, pet grooming, and veterinary clinics or animal hospitals.

b. Electrical utility facilities.

c. Marijuana retail outlets. See LUC 20.20.535 for general requirements applicable to marijuana uses.

d. Motor vehicle transportation, such as bus terminals and taxi headquarters.

e. Primary and secondary education.

2. The following land uses shall require a Conditional Use Permit pursuant to Part 20.30B LUC:

a. Essential public facilities.

b. Homeless services uses.

c. Regional utility system.

d. Transient lodging.

e. Utility facilities, except heat recovery systems may be permitted outright.

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Chapter 20.20: General Development Requirements

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20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts – Dimensional Requirements

Chart 20.20.010

Uses in land use districts – Dimensional Requirements

Mixed-Use Land Use Districts

<u>Development Type</u> <u>(2)(4)</u>	<u>UC</u>		<u>MU-H</u>		<u>MU-M</u>	<u>MUR-M</u>
	<u>Nonres.</u>	<u>Res.</u>	<u>Nonres.</u>	<u>Res.</u>	<u>All</u>	<u>All</u>
<u>Base Height (1)</u>	250'	250'	100'	160'	N/A	N/A
<u>Max Height (1)</u>	450'	450'	250'	250'	100'	100'
<u>Base FAR</u>	6.0	8.0	4.0	6.0	2.5	2.5
<u>Max. FAR</u>	10.0	Unlimited	8.0	Unlimited	6.0	6.0
<u>Maximum Floor Plate</u> <u>Above 55' Where</u> <u>Building Exceeds 100'</u> <u>(3)(4)</u>	25,000 qsf	16,500 qsf	25,000 qsf	16,500 qsf	N/A	N/A
<u>Average Floor Plate</u> <u>Above 55' Where</u> <u>Building Exceeds 100'</u> <u>(3)</u>	24,250 qsf	14,800 qsf	24,250 qsf	14,800 qsf	N/A	N/A

Commented [A1]: 10/10/2024: 10/10/2024: Base FARs in Option B are reduced as follows to encourage greater participation in amenity incentive program and since green building is no longer a baseline requirement:
 UC nonres: 1.5
 UC res: 2
 MU-H nonres: 1.5
 MU-H res: 2
 MU-M: 1.5
 MUR-M: 1.5

Notes: Dimensional Requirements in Mixed-Use Land Use Districts

- (1) Refer to LUC 20.25R.040.B.2 and **LUC 20.20.525** for allowable projections above the maximum height limits.
- (2) For purposes of applying FAR and height limits, a single building is considered residential if more than 50 percent of the gross floor area is devoted to residential uses. The maximum floor plate shall be determined based on whether more than 50 percent of the gross floor area of an individual tower is dedicated to residential or nonresidential use.
- (3) Refer to LUC 20.25R.040.B.3 for exceptions to this requirement.
- (4) Hotels and motels and other transient lodging shall be considered nonresidential uses for purposes of this Chart 20.20.010.B.

20.20.128 Affordable housing.

A. Purpose and Administration.

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1. The purpose of this section is to encourage promote the development of affordable housing by establishing requirements, incentives, and fees providing density bonus, dimensional standard modification, and modification of other requirements for affordable housing projects new development.
2. The Director shall adopt by rule affordable housing standards to govern the construction, repair, modification, and operation of affordable dwelling units created by operation of this title. Such standards shall be consistent with the requirements of this title. When adopting affordable housing standards, the Director shall consider each of the following:
 - a. Consistency with the City's Comprehensive Plan.
 - b. Whether consistency with the City's other, non Land Use Code-based affordable housing programs is beneficial to the City.
 - c. The impact on the City's affordable housing goals.
 - d. The impact on the cost of development; and
 - e. The impact on the quality of life of residents of affordable units.

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

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5. "Affordable" means that a household eligible to rent or own affordable housing pays no more than 30 percent of household income for housing expenses.
6. "Area Median Income" means the median income for the Seattle-Bellevue, WA Housing and Urban Development Metro Fair Market Rent Area ("Seattle-Bellevue HMFA") as most recently published by the United States Department of Housing and Urban Development (the "HUD"). In the event that HUD no longer publishes median family income figures for Seattle-Bellevue HMFA or King County, the director may estimate the applicable median income, in such manner as the director shall determine by rule adopted following a public comment opportunity.

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J. Affordable Housing in Mixed-Use Land Use Districts.

1. Applicability. This subsection shall apply to the construction of new multifamily, mixed-use, or non-residential structures when the multifamily or mixed-use structure contains 10 or more dwelling units or when the non-residential structure includes more than 4,000 square feet of gross floor area. This subsection shall not apply to building additions that increase the gross floor area by less than 50 percent.
 - a. An applicant proposing multifamily or mixed-use development, either fully or partially located within a Mixed-Use Land Use District, that is subject to the requirements of this subsection J shall comply with either the performance option under LUC 20.20.128.J.2 or the payment option under LUC 20.20.128.J.4.

Commented [A2]: 10/10/2024: Updated the purpose and this section to address the affordable housing requirements under Option A.

Option B offers a voluntary approach to affordable housing rather than a requirement and will not reference LUC 20.20.128. Instead, the voluntary approach for Option B will be covered in LUC 20.25R under the amenity incentive program section.

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b. An applicant proposing nonresidential development, either fully or partially located within a Mixed-Use Land Use District, that is subject to the requirements of this subsection J shall comply with either the performance option under LUC 20.20.128.J.3 or the payment option under LUC 20.20.128.J.4.

2. Performance Option - Residential. An applicant complying with this subsection J through the performance option in relation to proposed multifamily or mixed-use development shall provide affordable dwelling units onsite in an amount indicated below:

a. For rental dwelling units:

- i. At least 10 percent of all dwelling units shall be affordable to households earning up to 80 percent of the area median income; or
- ii. At least 7 percent of all dwelling units shall be affordable to households earning up to 60 percent of the area median income; or
- iii. At least five (5) percent of all dwelling units shall be affordable to households earning up to 50 percent of the area median income.

Commented [A3]: 10/10/2024: Set-aside percentage lowered from 15% to 10%.

Commented [A4]: 10/10/2024: Set-aside percentage lowered from 10% to 7%.

b. For dwelling units intended for sale:

- i. At least 10 percent of all dwelling units shall be affordable to households earning up to 100 percent of the area median income; or
- ii. At least 7 percent of all dwelling units shall be affordable to households earning up to 80 percent of the area median income; or
- iii. At least five (5) percent of all dwelling units shall be affordable to households earning up to 60 percent of the area median income.

Commented [A5]: 10/10/2024: Set-aside percentage lowered from 15% to 10%.

Commented [A6]: 10/10/2024: Set-aside percentage lowered from 10% to 7%.

3. Performance Option – Nonresidential. An applicant complying with this subsection J through the performance option in relation to proposed nonresidential development shall provide affordable dwelling units onsite in an amount indicated below:

a. For rental dwelling units:

- i. For every 1,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 80 percent of the area median income; or
- ii. For every 3,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 60 percent of the area median income; or
- iii. For every 5,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 50 percent of the area median income.

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b. For dwelling units intended for sale:

- i. For every 1,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 100 percent of the area median income; or
- ii. For every 3,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 80 percent of the area median income; or
- iii. For every 5,000 square feet of gross floor area, one dwelling unit shall be provided that is affordable to households earning up to 60 percent of the area median income.

4. In-Lieu Fee Option. An applicant complying with this subsection J through the payment option shall provide a cash payment to the City in lieu of on site performance. In-lieu fees shall be assessed and collected at building permit issuance. The payment amount shall be calculated by multiplying the per-square foot amount provided in Table 20.20.128.J.3 by the total square footage of new non-exempt gross floor area.

Commented [A7]: 10/10/2024: A fixed fee amount, adjusted annually for CPI changes, will be added. This is a placeholder for now, the dollar amount will be informed by the Nexus Study that is underway.

Table 20.20.128.J.3

Land Use District	Non-Residential Fee Per Square Foot of New Non-Exempt Floor Area	Multifamily and Mixed-Use Fee Per Square Foot of New Non-Exempt Floor Area
UC	(TBD, Nexus Study underway)	(TBD, Nexus Study underway)
MU-H		
MU-M		
MUR-M		

5. Modification of amount of payment or performance.

- a. The Director may modify the amount of payment required under LUC 20.20.128.J.4 or the amount of onsite performance required under either LUC 20.20.128.J.3 or LUC 20.20.128.J.2 if the applicant can demonstrate facts supporting a determination of severe economic impact at such a level that a property owner's constitutional rights may be at risk. Specifically, if the applicant shows that application of the requirements of LUC 20.20.128.J:
 - i. Create a severe economic impact by depriving a property owner of all economically beneficial use of the property; or
 - ii. Create severe economic impact, not reaching deprivation of all economically beneficial use, but reaching the level of an undue burden that should not be borne by the property owner.

