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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4028

AN ORDINANCE relating to general land use provisions; amending Bellevue City Code (Land Use Code) 20.10.440, 20.20.125, 20.20.140, 20.20.590.K.10, 20.20.920, 20.30A.150, 20.35.245, 20.50.010, 20.50.012, 20.50.014, 20.50.022, 20.50.024, 20.50.036, 20.50.040, 20.50.044, 20.50.046, and 20.50.052; and adding new sections Bellevue City Code (Land Use Code) 20.20.730 and 20.40.415.

WHEREAS, the City Council desires to amend the Land Use Code to update use classifications to reflect current policy; and

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

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

Section 1. Bellevue City Code (Land Use Code) 20.10.440 is amended as follows:

Chapter 10.440  
USES IN LAND USE DISTRICTS

RESIDENTIAL

STD  
LAND  
USE  
CODE  
REF

LAND USE CLASSIFICATION

		GENERAL	AGRICULTURE	OPEN USE	RESIDENTIAL ESTATE				SUBURBAN RESIDENTIAL				URBAN RESIDENTIAL				PROFESSIONAL OFFICE	OFFICE	OFFICE/LIMITED BUSINESS	LIGHT INDUSTRY	GENERAL COMMERCIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	CENTRAL BUSINESS DISTRICT	OFFICE DISTRICT 1	OFFICE DISTRICT 2	MIXED USE DISTRICT	RESIDENTIAL DISTRICT	OLD BELLEVUE DISTRICT	OFFICE AND LIMITED BUSINESS DISTRICT
		G	A	OU	R-1	R-1B	R-25	R-35	R-4	R-5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB	CBD O-1	CBD O-2	CBD MU	CBD R	CBD OB	CBD OLB			
1	RESIDENTIAL																													
	SINGLE FAMILY DWELLING 6	P	P <sub>1</sub>	P	P	P	P	P	P	P	P	P	P	P		P <sub>2</sub>	P <sub>1</sub>	P <sub>1</sub>	P <sub>1</sub>		P <sub>1</sub>			P <sub>1</sub>	P	P	P			
	TWO TO FOUR DWELLING UNITS PER STRUCTURE			PD	PD	PD	PD	PD	PD	P	P	P	P			P <sub>2</sub>	C				C		P	P	P	P	P			
	FIVE OR MORE DWELLING UNITS PER STRUCTURE			PD	PD	PD	PD	PD	PD	C	P	P	P			P <sub>2</sub>	C				C		P	P	P	P	P			
	GROUP HOME CLASS I-A 3	P	P <sub>4</sub>	P	P	P	P	P	P	P	P	P	P										P	P	P	P	P			
	GROUP HOME CLASS I-B 3										P	P	P	P			C				C		P	P	P	P	P			
	GROUP HOME CLASS I-C 3										C	C	C	C			C				C		P	P	P	P	P			
	GROUP HOME CLASS II-A 3	C	C <sub>5</sub>	C	C	C	C	C	C	C	P	P	P	P			C				C		P	P	P	P	P			
	GROUP HOME CLASS II-B 3										C	C	C	C			C				C		P	P	P	P	P			
	GROUP HOME CLASS II-C 3										C	C	C	C			C				C		P	P	P	P	P			
	DETOXIFICATION CENTER 3										C	C	C	C			C	C	C	C	C		P	P	P	P	P			
12	GROUP QUARTERS DORMITORIES RETIREMENT HOMES FRATERNAL HOUSES, EXCLUDING MILITARY AND CORRECTIONAL INSTITUTIONS			C							C	P	P	P							C		P	P	P	P	P			
	RETIREMENT APARTMENTS & SENIOR CITIZEN APTS			C							C	P	P	P	C	C	C				P		P	P	P	P	P			
13 15	HOTELS AND MOTELS																P				C		P	P	A	C	A	P		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C AND EH-D) are listed in Section 20.25F.010.

