

2251c  
03-03-87

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3766

AN ORDINANCE relating to CBD right-of-way dedications; walkways and sidewalks; floor area ratio; and amending Bellevue City Code (Land Use Code) 20.25A.020.A.2., 20.25A.020, 20.25A.060.B.1., 20.50.020.

WHEREAS, it is desirable to facilitate the donation of rights-of-way in the CBD; and

WHEREAS, redevelopment on designated CBD streets should provide wider sidewalks, and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and with the City's Environmental Procedures Ordinance, now therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Bellevue City Code (Land Use Code) 20.25A.020.A.2 - Dimensional Requirements in CBD Districts - Charts and Notes is amended to read as follows:

Chart 20.25A.020.A.2

## DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS

| LAND USE DISTRICT | BUILDING TYPE   | MINIMUM SETBACK:<br>(3) (9) |      |      | MINIMUM LOT AREA | MINIMUM LOT DIMENSION | MAXIMUM BUILDING FLR AREA PER FLR ABOVE 40' (5)(11) | MAXIMUM LOT COVERAGE | BUILDING HEIGHT (6)(17) |          | FLOOR AREA RATIO (16) |          |
|-------------------|-----------------|-----------------------------|------|------|------------------|-----------------------|---|----------------------|-------------------------|----------|-----------------------|----------|
|                   |                 | FRONT(1)<br>(15)            | REAR | SIDE |                  |                       |   |                      | BASIC                   | MAX.     | BASIC (10)            | MAX.     |
|                   |                 |                             |      |      |                  |                       |   |                      |                         |          |                       |          |
| CBD-O-1           | NON-RESIDENTIAL | 0 (2)                       | 0    | 0    | None             | None                  | 20,000 gsf  | 100%                 | 200'                    | 300'(13) | 5.0                   | 8.0(12)  |
|                   | RESIDENTIAL     | 0 (2)                       | 0    | 0    | None             | None                  | 12,000 gsf  | 100%                 | 200'(14)                | None(14) | 5.0(14)               | None(14) |
|                   | PARKING         | 0 (2)                       | 0    | 0    | None             | None                  | 20,000 gsf  | 100%                 | 100'                    | 100'     | N/A                   | N/A      |
| CBD-O-2           | NON-RESIDENTIAL | 0 (2)                       | 0    | 0    | None             | None                  | 20,000 gsf  | 100%                 | 150'                    | 250'     | 4.0                   | 6.0      |
|                   | RESIDENTIAL     | 0 (2)                       | 0    | 0    | None             | None                  | 12,000 gsf  | 100%                 | 150'(14)                | 250'(14) | 4.0(14)               | 6.0(14)  |
|                   | PARKING         | 0 (2)                       | 0    | 0    | None             | None                  | 20,000 gsf  | 100%                 | 100'                    | 100'     | N/A                   | N/A      |
| CBD-MU            | NON-RESIDENTIAL | 0                           | 0    | 0    | None             | None                  | 20,000 gsf  | 75%                  | 60'                     | 100'(13) | 0.5                   | 3.0(12)  |
|                   | RESIDENTIAL     | 0                           | 0    | 0    | None             | None                  | 12,000 gsf  | 75%                  | 150'(14)                | 200'(13) | 2.0(14)               | 5.0(12)  |
|                   | PARKING         | 0                           | 0    | 0    | None             | None                  | 20,000 gsf  | 75%                  | 60'                     | 60'(14)  | N/A                   | N/A      |
| CBD-R             | NON-RESIDENTIAL | 0                           | 0    | 0    |                  | 20' Lot Frontage      | 12,000 gsf  | 75%                  | 60'                     | 60'      | 0.5                   | 0.5      |
|                   | RESIDENTIAL     | 0                           | 0    | 0    | 3,000 sf         | 75' Lot Depth         | 12,000 gsf  | 75%                  | 150'(14)                | 200'(14) | 2.0(14)               | 5.0(14)  |
|                   | PARKING         | 0                           | 10'  | 5'   | N/A              | N/A                   | N/A   | N/A                  | 40'                     | 40'      | N/A                   | N/A      |
| CBD-OB            | NON-RESIDENTIAL | 0 (4)                       | 0    | 0    | None             | None                  | 12,000 gsf  | 100%                 | 60'(7)                  | 100'(7)  | 0.5                   | 1.0      |
|                   | RESIDENTIAL     | 0 (4)                       | 0    | 0    | None             | None                  | 12,000 gsf  | 75%                  | 150'(14)                | 200'(14) | 2.0(14)               | 5.0(14)  |
|                   | PARKING         | 0                           | 10'  | 5'   | None             | None                  | N/A   | 75%                  | 40'(7)                  | 40'(7)   | N/A                   | N/A      |
| CBD-OLB           | NON-RESIDENTIAL | 50'                         | 50'  | 30'  | 2 Acres          | 200'                  | 20,000 gsf  | 35%                  | 45'                     | 75'      | 0.5                   | 3.0      |
|                   | RESIDENTIAL     | 50'                         | 50'  | 30'  | 2 Acres          |                       | 12,000 gsf  | 75%                  | N/A                     | N/A      | N/A                   | N/A      |
|                   | PARKING         | 50'                         | 50'  | 30'  | 2 Acres          |                       | 20,000 gsf  | 75%                  | 45'                     | 45'      | N/A                   | N/A      |

