

ORIGINAL

WPO235C-ORD
06/16/94

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4654

AN ORDINANCE amending Bellevue City Code, Chapter 20,
the Land Use Code.

WHEREAS, the Growth Management Act requires that the City's
development regulations be consistent with and implement the City's
Comprehensive Plan; and

WHEREAS, the Bellevue City Council desires to foster economic
development within the community by eliminating unnecessary or confusing
land development regulations; and

WHEREAS, the City Council desires to simplify and improve the
opportunities for public participation in and understanding of the land use
regulatory process; and

WHEREAS, it is the obligation of the City to accomplish its
regulatory functions efficiently; and

WHEREAS, the City has complied with the City's Environmental
Procedures Code; now therefore,

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

Section 1. Section 20.10.020 of the Land Use Code is hereby amended
to read as follows:

20.10.020 ESTABLISHMENT OF LAND USE DISTRICTS

Land Use Districts in the City are hereby established as follows:

District Designation

Open Use OU

Single Family Residential Estate R-1
R-1.8

Single Family Residential R-2.5
R-3.5
R-4
R-5
R-7.5*

WPO235C-ORD
06/16/94

Multi Family Residential R-10
R-15
R-20
R-30

Professional Office PO
Office O
Office & Limited Business OLB

Light Industrial LI
General Commercial GC
Neighborhood Business NB
Community Business CB
Downtown

- Office District 1 Downtown-O-1
- Office District 2 Downtown-O-2
- Multiple Use District Downtown-MU
- Residential District Downtown-R
- Old Bellevue District Downtown-OB
- Office & Limited Business District Downtown-OLB

Evergreen Highlands Design District EH

- Performance Area A EH-A
- Performance Area B EH-B
- Performance Area C EH-C
- Performance Area D EH-D

* Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.

Section 2. Section 20.10.060 of the Land Use Code is hereby amended to read as follows:

20.10.060 INTERPRETATION OF MAP BOUNDARIES

When uncertainty exists as to the boundaries of any Use District established on the City's land use map(s), the following rules of construction shall apply:

- A. Where district boundaries are indicated as approximately following the centerline of streets, alleys or highways, the actual centerline shall be construed to be the boundary.
- B. Where district boundaries are indicated as running approximately parallel to the centerline of a street, the boundary line shall be construed to be parallel to the centerline of the street.

ORIGINAL

WP0235C-ORD
06/16/94

- C. Where district boundaries are indicated as approximately following lot or tract lines, the actual lot or tract lines shall be construed to be the boundary lines of such use district.
- D. Unmapped shorelands shall be considered to be within the same land use district as the adjacent upland as shown on the use district map(s).
- E. Where a public street or alley is officially vacated or abandoned, the regulations applicable to the abutting property to which the vacated portion shall revert, shall apply to such vacated or abandoned street or alley.
- F. In case uncertainty exists which cannot be determined by application of the foregoing rules, the Planning Commission shall recommend, and the City Council shall determine, the location of such use district boundaries.
- G. Shoreline Overlay (S-0) District boundaries are as described in Section 20.25E.010, and are not subject to these rules of construction.

Section 3. Section 20.10.100 of the Land Use Code is hereby amended to read as follows:

20.10.100 DISTRICT DESCRIPTIONS:

Sections 20.10.160 through .370 of this Chapter describe the purpose and scope of the City's Land Use Districts. These Sections may be used to guide the interpretation of the regulations associated with each District.

Section 4. Section 20.10.120 of the Land Use Code is hereby repealed.

Section 5. Section 20.10.160 of the Land Use Code is hereby amended to read as follows:

20.10.160 OPEN USE DISTRICT (OU)

Open Use Districts provide areas for uses and activities which avoid significant negative impacts on environmentally sensitive areas and areas of open space which represent a valuable aesthetic asset to the community. Special standards which protect life, property or natural systems, which prevent hazards or damage that might result from development and which safeguard or enhance the natural character of these areas shall be applied.

ORIGINAL

WP0235C-ORD
06/16/94

Section 6. Section 20.10.180 of the Land Use Code is hereby amended to read as follows:

20.10.180 SINGLE FAMILY RESIDENTIAL ESTATE DISTRICTS (R-1, R-1.8)

Single Family Residential Estate Districts provide for a low density residential environment (1 and 1.8 dwellings per acre) which may serve to protect steep slopes or unstable land from overdevelopment and may include agricultural uses and activities compatible with low residential density.

Section 7. Section *20.10.200 of the Land Use Code is hereby amended to read as follows:

*20.10.200 SINGLE FAMILY RESIDENTIAL DISTRICTS (R-2.5, R-3.5, R-4, R-5, R-7.5)

Single Family Residential Districts provide for residential areas of low to moderate densities (2.5, 3.5, 4, 5 and 7.5 dwellings per acre), and permit compatible, related activities.

* Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.

Section 8. Section *20.10.200 of the Land Use Code is hereby amended to read as follows:

*20.10.200 SUBURBAN RESIDENTIAL DISTRICTS (R-2.5, R-3.5, R-4, R-5)

Suburban Residential Districts provide for residential areas of low to moderate densities (2.5, 3.5, 4 and 5 dwellings per acre), and permit compatible, related activities.

* Effective only within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council

Section 9. Section 20.10.220 of the Land Use Code is hereby amended to read as follows:

20.10.220 MULTIFAMILY RESIDENTIAL DISTRICTS (R-10, R-15, R-20, R-30)

Multifamily Residential Districts provide areas for attached residential dwellings of low density (10 units per acre) and of moderate density (15, 20, and 30 dwellings per acre). The R-20 and R-30 districts are intended to be convenient to centers of employment and have primary access to arterial streets. The R-10 and R-15 districts are more restrictive and may be utilized as a buffer

ORIGINAL

WP0235C-ORD
06/16/94

between Suburban Residential districts and moderate density residential or commercial districts.

Section 10. Section 20.10.240 of the Land Use Code is hereby amended to read as follows:

20.10.240 PROFESSIONAL OFFICE DISTRICT (PO)

Professional Office Districts provide areas for low-intensity office uses. Structures shall have exterior designs which are compatible with surrounding developments, vegetation and topography. The Professional Office District may act as a buffer between residential and more intensively developed properties.

Section 11. Section 20.10.260 of the Land Use Code is hereby amended to read as follows:

20.10.260 OFFICE DISTRICT (O)

Office Districts provide areas for business, financial and professional service offices, located on arterial or commercial access streets. In the proximity of other major business and commercial districts, this district may serve as a buffer between residential areas and more intensive commercial districts.

Section 12. Section 20.10.280 of the Land Use Code is hereby amended to read as follows:

20.10.280 OFFICE AND LIMITED BUSINESS DISTRICT (OLB)

Office and Limited Business Districts provide areas for the location of integrated complexes made up of offices, hotels or motels, eating establishments and retail sales accessory to permitted uses. Such districts are located in areas that abut and have convenient access to freeways and major highways.

Section 13. Section 20.10.340 of the Land Use Code is hereby amended as follows:

20.10.340 NEIGHBORHOOD BUSINESS DISTRICT (NB)

Neighborhood Business Districts are small scale, mixed use commercial areas that provide housing opportunities and retail and service businesses for the surrounding residential community. NB districts front on designed primary or minor arterials and are generally 1,000 feet or more apart along the arterials. It is the intent of the City that any such district be located adjacent to existing or proposed residential areas. The maximum size of an NB district, composed of

WPO235C-ORD
06/16/94

contiguous properties and located on one side of a street, is 4.5 acres. The maximum size is expanded to 6 acres for NB sites separated by a street.

Section 14. Section 20.10.360 of the Land Use Code is hereby amended to read as follows:

20.10.360 COMMUNITY BUSINESS DISTRICT (CB)

Community Business Districts serve community markets and provide areas for the location of services and retail outlets, other than Downtown.

Section 15. Section 20.10.370 of the Land Use Code is hereby amended to read as follows:

20.10.370 DOWNTOWN (D)

A. Purpose: Downtown is the financial and business hub of the community. It is to be developed as an aesthetically attractive area of intense use. Toward this end, the City shall encourage the development of regional retail shopping facilities and major mixed office complexes along with specialty retail, business support services, urban residential, hotel and institutional uses. Certain areas of Downtown are to be more intensively developed in order to facilitate pedestrian circulation. Development must enhance people orientation, and provide for the needs, activities, and interests of people. The City will encourage land uses which emphasize variety, mixed uses, and unity of form within buildings or complexes. Specific Land Use Districts have been established within the Downtown District to permit variation in use and development standards in order to implement the objectives of the Downtown Subarea Plan.

1. Downtown Office District 1 (Downtown-0-1)

The purpose of the Downtown-0-1 Land Use District is to provide an area for the most intensive business, financial, specialized retail, hotel, entertainment, and urban residential activities. The District is limited in extent in order to provide the level of intensity needed to encourage and facilitate a significant level of transit service. Pedestrian attracting day and nighttime activities are encouraged. Transit and pedestrian facilities linking them are encouraged; long-term parking and other automobile oriented uses are discouraged.

WP0235C-ORD
06/16/94

2. Downtown Office District 2 (Downtown-0-2)

The purpose of the Downtown-0-2 Land Use District is to provide an area for intensive business, financial, retail, hotel, entertainment, institutional, and urban residential use to serve as a transition between the more intensive Downtown-0-1 Land Use District and the lesser intensive Downtown Multiple Use Land Use District. Grade-separated pedestrian linkages across arterials are encouraged.

3. Downtown-Multiple Use District (Downtown-MU)

The purpose of the Downtown-MU Land Use District is to provide an area for a wide range of retail activity, low intensity offices, Downtown support services, and residential uses. Multiple uses are encouraged on individual sites, and in individual buildings, as well as broadly in the District as a whole.

4. Downtown-Residential District (Downtown-R)

The purpose of the Downtown-R Land Use District is to provide an area for the City's most intensive urban residential uses. Limited office and retail uses are permitted secondary to residential use, in order to provide the amenity of shopping and services within easy walking distance of residential structures.

5. Downtown-Old Bellevue District (Downtown-OB)

The purpose of the Downtown-OB Land Use District is to describe the Old Bellevue area and assure compatibility of new development with the scale and intensity of the area. The social and historic qualities of this area are to be preserved.

6. Downtown-Office and Limited Business District (Downtown-OLB)

The purpose of the Downtown-OLB Land Use District is to provide an area for the location of integrated complexes made up of offices, and hotels or motels, with eating establishments and retail sales secondary to these primary uses. The District abuts and has convenient access to the I-405 Freeway.

- B. Permitted Uses: Specific categories of uses are listed in Chart 20.10.440. Sections 20.10.400 and .420 explain Chart 20.10.440 and refer to the applicable review procedures.

ORIGINAL

WPO235C-ORD
06/16/94

- C. General Development Requirements: Regulations applying to specific structures or activities are found listed alphabetically in Chapter 20.20 of this Code, consult the alphabetical KEY WORD INDEX in the beginning of that Chapter. Additional development requirements for the Downtown are found in Chapter 20.25.
- D. Area and Dimensional Requirements are found in Chart 20.25A.020.A.2; specific exceptions to the requirements in the Chart are given in the Sections immediately following it. All structures shall conform to these requirements.

Section 16. Section 20.10.440 of the Land Use Code, Notes, is hereby amended to read as follows:

20.10.440 LAND USE CHART-TRANSPORTATION & UTILITIES

NOTES: USES IN LAND USE DISTRICTS-TRANSPORTATION AND UTILITIES

1. Rail Transportation is limited to Right-of-Way only in OU districts.
2. Aircraft Transportation is limited to only Heliports in OU, Downtown-0-1, Downtown-0-2 and Downtown-OLB districts.
3. Accessory parking is not permitted in residential zones as accessory to uses which are not permitted in these districts.
4. The location of an off-site parking facility must be approved by the Director of Community Development. See Section 20.25A.050H.
5. 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.
6. Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to Section 20.10.440.
7. Onsite hazardous waste treatment and storage facilities as defined by 20.50.024 are only permitted as administrative conditional use approvals as a subordinate use to a permitted or special use. These facilities must comply with

ORIGINAL

WPO235C-ORD
06/16/94

the State siting criteria as adopted in accordance with RCW 70.105.210.

8. Offsite hazardous waste treatment and storage facilities as defined by 20.50.024 must comply with the State siting criteria as adopted in accordance with RCW 70.105.210.
9. These uses are subject to primary structure setback and height restrictions and to screening requirements for mechanical equipment.
10. These uses are permitted only if located in a multiple function building or complex.
- *11. Aircraft Transportation is limited in these districts to government heliports used only for emergency purposes.
- *12. A roof top helicopter landing area which is utilized for life threatening emergencies only does not require conditional use approval.

*Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.

Section 17. Section 20.10.440, Notes, of the Land Use Code is hereby amended to read as follows:

20.10.440 LAND USE CHART-WHOLESALE AND RETAIL

[See printed volume for Charts]

NOTES: USES IN LAND USE DISTRICTS-WHOLESALE AND RETAIL

1. Wholesale Trade includes sales offices for these goods.
2. Wholesale trade of motor vehicles, primary and structural metals, bulk petroleum includes sales offices for these goods and excludes tank farms.
3. Bulk Retail includes sales offices for these goods.
4. Automobile (Retail) is subject to the decision criteria in Section 20.20.135.
5. Each individual wholesale and retail use in NB districts, except retail food stores and miscellaneous retail trade, is limited to 5000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and

WPO235C-ORD
06/16/94

6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in LUC Chapter 20.30E, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, BCC Chapter 9.18; and 2) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of this ordinance are exempt from the ACUP requirements.

6. Deleted by Ord. 4422.
7. Motorcycle (Retail) requires administrative conditional use approval in LI districts.
8. Boats (Retail) are permitted subject to Planned Unit Development and only as a subordinate use in waterfront areas of the OU district.
9. 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.
10. 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.
11. Furniture and Home Furnishings are limited to uses with on-site warehousing in LI districts.
12. Computer supplies are permitted as a subordinate use to computer sales in LI and GC districts.
13. Eating and Drinking establishments are excluded in Transition Areas in O districts.
14. Eating and Drinking establishments are permitted in OLB and Downtown-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).

ORIGINAL

WPO235C-ORD
06/16/94

- 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.
15. Eating and drinking establishments are permitted in LI districts only if located in a multiple function building or complex.
 16. 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. Eating and drinking establishments with other classes of liquor licenses require administrative conditional use approval. Drive-in windows are not permitted.
 17. Other Retail Trade is limited to drugstores only in O districts.
 18. Miscellaneous retail trade is limited to specialty sporting goods in GC district.
 19. Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet.
 20. Garden Supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB and Downtown-MU districts.
 21. Limited to a maximum of 1,500 gross square feet per establishment.
 22. Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.
 23. Nonresidential uses are permitted in Downtown-R only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.
 24. No onsite outdoor display or inventory storage.
 25. Motorcycles only.
 26. Only pet grooming is permitted in the LI and GC districts.

ORIGINAL

WP0235C-ORD
06/16/94

27. Food and convenience stores (Retail) must contain at least 75% square footage of retail food sales not for consumption on premises.
28. Drive-in windows are not permitted.
29. No more than one eating and drinking establishment is permitted in any building.
30. Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.
31. Adult Retail Establishments are subject to the regulations for Adult Entertainment Uses in Section 20.20.127.
32. Firework stands do not require temporary use approval but must comply with Bellevue City Code Section 23.11.781. Adequate access to the stand and off-street parking must be provided.
33. Horticultural nurseries are permitted without conditional use approval in OU Districts.
34. Gasoline Service Stations may include subordinate convenience stores.
35. Any business which combines two or more permitted retail sales uses and also includes subordinate retail sales uses shall be limited in size to 50,000 square feet.
36. Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment provided that the manufacturing use occupies not more than fifty percent (50%) of the total square footage of the combined establishment.

Section 18. Section 20.20.010, Notes, of the Land Use Code is hereby amended to read as follows:

Section: 20.20.010 Uses in Land Use Districts - Dimensional Requirements -

- (1) Side yard setback in R-30 districts increases to 20 ft. on any side yard where structure exceeds 30Ft. above finished grade.
- (2) All rear and side yards shall contain landscaping as required by Section 20.20.520.

ORIGINAL

WP0235C-ORD
06/16/94

- (3) See Section 20.20.012.
- (4) See Section 20.20.015.
- (5) The maximum allowable building height in R-20 districts is 40 feet if the ground floor of such building is devoted to parking.
- (6) The maximum allowable building height is 75 feet on any property designated OLB which lies within 475 feet of the right-of-way of I-405, between I-90 and SR-520.
- (8) Dimensional requirements for CBD Land Use Districts are listed in Section 20.25A.020.
- (9) Any office building or any office portion of a building shall comply with the definition of "low intensity". See Section 20.50.032. (Ord. 3780, 5-26-87, Section 1)
- * (10) The maximum building height may be exceeded upon approval of the Director of Community Development. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E. Before granting any such approval, the Director of Community Development must find that:
 - a) The height increase is only to accommodate equipment, structures or buildings that contain special equipment primarily related to light manufacturing, wholesale, trade and distribution use, and is not for office or bulk retail use; and
 - b) There is functional need for a height increase; and
 - c) The overall site development will minimize adverse impacts caused by the height increase.

Notwithstanding the provisions of this Note, no height increase is permitted within a Transition Area as defined in Part 20.25B. (Ord. 3530, 8-12-85, Section 11)

* Not effective within the jurisdiction of the East Bellevue and Sammamish Community Councils. The maximum building height in LI Districts shall remain 30 feet.

- * (11) Except in transition areas, the allowable building height of any building located in PO, O, OLB, GC, NB, CB OR OU district

WP0235C-ORD
06/16/94

may be increased by one story, but not to exceed 15 feet, if underground parking for that building is provided.

* Not effective within the jurisdiction of the East Bellevue and Sammamish Community Councils. The maximum building height in the LI Districts shall remain 30 feet.

- (12) See 20.25H.090 for additional Sensitive Area Setbacks. (Ord. 3775, 5-26-87, Section 6)
- (13) For each square foot of lot area devoted to open space in excess of 30% of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
- (14) Lot coverage is calculated after subtracting all Protected Areas defined by Section 20.25H.070. (Ord. 3775, 5-26-87, Section 6)
- (15) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
- (16) If there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls.
- (17) Dwelling units per acre is determined pursuant to Section 20.30D.
- (18) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified. (Ord. 3498, 5-28-85, Section 2)
- (19) See 20.20.030 for designation and measurement of setbacks. (Ord. 3690, 8-4-86, Section 2)
- * (20) Notwithstanding any other provision of this Code, except Part 20.25B or Section 20.20.900-910, as applicable, the allowable building height of an office building may be increased by one story, not to exceed 15 feet, if the ground floor of that building is devoted to parking for that building. (Ord. 3747, 1-20-87, Section 2)

*Effective only within Community Council jurisdiction.

- (21) See Section 20.25H.090 for additional Sensitive Area Setbacks. (Ord. 3775, 5-26-87, Section 6)

WPO235C-ORD
06/16/94

- (22) Dwelling units per acre is determined pursuant to Section 20.30D.155. (Ord. 3936, 7-18-88, Section 2)
- (23) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as .5 unit and units 600 square feet or greater count as 1 unit. (Ord. 4065, 10-23-89, Section 3)
- (24) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing. (Ord. 4065, 10-23-89, Section 3)
- (25) Lot coverage may be increased to 50% if congregate care senior housing, senior citizen dwellings, assisted living or nursing homes are constructed on site; provided, however, that coverage for the non-residential portions of the development cannot exceed the maximum limits indicated. Lot coverage within NB districts may be increased to 50% for mixed use development which includes residential uses comprising at least one-half the square footage of the building footprint. Underground parking in excess of 50% of the site area shall not be included in lot coverage calculations. (Ord. 4065, 10-23-89, Section 3)
- (26) The maximum building height for structures is increased to 30 feet only if residential uses are provided on the second floor and provided the structure does not exceed two stories. For purposes of this note, a story is defined pursuant to the Uniform Building Code, Section 420 as amended.

Section 19. Section 20.20.012 of the Land Use Code is hereby amended to read as follows:

20.20.012 Minimum Lot Area

- A. All of the following are deleted from the gross square footage of a lot for the purpose of determining minimum lot area pursuant to Section 20.20.010:
 - 1. Public right-of-way, and
 - 2. Private roads in separate tracts, and
 - 3. Submerged lands (lands waterward of the ordinary high water mark).

ORIGINAL

WPO235C-ORD
06/16/94

- B. The area of an easement, including an access easement, is not subtracted from the gross square footage of a lot.

Section 20. Section 20.20.017 of the Land Use Code is hereby amended to read as follows:

20.20.017 Minimum Lot Size: Averaging In Plats

In an approved plat, the individual lots of the plat shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the plat meets the minimum requirement for the district in which the plat is located, provided: (1) that no individual lot therein shall be reduced more than 10% from the district minimum required area, except that lots in zones R-1, R-1.8, R-2.5, and R-3.5 may be reduced by up to 15% from the district minimum; (2) a reduction of 5% in the required lot width may be applied to 20% of the lots of a plat provided no reduction in the required area is applied to these lots.

Section 21. Section 20.20.020 of the Land Use Code is hereby repealed.

Section 22. A new section is hereby added to the Land Use Code as follows:

20.20.023 Sensitive Area Setback Modifications

Setbacks within the Sensitive Area Overlay District may be modified pursuant to 20.25H.090 B.6.

Section 23. Section 20.20.025 of the Land Use Code is hereby amended to read as follows:

20.20.025 Intrusions Into Required Setbacks

A. Signs, Marquees and Awnings: See Sign Code, Chapter 22B.10.

B. Garages/Carports on Slopes:

1. If the topography of a lot is such that the front building line is 8 feet or more above the street grade, and there is no reasonable way to construct a driveway up to the dwelling level, a garage/carport may be built into the bank and set at least 5 feet back from the front property line.
2. If the topography of a lot is such that the land drops down steeply from the street level and there is no reasonable way to construct a driveway with a slope less than 15% down to

ORIGINAL

WPO235C-ORD
06/16/94

the dwelling level, a garage/carport may be built in the front yard setback (20.20.010) or in the slope setback (20.25H.090.B.4) subject to approval by the Director of Community Development. The garage/carport must be set at least 5 feet back from the front lot line, and may not exceed 15 feet above street level measured to the peak of a pitched roof or 9 feet above street level measured to the top of a flat roof. The garage/carport and its vehicular access must be located and oriented to minimize disturbance of the slope.

3. A garage/carport must comply with the street intersection sight obstruction requirements of Section 20.20.830.
4. A garage/carport on property subject to Part 20.25H must comply with the disturbance limits, location, design and construction type requirements of Paragraph 20.25H.110.D.

C. Minor Structural Elements:

Subject to Paragraph 20.20.025.C.3, minor structural elements including patios, platforms, eaves, trellises, open beams, fireplace chimneys, decks, porches, balconies, lanais, bay windows, greenhouse windows and similar elements of a minor character may intrude into a required setback as follows:

1. Any portion of a minor structural element which equals or exceeds 30" above finished grade at its location may intrude into a required setback a distance no greater than 20% of the minimum dimension of that setback, or at least 18", whichever is greater.
2. Any portion of a minor structural element which is less than 30" above finished grade at its location may extend to any lot line.
3. A minor structural element may extend into a setback required by Section 20.25H.090 only if it is above the ground level and if vegetation will be maintained in a healthy condition. Solar access to vegetation must be maintained at least 50% of daylight hours during the normal growing season.

For purposes of Paragraph C, heat pumps, retaining walls at least 30" in height and rockeries at least 30" in height are not minor structural elements.

WP0235C-ORD
06/16/94

- D. On a lot of less than 30,000 gross square feet or any single family lot, rockeries and retaining walls 30" in height or greater may extend into setbacks established by Section 20.20.010 provided that the existing grade change is such that no feasible alternative to location or height exists. In any event, the Protected Area setback requirements of 20.25H.090 apply.
- E. Underground Buildings: Underground buildings, not higher than 3 feet above finished grade, with their roofs in gardens, lawn or landscaping may intrude into the required setback provided, however, those buildings must comply with the setback required by Section 20.25H.090.

Section 24. Section 20.20.030 of the Land Use Code is hereby amended to read as follows:

20.20.030 Designation and Measurement of Required Setbacks:

- A. Except as specifically provided in Paragraph B, each lot must contain only one front setback and only one rear setback. Any other setback will be considered a side setback.
- B. If a lot abuts the intersection of two public rights of way, a front setback is required along each right-of-way.
- C. The Director of Community Development is authorized to designate front, rear and side setbacks in accordance with the definitions of Section 20.50.046. If these definitions do not establish a front and rear setback, the Director of Community Development shall establish these setbacks based upon orientation of the lot to surrounding lots and to any existing development pattern. All other setbacks will be defined in relation to the established front and rear setback.
- D. A setback is measured from the interior edge of a street right of way, access easement or private road, except that if applicable, a rear setback is measured from the centerline of an alley. Where there is no street right of way, access easement or private road, a setback is measured from the property line.
- E. The setback requirements of Section 20.20.020 and Section 20.25H.090 are in addition to the setback requirements of Section 20.20.010 and Section 20.25A.020. The greater setback dimension is required.

