

DCITY COUNCIL AGENDA TOPIC

Recommended Land Use Code Amendment and Rezone for the Wilburton Transit-Oriented Development area. File Nos. 24-126192-AD and 24-126194-LQ.

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EXECUTIVE SUMMARY**DIRECTION**

Staff will introduce the recommended Land Use Code Amendment (LUCA). Planning Commission Chair Craighton Goeppeler will present the Planning Commission recommendation approving the LUCA. The Resolution documenting this recommendation is included as Attachment A.

Following discussion, staff seeks Council direction prepare the Ordinance for final action at a future meeting.

RECOMMENDATION

Consider directing staff to finalize the LUCA Ordinance and Rezone for final action at a future meeting.

BACKGROUND/ANALYSIS**Background**

The Wilburton Vision Implementation LUCA is the next step in a City-initiated planning effort to realize the vision, goals, and policies adopted through the Wilburton Comprehensive Plan Amendment (CPA).

The planning effort began in 2016 with a study by the Urban Land Institute Advisory Panel, which recommended transforming the Wilburton transit-oriented development (TOD) area into a complete, transit-oriented community—combining housing, jobs, community and recreation amenities, all while emphasizing sustainability and affordability.

From 2017 to 2018, a Council-appointed Citizen Advisory Committee carried this work forward by leading the Wilburton Commercial Area Study. That study envisioned the area as *“Bellevue’s next urban mixed-use community that enhances livability, promotes healthy living, supports economic vitality, and serves the needs of a diverse and growing population.”*

On April 25, 2022, Council directed staff to proceed with the Wilburton Vision Implementation work plan, which included a CPA, LUCA, and Rezone. Council adopted the CPA on July 23, 2024, through Ordinance No. 6802, incorporating TOD-focused policies and map updates.

Tonight, Council will consider the recommended LUCA, included as Attachment B. This LUCA is a key policy tool for implementing the CPA. The LUCA builds on existing Land Use Code (LUC) chapters and introduces a new category of land use districts (Mixed-Use Districts) and a new LUC section (20.25R) specific to the 300-acre TOD area. This LUCA supports the vision for an inclusive, vibrant, walkable urban neighborhood anchored by transit.

Planning Commission Process (February 2024 – March 2025)

Since February 2024, the Planning Commission has held six study sessions on the LUCA, each focused on specific topic areas. These efforts culminated in a public hearing and a final (seventh) study session, leading to a recommendation for Council approval of the LUCA, as amended by the Commission. A staff report describing the background, review process, and the LUCA's compliance with the decision criteria was provided to the Planning Commission, made available for the public hearing, and is included as Attachment C.

WILBURTON LUCA PLANNING COMMISSION SCHEDULE
<u>Study Session 1 (February 14, 2024): Topic: Overview of LUCA Outline and Structure</u> <ul style="list-style-type: none">• Summary of LUCA purpose and structure
<u>Study Session 2 (March 27, 2024): Topic: Transportation, Streets & Blocks, Parking</u> <ul style="list-style-type: none">• Block size standards• Street typologies• Parking minimums
<u>Study Session 3 (September 11, 2024): Topic: Overview and Status Update</u> <ul style="list-style-type: none">• Overview of:<ul style="list-style-type: none">○ Land Use Districts approach○ Land use flexibility○ Access, streets, and blocks○ Open space and green factor○ Amenity incentive system
<u>Study Session 4 (November 6, 2024): Topic: Site Organization</u> <ul style="list-style-type: none">• Block sizes• Street typologies, pattern• Activation and open space
<u>Study Session 5 (December 11, 2024): Topic: Building Design</u> <ul style="list-style-type: none">• Building heights, Floor Area Ratio (FAR), floorplate sizes• Land uses, including non-conforming uses/sites/structures• Parking
<u>Study Session 6 (January 22): Topic: Inclusive TOD</u> <ul style="list-style-type: none">• Affordable housing approach• Amenity incentive program
<u>Public Hearing (February 26): Topic: Required Public Hearing</u> <ul style="list-style-type: none">• General input on LUCA, with a focus on four topic areas identified during previous study sessions:<ul style="list-style-type: none">○ Access corridors○ Off-street parking○ Small sites○ Affordable housing
<u>Study Session 7 (March 12): Topic: Recommendation</u> <ul style="list-style-type: none">• Review of <u>25 LUCA options</u> corresponding to four topic areas: access corridors, off-street parking, small sites, and affordable housing• PC Recommendation to approve LUCA as amended

LUCA Draft Development Process (May 2024 – April 2025)

Beginning in May 2024, staff have published and shared six drafts of the LUCA, each shaped by extensive input from stakeholders, the public, and the Planning Commission. These drafts have evolved to thoughtfully refine strategies that support affordable housing in Wilburton—balancing mandatory requirements, voluntary incentives, and broader redevelopment priorities including street connectivity, open space, and building design.