gsf = GROSS SQUARE FEET

These dimensions are different for property located in the Perimeter Design District. If your property is within 1,200' of the north, south or west boundary of the CBD, you may be in this District. See Sec. 20.25A.090.

## CHART 20.25A.020.A.2

ORIGINAL

**NOTES: DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS**

- (1) Measured from inside edge of the required perimeter sidewalk. If street trees are planted on the property side of an existing sidewalk as provided for in Section 20.25A.060, 4' is added to the required setback.
- (2) No parking or vehicle access lane is permitted between the required perimeter sidewalk and the main pedestrian entrance to the building.
- (3) Minimum setbacks are subject to required landscape development. See Section 20.25A.040.
- (4) The maximum setback from Main Street in the CBD-OB District is 0'.
- (5) Applicable only to building floors above 40' in height measured from the average finished grade around the building. Building floor area for floors above 40' may be averaged. The maximum building floor area may be increased by not more than 10% through Design Review (Part 20.30F) if the applicant demonstrates that the increase is necessary for reasonable development of the building, and will not have a significant adverse effect on other properties. Each square foot of floor area above the maximum requires a proportionate square footage of amenity in conformance with Section 20.25A.030.C; however, the amenity area provided under this requirement may not be used to exceed the basic floor area ratio. For the purposes of this Note, hotels and motels shall be considered as nonresidential structures. (Ord. 3530, 8-12-85, Section 37)
- (6) The maximum building height may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). If residential and nonresidential uses occur in one structure, the higher height limit applies and there is no restriction on the location of uses within the structure. The maximum height identified in this chart may be increased by no more than 10% or 15 feet, whichever is greater, through Design Review (Part 20.30F) if the applicant demonstrates that the increase is necessary for reasonable development of the structure and will not have a significant adverse effect on other properties. (Ord. 3530, 8-12-85, Section 38)
- (7) Within 45 feet of the centerline of Main Street, the maximum structure height is 35 feet above average finished grade.
- (8) The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). If residential and nonresidential uses occur in one structure, the permitted FAR for the structure may not exceed the highest individual FAR permitted for the uses proposed, and in no case may an individual use within that structure exceed the maximum FAR permitted for that use.
- (9) See Section 20.25A.020.B for exceptions to the minimum setback requirements.
- (10) See Section 20.25A.020.B for amenity requirements regarding the provision of basic floor area.
- (11) In a mixed use building, this requirement will be applied on an individual building floor basis. If uses are mixed on one floor, the maximum floor size will reflect the ratio of those uses.
- (12) Except within the Perimeter Design District, the maximum Floor Area Ratio may be exceeded if the Major Pedestrian Corridor is constructed as required by Paragraph 20.25A.100.E.1. The maximum Floor Area Ratio may only be exceeded by the amount provided for under the Major Pedestrian Corridor amenity bonus, Paragraph 20.25A.030.C.16. (Ord. 3653, 5-19-86, Section 2)
- (13) Except within the Perimeter Design District, the maximum building height may be exceeded if the Major Pedestrian Corridor is constructed as required by Paragraph 20.25A.100.E.1, and only to the extent required to accommodate the additional Floor Area Ratio provided for under Paragraph 20.25A.030.C.16. (Ord. 3653, 5-19-86, Section 2)
- (14) Notwithstanding the provisions of Note (5), hotels and motels shall be considered as residential structures.
- (15) If the subject property abuts a street classified pursuant to Paragraph 20.25A.115, the maximum setback is 0' unless otherwise approved by the Director of Design and Development. (Ord. 3498, 5-27-85, Section 44)
- (16) Floor area devoted to retail uses in fulfillment of the requirements of Section 20.25A.115 will not be counted for the purpose of calculating FAR.
- (17) Except within the Perimeter Design District, the maximum building height can be exceeded if right-of-way is dedicated as provided by Paragraph 20.25A.020.D but only to the extent of the floor area earned as a result of the dedication. This provision does not preclude the applicability of footnote 20.25A.020.A.2(6) but in no event may the combined effect of applying that footnote and this footnote be to increase the building height over the maximum building height by more than 10% of 15 ft., whichever is greater.