(Ordinance 3530, 8-12-85, Section 7)

Key

- P - PERMITTED USE
- C - CONDITIONAL USE (see Part 20.30B. or Part 20.30C.)
- PD - PERMITTED subject to planned unit development only. (see Part 20.30D.)
- A - ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E.)

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NOTES: USES IN LAND USE DISTRICTS-RESIDENTIAL

1. A Single-Family Dwelling is permitted only as a subordinate use to a permitted or special use in OLB, LI, GC, CB and CBD-MU districts.
2. No more than 50% of the gross floor area of the structure shall be devoted to residential uses in O districts.
3. A Group Home or Detoxification Center may not be located within 1,000 feet in any direction of any other Group Home or Detoxification Center.
4. A Group Home Class I-A is permitted only as a subordinate use to a permitted or special use in A districts.
5. A Group Home Class II-A is permitted only as a subordinate use to a permitted or special use in A districts.

(Ord. 2945, 2-2-81, Section 5)

6. A boardinghouse or bed and breakfast is permitted in a single family dwelling provided the requirements of 20.20.140 are met.



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NOTES: USES IN LAND USE DISTRICTS-MANUFACTURING

1. Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.
2. Food Products Mfg. is permitted only as a subordinate use to a permitted or special use in NB, GC and CB districts.
3. Apparel, Fabric and Leather Goods Mfg. is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
4. Lumber and Wood Products Mfg. is permitted only as a subordinate use to a permitted or special use in LI, GC and CB districts.
5. Furniture and Fixtures Mfg. is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
6. Paper Products Mfg. excludes paper and pulp manufacturing in LI districts.
7. Printing is permitted only as a subordinate use to a permitted or special use in CB, CBD-0-1, CBD-0-2 and CBD-MU districts.
8. Manufacture of flammable, dangerous or explosive materials is excluded in LI districts.
9. These manufacturing uses are permitted only as a subordinate use to a permitted or special use in CB districts.
10. Electrical Equipment Mfg. is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
11. Fabricated Metal Products Mfg. is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
12. These uses are permitted only as a subordinate use to a permitted or special use in GC and CB districts.
13. Signs and Advertising Display Mfg. is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
14. Misc. Light Fabrication Assembly and Mfg. not elsewhere classified is permitted only as a subordinate use to a permitted or special use in GC and CB districts.
15. An office is permitted if accessory and subordinate to manufacturing use.

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16. Subordinate use to a permitted or special use in the CBD.
17. Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.

(Ord. 2945, 2-2-81, Section 5)



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NOTES: USES IN LAND USE DISTRICTS - TRANSPORTATION & UTILITIES

1. Rail Transportation is limited to only Right-of-Way in OU districts.
2. Aircraft Transportation is limited to only Heliports in OU, CBD-0-1, CBD-0-2 and CBD-OLB districts.
3. Commercial lots and garages are those lots and garages which provide vehicular parking for the public generally for a fee and do not include lots and garages which provide the required parking for other uses.
4. Accessory parking is not permitted in residential zones as accessory to uses which are not permitted in these districts.
5. Permitted only as a subordinate use to a permitted or special use in CBD-0-1, CBD-0-2, CBD-MU and CBD-OLB districts.
6. The location of an off-site parking facility must be approved by the Director of Design and Development. See Section 20.25A.050D.

(Ord. 2945, 2-2-82, Section 5)

7. Park and Ride. A Park and Pool Lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under Section 20.20.200. Any other Park and Ride requires a conditional use permit. (Ord. 3690, 8-4-86, Section 1)
8. Commercial parking facilities are limited to spaces in surface lots which are not required pursuant to Section 20.25A.050. Commercial lots must comply with the requirements of Paragraph 20.25A.050.E (Ord.3747, 1-20-87, Section 1)
9. Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to Section 20.10.440. (Ord. 3747, 1-20-87, Section 1)
10. These uses are subject to primary structure setback and height restrictions and to screening requirements for mechanical equipment.
11. Along those arterials designated by Section 20.20.020 as requiring a 70' setback from the centerline, these uses are permitted only if located in a multiple use building.