Each version has built upon prior feedback, with updates highlighted for each draft publication to ensure transparency and ease of review. This iterative process demonstrates a strong commitment to collaborative policymaking and ensures the final draft presented to Council is both effective and reflective of community needs.

Draft 1: Published May 31, 2024

The initial LUCA draft introduced two distinct approaches to affordable housing in the Wilburton TOD area:

- Option A (mandatory): Requires on-site affordable housing or fee-in-lieu in exchange for higher base FAR or “by-right” development.
- Option B (voluntary): Offers additional height and FAR incentives if affordable housing is provided or a fee is paid. This option proposes lower base FARs, with affordable housing prioritized as a first-tier item.

Draft 2: Published October 10, 2024

A substantially revised draft was released ahead of the November 6 Planning Commission study session, incorporating input from 17 public and stakeholder meetings held over the summer and fall.

Draft 3: Published December 4, 2024

Released in advance of the December 11 Planning Commission study session, this version integrated feedback from Draft 2, with refinements to building design and site access. Additional Commission and stakeholder comments informed further updates.

Draft 4: Published January 3

Prepared for the January 22 Planning Commission study session, this publication included two revised drafts. Each version introduced a proposed affordable housing fee-in-lieu amount:

- A revised Option A (Mandatory) draft incorporating Commission and stakeholder feedback.
- A standalone Option B (Voluntary) draft updated for continued consideration.

Draft 5: Published February 6

This draft further refined Option A (Mandatory) based on January 22 study session feedback and was released ahead of the February 26 public hearing. It also included updated street and block requirements for large sites, including an exemption for a parcel beneath the Sound Transit guideway, per stakeholder input. Both Options A and B were presented at the February hearing.

Draft 6: Published April 10

The final draft reflects the Planning Commission’s March 12 recommendation to advance Option A (Mandatory)—as amended—for Council consideration. This version, under review at tonight’s Council study session, also incorporates technical provisions related to the affordable housing catalyst program,

originally proposed by the Eastside Housing Roundtable and later directed by the Commission to be included. The recommended strike-draft language for the catalyst provision was shared with Roundtable representatives on March 20 to confirm the LUCA accurately captured their suggestions before final publication.

Components of the Recommended LUCA

The components of the recommended LUCA can be summarized into the following five topics:

1. Land Use Districts & Building Design
2. Land Uses and Nonconformities
3. Affordable Housing and Amenity Incentive Program
4. Access, Streets, and Blocks
5. Sustainable District Framework and Open Space

1. Land Use Districts & Building Design

The Rezone and LUCA will establish new Land Use Districts and development regulations aligned with the recently adopted Future Land Use Map for Wilburton. These districts are designed to support flexible TOD development, with building heights ranging from 450' high-rise towers in the Urban Core—located west of Eastrail, between NE 4th and NE 8th Streets, and adjacent to I-405—to 250' towers immediately east of Eastrail and north of NE 8th Street as districts abut BelRed. Building heights step down further for areas closest to the Wilburton residential neighborhood to the east and the Bellevue Botanical Garden to the southeast, allowing for a thoughtful transition in scale.

To simplify compliance and support innovative construction methods, the LUCA reduces complexity around tower stepbacks and floorplates compared to Downtown standards. Further simplifications apply to life science projects and developments using mass timber, a sustainable and efficient alternative to traditional steel and concrete construction.

2. Land Uses and Nonconformities

The LUCA introduces a more flexible approach to land uses. Rather than listing every permitted use, it identifies only those that are prohibited or conditionally allowed—permitting all other uses by right.

To support life science uses, the LUCA provides targeted development incentives. It introduces a new citywide definition for life science uses and offers added flexibility for qualifying projects. These include increased building height to accommodate specialized mechanical systems, no restrictions on floor plate size up to 200 feet in height, and reduced affordable housing fees under catalyst provisions. These incentives were developed in collaboration with life science developers and informed by feedback from the Planning Commission.

The LUCA also establishes a new nonconforming section specific to the Wilburton TOD. This section closely mirrors the BelRed approach and incorporates the same compliance thresholds. It includes a Wilburton-specific prioritized list of site improvements required under proportional compliance, with a focus on incremental Eastrail improvements and circulation needs—ensuring these critical elements are addressed first when compliance is triggered.