Section 25. Section 20.20.130A of the Land Use Code is hereby amended to read as follows:

ORIGINAL

WPO235C-ORD
06/16/94

20.20.130A Animals

- A. General: The keeping of animals is subject to the requirements of this Section and Bellevue City Code, Title 8, Animal Regulations.

Section 26. Section 20.20.135 of the Land Use Code is hereby amended to read as follows:

20.20.135 Automobile Sales, Leasing And Rental

The following decision criteria, in addition to the criteria in Section 20.30E.140, apply to an administrative conditional use permit application for the leasing, rental and/or retail sale of automobiles in light industry zoning districts:

- A. The applicant provides an adequate off street unloading area for vehicle carriers; and
- B. There is adequate on-site storage area for display vehicles.

Section 27. Section 20.20.160 of the Land Use Code is hereby amended to read as follows:

20.20.160 Carnivals and Fairs

Carnivals, fairs, revivals and other temporary amusements, exhibitions or meeting places must receive a Temporary Use Permit, following the procedures required by Part 20.30M of this Code, or be approved through the City's Special Events Policy permit process.

Section 28. Section 20.20.170 of the Land Use Code is hereby amended to read as follows:

20.20.170 Child Care Service Use

- A. Purpose: Encourage the convenient location of child care service uses throughout the City where compatible with surrounding land uses and development.
- B. Applicability: This Section applies to each child care service use within the City. The requirements of this Section shall be imposed at the initiation of any child care service use, or upon any addition or modification to a child care service use or structure housing that use. Those child care service uses, which on the effective date of this ordinance have not registered with the City of Bellevue, are subject to these requirements.

ORIGINAL

WPO235C-ORD
06/16/94

C. Child Care Service Use in a private residence:

The requirements of Home Occupation Class 3 (Section 20.30N) apply to each child care service if located in a private residence. For the requirements for a child care service use in a community facility, see Paragraph E.

D. Mini day care center or Day Care Center:

1. General: The requirements of Paragraph D apply to each mini day care center or day care center unless located in a private residence or a community facility. For the requirements for a child care service use in a residence or community facility, see Paragraphs C and E, respectively.

2. Review or Registration Required:

- a. If located in an OU, R-10 or R-15 Land Use District, each mini day care center requires an Administrative Conditional Use Permit and each day care center requires a conditional use permit prior to the initiation of the use.
- b. If located in a Land Use District in which the use is a permitted use, each operator of a mini day care center or day care center must register with the Bellevue Department of Community Development by filing a signed Child Care Registration Form as provided by the Department prior to the initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of Paragraph D as listed on the Registration Form.

3. Use Requirements: The following requirements apply to each mini day care center or day care center.

- a. An on-site vehicle turnaround or separate entrance and exit points, and passenger loading area must be provided. The City shall specifically consider the location and appearance of the proposed turnaround or access in determining compatibility with surrounding uses.
- b. The child care service use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.

ORIGINAL

WPO235C-ORD
06/16/94

- c. The child care service use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
- d. The operator must have granted the City of Bellevue permission to enter the property, and to inspect the child care service use for compliance with the requirements of the Land Use Code, and other applicable city ordinances.
- e. The operator must have obtained a Registration Certificate as required by B.C.C. 4.08 (Business and Occupation Tax).
- f. If located in an R-10, R-15, R-20, or R-30 Land Use District-
 - i. A solid fence at least 6' high compatible with neighborhood character must be installed along each side and rear lot line.
 - ii. One sign, not exceeding 4 square feet and 5' in height, is permitted to identify the use notwithstanding the provisions of B.C.C. 22B.10. The sign may not be lighted. The City shall review the color, materials, design, location and character of the sign in determining compatibility with surrounding uses.

4. Conditions:

- a. The City may impose conditions to mitigate any potential adverse impact on surrounding uses.
- b. The City shall specifically consider the need to limit the hours of operation of the use.
- c. The City shall establish the maximum number of children permitted in the child care service use at any one time.

E. Child Care Service use Located in a Community Facility:

- 1. General: The requirements of Paragraph E apply to each child care service use located in a community facility.

ORIGINAL

WP0235C-ORD
06/16/94

2. Review or Registration Required: Each operator of a mini day care center or day care center housed in a community facility must register with the Bellevue Department of Community Development by filing a signed Child Care Registration Form as provided by the Department prior to initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of Paragraph E as listed on the Registration form.
3. Use Requirements: The following requirements apply to each child care service use located in a community facility:
 - a. The child care service use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.
 - b. The child care service use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
 - c. The operator must have granted the City of Bellevue permission to enter the property, and to inspect the child care service use for compliance with the requirements of the Land Use Code, and other applicable City ordinances.
 - d. The operator must have obtained a Registration Certificate as required by B.C.C. 4.08 (Business and Occupation Tax).
 - e. The child care service use may not display any sign in excess of the maximum number of signs and the maximum sign area allowed for the community facility in which the child care service use is housed.
4. Conditions:
 - a. The City may impose conditions to mitigate any potential adverse impact on surrounding uses.
 - b. The City shall specifically consider the need to limit the hours of operation of the use.
 - c. The City shall establish the maximum number of children permitted in the child care service use at any one time.

ORIGINAL

WPO235C-ORD
06/16/94

Section 29. Section 20.20.400 of the Land Use Code is hereby amended to read as follows:

20.20.400 Fences

A. General:

1. No fence may violate the sight obstruction restrictions at street intersections. (See Section 20.20.830.)
2. No fence may exceed 4'6" in height within a required front setback except as follows:
 - a. If the fence is perpendicular to the right-of-way and necessary for screening, or is located on an arterial or on one side of a corner lot and does not exceed the minimum height necessary to afford privacy, security, screening or noise attenuation.
 - b. Any fence with increased height must meet the following criteria:
 - i. The proposed fence will not cause or contribute to a hazardous traffic situation, and
 - ii. The proposed fence is necessary to afford reasonable privacy, security or noise attenuation to the subject property, and
 - iii. The proposed fence is not out of character with development in the immediate vicinity of the subject property and the finished side of the proposed fence faces the right of way or the adjacent property.
3. Any fence which exceeds 8' in height requires a building permit and shall conform to the Uniform Building Code.
4. Height shall be measured from finished grade at the exterior side of the fence. No person may construct a berm upon which to build a fence unless the total height of the berm plus the fence does not exceed the maximum height allowable for the fence if the berm was not present.

- B. Barbed Wire: No barbed wire may be used in fencing along a property boundary except at the top of a solid or chain link fence six feet or more in height.

ORIGINAL

WPO235C-ORD
06/16/94

- C. Electric Fences: Electric fences are not permitted in an "R" district, except where additional fencing or other barriers prevent access to the fence by small children on the adjacent property. Otherwise, electric fences are permitted provided they comply with the following requirements: (1) An electric fence using an interrupted flow of current at intervals of about 1 second on and 2 seconds off shall be limited to 2,000 volts at 17 milliamp, current; (2) An electric fence using continuous current shall be limited to 2,000 volts at 17 milliamp, current; (3) An electric fence using continuous current shall be limited to 1,500 volts at 7 milliamp, current. All electric fences shall be posted with permanent signs a minimum of 36 square inches in area at intervals of 15' stating that the fence is electrified. Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency.
- D. Chain Link Security Fences: May be permitted within the front setback in CB, GC, or LI districts, or in commercial parking lots and storage areas, providing plans are approved by the Department of Community Development upon finding that the fence will not violate sight obstruction standards (20.20.830), nor stand in, or in front of, any required landscaping.

Section 30. A new Section 20.20.470 of the Land Use Code is hereby added as follows:

20.20.470 Inoperable Motor Vehicles

An inoperable motor vehicle is defined for the purposes of this section as a motor vehicle which is apparently inoperable or which requires repairs in order to be operated legally on the public roads, such as: repair or replacement of a window, windshield, wheel, tire, motor or transmission. Inoperable motor vehicles shall be screened from neighboring property and the public right-of-way by a legally permitted solid structure or solid fence, or by Type I landscaping as defined in Section 20.20.520; provided that open or unscreened storage of an inoperable motor vehicle for a seven-day period while such vehicle is under repair or awaiting repair is permitted.

Section 31. A new Section 20.20.522 of the Land Use Code is hereby added as follows:

20.20.522 Light And Glare

To protect adjoining uses and vehicular traffic in the right-of-way, the following provisions shall apply to the generation of light and glare in multifamily and commercial land use districts:

WPO235C-ORD
06/16/94

- A. Applicability: The requirements of this Section shall be imposed for all new construction and each time a project requires a discretionary land use permit approval.
- B. All exterior lighting fixtures in parking areas and driveways shall utilize cutoff shields or other appropriate measures to conceal the light source from adjoining uses and rights-of-way. Other lights shall be designed to avoid spillover glare beyond the site boundaries.
- C. Interior lighting in parking garages shall utilize appropriate shielding to prevent spillover upon adjacent uses and the right-of-way.

Section 32. Section 20.20.525 of the Land Use Code is hereby amended to read as follows:

20.20.525 Mechanical Equipment

- A. Applicability: The requirements of this Section shall be imposed for all new construction and each time a project requires a discretionary land use permit approval.
- B. Design Objectives: The applicant must attempt to achieve the following objectives in the type and placement of mechanical equipment proposed:
 - 1. To the maximum extent possible and consistent with site design objectives, mechanical equipment should be located at or below grade rather than mounted on the roof of a structure.
 - 2. Where the equipment must be located on the roof, it should be consolidated rather than scattered.
 - 3. Exposed mechanical equipment should not be visible from surrounding property.
- C. Implementation:
 - 1. If the applicant demonstrates the need to use roof mounted mechanical equipment, that equipment shall be located, screened or painted as required by the Director of Community Development to mitigate its visual impact on other property, with particular attention to views from public places. Duct work shall be located within the structure unless the applicant presents data sufficient to substantiate the necessity for an exposed location.

WP0235C-ORD
06/16/94

2. Mechanical equipment located at or below grade shall be located to minimize the impacts of noise or odor on adjacent property. If such equipment extends above grade, the Director of Community Development may require visual screening.
3. Mechanical equipment located at or below grade and visually screened may be placed within a required rear or side setback area unless that setback directly abuts a residential Land Use District or unless that setback is within a Protected Area designated by Section 20.25H.070 or is a Protected Area setback required by Section 20.25H.090.
4. Mechanical equipment located at or below grade and visually screened will not be included for purposes of calculating lot coverage.

Section 33. Section 20.20.590 of the Land Use Code is hereby amended to read as follows:

20.20.590 Parking, Circulation and Walkway Requirements

- A. Scope: This Section contains standards and design requirements for parking, circulation and internal walkways, except as otherwise provided in Chapter 20.25 for Special and Overlay Districts. (E.g., Chapter 20.25A governs requirements in Downtown Districts.)
- B. Applicability:
 1. Number of parking stalls: The requirements of this Section for the number of parking stalls apply to each new use and to each new tenant, except as provided in Paragraph 20.20.560.C for changes to a non-conforming use. See Chapter 20.25A of this Code for the number of required parking stalls in Downtown Districts.
 2. Other requirements of this Section: All other standards and design requirements of this Section apply to new site development and to site development for the substantial remodel of existing development. See Chapter 20.25A of this Code for other applicable requirements in Downtown Districts.
- C. Submittal Requirements:
 1. General: The Director of Community Development shall specify the submittal requirements, including type, detail

ORIGINAL

WPO235C-ORD
06/16/94

and number of copies required in order to determine compliance with this Section.

2. Waiver: The Director of Community Development may waive specific submittal requirements determined to be unnecessary for review of an application.

D. Required Review: The Director of Community Development shall review the proposed parking, circulation and walkways and may approve the proposed structure, substantial remodel, site development, use or occupancy only if the requirements of this Section are met, subject to the provisions of Section 20.20.560 for non conforming uses, structures and sites.

E. Limitation on Use: Area devoted to parking, circulation or walkways approved pursuant to this Section may not be used for any other purpose, except as authorized by a Temporary Use Permit issued pursuant to Part 20.30M or by other specific approval pursuant to the Bellevue City Code.