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NOTES: USES IN LAND USE DISTRICTS - WHOLESALE AND RETAIL

1. Wholesale Trade includes sales offices for these goods.
2. Motor Vehicles, Primary & Structural Metals, Bulk Petroleum includes sales offices for these goods and excludes tank farms.
3. Motor Vehicles, Primary & Structural Metals, Bulk Petroleum excludes the retail sale of autos in LI districts.
4. Bulk Retail includes sales offices for these goods.
5. Hardware, paint, tile and wallpaper (Retail) is permitted only as a subordinate use to a permitted or special use in LI districts.
6. Hardware, paint, tile and wallpaper (Retail) is limited to a maximum 10,000 square feet of gross floor area in NB districts.
7. Food (Retail) is limited to a maximum 18,000 square feet of gross floor area in NB districts.
8. Trucks and Recreational vehicles (only in LI districts).
9. Boats (Retail) are permitted subject to Planned Unit Development and only as a subordinate use in waterfront areas of the OU district.
10. Automotive & Marine Accessories (Retail) are permitted only as a subordinate use to a permitted or special use and only if it is marine-related in OU districts.
11. Automotive and Marine Accessories (Retail) is permitted only as a subordinate use to a permitted or special use in LI districts, except that tire sales is a permitted use in LI districts.
12. Gasoline Service Stations are permitted only as a subordinate use to a permitted or special use and only if it is marine-related in OU districts.
13. Apparel & Accessories (Retail) are permitted only as a subordinate use to a permitted or special use in OLB districts.
14. Furniture and Home Furnishings are limited to uses with on-site warehousing in LI districts. Computer supplies are permitted as a subordinate use to computer sales in GC and LI districts.
15. Eating and Drinking establishments are permitted as subordinate uses in OU districts.

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16. Eating and Drinking establishments are excluded in Transition Areas in O districts.
17. Eating and Drinking establishments are permitted in OLB and CBD-OLB districts subject to the following criteria:
  - a. Such uses are physically integrated within a structure primarily used as a hotel or motel, office building, charitable, social, professional and labor organization, fraternal lodge, recreational facility or institution such as a hospital or public assembly (indoor).
  - b. Such uses do not exceed 20% of the gross floor area of the structure or structures.
  - c. The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.
18. Along those arterials designated by Section 20.20.020 as requiring a 70' setback from the centerline, Eating and Drinking establishments are permitted in LI districts only if located in a multiple use building.
19. Eating and Drinking establishments may include liquor sales only if operated under a Class A or C liquor license issued by the Washington State Liquor Control Board, and only if such sales are approved as a part of the conditional use. Existing approved conditional uses may not engage in such liquor sales without first obtaining an amendment to such conditional use through the conditional use process.
20. Other Retail Trade is limited to drugstores only in O districts.
21. Other Retail Trade is permitted only as a subordinate use to a permitted or special use in OLB districts.
22. Other Retail Trade is limited to drugstores and video rentals only in NB districts and said uses may contain up to a maximum of 8,000 square feet of gross floor area.
23. Garden Supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in CB and CBD-MU districts.
24. Limited to a maximum of 1,500 gross square feet per establishment.
25. Limited to a maximum of 3,000 gross square feet per establishment.
26. Nonresidential uses are permitted in CBD-R only when developed in a building which contains residential uses.

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27. No on-site outdoor display or inventory storage.
  28. Motorcycles only.
  29. Permitted only as a subordinate use in CBD-0-1, CBD-0-2 and CBD-OLB districts.
  30. Food and convenience stores (retail) must contain at least 75% square footage of retail food sales not for consumption on premises.
  31. Drive-in windows are not permitted.
  32. No more than one eating and drinking establishments is permitted in any building.
- Ord. 2966, 1-18-82, Section 2)
33. Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use. (Ord. 3813, 7-20-87, Section 1)
  34. Adult Retail Establishments are subject to the regulations for Adult Entertainment Uses in Section 20.20.127. (Ord. 3884, 2-16-88, Section 1)
  35. Firework stands do not require temporary use approval but must comply with Bellevue City Code Section 23.10.1461. Adequate access to the stand and off-street parking must be provided.
  36. Horticultural nurseries are permitted without conditional use approval in OU Districts.
  37. Gasoline Service Stations may include subordinate convenience stores.

