Strike-Draft C1 Density Bonus LUCA
May 12, 2021

Attachment A

20.10.440 Land use charts.

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Chart 20.10.440 Uses in land use districts

Residential – Residential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
1	Residential											
	Single-Family Dwelling (3)	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units per Structure (6)	PD (18)	PD (18)	PD (18)	PD (18)	PD (18)	PD (18)	PD (18)	P	P	P	P

…

Notes: Uses in land use districts – Residential:

…

(18) Affordable Housing duplexes and triplexes are permitted within subdivisions when the requirements of LUC 20.20.128 are met.

…

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010 Uses in land use districts – Dimensional Requirements

		Residential										
STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
	DIMENSIONS	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(52)	(52)	(52)	(52)

…

Commented [A1]: Topic #5, Applicable Procedures, for discussion in Study Session 2.

Commented [A2]: Topic #4, Dimensional Standard Modification, for discussion in Study Session 2.

Adds new footnote referencing dimensional standards in 20.20.128.

		Professional Office	Office	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
STD LAND USE CODE REF	**LAND USE CLASSIFICATION**	**PO**	**O**	**OLB**	**OLB 2**	**LI**	**GC**	**NB**	**NMU**	**CB**	**F1**	**F2**	**F3**
	DIMENSIONS	(21)	(21, 52)	(21, 52)	(21, 52)	(21)	(21)	(21, 52)	(21)	(21, 52)	(28)	(21, 31, 52)	(21, 32, 52)

…

Notes: Uses in land use districts – Dimensional requirements:

…

(52) See LUC 20.20.128.F for modified dimensional requirements for Affordable Housing when the requirements of LUC 20.20.128 are met.

20.20.128 Affordable housing.

Commented [A3]: New section 20.20.128 to replace repealed section.

A. Purpose

The purpose of this section is to encourage development of Affordable Housing by providing density bonus, dimensional standard modification, and modification of other requirements for Affordable Housing projects.

B. Definitions.

Commented [A4]: Topic #1, Eligibility Criteria, for discussion in Study Session 1.

Definition section for consistency with RCW 35A.21.300.

1. "Mixed-Income Multifamily Development" means a multifamily development project that includes both market rate and affordable housing units.

2. "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property as defined in RCW 35A.63.300, now or as hereafter amended.

C. Applicable Procedures.

An application to utilize the provisions of this section shall be processed through the required land use review for the project. If a land use approval is not required for the project, the application shall be processed through the Building Permit review.

D. Eligibility.

The following residential development shall be eligible to receive a density bonus and other modifications as provided in this section:

1. Mixed-Income Multifamily Development. Mixed-income multifamily development in any applicable Land Use District when the development includes Affordable Housing; and

2. Affordable Housing Development. The following ownerships and locations of residential development when all housing units are Affordable Housing:

    a. Owned by a religious organization and located in Single Family Residential Land Use Districts; and

    b. Owned by a religious organization, nonprofit organization, or public agency, except for Bellevue Parks Department, Bellevue Community Development Department, or any public utility entity, and located in all Land Use Districts in which multifamily dwellings are permitted.

E. Density Bonus.

1. Mixed-Income Multifamily Development as provided in subsection D.1 of this section may exempt one bonus market rate unit for each equivalent-sized affordable unit provided, up to 15 percent above the maximum density allowed in the underlying Land Use District.

2. Affordable Housing Development as provided in subsection D.2 of this section may receive a bonus of 50 percent above the maximum density allowed in the underlying Land Use District.

Commented [A5]: Topic #5, Applicable Procedures, for discussion in Study Session 2.

Commented [A6]: Topic #1, Eligibility Criteria, for discussion in Study Session 1.

Revisions for clarity. Eligibility criteria unchanged from Study Session 1.

Commented [A7]: Topic #2, New Density Bonus, for discussion in Study Session 1.

Retains previous density bonus and adds second, larger bonus.

F. Dimensional Standard Modification.

Commented [A8]: **Topic #4, Dimensional Standard Modification,** for discussion in Study Session 2.

