

20.10.260 Office District (O).

Office Districts provide areas for business, financial, and professional service offices, as well as residential uses, located on arterial or commercial access streets. In the proximity of other major business and commercial districts, this district may serve as a buffer between lower-density residential areas and more intensive commercial districts.

20.10.280 Office and Limited Business District (OLB).

Office and Limited Business Districts provide areas for the location of integrated complexes made up of residences, offices, hotels or motels, eating establishments and retail sales accessory to permitted uses. Such districts are located in areas that abut and have convenient access to freeways and major highways.

20.10.285 Office and Limited Business District 2 (OLB 2).

The purpose of the OLB 2 District is to provide an area of integrated complexes made up of residences, offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support businesses and employees. The OLB 2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit.

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20.10.325. Mixed Use: 7 Story (MU7).

Mixed-Use: 7 Story districts provide an area with a mix of retail, service, office, and residential uses at a midrise scale and form. The district is designed to provide walkable and vibrant neighborhoods for the residents of the districts and adjacent districts.

20.10.330. Mixed Use: 16 Story (MU16).

Mixed-Use: 16 Story districts provide an area with a mix of retail, service, office, and residential uses at a midrise scale and form. The district is designed to provide walkable and vibrant neighborhoods for the residents of the districts and the city as a whole.

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20.10.360 Community Business District (CB).

Community Business Districts serve community markets and provide areas for the location of residences, services, and retail outlets, ~~other outside of~~ Downtown.

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20.10.380 — Evergreen Highlands Design District (EH).

- A. ~~Purpose. The Evergreen Highlands Design District provides an area for the location of high technology research and development facilities; associated light assembly and warehousing; other manufacturing uses with similar character, intensity and impact; support service and retail uses; office uses; corporate headquarters and residential uses. It represents a unique land resource, and is to be developed as a well integrated, mixed use district sensitive to natural constraints and surrounding established development patterns. All development should exhibit high quality design, and maintain high performance levels.~~
- B. ~~The Evergreen Highlands Design District is divided into four performance areas as delineated by the Evergreen Highlands Zoning Map. These performance areas constitute separate land use districts and permit variation in use and development standards in order to implement the goals and policies of the Evergreen Highlands Subarea Plan, and to insure attention to specific environmental features of the various performance areas.~~
- ~~1. Evergreen Highlands Performance Area A (EH-A). The purpose of this performance area is to provide a location for Medium Density Multifamily development, not exceeding 11 units per gross acre. This performance area is intended to provide housing opportunities, and to serve as a transition to the single family housing adjacent to the Evergreen Highlands Design District.~~
 - ~~2. Evergreen Highlands Performance Area B (EH-B). The purpose of this performance area is to provide a location for lower intensity office uses. It serves as a transition between the residential development in Performance Area A and the higher intensity nonresidential uses in Performance Area C. This performance area constitutes the area of highest environmental sensitivity within the Design District, and development must reflect the natural limitations of the land.~~

~~3. Evergreen Highlands Performance Area C (EH-C). The purpose of this performance area is to provide a location for research and development activity, office uses, and convenience retail and service uses. This performance area will serve as the focal point for the entire Design District. It must be developed in a campus-like research and development park theme, and should be compatible with nearby less-intense areas.~~

~~4. Evergreen Highlands Performance Area D (EH-D). The purpose of this performance area is to provide a location for office uses. It serves as a transition between the concentration of research and development and office uses to the north and the surrounding land use districts.~~

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20.10.395 Factoria Land Use Districts (F).

A. Factoria ~~1 Land Use District 1 (F1).~~ ~~Factoria, The~~ F1 District is a mixed-use residential and regional retail center located adjacent to freeway corridors. It is to be developed as an aesthetically attractive urban village center to serve the Factoria community as well as shoppers attracted to the retail stores. Specific development areas and design guidelines apply within the district. Total size of the district is approximately 40 acres.

~~B. Factoria Land Use District 2 (F2). Factoria, F2 District provides for intensive office, movie theater, and service uses adjacent to freeway corridors in the Factoria area.~~

~~BC. Factoria Land 3 Use District 3 (F3).~~ ~~Factoria, The~~ F3 District provides for highly intensive office use in an integrated complex adjacent to freeway corridors in the Factoria area. This is the most intensive office district outside ~~of the~~ Downtown.

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20.10.440 Land use charts.

Chart 20.10.440 Uses in land use districts

Manufacturing – Residential Districts

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~~Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC [20.25F.010](#).~~

...

Chart 20.10.440 Uses in land use districts

Manufacturing - Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU7	NMU	CB	MU16	F1	F2	F3
...															
21	Food and Beverage Products Mfg.			P 6	P 6	P 5	S 5	S	P 6	P 6	S	P 6	S		
...															
329	Handcrafted Products Mfg.					P	P		P 7	P 7	P 7	P 7	P		P 7
...															
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and	P	P	P	P 7	P	S		P	P	S	P	S	P	P

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Stor7	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU7	NMU	CB	MU16	F1	F2	F3
	Clocks Mfg.; Computer Software														
...															

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC [20.25F.010](#).

Chart 20.10.440 Uses in land use districts

Recreation – Residential Districts

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC [20.25F.010](#).

Chart 20.10.440 Uses in land use districts

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
Option A (mandatory affordable housing approach)
FOURTH DRAFT: 7/1/2025

Recreation - Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	M U7	N M U	C B	MU16	F1	F2	F3
...															
711	Library, Museum	P	P	P	P			P	P	P	P	P	P	P	P
7113	Art Gallery	P	P	P	P			P	P	P	P	P	P	P	P
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos	C	C	C		C	C				C		C	C	C
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities			P	A 8			A 8	A 8	A 8	P	A 8	P	P	P

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	M U7	N M U	C B	MU16	F1	F2	F3
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs			P	A				P	A	P	P	P	P	P
...															
	Adult Theaters (7)			P	P						P		P	P	P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and		A8	A8	A8		C	C	A8	A8	C	A8	C		

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
Option A (mandatory affordable housing approach)
FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	M U7	N M U	C B	MU16	F1	F2
	Skateboard Tracks													
73	Commercial Amusements: Video Arcades, Electronic Games		P	P	P		A	A	P	P	A	P	A	
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools (2,11)	C	C	C	A 8		C	C	A 8	A 8	C	A 8	C	C

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
Option A (mandatory affordable housing approach)
FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU7	NMU	CB	MU16	F1	F2	F3
	Public/Private Park	P	P	P		P	P	P	P	P	P	P	P	P	P
...															
	City Park	P/C 10	P/C 10	P/C 10	P	P/C 10	P/C 10	P/C 10	P/A/C 10 12	P/A/C 10 12	P/C 10	P/A/C 10 12	P/C 10	P/C 10	P/C 10

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC [20.25F.010](#).

Chart 20.10.440 Uses in land use districts

Residential – Residential Districts

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC [20.25F.010](#).

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)
FOURTH DRAFT: 7/1/2025

Chart 20.10.440 Uses in land use districts

Residential - Nonresidential Districts

STD LAN D USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB		NM U	CB		F1	F2	F3
1	Residential														
	Single-Family Dwelling (3)	P 15	P 4	S		S	S	SP 8			S		S	S	S
	Two to Four Dwelling Units per Structure (6) (20)		P 4	P	P			P 118	P 11	P 8, 11	P 116	P 11	P	P	P
	Five or More Dwelling Units per Structure (6) (20)		P 4	P	P			P 118	P 11	P 8, 11	P 116	P 11	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional		C	A	P			C	C	C	C	C	C		C

Commented [RS1]: @Menard, Mathieu : Note (6) is currently in the code and does not appear to be proposed for deletion or modification. Can you confirm that it's not proposed to be amended or deleted?

Commented [MM2R1]: (6) should be deleted. I'll add

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAN D USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB		NM U	CB		F1	F2	F3
	Institutions and Excluding Secure Community Transition Facilities (16)														
	Rooming House (17)		P	P	P				P	P	P	P	P	P	P
	Senior Citizen Dwellings (4, 7)	P	P	P	P			P 118	P 11	P 8, 11	P	P 11	P	P	P
13 15	Hotels and Motels			P	P				P	P	C	P	C	P	P
	Congregate Care Senior Housing (4, 7, 16)	P	P	P	P			P	P	P	P	P	P	P	P
6516	Nursing Home (7-16)	C	P	P				C	P	P	P	P	P	P	P

Commented [RS3]: @Menard, Mathieu : It looks like the intent is to delete note (4), but it still remained in the chart. Can you confirm that the intention's to delete it?

Commented [MM4R3]: They all look struck to me. Intention is to delete.

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAN D USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	<u>Mixed Use: 7 Story</u>	Neighborhood Mixed Use	Community Business	<u>Mixed Use: 16 Story</u>	Factoria Land Use District 1	<u>Factoria Land Use District 2</u>	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB		NM U	CB		F1	<u>F2</u>	F3
	Assisted Living (4,7)	C	P	C	P			C	<u>P</u>	P	P	<u>P</u>	P	<u>C</u>	C
	Accessory Dwelling Unit (9)	S	S	S		S	S	S			S		S	<u>S</u>	S
	Supportive Housing (18)	C	P	P	P			<u>P 118</u>	<u>P 11</u>	<u>P 8, 11</u>	P	<u>P 11</u>	P	<u>P</u>	P

...

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

...

Notes: Uses in land use districts - Residential:

(1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O-Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses. Intentionally deleted.

...

(4) An agreement must be recorded with the King County Recorder's Office, or its successor agency, and filed with the Bellevue City Clerk, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project. Intentionally deleted.

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
Option A (mandatory affordable housing approach)
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...

~~(6) Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street may be allowed through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that are consistent with the vision of Comprehensive Plan Policies S-CR-79 and S-CR-81 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E. Intentionally deleted.~~

...

~~(8) These residential uses are permitted in NB and NMU Districts only if located on the second floor and above the permitted ground floor nonresidential uses. Intentionally deleted.~~

...

(11) The Director may allow a departure from the requirement to provide ground floor ~~neighborhood serving pedestrian oriented~~ (nonresidential) uses in multifamily developments; provided, that the departure is necessary to mitigate an economic hardship that would preclude project viability. A departure may be granted where the applicant demonstrates that:

- (a) The required ~~neighborhood serving pedestrian oriented~~ uses do not front on an arterial;
- (b) Visual and physical access to the required ~~neighborhood serving uses pedestrian oriented~~ is limited by topography or other site-specific obstacles;
- (c) The required ~~neighborhood pedestrian oriented serving~~ uses would not be visible from other development ~~located in the NMU District~~, adjacent neighborhoods, nearby arterials or highways.

A departure may be allowed for all sides of the building or some portion thereof; provided, that the approved departure is consistent with ~~the NMU Land Use District definition included in the Comprehensive Plan and LUC 20.10.35020.25~~. If a departure is granted, ancillary residential uses such as a meeting room, leasing office, kitchen, ~~daycare child care services~~, and work-live space are preferred over occupied residential living space.

...

~~(19) Affordable housing duplexes and triplexes are permitted within subdivisions when the requirements of LUC 20.20.128 are met. Intentionally deleted.~~

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Chart 20.10.440 Uses in land use districts

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Stories	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Stories	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU7	NMU	CB	MU16	F1	F2	F3
8221	Veterinary Clinic and Hospital (5)	P	P	<u>P 8</u>	P 8	P	P	P 3	<u>P</u>	P 8	P	<u>P</u>	P		<u>P 8</u>
...															
83	Forestry, Tree Farms and Timber Production	C	C	C		C	C	C			C		C	<u>€</u>	C
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	C	C	C		C	C	C			C		C	<u>€</u>	C
...															

[Permitted uses in the Evergreen Highlands Design District \(EH-A, EH-B, EH-C and EH-D\) are listed in LUC 20.25F.010.](#)

...

Notes: Uses in land use districts - Resources:

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Stories	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Stories	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB (16)	MU7	NMU	CB	MU16	F1	F2	F3
61	Finance, Insurance, Real Estate Services	P	P	P	P	P 1	P	P	P	P	P	P	P	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair		P	SP	P	P 2	P	P	P	P	P	P	P	S	S
6241	Funeral and Crematory Services	C	C	C										C	C
6262	Cemeteries	C	C	C		C	C	C			C		C	C	C

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

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		PO	O	OLB	OLB 2	LI	GC	NB (16)	MU7	NMU	CB	MU16	F1	F2	F3
629	Child Care Services (3, 4)														
	Family Child Care Home in Residence (3)	P	P	P	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	P	<u>P</u>	P	<u>P</u>	P
	Child Day Care Center (3, 4)	P	P	P	P	P	P	P	<u>P</u>	P	P	<u>P</u>	P	<u>P</u>	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P	P	P	P	<u>P</u>	P	P	<u>P</u>	P	<u>P</u>	P
634	Building Maintenance and			<u>P 31</u>	P 31	P	P				P		P		<u>P</u>

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

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		PO	O	OLB	OLB 2	LI	GC	NB (16)	MU7	NMU	CB	MU16	F1	F2	F3
	Pest Control Services														
...															
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S	P	P	P	A 18	P	P	P	P	P	S	S
641	Auto Repair and Washing Services (26)			S	P	P	P	A 19	P	P	P	P			
649	Repair Services: Watch, TV, Electrical, Upholstery			P 31	P 31	P	P	P	P	P 31	P	P	P		P

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
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		PO	O	OLB	OLB 2	LI	GC	NB (16)	MU7	NMU	CB	MU16	F1	F2	F3
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P	P 30		P	P	P	P-30	P	P	P	P	P
	Professional Services: Other	P	P	P	P	P 9	P	P	P	P	P	P	P	P	P
	Pet Grooming and Day Care (29)		P	P	P		A	P	P	A	P	P		P	
6513	Hospitals	C	C	C	C	C	C				C		C	C	C
...															
671	Governmental Services: Executive, Legislative, Administrative	C	C	C	A		C	A	A	C	A	C	C	C	C

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

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		PO	O	OLB	OLB 2	LI	GC	NB (16)	MU7	NMU	CB	MU16	F1	F2	F3
	Other Computer-Related Services														
	Research, Development and Testing Services	P	P	P	P	P	P	C	P	P	C	P	P	P	P
...															
	Homeless Services Uses (32)		C	C		C		C	C	C	C	C	C	C	C

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Notes: Uses in land use districts - Services:

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Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
Option A (mandatory affordable housing approach)
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~~(8) Auto repair and washing services are permitted only if washing services are a subordinate use to a permitted or special use in Downtown-MU Districts. Intentionally Deleted.~~

...

~~(12) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses. Intentionally Deleted.~~

~~(13) Drive-in facilities may be permitted through Design Review, Part 20.30F LUC, at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met: Intentionally Deleted.~~

~~(a) On-site capacity for vehicle stacking of 10 spaces for 1 drive-up station and 20 spaces for 2 or more drive-up stations must be provided.~~

~~(b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.~~

~~(c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.~~

~~(d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.~~

~~(e) Walk-up banking service, whether manned or electronically activated customer service stations, must be provided on site during regular daytime business hours for pedestrian business when there is no interior banking service.~~

...

~~(16) Other than administrative office use, each individual service use in NB Districts is limited to 5,000 square feet. Administrative office use is limited as follows: When located on the first floor of a building, administrative office use is limited to 5,000 square feet or 25 percent of the first floor footprint, whichever is less; when located above the first floor of a building, administrative office use is allowed without a limit on total aggregate square footage, so long as each individual administrative office use is limited to 5,000 square feet. In no event may administrative office uses exceed more than 50 percent of the total building square footage. Administrative conditional use approval is required for hours of operation between 12:00 midnight and 6:00 a.m. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: (a) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and (b) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating~~

Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft
 Option A (mandatory affordable housing approach)

FOURTH DRAFT: 7/1/2025

STD LAN D USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU 7	NM U	CB	MU 16	F1	F2	F3
	Yards, Terminals, Maintenance Shops														
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters					P	P				PC		P		
...															
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C 12	C 12	C 12	C 12	C 12	C 11	C 11	C 11	C 12	C 11	C 12	C 12	C 12

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STD LAN D USE COD E REF	LAND USE CLASSIFICATION N	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU 7	NM U	CB	MU 16	F1	F2	F3
	Highway and Street Right-of-Way (24)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)			A	A	A	A	A			A		A	A	A
...															

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		PO	O	OLB	OLB 2	LI	GC	NB	MU 7	NM U	CB	MU1 6	F1	F2	F3
	Electrical Utility Facility (22)	A/ C 22	A/ C 22	A/C 22	A/C 22	A/ C 22	A/ C 22	A/C 22	A/C	A/C 22	A/ C 22	A/C	A/ C 22	A/ C 22	A/ C 22

...

[Permitted uses in the Evergreen Highlands Design District \(EH-A, EH-B, EH-C and EH-D\) are listed in LUC 20.25F.010.](#)

...

Notes: Uses in land use districts - Transportation and Utilities*:

...

~~(4) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.25A.050.H. Intentionally Deleted.~~

...

~~(13) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050.E for additional development requirements. Intentionally Deleted.~~

...