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- b. In determining whether there is a severe economic impact reaching the level of an undue burden that should not be borne by the property owner, the Director may weigh the following nonexclusive factors:
 - i. The severity of the economic impact caused by the application of the requirements of LUC 20.20.128.J;
 - ii. The degree to which the requirements of LUC 20.20.128.J were or could have been anticipated;
 - iii. The extent to which alternative uses of the property or configurations of the proposed development would alleviate the need for the requested waiver or reduction;
 - iv. The extent to which any economic impact was due to decisions by the applicant and/or property owner; and
 - v. Other factors relevant to whether the burden should be borne by the property owner.
- c. The waiver or reduction may be approved only to the extent necessary to grant relief from the severe economic impact.
- d. A request to the Director for a modification according to this subsection J.4 shall include, at a minimum, all of the following:
 - i. A description of the requested waiver or reduction, including the proposed payment or performance amount;
 - ii. The identity of the property owner and the date of the owner's acquisition of the property;
 - iii. Documentation showing the use of the property at the time of the request or, if the property is vacant at that time, the use of the property prior to commencement of the vacancy;
 - iv. Documentation explaining and supporting the claim of economic impact; and
 - v. Documentation showing that a different development configuration would not alleviate the need for the requested waiver or reduction; and
 - vi. Any additional information that the Director may require by rule.
- e. None of the following, standing alone and without consideration of the full range of relevant factors shall be a sufficient basis for the Director to grant a waiver or reduction authorized according to this subsection:
 - i. The fact of a decrease in property value;
 - ii. The fact that a property owner is unable to utilize the full amount of any increase in residential development capacity enacted in connection with adoption of this section; or

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- iii. The fact that any such increase in residential development capacity did not leave the property owner in a better financial position than would have been the case with no increase in residential development capacity and no application of the requirements of LUC 20.20.128.J.
 - f. For the purposes of a modification under this subsection J.4, the Director is not making a determination of the constitutional rights of a property owner, but instead is reviewing the credibility and strength of facts demonstrating severe economic impact.
- 6. Refer to LUC 20.25R.050 for FAR exemptions and incentives applicable to affordable housing in Mixed-Use Land Use Districts.
- 7. If the applicant elects to comply with this section through a performance option, then, prior to the issuance of any permit(s), the Director shall review, and must approve, the proposed affordable dwelling units. The Director may approve the proposed affordable dwelling units only if they are consistent with the following standards and with affordable housing standards adopted by rule in accordance with LUC 20.20.128.A.1:
 - a. The affordable dwelling units shall be generally distributed throughout the residential portions of a development and, where market-rate dwelling units are provided, intermingled with market-rate dwelling units. The Director shall define by rule the terms “generally distributed” and “intermingled” for the purposes of this subsection.
 - b. If all market-rate dwelling units in the development are for rent, then all affordable dwelling units shall also be for rent.
 - c. If all market-rate dwelling units in the development are for sale, then all affordable dwelling units shall also be for sale.
 - d. If the market-rate dwelling units in the development are a mix of dwelling units that are for rent and for sale, then the affordable dwelling units shall be a proportionate mix of rental and for sale units.
 - e. If there are no market-rate dwelling units in the development, then the affordable dwelling units shall be either entirely for rent or entirely for sale.
 - f. The affordable dwelling units shall consist of a mix of number of bedrooms that is substantially proportional to the bedroom mix of market-rate dwelling units in the overall development. The Director shall define by rule the term “bedroom” for the purposes of this subsection.
 - g. The size of affordable dwelling units shall be consistent with the market-rate dwelling units in the same development, provided that affordable dwelling units are no smaller than 500 square feet for a studio unit, 600 square feet for a one bedroom unit, 800 square feet for a two bedroom unit, or 1,000 square feet for a three bedroom unit. However, the Director may authorize an affordable dwelling unit to be smaller where a proportional number of market-rate units of the same dwelling unit type are the same size or smaller and that affordable dwelling units still provide adequate space for typical household needs, such as sleeping, cooking, and personal hygiene.

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h. The materials, finishes, design, amenities, and appliances of affordable dwelling units shall have substantially the same functionality as, and be substantially comparable with, those of the other dwelling units in the development.

i. The affordable dwelling units shall remain affordable for the life of the project, which shall not be less than 50 years.

8. If the applicant elects to comply with this section through a performance option, then, prior to issuance of a certificate of occupancy for the development, the City and the property owner of the site on which the development will occur shall enter into an agreement, in a form approved by the City. Once fully executed, the agreement shall be recorded, at the applicant's expense, on the title of the property on which the development is located.

a. The agreement shall run with the land and be binding on the assigns, heirs, and successors of the owner of the property.

b. If affordable dwelling units are later converted from being for rent to for sale, or for sale to for rent, then such dwelling units shall remain affordable to households at the same percentage area median income as required under the Director's original approval.

c. The affordable dwelling units shall remain affordable to households at the same percentage area median income as required under the Director's original approval for the life of the project.

9. If the applicant elects to comply with this section through the payment option, then the Director is authorized to accept such payment from the applicant. Funds shall be deposited in a special account and may be used by the City for the purposes authorized by RCW 36.70A.540.

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20.20.350 Essential public facility (EPF).

A. Applicability. This section applies to each essential public facility (EPF) within the City except where a specific use is otherwise identified and regulated ~~in the use charts~~ in LUC 20.10.440 through 445 and Chapter 20.25 LUC. The requirements of this section shall be imposed at the establishment of any such EPF use, and upon any addition or modification to any such EPF use or structure housing that use. Any EPF specifically identified and regulated in ~~the use charts in~~ LUC 20.10.440 through 445 and Chapter 20.25 LUC shall be subject to the permitting procedures and requirements for that use, and shall not be subject to this section.

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20.20.420 Green building.

A. Applicability. The provisions of this section apply to green building components of amenity incentive programs in Mixed-Use Land Use Districts.

Commented [A8]: 10/10/2024: Baseline green building requirement removed.

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B. Administrative rule. The varying nature of sustainable development strategies and the frequency of innovation in sustainability require flexibility in rulemaking and opportunities for periodic updates. Thus, green building requirements and incentives shall be established by the Director by rule adopted in accordance with LUC 20.40.100. The rule shall address the following:

1. The Director shall establish a tiered list of green building certification programs.
 - a. Tiers may be used to achieve bonus points in the Amenity Incentive System for Mixed Use Land Use Districts as provided in LUC 20.25R.050.
 - b. When establishing tiers and selecting green building certification programs, the Director shall consider the following:
 - i. What percentage of applicants will be able to achieve the green building certification program at the specified tier.
 - ii. The impact of the green building certification program on achieving the City's sustainability goals, including those specified in the City's Environmental Stewardship Plan and the City's Comprehensive Plan.
2. For any tier, the Director may establish additional requirements beyond meeting program certification that can further advance the City's sustainability goals.

C. Where incentives are provided for green building certification, a performance bond shall be provided to the City by the developer to ensure certification of the project.

1. The value of the performance bond shall be 10% of the value of the gross floor area of the project.
2. In the event the project does not achieve the planned rating within 18 months of project completion, the bonded fund shall be used for environmental improvements identified by the City.
3. The performance bond shall be in a form approved by the City.

20.20.525 Mechanical Equipment.

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C. Implementation

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8. Allowable projections above maximum height. In all Land Use Districts with height limits of 100 feet and above, including all Mixed Use, BelRed, and Eastgate Land Use Districts, buildings may exceed the maximum height as follows:

- a. Mechanical equipment and related appurtenances may project an additional 30 feet above the maximum height applicable to the development, provided the additional

Commented [A9]: 10/10/2024: Proposed increases to allowable projections for mechanical screening. This adjustment would apply to the Mixed-Use Land Use Districts, BelRed, and Eastgate Land Use Districts where height allowances exceed 100 feet.

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height above the maximum is uninhabitable space and only includes improvements or structures required to access, service, or screen the mechanical equipment, and

b. Buildings containing medical and life science laboratory uses may exceed the maximum building height up to 45 feet to accommodate mechanical equipment.

c. Renewable electricity-generating equipment such as photovoltaic panels located on the top of buildings are exempt from the maximum height requirement.

20.20.537 Micro-Apartments.

A. Applicability and Relationship to Other Regulations. Where noted in the general Land Use Charts in LUC 20.10.440 through 445 and Use Charts for Downtown in LUC 20.25A.050.D, BelRed in LUC 20.25D.070, Eastgate Transit Oriented Development in LUC 20.25P.050 and East Main in LUC 20.25Q.050.D, and when located within the following areas:

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B. Standards. The following standards apply to micro-apartments:

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2. Parking shall be provided at a ratio of one-quarter parking space per micro-apartment. Micro-apartments meeting the definition of Affordable Housing in LUC 20.50.010 and those located in Mixed-Use Land Use Districts shall have no parking minimum.

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20.20.540 Multifamily play areas.

A. New multifamily developments of 10 units or more shall be required, as a condition of Building Permit approval, to provide a minimum of 800 square feet of unpaved, usable open space with lawn or other soft surface for an outdoor children’s play area, plus an additional 50 square feet of usable open space for each additional unit beyond the initial 10 units, up to a maximum of 10,000 square feet, except that this requirement does not apply to multifamily development downtown or to developments devoted exclusively to senior citizen dwellings as defined at LUC 20.50.046. This requirement does not apply to:

1. Multifamily development in Downtown or Mixed Use Land Use Districts as defined in LUC 20.10.398;

2. Multifamily development devoted exclusively to senior citizen dwellings as defined in LUC 20.50.046; or

3. Micro-apartments.

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20.20.590 Parking, circulation, and walkway requirements.

Commented [A10]: 10/10/2024: Updated for clarity. Play areas still not proposed as a requirement for Wilburton.

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B. Applicability.

1. Number of Parking Stalls. The requirements of this section for the number of parking stalls apply to each new use and to each new tenant, except as provided in LUC 20.20.560.C for changes to a nonconforming use. [The minimum number of parking spaces required under subsection F of this subsection do not apply in Mixed-Use Land Use Districts as defined in LUC 20.10.398.](#) See Part 20.25A LUC for the number of required parking stalls in Downtown Districts.

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F. Minimum/Maximum Parking Requirement by Use.

1. Specified Uses. Subject to subsections G, H, and L of this section, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

	Use	Minimum Number of Parking Spaces Required (4)	Maximum Number of Parking Spaces Allowed
...			

Notes: Minimum/Maximum Parking by Use:

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[\(4\) Not applicable in Mixed-Use Land Use Districts as defined in LUC 20.10.398.](#)

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20.20.725 Recycling and solid waste collection areas.

A. Collection Areas. All new development for multifamily housing exceeding four units, commercial, office, and manufacturing uses shall provide on-site collection areas for recyclable materials and solid waste, as those terms are used in Chapter 9.26 BCC, as follows:

- A1.** The recycling and solid waste collection areas shall be accessible to residents and/or workers of the proposed development;
- B2.** There shall be at least one solid waste collection area provided in each development;
- C3.** There shall be one recycling collection area per 30 dwelling units in multifamily complexes;

Commented [A11]: 10/10/2024: Option A includes no minimum parking requirement. Option B reduces general parking requirement by 50% rather than maintaining no minimum parking.

Commented [A12]: 10/10/2024: Proposed update to differentiate between collection areas and staging areas, and to permit both permanent and temporary staging areas outside of buildings. This change would apply anywhere that LUC 20.20.725 is applicable.