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NOTES: USES IN LAND USE DISTRICTS - SERVICES

1. Finance, Insurance, Real Estate Services are permitted only if commercially or industrially related in LI districts.
2. Personal Services are permitted only as subordinate uses to a permitted or special use in OLB and CBD-OLB districts.
3. Along those arterials designated by Section 20.20.020 as requiring a 70' setback from the centerline, Personal Services are permitted in LI districts only if located in a multiple use building.
- \*4. For day care in private residences, see Home Occupation Section 20.20.430.
- \* Effective only within the jurisdiction of the East Bellevue and Sammamish Community Councils.
- \*\*4. Refers to number of children on premise at any one time.
- \*\* Not effective within the jurisdiction of the East Bellevue and Sammamish community Councils.
- \*\*5. A child care service may be located in a community facility in any Land Use District pursuant to Paragraph 20.20.170.F.
- \*\* Not effective within the jurisdiction of the East Bellevue and Sammamish Community Councils.
6. Along those arterials designated by Section 20.20.020 as requiring a 70' setback from the centerline, these uses are permitted only if located in a multiple use building.
7. Warehousing & Storage Services, Excluding Stockyards are permitted as subordinate uses to a permitted or special use in CB districts.
8. Rental Services are permitted only as subordinate uses to a permitted or special use in OLB and CBD-OLB districts.
9. Rental Services are limited to only trucks in LI districts.
10. Rental Services are limited to only autos and furniture in CB districts.
11. Auto Repair and Washing Services are permitted only if washing services are a subordinate use to a permitted or special use in CBD-MU districts.
13. Along those arterials designated by Section 20.20.020 as requiring a 70' setback from the centerline, Professional Services are permitted in LI and GC districts only if located in a multiple use building.

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14. Governmental Services include maintenance shops in LID and GC districts.
16. Limited to a maximum of 1,500 gross square feet per establishment.
17. Nonresidential uses are permitted in CBD-R only if developed in a building which contains residential uses.
18. Drive-in facilities may be permitted through Design Review Part 20.30F at any location in the CBD-0-2 District, or within 200 feet of N.E. 4th Street or N.E. 8th Street in the CBD00-1 District; but only if all the following criteria are met:
  - a. On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.
  - b. The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
  - c. The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
  - d. Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of Section 20.25A.060.
  - e. Walk up banking service, whether manned or electronically activated customer service stations, must be provided on site during regular daytime business hours for pedestrian business when there is no interior banking service. (Ord. 3530, 8-12-85, Section 8)
19.
  - a. These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.
  - b. In the review of the proposed use or uses under the conditional use permit application (Part 20.30B), the following criteria shall be considered:
    - i. Consistency of the proposal with the goals and policies of the Comprehensive Plan.

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- ii. Extent to which the physical environment will be modified by the proposal.
- iii. Ability to provide on-site parking facilities to accommodate intended uses under the proposal.
- iv. Extent of additional demand on public utilities and public service resulting from the proposal.
- v. Noise impacts of the proposal.
- vi. Traffic volumes and street classifications in the area of the proposal.
- vii. Compatibility of the proposal with surrounding land uses.
- viii. Impact of the proposal on the visual and aesthetic character of the neighborhood.

In addition, the proposed use or uses shall not be more intensive than if the school were being used as a school.