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STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 7 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB (5)	MU7	NMU	CB (36)	MU16	F1	F2	F3
	Wallpaper (Retail)														
...															
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)		P	P	P			A	P	P	P	P	P		P
54	Grocery, Food and Convenience Store (Retail) (27)		P	P	P		P	P	P	P	P	P	P		P
5511	Autos (Retail)			P 6	43	A 4, 35	P		C	P 6	C	C	C		C
...															

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		PO	O	OLB	OLB 2	LI	GC	NB (5)	MU7	NMU	CB (36)	MU16	F1	F2	F3
553	Gasoline Service Stations (34, 40)			A 34	A	P 34, 35	P	P	A	AP	P	A	P	A 34	A 34
56	Apparel and Accessories (Retail)		P	PS	P		P	P	P	P	P	P	P	SP	SP
57	Furniture, Home Furnishing (Retail)		P	P	P	P 11, 35	P	P	P	P	P	P	P		P
58	Eating and Drinking Establishments (37)		P 13	P 14	P 28	P 15, 29, 35	P	P 16, 28	P 28	P 28	P	P 28	P	P 14	P 14
59	Misc. Retail Trade: Drugs, Liquor, Antiques,		P 17	SP	P		P	P 19	P	P	P	P	P	S	SP

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		PO	O	OLB	OLB 2	LI	GC	NB (S)	MU7	NMU	CB (36)	MU16	F1	F2	F3
	Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies														
	Adult Retail Establishments (31)			S							P		P	S	S
59	Marijuana Retail Outlet						A 41, 42				A 41, 42		A 41, 42		A 41, 42
...															
5996	Garden Supplies, Small Trees, Shrubs, Flowers,					P 35	P 20				P 20		P 20		P 20

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		PO	O	OLB	OLB 2	LI	GC	NB (5)	MU7	NMU	CB (36)	MU16	F1	F2	F3
	Ground Cover, Horticultural Nurseries and Light Supplies and Tools														
5999	Pet Shop (Retail and Grooming)		P	P	P	P 26, 35	P 26	P	P	P	P	P	P		P
	Computers and Electronics (Retail)		P	P	P	P 12, 35	P 12	P	P	P	P	P	P		P

...

[Permitted uses in the Evergreen Highlands Design District \(EH-A, EH-B, EH-C and EH-D\) are listed in LUC 20.25F.010.](#)

...

Notes: Uses in land use districts – Wholesale and Retail:

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...

~~(5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: (a) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and (b) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of the ordinance codified in this chapter are exempt from the ACUP requirements. Intentionally Deleted.~~

...

~~(13) Eating and drinking establishments are excluded in transition areas in O Districts. Intentionally Deleted.~~

~~(14) Eating and drinking establishments are permitted in the OLB, F2 and F3 Districts subject to the following criteria: Intentionally Deleted.~~

~~(a) Such uses are physically integrated within a structure primarily used as a hotel or motel; office building; charitable, social, professional and labor organization; fraternal lodge; recreational facility or institution such as a public assembly (indoor).~~

~~(b) Such uses do not exceed 20 percent of the gross floor area of the structure or structures.~~

~~(c) The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.~~

...

~~(17) Other retail trade is limited to drugstores only in O Districts. Intentionally Deleted.~~

...

~~(19) Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet. Intentionally Deleted.~~

...

~~(26) Only pet grooming is permitted in the LI and GC Districts. Intentionally deleted.~~

...

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(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, ~~Evergreen Highlands~~, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, and Wilburton; provided, that in CB Districts in the Wilburton Subarea, retail uses may be allowed to exceed 100,000 gross square feet through a Council-approved development agreement that is consistent with Chapter [36.70B](#) RCW and includes design guidelines that (a) address the potential impacts of that scale of retail use, and (b) are consistent with the ~~vision of Comprehensive Plan Policy S-WI-3 regarding the creation of a "retail village" on the commercial area west of 120th Avenue NE.~~

...

20.20.005 Chart of dimensional requirements described.

Chart 20.20.010 sets forth the dimensional requirements for each land use district except: the Downtown Land Use Districts, ~~the Evergreen Highlands Design District, the Evergreen Highlands Subarea Transportation Improvement Overlay District,~~ the Medical Institution District, the OLB-OS Land Use District, and the BelRed Land Use Districts. All structures and activities in the City not located in the above districts shall conform to the dimensional requirements in Chart 20.20.010. Dimensional requirements for the Downtown Land Use Districts are found in LUC [20.25A.060](#). ~~Dimensional requirements for the Evergreen Highlands Design District are found in Part [20.25F](#) LUC. Dimensional requirements for the Evergreen Highlands Subarea Transportation Improvement Overlay District are found in Part [20.25G](#) LUC.~~ Dimensional requirements for the Medical Institution District are found in Part [20.25J](#) LUC. Dimensional requirements for the OLB-OS Land Use District are found in LUC [20.25L.030](#). Dimensional requirements for the BelRed Land Use Districts are found in LUC [20.25D.080](#). Dimensional requirements for the Eastgate Transit Oriented Development Land Use District are found in LUC [20.25P.060.A](#). Additional special dimensional requirements for designated areas of the City are contained in other parts of the Code as follows:

- ~~A. Part [20.25B](#) LUC – Transition Areas;~~
- ~~B. Part [20.25C](#) LUC – OLB Districts;~~
- ~~A.C. Part [20.25E](#) LUC – Shoreline Overlay District;~~
- ~~B.D. Part [20.25H](#) LUC – Critical Areas Overlay District;~~

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CE. Part 20.45A LUC – Platting and Subdivisions;

DF. Part 20.45B LUC – Short Plats and Short Subdivisions.

20.20.010 Uses in land use districts dimensional requirements.

...

Uses in land use districts – Dimensional Requirements

ST D L A N D U S E C O D E R E F	LAND USE CLASSIFIC ATION	Professional Office		Office/Limited Business		Office/Limited Business 2		Light Industry		General Commercial		Neighborhood Business		Mixed Use: 7 Story		Neighborhood Mixed Use		Community Business		Mixed Use: 16 Story		Factoria Land Use District 1		Factoria Land Use District 2		Factoria Land Use District 3	
		P O	O	OL B	O LB 2	LI	G C	NB	M U7	NM U	CB	MU 16	F 1	F 2	F3												
	DIMENSI ONS	(2 1)	(21, 52, 54)	(21 , 52, 54)	(2 1, 52 54)	(2 1)	(2 1)	(21, 52, 54)	(2 1, 52, 54)	(21, 54)	(21, 52, 54)	(21, 52, 54)	(21, 52, 54)	(21, 52, 55)	(2 8)	(2 4, 3 4, 5 2)	(21, 32, 52, 56)										
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	3 0	300	50 0	0	1 5	1 5	0	0	0	0	0	0	0	5 0	200											

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Rear Yard (17)(18) (20)	2 5 (1 7)	<u>0/25</u> 0	<u>50</u> 0	0	(2 1 7)	(2 1 7)	<u>0(2)</u>	<u>0</u>	0	<u>0(2)</u> }	<u>0</u>	3 0	<u>50</u>
Side Yard (17)(18) (20)	2 0 (1 7)	<u>020</u>	<u>03</u> 0	0	(2 1 7)	(2 1 7)	<u>0(2)</u>	<u>0</u>	0	<u>0(2)</u> }	<u>0</u>	3 0	<u>50</u>
2 Side Yards (17) (18) (20)	4 0 (1 7)	<u>400</u>	<u>60</u> 0	0	(2 1 7)	(2 1 7)	<u>0(2)</u>	<u>0</u>	<u>0</u>	<u>0(2)</u> }	<u>0</u>	6 0	<u>400</u>
Floor Area Ratio	(8)	<u>1(8,</u> 50)	<u>1</u> (8)	<u>2</u> 4	(8)	(8)	<u>2(1)</u>	<u>3</u>	<u>41</u> (49)	<u>(8)</u> <u>2.5</u>	<u>5</u>	<u>7</u> 5	<u>4</u>
Minimum Lot Area Acres (A) or Thousand s of Sq. Ft. (3)			<u>2A</u>									<u>2</u> A	<u>2A</u>
Dwelling Units per Acre (15) (22) (53)	1 0 (2 3)	<u>20</u> (<u>23</u>)	<u>30</u> (<u>23</u>) }				<u>15</u> (<u>23</u>)			<u>30</u> (<u>23</u>) }		3 0 (2 3)	<u>30</u> (<u>23</u>)
Minimum Dimensio ns (feet) Width of			<u>20</u> 0									<u>2</u> 0 0	<u>200</u>

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Street Frontage														
Width Required in Lot (4)			200										200	
Depth Required in Lot (4)														
Maximum in Building Height (feet) (10)	20	30 40	45 60	75	45	30	20 45	80	110	60	170	75	75 135	33 345
Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35	35 (24)	35 (24)	35	50		35 (24)	35	35			35 (24)	40	
Maximum Hard Surface Coverage (percent) (37) (47)	85	85	85	90	85		80	85	85	85	85	85	85	
Maximum Impervious	60	60	60	65	65		60	65	65	65	65	65	65	

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s Surface (percent) (35) (37)														
Alternative Maximum Impervious Surface (percent) (35) (37) (39) (48)	80	80	80	80	85	85	80	80	85				80	80

...

Notes: Uses in land use districts – Dimensional requirements*:

...

(5) ~~Except in transition areas, the~~ maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.

...

(8) Any office building or any office portion of a building in the PO, ~~O, OLB, LI, or GC, NB, CB or F1~~ Districts shall comply with the following limitations on Floor Area Ratio:

(a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and

(b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:

(i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and

(ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.

~~(e) In an O-District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.~~

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This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC [20.25H.045](#).

...

~~(25) The maximum building height for structures is increased to 30 feet only if residential uses or administrative office uses are provided on the second floor, and provided the structure does not exceed 2 stories. For purposes of this note, a story is defined pursuant to the International Building Code, Section 202, as adopted and amended by the City of Bellevue.~~

...

~~(31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of 0.75 FAR.~~

~~(32) The maximum FAR for the combined properties in the F3 Land Use District, regardless of use, shall be 1.26 FAR; provided, that individual parcels or portions of property lying within the F3 Land Use District may have FAR for those individual parcels or portions which exceed an FAR of 1.26; provided, that the FAR calculated for the entire aggregated property within the F3 Land Use District shall not exceed 1.26. The maximum FAR permitted herein is based on a maximum total development, including existing and new development of 950,000 square feet, calculated in the same manner as provided for in the calculation of FAR. In the event of an inconsistency between the FAR maximum of 1.26 and the maximum total development amount of 950,000 square feet, the latter shall control.~~

~~(33) In no event shall building height exceed 324 feet above sea level, based on North American Vertical Datum, 1988 (NAVD—88).~~

~~(34) Maximum building height south of the F3 Land Use District Separation Line shall be 135 feet, with structural elements not intended for habitation above 135 feet, so long as structural elements do not exceed 275 feet above sea level based on NAVD—88.~~

...

~~(46) Maximum building height in CB Districts of the Wilburton Subarea that are located between 116th Ave NE and the BNSF Corridor is 75 feet.~~

...

~~(49) Up to one FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project; provided, that:~~

~~(a) The ratio of affordable housing is $\frac{42.5 \text{ market rate units}}{\text{market rate square feet}}$ to 1.0 affordable housing units-square foot at 80 percent AMI or less;~~

~~(b) The general development requirements contained in LUC [20.20.128](#) do not apply;~~

Commented [A5]: Per notes below, to provide consistency among affordable housing units created by operation of the LUC, LUC 20.20.128 will have standards that are applicable.

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~~(c) The bedroom mix and exterior finishes affordable housing units shall be generally comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary; and~~

~~(d) An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.~~

...

~~(54) See LUC 20.25I for additional standards related to this land use district.~~

~~(55) The alternative maximum building height shall only be allowed if at least 15 percent of the total residential units are dedicated to affordable housing.~~

20.20.128 Affordable housing.

A. Purpose and Administration.

1. The purpose of this section is to promote the development of affordable dwelling units by establishing requirements, incentives, and fees for 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. Whether consistency with affordable housing standards adopted by neighboring jurisdictions is beneficial to the City;
 - d. The impact on the City's affordable housing goals;
 - e. The impact on the cost of development; and
 - f. The impact on the quality of life of residents of affordable units.

Commented [A6]: Under the Wilburton LUCA, affordable housing standards will be adopted that are applicable to all affordable housing created by operation of the LUC. In addition, DSD will be adopting a Director's Rule to further provide consistency among affordable housing created by operation of the LUC. Therefore, this language is not necessary.

Commented [A7]: Under the Wilburton LUCA, a legal agreement is required for all affordable housing created by operation of the LUC. Therefore, this language is not necessary.

Commented [A8]: Areas of gray text are being updated through the Wilburton and Middle Housing LUCAs and are subject to change.

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3. The following affordable housing standards shall apply to any affordable dwelling unit created by operation of this title. In the event of a conflict between a standard listed below and a standard included elsewhere in this title, the standard included elsewhere shall control.
 - 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. The affordable dwelling units shall consist of a mix of number of bedrooms that is in the same proportion as 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.
 - f. The affordable dwelling units shall be provided in a range of sizes comparable to the size of market-rate dwelling units in the development.
 - g. 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.
 - h. The affordable dwelling units shall remain affordable for the life of the project, which shall not be less than 50 years.
4. Legal Agreement. Whenever an affordable dwelling unit is created by operation of this title then, prior to issuance of a building permit for the development, the City and the owner of the site shall enter into an agreement, in a form approved by the City. Once fully executed, the agreement shall be recorded with the King County Recorder’s Office, on the title of the real property on which the development is located.

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- a. The agreement shall be a covenant running with the land and shall 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; provided, that the Director may approve different percentage area median incomes. Where different percentage area median incomes are approved in relation to a conversion, the Director shall require the owner to execute and record a revised legal agreement reflecting the new percentage area median incomes.
 - 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, which shall not be less than 50 years.
 - d. Through the agreement, the Director may agree to subordinate the agreement for the purpose of enabling the owner to obtain financing for development of the property; provided, that such subordination is consistent with the applicable requirements of this title.
 - e. The agreement shall address price restrictions, home buyer or tenant qualifications, phasing of construction, monitoring of affordability, and any other topics applicable to the construction, maintenance, and operation of the affordable dwelling units; provided, that the covenant shall be consistent with the applicable requirements of this title.
5. Annual Adjustments for Inflation. The Director is both authorized and directed to annually increase or decrease the fees listed below by an adjustment necessary to reflect the then-current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers:
- a. The in-lieu fees contained in Table 20.20.128.I.4; and
 - b. The in-lieu fee for nonresidential development contained in Chart 20.25Q.070.D.4.

B. Definitions.

...

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5. "Affordable" means that a household eligible to rent or own the dwelling unit 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.

...

F. Dimensional Standard Modification.

1. Mixed-Income Multifamily Development as provided in subsection D.1.a of this section may replace the dimensional requirements in LUC Chart 20.20.010 with those in Chart 20.20.128.F.1. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.1 shall continue to apply, including applicable footnotes.

Chart 20.20.128.F.1 Modified Dimensional Requirements for Mixed-Income Multifamily Development

	Residential – Nonresidential Districts						
LAND USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
DIMENSIONS							
Dwelling Units per Acre	23.0	34.5		17.3	34.5	34.5	34.5

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	Residential – Nonresidential Districts						
LAND-USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
DIMENSIONS							
Maximum Lot Coverage by Structures (percent)	40%	40%	40%	50%		40%	40%
Maximum Building Height	45	60	75	30	60	75	75/135
Floor Area Ratio			1.15				

...

Table 20.20.128.F.2. Modified Dimensional Requirements for Affordable Housing Development

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	Residential—Nonresidential Districts						
LAND-USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
DIMENSIONS							
Dwelling Units per Acre	30.0	45.0		22.5	45.0	45.0	45.0
Maximum Lot Coverage by Structures (percent)	40%	40%	40%	50%		40%	40%
Maximum Building Height	45	60	75	30	60	75	75/135
Floor Area Ratio			1.5				

...

H. Attached Housing Within Subdivisions.

Affordable housing development as provided in subsection D.1.b of this section may be permitted as attached multifamily dwelling units in single-family land use districts when meeting the following criteria:

1. The attached multifamily dwelling units shall be reviewed through a subdivision, Chapter 20.45A LUC, or short subdivision, Chapter 20.45B LUC, process, provided nothing in this subsection shall affect the allowance to build

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attached multifamily dwelling units through a planned unit development, Part ~~20.30D~~ LUC;

2. Multifamily dwelling units within a subdivision or short subdivision may be considered as unit lot subdivision, with each lot accommodating attached multifamily dwelling units as a parent lot and individual unit lots created for the attached multifamily dwelling unit, and shall also be reviewed for compliance with LUC ~~20.45A.065~~ for subdivisions or LUC ~~20.45B.057~~ for short subdivisions;

3. A proposal to create a Unit Lot Subdivision with a Parent Lot and Unit Lots may be reviewed as part of a single proposal for a subdivision or short subdivision;

4. An attached multifamily dwelling unit shall not be placed on or across any parent lot line within the subdivision or short subdivision;

5. The attached multifamily dwelling units may only be duplexes and triplexes;

6. No more than 50 percent of the units within the subdivision or short subdivision shall be attached multifamily dwelling units; and

7. The attached multifamily dwelling structure shall comply with all applicable dimensional requirements.

H. Affordable Housing Suffix.

...