F. Minimum/Maximum Parking Requirement by Use:

1. Specified Uses: Subject to Paragraphs 20.20.590.G and 20.20.590.H, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>	<u>Maximum Number of Parking Spaces Allowed</u>
a. Auditorium/ Assembly Room/ Exhibition Hall/ Theater/Commer- cial Recreation (4)	1:4 fixed seats or 10:1000 nsf (if there are no fixed seats)	No maximum
b. Boat Moorage, Public or Semi- Public	1:2 docking slips	No maximum
c. Financial Institution	4:1000 nsf	5:1000 nsf
d. Funeral Home/ Mortuary/Religious Institution	1:5 seats	No maximum

ORIGINAL

WPO235C-ORD
06/16/94

e.	High Technology/ Industry (1)	4:1000 nsf	5:1000 nsf
f.	Home Furnishing- Retail and Major Appliances-Retail	1.5:1000 nsf	3:1000 nsf
g.	Hospital/In-patient treatment facility/ outpatient surgical facility	1:patient bed	No maximum
h.	Hotel/Motel & Associated Uses Basic Guest & Employee: Associated Uses: Restaurant/Lounge/ Bar	0.9:guest room	No maximum
	Banquet/Meeting Rooms	10:1000 nsf of seating area	No maximum
	Retail: Less than 15,000 nsf	6:1000 nsf of seating area	No maximum
	More than 15,000 nsf	1:1000 nsf 1.5:1000 nsf	No maximum No maximum
i.	Manufacturing/ Assembly (other than High Tech- nology/Light Industry)	1.5:1000 nsf	No maximum
j.	Office (1) Business Services/ Professional Services/General Office	4:1000 nsf	5:1000 nsf
k.	Office (2) Medical/Dental/ Health Related Services	4.5:1000 nsf	5:1000 nsf

ORIGINAL

WPO235C-ORD
06/16/94

1.	Personal Services without fixed stations	3:1000 nsf	No maximum
	with fixed stations	1.5:station	No maximum
m.	Residential: Single family detached	2:unit	No maximum
	Multiple Unit Structure: One-bedroom or studio unit	1.2:unit	No maximum
	Two-bedroom unit	1.6:unit	No maximum
	Three or more bedroom unit	1.8:unit	No maximum
n.	Restaurant Sitdown only	14:1000 nsf	No maximum
	with Takeout Service	16:1000 nsf	No maximum
o.	Retail/Mixed Retail/Shopping Center Uses (3)		
	Less than 15,000 nsf	5:1000 nsf	5.5:1000 nsf
	15,000-400,000 nsf	4:1000 nsf	4.5:1000 nsf
	400,000-600,000 nsf	4:1000 nsf	5:1000 nsf
	More than 600,000 nsf	5:1000 nsf	5:1000 nsf
p.	Senior Housing: Nursing Home	0.33:bed	1:bed
	Congregate Care Senior Housing	0.5:unit	1.5:unit
	Senior Citizen Dwelling	0.8:unit	1.5:unit
q.	Rooming/Boarding	1:rented room	No maximum
r.	Wholesale, warehouse	1.5:1000 nsf	No maximum
s.	Vendor Cart	1:cart	No maximum

Footnotes: Minimum/Maximum Parking by Use:
nsf = net square feet (See Section 20.50.036)

- (1) A property owner proposing a high technology light industry use or an office use (excluding medical/dental/health related office) shall provide area for future parking so that 4.5 stalls per 1000 net

ORIGINAL

WP0235C-ORD
06/16/94

square feet can be provided, if the proposed initial installation is less than 4.5 stalls per 1000 nsf. (See Paragraph 20.20.590.K.7 for design requirements) If at any time the Director of Community Development determines that adequate parking has not been provided through the initial installation ratio, the Director may require the installation of stalls designated as reserve parking up to the 4.5 per 1000 nsf ratio to assure that parking availability satisfies parking demand. Reserved parking areas must be clearly designated on the approved site plan and a document describing such area and the obligation to convert such area to parking must be recorded with the King County Division of Records and Elections and the Bellevue City Clerk.

- (2) A property owner proposing a medical/dental/health related office use shall provide area for future parking so that 5.0 stalls per 1000 nsf can be provided, if the initial installation is less than 5.0 stalls per 1000 net square feet. (See Paragraph 20.20.590.K.7 for design requirements) If at any time the Director of Community Development determines that adequate parking has not been provided through the initial installation ratio, the Director may require the installation of stalls designated as reserve parking up to the 5.0 per 1000 nsf ratio to assure that parking availability satisfies parking demand. Reserved parking areas must be clearly designated on the approved site plan and a document describing such area and the obligation to convert such area to parking must be recorded with the King County Division of Records and Elections and the Bellevue City Clerk.
- (3) Office, Restaurant and Movie Theater uses included within a Retail/Mixed Retail/Shopping Center use (Paragraph 20.20.590.F.1.o) must provide parking stalls as indicated below:
 - a. Office Uses: If office uses comprise more than ten percent of the total net square footage of a retail/mixed retail/shopping center use with 25,000 to 400,000 total net square feet, the property owner shall provide parking for all office uses at a ratio of at least 4.0 parking stalls per 1000 nsf for all office space. The office net square footage is not used to calculate the parking for other associated uses.
 - b. Restaurant Uses: If restaurant uses comprise more than five percent of the total net square footage of a retail/mixed retail/shopping center use, the property owner shall provide parking for all restaurant space at a ratio of at least 14 stalls per 1000 nsf for sitdown restaurants or at least 16 stalls per 1000 nsf for restaurants with take-out service. The restaurant net square footage is not used to calculate the parking for other uses.

ORIGINAL

WPO235C-ORD
06/16/94

- c. **Movie Theaters:** Movie theaters in a retail/mixed retail/shopping center use shall provide additional parking as follows:

<u>Size of Retail/Mixed Retail/Shopping Center Development (nsf)</u>	<u>Parking required in addition to requirements of Paragraph 20.20.590.F.1</u>
less than 100,000	3.0:100 total seats
100,000-199,999 and more than 450 seats	3.0:100 total seats
200,000 and more than 750 seats	3.0:100 total seats

Movie theater square footage is used to calculate the parking for Paragraph 20.20.590.F.1.

- (4) Room or seating capacity as specified in the Uniform Building Code (BCC 23.10) at the time of the application is used to establish the parking requirement.

2. **Unspecified Uses:** The Director of Community Development shall establish the minimum number of parking spaces required and may establish the maximum number of parking spaces allowed for any use not specified in Paragraph 20.20.590.F.1. The Director of Community Development may consider but is not limited to the following in establishing parking requirements for an unspecified use:

- Documentation supplied by the applicant regarding actual parking demand for the proposed use, or
- Evidence in available planning and technical studies relating to the proposed use, or
- Required parking for the proposed use as determined by other comparable jurisdictions.

3. **Fractions:** If the parking requirements of this Section result in a fractional requirement, and that fraction is 0.5 or greater the property owner shall provide parking spaces equal to the next higher whole number.

- G. **Director's Authority to Approve Parking Exceeding Maximum:**

Except within the Downtown, the Director of Community Development may approve the installation of more than the

maximum number of parking stalls if the property owner demonstrates that-

1. Such additional parking is necessary to meet the parking demand for a specified use, and
2. Cooperative use of parking is not available or adequate to meet demand, and
3. The maximum number of compact size stalls has been used, and
4. Any required Transportation Management Program will remain effective.

H. Existing Parking Exceeding Maximum Allowed:

1. Spaces Serving Another Use: Parking spaces in excess of the maximum number allowed which serve a use located on another property through a cooperative parking agreement or other document may remain so long as the written, recorded obligation to supply that parking remains effective.
2. Other Spaces:
 - a. General: Notwithstanding Section 20.20.560, any other parking spaces in excess of the maximum number allowed may remain until there is a substantial remodel of the structure for which the parking is provided. At the time of a substantial remodel, the number of parking stalls must conform to the requirements of this Section and the design of all new or modified parking and circulation areas must conform to the requirements of this Section. This requirement does not affect the need to comply with site development standards pursuant to Paragraph 20.20.560.F.
 - b. Exception: Notwithstanding Section 20.20.560, if a substantial remodel results in a total gross floor area for the entire development of 10,000 square feet or less, parking spaces in excess of the maximum allowed may remain.

I. Shared Use of Parking. The following provisions apply outside the Downtown Districts:

1. General:

ORIGINAL

WP0235C-ORD
06/16/94

The Director of Community Development may approve shared use of parking facilities located on separate properties if-

- a. A convenient pedestrian connection between the properties exists, and
 - b. The properties are within 1000 feet of each other, and
 - c. The availability of parking for all affected properties is indicated by directional signs as permitted by Bellevue City Code 22B.10 (Sign Code).
2. Number of Spaces Required:
- a. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.
 - b. Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements. If the following criteria are met, that total is reduced by 10%:
 - i. The parking areas share a property line, and
 - ii. A vehicular connection between the lots exists, and
 - iii. A convenient, visible pedestrian connection between the lots exists, and
 - iv. The availability of parking for all affected properties is indicated by directional signs, as permitted by Bellevue City Code 22B.10 (Sign Code).
3. Documentation Required: Prior to establishing shared use of parking, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of Community Development providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

ORIGINAL

WPO235C-ORD
06/16/94

J. Off-Site Accessory Parking Location. The following provisions apply outside the Downtown Districts:

1. General: Except as provided in Paragraph J.2, the Director of Community Development may authorize a portion of the approved parking for a use to be located on a site other than the subject property if -
 - a. Adequate visitor parking exists on the subject property, and
 - b. Adequate pedestrian, van or shuttle connection between the sites exists, and
 - c. The sites are located within 1000 feet of each other, and
 - d. Adequate directional signs in conformance with Bellevue City Code 22B.10 (Sign Code) are provided.
2. District Limitations: Off-site parking located in a residential or OU Land Use District may only serve a use also located and allowed pursuant to Section 20.10.440 in the same District.
3. Documentation Required: Prior to establishing off-site parking or any use to be served thereby, the property owner or owners shall file with the King County Division of Records and Elections and the Bellevue City Clerk a written agreement approved by the Director of Community Development providing for the off-site parking use. The agreement shall be recorded on the title records of each affected property.

K. Parking Area and Circulation Improvements and Design:

1. Materials: A parking and circulation area must be hard surfaced and conform to City of Bellevue Development Standards as now or hereafter amended. The Director of Community Development may approve a gravel surface for parking and circulation areas used on a temporary basis during construction pursuant to Paragraph K.11.
2. Marking Required: The property owner shall delineate car stalls, directional arrows and crosswalks within parking areas using paint or other methods approved by the Director of Community Development.

ORIGINAL

WP0235C-ORD
06/16/94

3. Driveways:

- a. Entrances and Exits: The Director of the Transportation Department shall fix the location, width, and manner of approach of vehicular ingress and egress from a parking area in conformance with Section 20.20.255. The Director of Transportation may require the property owner to alter ingress or egress as necessary to control traffic in the interest of public safety and general welfare. Wherever available, the property owner shall provide access from commercial or multi-family property onto streets which do not abut OU, R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, or R-7.5 districts.
- b. Combined Driveway: The owners of adjoining properties shall provide combined driveways wherever practical. In conjunction with approval of a development, the City may require a property owner to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.
- c. Driveway Dimensions: Internal circulation driveways that do not provide direct access to parking stalls must be a minimum of 20 feet wide for two-way traffic and 15 feet wide for one-way traffic unless otherwise specified by the Director of Community Development or by the Fire Marshal.

4. Loading Space:

- a. General: A property owner shall provide an off-street loading space which can access a public street. The number and size of loading spaces must be equal to the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with the business conducted on the property.
- b. Loading Space Dimension:
 - i. Standard Requirement: Each loading space must be a minimum of 10 feet wide and 55 feet long. Where a loading space is adjacent to an arterial, the property owner shall provide an additional 40 foot maneuvering length.