- c. A master conditional use permit listing a range of permissible uses from those permitted in the land use district as listed in Section 20.10.440 can be obtained for the entire school by using the conditional use process (Part 20.30B of Part 20.30C). Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a conditional use permit. (Ord. 3530, 8-12-85, Section 9)

- 21. Only emergency medical clinics intended to serve industrial and commercial uses permitted in the District are permitted.
- 22. Permitted in active elementary school facilities. The following criteria shall be considered:
  - a. Criteria b.i-viii, Note 19 - Uses in Land Use Districts - Services.
  - b. Hours of operation.
  - c. Proposed signing.

(Ord. 3095, 5-24-82, Section 2)



art 20.10.440  
ES IN LAND USE DISTRICTS

RECREATION

STD LAND USE CODE REF	LAND USE CLASSIFICATION	GENERAL	AGRICULTURE	OPEN USE	RESIDENTIAL ESTATE			SUBURBAN RESIDENTIAL			URBAN RESIDENTIAL			PROFESSIONAL OFFICE	OFFICE	OFFICE/LIMITED BUSINESS	LIGHT INDUSTRY	GENERAL COMMERCIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	CENTRAL BUSINESS DISTRICT	OFFICE DISTRICT 1	OFFICE DISTRICT 2	MIXED USE DISTRICT	RESIDENTIAL DISTRICT	OLD BELLEVUE DISTRICT	OFFICE AND LIMITED BUSINESS DISTRICT
		G	A	OU	R-1	R-18	R-25	R-35	R-4	R-5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB	CBD O-1	CBD O-2	CBD MU	CBD R	CBD OB	CBD OLB
7	CULTURAL ENTERTAINMENT AND RECREATION																										
711	LIBRARY, MUSEUM			C			C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	P	P	P				P	P	P	P	A	A	P	
7113	ART GALLERY			C			C	C	C	C	C	C	C	P	P	P				P	P	P	P	P <sub>4</sub>	P <sub>5</sub>	P	
712	NATURE EXHIBITIONS, AQUARIUMS, BOTANICAL GARDENS AND ZOOS	C	C	C										C	C	C	C	C		C	P <sub>6</sub>	P <sub>6</sub>	P <sub>6</sub>				
7222 7231 7232	PUBLIC ASSEMBLY (INDOOR) ((MOTION PICTURE & LEGITIMATE THEATERS)) SPORTS, ARENAS, AUDITORIUMS & EXHIBITION HALLS BUT EXCLUDING SCHOOL FACILITIES															P				P	P	P	P	A <sub>5</sub>	A	P	
7212 7214 7219	MOTION PICTURE, THEATERS, NIGHT CLUBS, DANCE HALLS & TEEN CLUBS															P				P	P	P	P	A <sub>5</sub>	A	P	
7213	DRIVE-IN THEATERS																C	C		C							
7223 73	PUBLIC ASSEMBLY (OUTDOOR) ((4-SEMI-MERCANTILE AMUSEMENTS,)) FAIR GROUNDS & AMUSEMENT PARKS, ((PENNY-ARCADES)) MINIATURE GOLF, GOLF DRIVING RANGES, GO-CART TRACKS, BMX TRACKS & SKATEBOARD TRACKS																		C		C						
73:	COMMERCIAL AMUSEMENTS: PENNY & VIDEO ARCADES																		C		C						
7411 7413 7422 7423 7424 7441 7449	RECREATION ACTIVITIES (PUBLIC) GOLF COURSES, TENNIS COURTS, COMMUNITY CLUBS, ATHLETIC FIELDS, PLAY FIELDS, RECREATION CENTERS, SWIMMING BEACHES & POOLS ((2))	C		C	C	C	C	C	C	C	C	C	C	P	P	P	C	C	C						P	A	A
744	MARINAS, YACHT CLUBS	C		C	C	C	C	C	C	C	C	C	C														
7414 7415 7417 7425 7413	RECREATION ACTIVITIES (PRIVATE) SKATING, BOWLING, GYMNASIUMS, DANCE SCHOOLS, KARATE SCHOOLS, & ATHLETIC CLUBS, HEALTH CLUBS														C <sub>3</sub>	C	P <sub>3</sub>	P <sub>3</sub>		P		A <sub>8</sub>	A <sub>8</sub>	P	A <sub>5</sub>	A <sub>8</sub>	A <sub>8</sub>
7491 7515	CAMPING SITES & HUNTING CLUBS	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							
76	PRIVATE LEISURE & OPEN SPACE AREAS EXCLUDING RECREATION ACTIVITIES ABOVE	C	C	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
	PUBLIC/PRIVATE PARK	C	C	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
	STABLES & RIDING ACADEMIES	C	C	C	C																						
	BOARDING OR COMMERCIAL KENNELS	C	C	C	C																						