3. Rezone Criteria. Owners of property meeting all eligibility criteria of subsection D.2 of this section may apply for a rezone, under Part 20.30A LUC, to append an affordable housing suffix to the property's existing Land Use District.

...

- b. Suffix Available for Rezone. Chart 20.20.128.H.1 identifies the affordable housing suffixes associated with reference Land Use Districts. The applicant may request up to the highest affordable housing suffix associated with the eligible property's reference Land Use District.

Table 20.20.128.H.1. Affordable Housing Suffix Eligibility

Reference Land Use District	Associated Affordable Housing Suffix
R-10, PO	(AH-1)
R-15, NB	(AH-2)
R-20, O, GC	(AH-3)
R-30, BR-CR, BR-ORT, BR-RC, CB, DT (Any), EG-TOD, EM (Any), F1, F2, F3, LI, NMU, OLB, OLB 2, NMU	(AH-4)

4. Development with Suffix.

- a. Increased Density. Development on a property with an affordable housing suffix may conform to the associated multifamily Land Use District identified in Chart 20.20.128.H.2, including associated dimensional standard modifications identified in subsection F.2 of this section, instead of the underlying Land Use District when all housing units are affordable housing.

Table 20.20.128.H.2. Alternate Land Use Districts Associated with Affordable Housing Suffixes

Affordable Housing Suffix	Associated Land Use District
(AH-1)	R-10
(AH-2)	R-15

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Affordable Housing Suffix	Associated Land Use District
(AH-3)	R-20
(AH-4)	R-30

...

I. Affordable Dwelling Units.

1. Applicability. This subsection shall apply to the construction of new multifamily, mixed-use, or nonresidential structures when the multifamily or mixed-use structure contains 10 or more dwelling units or when the nonresidential 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 or the Office, Office and Limited Business, Office and Limited Business 2, Neighborhood Business, Community Business, Neighborhood Mixed Use, Mixed Use: 7 Story, Mixed Use: 16 Story, Factoria 1, or Eastgate Transit Oriented Development Districts, that is subject to the requirements of this subsection I shall comply with at least one of the following:

- i. The residential performance option under LUC 20.20.128.I.2;
- ii. The payment option under LUC 20.20.128.I.4;
- iii. The land transfer option under LUC 20.20.128.I.5; or
- iv. A combination of the residential performance option and the payment option in accordance with LUC 20.20.128.I.6.

a.b. An applicant proposing nonresidential development, either fully or partially located within a Mixed-Use Land Use District or the Office, Office and Limited Business, Office and Limited Business 2, Neighborhood Business, Community

Commented [RS9]: @Menard, Mathieu : What do you think if we did a definition that could encompass all of these land use districts to increase readability?

The term could be "Mandatory Affordable Housing Land Use District." Or something else.

Alternatively, we could create a new subsection of LUC 20.20.128 that just lists land use districts and then cross reference to that. For example, replace the highlighted with "any land use district listed in LUC 20.20.128.Z"

If both HOMA and BelRed are adopted with a mandatory program, my concern is that these subsections are going to start getting really long.

Commented [MM10R9]: We could potentially say all districts which the Community Mixed-Use Design District applies. Does that work?

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[Business, Neighborhood Mixed Use, Mixed Use: 7 Story, Mixed Use: 16 Story, Factoria 1, or Eastgate Transit Oriented Development Districts](#), that is subject to the requirements of this subsection J shall comply with at least one of the following:

- i. The nonresidential performance option under LUC 20.20.128.I.3;
 - ii. The payment option under LUC 20.20.128.I.4;
 - iii. The land transfer option under LUC 20.20.128.I.5; or
 - iv. A combination of the nonresidential performance option and the payment option in accordance with LUC 20.20.128.I.6.
2. Performance Option - Residential. An applicant complying with this subsection I through the performance option in relation to proposed multifamily or mixed-use development shall provide affordable dwelling units in an amount indicated below:
- a. For dwelling units intended for rent, one of the following:
 - i. At least 10 percent of all dwelling units shall be affordable to households earning up to, and including, 80 percent of the area median income; or
 - ii. At least seven (7) percent of all dwelling units shall be affordable to households earning up to, and including, 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, and including, 50 percent of the area median income.
 - b. For dwelling units intended for sale, one of the following:
 - i. At least 10 percent of all dwelling units shall be affordable to households earning up to, and including, 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, and including, 80 percent of the area median income; or
 - c. If the operation of subsection I.2 of this section would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of affordable

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dwelling units required at the applicable area median income shall be equal to the next higher whole number.

- d. Affordable dwelling units may be provided onsite, offsite, or through a combination of onsite and offsite performance.
- e. To satisfy the requirements of this section, any affordable dwelling unit located offsite must be located both within the city limits and within one of the following tiers of locations. Any affordable dwelling unit must also meet all requirements applicable to that location tier.
 - i. Tier 1. Proximity to Light Rail or Bus Rapid Transit.
 - (1) The affordable dwelling unit may be located within one-half mile of an existing or future station on a light rail system funded or expanded under the provisions of chapter 81.104 RCW.
 - (2) The affordable dwelling unit may be located within one-half mile of an existing or future station on a bus rapid transit line.
 - ii. Tier 2. Proximity to Transit or Nonmotorized Facility.
 - (1) The affordable dwelling unit may be located within one-half mile of an existing or future transit stop that receives service at least four times per hour for 12 or more hours per day, provided that the unit is affordable to households earning up to, and including, 60 percent of the area median income for rental units and 100 percent of the area median income for ownership units.
 - (2) The affordable dwelling unit may be located within one-half mile of an existing or future transit stop that receives service at least two times per hour for 12 or more hours per day, provided that the unit is affordable to households earning up to, and including, 50 percent of the area median income for rental units and 100 percent of the area median income for ownership units.
 - (3) The affordable dwelling unit may be located on any lot that adjoins either: an access corridor containing a bike lane or a separated nonmotorized facility other than a sidewalk; or a local street containing a bike lane or a separated nonmotorized facility other than a sidewalk. However, the unit must be affordable to households earning up to, and including, 50

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percent of the area median income for rental units and 100 percent of the area median income for ownership units.

iii. Requirements Applicable to Both Tier 1 and Tier 2 Locations.

(1) If a physical impediment exists that would require pedestrians to walk more than one-half mile to the station or stop from the location of the affordable dwelling units, then the Director may determine that the location does not meet the requirements of the applicable tier.

(2) If an applicant selects a Tier 2 location, the amount of affordable dwelling units required to be produced under the performance option, LUC 20.20.128.J.2, is not modified. Instead, the amount of affordable dwelling required by operation of LUC 20.20.128.I.2 will apply, but, where required by operation of LUC 20.20.128.I.2.e.ii, the affordable dwell units must be affordable to a lower area median income bracket than what would otherwise be required under LUC 20.20.128.I.2.

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 dwelling units intended for rent, one of the following:

i. For every 1,000 square feet of gross floor area, one dwelling unit shall be provided onsite that is affordable to households earning up to, and including, 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 onsite that is affordable to households earning up to, and including, 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 onsite that is affordable to households earning up to, and including, 50 percent of the area median income.

b. For dwelling units intended for sale, one of the following:

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- i. For every 1,000 square feet of gross floor area, one dwelling unit shall be provided onsite that is affordable to households earning up to, and including, 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 onsite that is affordable to households earning up to, and including, 80 percent of the area median income.
 - c. If the operation of subsection I.3 of this section would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of affordable dwelling units required at the applicable area median income shall be equal to the next higher whole number.
4. In-Lieu Fee Option. An applicant complying with this subsection I through the payment option shall provide a cash payment to the City in lieu of on-site performance as follows:
 - a. In-lieu fees shall be both assessed and collected at building permit issuance.
 - b. The payment amount shall be calculated by multiplying the applicable per-square foot fee provided in Table 20.20.128.I.4 by the total square footage of new non-exempt gross floor area.
 - c. The applicable fees for development that is entirely non-residential are listed in the second column of Table 20.20.128.I.4 titled "Non-Residential Fee Per Square Foot of New Non-Exempt Gross Floor Area."
 - d. The applicable fees for development that is either mixed-use or entirely residential are listed in the third column of Table 20.20.128.I.4 titled "Residential and Mixed-Use Fee Per Square Foot of New Non-Exempt Gross Floor Area."
 - i. Development that is mixed-use shall not be subject to separate in-lieu fee rates for the residential and nonresidential portions of such development.
 - ii. For the purposes of this subsection, phased development shall still be considered to be mixed-use even if one or more phases consist of buildings that are entirely nonresidential so long as some proportion of the first phase to be constructed is residential.

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[Table 20.20.128.1.4](#)

Land Use District	Non-Residential Fee Per Square Foot of New Non-Exempt Gross Floor Area	Residential and Mixed-Use Fee Per Square Foot of New Non-Exempt Gross Floor Area
Urban Core	\$24.00	\$18.00
All other Mixed-Use Districts, OLB2, NMU, MU7, MU16, F1, F3, EG-TOD	\$16.50	\$13.00
O, OLB, NB, CB	\$16.50	\$10.00

Commented [RS11]: @Menard, Mathieu will need to update with revised table is published for Wilburton.

5. Land Transfer Option. As an alternative to complying with the requirements of this subsection I through a performance option outlined in LUC 20.20.128.1.2 or I.3, the in-lieu fee option outlined in LUC 20.20.128.1.4, or a combination of a performance option and the payment option as outlined in LUC 20.20.128.1.6, the City may, but is not required to, accept legal title to real property from an applicant for purposes relating to the construction, operation, maintenance, or acquisition of affordable dwelling units. A proposed transfer of real property under this subsection shall be reviewed using the following procedure:

- a. Eligibility. The City will not consider a land transfer under this subsection unless the real property proposed to be transferred **is located within a Mixed-Use Land Use District established under LUC 20.10.020 and described in LUC 20.10.398.**
- b. Proposal Required. An applicant desiring to comply with the requirements of this subsection I through the Land Transfer Option shall submit, in conjunction with a complete application for the required Master Development Plan or Design Review, a proposal containing the following information:
 - i. A feasibility analysis containing the following information:
 - (1). Analysis demonstrating that, under applicable development regulations, site conditions on the real property proposed to be transferred would allow the construction of a number of affordable dwelling units equal to, or greater than, the number that would be required to be constructed under either LUC 20.20.128.1.2 or I.3, as would otherwise be applicable to the applicant's development;

Commented [RS12]: @Menard, Mathieu: Policy choice—we could say that for development outside of Wilburton, we would accept property in a land use district other than a Mixed-Use Land Use District. Or we could leave as is. It's unlikely that any developer will use this option, though it was requested in Wilburton. LMK and happy to draft language to implement.

Commented [MM13R12]: I think we leave as is in this case. Should be considered for BelRed though.

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- (2). Analysis demonstrating that no legal agreements relating to, or legal interests in, the real property proposed to be transferred exist that would preclude the construction of a number of affordable dwelling units equal to, or greater than, the number that would be required to be constructed under either LUC 20.20.128.1.2 or 1.3, as would otherwise be applicable to the applicant's development;
 - (3). Analysis demonstrating the maximum number of affordable dwelling units that could be constructed on the real property proposed to be transferred under applicable development regulations;
 - (4). Analysis demonstrating that adequate utility infrastructure exists to support the construction and operation of the number of affordable dwelling units identified in subsections 5.b.i.(1) and (3) of this section or, in the absence of adequate utility infrastructure, what utility infrastructure would be required to be constructed under applicable development regulations; and
 - (5). The appraised value of the real property proposed to be transferred, as determined by an appraiser licensed under the laws of Washington State.
- ii. A survey of the real property proposed to be transferred, prepared by a surveyor licensed in the State of Washington, that depicts elevation, existing site conditions, all recorded easements, critical areas, critical area buffers, and critical area structure setbacks. The survey shall also include the legal description of the real property proposed to be transferred. The Director may further define what is required to be depicted on the survey by rule.
- c. Review Process.
 - i. The City Manager, or designee, shall review the proposal. Where the following criteria are satisfied, the City Manager may, but is not required to, accept the transfer of real property and execute all documents necessary to effectuate the transfer:
 - (1) Under applicable development regulations, site conditions on the real property proposed to be transferred would allow the construction of a number of affordable dwelling units equal to, or greater than, the number that would be required to be constructed under either LUC 20.20.128.1.2 or 1.3, as would otherwise be applicable to the applicant's development;

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- (2) No legal agreements relating to, or legal interests in, the real property proposed to be transferred exist that would preclude the construction of a number of affordable dwelling units equal to, or greater than, the number that would be required to be constructed under LUC 20.20.128.I.2 or I.3, as would otherwise be applicable to the applicant's development; and
 - (3) The appraised value of the real property proposed to be transferred, as determined by an appraiser licensed under the laws of Washington State, is equal to, or greater than, the in-lieu fee that would be required under LUC 20.20.128.I.4.
- ii. Recording Required. If the City Manager, or designee, accepts the transfer of real property, then the applicant shall record with the King County Recorder's Office all agreements and deeds necessary to effectuate the transfer and shall provide copies of the recorded documents to the Director.
 - iii. If the City Manager, or designee, declines the proposed transfer, then the applicant cannot satisfy the requirements of subsection J through the Land Transfer Option and must instead comply with the requirements of subsection I through another option listed in subsection I.1 of this section.
6. Compliance through a Combination of Performance and Payment Options. An applicant proposing multifamily, mixed-use, or nonresidential development, either fully or partially located within a Mixed-Use Land Use District, that is subject to the requirements of this subsection J may achieve compliance through a combination of one or more of the following: a performance option under LUC 20.20.128.I.2 or J.3, as applicable to the development, and the payment option under LUC 20.20.128.I.4.
- a. If an applicant desires to comply with the requirements of subsection I through a combination of options, then the following procedure shall be used:
 - i. First, the total in-lieu fee for the development shall be calculated as if compliance would be achieved solely by operation of LUC 20.20.128.I.4.
 - ii. Then, the total number of affordable dwelling units required to be created for the development shall be calculated as if compliance would be achieved solely by operation of LUC 20.20.128.I.2 or .I.3, as applicable to the development.

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- iii. Then, the actual number of affordable dwelling units proposed to be created for the development shall be divided by the result calculated in subsection I.6.a.ii of this section.
 - iv. Then, the result calculated in subsection I.6.a.iii of this section shall be subtracted from the number one (1).
 - v. Then, the result calculated in subsection I.6.a.iv of this section shall be multiplied with the result calculated in subsection I.6.a.i of this section.
 - vi. The result calculated in subsection I.6.a.v of this section constitutes the actual in-lieu fee that shall be required to be paid, provided that the actual number of affordable dwelling units proposed to be created for the development are constructed, maintained, and operated in accordance with the requirements of this title.
- b. The following is an example demonstrating application of the procedure described in subsection I.6.a of this section to a hypothetical mixed-use development:

In-Lieu Fee Amount Required (Required Fee):	\$1,500,000
Affordable Dwelling Units Required (Required AH):	100
Actual Number of Affordable Dwelling Units Proposed (Proposed AH):	10
Actual In-Lieu Fee Amount Required to be Paid:	\$1,350,000

Required Fee x [1 - (Proposed AH/Required AH)]

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$$\$1,500,000 \times [1 - (10/100)] = \$1,350,000$$

Compliance is achieved.

7. Modification of amount of payment or performance. Pursuant to LUC 20.20.542, the Director may modify the amount of payment required under LUC 20.20.128.1.4 or the amount of performance required under either LUC 20.20.128.1.2 or LUC 20.20.128.1.3.
8. Refer to LUC 20.25R.050 for FAR exemptions and incentives applicable to affordable housing in Mixed-Use Land Use Districts.
9. Refer to LUC 20.25I.060 for FAR exemptions and incentives applicable to affordable housing in Mixed-Use Land Use Districts.
10. If the applicant elects to comply with this section through a performance option, or a combination of the payment option and 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 affordable housing standards listed in LUC 20.20.128.A.3 and with affordable housing standards adopted by rule in accordance with LUC 20.20.128.A.2.
11. If the applicant elects to comply with this section through the payment option, or a combination of the payment option and a performance option, then the Director is authorized to accept such payment from the applicant. Funds shall be deposited into a special account and may be used by the City for the purposes authorized by RCW 36.70A.540.

...

20.20.520 Landscape development.

...

F. Site Landscaping.

1. Perimeter Landscaping Requirements for Use Districts. The applicant shall provide site perimeter landscaping either according to the following chart and subject to subsections F.2 and F.6 of this section; or in conformance with subsection J of this section.

Perimeter Landscaping Requirements for Use Districts

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Land Use District in Which the Subject Property is Located ³	Street Frontage (Type and Minimum Depth)	Interior Property Lines (Type and Minimum Depth) ¹
...		
NB, PO, O, OLB, OLB 2, OLB-OS	Type III, 10' but if located in a transition area, and directly abutting S/F², R-10, 15, 20 or 30, see Part 20.25B LUC for requirements. ⁴	Type III, 10' but if located in a transition area, and directly abutting S/F², R-10, 15, 20 or 30, see Part 20.25B LUC for requirements. ⁴
LI, GC, CB , NMU	Type III, 10' but if located in a transition area, and directly abutting S/F², R-10, 15, 20 or 30, see Part 20.25B LUC for requirements.	Type III, 8' but if located in a transition area, and directly abutting S/F², R-10, 15, 20 or 30, see Part 20.25B LUC for requirements.