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~~D4.~~ The recycling collection area shall be at least:

~~4a.~~ One and one-half square feet per dwelling unit in multifamily developments exceeding four units,

~~2b.~~ Two square feet per 1,000 gross square feet in office developments,

~~3c.~~ Five square feet per 1,000 gross square feet in retail development,

~~d4.~~ Three square feet per 1,000 gross square feet in wholesale, warehouse and manufacturing development,

~~5e.~~ The Director of the Development Services Department shall establish the square footage requirement for all unspecified uses.;

~~5E.~~ If feasible, the recycling collection area shall be located adjacent to or near the solid waste collection areas; and

~~6F.~~ Each recycling and solid waste collection area shall be visually screened in accordance with the requirements of LUC 20.20.525 for mechanical equipment screening.

B. Permanent Staging Areas. Staging areas for the pick-up of recyclable materials and solid waste may be located inside a building or in a weather-protected enclosure that meets the following requirements:

1. Service vehicle access to staging areas shall only be provided from Flexible Access or other private vehicular access; and

2. Staging areas shall be located such that no refuse bins or receptacles need to be maneuvered or stored long-term on publicly accessible sidewalks, and so that service vehicles do not need to reverse over sidewalks.

C. Temporary Staging Areas. Recyclable materials and solid waste may be staged temporarily for pick-up outside the building subject to the following requirements:

1. Refuse bins or receptacles may be located outside the building up to one hour before and one hour after scheduled service pick-up; and

2. The temporary staging area location must be approved by the Director and pick-up service provider. Temporary staging may be located on publicly-accessible sidewalks or on public or private roadways under the following circumstances:

a. Bins or receptacles shall not be located within the pedestrian clear zone; and

b. Bins or receptacles shall not impede or block fire access; vehicular access or parking; or bicycle and pedestrian access and mobility.

...

20.20.740 Schools.

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A. Public and private schools are permitted as indicated ~~by the charts~~ in LUC 20.10.440 ~~through 445~~ and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, "Education: Primary and Secondary," provided the following standards are met:

...

20.20.820 Solid Waste Disposal

...

B. **Decision Criteria.** In addition to the decision criteria applicable to any permit required to construct or modify a solid waste disposal facility pursuant to ~~general use charts contained in~~ LUC 20.10.440 ~~through 445~~ and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, the City may approve, or approve with modifications, a proposal to construct or modify a solid waste disposal facility, provided the following standards are met:

...

20.20.900 Tree retention and replacement.

...

B. Applicability

...

5. Exceptions

...

c. The portions of this section which require ~~retention of Significant Trees or planting new trees~~ achieving minimum tree density, including subsection E, are not applicable in any Downtown Land Use District, ~~or in the East Main Transit Oriented Development Land Use District,~~ or Mixed-Use Land Use Districts as defined in LUC 20.10.398.

...

Part 20.25R Mixed-Use Land Use Districts

20.25R.010 General.

20.25R.020 Access and connectivity.

20.25R.030 Site organization and public realm.

20.25R.040 Building design.

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20.25R.050 Amenity incentive system.

20.25R.010 General.

A. Purpose. The purpose of this part is to promote excellence in design quality, and innovation, while enhancing the identity of the Mixed-Use Land Use Districts, without prescribing a specific architectural style, aesthetic, or theme.

Commented [A13]: 10/10/2024: Purpose statement updated for clarity.

B. Applicability.

1. The provisions of this chapter shall apply to all development activities in Mixed-Use Land Use Districts as described in LUC 20.10.398.
2. Except to the extent expressly provided in this Part 20.25R LUC and as referenced in this section LUC 20.25R.010, the provisions of the Land Use Code and all other applicable provisions of the Bellevue City Code shall apply.

C. Relationship to other regulations.

1. Refer to LUC 20.10.445 for land uses permitted in the Mixed-Use Land Use Districts.
2. Refer to LUC 20.20.010.B for applicable development standards for the Mixed-Use Land Use Districts.
3. Where conflicts exist between the regulations herein and those for the Shoreline Overlay District (Part 20.25E LUC) and Critical Areas Overlay District (Part 20.25H LUC), the shoreline and critical areas provisions shall take precedence.

4. Land Use Code Sections Not Applicable to Mixed-Use Land Use Districts as defined in LUC 20.10.398. The following sections of the Land Use Code, BCC Title 20, now or as hereafter amended, do not apply to Mixed-Use Land Use Districts as defined in LUC 20.10.398. Unless specifically listed below, all other sections apply.

Commented [A14]: 10/10/2024: Subsection added to clarify inapplicable sections.

- a. LUC 20.10.440;
- b. LUC 20.20.012 through 20.20.025;
- c. LUC 20.20.060 and 20.20.070;
- d. LUC 20.20.125;
- e. LUC 20.20.135 and 20.20.140;
- f. LUC 20.20.190 and 20.20.192;
- g. LUC 20.20.250;
- h. LUC 20.20.400;
- i. LUC 20.20.700 and 20.20.720;
- j. LUC 20.20.750 through 20.20.800; and

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k. LUC 20.20.890 and 20.20.900.

D. Review required.

1. Effect of approval. Approval of the Master Development Plan and/or the Design Review shall constitute the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for in this Part 20.25R LUC.

2. Master Development Plan.

a. Scope of approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building are consistent with the Comprehensive Plan and meet all applicable development standards and guidelines. Design, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection C.2.b of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following Development requirements, standards, and guidelines:

i. Dimensional requirements pursuant to LUC 20.20.010.B and as listed below:

ii. Building height for each building identified in subsection C.2.a of this section;

iii. Floor Area Ratio for each building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25R.050;

iv. Open space required in LUC 20.25R.030.C;

v. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right-of-Way as required pursuant to LUC 20.20.590;

vi. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25R.020; and

vii. Areas identified to accommodate landscape development pursuant to LUC 20.25R.030.

b. When required. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.

3. Design review.

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- a. Scope of approval. Design Review is a mechanism by which the City shall ensure that the design, architecture, amenity, and site development components of a proposal are consistent with the Comprehensive Plan and any approved Master Development Plan, and to ensure compliance with all applicable standards and guidelines contained in City Codes including the terms of any departure granted pursuant to subsection D of this section.
- b. When required. A Design Review is required for all projects in Mixed-Use Land Use Districts. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.
- c. Compliance with an applicable Master Development Plan or Departure. In addition to the decision criteria in LUC 20.30F.145, each structure and all proposed development shall comply with any approved Master Development Plan applicable to the project limit described in a Design Review application. If the application for Design Review contains elements inconsistent with an applicable Master Development Plan, the Director shall not approve the Design Review unless the Master Development Plan is amended to include those elements.

4. Departures.

- a. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Wilburton-NE 8th Street Subarea Plan.
- b. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25R.020 through 20.25R.040 or other sections of the Land Use Code that provide for departures, with the exception of numeric standards for the following:
 - i. Affordable Housing;
 - ii. Sidewalk width; and
 - iii. Flexible Access Corridor, Local Street, Active Transportation Access Corridor, and Pedestrian Corridor Width.
- c. Decision criteria. The Director may approve, or approve with conditions, requests for Administrative Departures from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria are met:
 - i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of this Code; and

Commented [A15]: 10/10/2024: Clarifying non-departable numeric standards in sections 20.25R.030 and 20.25R.040.

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- ii. The resulting design will be more consistent with the purpose and intent of the Land Use Code standard that is not adequately accommodated by strict application of the Code; and
 - iii. Proposed modifications to numeric standards are the minimum reasonably necessary to achieve the intent of strict application of the Land Use Code; and
 - iv. Any Administrative Departure criteria required by the specific terms of this Code have been met.
- d. Limitation on authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.

5. Development agreements.

- a. Purpose. For the purposes of this subsection 5, a development agreement is a mechanism by which the City may, when appropriate, enter into an agreement with a developer to modify requirements, standards, criteria, and guidelines contained in LUC 20.20.010, LUC 20.20.128, and Part 20.25R LUC that apply to Development and activity within the Mixed-Use Land Use Districts. The Development agreement balances the public and private interests, providing reasonable certainty for a development project and the public, and addressing other matters, including advancing the vision, goals, and policies of the Comprehensive Plan, constructing the Grand Connection, and other public benefits.
- b. Applicability. This subsection 5 only applies to development agreements authorized pursuant to RCW 36.70B.170 through 36.70B.210, between the City of Bellevue and any person having ownership or control of real property located entirely within a Mixed-Use Land Use District that is immediately adjacent to and touching any section of the Grand Connection.
- c. Discretion. The City is authorized, but not required, to accept, review, and approve a proposed Development agreement under this subsection 5. This process is voluntary on the part of both the applicant and the City. The decision to approve a development agreement is discretionary with the Bellevue City Council.
- d. Development Standards. Development agreements must set forth the Development standards and other provisions that shall apply to, govern, and vest the Development, use, and public benefits of the Development of the real property within the Mixed-Use Land Use Districts for the duration specified in the agreement.
- e. Limitations on Modification. Except where explicitly identified below, a development agreement approved under this subsection may only modify the requirements contained in LUC 20.20.010, LUC 20.20.128, or Part 20.25R LUC as such requirements may apply to the development in question. The following shall not be modified through a Development agreement approved under this subsection:
 - i. The maximum Building Height shall not be modified to exceed 450 feet for any Building;

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ii. Any other provision of the Land Use Code, including those related to vesting and expiration of vested status of Land Use permits and approvals; and

iii. Any provision of the Bellevue City Code, including those related to the payment of impact fees.

f. Development Agreement Submittal Requirements.

i. A proposal for a Development agreement shall be accompanied by a complete application for the required Land Use entitlement application, Master Development Plan, Part 20.30V LUC, or Design Review, Part 20.30F LUC;

ii. All proposed modifications to requirements, standards, or guidelines in Chapter 20.20 LUC and Part 20.25R LUC shall be described, including identification of the requirement, standard, or guideline requested to be modified;

iii. The additional or alternative public benefits shall be described and compared to the baseline public benefits that would be provided without the Development agreement; and

iv. Any other such information that may be reasonably required by the Director to review the Development agreement.

g. Review process.

i. An applicant may apply to negotiate and enter into a Development agreement for a project in a Mixed-Use Land Use District. Such request shall include the submittal requirements in subsection 5.f of this section.

ii. Upon receipt of a complete application of a Development agreement, the Director shall schedule presentation of the application to the City Council. The City Council shall consider the application and may authorize the Director to initiate negotiation of the Development agreement. If initiated, the City Council may provide direction to guide the negotiation.

iii. Notice of the Development agreement application shall be provided with the notice for the corresponding Master Development Plan or Design Review pursuant to LUC 20.35.210.

iv. The Director shall negotiate the Development agreement with the applicant using guidance and direction from the City Council, if provided. The Director may schedule additional study sessions with the City Council for further guidance and direction. The Development agreement shall be presented to the City Council for consideration at the public hearing.

v. Public Hearing. The City Council shall hold a public hearing on the proposed Development agreement prior to taking action. Notice of availability of the proposed Development agreement, SEPA determination, and public hearing shall be provided pursuant to LUC 20.35.420.