ORIGINAL

WP0235C-ORD
06/16/94

- ii. Reduction: The Director of Community Development may reduce required stall length and maneuvering length if the property owner demonstrates that known delivery vehicles can park and maneuver within the proposed loading and maneuvering spaces so that no part of a vehicle using or maneuvering into the loading space projects into a public right-of-way, access easement or private road.
 - c. Waiver: If the property owner demonstrates that the development has and will have no loading needs, the Director of Community Development may waive the requirements of Paragraph 20.20.590.K.4.a-b. Additionally, the Director of Community Development may waive the requirements of Paragraph 20.20.590.K.4.a-b if the applicant has obtained a Right-of-Way Use Permit approving on-street loading.
5. Drive-Through Facility Stacking Lanes:
- A property owner proposing a drive-through facility shall provide seven (7) stacking spaces for each drive-through station in addition to the parking required by this Section. Each lane of stacking space must be at least 9 feet wide and must be delineated with pavement markings. Each stacking space must be at least 12 feet long, however, individual spaces within the lane may not be delineated with pavement markings. Stacking lanes may not be located within required driveway, internal circulation drive, or parking aisle widths.
6. Grade Separation Protection:
- Where a parking area, service yard or other vehicle area slopes or has a drop-off grade separation, the property owner shall install a wall, railing or other barrier which will prevent a slow-moving or driverless vehicle from escaping such area and which will prevent pedestrians from walking over drop-off edges.
7. Landscaping:
- a. Required Landscaping: The property owner shall provide parking area landscaping as required by Section 20.20.520.
 - b. Reserved Parking in Landscaping:

ORIGINAL

WP0235C-ORD
06/16/94

- i. General: The property owner shall plant reserved parking required by Paragraph 20.20.590.F-G subject to approval of the proposed landscape plan by the Director of Community Development.
 - ii. Exempt from Landscape Limitation: Reserved parking in landscaping does not contribute to required landscape development or to the total site area in landscape development for purposes of applying Section 20.20.520 or any other landscape or open space requirement of this Code.
8. Internal Walkways:
- a. When Required: The property owner shall install internal walkways in each new development or substantial remodel of existing development in R-10, R-15, R-20, R-30, NB, PO, O, OLB, CB, LI, GC or Downtown Land Use Districts.
 - b. Location: The property owner shall provide internal walkways around the building to the extent necessary to assure safe access to the building from parking areas, adjacent properties, and public sidewalks or street right-of-way and to assure consistency with the requirements of Part 20.25A. All required internal walkways must be located and constructed as an integrated part of existing sidewalks and pedestrian trails, and must coordinate with City plans for pedestrian circulation, including, but not limited to the Comprehensive Plan, formed or planned Local Improvement Districts, and approved Capital Improvement Projects.
 - c. Design Criteria: Except as otherwise specified in Part 20.25A, internal walkways provided pursuant to this Section must be designed and installed in conformance with the following:
 - i. Surface Materials: Internal walkways must be paved with hard-surfaced material such as concrete, asphalt, stone, brick, tile, etc. Only nonskid paving may be used in walkway construction.
 - ii. Walkway Marking: Internal walkways must be curbed and raised at least 6" above the parking lot grade except where they cross driveways or

ORIGINAL

WP0235C-ORD
06/16/94

aisles or where necessary to meet handicap requirements. Alternatively, the Director of Community Development may approve walkways delineated by distinctive paving material or marking when adequate pedestrian safety is provided.

iii. Width: Internal walkways must be a minimum of four feet wide, exclusive of parked car overhangs. Where necessary to ensure four feet of unobstructed walkway, wheel stops are required.

iv. Stairs:

(1) General: Within any continuous exterior flight of stairs that is part of an internal walkway system, the largest riser height must not exceed the smallest by more than $\frac{3}{8}$ of an inch and the largest tread run must not exceed the smallest by more than $\frac{3}{8}$ of an inch.

(2) Adjacent Flights of Stairs: A flight of stairs that is connected with any other flight of stairs may have different rise and tread dimensions only if the flights of stairs are separated by at least 8 horizontal feet of walkway that is constructed at a constant elevation.

v. Lighting: Night lighting must be provided where stairs, curbs, ramps or abrupt changes in walk direction occur.

vi. Markings: Where pedestrian walks cross parking areas or automobile circulation lanes, the pedestrian walk must be defined by use of a contrasting material or marking, including but not limited to white concrete in an asphalt area, visually obvious paint stripes or other clearly defined pattern.

vii. Handrails: The Director of Community Development may require handrails where more than two risers exist and the use of such stairs warrants handrails for safety reasons.

ORIGINAL

WP0235C-ORD
06/16/94

9. Compact Parking:

- a. Maximum Amount: For all uses, the property owner may design and construct up to 50 percent of the approved parking spaces in accordance with the dimensions for compact stalls provided in Paragraph 20.20.590.J.12.
- b. Identification Required: The property owner must identify compact stalls within the parking area through the use of pavement markings. The designation of compact stalls must be included on the site plan.

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.

11. Temporary Construction Parking:

- a. Permit Required: The property owner shall obtain a Temporary Use Permit pursuant to Part 20.30M for an offsite construction parking area.
- b. Landscaping Required: The property owner shall landscape an offsite temporary parking area used during construction in accordance with a plan approved by the Director of Community Development. A minimum of 10' of Type II landscaping along any street frontage and a minimum of 50' of driving surface is required. In addition, a plan and schedule for site restoration must be submitted and approved.

12. Minimum Dimensions:

- a. Landscape Areas Excluded: Parking area dimensions do not include any area devoted to landscape development or open space except as provided for reserve parking areas pursuant to Paragraphs 20.20.590.J.7.b. If a stall is designed to include an overhang into landscaped or open space, that landscaped or open space is not counted toward meeting the requirements of Section 20.20.520 or any other landscape or open space requirement of this Code.
- b. Structured Parking Height Clearance: Vehicle height clearance for structured parking must be at least 7 1/2 feet for the entry level.

ORIGINAL

WP0235C-ORD
06/16/94

- c. Stall Overhang: Parking areas may be designed so that the car bumper overhangs the curb into landscape areas. If overhangs are provided, the stall length may be reduced by the same number of linear feet as the bumper overhang up to the following:

Maximum Bumper Overhang

Parking Angle Less Than 60°		Parking Angle 60° or More	
Compact 1.5 ft.	Standard 2.0 ft.	Compact 2.0 ft	Standard 2.5 ft.

- d. Stall and Aisle Dimensions: Off-street parking dimensions may not be less than as shown on the following tables and plates, except as otherwise approved by the Director of Community Development.

Table 1
ONE-WAY TRAFFIC AND DOUBLE LOADED AISLES

Parking Angle	Parking Bay Width						
	8'-4" S.S.	8'-6" S.S.	8'-8" S.S. or 8'-4" D.S.	8'-10" S.S. or 8'-6" D.S.	9'-0" S.S. or 8'-8" D.S.	9'-2" S.S. or 8'-10" D.S.	9'-4" S.S. or 9'-10" D.S.
	Stalls*	Stalls	Stalls	Stalls	Stalls	Stalls	Stalls
30	43'0"	43'0"	43'0"	43'0"	43'0"	43'0"	43'0"
35	45'3"	45'3"	45'3"	45'3"	45'3"	45'3"	45'3"
40	47'4"	47'0"	47'0"	47'0"	47'0"	47'0"	47'0"
45	50'3"	49'10"	49'5"	49'0"	48'7"	48'5"	48'5"
50	52'8"	52'3"	51'10"	51'5"	51'0"	50'6"	50'1"
55	54'7"	54'2"	53'9"	53'4"	52'11"	52'5"	52'0"
60	56'5"	55'11"	55'5"	55'0"	54'6"	54'0"	53'7"
65	58'2"	57'8"	57'2"	56'8"	56'2"	55'8"	55'2"
70	59'7"	59'0"	58'6"	58'0"	57'6"	57'0"	56'6"
75	60'11"	60'4"	59'9"	59'2"	58'8"	58'1"	57'7"
80	62'2"	61'7"	61'0"	60'5"	59'10"	59'3"	58'8"
85	63'2"	62'6"	61'11"	61'3"	60'8"	60'1"	59'6"
90	64'0"	63'4"	62'8"	62'0"	61'4"	60'8"	60'0"

*Minimum Stall Width

Note S.S. means Single striped stalls;
D.S. means Double striped stalls

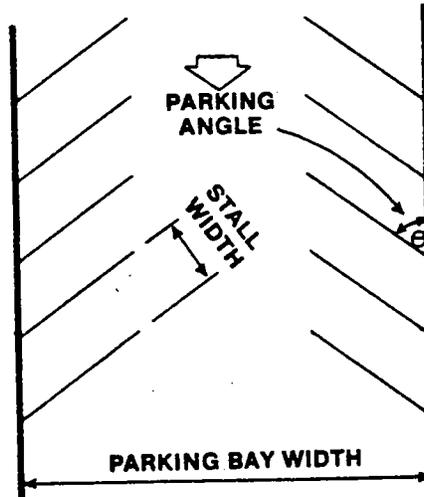


Table 2
ONE-WAY TRAFFIC AND SINGLE LOADED AISLES

Parking Angle	Parking Bay Width						
	8'-4" S.S.	8'-6" S.S.	8'-8'- or 8'-4" D.S.	8'-10" S.S. or 8'-6" D.S.	9'-0" S.S. or 8'-8" D.S.	9'-2" S.S. or 8'-10" D.S.	9'-4" S.S. or 9'-10" D.S.
	Stalls*	Stalls	Stalls	Stalls	Stalls	Stalls	Stalls
30	27'6"	27'6"	27'6"	27'6"	27'6"	27'6"	27'6"
35	28'7"	28'7"	28'7"	28'7"	28'7"	28'7"	28'7"
40	29'11"	29'11"	29'6"	29'11"	29'6"	29'6"	29'6"
45	31'11"	31'6"	31'1"	30'8"	30'3"	30'3"	30'2"
50	33'10"	33'5"	33'0"	32'7"	32'2"	31'9"	31'4"
55	35'7"	35'1"	34'7"	34'2"	33'8"	33'3"	32'10"
60	37'3"	36'9"	36'3"	35'9"	35'3"	34'9"	34'4"
65	38'9"	38'2"	37'8"	37'2"	36'8"	36'2"	35'8"
70	40'3"	39'8"	39'2"	38'7"	38'1"	37'6"	37'0"
75	41'8"	41'1"	40'7"	40'0"	39'5"	38'10"	38'4"
80	43'1"	42'6"	41'11"	41'4"	40'9"	40'2"	39'7"
85	44'6"	43'10"	43'3"	42'7"	42'0"	41'4"	40'9"
90	46'0"	45'4"	44'8"	44'0"	43'4"	42'8"	42'0"

*Minimum Stall Width

Note S.S. means Single striped stalls;
D.S. means Double striped stalls

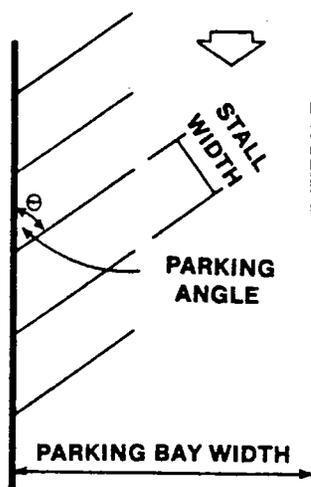


Table 3
TWO-WAY TRAFFIC AND DOUBLE LOADED AISLES

Parking Angle	Parking Bay Width						
	8'-4" S.S.	8'-6" S.S.	8'-8'- or 8'-4" D.S.	8'-10" S.S. or 8'-6" D.S.	9'-0" S.S. or 8'-8" D.S.	9'-2" S.S. or 8'-10" D.S.	9'-4" S.S. or 9'-10" D.S.
	Stalls*	Stalls	Stalls	Stalls	Stalls	Stalls	Stalls
30	51'2"	51'2"	51'2"	51'2"	51'2"	51'2"	51'2"
35	53'3"	53'3"	53'3"	53'3"	53'3"	53'3"	53'3"
40	54'10"	54'10"	54'10"	54'10"	54'10"	54'10"	54'10"
45	56'4"	56'4"	56'4"	56'4"	56'4"	56'4"	56'4"
50	57'8"	57'8"	57'7"	57'7"	57'7"	57'6"	57'6"
55	58'11"	58'9"	58'8"	58'7"	58'6"	58'5"	58'4"
60	59'11"	59'9"	59'7"	59'5"	59'3"	59'1"	58'11"
65	60'11"	60'8"	60'5"	60'2"	59'11"	59'8"	59'5"
70	61'10"	61'5"	61'1"	60'9"	60'5"	60'1"	59'9"
75	62'7"	62'1"	61'8"	61'3"	60'9"	60'4"	59'11"
80	63'3"	62'8"	62'2"	61'7"	61'1"	60'6"	60'0"
85	63'9"	63'1"	62'6"	61'10"	61'3"	60'7"	60'0"
90	64'0"	63'4"	62'8"	62'0"	61'4"	60'8"	60'0"