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C AND EH-D) are listed in Section 20.25F.010.

(Ordinance 3530, 8-12-85, Section 7)

**Key**

**P** - PERMITTED USE  
**C** - CONDITIONAL USE (see Part 20.30B. or Part 20.30C.)  
**PD** - PERMITTED subject to planned unit development only. (see Part 20.30D.)  
**A** - ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E.)

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NOTES: USES IN LAND USE DISTRICTS - RECREATION

1. Cultural Activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-10, R-15, R-20 and R-30 districts.
2. For Carnivals, see 20.20.160.
3. Recreation Activities do not include athletic clubs in O, LI and GC districts.
4. Limited to a maximum of 2,000 gross square feet per establishment.
5. Nonresidential uses are permitted in CBD-R only when developed in a building which contains residential uses.
6. Excludes zoos.
7. Adult Theatres are subject to the regulations for Adult Entertainment Uses in Section 20.20.127. (Ord. 3884, 2-16-88, Section 1).
8. Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.

(Ord. 2945, 2-2-81, Section 5)



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NOTES: USES IN LAND USE DISTRICTS - RESOURCES

1. In the R-2.5, R-3.5, R-4, R-5, R-10, R-15, R-20, R-30, OU, NB, PO, O, OLB, LI, GC and CB districts, agriculture is limited to the the production of food and fiber crops.
2. Agricultural processing excludes grain mill products manufacturing and slaughtering in LI districts.

(Ord. 2945, 2-2-81, Section 5)

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Section 2. Bellevue City Code (Land Use Code) 20.20.125 is amended as follows:

20.20.125 Accessory Structures in Residential Districts

Detached accessory buildings, if within the required setback area, in residential districts shall not exceed one story in height (not to exceed fifteen feet), and shall not occupy more than fifty percent of the area of a required rear or side setback. Accessory buildings shall comply with the front and side setbacks required for the main building and shall include a five-foot setback from the rear lot line, except that a detached accessory building can be built to the side or rear lot line provided a written mutual agreement of the abutting property owners of the property lines affected is recorded with the King County Division of Records and Elections and filed with the City Clerk. However, no accessory structure may be within 10' of a street right of way, access easement or private road or within a setback required by Section 20.25H.090 except as otherwise provided by Paragraph 20.20.025.B.

Section 3. Bellevue City Code (Land Use Code) 20.20.140 is amended as follows:

20.20.140 Boarding House and Bed and Breakfasts

Boarding houses and Bed and Breakfast require Home Occupation Class 2 (Section 20.30N) approval. In addition, not more than two rooms may be rented to not more than two persons other than those occupying a single-family dwelling, provided there is compliance with health and building code requirements. The owner of the rooms to be rented shall provide off-street parking for such rooms at the rate of at least one parking stall for each room.

Section 4. Bellevue City Code (Land Use Code) Section 20.20.590.K.10 is amended as follows:

20.20.590.K.10 Handicapped Parking

The property owner shall provide parking and access for physically handicapped persons in accord with the Barrier Free Design Regulations as now or hereafter amended.

Section 5. Bellevue City Code (Land Use Code) 20.20 is amended by the addition of a new section 20.20.730.