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Section 2. Bellevue City Code (Land Use Code) 20.25A.020, Dimensional Requirements--General, is amended by the addition of a new Paragraph D which reads as follows:

- D. Floor Area Ratio Computation: Right-of-way Designation
- 1 General: Land which is dedicated to the City of Bellevue for right-of-way without compensation to the owner in conformance with Paragraph 2 below is included in land area for the purpose of computing maximum F.A.R. notwithstanding Section 20.50.020 - Floor Area Ratio (F.A.R.).
  2. Special Dedication Procedure:
    - a. The City Council may by resolution provide that designated areas are eligible for dedication as right-of-way under this section. The resolution must include a specific description of the location and width of each affected area.
    - b. Following passage of a resolution in conformance with Paragraph D.2.a, the Director of Public Works and Utilities shall notify by registered mail each affected property owner of the opportunity to participate in the special dedication procedure.
    - c. A property owner may participate in the special dedication procedure by conveying land identified in the applicable resolution to the City of Bellevue in fee simple or by dedication and by an instrument approved by the City Attorney and delivered to the City within 180 days of the date that notice of such opportunity was mailed
    - d. Failure to dedicate property by the time specified constitutes a waiver of the opportunity to participate in the special dedication procedure.
  3. Recording Requirements: The Director of Design and Development must record the amount (square footage) of floor area earned by area dedicated in conformance with Paragraph D.2. and the increase in maximum building height acquired in conformance with Section 20.25A.020.A.2.(17) with the King County Division of Records and Election and with the Bellevue City Clerk.

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Section 3. Bellevue City Code (Land Use Code) 20.25A.060.B.1. is amended to read as follows:

B. Minimum Width

1. The minimum width of perimeter walkway or sidewalk is 12' plus 4' in which street trees are to be planted plus 6" curb along -
  - a. Bellevue Way between N.E. 4th and N.E. 8th,
  - b. N.E. 6th between 110th Avenue N.E. and 112th Avenue N.E. and
  - c. 106th Avenue N.E. between N.E. 4th and N.E. 8th and
  - d. 108th Avenue N.E. between N.E. 4th and N.E. 8th and
  - e. 110th Avenue N.E. between N.E. 4th and N.E. 8th and
  - f. N.E. 4th between Bellevue Way and 112th Avenue N.E. and
  - g. N.E. 8th Avenue between Bellevue Way and 112th Avenue N.E.

Section 4. Bellevue City Code (Land Use Code) 20 50.020 - Floor Area Ratio (F.A.R.) is amended to read as follows:

FLOOR AREA RATIO (F.A.R.). A measure of development intensity. Gross building area (square footage of the total floor area except parking and mechanical floors or areas) divided by net on-site land area (square feet). Net on-site land area includes the area of an easement but does not include public right-of-way except in the CBD as provided for in Paragraph 20.25A.020 D.

Section 5. This ordinance shall take effect and be in force five days after its passage and legal publication.

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PASSED by the City Council this 23<sup>rd</sup> day of March,  
1987, and signed in authentication of its passage this 28<sup>th</sup> day  
of March, 1987.

(SEAL)

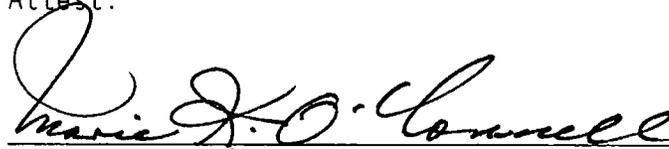
  
Cary E. Bozeman, Mayor

Approved ~~as~~ to form:

Richard L. Andrews, City Attorney

  
Richard L. Andrews, City Attorney

Attest:

  
Marie K. O'Connell, City Clerk

Published March 28, 1987