...

20.20.540 Multifamily play areas.

A. New multifamily developments of 10 units or more and located in a residential district 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](#).

...

20.20.590 Parking, circulation and walkway requirements.

...

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	Maximum Number of Parking Spaces Allowed
...			
m.	Residential (3):		
	Single-family detached	2:unit	No max.
	Multiple-unit structure:	1:unit	No max.
	One-bedroom or studio unit	1.2:unit	No max.
	Two-bedroom unit	1.6:unit	No max.
	Three- or more bedroom unit	1.8:unit	No max.

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nsf = net square feet (See LUC [20.50.036](#)).

...

I. **Shared Use of Parking.**

The following provisions apply outside the Downtown Districts:

1. General. The Director of the Development Services Department may approve shared use of parking facilities located on separate properties [or for mixed-use development on a single site](#) if:
 - a. A convenient pedestrian connection between the properties [or uses](#) exists; and
 - b. The properties [or uses](#) are within 1,000 feet of each other; and
 - c. The availability of parking for all affected properties is indicated by directional signs as permitted by Chapter [22B.10](#) BCC (Sign Code).
2. Number of Spaces Required.

...

 - b. Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements. If the following criteria are met, that total is reduced by 10 percent:
 - i. The parking areas share a property line [or are on a single property](#); and
 - ii. A vehicular connection between the [lots-uses](#) exists; and
 - iii. A convenient, visible pedestrian connection between the [lots-uses](#) exists; and
 - iv. The availability of parking for all affected properties is indicated by directional signs, as permitted by Chapter [22B.10](#) BCC (Sign Code).

...

L. Minimum Parking for Residential Uses with Frequent Transit Service.

...

2. Standards.

Use	Minimum Number of Parking Spaces Required
Affordable Housing with Frequent Transit Service (Transit service at least two times per hour)	0. 75 unit
Affordable Housing (Service at least four times per hour)	0. 50 :unit (1)
Market Rate Multifamily Dwelling	0.75:unit
Senior Housing	0:bed or unit (2)
...	

~~(1) The minimum requirement for up to and including one-bedroom apartment units available to households earning 60 percent or less of the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 spaces per unit. An agreement in a form approved by the City shall be executed by the applicant and recorded with the King County Recorder's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.~~

(12) Parking shall be required only for staff and visitors per the existing use standards of the specific land use district. The Director of the Development Services Department may consider the criteria in LUC [20.20.590.F.2.a](#) through [c](#) in establishing alternative parking requirements for staff and visitors.

K. Required Bicycle Parking.

1. Bicycle parking. Developments shall provide bicycle parking as follows:

a. Required amount.

i. Nonresidential uses over 20,000 net square feet: one (1) space per 10,000 net square feet.

ii. Residential uses: one (1) space per five (5) dwelling units.

iii. Hotels, motels, and transient lodging: one (1) space per five (5) rooms.

b. Location.

i. Short-term bicycle parking. At least 15 percent of the required bicycle parking areas 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 and must be accessible from a primary building entry for pedestrians;

(2) Bicycle parking areas 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) 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.

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

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.

Part 20.25A Downtown

20.25A.010 General.

B. Organization of Part 20.25A LUC.

...

2. Land Use Districts. Each parcel of land in Downtown is classified to determine uses, dimensional requirements (including Floor Area Ratio), and requirements for participation in the Amenity Incentive System. Specific sections of the Downtown code, Part [20.25A](#) LUC, apply to the following Land Use Districts. See Figure 20.25A.060.A.2 for a map of the Downtown Land Use Districts.

...

- b. Downtown-Office 2 (DT-O-2). The purpose of the Downtown-O-2 District is to provide an area for intensive business, financial, retail, hotel, entertainment, institutional, and urban residential uses and to serve as a transition between the more intensive Downtown-O-1 District and the less intensive Downtown-Mixed Use District. The Downtown-O-2 District includes different maximum building heights for areas north of NE 8th Street, east of 110th Avenue NE, [west of Bellevue Way NE](#), and south of NE 4th Street based on proximity to the Downtown Core and access to the regional freeway system and transit, creating the Downtown O-2 Districts North, East, [West](#), and South (DT-O-2 North, DT-O-2 East, and DT-O-2 South [and West](#)).

20.25A.020 Definitions.

A. Definitions Specific to Downtown.

...

DT – Tower: Any building with a minimum height of greater than 100 feet ~~or greater~~.

...

~~**DT – Transparency:** Ability to see through a window or door at the pedestrian eye level. The pedestrian eye level is 30 inches to eight feet up from the sidewalk, following the adjacent sidewalk slope.~~

...

~~**DT – Weather Protection:** A continuously covered area projecting from a building that functions as weather protection or a canopy projecting from the elevation of the building that is designed to provide pedestrians protection from the elements. Weather protection includes, but is not limited to, marquees and awnings that are made of durable materials.~~

B. General Definitions Not Applicable to Downtown.

The general definitions contained in Chapter 20.50 LUC apply unless specifically listed below as inapplicable to Downtown.

...

~~**Building Height – Transition Area Design Districts.** LUC 20.50.012.~~

...

20.25A.060 Dimensional charts.

...

1. Dimensional Chart. Chart 20.25A.060.A.4 sets forth the dimensional requirements applicable to each Land Use District and Perimeter Overlay that is mapped in Figures 20.25A.060.A.2 and 20.25A.060.A.3.

Note: For the purposes of this dimensional chart, the DT-O-2, DT-MU, and DT-OLB are divided into smaller areas. The rest of this Part 20.25A LUC does not divide these districts into smaller areas.

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Chart 20.25A.060.A.4 Dimensional Requirements in Downtown Land Use Districts

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 80' Where Building Exceeds 100'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height /Maximum Building Height with Mechanical Equipment (17)	Floor Area Ratio: Base/Maximum (3)	Tower Separation Above 80' Where Building Exceeds 100'	Base Building Height	Trigger for Additional Height
DT-O-2 South of NE 4th and West of Bellevue Way NE	Nonresidential	20' (14)	24,000 gsf/f	24,000 gsf/f	100%	345'3 65' (18)	5.4/6.0	60' (14)	288'	288' (7)
	Residential	20' (14)	22,000 gsf/f	13,500 gsf/f	100%	345'3 65' (18)	5.4/6.0	60' (14)	288'	288'
	Above-Grade Parking	20' (14)	20,000 gsf/f	20,000 gsf/f	100%	100' (9)/100'	NA	60' (14)	N/A	N/A (10)

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Notes: Dimensional Requirements in Downtown Land Use Districts and Perimeter Overlays:

...

B. Exceptions to Dimensional Requirements.

...

3. Perimeter Overlay FAR Flexibility.

a. Unutilized FAR from land area in a Downtown perimeter overlay may be utilized for development outside of the perimeter overlay in another perimeter overlay or in the DT-MU Land Use District, provided that all of the following conditions are met:

i. The land area of the available FAR in a Downtown perimeter overlay and the development utilizing the FAR in DT-MU are within a single project limit;

ii. The available FAR from land area in the perimeter overlay may be utilized for development in another perimeter overlay or in the DT-MU only, and only if the areas within the perimeter overlay are developed as residential uses. The utilization of available FAR shall not result in exceeding the applicable maximum FAR in any perimeter overlay;

iii. Utilization of available FAR as provided in this Section shall count towards the maximum FAR for the single project limit. Development in DT-MU may exceed the maximum FAR for DT-MU in LUC 20.25A.060.A.4 provided that the additional FAR for the project limit is utilized consistent with this section; and

iv. Where the utilization of available FAR results in the development in DT-MU and/or perimeter overlay exceeding the base FAR, the development within DT-MU and/or perimeter overlay must participate in the Amenity Incentive Program for that District.

20.25A.070 Amenity incentive system and floor area ratio.

...

C. FAR Exemptions, Special Dedications, and Conversion of Previously Approved Exempt Retail Activity Space.

...

2. Affordable Housing Development Flexibility. ~~A maximum of 1.0 FAR of floor area~~ may be exempted to support the provision of affordable housing, minimum parking

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may be reduced, and additional development flexibility allowed, as provided below.

- a. In the land use district the building is located in, up to 50 percent of the base FAR for residential development 1.0 FAR of floor area dedicated to supporting the creation of on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project; provided, that:
 - ~~i. For every 1.0 square foot of affordable housing provided, 2.5 square feet is allowed for market-rate housing not to exceed a maximum of 1.0 FAR total; and~~
 - ~~ii. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary.~~
- b. For every 1.0 square foot of affordable housing provided, 4.0 square feet is allowed for market-rate housing not to exceed 50 percent of the base FAR for residential development in the land use district the building is located in. Affordable housing square footage which receives amenity incentive points shall not qualify for this FAR exemption.
- b. ~~Reduced Minimum Parking Ratio for Affordable Units. Affordable studio and one-bedroom units located in projects meeting the requirements of subsection C.2.a of this section shall have a minimum parking ratio of 0.5 stalls per unit.~~
- c. Additional Development Flexibility. Projects that provide 0.5 FAR or greater of ~~the exempt floor area earned through the provisions of on-site affordable housing may~~affordable housing may:
 - i. Increase the maximum lot coverage by five percent in Perimeter Overlay Districts A-1, A-2, A-3, B-1, and B-2; and
 - ii. Except in the Perimeter Overlay, Ddecrease the upper-level stepbacks required in LUC 20.25A.075.C by a maximum of five feet; and
 - ~~iii. For buildings less than 100 feet in height within the Perimeter Overlay, decrease the required upper-level stepbacks by a maximum of fifteen feet; and~~
 - iv. Increase maximum building heights by 25 feet for buildings within the Perimeter Overlay; and
 - v. Exempt buildings less than 80 feet in height and in the Perimeter Overlay from the maximum floor plate above 40' feet requirements listed in Chart 20.25A.060.A.4.

Commented [A14]: @Menard, Mathieu : 2.a.i was missing from the strikedraft. We didn't touch it in the Objective Design Review LUCA, so I just added it back in. I'm assuming we're deleting it? Please confirm, thanks!

Commented [RS15R14]: Wait, I see it was moved down. I clarified the strike-draft accordingly.

Commented [A16]: Under the Wilburton LUCA, affordable housing standards will be adopted that are applicable to all affordable housing created by operation of the LUC. In addition, DSD will be adopting a Director's Rule to further provide consistency among affordable housing created by operation of the LUC. Therefore, this language is not necessary.

...

D. Specific Amenity Incentive System Requirements.

...

2. Development within a project limit may only exceed its base FAR or base building height by providing amenities as described in Chart 20.25A.070.D.4 and this subsection.

...

- b. Allocation of Amenities. The Amenity Incentive System has a focus on [affordable housing and](#) public open space features.

- i. [It is required that the first 25 percent of a project's amenity points shall be earned from the provision of affordable housing. In-lieu fees may be utilized to meet this requirement.](#)

- ii. It is required that ~~50~~⁷⁵ percent or more of a project's amenity points shall be earned from one or more of the following amenities: Grand Connection and Major Public Open Space, Outdoor Plaza, Donation of Park Property, Improvement of Public Park Property, Enhanced Streetscape, Active Recreation Area, Enclosed Plaza or Alleys with Addresses. The remaining 25 percent of a project's required amenity points may be earned from any other amenity on the amenity list. DT-Small Sites may utilize any combination of amenity incentive points from the standard list to earn required amenity points.

- c. In-Lieu Fees. In-lieu fees may be used for up to 50 percent of a project's required amenity incentive points. ~~The in-lieu fee as of October 24, 2017, is \$28.00 per amenity point. In-lieu fees shall be assessed and collected at building permit issuance.~~In-lieu fees collected by the City shall be placed in a dedicated account and used exclusively for [the provision of affordable housing or](#) the acquisition or improvement of publicly accessible open space within, adjacent to, or connected to Downtown as determined by the Parks and Community Services Director. The amenity incentive system in-lieu fee rate, published in the City's fee rate schedule, shall be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the

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current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region. [In-lieu fees shall be assessed as follows:](#)

[i. As of July 1, 2025, the fee shall be \\$13.00 per amenity point for affordable housing.](#)

[ii. As of July 1, 2025, the fee shall be \\$38.65 per amenity point for all amenities other than affordable housing.](#)

...

4. Amenity Incentive System.

Chart 20.25A.070.D.4 Amenity Incentive System

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
PUBLIC OPEN SPACE FEATURE AMENITIES							
1. Affordable Housing: The provision of housing meeting the definition of affordable housing in LUC 20.50.010.	4:1	4:1	4:1	4:1	4:1	4:1	4:1
	4:1 bonus points per square foot of affordable housing provided.						
24. Grand and Major Public Open Spaces: The Grand Connection and Public Open Spaces as depicted in LUC 20.25A.175.A.1.				16:1			
	16:1 bonus points per square foot of Pedestrian Corridor or Major Public Open Space constructed.						
	DESIGN CRITERIA:						
1. Grand Connection and Major Public Open Space improvements							

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	comply with the requirements of LUC 20.25A.175 .						
32. Outdoor Plaza: A publicly accessible, continuous open space, predominantly open from above, and designed to relate to the surrounding urban context. Outdoor plazas prioritize pedestrian use and serve as	9.3:1	9.3:1	8.4:1	9.3:1	8.4:1	8.4:1	8.4:1
	8.4 bonus points per square foot of outdoor plaza in Priority Neighborhoods; 9.3 bonus points per square foot in High Priority Neighborhoods.						
	DESIGN CRITERIA: 1. Minimum plaza size is 3,000 square feet with a maximum bonusable area of 20 percent of the gross lot area; provided, that the minimum plaza size for a DT-Small Site is 1,500 square feet. Plazas larger than 10,000 square feet may earn 10 percent additional bonus points if they are designed in a manner to provide for activities to promote general public assembly. 2. Minimum plaza size may be met through the linking of smaller plaza spaces in a cohesive, logical manner with a strong design narrative. 3. Minimum seating provided shall be one linear foot of seating space per 30 square feet of plaza space. 4. A minimum of 20 percent of the area eligible for bonus						

	<p>amenity points in the plaza shall be landscaped.</p> <p>5. Plaza amenities to enhance the users' experience shall be provided, e.g., art and water elements.</p> <p>6. Plaza shall be located within 30 inches of the adjacent sidewalk grade, and shall provide physical and visual access from the adjacent right-of- way.</p> <p>7. Provide for sense of security to users through well-lit and visible spaces.</p> <p>8. Directional signage shall be provided to identify circulation routes for all users and inform the public that the space is accessible to the public at all times. The signage shall be visible from all points of access. The Director shall require signage as provided by 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 provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site.</p> <p>9. Plazas shall be open to the public at all times and require an easement for public right of pedestrian use in a form approved by the City.</p> <p>10. Plazas shall meet all design criteria for design standards for public open spaces.</p> <p>11. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces.</p>
<p>43. Donation of Park Property: Property that is donated to the City, with no restriction, for park purposes.</p>	<p>Forty-five bonus points for every \$1,000 of the appraised value of property donated for park purposes if the property is located in Northwest Village or East Main Neighborhood. Forty bonus points for every \$1,000 of the appraised value if property is located in any other Downtown Neighborhood. Park property donation may occur in Downtown Neighborhoods that are different from where the development project occurs.</p>

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	DESIGN CRITERIA:						
	<ol style="list-style-type: none"> 1. The need for such property in the location proposed shall be consistent with City-adopted policies and plans. 2. The minimum size of a donated park parcel is 4,000 square feet. 3. Donated park parcels shall be located within Downtown, but need not be contiguous with the site for which development is proposed. 						
<p>54. Improvement of Public Park Property: Improvements made to City-owned community, neighborhood, and miniparks within Downtown.</p>	Forty-five bonus points for every \$1,000 of public park property improvement if the park is located in Northwest Village or East Main Neighborhood. Forty bonus points for every \$1,000 of public park property improvement if it is located in any other Downtown Neighborhood. Park property improvement may occur in Downtown Neighborhoods that are different from where the development project occurs.						
	DESIGN CRITERIA:						
	<ol style="list-style-type: none"> 1. Improvements made to a City-owned community, neighborhood, or mini-park shall be consistent with the Downtown Subarea Plan. 2. Improvements made to City-owned parks shall be constructed by the developer consistent with applicable City plans, and approved by the Director of the Parks and Community Services Department. 						
<p>65. Enhanced Streetscape: A continuous space between the back of the curb and the building face, which</p>	7:1	7:1	7:1	7:1	7.8:1	7.8:1	7.8:1
	Seven bonus points per square foot of enhanced streetscape constructed; 7.8 bonus points per square foot if part of Lake-to-Lake Trail in Old Bellevue, City Center South, and East Main neighborhoods.						
	DESIGN CRITERIA:						