1. Mixed-Income Multifamily Development as provided in subsection D.1 of this section may replace the dimensional requirements in LUC Chart 20.20.010 with 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										
LAND USE CLASSIFICATION	**R-1**	**R-1.8**	**R-2.5**	**R-3.5**	**R-4**	**R-5**	**R-7.5**	**R-10**	**R-15**	**R-20**	**R-30**
DIMENSIONS											
Minimum Lot Area (Thousands of Sq. Ft.)	30.4	17.4	11.7	8.7	7.4	6.3	4.1	8.5	8.5	8.5	8.5
Dwelling Units per Acre	1.2	2.1	2.9	4.0	4.6	5.8	8.6	11.5	17.3	23.0	34.5
Maximum Lot Coverage by Structures (percent)	35	35	35	35	40	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent)	75	75	75	75	80	80	90	90	90	90	90
Maximum Impervious Surface (percent)	45	45	45	45	55	55	55	70	70	70	70

	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
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				

2. Affordable Housing Development as provided in subsection D.2 of this section may replace the dimensional requirements in LUC Chart 20.20.010 with Chart 20.20.128.F.2. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.2 shall continue to apply, including applicable footnotes.

Attachment A

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

	Residential										
LAND USE CLASSIFICATION	**R-1**	**R-1.8**	**R-2.5**	**R-3.5**	**R-4**	**R-5**	**R-7.5**	**R-10**	**R-15**	**R-20**	**R-30**
DIMENSIONS											
Minimum Lot Area (Thousands of Sq. Ft.)	23.3	13.3	9.0	6.7	5.7	4.8	3.1	8.5	8.5	8.5	8.5
Dwelling Units per Acre	1.5	2.7	3.8	5.3	6.0	7.5	11.3	15.0	22.5	30.0	45.0
Maximum Lot Coverage by Structures (percent)	35	35	35	40	40	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent)	75	75	75	75	80	80	90	90	90	90	90
Maximum Impervious Surface (percent)	45	45	45	55	55	55	65	70	70	70	70

	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				

G. Modification of Other Applicable Requirements.

Commented [A9]: Topic #4, Dimensional Standard Modification, for discussion in Study Session 2.

For eligible residential development as provided in subsection D of this section, the following requirements of the Land Use Code may be modified through the procedures outlined in subsection C of this section, to the extent necessary to accommodate Affordable Housing units on site:

1. Parking Requirements. The percent of compact parking stalls may be increased up to 75 percent of the total required parking. Tandem parking stalls are permitted to the extent feasible to satisfy required parking ratios.

2. Building Height. Except in Transition Areas and the Shoreline Overlay District, the maximum building height in R-10, R-15, R-20, and R-30 Land Use Districts may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line.

3. Open Space. The Open and Recreation Space Requirement within a residential Planned Unit Development may be reduced to 35 percent of gross land area. All other requirements of LUC 20.30D.160 shall continue to apply.

H. Attached Housing within Subdivisions.

Commented [A10]: **Topic #5, Attached Housing,** for discussion in Study Session 2.

Affordable Housing Development as provided in subsection D.2 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 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; and

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.

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 Aaffordable Hhousing, minimum parking may be reduced, and additional development flexibility allowed, as provided below.

   b. Up to 1.0 FAR of floor area dedicated to supporting the creation of on-site Aaffordable Hhousing shall not be counted for the purposes of calculating the FAR of a project; provided, that:

   i. For every 1.0 square feet of Aaffordable Hhousing provided ~~at 80 percent AMI~~, 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.~~; and~~

   ~~iii. 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 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.~~

20.25A.080 Parking Standards

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Notes to Parking Requirements:

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Commented [A11]: Topic #3, Affordable Housing Cleanup, for discussion in Study Session 1.

This and other similar revisions to follow have been removed with the intent that revisions to the definition of Affordable Housing will now address.

(5) The minimum requirement for studio apartment units available to persons earning 60 percent or less than the 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. ~~An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with the King County Recorder's Office (or its successor agency), and a copy shall be provided to the Director.~~

20.25B.040 Development standards.