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vi. City Council Action. Following the public hearing, the City Council shall consider and may approve the proposed Development agreement. Any approval of the City Council of a Development agreement is the final decision of the City and shall be by resolution or ordinance.

vii. Recording Required. After City Council approval and mutual execution, the applicant shall record the Development agreement with the King County Recorder's Office (or its successor agency) and provide a copy of the recorded agreement to the Director.

h. Framework for City Review of Development Agreement.

i. The City Council has discretion to approve, or not approve, the proposed Development agreement;

ii. The Development agreement shall comply with all applicable requirements of the Land Use Code, except as may be modified in accordance with this subsection;

iii. The Development agreement shall comply with all applicable requirements of the Bellevue City Code;

iv. The Development agreement shall be consistent with the vision, goals, and policies of the Comprehensive Plan;

v. The Development agreement shall meet the purpose in subsection 5.a of this subsection 5; and

vi. The Development agreement shall result in a Development that includes public benefits beyond what would be provided without the Development agreement.

i. Modification of development agreements.

i. Minor Modification. The Director may approve a minor modification to a previously approved Development agreement when:

(1) The change will not result in a reduction to the amount of public benefits required by the Development agreement;

(2) The change will not result in increasing the Gross Floor Area of the project as approved by the Development agreement;

(3) The change will not result in any Structure, vehicular circulation, or parking area which will adversely affect abutting property or Public Right-of-Way;

(4) The modification is exempt from SEPA review;

(5) The modification is within the general scope of the purpose and intent of the original Development agreement; and

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(6) The modification complies with all other applicable Land Use Code requirements and all other applicable Development standards and is compatible with all other applicable design criteria.

ii. Major Modification. Any modification that does not meet all of the requirements for a minor modification shall constitute a major modification. All major modifications shall require a termination of the original Development agreement and negotiation and approval of a new Development agreement following the procedures set forth in this subsection 5.

6. Procedural merger. Within a Mixed Use Land Use District, any administrative decision required by this Part 20.25R LUC or by this Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:

a. Master Development Plan, Part 20.30V LUC;

b. Administrative Conditional Use Permit, Part 20.30E LUC;

c. Design Review, Part 20.30F LUC;

d. Variance, Part 20.30G LUC; and

e. Critical Areas Land Use Permit, Part 20.30P LUC.

20.25R.020 Access and connectivity.

A. Purpose. Enhance walkability, active transportation options and transit-oriented design by prioritizing pedestrian-friendly infrastructure, a comprehensive bicycle network, a connected network of sidewalks, plazas, parks and open spaces, and effective traffic management. The aim is to enable accessible and sustainable movement throughout the Mixed-Use Districts by the creation of efficient, safe, and well-connected mobility systems for all modes.

B. Access, blocks, and circulation.

1. Intent. Encourage walkable, compact mixed-use development that prioritizes a safe, vibrant, and comfortable pedestrian experience while accommodating site-specific access needs. Ensure that development is well-connected to the transit, pedestrian, bicycle, and vehicular circulation systems of the city.

2. Blocks.

a. A block shall be bordered on all sides by any of the following:

i. Public street rights-of-way;

ii. Flexible access corridor;

iii. Active transportation access corridor;

iv. Pedestrian corridor;

Commented [A16]: 10/10/2024: Pedestrian corridor has been added to the list of options that can “frame” a block.

v. Eastrail corridor; or

vi. Grand Connection.

b. Block dimensions.

i. The perimeter of a block shall be no more than 1,200 feet in length. This requirement shall not apply to sites less than 100,000 square feet in area.

(1) For sites with multiple blocks, this standard may be averaged, provided that a through-block connection shall be provided within blocks with perimeters larger than 1,200 feet.

ii. The north-south dimension of a block shall be no more than 350 feet in length.

iii. All block dimensions described in this section shall be measured from the back of the sidewalk for public rights-of-way and access corridors. For the Eastrail corridor and Grand Connection, the dimension shall be measured from the property line between the site and the corridor.

iv. The requirements of this subsection B.2.b shall not apply to sites between Interstate 405 and west of 116th Avenue NE, except that vehicular access onto these sites shall be provided from a flexible or active transportation access corridor.

3. Access and circulation design.

a. Access and streets required under this Chapter 20.25R.020 LUC shall be designed in accordance with requirements in the Transportation Design Manual and all applicable appendices.

b. All sidewalks shall be a minimum paved width of 10 feet.

c. Buildings may project over an access corridor, provided:

i. Building cantilevers may project up to 6 feet over the width of a sidewalk;

ii. Pedestrian connections between buildings may be constructed over access corridors up to 30 feet in width and with a minimum clear height of 13.5 feet above the access corridor.

iii. Buildings may be connected across an access corridor up to 75 feet in width and with a minimum clear height of 20 feet above the corridor.

d. Flexible access corridor.

i. Required width. The required width of a flexible access corridor is 51 feet.

ii. Hours. The flexible access corridor shall be open at all times.

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iii. Legal Agreement. Owners of property that are required to provide a flexible access corridor to meet the required block dimensions or as part of the Design Review process shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.

e. Active transportation access corridor

i. Required width. The required width of an active transportation access corridor is 30 feet.

ii. Hours. The active transportation access corridor shall be open at all times.

iii. Legal Agreement. Owners of property that are required to provide an active transportation access corridor to meet the required block dimensions or as part of the Design Review process shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.

f. Pedestrian corridor.

i. Required width. The required width of a pedestrian corridor is 14 feet.

ii. Hours. The pedestrian corridor shall be open at all times.

iii. Legal Agreement. Owners of property that are required to provide a pedestrian corridor to meet the required block dimensions or as part of the Design Review process shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.

iv. Signage. Directional signage shall identify circulation routes for all users and be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.

v. Design.

(1) Incorporate design elements of the adjacent right-of-way, such as paving, lighting, landscaping, and signage to identify the pedestrian corridor as a public space;

(2) Provide access that complies with the Americans with Disabilities Act;

(3) Provide lighting that is appropriately scaled for its public users, compatible with the landscape design, and improves safety; and

(4) Be visible from surrounding spaces and uses. Provide windows, doorways, and other devices on the pedestrian and bicycle route to ensure that the connection is used, feels safe, and is not isolated from view.

C. Location-specific access and design.

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1. Intent. Ensure new circulation systems needed for access to new development are coordinated with major civic infrastructure and meet the needs for essential pedestrian, bicycle, multi-modal and vehicular circulation within a development.

2. Required public streets. Figure 20.25R.020.B.1 describes the required public street right-of-way and associated improvements in the Wilburton/N.E. 8th Street Subarea. Refer to the Transportation Design Manual for design requirements specific to these required public street rights-of-way.
 - a. Required width. The required width of a public street shown in Figure 20.25R.020.B.1 is 67 feet, comprised of the following design components:
 - (1) 20-foot vehicle area
 - (2) Two (2) eight (8)-foot parking lanes
 - (3) Two (2) six (6)-inch curbs
 - (4) Two (2) five (5)-foot amenity zones; and
 - (5) Two (2) ten (10)-foot through zones.

 - b. Where a public street is located at the edge of a project limit, half-street improvements shall be required, with the centerline of the street located at the property line.

Figure 20.25R.020.B.1

Required Public Street Rights-of-Way in Wilburton Subarea

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3. Eastrail access.

a. Non-motorized access. On sites adjacent to the Eastrail Corridor, non-motorized access shall be provided for every 350 feet of frontage along the corridor.

i. Non-motorized access may be provided from adjacent streets or access corridors or may be provided directly into buildings or onto podiums.

b. Emergency vehicle access shall be provided as follows:

i. From the east of Eastrail Corridor between NE 4th Street and NE 8th Street, no closer than 400 feet from the intersection of Eastrail and either NE 4th Street and NE 8th Street.

ii. From the west of Eastrail Corridor and within 500 and 1,200 feet north of NE 8th Street.

c. No new general-purpose vehicle lanes may cross the Eastrail corridor between SE 5th Street and NE 12th Street.

4. Grand Connection access. 24-hour public access shall be provided onto elevated segments of the Grand Connection via direct access from adjacent buildings or other vertical circulation.

20.25R.030 Site organization and public realm.

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A. Purpose. Develop the Mixed-Use Districts as attractive, engaging, safe and accessible with a distinct identity achieved through thoughtful site design and landscaping, inclusion of public spaces, and public art; contribute to an inclusive and inviting urban fabric by providing publicly accessible programmed open spaces and include recreational and environmental amenities, and places to gather; and create accessible and landscaped public spaces throughout the Mixed-Use Districts, emphasizing interconnected green spaces and trails, and sustainable design features.

B. Active Uses.

1. Intent. Promote building designs that engage pedestrians, provide protection from the elements, and enhance public safety and the urban experience. Encourage active uses and elements of visual interest at the ground level.
2. Calculation of space required. The total amount of active use spaces on a site shall be calculated as follows:
 - a. Add the total length of building facades (measured from the outer face of the building) fronting the following:
 - i. Flexible access corridors;
 - ii. Public street rights-of-way described in LUC 20.25R.020.B.1;
 - iii. Pedestrian corridor;
 - iv. Eastrail corridor; and
 - iv. Grand Connection.
 - b. At least 50% of the total façade length calculated in subsection B.2.a of this section shall contain active uses.
3. Location. The total length of building façade containing active uses calculated in subsection B.2 of this section may be distributed on at least two of the frontages identified below throughout the project site at the applicant's discretion.
 - a. Where the provisions of this Chapter 20.25R LUC require active uses in specific locations, those spaces shall count towards the minimum required under this subsection B.

C. Open space.

1. Intent. Provide a variety of inviting and accessible public open spaces for gathering, respite, access to nature, and recreation.
2. All development shall provide at least 10 percent of the site area as publicly accessible open space, up to a maximum requirement of one (1) acre of open space area. The following exceptions apply:
 - a. This requirement shall not apply to small sites.