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<p>allows internal activities to be externalized or brought out to the sidewalk. This space is provided along the building front, and activated by residential patios or stoops, small retail, restaurant, and other commercial entries.</p>	<ol style="list-style-type: none"> 1. Space between back of curb and building face shall meet the minimum sidewalk and landscape dimensions. This amenity bonus is intended for an additional four- to eight-foot frontage zone that is above and beyond the minimum requirements. 2. Frontage zone shall contain street furniture, including movable tables and chairs, and may be used for retail and food vendor space. 3. The applicant shall comply with three of the five design standards below: <ol style="list-style-type: none"> a. Additional landscaping such as seasonal pots and plantings. b. Decorative paving. c. Small artistic elements. d. Additional weather protection. e. Other features suggested that assist in activating the space. 4. Visual access shall be provided to abutting commercial spaces. For residential use, this may be provided through a private patio or stoop. 						
<p>76. Active Recreation Area: An area that provides active recreational facilities and is open to the general public. Does not include health or athletic clubs.</p>	2:1	2:1	2:1	2:1	2:1	2:1	2:1
	<p>Two bonus points per square foot of active recreation area provided.</p>						
	<p>DESIGN CRITERIA:</p>						
	<ol style="list-style-type: none"> 1. May be located indoors or outdoors. 2. Recreational facilities include, but are not limited to, sport courts, child play areas, climbing wall, open space for play, and dog relief areas. 3. There may be a fee for use, but may not be used exclusively by the membership. 4. The maximum bonusable area is 1,500 square feet. 						
<p>87. Enclosed Plaza: A</p>	4:1	4:1	4:1	4:1	4:1	4:1	4:1

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publicly accessible, continuous open space located within a building and covered to provide overhead weather protection while admitting substantial amounts of natural daylight (atrium or galleria). Enclosed plazas function as a “Third Place,” and are “anchors” of community life and facilitate and foster broader, more creative interaction.	Four bonus points per square foot of enclosed plaza provided.						
	DESIGN CRITERIA:						
	<p>1. Shall be open and accessible to the public during the same hours that the building in which it is located is open.</p> <p>2. Shall provide signage to identify the space as open to the public as provided per the Bellevue Transportation Department Design Manual. Shall provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage shall be visible from all points of access. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site.</p> <p>3. Shall be visually and physically accessible from a publicly accessible space.</p> <p>4. At least five percent of the area shall be landscaped. Landscape requirements may be modified if an equal or better result is provided through the use of interesting building materials, art, and architectural features that soften and enhance the enclosed plaza area.</p> <p>5. The minimum sitting space shall be one linear foot of seating per 30 square feet of enclosed plaza space. More than 50 percent of the seating shall be provided in the form of movable chairs and furniture.</p> <p>6. Minimum horizontal dimension is 20 feet.</p> <p>7. Minimum area is 750 square feet.</p>						
98. Alleys with Addresses: Pedestrian- oriented ways off the main	6.7:1	6.7:1				6.7:1	6.7:1
	6.7 bonus points per square foot of alley with address improvement based on neighborhood location.						
	DESIGN CRITERIA:						

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<p>vehicular street grid that provide an intimate pedestrian experience through a combination of residential, small retail, restaurant, and other commercial entries with meaningful transparency along the frontage building walls. This area does not have a “back of house” feel.</p>	<ol style="list-style-type: none"> 1. Shall be open to the public 24 hours a day, seven days a week, and require an easement for public right of pedestrian use in a form approved by the City. 2. May not be enclosed. 3. Shall provide a finer-scaled building design at the pedestrian level to emphasize the pedestrian realm and to provide scale relief from the primary massing. 4. Alley frontage shall meet standards for “C” Rights-of-Way, Mixed Streets in LUC 20.25A.170.B. 5. Residential use must provide a strong connection to the alleyway through the use of patios or stoops. 6. Shall provide pedestrian-scaled lighting. 7. Shall provide signage to show open to the public and the hours. 8. Automobile access and use shall be secondary to pedestrian use and movement. 9. Shall meet design standards at LUC 20.25A.170.C. 10. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces. 							
<p>109. Freestanding canopies at street corners and transit stops (nonbuilding weather protection)</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1	<p>Forty bonus points per every \$1,000 of investment in freestanding canopies. Maximum 1,000 bonus points per freestanding canopy.</p>
	<p>DESIGN CRITERIA:</p>							<p>Location of freestanding canopies shall be approved by Transportation Department. Design shall be consistent with the design adopted through a Transportation Director’s Rule.</p>
<p>110. Pedestrian Bridges: Pedestrian bridges over the</p>		250:1		250:1		250:1		<p>Two hundred fifty bonus points per linear foot of pedestrian bridge constructed.</p>

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<p>public right-of-way at previously designated mid-block locations meeting specific design criteria.</p>	<p>DESIGN CRITERIA:</p>						
<p>124. Performing Arts Space: Space containing fixed seating for public assembly for the purpose of entertainment or cultural events (live performances only).</p>	16:1	16:1	16:1	16:1	16:1	16:1	16:1
	<p>Sixteen bonus points per square foot of performing arts space provided.</p>						
	<p>DESIGN CRITERIA:</p>						
	<p>This bonus shall apply only to performing arts spaces that are less than 10,000 square feet.</p>						
<p>132. Public Art: Any form of permanent artwork that is outdoors and publicly accessible or visible from a public place. The purpose is to create a memorable civic experience and affinity between artist and community.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	<p>Forty bonus points per every \$1,000 of appraised art value.</p>						
	<p>DESIGN CRITERIA:</p>						
	<p>1. Shall be located outside in areas open to the general public or visible from the adjacent public right-of-way, perimeter sidewalk, or pedestrian way.</p>						
	<p>2. May be an artist-made object or artist-made integrated feature of the building's exterior or other visible infrastructure such as paving, hand railings, walls, seating, or other elements visible to the public or in publicly accessible areas.</p>						
	<p>3. Public art can include murals, sculptures, art elements integrated with infrastructure, and special artist-designed lighting.</p>						
	<p>4. Standalone or landmark artworks shall be at a scale that allows them to be visible at a distance.</p>						
	<p>5. Value of art to be determined through appraisal accepted by</p>						

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	<p>Bellevue Arts Program.</p> <p>6. Maintenance of the art is the obligation of the owner of that portion of the site where the public art is located for the life of the project.</p>						
<p>143. Water Feature: A fountain, cascade, stream water, sculpture, or reflection pond. The purpose is to serve as a focal point for pedestrian activity.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	<p>Forty bonus points per every \$1,000 of appraised value of the water feature, or actual construction cost, whichever is greater.</p>						
	<p>DESIGN CRITERIA:</p>						
	<p>1. Shall be located outside of the building, and be publicly visible and accessible at the main pedestrian entrance to a building, alongside a perimeter sidewalk or pedestrian connection.</p> <p>2. Water shall be maintained in a clean and noncontaminated condition.</p> <p>3. Water shall be in motion during daylight hours.</p>						
<p>154. Historic Preservation of Physical Sites/ Buildings: Historic and cultural resources</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	<p>Forty bonus points per every \$1,000 of documented construction cost to protect historic façades or other significant design features.</p>						
	<p>DESIGN CRITERIA:</p>						

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<p>are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.</p>	<p>1. Voluntary protection of historic façades or other significant design features when redevelopment occurs.</p>						
<p>165. Historic and Cultural Resources Documentation: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	<p>Forty bonus points per every \$1,000 of documented cost of plaques/ interpretive markers or construction cost of space dedicated to collect, preserve, interpret, and exhibit items.</p>						
	<p>DESIGN CRITERIA:</p>						
<p>1. Use plaques and interpretive markers to identify existing and past sites of historic and cultural importance. 2. Space dedicated to collect, preserve, interpret, and exhibit items that document the history of Downtown Bellevue.</p>							
<p>176. Neighborhood Serving Uses: Allocation of space for noncommercial</p>	8:1	8:1	8:1	8:1	8:1	8:1	8:1
	<p>Eight bonus points per square foot of space dedicated to neighborhood serving uses.</p>						
	<p>DESIGN CRITERIA:</p>						

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<p>neighborhood serving uses that bolster livability for residents (e.g., community meeting rooms and nonprofit child care).</p>	<ol style="list-style-type: none"> 1. Bonusable neighborhood serving uses include child care, community meeting rooms, or nonprofit space. Up to 5,000 square feet per project are eligible for this bonus, any floor area beyond that limit shall not be eligible for amenity bonus points. 3. The floor area delineated for these uses shall be required to remain dedicated to neighborhood serving uses for the life of the project. 4. Applicant shall record with King County Recorder's Office for its successor agency) and provide a copy to the Director of a binding document allocating those spaces only for neighborhood serving uses for the life of the building. 5. No other uses shall be approved for future tenancy in those spaces if they are not consistent with the uses outlined in the definition of neighborhood serving uses in LUC 20.25A.020.A. 6. Tenant spaces shall remain open to the public and may not require fees or admissions to enter. 7. Spaces shall provide visual access from the street.
<p>187. Sustainability Certification: The City has a vested interest in supporting sustainable building practices and provides amenity bonus points</p>	<p>Tier 1: Living Building Net Zero Energy; Built Green 5-Star; or LEED Platinum; 0.25 FAR Bonus.</p> <p>Tier 2: Passivhaus PHIUS+2015 Verification; Built Green 4-Star; or LEED Gold; 0.2 FAR Bonus.</p> <p>Note: Other Sustainability Certifications with an expected public benefit equal to or in excess of Tier 1 or Tier 2 may be pursued under the Flexible Amenity provisions.</p> <p>DESIGN CRITERIA:</p>

Commented [RS17]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

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<p>commensurate with the level of sustainability provided in each building. Bonus FAR points shall be earned according to the level of rating an applicant completes. Building practices are rapidly evolving and sustainability features are becoming mainstream. The purpose of this amenity is to incentivize performance significantly above the industry norm.</p>	<ol style="list-style-type: none"> 1. Buildings shall meet minimum criteria for LEED, Built Green, or Living Building Challenge certification in the chosen category. 2. A performance bond equivalent to the value of the bonus shall be provided to the City by the developer. 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 within Downtown identified by the City.
<p>FLEXIBLE AMENITY</p>	
<p>198. Flexible Amenity: For proposed amenities not identified in items 1 through 17 of this list, the Flexible</p>	<p>Values for this amenity shall be set through the City Council Departure process in LUC 20.25A.030 and require a Development Agreement. May be pursued in all Downtown Neighborhoods. This amenity may be used on DT-Small Sites to earn necessary amenity bonus points needed to exceed base FAR.</p> <p>DESIGN CRITERIA:</p>

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<p>Amenity allows an applicant the opportunity to propose an additional amenity that would substantially increase livability in Downtown. Credit shall be determined on a case-by-case basis; it is expected that the public benefit shall equal or exceed what would be provided by amenities on the standard list provided above. The Flexible Amenity may also be used to determine a mix of amenities that is appropriate for a DT-Small Site when the application of standard list would not provide it with the development rights permitted to other similarly situated properties.</p>	<ol style="list-style-type: none"> 1. The bonus proposal shall be approved by City Council through a Legislative Departure and Development Agreement. 2. The proposed bonus shall have merit and value to the community. 3. The proposed bonus shall be outside of the anticipated amenity bonus structure. 4. The proposed bonus shall not be in conflict with existing Land Use Code regulations.
	<p>TECHNICAL REVIEW:</p>
	<p>The City may require the applicant to pay for an independent technical review, by a consultant retained by the City, of materials submitted by the applicant to support the requested departures contained within a requested Development Agreement. Consultant services may include, but are not limited to, economic evaluation of public benefits, impacts on property values, review of construction valuations, documentation related to constructability, and other input deemed necessary by the City Council to support its legislative decision making.</p>

...

20.25A.075 Downtown tower requirements and upper-level setbacks.

A. Requirements for Additional Height.

...

2. Floor Plate Reduction Requirement.

...

- b. The reduction shall be applied on all floor plates above the trigger for additional height. The applicable percent reduction may be averaged among all floor plates above ~~80-100~~ feet, but no single floor plate shall exceed the maximum floor plate size above ~~80-100~~ feet.

...

C. **Upper-Level Stepbacks.**

- 1. Upper-Level Stepback. Each building façade depicted in Figure 20.25A.075.C.2 shall incorporate a minimum 15- or 20-foot-deep stepback at a height ~~between 25 feet and the level of the first floor plate above 40 feet~~ no greater than the first full building story above 110 feet in façade height. The required depth of the stepback is shown in Figure 20.25A.075.C.2. This required stepback may be modified or eliminated if the applicant demonstrates through Design Review (Part 20.30F LUC) that:

...

- b. The modification is necessary to achieve design elements or features in the design standards of LUC 20.25A.140 through 20.25A.180, and the modification does not interfere with preserving view corridors. ~~Where a modification has been granted under LUC 20.25A.060.B.2.c, the upper level stepback may be incorporated between 25 feet and the level of the first floor plate above 45 feet;~~
or

...

20.25A.080 Parking standards.

...

B. Minimum/Maximum Parking Requirement by Use – Specified Uses.

This subsection supersedes LUC ~~20.20.590.F.1~~. Subject to LUC ~~20.20.590.G, 20.20.590.H, and 20.20.590.L~~, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below unless modified pursuant to applicable departure allowances contained in this

section:

Downtown Parking Requirements

		Downtown Land Use Districts			
Land Use	Unit of Measure	-O-1, -O-2		-R, -MU, -OB, -OLB	
		Min.	Max.	Min.	Max.
...					
k. Residential (6) (8)	per unit	0	2.0	1.0 0.5 (5) (7)	2.0
...					

nsf = net square feet (see LUC [20.50.036](#))

Notes to Parking Requirements:

...

(5) There is no minimum requirement for ~~studio apartment~~ units ~~available-affordable~~ to persons earning ~~60-80~~ percent or less ~~than-of~~ the ~~area~~ median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area. ~~is 0.25 stalls per unit.~~

(1) Visitor parking shall be provided in residential buildings at a rate of one stall per 20 units, but in no case shall the visitor parking be less than one stall. For affordable housing and market rate multifamily dwelling uses with frequent transit service, the required visitor parking per unit shall be proportionately reduced for a combined number of resident and visitor parking per unit to not exceed a parking ratio of 0.75:unit.

...

20.25A.135 Downtown neighborhood specific standards.

...

B. Downtown – Old Bellevue Neighborhood.

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1. Development Requirements. Development within the Old Bellevue Neighborhood shall comply with the following if the property abuts the named streets:

- B. ~~Pedestrian-oriented~~Active use frontage shall include display windows having mullions that are spaced two to six feet apart.

...

~~Part 20.25B Transition Area Design District~~

Section deleted in its entirety. Setback and landscaping elements of this section have been consolidated into LUC 20.25I.

~~Part 20.25C Office and Limited Business (OLB) and Office and Limited Business 2 (OLB 2) Districts~~

Section deleted in its entirety. Elements of this section have been consolidated into LUC 20.25I.

~~Part 20.25F Evergreen Highlands Design District~~

Section deleted in its entirety. The remaining parcels in the Evergreen Highlands Design District are proposed to be rezoned as Neighborhood Mixed Use and will be subject to the requirements of LUC 20.25I.

Part 20.25F1 Factoria 1

...

20.25F1.030 Development intensity and phasing of required improvements.

~~A. District-Wide Intensity Limitation.~~

~~The development limitations set forth in this section establish the total amount of development that may occur in the F1 Land Use District.~~

- ~~1. Retail/Service Development. The total amount of retail and service development permitted in DA I, II and III shall not exceed 681,100 gross square feet. Square footage associated with minor expansions permitted to existing buildings located in DA IV will not be counted as retail or service development for the purposes of imposing this limitation. Uses classified as recreation pursuant to Chart 20.10.440 will not be counted as retail or service development for the purposes of imposing this limitation.~~

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~~2. Residential Dwelling Units. The total number of residential dwelling units permitted in DA I, II and III is limited to 685. No residential development is permitted in DA IV.~~

~~B. DA IV Specific Intensity Limitation.~~

~~New development may be permitted in DA IV, but is limited to expansions of an existing structure by no more than 20 percent of existing building floor area in that structure and to development of structured parking necessary to support retail or service-related development permitted in DA I, II and III.~~

~~A.C. Phasing Plan.~~

~~A phasing plan for installation of site improvements, landscaping and amenities necessary to support each phase of development must be approved as part of the Master Development Plan as required by Part 20.30V LUC.~~

20.25F1.040 Dimensional requirements (1)(2).