*Minimum Stall Width

Note S.S. means Single striped stalls;
D.S. means Double striped stalls

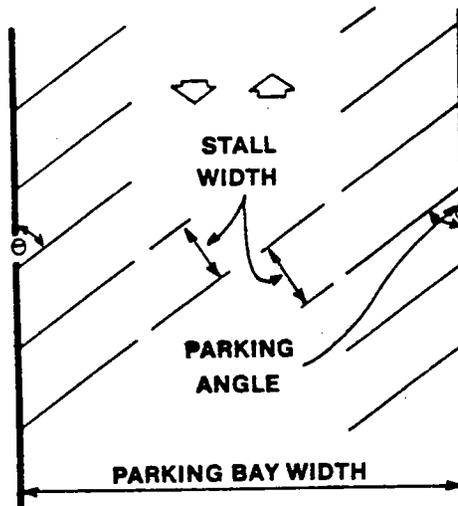


Table 4
TWO-WAY TRAFFIC AND SINGLE LOADED AISLES

Parking Angle	Parking Bay Width						
	8'-4" S.S.	8'-6" S.S.	8'-8'- or 8'-4" D.S	8'-10" S.S. or 8'-6" D.S.	9'-0" S.S. or 8'-8" D.S.	9'-2" S.S. or 8'-10" D.S	9'-4" S.S. or 9'-10" D.S.
	Stalls*	Stalls	Stalls	Stalls	Stalls	Stalls	Stalls
30	35'6"	35'6"	35'6"	35'6"	35'6"	35'6"	35'6"
35	36'6"	36'6"	36'6"	36'6"	36'6"	36'6"	36'6"
40	7'6"	7'6"	7'6"	37'5"	37'5"	37'5"	37'5"
45	38'6"	38'6"	38'5"	38'5"	38'4"	38'4"	38'3"
50	39'5"	39'4"	39'3"	39'3"	39'2"	39'1"	39'0"
55	40'3"	40'1"	40'0"	39'11"	39'10"	39'9"	39'8"
60	41'1"	40'11"	40'10"	40'8"	40'7"	40'5"	40'4"
65	41'11"	41'8"	41'6"	41'4"	41'2"	41'0"	40'10"
70	42'9"	42'6"	42'3"	42'0"	41'9"	41'6"	41'4"
75	43'7"	43'3"	42'11"	42'7"	42'3"	41'11"	41'8"
80	44'5"	44'0"	43'7"	43'2"	42'9"	42'4"	41'11"
85	45'3"	44'8"	44'2"	43'7"	43'1"	42'6"	42'0"
90	46'0"	45'4"	44'8 "	44'0"	43'4"	42'8"	42'0"

*Minimum Stall Width

Note S.S. means Single striped stalls;
D.S. means Double striped stalls

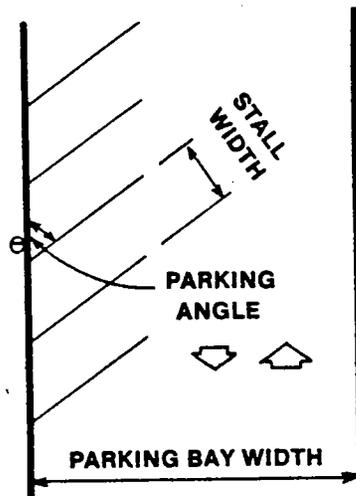


Table 5
PARKING DESIGN STANDARDS FOR COMPACT CARS

Parking Angle	Parking Bay Width			
	One-Way (1) Double-Loaded Aisles, 7'6" Stalls	One-Way (2) Single-Loaded Aisles, 7'6" Stalls	Two-Way (3) Double-Loaded Aisles, 7'6" Stalls	Two-Way (4) Single-Loaded Aisles, 7'6" Stalls
30	38'4"	25'2"	46'6"	33'2"
35	40'0"	26'0"	48'0"	34'0"
40	41'4"	26'8"	49'6"	34'8"
45	41'6"	27'3"	50'6"	35'3"
50	43'6"	27'10"	51'3"	35'10"
55	44'2"	28'1"	51'6"	36'2"
60	45'1"	29'0"	51'6"	36'6"
65	47'0"	30'5"	51'6"	36'8"
70	48'4"	32'0"	51'6"	36'9"
75	49'6"	33'6"	51'6"	36'9"
80	50'5"	34'9"	51'6"	36'9"
85	51'0"	35'11"	51'6"	36'9"
90	51'6"	36'9"	51'6"	36'9"

- (1) See Table 1 for an illustration of One-Way Double-Loaded Aisles.
- (2) See Table 2 for an illustration of One-Way Single-Loaded Aisles.
- (3) See Table 3 for an illustration of Two-Way Double-Loaded Aisles.
- (4) See Table 4 for an illustration of Two-Way Single-Loaded Aisles.

ORIGINAL

Standard - Sized

STRIPING FOR PARKING STALLS

Plate A

Compact

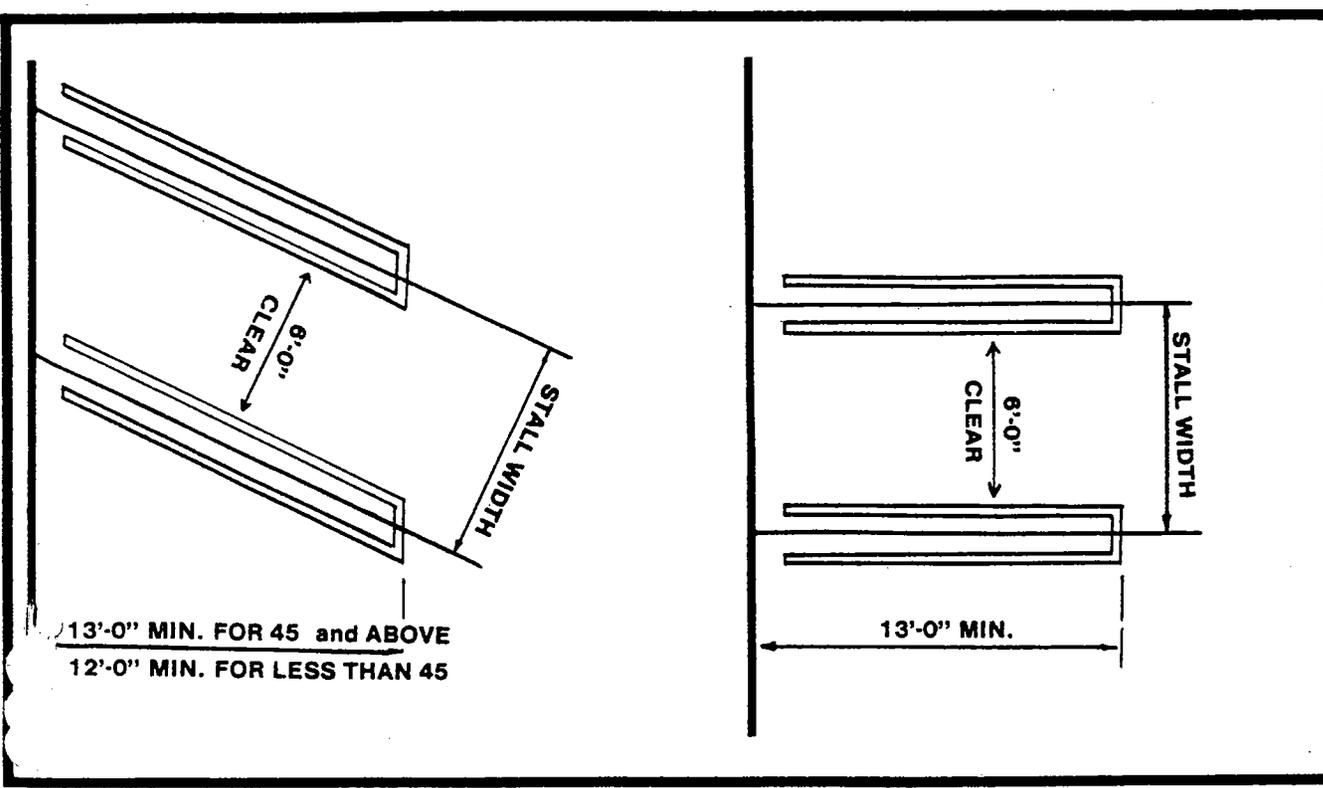
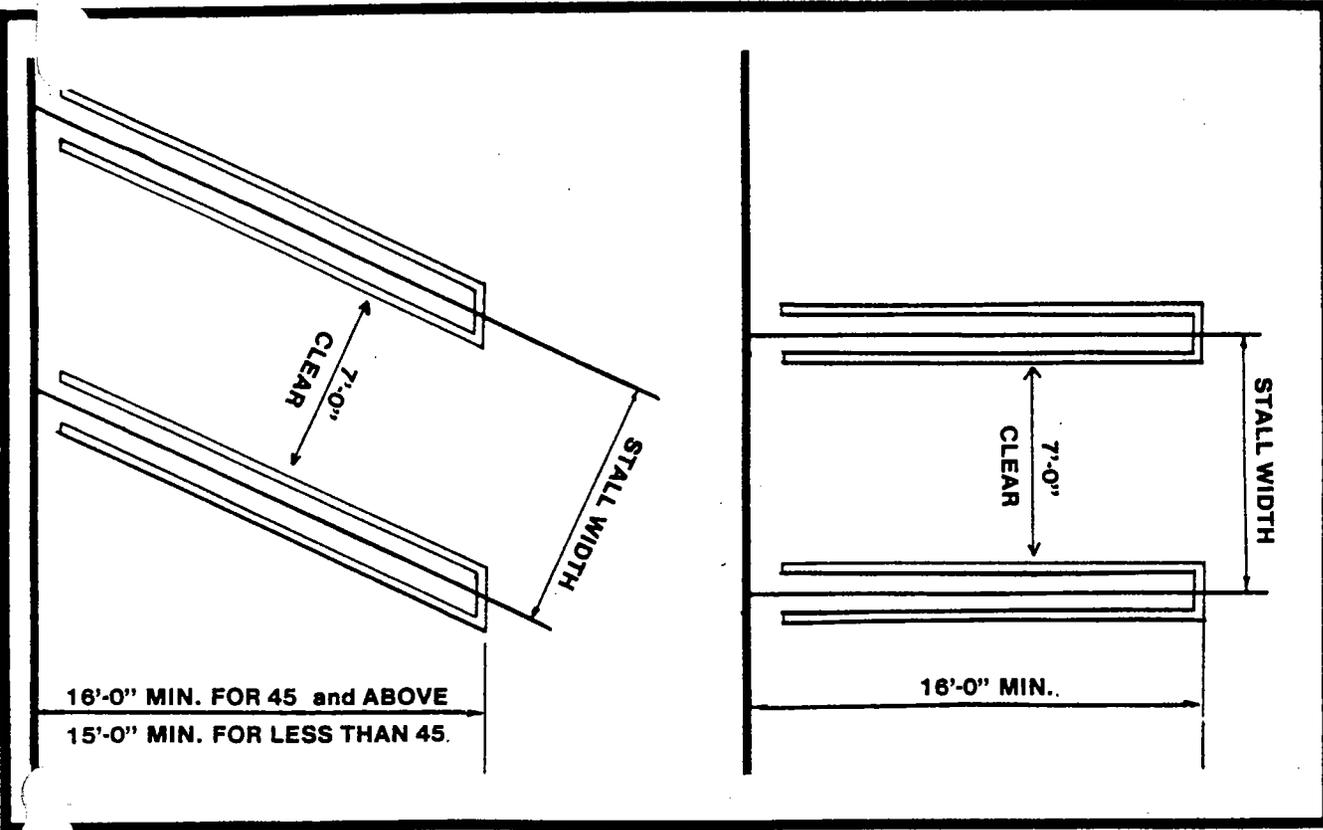
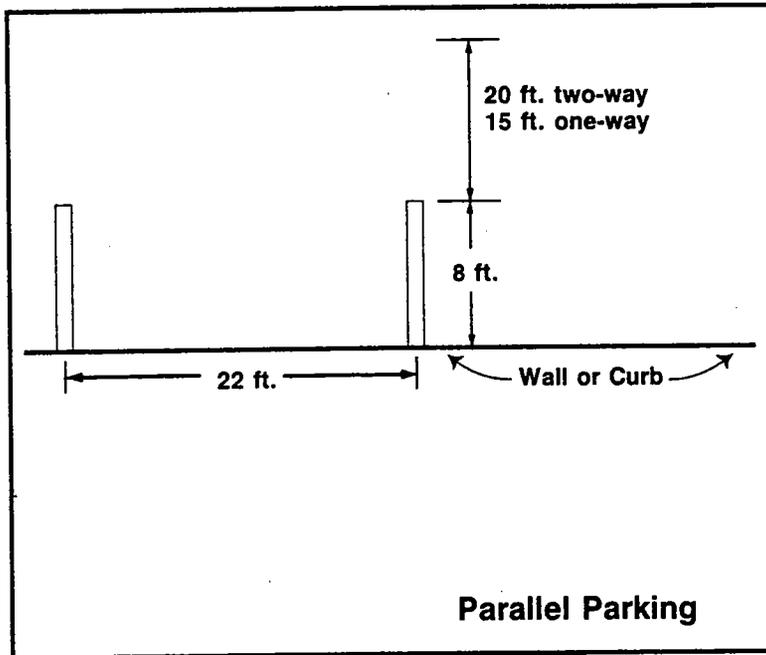


Plate B



ORIGINAL

WP0235C-ORD
06/16/94

Section 34. Section 20.20.600 of the Land Use Code is hereby repealed.