20.20.730 Satellite Dish Antennae

These structures must meet accessory structure setback requirements and are subject to the screening requirements for mechanical equipment.

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Section 6. Bellevue City Code (Land Use Code) 20.20.920 is amended as follows:

20.20.920 Veterinary Clinic or Hospital

A veterinary clinic designed for the treatment and care of pet animals, shall be operated by a registered veterinarian. The animals must be confined within the exterior walls of the building at all times. Walls of interior-court animal runs shall be a minimum of 8' high. Interior-court animal runs shall be roofed and if there are open air spaces between the top of the wall and the roof, they shall be enclosed with wire mesh. All rooms housing animals shall have ample natural or mechanical ventilation. There shall be no cremation or other disposal of dead animals on the premises. A veterinary clinic or hospital building shall not be located closer than 100' to an existing residence, residential district, restaurant, clinic or hospital for humans. The setback required above shall not apply in the case of a residence used by the veterinarian himself, or any caretaker or watchman on the same or an adjoining lot. Overnight keeping of animals shall occupy less than 25% of the space in a clinic and shall be isolated by sound-proofing from all adjacent property and uses.

Section 7. Bellevue City Code (Land Use Code) Section 20.30A.150 is amended as follows:

20.30A.150 Map Change:

Following approval of a reclassification of property, the City shall amend the zoning map of the City to reflect the change in Land Use District. The City shall also indicate on the zoning map the number of the ordinance adopting the change.

Section 8. Bellevue City Code (Land Use Code) 20.35.245 is amended as follows:

20.35.245 Applicable Department Director Decision:

- A. General: On or after the date specified in Paragraph .230.B.1, and subject to all other restrictions on the time of decision-making, the applicable Department Director shall either approve, approve with modifications or deny the application.
- B. Criteria: The applicable Department Director may approve or approve with modifications if --

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1. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications, and
2. The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code.

In all other cases, the applicable Department Director shall deny the application.

- C. **Limitation on Modification:** If the applicable Department Director makes a modification which results in a proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to Paragraph .230.A, the applicable Department Director shall provide a new notice of an upcoming decision and obtain public comment prior to making a decision.
- D. **Conditions:** The applicable Department Director may include conditions as part of the approval or approval with modifications to insure conformance with Paragraph 240.B.
- E. **Written Decision of the Director:**
  1. **Content:** The applicable Department Director shall issue a written decision which contains the following:
    - a. A statement indicating that the application is approved, approved with modifications or denied, and
    - b. A statement of any conditions included as part of an approval or approval with modifications, and
    - c. A statement of facts upon which the decision, including any conditions, was based and the conclusions derived from those facts, and
    - d. A statement of the right of any person who participated in the decision as provided for in Paragraph .235.B to appeal the decision of the applicable Department Director as provided for in Section .250.
  2. **Distribution:** The applicable Department Director shall mail the written decision of the Director, bearing the date it is mailed, to each person who participated in the decision as provided for in Paragraph .235.B.

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- F. Effect of Decision: Subject to Section .250, the decision of the applicable Department Director on the application is the final decision of the City.
- G. Commencement of Activity: Subject to Section .250, the applicant may commence activity or obtain other required approvals authorized by the approval or approval with modifications 20 calendar days following the date on which the final decision of the Director was mailed. If the decision of the applicable Department Director is appealed pursuant to Section.250, no activity may begin and no other City approvals may be granted.

Section 9. A new section is added to Bellevue City Code (Land Use Code) Chapter 20.40 to read as follows:

20.40.415. Power to Correct Errors or Clarify:

- a. The applicable Department Director may at any time amend an administrative decision to correct ministerial errors clearly identifiable from the public record. Such a correction does not affect any time limit provided for in this Chapter.
- b. The applicable Department Director may at any time clarify a statement in a written administrative decision as long as the clarification does not alter the intent or effect of the decision.

Section 10. Bellevue City Code (Land Use Code) 20.50.010 is amended by the addition of the following definitions.