F1 Land Use District	Minimum Setback (23)(34)(45)			Building Height (56)	FAR	Stepback		
	Type A Street	Type B Street	Type C Street			Type A Street	Type B Street	Type C Street
DA I	N/A	N/A	N/A 30'	170'60'	5	N/A	N/A	10' (6)
DA II	10'	N/A	10'	40'75'80' (7)	3	N/A	N/A	10' (8)N/A
DA III	N/A	N/A 10'10' (9)	N/A 10'	170'75'	5	N/A	N/A 0'10' (10)	10' (6)

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F1 Land Use District	Minimum Setback (23)(34)(45)			Building Height (56)	FAR	Stepback		
	Type A Street	Type B Street	Type C Street			Type A Street	Type B Street	Type C Street
DA IV	(11)	(11)	(11)	170'45'	5	N/A	N/A	N/A

Footnotes:

~~(1) Footnote (8) of the dimensional requirements contained in LUC 20.20.010 controls.~~

~~(12) Maximum impervious surface is limited to 85 percent. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.~~

~~(23) Minimum setbacks are subject to development of required landscaping pursuant to LUC 20.25F1.050.~~

~~(34) Measured from the property line.~~

~~(45) No parking or vehicle access lane is permitted between the required sidewalks on perimeter streets and pedestrian entrances and building frontages.~~

~~(56) Maximum building height shall be measured from average existing grade as measured to the highest point of the structure, including pitched roof areas and penthouse equipment screening.~~

~~(7) On Type C streets located in DA II, no more than 50 percent of the street frontage may be developed with buildings whose height exceeds four stories or 40 feet above the sidewalk grade adjacent to the building front, whichever is less. For the purposes of this requirement, building height is measured to a depth of 20 feet.~~

~~(68) At a height no greater than 110~~30~~ feet above the sidewalk grade adjacent to the building front. No stepback is required for portions of buildings limited to 40 feet in height pursuant to footnote (7) above.~~

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~~(79)~~ Buildings or portions of buildings that provide a setback of less than 10 feet are required to meet the Type B street frontage design guidelines of the F1 Land Use District Design Guidelines.

~~(10) No setback is required if landscape setback is provided pursuant to LUC 20.25F1.050.~~

~~(11) A 15-foot setback from the right-of-way line of Factoria Boulevard is required for development in DA IV.~~

...

B. Site Design.

1. Connectivity and Site Circulation.

...

b. Provide pedestrian paths to connect all major ~~tenant and mall~~ entrances with the perimeter street system and to accommodate pedestrian connections through parking lots that separate uses.

...

e. Provide a second mid-block crossing ~~to the adjacent offices and cinema north of the F1 Land Use District~~ across SE 38th Street prior to occupancy of any new building developed in DA III, provided it is technically feasible.

f. Provide a mid-block crossing ~~to the adjacent residential area south of the F1 Land Use District~~ across SE 41st Place prior to occupancy of any new building developed in DA II, provided it is technically feasible.

...

C. Building Design.

...

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~~7. Provide building modulation to break down the scale of the residential frontages above 30 feet as measured from the sidewalk grade.~~

...

9. Parking Structures.

...

d. Limit visual exposure from perimeter streets to the interior of retail parking garages located in DA III and IV to 50 percent of the ground floor perimeter.

~~Openings should be limited to a maximum width of 10 feet, unless screened with landscaping.~~

D. Gateways and Gathering Places.

1. Gateway Guidelines.

...

e. Northeast Corner. Provide crosswalks in both directions and weather protection from the corner to the ~~Factoria Mall~~structure entry.

f. Southeast Corner. Provide crosswalks in both directions. Use the entrance plaza and adjoining building spaces to create a predominantly weather-protected path to the ~~Factoria Mall~~structure entries.

...

~~h. Provide handicapped accessibility.~~

...

20.25F1.115 Factoria TownSquare Building/Sidewalk Design Guidelines.

...

C. Perimeter Street Standards.

...

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2. Type B – Retail Street with Moderate Pedestrian Orientation.

...

b. Standards.

i. Street frontage provided in lieu of landscaped setbacks required pursuant to LUC 20.25F1.050 shall incorporate the following characteristics:

...

~~(2) In mixed use buildings, provide a 10-foot stepback at a height of 30 feet above the sidewalk grade or at the first floor that the mix of uses changes between parking or retail and residential above, whichever is less.~~

~~(2)~~ Avoid blank facades. A blank facade consists of a windowless area that is larger than 1,000 square feet. In non-tenant space facades, mitigation for blank walls should be provided through the addition of planting, modulation, materials variation, artwork or other features that would cover at least 50 percent of the blank facade area.

~~ii. Street frontages with landscaped setbacks provided pursuant to LUC 20.25F1.050 shall incorporate the following characteristics:~~

~~(1) Provide ground floor building elements that are accessible and comfortable to pedestrians through use of human scale design elements, such as planters, benches, variations in paving materials and lighting features.~~

~~(2) Provide weather protection at gathering places through use of sheltered walkways or sidewalks.~~

...

3. Type C – Neighborhood Streets.

...

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b. Standards.

...

~~iv. Provide landscaping in the setback for residential frontages that includes green borders, low garden walls, landscaping and pedestrian amenities to define the building edge at the back of the sidewalk.~~

...

20.25F1.120 FAR Exemptions.

The following uses shall be exempt from a development's total FAR calculation, provided all applicable Land Use Code requirements are satisfied:

A. Exempt Uses. One hundred (100) percent of the floor area reserved for the following uses. The applicant shall execute an agreement in a form approved by the City which shall be recorded with the King County Recorder's Office ~~or its successor organization,~~ requiring the space be utilized for the exempted use to remain for the life of the building. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

1. Grocery stores.

2. Child care services.

3. Non-profit organizations.

4. Affordable commercial space as defined 20.25R.050.D.2.h.

B. Affordable Housing. For every one (1) square foot reserved for permanent affordable housing four (4) square feet of market rate housing is exempt from a development's total FAR calculation, up to a maximum of one (1) FAR exempt square footage, ~~provided that:~~

~~1. The bedroom mix and finishes shall be comparable to the market rate units.~~

C. Open Space. For every one (1) square foot of open space provided exceeding 30 percent of the total lot area, one (1) square foot of residential FAR can be exempted

Commented [RS18]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

Commented [RS19]: Under the Wilburton LUCA, affordable housing standards will be adopted that are applicable to all affordable housing created by operation of the LUC. In addition, DSD will be adopting a Director's Rule to further provide consistency among affordable housing created by operation of the LUC. Therefore, this language is not necessary.

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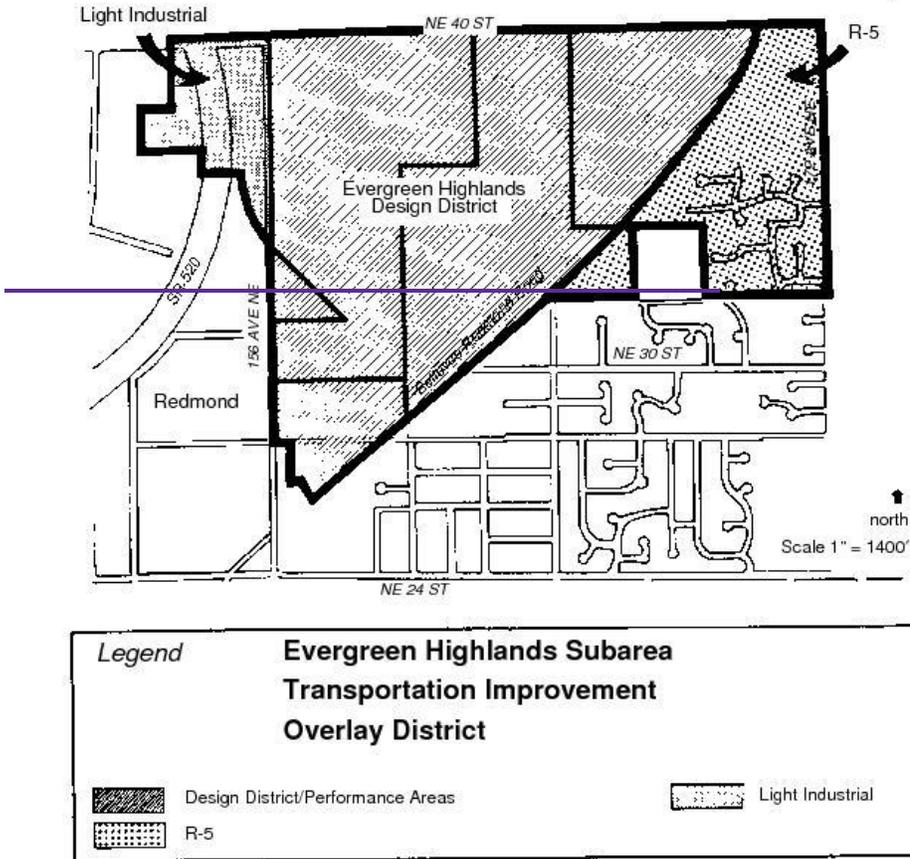
from the development's total FAR calculation, up to a maximum of 0.25 FAR exempt square footage.

Part 20.25G—Evergreen Highlands Subarea Transportation Improvement Overlay District

20.25G.010—Purpose and creation.

The Evergreen Highlands Subarea Transportation Improvement Overlay District is established for the area delineated on the following map for the purpose of implementing phased transportation improvements to mitigate the adverse impacts of development on the pre-existing circulation system. Phased development with associated transportation improvements and limited access to NE 40th Street, Bellevue-Redmond Road and 156th Avenue NE will result in an efficient transportation system for the subarea and surrounding properties. (Policies 21.V.9.070-.083)

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20.25G.020 — Required improvements — General.

Each development within the Evergreen Highlands Subarea Transportation Improvement Overlay District shall either:

- A. Provide for individual improvements as required by LUC 20.25G.030; or
- B. Provide an irrevocable commitment from a sufficient number of property owners to insure a Local Improvement District can proceed for the design and construction of

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~~improvements 1 through 11 as defined in LUC 20.25G.030 prior to the issuance of any Clearing and Grading Permit, Building Permit or other permit authority construction or site modification of any kind.~~

~~20.25G.030 — Improvement phasing option.~~

~~A. If the applicant chooses to develop and provide individual transportation improvements pursuant to LUC 20.25G.020.A, the following phasing schedule must be met:~~

**Evergreen Highlands Transportation
 Improvement Phasing**

Location	Percentage of Development Allowed (9)	Arterial Connection	Necessary Improvements by Section to Arterial System Before Occupancy Allowed (see Transportation Improvement Phasing Map)
EH-A	50%	NE 40th (1)	1,2,4
	50%	Bel-Red Road (1)	5,6
EH-B	40%	NE 40th (1)	1,2,3,4

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**Evergreen Highlands Transportation
 Improvement Phasing**

Location	Percentage of Development Allowed (9)	Arterial Connection	Necessary Improvements by Section to Arterial System Before Occupancy Allowed (see Transportation Improvement Phasing Map)
	40%	Bel-Red Road (1, 3)	5,6
	20%	38th St. off-ramp (4)	11
EH-C	40%	NE 40th (1)	1,2,3,4
	40%	156th Ave. NE (2, 5)	1,2,3,7,8,9,10
	20%	38th St. off-ramp (4)	11
EH-D	40%	Bel-Red Road (1, 6)	6,7
	40%	156th Ave. NE (1, 6)	7,8,9

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**Evergreen Highlands Transportation
 Improvement Phasing**

Location	Percentage of Development Allowed (9)	Arterial Connection	Necessary Improvements by Section to Arterial System Before Occupancy Allowed (see Transportation Improvement Phasing Map)
	20%	38th St. off ramp (4)	11
East of Bel-Red Rd.	100%	None	None
Between 156th Ave. NE and SR 520	80%	156th Ave. NE (2, 7)	1,2,9,10
	20%	38th St. off ramp (4)	11
West of SR 520	100%	NE 40th Street (1, 8)	4

Improvement Phasing Option – Notes:

(1) Only one access from the location is permitted from the named street.

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~~(2) No more than two accesses from the location are permitted from the named street.~~

~~(3) Must be located north of the intersection of NE 30th Street and Bellevue-Redmond Road.~~

~~(4) This requirement does not apply if a City petition for an off-ramp is rejected by the State Highway Commission.~~

~~(5) Access points must be aligned with NE 31st Street and the proposed off-ramp from SR 520.~~

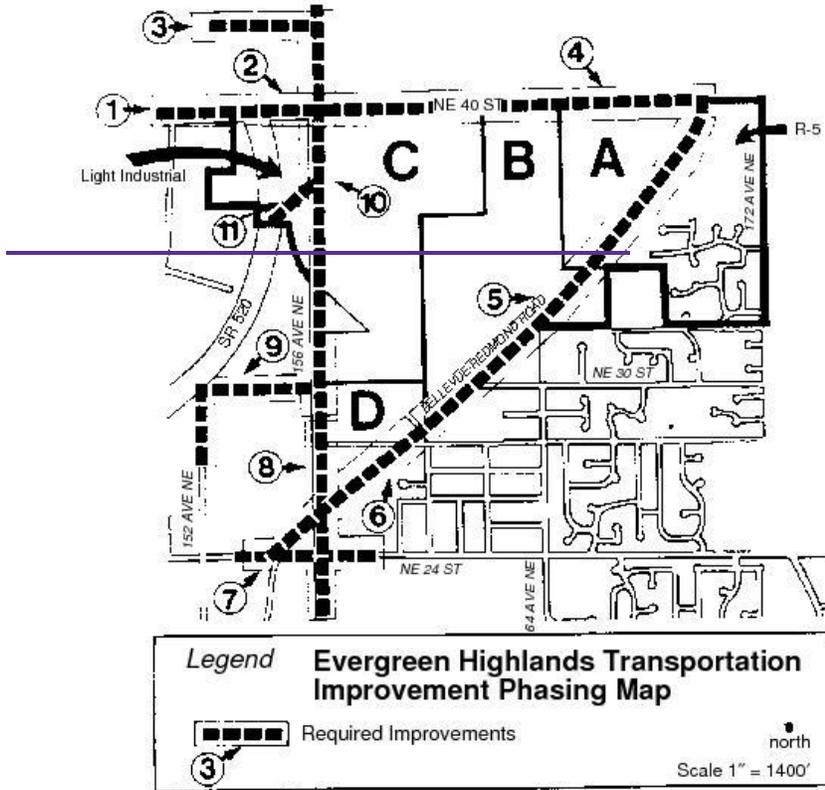
~~(6) Additional access points may be allowed if in the judgment of the Transportation Director connection to a single major access point cannot be developed.~~

~~(7) All development must be compatible with the future construction of improvement # 11. Minimum setback from the future right-of-way is at least 50 feet.~~

~~(8) Development must be consistent with the future development of an on-ramp from approximately NE 40th Street to SR 520 (westbound) and a minimum setback of 50 feet from such necessary right-of-way.~~

~~(9) Measured in allowable floor area or number of dwelling units.~~

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B. Improvement Commitment Required.

No Clearing and Grading Permit, Building Permit or other permit authorizing construction or site modification may be issued until:

1. A Local Improvement District has been successfully formed for each required improvement; or
2. A construction contract has been signed and filed with the City for each required improvement.

~~C. Construction Completion Requirement.~~

~~No Certificate of Occupancy or Temporary Certificate of Occupancy may be issued for a structure on the subject property until all improvements required for that development have been completed and approved by the Transportation Director or other appropriate department head.~~

20.25G.040 — Exempt development.

No construction or provision for transportation improvements pursuant to this part, other than participation in a Local Improvement District formed pursuant to LUC 20.25G.020.B, is required if the subject property:

- ~~A. Is less than two acres; and~~
- ~~B. Existed as a separate lot on the effective date of this provision; and~~
- ~~C. Is not part of a contiguous ownership of two or more acres.~~

Part 20.25I Community Retail-Mixed-Use Design District

20.25I.010 Purpose.

The purpose of the Community Retail-Mixed-Use Design District (CMURDD) is to ensure that development within the retail districts outside the Downtown exhibits a high quality of design in support of their role as the retail/service centers of the surrounding residential areas. Development in the district should incorporate architectural, landscape and pedestrian features, which are compatible with and provide identification for the surrounding area.

20.25I.020 Community Retail-Mixed-Use Design District defined.

The Community Retail-Mixed-Use Design District includes all properties located within the Community Business Districts, all Neighborhood Mixed Use Districts, Office and Limited

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Business, Office and Limited Business 2, Office, Mixed Use: 7 Story, Mixed Use: 16 Story, Factoria 3, and all properties within Neighborhood Business Land Use Districts.

20.251.030 Design Review required.

All development activity within the Community Retail-Mixed-Use Design District must be reviewed by the Director of the Development Services Department using the Design Review process, Part 20.30F LUC.

20.251.050 Design standards.

A. ~~Special Corner Feature, Ground Floor Use Requirements.~~

1. The following requirements shall apply to the ground floor of any site in the Community Mixed-Use Design District.
 - a. In the NB and CB districts, pedestrian oriented frontage shall be provided along at least 50 percent of the total linear footage of any public right-of-way.
 - b. In the MU7, NMU and MU16 land use districts, pedestrian oriented frontage shall be provided along at least 66 percent of the total linear footage of any public right-of-way.
 - c. Pedestrian oriented frontage required by this section shall be no more than 10 feet from the back of the sidewalk. This requirement may be waived by the Director if the construction of a building is impossible in this location due to a physical impediment which exists on the site.

If the property is located at the intersection of two arterial streets, the site development shall incorporate a corner feature at the corner of the site. A corner feature can be a landscape feature, seasonal color planting area, sculpture, or water feature. The feature should provide a visual landmark and some amount of seating area. If the property is not located at an intersection, a similar feature should be considered in conjunction with a transit stop or at the primary access point to the site.

B. **Building Design Standards.**

1. Uses in any required pedestrian oriented frontage shall have publicly accessible entrances accessible from the public right-of-way. The sides of a building facing a

Commented [MM20]: @Sepler, Robert is this language too vague?