Section 35. Section 20.20.620 of the Land Use Code is hereby amended to read as follows:

20.20.620 Produce Stands

A. Temporary stands for the sale of fruit or vegetables may be erected in any zoning district for the duration of the harvest season so long as:

1. Setback requirements are met;
2. The vendor provides safe vehicular and pedestrian ingress and egress from the street to the temporary stand;
3. The site provides adequate parking;
4. The stand meets technical code requirements for utilities and structural integrity;
5. Refuse, recycling, and similar containers are sight-screened and are made of sound-muffling material such as molded plastic;
6. Lighting is in accordance with 20.20.522;
7. Such temporary stand is removed by the vendor at the end of the harvest season.

B. Permanent stands for the sale of fruit and vegetables may be erected in zoning districts permitting such retail sales and are exempt from design review requirements so long as:

1. Setback requirements are met;
2. The vendor provides safe vehicular and pedestrian ingress and egress from the street to the stand;
3. The site provides parking according to the requirements of 20.20.590 for retail uses;
4. The stand meets technical code requirements for utilities and structural integrity;
5. Refuse, recycling, and similar containers are sight-screened and are made of sound-muffling material such as molded plastic;

ORIGINAL

WPO235C-ORD
06/16/94

6. Lighting is designed to prevent spillover of light from the site to surrounding properties; and
7. Where interior property lines abut residentially zoned property, sight screening in the form of solid board fencing, evergreen plantings, berming, or a combination thereof, to a height of six feet, is provided.

Section 36. Section 20.20.680 of the Land Use Code is hereby amended to read as follows:

20.20.680 Public Transportation Shelters

Public transportation shelter stations may be located in a required setback subject to the street intersection sight obstruction requirements of Section 20.20.830.

Section 37. Section 20.20.730 of the Land Use Code is hereby amended to read as follows:

20.20.730 Satellite Dish Antennae

Satellite dish antennae in residential zones are permitted subject to the following criteria, provided, the Director of Community Development may modify setback and screening requirements upon proof that strict application of the requirements is infeasible or renders use of an antenna impossible:

- A. The antenna shall meet front and side setback requirements for the main building and shall be a minimum of five (5) feet from any rear property line;
- B. The antenna shall be a minimum of ten feet distant from any street right-of-way, vehicular access easement, or private road;
- C. No antenna shall be located in a setback required by the City's Sensitive Areas regulations (see Chapter 20.25H of this Code), except as otherwise provided by paragraph 20.20.025B; and
- D. The antenna is screened from view from neighboring property and the public right-of-way by sight-obstructing landscaping or fencing.

Section 38. Section 20.20.740 of the Land Use Code is hereby amended to read as follows:

ORIGINAL

WPO235C-ORD
06/16/94

20.20.740 Schools

Public and private pre-schools, elementary and secondary schools are permitted as indicated by the Chart in Section 20.10.440, provided the following standards are met:

School buildings in residential districts shall cover not more than 35% of their site area. Side and rear yards of elementary and higher-grade schools shall be a minimum of 50 feet each. Wherever practical schools should be located convenient to public parks.

Elementary: 1 acre per 100 students

Junior High: 1 1/2 acres per 100 students

Senior High: 2 acres per 100 students

Schools for pre-elementary school age students: as required by the Hearing Body, where a Conditional Use Permit is sought.

Playfields for junior and senior high schools may be on sites removed from the school site but must be reasonably near, and travel to and from the school site must not be hazardous.

Playfields developed to the limits of their property and which are adjacent to developed private property shall be fenced with an 8-foot high chain link or similar fence.

The Director of Community Development may administratively consider, approve or disapprove the addition of temporary, portable classrooms to existing primary or secondary public schools subject to the criteria set forth in Part 20.30E for an Administrative Conditional Use.

In the event that any provision of this subsection conflicts with any state law or regulation, the provisions of the state law shall control.

Section 39. Section 20.20.950.D of the Land Use Code is hereby amended to read as follows:

Walkways And Sidewalks, Perimeter.

D. Existing Business Streets or Arterials-When Sidewalk Construction Required.

It is recognized that there exist in the City arterial and business streets which, notwithstanding that they may have already been widened, do not have sidewalks or associated sidewalk construction. In furtherance of the intent of this section and subject to the limitations and exceptions provided in Section 20.20.950F., it shall

ORIGINAL

WP0235C-ORD
06/16/94

be a condition of the issuance of a building permit for the following construction activities, that curbs, gutters, sidewalks and storm drainage facilities, conforming to the standards and guidelines prepared by the Department of Public Works, shall be installed along the entire street frontage of the property at the sole cost of the permittee prior to the issuance of a Certificate of Occupancy:

1. New construction adjacent to business streets or arterial streets;
2. Substantial remodeling to buildings or structures adjacent to business or arterial streets and neither zoned nor actually used as a single-family residence. For purposes of this section "substantial remodeling" means construction which increases the floor area of the existing building or structure by at least twenty percent, or any alterations or repairs made within any twelve-month period which together exceed fifty percent of the replacement value of the previously-existing building or structure as determined by the Director;
3. The construction of any new building upon a tract of property under single ownership, and neither zoned nor actually used for a single-family residence, where the square footage of the new building or structure equals at least twenty percent of the sum of the square footage of all other buildings on the tract.

Section 40. Section 20.25A.050 of the Land Use Code is hereby amended to read as follows:

20.25A.050 Downtown Parking, Circulation and Walkway Requirements

- A. General: The provisions of Section 20.20.590, except as they conflict with this Section, apply to development in the Downtown Land Use Districts.
- B. Minimum/Maximum Parking Requirement by Use:

Specified Uses: Paragraph B of this Section supersedes Paragraph 20.20.590.F.1. Subject to Paragraphs 20.20.590.G and 20.20.590.H, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

ORIGINAL

WPO235C-ORD
06/16/94

DOWNTOWN PARKING REQUIREMENTS

LAND USE	UNIT OF MEASURE	Zones			
		CBD-0-1		CBD-R, CBD-MU	
		Minimum	Maximum	Minimum	Maximum
a. Auditorium/Assembly/ 2.0 Room/Exhibition Hall Theater/Commercial Recreation(1)	per 8 fixed seats or per 1000 nsf (if there are no fixed seats)	1.0	10.0	2.0	10.0
b. Financial Institution	per 1000 nsf	3.0	4.0	4.0	5.0
c. Funeral Home/Mortuary/ Religious Institution(1)	per 5 seats	1.0	1.0	1.0	no maximum
d. High Technology Light Industry	per 1000 nsf	2.0	3.5	2.0	3.5
e. Home Furnishing/Retail Major Appliances-retail	per 1000 nsf	3.3	5.0	4.0	5.0
f. Hospital/In-patient Treatment Facility Outpatient Surgical Facility	per 1.5 patient beds	1.0	2.0	1.0	2.0
g. Hotel/Motel & Associ- ated Mixed Uses Basic Guest & Employee Associated Uses Restaurant/Lounge/ Bar Banquet/Meeting Rooms Retail Less than 15,000 nsf total More than 15,000 nsf total	per guest room	0.5	1.2	0.9	1.5
	per 1000 nsf of seating area	0	15.0	10.0	20.0
	per 1000 nsf of seating area	6.0	10.0	6.0	10.0
	per 1000 nsf	0.5	1.0	1.0	2.0
	per 1000 nsf	1.0	2.0	1.5	3.0
h. Manufacturing/Assembly (Other than High Tech- nology Light Industry)	per 1000 nsf	0.7	1.0	1.0	1.5

ORIGINAL

WP0235C-ORD
06/16/94

i. Office (Business Services/Professional Services/General Office)(3)	per 1000 nsf	2.0	2.7	2.5	3.0
j. Office (Medical, Dental/Health Related Services)	per 1000 nsf	3.0	4.0	4.0	5.0
k. Personal Services, Without Fixed Stations	per 1000 nsf	2.0	2.0	2.0	3.0
With Fixed Stations	per station	0.7	2.0	1.0	1.5
l. Residential	per unit	0	2.0	1.0	2.0
m. Restaurant	per 1000 nsf	0	15.0	10.0(4)	20.0
n. Retail	per 1000 nsf	3.3	5.0	4.0(4)	5.0
o. Retail in a Mixed Development (except Hotel)(2)	per 1000 nsf	0	3.3	2.0(4)	4.0
p. Senior Housing: Nursing Home	per patient bed	0.4	0.8	0.4	0.8
Senior Citizen Dwelling or Congregate Care	per living unit	0	1.0	0.33	1.0

Footnotes to Parking Requirements

nsf = net square feet (see Section 20.50.036)

- (1) Room or seating capacity as specified in the Uniform Building Code (BCC 23.10) at the time of the application is used to establish the parking requirement.
- (2) If retail space in a mixed development exceeds 20% of the gross floor area of the development, the Retail use parking requirements of Paragraph B of this Section apply to the entire retail space.
- (3) Special Requirement in Perimeter Design District: The Director of Community Development may require the provision of up to 3.5 parking stalls per 1000 net square feet for office uses within the Perimeter Design District to avoid potential parking overflow into adjacent Land Use Districts outside Downtown.
- (4) Restaurant and retail uses having less than 1500 gsf in Downtown-OB have a minimum parking ratio of 0.

ORIGINAL

WP0235C-ORD
06/16/94

C. Shared Parking:

1. General: In the Downtown, this Paragraph C supersedes Paragraphs 20.20.590.I.1-2. Subject to compliance with other applicable requirements of this Code, the Director of Community Development may approve shared development or use of parking facilities located on adjoining separate properties or for mixed use or mixed retail use development on a single site if --
 - a. A convenient pedestrian connection between the properties or uses exists, and
 - b. The availability of parking for all affected properties or uses is indicated by directional signs, as permitted by Bellevue City Code 22B.10 (Sign Code).
2. Number of Spaces Required:
 - a. Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements for the uses served reduced by 20% of that total number, provided that the Director may approve a further reduction of that total number if the property owner or owners demonstrate to the satisfaction of the Director that the resulting provision of parking will be adequate for the proposed uses.
 - b. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.
3. Documentation Required: Prior to establishing shared parking or any use to be served thereby, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of Community Development providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

D. Off-Site Parking Location:

ORIGINAL

WP0235C-ORD
06/16/94

1. General: In the Downtown, this Paragraph D supersedes Paragraph 20.20.590.J. Except as provided in Paragraph D.2, the Director of Community Development may authorize a portion of the approved parking for a use to be located on a site other than the subject property if --
 - a. Adequate visitor parking exists on the subject property, and
 - b. Adequate pedestrian, van or shuttle connection between the sites exists, and
 - c. Adequate directional signs in conformance with Bellevue City Code 22B.10 (Sign Code) are provided.
2. District Limitations:
 - a. Downtown-R Limitations: Parking located in the Downtown-R District may only serve uses located in that District unless otherwise permitted through Design Review (Part 20.30F), and then, only if such parking is physically contiguous and functionally connected to the use which it serves in an adjacent Land Use District.
 - b. Downtown-0-1 and Downtown-0-2 Limitations: New parking facilities developed in the Downtown-0-1 or Downtown-0-2 Districts may only serve uses located in either of those Districts.
3. Short-Term Retail Parking Facilities. The Director may approve the development of short-term retail parking facilities (see definition at 20.50.040) not associated with a specific use. Upon the separate approval of the Director, a property owner or owners may satisfy all or a portion of the parking requirement for a specified retail use through an agreement providing parking for the use at a designated short-term retail parking facility provided that:
 - a. Adequate pedestrian, van or shuttle connection exists between the sites, and
 - b. Adequate directional signs in conformance with Bellevue City Code 22B.10 (Sign Code) are provided.
4. Documentation Required: Prior to establishing off-site parking or any use to be served thereby, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a

ORIGINAL

WP0235C-ORD
06/16/94

written agreement approved by the Director of Community Development providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

E. Commercial Use Parking:

1. Any parking facilities or parking stalls located in the Downtown and developed to meet the requirements of the Land Use Code for a particular use may be converted to commercial use parking (see definition at 20.50.040), provided that the property owner shall:
 - a. Comply with all parking and dimensional requirements and with the Performance Standards for Parking Structures of this Code;
 - b. If the parking facility or parking stalls proposed for commercial use were approved for construction subsequent to the effective date of Ordinance 2964 (enacted on March 23, 1981), the commercial use parking facility or parking stalls shall comply with all landscaping requirements set forth at 20.25A.040 of this Code;
 - c. If the parking facility or parking stalls proposed for commercial use were approved for construction prior to the effective date of Ordinance 2964 (enacted on March 23, 1981), and the commercial use parking facility occupies more than 30 spaces, the minimum landscaping requirements of this Code shall be deemed met where the property owner installs landscaping in compliance with an approved landscaping plan which achieves the following objectives:
 - i. Surface parking areas shall be screened from street level views to a minimum height of four feet by a wall, hedge, berm or combination thereof;
 - ii. The minimum width of any hedge planting area shall be three feet;
 - iii. Visual relief and shade shall be provided in the parking area by at least one deciduous shade tree (12' high at planting) for every 20 parking stalls, provided such trees shall not be required in covered or underground parking. Each tree

ORIGINAL

WP0235C-ORD
06/16/94

planting area shall be at least 100 square feet in area and 4' in width, and shall be protected from vehicles by curbing or other physical separation. If irrigation is provided, the planting area may be reduced to 40 square feet.