Pursuant to LUC 20.25B.030, all development activity within a transition area must comply with the following:

1. Building Height

…

3. Allowable Height Increase. Except in an R-10 or R-15 District, the height limitation may be increased up to maximum height with bonuses limitation indicated in subsection A.2 of this section only if one or more of the following items is provided, the decision criteria for Administrative Design Review are met, and the intent of the Transition Area Design District is maintained:

	Item	Increase Allowed
a.	Underbuilding parking:	5-foot increase
b.	Basement parking:	10-foot increase
c.	Pitched roof:	5-foot increase
d.	Top floor stepback on all sides of at least 10 feet:	5-foot increase
e.	No mechanical equipment on the roof:	5-foot increase
f.	Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition:	5-foot increase
g.	Affordable Housing provided under LUC 20.20.128:	15-foot increase

Commented [A12]: Topic #4, Dimensional Standard Modification, for discussion in Study Session 2.

Would allow affordable housing to achieve maximum height with bonuses in transition areas.

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20.25D.090 FAR Amenity Incentive System.

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7. Chart 20.25D.090.C FAR Amenity Incentive System.

FAR Amenity Standards

AMENITY (1)	APPLICABLE ZONES AND BONUS (2~~3~~) MO-1, OR-1, OR-2, RC-1, RC-2, RC-3, CR, R	DESIGN CRITERIA
TIER 1		
1. AFFORDABLE HOUSING* Threshold bonus for residential/mixed-use development ~~at up to 80% median income level for rental and up to 100% income level for ownership~~. ~~(2)~~ *Floor area shall not be counted for the purpose of calculating FAR.	Rental: 4.6 sf bonus building area per sf of affordable rental housing at 80% median income. Owner: 7.2 sf bonus building area per sf of ownership affordable housing at 100% median income. Fee-in-lieu for Tier 1 residential: $18 per sf bonus area. Fee-in-lieu for nonresidential and Tier 2: $15 per sf bonus area.	1. May be integrated into the same building as market rate housing, or in a stand-alone building on-site. 2. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units.

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Notes: Chart 20.25D.090.C FAR Amenity Incentive System:

…

~~**(2)** An agreement in a form approved by the City must be recorded with King County Department of Records and Elections requiring affordable housing square footage that is provided under this section to remain affordable housing 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.~~

(~~3~~2) Where a bonus is earned by payment of a fee-in-lieu, the fee-in-lieu amount established in Chart 20.25D.090.C as of May 26, 2009, will be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the 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.

20.25D.120 Parking, Circulation, and Internal Walkway Requirements.

…

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

…

Notes applicable to parking standards for BelRed (Chart 20.25D.120.B.2):

…

(5) The minimum requirement for up to and including one bedroom apartment units available to persons earning 60 percent or less than the 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. ~~An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with King County.~~

20.25P.060 Dimensional requirements.

…

B. Exceptions to Dimensional Requirements.

…

2. Floor Area Ratio. A maximum of 1.0 FAR (floor area ratio) may be exemceepted for Aaffordable Hhousing, public restrooms, open space, 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.

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

        i. The Aaffordable Hhousing is provided at a ratio of 2.5 market rate units to 1 Aaffordable Housing unit ~~at 80 percent AMI~~; 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~~; and~~.

        ~~iii. 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 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.~~

20.25P.080 Parking, circulation, and internal walkway requirements.

…

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

…

Notes applicable to parking standards for EG-TOD (Chart 20.25P.080.B.2):

…

(5) The minimum requirement for up to and including 1 bedroom apartment units available to persons earning 60 percent or less than the 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. ~~An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with King County.~~

Attachment A

20.50.010 A definitions.

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Affordable Housing. Housing used as the primary residence of an affordable housing qualified household. Unless otherwise specified, ~~T~~the price of affordable units is based on that amount a household can afford to pay for housing, when household income is less than 80 percent of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area, and when the household pays no more than 30 percent of household income for housing expenses. Households with income less than 80 percent of the median annual income, adjusted for household size, may purchase or rent these affordable units. ~~In addition, affordable housing in the BelRed Subarea shall include for-sale units that are affordable up to 100 percent of the median annual income.~~ 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 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. ~~The Director shall issue administrative rules for establishing the sales or rental price of affordable units and the eligibility of residents.~~

~~**Affordable Housing – Low Income.** Housing, used as the primary residence of a low income qualified household. The price of low income units is based on that amount a low income household can afford to pay for housing, when household income is less than 50 percent of the median income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area, and when the household pays no more than 30 percent of household income for housing expenses. Households with income less than 50 percent of the median annual income, adjusted for household size, may purchase or rent these affordable units. The Director shall issue administrative rules for establishing the sales or rental price of low income units.~~