~~public street shall include public entrances to the building and windows to provide visual access to the activity within the building.~~

~~2. A minimum of 50 percent of the first story of any building fronting a public right-of-way shall provide transparency to pedestrians.~~

~~3.2. The sides of a building facing an adjoining property, but not a public street, shall include elements such as windows, doors, color, texture, landscaping or wall treatment to prevent the development of a long continuous blank wall.~~

~~4. Publicly accessible entrances fronting a public right-of-way shall provide transparency and weather protection.~~

~~5. Except for mass timber buildings, a 15 foot stepback shall apply to the first full building story above 110 feet in facade height facing any public right-of-way.~~

~~3. Building design shall provide for architecturally integrated signage. Signs shall be in proportion to the development and oriented to the main direction access and to pedestrian movement. Signs shall meet the requirements of Chapter 22B.10 BCC, Sign Code.~~

C. Site Design Standards.

1. Where a perimeter landscape area required under LUC 20.20.520.F may be relocated under Note (1) of that section, some or all of the relocated area shall be used to provide a landscaped courtyard. Any relocated landscape area shall be visible from the public street. The courtyard should be protected from wind on two sides and in sun during part of the day. Seating shall be provided.
2. The landscape design for the site shall include plantings which emphasize the major points of pedestrian and vehicular access to the site.

3. The Natural Environment.

- a. The following existing natural environments and connections shall be protected and incorporated into new development or redevelopment:
 - i. Active and passive gathering places and walkways oriented toward parks and open, natural spaces.
 - ii. Clear and direct public access to open space amenities.
 - iii. Open spaces and/or public access points to local and regional trails where feasible.
 - iv. The minimum landscape development requirements of LUC 20.20.520 apply, and site development shall maximize the retention of existing vegetation.

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~~3.4.~~ Site features such as fences, walls, refuse and recycle enclosures, and light fixtures shall be designed to be consistent with the scale and architectural design of the primary structure(s). Such site features shall be designed and located to contribute to the pedestrian environment of the site development

~~4.5.~~ Loading areas shall not be located between the building and the street unless there is no alternative location possible. Loading areas, if located between the building and the street, shall be oriented away from the street and screened to minimize views of the loading area from the street and sidewalk. Loading areas shall not be located on the side of a building which faces a neighboring residential use.

~~5.6.~~ In multiple-building complexes, buildings shall be located to facilitate safe and comfortable pedestrian movement between buildings. On sites which are adjacent to other properties within the Community Mixed-Use Design District, building location shall be chosen to facilitate pedestrian and vehicular connections to buildings on those adjacent properties.

~~6.7.~~ Provide safe, convenient, and pleasant pedestrian connections to existing transit facilities. Where needed, shelters and lay-bys for transit vehicles shall be incorporated into the site development.

8. At-grade or rooftop mechanical equipment shall be sight-screened from adjoining properties and public rights-of-way.

9. Outdoor display or storage of vehicles for retail auto sales uses shall meet the following requirements:

a. Auto display areas shall meet the Type V landscaping requirements of LUC 20.20.520.F

b. Vehicle storage yards shall meet the requirements of LUC 20.20.520.F.2.c.

c. Auto display areas and vehicle storage yards shall not be located between the building façade closest to the public right-of-way and the public right-of-way.

10. Fences.

a. No fences shall be allowed along the street frontage.

b. Prohibited Fences. The following types of fences are prohibited:

i. Barbed wire.

ii. Electric fences.

c. Chain link fences are not permitted on any street frontage except as follows:

i. To secure a construction site or area during the period of construction, site alteration, or other modification; or

ii. In connection with any approved temporary or special event use

11. Build Compatible Parking Structures and Lots.

a. Intent. Guideline. Parking structures should be designed so that their streetscape interface has a consistent form, massing and use of materials with the vision for the area. Preference is given to parking structures that do not face public sidewalks. However, if due to site constraints, there are sidewalk-facing parking structures, those frontages facing the sidewalk should be designed to appear like other occupied buildings in the area. The horizontal garage form can be broken down by adding more wall surface and usable retail space, while retaining adequate garage ventilation.

b. Standards.

i. Surface parking shall not be located between the front façade of the building closest to the public right-of-way and the public right-of-way

ii. Surface parking shall be accessible via an internal street, alley, or shared driveway to minimize curb cuts.

iii. Parking structures shall feature the following elements:

(1) All above-grade floors 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.

(2) Any façade of the parking garage facing a public right of way shall screen views of parked automobiles through building design, public art, green walls, windows, or other forms of screening deemed appropriate by the Director.

iv. Parking areas shall be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, vehicular access, and pedestrian areas within parking lots.

- v. Parking lot landscaping shall meet LUC 20.20.520 requirements for Type V landscaping. Any parking areas located along a street or pathway should be buffered by five feet of Type III landscaping per LUC 20.20.520.
- vi. Parking areas shall be designed to minimize conflicts between pedestrian and vehicular movements.
- vii. Internal parking lot landscaping shall meet LUC 20.20.520.F requirements for Type V landscaping.
- viii. Parking areas located along a street or pathway shall be buffered by five feet of Type III landscaping per LUC 20.20.520.F.

D. Internal Walkways.

The following design standards apply within the Community Retail Design District:

- ~~1. Walkways, of six feet in width minimum, shall be provided from the public sidewalk or right-of-way to the building. At a minimum, walkways shall be located to connect focus points of pedestrian activity such as transit stops and street crossings to the major building entry points.~~
- ~~2. Walkways shall be provided to connect with walkways or potential walkway locations on adjoining properties in the district to create an integrated internal walkway system along the desired lines of pedestrian travel. The width of the walkway shall be six feet unless otherwise approved by the Director.~~

~~On the sides of the building which provide public access into the building, the walkway shall be wide enough to allow for sidewalk seating area or window gazing as well as pedestrian travel. Weather protection of the building walkway shall be provided at the entrance area and along the entire building walkway.~~

- ~~3. Internal walkway surfaces shall be designed to be distinguishable from driving surfaces by using durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.~~

20.251.060 — Additional design guidelines for the Neighborhood Mixed Use District.

The following design guidelines apply to development in the Neighborhood Mixed Use (NMU) District in addition to the CRDD guidelines contained in LUC 20.251.040 and the standards contained in LUC 20.251.050:

~~A. Site Development Guidelines.~~

~~Purpose. These site development guidelines address the qualities that make the Neighborhood Mixed Use District unique. They describe what makes an area a special, distinct place, not simply a group of individual buildings and streets.~~

~~1. Integrate the Natural Environment.~~

~~a. Intent. Integrate new landscape areas, natural drainage/LID features, sustainable design elements and green open spaces. Reinforce existing linkages and orient buildings to the existing natural and landscaped features of the surrounding neighborhood.~~

~~b. Guideline. Site and building design should capitalize on existing significant elements of the natural environment, such as parks and open spaces, trails, riparian corridors and wetlands. Designs should also integrate new natural features, such as street trees, natural drainage systems and open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.~~

~~c. Recommended.~~

~~i. The following existing natural environments and connections should be protected and incorporated into new development or redevelopment:~~

~~(1) Active and passive gathering places and walkways oriented toward parks and open, natural spaces.~~

~~(2) Clear and convenient public access to open space amenities.~~

~~(3) Open spaces and/or access points to local and regional trails.~~

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~~ii. The minimum landscape development requirements of LUC 20.20.520 apply, and site development should maximize the retention of existing vegetation.~~

~~iii. Where a perimeter landscape area required under LUC 20.20.520.F may be relocated under Note (1) of that section, some or all of the relocated area should be used to provide a landscaped courtyard. Any relocated landscape area should be visible from the public street. The courtyard should be protected from wind on two sides and in sun during part of the day. Seating should be provided.~~

~~iv. Developments and design features that promote environmental sustainability such as natural drainage techniques, preservation and enhancement of critical areas, green walls and green roofs are encouraged.~~

~~2. Promote Community Gathering.~~

~~a. Intent. A comfortable, well-designed site provides an inviting and attractive area for community gathering.~~

~~b. Guideline. Gathering spaces are well defined, inviting, secure, and attractive. They provide space for both active use and areas of respite for employees, general public and visitors to the site. All areas should be welcoming to pedestrians and provide space for special events.~~

~~c. Recommended.~~

~~i. Outdoor gathering spaces should be incorporated into areas near active ground floor uses to provide opportunity for a variety of activities as well as areas for stopping, sitting, and viewing. Spaces should be accessible, safe, and usable in all seasons.~~

~~ii. Trees, shrubs, and plants should define walkways, gathering spaces, and amenities.~~

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~~iii. Site features such as fences, walls, and light fixtures should be designed and located to contribute to the pedestrian environment and community gathering spaces. Refuse and recycling enclosures should be designed in a manner consistent with the architecture of the adjacent buildings, and not be located adjacent to public gathering spaces or walkways.~~

~~iv. Incorporate public art the design of which:~~

~~(1) Responds or relates to the unique characteristics of the surrounding area;~~

~~(2) Utilizes durable, vandal-resistant materials; and~~

~~(3) Ensures that the art will age well.~~

~~3. Build Compatible Parking Structures and Lots.~~

~~a. Intent. Use design elements to enhance the compatibility of parking structures with the urban streetscape.~~

~~b. Guideline. Parking structures should be designed so that their streetscape interface has a consistent form, massing and use of materials with the vision for the area. Preference is given to parking structures that do not face public sidewalks. However, if due to site constraints, there are sidewalk-facing parking structures, those frontages facing the sidewalk should be designed to appear like other occupied buildings in the area. The horizontal garage form can be broken down by adding more wall surface and usable retail space, while retaining adequate garage ventilation.~~

~~c. Recommended.~~

~~i. Parking structures should include space at the street level to accommodate uses when located adjacent to pedestrian walkways or public open space. In other areas, active ground floor uses facing streets or walkways are strongly encouraged.~~

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~~ii. Surface parking must be located behind the building and accessible via an internal street, alley or shared driveway to minimize curb cuts.~~

~~iii. Parking structures should feature the following elements:~~

~~(1) Small openings that may be glazed to function as windows;~~

~~(2) Stairways, elevators and parking entries and exits that occur at mid-block;~~

~~(3) Single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated);~~

~~(4) Vertical expression of building structure; and~~

~~(5) Cladding to disguise sloped floors from the outside view.~~

~~iv. Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, vehicular access, and pedestrian areas within parking lots.~~

~~v. Parking lot landscaping should meet LUC 20.20.520 requirements for Type V landscaping. Any parking areas located along a street or pathway should be buffered by five feet of Type III landscaping per LUC 20.20.520.~~

DB. Pedestrian Emphasis Standards.

...

1. The Pedestrian System.

...

b. Standards.

i. The pedestrian network shall include:

- (1) Minimize curb cuts along pedestrian routes for pedestrian safety and comfort; internal drives between sites should be continuous; and

...

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vi. Internal streets shall meet the following requirements:

(1) Landscaping~~ing~~ allows visibility and access and does not block pathways.

...

~~EC.~~ Architectural Standards.

Purpose. The architectural standards promote high-quality development while reinforcing the area's sense of place ~~by encouraging innovative design, construction techniques, and materials.~~

...

2. Residential Entries.

a. Standards.

i. Ground-related individual unit entries shall be provided on ground floor space not used by storefronts or a multifamily lobby. Where there are ground-related individual entries, a clear transition between public, semi-private, and private space shall be delineated with one or more of the following techniques:

~~(1) Moderate change of grade (two to five feet is preferred) from sidewalk level to entry.~~

~~(12)~~ Provision of a porch or deck at least six feet wide by four feet deep. A covered porch is preferred;

~~(23)~~ Private open space at least 10 feet wide;

~~(34)~~ A low fence, rail, or planting two to four feet high. (This option is recommended in combination with any of the above.); or

~~(45)~~ Other transition design measure(s) that adequately protects the privacy and comfort of the residential unit and the attractiveness and usefulness of the pathway at least as effectively as a combination of the above, as determined by the Director.

...

~~3. Retail and Commercial Entries.~~

~~a. Intent. Design retail and commercial entries should create an open atmosphere that draws customers inside. Primary entries to retail and commercial~~

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~~establishments should be frequent and transparent, allowing pedestrians to see the activity within the building and bring life and vitality to the street. Architectural detail should be used to help emphasize the building entry.~~

~~c. Standards.~~

~~i. The sides of a building facing a public street shall include public entrances to the building.~~

~~ii. Entrances shall one or more of the following elements:~~

~~(1) Doors with a minimum of 50 percent window area; or~~

~~(2) Building lighting that emphasizes entrances.~~

~~4. Ground Floor Retail and Commercial Windows.~~

~~a. Intent. Use transparency to enhance visual interest and to draw people into retail and commercial uses, and provide views inside and outside.~~

~~-~~

~~b. Standard. Clear window glazing that provides visual access to the activity within the building shall be provided on ground floor facades.~~

...

20.251.060 FAR exemptions.

The following uses shall be exempt from a development's total FAR calculation, provided all applicable Land Use Code requirements are satisfied:

A. Exempt Uses. One hundred (100) percent of the floor area reserved for the following uses. The applicant shall execute an agreement in a form approved by the City which shall be recorded with the King County Recorder's Office, ~~or its successor organization,~~ requiring the space be utilized for the exempted use to remain for the life of the building. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

1. Grocery stores.

2. Child care services.

3. Non-profit organizations.

Commented [RS21]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

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4. Affordable commercial space as defined 20.25R.050.D.2.h.

B. Affordable Housing. For every one (1) square foot reserved for permanent affordable housing four (4) square feet of market rate housing is exempt from a development's total FAR calculation, up to a maximum of one (1) FAR exempt square footage, provided that:

~~1. The bedroom mix and finishes shall be comparable to the market rate units.~~

C. Open Space. For every one (1) square foot of open space provided exceeding 30 percent of the total lot area, one (1) square foot of residential FAR can be exempted from the development's total FAR calculation, up to a maximum of 0.25 FAR exempt square footage.

20.251.070 Transition standards.

A. Intent. Transition standards provide a buffer between residential uses in a residential land use district and commercial uses in mixed-use land use districts which permit development of higher intensity.

B. Applicability. Applies to all properties within the CMUDD that directly abut a "R-" prefix district unless there are no non-residential uses within 150 feet of the abutting property line.

C. Standards.

1. Where side or rear property lines directly abut properties in a "R-" prefix district, a 25 foot landscape buffer shall be provided.

a. All landscaping shall comply with the applicable standards set forth in LUC 20.20.520. The provisions of 20.20.520I are applicable to this section.

b. All significant trees within 15 feet of the abutting property line shall be retained.

c. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:

i. Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in subsections C.1.c.ii and iii of this section to effectively buffer development from adjacent residential properties;

Commented [RS22]: Under the Wilburton LUCA, affordable housing standards will be adopted that are applicable to all affordable housing created by operation of the LUC. In addition, DSD will be adopting a Director's Rule to further provide consistency among affordable housing created by operation of the LUC. Therefore, this language is not necessary.

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- ii. Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center; and
 - iii. Living groundcover planted to cover the ground within three years.
 - d. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.
2. If a structure greater than 80 feet in building height is within 50 feet of a property in an "R-" district a 15 foot setback shall apply to the first full building story above 80 feet in facade height for any facade facing the "R-" district.

20.251.090 Phased parking.

- A. Parking spaces may be provided in phases pursuant to a phasing plan, Part 20.30V LUC. Each phased parking installation must include the approved minimum to meet the parking requirements for the completed phases of the development for which the parking is provided. The phasing schedule must specifically indicate when all required parking will be completed.
- 1. Location. Phased parking may be located off-site if the criteria of Section 20.20.590.I are met.
 - 2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of this section.

Part 20.25K Factoria

Section deleted in its entirety. Elements of this section have been consolidated into LUC 20.25I.

Part 20.25P Eastgate Transit Oriented Development Land Use District

20.25P.010 General.

...

20.25P.020 Review required.

...

B. Master Development Plan.

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1. 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 or phased single-building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards. Design, architecture, and amenity standards shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building location(s) within the project limit and demonstrate compliance with the following site development standards:

a. Residential Requirement in EG-TOD. The Master Development Plan shall establish a residential phasing requirement for the project limit to ensure that the intended housing emphasis of the EG-TOD area is met. The residential phasing requirements shall provide that no office development in excess of 600,000 square feet may be approved in the EG-TOD until at least 100 residential dwelling units are under construction.

~~b. Phasing.~~

~~i. The first phase of any Master Development Plan for the EG-TOD shall include the pedestrian street required to support that phase; a minimum of 20,000 square feet of retail, services, and financial service uses fronting on the pedestrian street; and a maximum of 600,000 square feet of office development; and~~

~~ii. The second phase of any Master Development Plan for the EG-TOD shall include a minimum of 300 units of multifamily housing;~~

...

20.25P.030 Permitted uses.

...

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~~20.25P.040~~ — **Reserved.**

20.25P.050 Land Use Chart.

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

...

Chart 20.25P.050 Recreation Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Recreation – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
7	Cultural Entertainment and Recreation	P
...		

...

Chart 20.25P.050 Residential Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		

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STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
6516	Nursing Home	P
...		

...

Chart 20.25P.050 Service Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Services – Eastgate Transit Oriented Development Land Use District ⁽⁹⁾	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
624410	Family Child Care Home in Residence	P
...		

...

