

A. Suggested Process:

Included in the Council Packet is Ordinance No. 6846, which contains the proposed Wilburton Vision Implementation Land Use Code Amendment (Wilburton LUCA). This Attachment B provides options in three topic areas that the Council may desire to use to amend Ordinance No. 6846. The three topic areas are:

1. Fee-in-Lieu Vesting;
2. Flexible Access Corridors; and
3. Upper-Level Stepback Incentive.

For each topic area, this attachment lays out potential amendment options. For each option, amendment language is provided as well as a brief explanation of the practical effect. Finally, for each option, suggested motion language is provided that the Council may choose to use to amend Ordinance No. 6846.

The Council may choose to pursue one or more of the options provided in this attachment or none of the options.

If the Council wants to pursue any of the options contained in this attachment, Council must first move to adopt Ordinance 6846. Once the main motion is on the floor for consideration, a Councilmember can then move to amend the Ordinance with one or more of the options provided in this attachment, should they choose to do so. After any pending amendments have been processed, the Council will then vote on the Ordinance, as amended.

B. Background:

The Wilburton LUCA Ordinance incorporates Council-directed revisions made during the May 20 meeting. These revisions include:

- Removal of the local street map while retaining the cross-section as optional
- Reduction of the flexible corridor width
- Reduction of the open space requirement from 10% to 7%
- Allowance for off-site affordable housing performance for commercial development
- Allowance for initial phases of a Master Development Plan to proceed without requiring future phases to achieve proportional compliance, subject to certain conditions

C. Amendment Options:

The language options below were prepared in response to Council's request for further discussion and direction on these topics. Suggested motion language is provided below, should the Council choose to amend LUCA Ordinance No. 6846 prior to taking final action.

Fee In-Lieu Vesting (LUC 20.20.128.J.4.a)		
Option:	Amendment Language:	Practical Effect:
Option A (EHR Request)	a. In-lieu fees shall be assessed at the time a complete design review application is submitted for the applicable phase and shall be collected at the time of building permit issuance for the applicable phase.	Allowing in-lieu fees to vest at the time of design review <u>application for the applicable phase</u> , similar to the practice in the City of Seattle.
Option B (Alternative Option)	a. In-lieu fees shall be assessed on the date of the City's final decision on a design review application for the applicable phase and shall be collected at the time of building permit issuance for the applicable phase.	Allowing in-lieu fees to vest at design review <u>decision for the applicable phase</u> , which occurs closer to the time of construction.
Suggested motion language: I move to amend Ordinance No. 6846 using the amendment language described in Option [A or B] for the Fee In-Lieu Vesting topic area shown on Attachment B.		

Flexible Access Corridors (LUC 20.25R.020.B.3.e.i)		
Option	Amendment Language:	Practical Effect:
Option A (PC Recommendation)	<p>i. Streetscape elements. Flexible access corridors shall contain the following elements at a minimum and a required corridor width of 47 feet:</p> <ul style="list-style-type: none"> (1) Two (2) 10-foot travel lanes serving vehicles and active transportation modes; (2) Two (2) eight (8)-foot sidewalks; (3) Two (2) five (5)-foot amenity zone; (4) Two (2) six (6)-inch curbs; 	Increasing the flexible access corridor width from 37 feet to 47 feet by expanding the sidewalk width from 6 to 8 feet and requiring a 5-foot amenity zone on both sides.
Option B (Alternative Option)	<p>i. Streetscape elements. Flexible access corridors shall contain the following elements at a minimum and a required corridor width of 41 feet:</p> <ul style="list-style-type: none"> (1) Two (2) 10-foot travel lanes serving vehicles and active transportation modes; (2) Two (2) six (6)-foot sidewalks; (3) Two (2) four (4)-foot amenity zone; (4) Two (2) six (6)-inch curbs; 	Increasing the flexible access corridor width from 37 feet to 41 feet by requiring a 4-foot amenity zone on both sides.
<p>Suggested motion language: I move to amend Ordinance No. 6846 using the amendment language described in Option [A or B] for the Flexible Access Corridors topic area shown on Attachment B.</p>		

Upper-Level Stepback Incentive (LUC 20.25R.050.D.2.m)		
Option	Amendment Language:	Practical Effect:
Option A	<p>m. Upper-Level Stepbacks.</p> <p>i. 500 bonus points for every five feet of upper-level stepback provided along an entire building facade or block face, within the height of 25 feet and 55 feet.</p> <p>ii. The maximum stepback depth eligible for bonus points is 20 feet.</p> <p>iii. Eligible upper-level stepbacks must be located along any required access corridor or public right-of-way.</p>	Offering a FAR bonus when upper-level stepbacks are provided in the TOD.
Suggested motion language: I move to amend Ordinance No. 6846 using the amendment language described in Option A for the Upper-Level Stepback topic area shown on Attachment B.		