Commented [A17]: 10/10/2024: Open space size requirement was reduced from 15% to 10% with added flexibility to reduce further when “green” elements, such as bioswales, are incorporated into the overall site design and/or when a plaza is provided adjacent to Eastrail. Open space site area, used to determine the minimum 10% requirement, excludes critical areas and buffers, required circulation areas, and private children play areas. A small site exception has been provided, similar to Downtown, for lots less than 40,000 square feet.

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- b. Required general-purpose and parking areas, dedicated emergency vehicular access, critical areas and buffers, and traffic circulation areas may be deducted from the site area for the purpose of calculating required open space.
 - c. Outdoor children's play areas used exclusively by childcare services uses may be counted toward required open space without providing public access.
 - d. 50 percent of the required open space may be provided on rooftops or other non-ground floor portions of buildings. There is no limit to the share of required open space which may be provided on rooftops or other non-ground floor portions of buildings when the open space has a direct connection to Eastrail.
 - e. No less than 20 percent of the required open space shall be provided as landscaping or other planted space, including but not limited to bioswales, planter boxes, and community gardens. Areas containing bioswales may be deducted from the site area for the purpose of calculating required open space.
3. Outdoor plazas as open space. Plazas are publicly accessible, continuous open space designed to relate to the surrounding urban context. Outdoor plazas prioritize pedestrian use and serve as opportunities to activate Wilburton for residents and users. Outdoor plazas contribute toward the open space requirement subject to the requirements below and in LUC 20.25R.030.
- a. Outdoor plaza areas shall be at least 3,000 square feet in size shall include at least four (4) of the following features:
 - i. Fixed seating such as benches, with at least one (1) linear foot of seating area per 30 square feet of paved area within the open space;
 - ii. Multifamily play areas as described in LUC 20.20.540;
 - iii. Performance spaces;
 - iv. Tables and movable seating, with at least one (1) table per 75 square feet of paved area and at least two (2) seats per table;
 - v. Vendor spaces, such as kiosks or spaces for food trucks;
 - vi. Water features;
 - vii. Weather protection and shade structures; or
 - viii. Other elements that enhance the public realm as approved by the Director.
 - b. At least 50% of the outdoor plaza shall be open from above. Increased coverage may be granted by the Director when the covering accommodates increased vertical clearance above the outdoor plaza.

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4. Access corridors as open space. Portions of active transportation, flexible access, and pedestrian corridors may contribute to the open space requirement, subject to the following requirements:
 - a. No general-purpose or dedicated emergency vehicular access or circulation area may qualify as open space;
 - b. All sidewalks within the area must be at least 10 feet wide and may contain street furniture such as seating and public art, provided a clear path of at least 6 feet is maintained;
 - c. All landscape areas adjacent to vehicular access and circulation areas shall be at least 10 feet in width, measured from the back of the curb; and
 - d. An outdoor plaza of at least 3,000 square feet in area shall be provided adjacent to the access corridor and meeting the following requirements:
 - i. Portions of a plaza shall abut and be within 30 inches in elevation of a perimeter sidewalk, Eastrail, Grand Connection, access corridor or pedestrian connection so as to be visually and physically connected;
 - i. The plaza shall be paved with different materials than those used in adjacent sidewalks; and
 - ii. The plaza shall be bordered by active use spaces for at least 50 percent of its perimeter.
5. Eastrail Connection. Plaza areas may be deducted from the site area for the purposes of calculating required open space when abutting Eastrail. Additional deductions may also be approved by the Director for facilities constructed on King County right-of-way that connect the plaza area to Eastrail.
6. Park dedication. Dedication of land for park purposes may satisfy open space requirements based on the following criteria:
 - a. The need for such property in the location proposed shall be consistent with City-adopted policies and plans.
 - b. The minimum size of a donated park parcel is 4,000 square feet.
 - c. Donated park parcels shall be located within the Wilburton TOD area, but need not be contiguous with the site for which development is proposed.
7. Hours and legal agreement. Open space shall be publicly accessible at all times of the day with an easement for public right of pedestrian use in a form approved by the City recorded on title. For open space located above the ground level and on rooftops, the space must be open at a minimum from 8:00 a.m. to 10:00 p.m., or during the building's operating hours, whichever is shorter.
8. Landscaping.

Commented [A18]: 10/10/2024: An allowance for off-site park dedication to satisfy the open space requirement has been provided.

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- a. The provisions of LUC 20.20.520, except as they conflict with this section, apply to development in Mixed-Use Land Use Districts.
- b. Landscape buffers shall be provided along the site perimeter and adjacent to parking and circulation areas as follows:
 - i. Where surface parking is adjacent to a public right-of-way or access corridor, a landscape buffer of at least eight (8) feet in width shall be provided.
 - ii. Where surface parking is adjacent to the rear or side yard of a lot, a landscape buffer of at least five (5) feet in width shall be provided.
 - iii. All landscape buffers required under this subsection shall be Type III landscaping as described in LUC 20.20.520.
- c. Plantings in landscape area shall be installed as follows:
 - i. Deciduous and evergreen trees shall be planted in natural groupings, with a minimum average of (one) 1 tree every 20 lineal feet of landscape area.
 - (1) Deciduous trees shall have a minimum caliper of two (2) inches measured 4.5 feet above the soil surface.
 - (2) Evergreen trees shall be minimum height of 6 feet.
 - ii. Small and medium shrubs, planted in groupings, shall provide coverage that equals 75% of the planting area within three years of planting.
 - iii. Groundcover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90% coverage within three years of planting.
- d. Alternative landscaping design may be approved by the Director as provided in LUC 20.20.520.J.

D. Green and sustainability factor.

- 1. Intent. Create a healthy community with a low-carbon impact by enhancing ecological performance, embracing clean energy solutions and building resilient infrastructure to combat climate change. Promote green building materials and practices, renewable energy integration, climate resilient design, and the preservation and enhancement of natural habitats and local ecology to reduce environmental impacts and improve the quality of life for the community.
- 2. All new development shall provide landscaping and other elements that meet a minimum Green and Sustainability Factor score. All required landscaping shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth of soil, and the use of drought-tolerant plants. The Green and Sustainability Factor score shall be calculated as follows:

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- a. Identify all proposed elements in the development as described in Table 20.25R.030.D.2.e.
- b. Multiply the square feet, or equivalent unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Table 20.25R.030.D.2.e according to the following provisions:
 - i. If multiple elements listed in Table 20.25R.030.D.2.e occupy the same physical area, they may all be counted. For example, groundcover and trees occupying the same physical space may be counted under the ground cover element and the tree element.
 - ii. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted.
 - iii. Elements listed in Table 20.25R.030.D.2.e that are provided to satisfy any other requirements of Part 20.25R LUC may be counted.
 - iv. Unless otherwise noted, elements shall be measured in square feet.
 - v. For trees, large shrubs and large perennials, use the equivalent square footage of each tree or shrub provided in Table 20.25R.030.D.2.e. Tree sizing shall be determined by the Green and Sustainability Factor Tree List maintained by the Director in the Development Services Department. If a tree species is not included on the list, the Director shall determine the size of the proposed tree species.
 - vi. For green wall systems, use the square footage of the portion of the wall that will be covered by vegetation at three years. Green wall systems shall include year-round irrigation and a submitted maintenance plan shall be included as an element in the calculation for a project's Green and Sustainability Factor Score.
 - vii. All vegetated structures, including fences counted as vegetated walls shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage. Vegetated walls shall include year-round irrigation and a submitted maintenance plan shall be included as an element in the calculation for a project's Green and Sustainability Factor Score.
 - viii. For all elements other than trees, large shrubs, large perennials, green walls, structural soil systems and soil cell system volume; square footage is determined by the area of the portion of the horizontal plane that lies over or under the element.
 - ix. All permeable paving and structural soil credits may not count for more than one-third of a project's Green and Sustainability Factor Score.
- c. Add together all the products calculated in Table 20.25R.030.D.2.e to determine the Green and Sustainability Factor numerator.

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d. Divide the Green and Sustainability Factor numerator by the site area to determine the Green and Sustainability Factor score. Required general-purpose and parking areas, dedicated emergency vehicular access, critical areas and buffers, and traffic circulation areas may be deducted from the site area for the purpose of calculating the Green and Sustainability Factor. A development shall achieve a minimum score of 0.3. Development on small sites shall achieve a minimum score of 0.25.

e. The Director has the final authority in determining the accuracy of the calculation of the Green and Sustainability Factor score.

Commented [A19]: 10/10/2024: Reduced minimum for small sites, consistent with Downtown approach.

Table 20.25R.030.D.2.e

<u>A. Landscape Elements</u>		<u>Multiplier</u>
	<u>1. Bioretention Facilities and Soil Cells. Bioretention facilities and soil cells shall comply with Bellevue’s Storm and Surface Water Engineering Standards. Bioretention facilities shall be calculated in horizontal square feet. The soil cell systems shall be calculated in cubic feet. The volume of the facility shall be calculated using three feet of depth or the depth of the facility, whichever is less.</u>	<u>1.2</u>
	<u>2. Structural Soil Systems. The volume of structural soil systems can be calculated up to three feet in depth. The volume of structural soil systems shall be calculated in cubic feet. The volume of the facility shall be calculated using three feet of depth or the depth of the facility, whichever is less.</u>	<u>0.2</u>
	<u>3. Landscaped Areas with Soil Depth Less than Twenty-Four (24) Inches.</u>	<u>0.1</u>
	<u>4. Landscaped Areas with Soil Depth of Twenty-Four (24) Inches or More.</u>	<u>0.6</u>
	<u>5. Preservation of Existing Trees. Existing trees – proposed for preservation shall be calculated at twenty (20) square feet per inch d.b.h. Trees shall have a minimum diameter of six inches at d.b.h. Existing street trees proposed for preservation shall be approved by the Director.</u>	<u>1.2</u>

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	6. Preservation of Existing Evergreen Trees Bonus. Existing evergreen trees proposed for this bonus shall be calculated at twenty (20) square feet per inch d.b.h. and shall have a minimum diameter of six inches at d.b.h.	0.1
	7. Shrubs or Large Perennials. Shrubs or large perennials that are taller than two feet at maturity shall be calculated at twelve (12) square feet per plant.	0.4
	8. Small Trees. Small trees shall be calculated at 90 square feet per tree. Consult the Green and Sustainability Factor Tree List for size classification of trees.	0.3
	9. Medium Trees. Medium trees shall be calculated at 230 square feet per tree. Consult the Green and Sustainability Factor Tree List for size classification of trees.	0.3
	10. Large Trees. Large trees shall be calculated at 360 square feet per tree. Consult with the Green and Sustainability Factor Tree List for size classification of trees.	0.4
B. Green Roofs		
	1. Green Roof, Two (2) to Four (4) Inches of Growth Medium. Roof area planted with at least two (2) inches of growth medium, but less than four inches of growth medium.	0.4
	2. Green Roof, at Least Four (4) Inches of Growth Medium. Roof area planted with at least four (4) inches of growth medium.	0.7
C. Green Walls		
	1. Vegetated Wall. Façade or structural surface obscured by vines. Vine coverage shall be calculated with an estimate of	0.5

Commented [A20]: 10/10/2024: Increased score from 0.2 to 0.5.

