

October 16, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to advance the Downtown Livability Initiative; repealing Part 20.25A LUC; and adding a new Part 20.25A LUC to add new Downtown definitions, departures, and tower requirements; and amending Downtown provisions regarding nonconformities, dimensions, the amenity incentive system, development standards, and design guidelines.

FISCAL IMPACT

No fiscal impact is expected. This amendment to the Land Use Code (LUC) will be administered by land use staff during review of permit applications.

STAFF CONTACTS

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Planning and Community Development

POLICY CONSIDERATION

The City Council will be presented with two policy considerations on October 16. First, direction is requested regarding the amount of public benefit that should be required in return for allowing towers to be constructed above the existing maximum building heights. The requirements for additional height included in the Downtown Code Update are imposed above a point referred to as the trigger height. When towers exceed the trigger height, the proposed code requires that floor plates be reduced, and that ground level open space be provided. As directed during the October 2 study session, Council will consider three options to achieve the public benefit sought in return for the increased height allowances. Refer to Attachment B.

Once the Council provides direction on the public benefit required to exceed the trigger height, the Downtown Code Update will be ready for adoption. The second policy consideration before the City Council is whether to adopt the Downtown Livability amendment into the LUC. Refer to the Proposed Ordinance.

BACKGROUND

The City Council launched the Downtown Livability Initiative to update the LUC so that it better aligned with the updated Downtown Subarea Plan and changes that have occurred in the evolution of Downtown. This is the first comprehensive update of the Downtown Code in over 35 years, and is part of a larger set of actions across the City organization that focus on enhancing the livability of Downtown Bellevue.

A Council-appointed Citizen Advisory Committee (CAC) began work on the Downtown Livability Initiative in May 2013 and completed its charge in June 2014. The focus of the CAC work was to evaluate and identify high-level recommendations for Downtown LUC amendments. The scope of their review covered most of the key elements of the Downtown Code, including:

- Public Open Space;
- Pedestrian Corridor;
- Design Guidelines;
- Amenity Incentive System;
- Station Area Planning;
- Building Height and Form;
- Downtown Parking (limited review); and
- Other Topics (such as sidewalk widths, vacant sites and buildings, mechanical equipment screening, recycling and solid waste, and range of permitted uses).

Between May 2015 and May 2017, the Planning Commission worked to evaluate and refine the CAC recommendations. On May 24, 2017, the Planning Commission finished their process to develop a recommended LUC package to transmit to Council for final review and adoption. In March 2016, Council reviewed and adopted a smaller package of “Early Wins” code amendments.

Council has recently concluded six study sessions related to the Downtown Livability code amendments. The dates were June 26; July 10 and 17; September 5 and 18; and October 2; all of which were scheduled to review this LUC Amendment and the legislative rezone recommended by the Planning Commission. Issues raised by Council and their reconciliation are captured in the Council Memory Book (Attachment A). Since the first study session on June 26, Council has made no modifications to the proposed legislative rezone which is the companion ordinance.

Remaining Code Issue

There is one remaining code issue that Council will discuss and must resolve on October 16 prior to adoption of the Downtown Code Update. When towers exceed the existing maximum height (referred to as the trigger height), the proposed code prescribes that floor plates be reduced and ground level open space be provided. The question before Council relates specifically to the floor plate reduction required when nonresidential buildings exceed trigger height in the DT-MU, DT-MU Civic Center, DT-OLB Central, and DT-OLB South Districts (see Attachment B). Based on Council direction from October 2, the three options include:

1. **Lower End of Planning Commission’s Range** – A 10 percent floor plate reduction for nonresidential buildings above the trigger height in the DT-MU, DT-MU Civic Center, DT-OLB Central, and DT-OLB South Districts.
2. **Safe Harbor** – No reduction in DT-MU, DT-MU Civic Center, DT-OLB Central and DT-OLB South Districts, because any reduction would go below 20,000 square foot floor plates.
3. **Departure from Reduction** – Provides a departure from reduction requirement for exemplary design that better meets the goals in current code version LUC 20.25A.140.

EFFECTIVE DATE

If approved, this Ordinance becomes effective on October 26, 2017.

OPTIONS

1. There are two separate parts to Option 1.

A. Select an appropriate public benefit option for nonresidential buildings that exceed the trigger height in the DT-MU, DT-MU Civic Center, DT-OLB Central, and DT-OLB South Districts. Following selection of the public benefit option from Attachment B.

B. Adopt the Ordinance amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to advance the Downtown Livability Initiative; repealing Part 20.25A LUC; and adding a new Part 20.25A LUC to add new Downtown definitions, departures, and tower requirements; and amending Downtown provisions regarding nonconformities, dimensions, the amenity incentive system, development standards, and design guidelines.

2. Do not adopt a public benefit option or the proposed Downtown Livability ordinance and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Two separate actions are sought from Council this evening:

A. *Council direction is requested regarding the amount of public benefit that should be required in return for allowing towers to be constructed above the existing maximum building heights (Attachment B).*

Move to adopt public benefit option (1, 2, or 3) into Ordinance No. 6377.

B. *Adoption of the proposed Downtown Livability ordinance into the Land Use Code.*
Move to adopt Ordinance No. 6377 amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to advance the Downtown Livability Initiative; repealing Part 20.25A LUC; and adding a new Part 20.25A LUC to add new Downtown definitions, departures, and tower requirements; and amending Downtown provisions regarding nonconformities, dimensions, the amenity incentive system, development standards, and design guidelines.

ATTACHMENTS

A. Council Memory Book

B. Options for LUC 20.25A.075.A

Proposed Ordinance No. 6377

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A