**Chart 20.25P.050 Wholesale and Retail in Eastgate Transit Oriented
 Development Land Use District**

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STD LAND USE CODE REF	Wholesale and Retail – Eastgate Transit Oriented Development Land Use District (¹)	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
5251	Hardware, Paint, Tile and Wallpaper (Retail)	<u>P</u>
...		

20.25P.060 Dimensional requirements.

A. General.

This subsection (Chart 20.25P.060.A, Dimensional Requirements in Eastgate Transit Oriented Development Land Use District) sets forth the dimensional requirements for the district. The Dimensional Requirements of Chart 20.20.010 do not apply in the EG-TOD. Each structure, development, or activity in the EG-TOD shall comply with these requirements except as otherwise provided in this section. If a number appears in a box at the intersection of a column and a row, the dimensional requirement is subject to the special limitation indicated in the corresponding note.

**Chart 20.25P.060.A Dimensional Requirements in Eastgate Transit Oriented
Development District**

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	Eastgate Transit Oriented Development Land Use District
LAND USE CLASSIFICATION	EG-TOD
DIMENSIONS	(1)
Minimum Setbacks of Structures (feet) Front Yard	0 ⁽²⁾ ⁽³⁾ (4)
Minimum Façade Separation (feet) (setback/stepback)	10 ⁽⁵⁾
Rear Yard (feet)	5-0 ⁽²⁾ ⁽³⁾ (4)
Side Yard (feet)	5-0 ⁽²⁾ ⁽³⁾ (4)
2 Side Yards	
Floor Area Ratio	42.0 ⁽¹⁾
Maximum in Building Height (feet)	160/ 55 ⁽⁶⁾
Maximum Lot Coverage by Structures (percent) ⁽⁷⁾ ⁽⁸⁾ ⁽⁹⁾ (14)	35
Maximum Hard Surface Coverage ⁽¹¹⁾ ⁽¹²⁾	85
Maximum Impervious Surface (percent) ⁽¹⁰⁾ ⁽¹¹⁾	60
Alternative Maximum Impervious Surface (percent) ⁽¹⁰⁾ ⁽¹¹⁾ ⁽¹³⁾	80

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Notes: Chart 20.25P.060.A Dimensional Requirements in Eastgate Transit Oriented Development Land Use District

(1) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.

(2) See LUC 20.20.030 for designation and measurement of setbacks.

(3) See LUC 20.25H.035 for additional critical area setbacks.

~~(4) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.~~

(5) **Façade Separation:** Where building height exceeds ~~110~~45 feet, the façade of any building that fronts on the streets shown on the figure in LUC 20.25P.090.A.3 shall have a minimum façade separation of 10 feet that shall be measured from the back of the required sidewalk dimension to all portions of the building located above ~~110~~40 feet.

(6) Standalone parking garages shall have a maximum building height of 55 feet.

~~(7) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided, that coal mine hazards (LUC 20.25H.130) and habitat associated with species of local importance (LUC 20.25H.150) shall not be subtracted.~~

~~(8) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.~~

~~(9) **Exceptions to Lot Coverage:** Although not considered structures for purposes of calculating lot coverage, the following may be considered impervious surfaces subject to the impervious surface limits. See LUC 20.20.460 and 20.50.026.~~

(10) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.

(11) Maximum hard surface ~~and~~, maximum impervious surface ~~and maximum lot coverage~~ by structures are independent limitations on allowed development. ~~All areas of lot coverage by structures are included in the calculation of total maximum~~

~~impervious surface, unless such structures are excepted under LUC 20.20.460.~~ All areas of impervious surface coverage shall be included in the calculation of total maximum hard surface.

(12) See LUC 20.20.425 for exceptions and performance standards relating to hard surfaces.

(13) Maximum impervious surface limit only for sites where the use of permeable surfacing techniques is determined to be infeasible according to the criteria in the 2014 Department of Ecology Stormwater Management Manual for Western Washington, now or as hereafter amended.

~~(14) Lot coverage within EG-TOD Districts may be increased to 50 percent for mixed use development which includes residential uses comprising at least 1/2 the square footage of the building footprint. Underground parking in excess of 50 percent of the site area shall not be included in lot coverage calculations.~~

B. Exceptions to Dimensional Requirements.

...

2. Floor Area Ratio. A maximum of ~~24.0~~ FAR (floor area ratio) may be exempted for affordable housing, public restrooms, open space, ~~grocery stores, child care services, non-profit uses,~~ and special dedications as provided below. Provided, ~~neither the combination nor~~ the singular use of any of these methods shall exceed an exception of 1.0 FAR. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating floor area.

a. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project; provided, that:

~~i.~~ The affordable housing is provided at a ratio of ~~2.54~~ market rate units to 1 affordable housing unit; and

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~~ii. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary.~~

...

c. In the EG-TOD Land Use District, up to 1.0 FAR of floor area dedicated to on-site grocery stores shall not be counted for the purposes of calculating FAR of a project; provided, that:

i. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Recorder's Office, ~~or its successor organization,~~ requiring the grocery store to remain for a minimum of 25 years. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

d. In the EG-TOD Land Use District, up to 1.0 FAR of floor area dedicated to on-site child care services shall not be counted for the purposes of calculating FAR of a project; provided, that:

i. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Recorder's Office, ~~or its successor organization,~~ requiring the child care use to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

e. In the EG-TOD Land Use District, up to 1.0 FAR of floor area dedicated to non-profit uses shall not be counted for the purposes of calculating FAR of a project; provided, that:

i. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Recorder's Office, ~~or its successor organization,~~ requiring the non-profit use to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

Commented [RS23]: Under the Wilburton LUCA, affordable housing standards will be adopted that are applicable to all affordable housing created by operation of the LUC. In addition, DSD will be adopting a Director's Rule to further provide consistency among affordable housing created by operation of the LUC. Therefore, this language is not necessary.

Commented [RS24]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

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Commented [RS26]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

f. In the EG-TOD Land Use District, up to 1.0 FAR of floor area dedicated to affordable commercial space as defined 20.25R.050.D.2.h. shall not be counted for the purposes of calculating FAR of a project; provided, that:

i. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Recorder's Office, ~~or its successor organization,~~ requiring the affordable commercial space to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

g. Floor Area Earned from Special Dedications and Transfers.

...

20.25P.070 Landscape development and fence standards.

...

C. Interior Property Line Development.

1. Purpose/Intent. The landscape development required by this section is necessary to provide visual separation of uses so as to soften the appearance of parking areas and building elevations.

2. Where Required. A 10-foot landscape buffer shall be provided along an interior property not regulated elsewhere.

3. Applicable Standard.

a. Evergreen and deciduous trees, with no more than 50 percent being deciduous, a minimum of 6 feet in height, and planted at intervals no greater than 30 feet on center; and

b. If planted to buffer a building elevation, shrubs, a minimum of three and one-half feet in height, and living ground cover planted so that the ground will be covered within three years; or

Commented [RS27]: The Wilburton LUCA is introducing "King County Recorder's Office" as a defined term in 20.50.030. The definition is broad enough to cover any successor agency that performs the same duties. So, this language is not necessary.

~~c. If planted to buffer a parking area, access, or site development other than a building, any of the following alternatives may be used unless otherwise noted:~~

~~i. Shrubs, a minimum of three and one-half feet in height, and living ground cover must be planted so that the ground will be covered within three years.~~

~~ii. Earth mounding, an average of three and one-half feet in height, planted with shrubs or living ground cover so that the ground will be covered within three years.~~

~~iii. A combination of earth mounding and shrubs to produce a visual barrier at least three and one-half feet in height.~~

...

20.25P.085 Required ground floor uses.

A. Required Ground Floor Uses.

...

3. Applicable Standards for Ground Floor Uses.

...

b. Continuous retail storefronts shall be provided for ~~100-75~~ percent of the building frontage on a designated street except as provided in subsection A.3.c of this section.

...

20.25P.100 Design standards.

...

B. Site Standards.

2. The Pedestrian System.

...

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b. Standards.

...

iv. Pedestrian walkways shall meet the following requirements:

...

(2) Walkways paved with high-quality, durable materials, such as [concrete](#), brick or stone.

...

C. Pedestrian Emphasis Standards.

Purpose. The pedestrian emphasis guidelines promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and creation of desirable gathering places.

1. Define the Pedestrian Environment.

...

b. Standards.

i. The following design elements shall be incorporated into buildings that front on required local streets. Refer to the figure in LUC 20.25P.090.A.3.

...

(2) ~~At least 50% transparency~~ [Transparency windows or window displays](#) at the street level.

...

D. Architectural Standards.

...

3. Provide Interesting Building Massing.

...

~~4. Create Attractive Building Silhouettes and Roof Lines.~~

- ~~a. Intent. Building roof lines should enliven the pedestrian experience, provide visual interest with details that create forms and shadows, and create a distinct identity for the EG TOD area.~~
- ~~b. Guideline. A building's silhouette should be compatible with the intended character of the area and enhance the streetscape.~~
- ~~c. Recommended.~~
 - ~~i. Buildings visible from I-90 should have a distinctive silhouette to create a unique identity within Eastgate and announce the entry into Bellevue.~~
 - ~~ii. Buildings should incorporate a combination of the following elements:
 - ~~(1) Vertical architectural expression of important building functions as entries;~~
 - ~~(2) Varied roof line heights;~~
 - ~~(3) Green roofs or rooftop terraces; and~~
 - ~~(4) Well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines.~~~~

~~5. Foster Attractive Rooftops.~~

- ~~a. Intent. Integrate rooftop elements into the building design, treat stormwater runoff and connect to the natural environment on the roof, and create an activated roof form.~~
- ~~b. Guideline. Roof shape, surface materials, colors, and penthouse functions should all be integrated into the overall building design. The roof should take inspiration from the Mountains to Sound Greenway and treed corridor between Bellevue College and the EG TOD by addressing environmental needs and~~

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~~making use of views of natural environmental elements. Telecommunications equipment, including satellite dishes, cell phone towers or antennas, should not be visible from public spaces or adjacent residential districts.~~

~~c. Recommended.~~

~~i. A green roof or rooftop terraces and gardens should be provided and should:~~

~~(1) Reduce and treat stormwater runoff; and~~

~~(2) Provide habitat for local species.~~

~~ii. Rooftop mechanical equipment should be fully screened, accommodated within the maximum height limit and integrated into the building's architectural style.~~

~~7. Promote Visually Interesting Upper Floor Residential Windows.~~

~~a. Intent. Upper floor residential windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.~~

~~b. Guideline. The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows.~~

~~c. Required or Recommended.~~

~~i. Windows should be:~~

~~(1) Operable.~~

~~(2) Recessed from building façade, not flush.~~

~~(3) Broken into multi-planes.~~

...

911. Build Compatible Parking Structures and Surface Parking.

...

E. Lighting Standards.

Purpose. The lighting of buildings and open spaces should provide security, promote environmental sustainability and contribute to the character and overall sense and vitality of the area.

...

2. Integrate Building Lighting.

...

b. Standards.

i. The following lighting elements and strategies are encouraged:

- ~~(1) Wall washing lighting fixtures.~~
- (12) Wall sconces and similar architectural lighting fixtures.
- ~~(3) Screened uplit fixtures on buildings or within the landscape.~~
- (24) Lighting that provides natural color.
- ~~(35) Adjustable intensity for brightness.~~
- ~~(46) Energy-efficiency.~~

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Chapter 20.50 DEFINITIONS

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20.50.012 B definitions.

Building Height. The vertical distance measured from the average elevation of the finished grade around the building or building segment to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. Specifically excluded from this definition and from the regulation of maximum building height are structural elements not

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intended for habitation and not exceeding 15 feet above the maximum building height including penthouses for mechanical and elevator equipment, chimneys, wireless communication facility antenna arrays, smoke and ventilation stacks, flagpoles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment. This definition does not apply to projects located within ~~a Transition Area Design District (refer to LUC 20.25B.040)~~, the Shoreline Overlay District (refer to LUC 20.25E.280 - "Height"), Single-Family Land Use Districts (refer to the definition of "Building Height - Single-Family Land Use Districts" contained in this section; see also LUC 20.10.440, Note (16), and to the F1 Land Use District (refer to LUC 20.25F1.040, Footnote (6)).

~~**Building Height - Transition Area Design Districts.** See LUC 20.25B.040.A.1 - Transition Area Design District Building Height definition.~~

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20.50.020 F definitions.

~~**Factoria Land Use District 2 (F2).** The following described property shall be known as the F2 Land Use District:~~

~~That portion of the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:~~

~~Commencing at the Northeast corner of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 9; thence North 87°22'54" West along the North line thereof 82.21 feet; thence North 1°13'20" East 163.66 feet to the True Point of Beginning; thence South 1°13'20" West 163.66 feet; thence South 1°15'48" West to the centerline of S.E. 38th Street; thence Southeasterly along said centerline to the East line of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 9; thence Northerly along said East line to the Southwest corner of Parcel E, King County Lot Line Adjustment No. 8810004; thence Easterly along the Southerly line thereof, the Southerly line of Parcel F of said lot line adjustment and the Easterly extension of said Southerly line to the centerline of 128th Avenue S.E.; thence Northerly along said centerline and Rel. Richards Road Line, as shown on the S.R. 90, East Channel Bridge to Richards Road Right of Way Plans, sheet 5 of 20, dated August~~

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~~17, 1965 to the Southerly margin and prohibited access line of S.R. 90, as shown on said S.R. 90 Right of Way Plans; thence Westerly along said Southerly margin to a line which bears North 1°16'05" East from the True Point of Beginning; thence South 1°16'05" West along said line to the True Point of Beginning.~~

Factoria Land Use District 3 (F3). The following described property shall be known as the F3 Land Use District:

That portion of the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southeast corner of Lot 2, King County Short Plat No. 278125 Revised, as filed under Recording No. 8112079004; thence Westerly along the Southerly line thereof to the East line of the West 222.00 feet of the Southeast quarter of the Southeast quarter of said Section 9; thence Southerly along said East line to the North line of the South 12.00 feet of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Westerly along said North line to the centerline of 128th Avenue S.E.; thence Southerly along said centerline to the South line of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Easterly along said South line to the Northwest corner of Parcel B, King County Lot Line Adjustment No. 1085098; thence Southerly along the Westerly line thereof and the Southerly extension of said Westerly line to the South line of the North half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 9; thence Easterly along said South line to the Southeast corner of said Parcel B; thence Northerly along the Easterly line thereof to the South line of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Westerly along said South line to the Southwest corner of Lot A, King County Lot line Adjustment No. 8903018; thence Northerly along the Westerly line thereof to the Northwest corner of said Lot A; thence Easterly along the Northerly line thereof to the East line of the Southeast quarter of said Section 9; thence Northerly along said East line to a line 30.00 feet Southerly of the LL-Line, as shown on the S.R. 90, Richards Road to Lake Sammamish Right of Way and Limited Access Plan, sheet 3 of 25, dated June 12, 1969

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and the S.R. 90, East Channel Bridge to Richards Road Right of Way Plans, sheet 5 of 20, dated August 17, 1965 (Bellevue City Limits, established by City of Bellevue Ordinance No. ~~676~~); thence Westerly along said line to the Northerly extension of the Easterly line of Lot 2 of said King County Short Plat No. 278125 Revised; thence Southerly along said Northerly extension and the Easterly line thereof to the Point of Beginning.

~~**F3 Land Use District Separation Line.** A line, lying within the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County Washington, described as follows:~~

~~Beginning at the Southwest corner of Lot 4, King County Short Plat No. 487008, as filed under Recording No. 8809220297; thence Easterly along the South line thereof to the Northwest corner of Lot A, King County Lot Line Adjustment No. 8903018 and the Terminus.~~

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20.50.022 G definitions.

~~**Grocery Store.** A retail store that sells primarily household foodstuffs for off-site consumption. Grocery stores must sell a variety of fresh produce, including but not limited to: fresh vegetables and fruits, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods, or prepared foods. Other household supplies or other products must be secondary to the primary purpose of food sales.~~

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20.50.040 P definitions.

~~**Pedestrian-Oriented Frontage.** Building frontage devoted to uses which stimulate pedestrian activity at the ground ~~and or~~ upper levels. Uses which compose pedestrian-oriented frontage include, but are not limited to, ~~specialty~~ retail stores, ~~personal service uses~~, grocery stores, drug stores, ~~shoe repair shops, cleaning establishments, floral shops, beauty shops, barber shops, department stores,~~ hardware stores, apparel shops, art galleries, travel agencies, restaurants and theaters. ~~Banks and financial institutions are not pedestrian-oriented uses.~~~~

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20.50.048 T definitions.

Transparency. Ability to see through a window or door at the pedestrian eye level. The pedestrian eye level is 30 inches to eight feet up from the sidewalk, following the adjacent sidewalk slope.

Transition Area. An area of a higher-intensity use district which is close to a lower-intensity use district, in which special design and other criteria are applied in order to protect the lower-intensity uses from effects of the higher-intensity uses.

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20.50.054 W definitions.

Weather Protection. A continuously covered area projecting from a building that functions as weather protection or a canopy projecting from the elevation of the building that is designed to provide pedestrians protection from the elements. Weather protection includes, but is not limited to, marquees and awnings that are made of durable materials.