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	three years' growth. A year-round irrigation and maintenance plan shall be provided.	
	2. Green Wall System. Façade or structural surface planted with a green wall system. A year-round irrigation and maintenance plan shall be provided.	0.7
D. Landscape Bonuses		
	1. Food Cultivation. Landscaped areas for food cultivation.	0.2
	2. Native or Drought-Tolerant Landscaping. Landscaped areas planted with native or drought-tolerant plants.	0.1
	3. Landscape Areas at Sidewalk Grade.	0.1
	4. Rainwater Harvesting. Rainwater harvesting for landscape irrigation shall be calculated as a percentage of total water budget times total landscape area.	0.2
E. Permeable Paving		
	1. Permeable Paving. Six (6) to twenty-four (24) Inches of Soil or Gravel. Permeable paving over a minimum of six (6) inches and less than twenty-four (24) inches of soil or gravel.	0.2
	2. Permeable paving over at least twenty four (24) inches of soil or gravel.	0.5
F. Publicly Accessible Bicycle Parking		

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	<p><u>1. Bicycle Racks. Bicycle racks in publicly accessible locations shall be calculated at nine square feet per bicycle locking space and shall be visible from sidewalk or public area.</u></p>	<p>1.0</p>
	<p><u>2. Bicycle Lockers. Bicycle lockers in publicly accessible locations shall be calculated at twelve (12) square feet per locker, and shall be visible from public areas and open for public use.</u></p>	<p>1.0</p>

E. Public realm.

1. Intent. Provide for comfortable pedestrian facilities and amenities, landscaping, and active uses along public streets or trails.
2. Blank walls. Walls at least 10 feet in height and 30 feet in width and containing no transparent windows or doors, garage entries, loading docks, transformer rooms, fire door exits, and smaller functional building components adjacent to public streets or publicly accessible outdoor space shall contain at least one (1) of the following:
 - a. Five (5) feet of Type II landscaping, as provided in LUC 20.20.520, along the full length of the wall;
 - b. Vertical landscaping covering at least 75 percent of the wall area;
 - c. Public art, murals, or other non-commercial creative works covering no less than 50 percent of the wall area.
3. Exterior lighting.
 - a. Exterior lighting shall be directed away from residential units and adjacent properties to prevent glare to the greatest extent feasible.
 - b. Exterior lighting fixtures shall not cast light upwards, except where used for landscape uplighting or to enhance features of a building or public art.
4. Weather protection.
 - a. Weather protection shall be provided in the following locations:
 - i. At any primary building entry;
 - ii. No less than 75 percent of the length of a building façade containing active uses;

Commented [A21]: 10/10/2024: Reduced width from 50 feet to 30 feet.

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- iii. Above sidewalks at intersections of two access corridors or public rights-of-way, providing continuous weather protection for no less than ten (10) feet in either direction from the corner;
- iv. Above sidewalks where adjacent buildings are located at back of sidewalk; and
- v. If a plaza or other open space is located between the building and edge of sidewalk, weather protection should be provided along the ground floor of the building to protect pedestrians from rain and provide shade in summer.
- b. Weather protection shall be no less than 10 feet above finished grade, except as otherwise required in the International Building Code, as adopted by the City of Bellevue;
- c. The maximum height for weather protection shall be 12 feet above finished grade.
- d. Weather protection shall be in proportion to the building and sidewalk, and not so large as to impact street trees, light fixtures, or other street furniture;
- e. Freestanding weather protection is not required where sidewalk is adjacent to a public plaza and building is set back.

Commented [A22]: 10/10/2024: Clearance height updated to be consistent with Transportation Design Manual.

G. Vehicle and bicycle parking.

- 1. Intent. Thoughtfully integrate vehicle, bicycle and micro-mobility parking into the urban fabric. This includes promoting underground or concealed parking solutions, designing visually appealing parking structures, and minimizing the impact of parking facilities on the overall urban aesthetic. Consider providing separate and visible ground floor entrances for safe bicycle storage access. Where possible, consider long-term flexibility of parking structures for future conversion potential. Provide a parking supply that meets the needs of residents, businesses, visitors and employees while encouraging active transportation and public transit as a safe and convenient alternative for traveling around Mixed-Use Districts.
- 2. Vehicular surface parking is prohibited except as provided in LUC 20.10.445.B.
- 3. Where provided, vehicular parking must meet all requirements of LUC 20.20.590 and other applicable codes, regulations, and standards including, but not limited to, the Bellevue City Code and Transportation Design Manual.
- 4. Compact Parking. This subsection G.4 supersedes LUC 20.20.590.K.9. Up to 65 percent of the parking spaces may be designed and designated for use by compact cars in accordance with the dimensions for compact stalls provided in LUC 20.20.590.K.11.
- 5. Bicycle parking. Developments shall provide bicycle parking as follows:
 - a. Required amount.
 - i. Nonresidential uses over 20,000 net sq. ft.: 1 space per 10,000 net sq. ft.
 - ii. Residential uses: 1 space per 5 dwelling units.

Commented [A23]: 10/10/2024: Compact parking allowance without the need for a departure added.

iii. Hotels, motels, and transient lodging: 0.05 spaces per room or unit.

b. Location.

i. Short-term bicycle parking. At least 15 percent of the required bicycle storage shall be provided as outdoor bicycle parking located within 25 feet of building entries.

ii. Long-term bicycle parking. Bicycle parking for residential tenants or commercial employees of a development shall be provided as follows:

(1) Bicycle parking areas shall be located on the same floor level as a primary building entry for pedestrians;

(2) Bicycle parking shall be in an enclosed, secure area that can be locked from the outside, or within individual lockers that can completely conceal and enclose a bicycle.

(3) For residential development, bicycle storage rooms may be located on upper-level floors for resident use;

(4) Bicycle parking areas may be in parking garages, provided it is on a ground level with direct access outdoors, and so that bicycle users may access the bicycle parking without crossing vehicular circulation areas or using vehicular garage entries. The Director may allow for an alternative parking location within a parking garage if the alternate location is accessible for cyclists, with clear signage and ramps that can accommodate bikes.

Commented [A24]: 10/10/2024: Flexibility in location added.

c. Size requirements. Each required bicycle parking space shall be accessible without moving another bicycle.

Commented [A25]: 10/10/2024: Removed prescriptive size requirement.

d. Charging options for battery operated or assisted bicycles shall be provided in the bicycle storage area. This amount will be provided at a rate determined by owner based on site context.

H. Location-specific design.

1. Intent. Integrate development into the urban fabric by orienting and locating primary building uses toward public spaces.

2. Eastrail – Wilburton.

a. Setbacks.

i. Between SE 5th Street and NE 8th Street, a maximum setback of 15 feet shall apply, except up to 25 percent of a building façade may be set back an additional 20 feet.

ii. Between NE 8th Street and NE 12th Street, a minimum setback of 15 feet shall apply.

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- b. Active uses. 90 percent of the façade length along the Eastrail corridor shall contain active uses at the following locations:

 - i. On both sides of the Eastrail corridor between NE 4th Street and NE 8th Street
 - ii. On the west side of the Eastrail corridor within 500 feet northward of SE 5th Street; and
 - iii. On the east side of the Eastrail corridor within 200 feet northward of SE 5th Street.
 - c. Frontage paths. For the segment of Eastrail between NE 8th Street and NE 12th Street, frontage paths shall be provided along the west side of the corridor within the required setback described in subsection D.1.a.ii as follows:

 - i. A continuous paved path no less than ten (10) feet wide with a two (2) foot unobstructed shoulder on either side shall be provided within ten (10) feet of the property line abutting the Eastrail corridor, measured from the edge of the frontage path.
 - ii. The path shall integrate with any mixing zones as provided under LUC 20.50.034.
3. Grand Connection – Wilburton.
- a. Build-to line. A build-to line shall apply along the Grand Connection, except that portions of buildings may be set back up to 20 feet for no more than 25 percent of the building frontage.
 - b. Active uses. 90 percent of the building frontage along the build-to line described in subsection D.2.a of this section shall contain active uses, including along elevated segments of the Grand Connection.
 - c. Elevated segments. Provide 24-hour, publicly accessible vertical circulation from the Grand Connection to the nearest adjacent at-grade sidewalk or other pedestrian access.
4. Interstate 405 Guidance. On sites within 500 feet of Interstate 405, locate sensitive land uses further east from Interstate 405 where feasible. Sensitive land uses include:
- a. Residential land uses intended for non-transient occupancy;
 - b. Child care services uses;
 - c. Parks and open space; and
 - d. Primary and secondary schools;

Commented [A26]: 10/10/2024: Revised to include as guidance rather than strict requirement.

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5. Landscape Buffer near Interstate 405. A landscape buffer shall be required from the property line abutting Interstate 405.

- a. The buffer shall be no less than 30 feet in width.
- b. Deciduous and evergreen trees shall be planted in the buffer with a minimum average of 1 tree every 20 lineal feet. Deciduous trees shall have a minimum caliper of 2 inches measured 4 feet 6 inches above the soil surface. Evergreen trees shall be minimum height of 6 feet.
- c. Shrubs shall be planted in such that their coverage equals 75% of the planting area within three years of planting.
- d. Groundcover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90% coverage within three years of planting.