ADMINISTRATIVE OFFICE. A use for general administrative and bookkeeping functions of a business but not for sales, display or storage of goods.

. . .

ATHLETIC CLUB. A use, generally membership oriented, featuring exercise, sports and other active physical conditioning, as well as a broader range of services such as full service restaurants and meeting rooms.

Section 11. Bellevue City Code (Land Use Code) 20.50.012 is amended as follows:

20.50.012 ADDITIONAL DEFINITIONS

. . .

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BED AND BREAKFAST. A dwelling which temporarily houses guests for profit.

. . .

BOARDING HOUSE. A dwelling in which roomers and/or boarders are housed and/or fed for profit.

BUILDING HEIGHT. The vertical distance measured from the average elevation of the finished grade around the building to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. Specifically excluded from this definition and from the regulation of maximum building height are structural elements not intended for habitation and not exceeding 15' above the maximum building height including penthouses for mechanical and elevator equipment, chimneys, antennas, communication facilities, smoke and ventilation stacks, flag poles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment.

. . .

Section 12. Bellevue City Code (Land Use Code) 20.50.014 is amended as follows:

20.50.014 ADDITIONAL DEFINITIONS

. . .

CLEARING. Act of removing vegetation from land. See Bellevue City Code 23.76

COMMUNICATION BROADCAST AND RELAY TOWERS. These uses include broadcast towers, two-way radio towers, fixed-point microwave towers, cellular radio antennas, and other high-level transmission facilities.

. . .

CONTRACT CONSTRUCTION SERVICES. A use which combines administrative offices with on-site storage of equipment or materials.

CONVENIENCE STORE. A use which combines retail food sales with fast foods or take-out food service.

. . .

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HEALTH CLUB. A use featuring exercise, sports and other active physical fitness conditioning with limited subordinate services.

Section 15. Bellevue City Code (Land Use Code) 20.50.036 is amended as follows:

20.50.036 Additional Definitions

NATURAL CONDITIONS, NATURAL DETERMINANTS, NATURAL ENVIRONMENT. Existing topography, geology, soils, hydrology, water quality, climate, air quality, noise, vegetation, wildlife, marine life, and natural resources in the City, as recognized in the Comprehensive Plan Element 21D and Bellevue Environmental Procedures Code Chapter 22.02 as important in determining the types and forms of development permissible.

. . .

Section 16. Bellevue City Code (Land Use Code) 20.50.040 is amended by the addition of the following definitions:

POINT-TO-POINT COMMUNICATION. A commercial satellite facility with both receiving and transmitting functions.

. . .

Section 17. Bellevue City Code (Land Use Code) 20.50.044 is amended by the addition of the following definition:

RELIGIOUS ACTIVITY A use operated for worship, meditation or prayer.

. . .

Section 18. Bellevue City Code (Land Use Code) 20.50.046 is amended as follows:

SALES, WHOLESale. Sale for resale not for direct consumption For the purpose of land use classifications, a business primarily engaged in resale or trade sales with less than 25% of the square footage of sales in related retail, will be classified as wholesale.

SATELLITE DISH ANTENNA: A structure intended to receive signals from orbiting satellites and other sources.

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Section 19. Bellevue City Code (Land Use Code) 20.50.052 is amended as follows:

20.50.052 ADDITIONAL DEFINITIONS

. . . .

VETERINARY CLINIC OR HOSPITAL. The offices of one or more licensed veterinarians, including operating space, and space for the overnight keeping of animals.

Section 20. This ordinance shall take effect and be in force five days after final passage by the City Council.

PASSED by the City Council this 17<sup>th</sup> day of July, 1989, and signed in authentication of its passage this 17<sup>th</sup> day of July, 1989.  
(SEAL)

Nan Campbell  
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard S. Gidley  
Richard S. Gidley, Deputy City Attorney

Attest:

Marie K. O'Connell  
Marie K. O'Connell, City Clerk

Published July 21, 1989