3. Affordable Housing and Amenity Incentive Program

Affordable housing is a central component of the LUCA and is a baseline requirement for residential and commercial projects. Each district includes a base and maximum Floor Area Ratio (FAR) limit. The LUCA provides multiple compliance options to meet the mandatory affordable housing requirement, allowing flexibility while addressing housing needs:

- On-site construction of affordable units;
- Off-site construction of affordable units;
- Land dedication or transfer (or "deed in-lieu");
- Payment of a fee in-lieu; or
- A combination of payment and on-site construction options.

As part of the proposed mandatory affordable housing framework, the LUCA includes a catalyst provision to provide near-term support for residential and commercial development. The recommended provisions reduce the amount of affordable housing a project is required to provide and reduces both the residential and commercial fee in-lieu amount until a specific amount of development is proposed or until a set date in time, whichever is later.

Projects may also earn additional floor area beyond the base FAR by participating in the Amenity Incentive Program. Through this program, developers can provide public benefits that advance the Wilburton vision. Additional building floor area may be granted for contributions such as (in no particular order):

1. Additional affordable housing or deeper affordability	7. Family-sized Housing
2. Access and Connectivity	8. Grand Connection Improvements
3. Affordable Commercial Space	9. Green Building Certification
4. Child Care Service	10. Open Space
5. Critical Area Restoration and Enhancement	11. Park Dedication
6. Eastrail Corridor Improvements	12. Public Art

4. Access, Streets, and Blocks

Wilburton aims to become a walkable, connected neighborhood supported by Eastrail, the Grand Connection, light rail, and Bus Rapid Transit (BRT). The LUCA establishes maximum block lengths and perimeters, while allowing flexibility in defining block edges through a hierarchy of corridors. These edges may include local streets (dedicated as public rights-of-way), flexible access corridors, service corridors, active transportation corridors, shared-use paths, and major walking and biking routes such as Eastrail and the Grand Connection.

The LUCA exempts smaller sites (under 105,000 square feet) and properties between Interstate 405 and 116th Avenue NE from block perimeter requirements. It also includes standards to ensure connections to Eastrail. A forthcoming design guide in the Transportation Design Manual will assist staff and developers in ensuring multimodal access during project review.

5. Sustainable District Framework and Open Space

Wilburton's future is to become a resilient, low-carbon neighborhood through a sustainable district model that integrates green buildings, shared infrastructure, walkability, and vibrant open spaces. The LUCA supports this vision with a suite of sustainability-focused requirements and incentives.

The LUCA encourages innovative building approaches like mass timber through flexible development standards and strong green building incentives. It also requires projects to meet a minimum Green and Sustainability Factor score using a menu of landscaping and sustainability strategies. To promote tree preservation, projects receive higher scores for retaining existing trees and planting new ones.

A flexible 10 percent open space requirement ensures that developments contribute meaningfully to the public realm. Smaller sites (under 40,000 square feet) are exempt from this requirement. Open space can take the form of podium-level plazas that connect to Eastrail or Grand Connection, portions of access corridors, or ground-level gathering areas. Major public open spaces are required at the intersection of Eastrail and the Grand Connection.

Additional LUCA provisions include appropriate sidewalk and landscaping width standards to expand the urban tree canopy, mitigate heat island effects, and improve stormwater management. Incentives also support the implementation of district-scale systems, such as district energy.

Public Engagement

Staff has executed a public engagement plan with three modes of outreach to ensure that community members and neighbors, property owners, and all stakeholders and interested parties have the opportunity to stay informed and to provide comments.

- A. Process IV Requirements. The LUCA process is following the Chapter 20.35 LUC procedural requirements to provide opportunities for public comment.
- B. Direct Engagement and Feedback. Ongoing dialogue with stakeholders and the community. Staff held two general community info sessions, six workshops with the Bellevue Development Committee (BDC) Wilburton Sub-Team, and eight additional meetings with stakeholder groups. Stakeholders include the following groups:
 - General public
 - Wilburton Property Owners Group
 - Bellevue Chamber
 - Eastside Housing Roundtable
 - Bellevue Development Committee Sub Team, comprising of Wilburton property owners, affordable housing groups, Bellevue Chamber, and other interested parties.
- C. Online Presence. Wilburton webpage to inform the public about this LUCA and share the latest drafts and comment tracker.

POLICY & FISCAL IMPACTS

Policy Impact

The recommended LUCA will implement the vision, goals, and policies adopted in the CPA for the Wilburton TOD area.

Fiscal Impact

There is no fiscal impact associated with implementing this recommended LUCA.

OPTIONS

1. Direct staff to finalize the LUCA Ordinance and Rezone for final action at a future meeting.
2. Provide alternative direction to staff.

ATTACHMENTS

- A. Planning Commission Resolution
- B. Strike-Draft of Recommended LUCA
- C. Staff Report

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N/A