20.25R.040 Building design.

A. Purpose. To develop a comfortable and inviting scale in Mixed-Use Districts by regulating building dimensions, promoting engaging façade designs, and enhancing the pedestrian experience. Ensure that buildings and their architectural elements are durable, sustainable, and contribute positively to the identity of the Mixed-Use Districts.

B. Overall.

- 1. Intent. The following building design standards are established to create aesthetically appealing building massing with appropriate bulk and scale; preserve solar access and openness at street level through dimensional regulation for height limits, setbacks, and tower separation; and utilize building siting, massing, scale and details that allow for daylight, public views, wayfinding, and perception of a safe and welcoming environment.
- 2. Allowable projections above maximum height. Buildings may exceed the maximum height described in LUC Chart 20.20.010.B as described in LUC 20.20.525.
- 3. Floor plates. The floor plate of a structure may not exceed the maximum allowed per LUC Chart 20.20.010.B, except as follows:
 - a. For buildings containing medical and life science laboratory uses, the following maximum floor plates shall apply:
 - i. Unlimited floor plates for buildings 200 feet or less in height;
 - ii. Above 100 feet in height for buildings taller than 200 feet in height, nonresidential floor plates shall be limited to 35,000 square feet. Larger floor plates may be approved through an Administrative Departure as provided in LUC 20.25R.010.D.
 - b. For buildings built with mass timber construction, the following maximum floor plates shall apply:
 - i. Unlimited floor plates to 100 feet in height;

Commented [A27]: 10/10/2024: 200-foot height for medical and life science uses added.

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ii. Above 100 feet in height:

(1) Nonresidential building floor plates shall be limited to 30,000 square feet.

(2) Residential building floor plates shall be limited to 20,000 square feet.

c. Portions of towers over 55 feet in height may be connected on one floor, provided that:

i. The connection is to allow for safe and efficient building exiting patterns;

ii. The connecting floor area shall include required corridor areas, but may include habitable space;

iii. The alternative design results in an appearance that each connected building portion is a separate and distinct building;

iv. The connection shall act as a dividing point between two floor plates, neither of which exceed the maximum floor plate size; and

v. Additional floors may be connected subject to an administrative departure pursuant to LUC 20.25R.010.D.4.

4. Active use spaces. Portions of buildings dedicated to active uses as required under this Chapter 20.25R LUC shall meet the following standards:

a. A minimum floor-to-ceiling height of 12 feet;

b. The minimum average depth of the active use space shall be 20 feet, measured from the outer façade;

c. The outer face of the active use space shall be at least 75 percent transparent windows or doors.

d. Weather protection as provided in LUC 20.25R.030.E.2.

5. Façade modulation. Façade modulation is required above a height of 60 feet above the sidewalk for any portion of a structure located within 15 feet of a public street right-of-way. No modulation is required for portions of a façade set back 15 feet or more from a public street right-of-way. A maximum length of unmodulated façade within 15 feet of a public street right-of-way based on building elevations is as follows:

a. 0 to 60 feet elevation – No Limit

b. Above 60 feet elevation – 125 feet

C. Mechanical equipment.

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1. Intent. Locate and design mechanical equipment enclosures and screening solutions to minimize the visual impact of mechanical equipment on rooftops and contribute to the overall visual harmony of the cityscape. Avoid placement of equipment or vents on the ground floor or in pedestrian areas.
2. Applicability. The requirements of this section shall be imposed for all new development, and construction or placement of new mechanical equipment on existing buildings. Mechanical equipment shall be installed so as not to detract from the appearance of the building or development.
3. Location requirements.
 - a. Mechanical equipment shall be located in a building, below grade, or on the roof of a building to the greatest extent technically feasible.
 - b. Where equipment is located on the roof, it shall be consolidated rather than scattered throughout the roof.
 - c. Mechanical equipment shall not be located adjacent to sidewalks, active transportation access, or areas designated as open space.
4. Screening requirements.
 - a. Exposed mechanical equipment shall be visually screened by a predominantly solid (at least 50 percent opaque), nonreflective visual barrier that equals or exceeds the height of the mechanical equipment. The design and materials of the visual barrier or structure shall be consistent with the following requirements:
 - i. Architectural features, such as parapets, screen walls, trellis systems, or mechanical penthouses shall be consistent with the design intent and finish materials of the main building, and as high, or higher than the equipment it screens.
 - ii. Vegetation or a combination of vegetation and view-obscuring fencing shall be of a type and size that provides a visual barrier at least as high as the equipment it screens and provides 50 percent screening at the time of planting and a dense visual barrier within three years from the time of planting.
 - iii. Screening graphics may be used for at-grade utility boxes.
 - b. Mechanical equipment shall be screened from above by incorporating one of the following measures, in order of preference:
 - i. A solid nonreflective roof. The roof may incorporate nonreflective louvers, vents, or similar penetrations to provide necessary ventilation or exhaust of the equipment being screened;
 - ii. Painting of the equipment, where technically feasible, to match or approximate the color of the background against which the equipment is viewed;

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iii. Mechanical Equipment Installed on Existing Roofs. The Director may approve alternative screening measures not meeting the specific requirements of this section if the applicant demonstrates that:

(1) The existing roof structure cannot safely support the required screening; or

(2) The integrity of the existing roof will be so compromised by the required screening as to adversely affect any existing warranty on the performance of the roof.

5. Intake and exhaust control standards. Where technically feasible, exhaust equipment shall be located so as not to discharge onto sidewalks, open space, or other publicly accessible areas of a development site.

a. Exhaust location order of preference. Mechanical exhaust equipment shall be located and discharged based on the following order of preference:

i. On the building roof;

ii. On the service drive, alley, or other façade that does not abut a sidewalk within a public street right-of-way or flexible access;

iii. Located above a driveway or service drive to the property such as a parking garage or service court; or

iv. A location that abuts a public street or easement; provided, that the exhaust does not discharge within 10 feet of any sidewalk or open space area.

6. Modifications. The location and screening of mechanical equipment and exhaust systems are subject to review and approval at the time of land use review. The Director may approve an Administrative Departure pursuant to LUC 20.25R.010.D.4 if the applicant demonstrates that the alternate location or screening measures provide an equal or better result than the requirements of this section.

D. Building base (podium).

1. Intent. Enhance pedestrian experience by clearly articulating the building base/podium from the tower portion of all buildings with materials and details that reinforce human scale and better define the streetscape as public realm.

2. The maximum podium façade height along public street rights-of-way, flexible access, active transportation access, and open space shall be 55 feet.

3. At least 10 percent of the exterior area above a building podium shall contain a green roof or landscaping.

4. Parking structures. Portions of parking structures above grade shall meet the following requirements:

a. Where adjacent to public right-of-way, flexible access, active transportation access, the Eastrail corridor, or Grand Connection, a minimum of 20 feet, measured from the

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outer wall of the garage inward, shall be habitable for residential or commercial uses, except where vehicular entries into the garage or utility rooms are located.

b. Exposed outer facades of parking structures shall:

i. Provide windows, green walls, or other coverings of up to 50 percent transparency over openings when adjacent to pedestrian areas or open space; and

ii. Screen views of automobiles with sill heights and parapets no less than four (4) feet in height;

c. All above-grade floors of a parking structure shall be horizontal with a floor-to-ceiling height of at least 10 feet to accommodate future adaptive reuse of the space, except for ramps providing circulation between floors.

Commented [A28]: 10/10/2024: Dimension reduced from 12 to 10 feet.

E. Towers.

1. Intent. Design tower placement and orientation for improved daylight access, natural ventilation, sky view for occupied floors and reduced need for mechanical heating and cooling. Consider how building massing impacts the public realm.

2. Where a building exceeds 100 feet in height:

a. Except for mass timber construction, a 15-foot stepback shall apply to the first full building story above 55 feet in façade heights facing:

i. Public right-of-way;

ii. Flexible access;

iii. The Eastrail corridor; and

iv. The Grand Connection.

b. Any two towers built within a single project limit exceeding 55 feet in height shall be horizontally separated by no less than 60 feet. This requirement does not apply to small sites.

Commented [A29]: 10/10/2024: Small site exception added.

F. Location-specific design.

1. Interstate 405. Buildings within 500 feet of Interstate 405 shall be subject to the following:

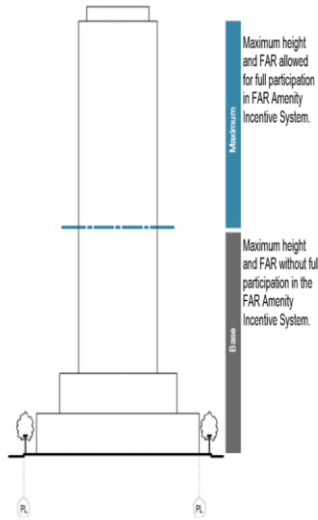
a. Air intake vents shall be located such that they are oriented facing away from Interstate 405, where feasible. If not technically feasible, pollutant filtering shall be required on all intake vents facing Interstate 405.

b. Sensitive land uses shall be separated from Interstate 405 as described in LUC 20.25R.020.H.3.

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20.25R.050 Amenity incentive system.

A. General. A Building may exceed the base Floor Area Ratio or base building height permitted for development within a Mixed-Use Land Use District pursuant to LUC 20.20.010.B only if it complies with the requirements of this section. The building shall not exceed the maximum Floor Area Ratio permitted for the district unless permitted by the terms of this Code.



Commented [A30]: 10/10/2024: Option B will provide for an “Allocation of Amenities” for projects exceeding the base FAR or base height allowance, and the Amenity Incentive System will have a focus on Affordable Housing. A project shall earn 80 percent or more of the amenity points from the Affordable Housing amenity, as described in 20.25R.050.D.2.a. The remaining 20 percent of a project’s required amenity points may be earned from any other amenity on the amenity list.

B. Review required. The Director may approve an amenity that complies with subsection D of this section if all the specific amenity system requirements are satisfied and established design criteria for the amenity have been met.

C. FAR exemptions. The following amenities shall be exempt from a development’s total FAR calculation, provided all applicable Land Use Code requirements are satisfied:

1. Active use spaces. Except where provided by the terms of this Code, an exemption from calculation of the maximum floor area of up to 1.0 FAR is allowed for each square foot of active use space that complies with the following design requirements:

- i. Transparency. 75 percent minimum;
- ii. Weather Protection. 75 percent minimum, 6 feet deep;

2. Affordable commercial spaces; and

3. Affordable housing;

D. Amenity Incentive Program.

Commented [A31]: 10/10/2024: Expanded the exemption of floor area for all active use spaces, not just required active use spaces, when certain criteria are met.

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1. General.

a. In no event may a development within a project limit exceed its base height or base FAR allowance as described in LUC 20.20.010.B unless providing amenities as follows:

i. Additional building floor area, up to the maximum for the Land Use District described in LUC 20.20.010.B, may be earned through the provision of amenities as detailed in LUC 20.25R.050.D.2.

ii. Any development receiving bonus floor area through this program may increase its height to the maximum allowed for the Land Use District as described in LUC 20.20.010.B.

b. In a multi-building development within a project limit, amenities may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan.

i. If the multi-building development is to be phased, each phase shall provide for a proportionate or greater installation of amenities as established in an approved Master Development Plan phasing plan. No phase may depend on the future construction of amenities.

2. Bonus points. The below amenities qualify for FAR bonus points as described below. The total bonus floor area is equal to the total bonus points achieved by this section.

a. Affordable housing.

i. On-site affordable housing: 4 points for every one (1) sq. ft. of affordable housing beyond the minimum required in LUC 20.20.128.J.1.

ii. To encourage affordable residential development in the Wilburton TOD area, the first 200 units with vested applications shall receive 8 points for every (1) sq. ft. of affordable housing.

Commented [A32]: 10/10/2024: New pioneer provision added.

iii. Deeper affordability. Additional bonus points may be earned by providing housing at deeper levels of affordability as follows:

a. 6 points for housing affordable to households earning 60 percent of the Area Median Income (AMI); or

b. 8 points for housing affordable to households earning 50 percent of the AMI.

iv. All affordable housing shall meet applicable requirements of LUC 20.20.128.

b. Family-sized housing. Three-bedroom or larger units earn one (1) bonus point for every one (1) square foot of the unit.

c. Open space.

Commented [A33]: 10/10/2024: FAR bonus provided for the provision of open space.

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i. 0.5 bonus points for every one (1) square foot of open space provided beyond the minimum required under LUC 20.25R.020.

ii. The additional open space shall meet all applicable requirements of this Part 20.25R LUC.

d. Eastrail corridor improvements.

i. 16 bonus points for every one (1) square foot of mixing zone or frontage paths within the Eastrail corridor, beyond those required under LUC 20.25R.020.

e. Grand Connection improvements.

i. 16 bonus points for every one (1) square foot of Grand Connection area that has been constructed and dedicated to the City.

f. Access and Connectivity

~~i. -8 bonus points for every one (1) linear foot of dedicated local roadway;~~

ii. -6 bonus points for every one (1) square foot of Flexible Access Corridor, Active Transportation Access Corridor, or Pedestrian Corridor. Square footage for purposes of calculating amenity points shall not include Vehicle or loading drive surfaces.

g. Green building.

i. Green building certification as provided under LUC 20.20.420 may receive bonus points as follows:

(1) Tier 1, 0.1 points per gross square foot of certified building;

(2) Tier 2, 0.2 points per gross square foot of certified building; and

(3) Tier 3, 0.3 points per gross square foot of certified building.

ii. The Director shall determine which green building certification programs may qualify for each tier of incentives.

iii. A performance bond equivalent to the value of the bonus shall be provided to the City by the developer.

(1) In the event the project does not achieve the planned rating within 18 months of project completion, the bonded fund shall be used for environmental improvements identified by the City.

h. Affordable commercial space.

Commented [A34]: 10/10/2024: FAR bonus provided for building access and connectivity.

Commented [A35]: 10/10/2024: Baseline green building requirement removed.

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- i. Two (2) bonus points may be earned for every one (1) square foot of commercial space that is leased to a qualified business at a total rate below that is less than or equal to 1.5x 1.5 times the operating expenses to of that qualified businesses, as determined by the Director.
- ii. The Director shall define by rule what constitute "operating expenses" and "qualified businesses" for the purposes of this subsection 2.d.
- iii. The Director may approve a total rate exceeding 1.5 times operating expenses up to a maximum of X times operating expenses to provide for repayment of owner-financed tenant improvements. The Director shall specify by rule the conditions under which a higher total rate may be approved under this subsection, not to exceed the specified maximum.
- iv. To receive bonus points under this subsection 2.d, qualifying commercial space shall:
 - (1) Be no less than 500 square feet in gross floor area;
 - (2) Be located on the ground floor or within an active use space as described in this Part 20.25R LUC; and
 - (3) Comply with any other requirements for qualifying commercial spaces that the Director adopts by rule.
- v. When adopting any rule to implement this subsection 2.d, the Director shall consider, and be consistent with, the following:
 - (1) The City's economic development goals, including those specified in the City's Economic Development Plan and the City's Comprehensive Plan.
- i. Critical area restoration and enhancement.
 - i. 66.7 points for every 1,000 dollars spent on critical area restoration or enhancement beyond the minimum mitigation requirements for the development as set forth in Part 20.25H LUC and as determined by a qualified professional.
 - ii. A restoration plan shall be developed by a qualified professional and approved by the City to determine the required bonus points.
 - iii. The restored or enhanced area shall be within the development project limit and at least 10,000 square feet or ten (10) percent of the site area, whichever is larger.
 - iv. The property owner shall provide an easement allowing City access to the restored or enhanced area for maintenance, monitoring, and trail construction where applicable.

E. Recording. The total amount of bonus floor area earned through the Amenity Incentive System for a project, and the amount of bonus floor area to be utilized on site for that project shall be recorded with the King County Recorder's Office, or its successor agency. A copy of the recorded document shall be provided to the Director.

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Chapter 20.50: Definitions

20.50.010 A definitions.

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Active Transportation Access. A privately owned access corridor serving primarily non-motorized modes of transportation such as pedestrians and bicycles, along with streetscape elements such as landscaping, furniture, and utilities. Refer to the Transportation Design Manual for specific requirements for active transportation access.

Active Use. Land uses including, but not limited to, retail and wholesale uses, restaurants, personal and professional services, residential lobbies, residential units (with entry and stoop or private patio), private indoor residential amenity spaces, live/work spaces and others as determined by the Director, which can create a vibrant urban atmosphere by providing for commercial activities, street activation or gathering spaces for the public.

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20.50.012 B definitions.

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Build-to line. A location along a block perimeter to which a building façade shall be constructed.

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20.50.014 C definitions.

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Collection areas (solid waste). Space designated for the collection and temporary storage of solid waste, including recyclables, food and yard waste, and other refuse typical of residential and commercial land uses.

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20.50.018 E definitions.

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[Eastrail.](#) A 42-mile trail connecting multiple cities in East King County. This term shall only refer to the trail segments that are constructed, owned, and maintained by King County and provide for non-motorized transportation.

[Eastrail corridor.](#) Parcels, rights-of-way, and easements controlled and maintained by King County and containing segments of the Eastrail.

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20.50.020 F definitions.

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[Flexible access.](#) A privately-owned access corridor serving motorized and non-motorized transportation, and including streetscape elements such as landscaping, furniture, on-street parking, and utilities. Refer to the Transportation Design Manual for specific requirements for flexible access.

...

20.50.020 G definitions.

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[Grand Connection.](#) The Grand Connection is Bellevue's signature downtown place-making initiative. This program functions as a series of cohesive, connected and memorable spaces and pedestrian-focused experiences and initiatives through Bellevue's thriving central business district. The Grand Connection begins at the waterfront of Lake Washington at Meydenbauer Bay Park, and winds through Old Bellevue and Downtown Park. It continues through Bellevue's dynamic retail and civic-focused parts of downtown, and ultimately the Grand Connection will include a landmark piece of infrastructure over Interstate 405, influencing the land use patterns of the Wilburton commercial area and improving connectivity to downtown.

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20.50.032 L definitions.

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Land Use. The use to which an area of land, or building thereon, is put; human activity taking place thereon. Categories of land uses in this Code are found in Chart 20.10.440 and district-specific land use charts contained in Chapter 20.25 LUC. [Land uses in mixed-use land use districts are governed by LUC 20.10.445.](#)

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[Life science uses.](#) Facilities, such as laboratories, and ancillary offices dedicated to development, research, and production of biological and biotechnical discoveries and products.

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20.50.034 M definitions.

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Mass timber construction. A method of building that primarily utilizes engineered wood products, including, but not limited to, cross-laminated timber (CLT), glued-laminated timber (glulam), nail-laminated timber (NLT), dowel-laminated timber (DLT), and laminated veneer lumber (LVL), as the main structural elements. These products are designed to provide enhanced strength, stability, and fire resistance compared to traditional timber. Mass timber construction is characterized by the use of these prefabricated wood components in walls, floors, and roofs, offering an efficient, sustainable alternative to conventional steel and concrete construction.

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Medical uses. Hospitals, clinics, laboratories, other related land uses and ancillary offices that provide healthcare services.

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Mixing zones (Eastrail). Areas within the Eastrail corridor in which the Eastrail, frontage paths, Grand Connection, and other access into the Eastrail corridor intersect and converge into a single space. A mixing zone must be no less than 500 square feet in area. **Between NE 8th Street and NE 12th Street, mixing zone may extend into adjacent private property.**

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20.50.040 P definitions.

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Plaza. A publicly accessible and paved open space area designed and maintained for public use and enjoyment.

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Project Limit. A lot, portion of a lot, combination of lots, or portions of combined lots treated as a single development parcel for purposes of the Land Use Code.

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20.50.046 S definitions.

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Small site. A lot in a Mixed-Use Land Use District **as defined in LUC 20.10.398** and in existence prior to **January 1, 2025** that is less than or equal to **40,000** square feet in area and corresponds to the project limit within which the small site is located. This definition does not apply to lots less than **40,000** square feet in area that are aggregated into a project limit that is greater than **40,000** square feet.

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[Staging areas \(solid waste\).](#) Space dedicated to dumpsters, bins, and other solid waste receptacles for up to 24-hour periods in preparation for retrieval of the waste by an agency or company providing solid waste removal services.

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20.50.054 W definitions

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[Warehousing and storage use.](#) Commercial uses dedicated to storage of commercial inventory, materials, or personal belongings for rent.

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