- iv. The proposed landscaping plan shall be reviewed by the Director for compliance with these objectives and shall be approved by the Director prior to initiation of the commercial use parking.
 - d. If the parking facility or parking stalls proposed for commercial use were approved for construction prior to the effective date of Ordinance 2964 (enacted March 23, 1981) and the commercial use parking facility occupies 30 spaces or less, the commercial use parking facility shall be exempt from the landscaping requirements of this Code.
 2. Assurance Device: The Director of Community Development may require an Assurance Device pursuant to Section 20.40.490 to ensure conformance with the requirements and intent of this Section E.
- F. Parking Area and Circulation Improvements and Design:
1. Landscaping: Paragraph F.1 of this Section supersedes Paragraph 20.20.590.K.7. The property owner shall provide landscaping as required by Section 20.25A.040.
 2. Compact Parking: Paragraph F.2 of this Section supersedes Paragraph 20.20.590.K.9. The Director of Community Development may approve the design and designation of up to 65% of the spaces for use by compact cars.
 3. Vanpool/Carpool Facilities: The property owner must provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths and that is contained within the required parking and circulation areas. The facility must be adjacent to an entrance door to the structure served by the parking or as nearly so as possible and must be consistent with all applicable design guidelines.
 4. Performance Standards for Parking Structures: The Director of Community Development may approve a proposal for a parking structure through Design Review (Part 20.30F). The

ORIGINAL

WP0235C-ORD
06/16/94

Director of Community Development may approve the parking structure only if -

- a. Driveway openings are limited and the number of access lanes in each opening are minimized.
 - b. The structure exhibits a horizontal, rather than sloping building line.
 - c. The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided.
 - d. The parking structure complies with the requirements of Section 20.25A.115.
 - e. A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure.
 - f. Safe pedestrian connection between the parking structure and the principal use exists.
 - g. Loading areas are provided for vanpools/carpools as required by Paragraph F.3 of this Section.
 - h. Vehicle height clearances for structured parking must be at least 7-1/2 feet for the entry level, to accommodate vanpool parking.
- G. Interim and Phased Parking:
1. Interim Parking:
 - a. When allowed: The Director of Community Development may approve the installation of interim parking up to the maximum parking allowed if determined to be necessary to mitigate spillover parking impacts. Such interim parking may exist for a period, not to exceed five years, from the date of Temporary or Final Certificate of Occupancy whichever comes first. The Director of Community Development may upon written request grant no more than two one-year extensions to the five-year interim parking time limit.
 - b. Approval Required: The Director of Community Development must review and approve a plan indicating

ORIGINAL

WP0235C-ORD
06/16/94

current parking demand, how much interim parking is proposed, when the parking will be removed, and how the interim parking area will be restored.

- c. Design: The property owner must provide perimeter and interior parking lot landscaping as required by Section 20.25A.040 and must comply with all dimensional standards of this Code.
- d. Removal of Interim Parking: The Director of Community Development may require the removal of interim parking prior to the expiration of the approval period when parking supply exceeds demand. The property owner proposing interim parking shall file a written agreement containing this limitation with the Bellevue City Clerk.
- e. Assurance Device: The Director of Community Development may require an assurance device pursuant to Section 20.40.490 of this Code to insure conformance with the requirements and intent of Paragraph G.1 of this Section.

2. Phased Parking:

- a. Schedule Required: The property owner may install the required parking spaces in phases if the schedule has been approved by the Director of Community Development. Each phased parking installation must include enough parking to meet the parking requirements for the completed phases of the development for which the parking is provided. This phasing schedule must specifically indicate when all parking approved pursuant to this Section will be provided.
- b. Assurance Device: The Director of Community Development may require an assurance device pursuant to Section 20.40.490 to insure compliance with the requirements and intent of Paragraph G.2 of this Section.

H. Director's Authority to Approve Parking Exceeding Maximum:

In Downtown Districts, the Director of Community Development may approve the installation of more than the maximum number of parking stalls if the property owner demonstrates that -

ORIGINAL

WPO235C-ORD
06/16/94

1. Such additional parking is necessary to meet the parking demand for a specified use, and
2. Shared or off-site parking is not available or adequate to meet demand, and
3. The maximum number of compact size stalls has been used, and
4. Any required Transportation Management Program will remain effective.

Section 41. Section 20.25A.060 of the Land Use Code is hereby amended to read as follows:

20.25A.060 Walkways and Sidewalks, Perimeter:

- A. General: The provisions of Section 20.20.950, except as they conflict with Part 20.25A, apply to development in the Downtown Land Use Districts.
- 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.
 2. The minimum width of a perimeter walkway or sidewalk, excluding the area required for street trees in Section 20.25A.060.C.2, is 8' along any other street.

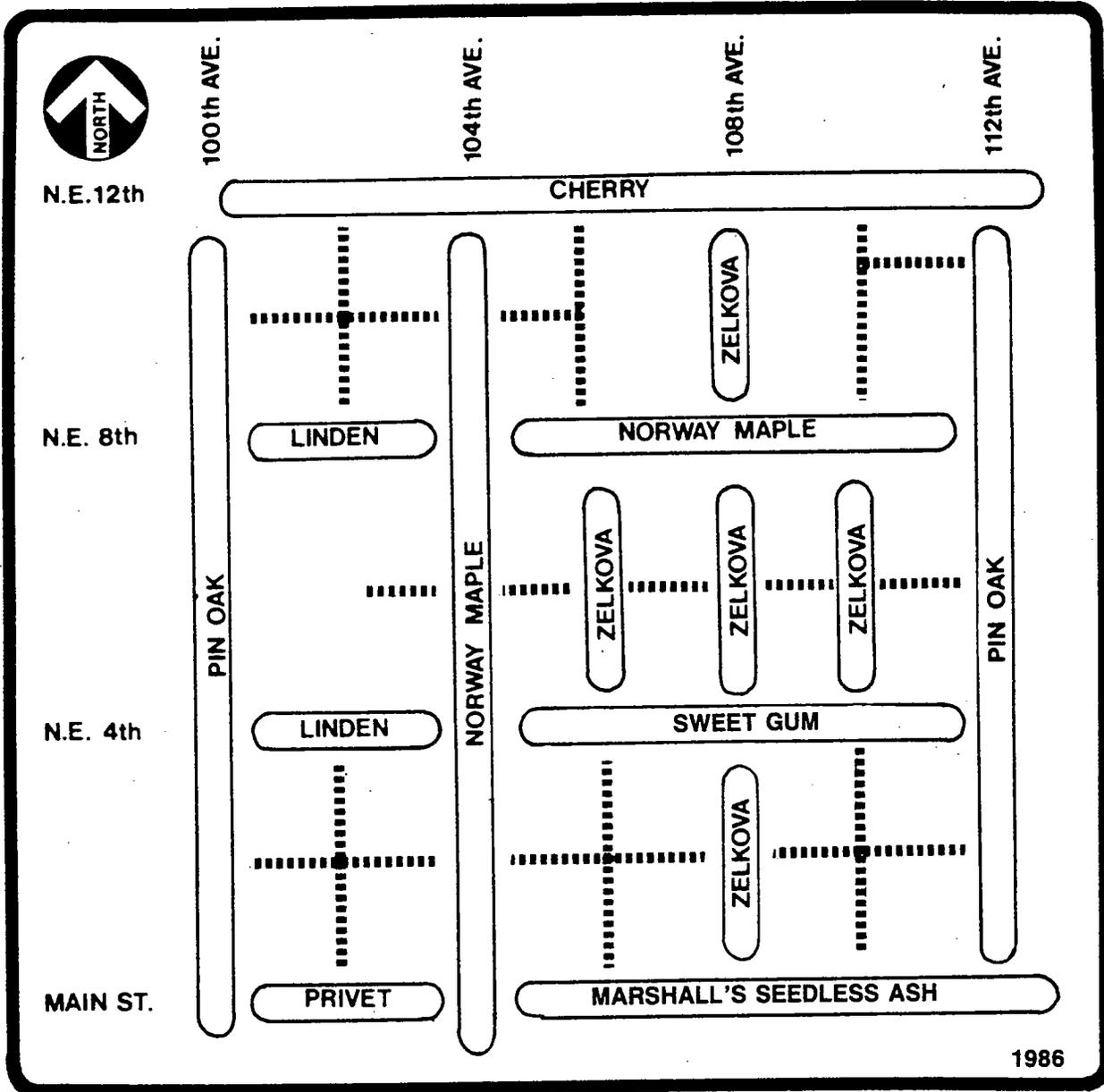
ORIGINAL

WPO235C-ORD
06/16/94

C. Street Trees Required:

1. The property owner shall install street trees, in addition to any landscaping required by Section 20.25A.040, according to the requirements of Plate B, and this Section, or as approved by the Director, unless upon the request of the applicant, minor modification is approved by the Director.
2. The area in which street trees are planted must be at least 4' wide, and located between the street improvement and the walkway or sidewalk unless precluded by existing utilities which cannot reasonably be relocated. Any street tree planting area must be at least 4' x 6' or 5' x 5' or smaller area as approved by the Director, unless upon request of the applicant, minor modification of this requirement is approved by the Director, and protected by an approved decorative grate. This grate may intrude into the sidewalk.
3. Street trees, at least 3" in caliper measured 6" above existing grade or as approved by the Director, must be planted at least 3' from the street curb, and a maximum of 25' on center, unless upon request of the applicant, minor modification of this requirement is approved by the Director, and conform to the sight distance requirements of Section 20.20.830. A street tree planting area may also include decorative paving and other plant materials.

Plate B



BELLEVUE CBD STREET TREES

MAJOR STREET TREE

LEGEND

* LOCAL STREET TREE

Fluxinus pennsylvanica 'Marshall' (ash)

Ligustrum lucidum (Privet)

Zelkova serratta (Zelkoua)

Tilia cordata (Linden)

Acer platanoides (Norway Maple)

Prunus serrulata (Cherry)

Quercus palustris (Pin Oak)

Liquidambar Styraciflua (Sweet Gum)

Styrzx obassia (Styrax)

Acer platanoides 'col' (Norway Maple 'Col')

Liquidambar styraciflua (Sweet Gum)

Crataegus L. (Hawthorne)

Quercus borealis (Red Oak)

Cercidiphyllum japonicumj (Katsura Tree)

Magnolia grandiflora (Saucer Magnolia)

Magnolia kobus (Kobus Magnolia)

Prunus sargentii (Cherry)

Prunus yedoensis akebono (Cherry)

* Selection of specific tree specie from this list for individual street shall be approved by the Director of Design and Development.

(Ord. 3690, 8-4-86, Section 10)

ORIGINAL

WP0235C-ORD
06/16/94

Section 42. Section 20.25A.070 of the Land Use Code is hereby amended to read as follows:

20.25A.070 Downtown-Old Bellevue District

- A. Design Review Required: All development within the Downtown-Old Bellevue Land Use District must be reviewed by the Director of Community Development using the Design Review process (Part 20.30F) and applying the Downtown Design Review Criteria, 20.25A.110 in reviewing an application for development in the Downtown-Old Bellevue Land Use District.
- B. Development Requirements: Development within the Old Bellevue Land Use District must comply with the following if the property abuts the named streets:
 1. Street Improvements:
 - a. The applicant shall provide half street and sidewalk improvements including paving, street trees, lighting and other street furniture comparable to the existing Main Street streetscape between 102nd Avenue and Bellevue Way on -
 - i. Both sides of Main Street between 100th Avenue and Bellevue Way, and
 - ii. 102nd and 103rd Avenues between S.E. 1st Street and N.E. 1st Street, and
 - iii. The west side of Bellevue Way between S.E. 1st Street and N.E. 2nd Street, and
 - iv. The east side of 100th Avenue between S.E. Bellevue Place and N.E. 1st Street, and
 - v. Both sides of N.E. 1st and N.E. 2nd between 100th Avenue and Bellevue Way.
 2. Mid-block Connections:
 - a. The applicant shall provide mid-block connections between -
 - i. Main Street and N.E. 1st Street at approximately 101st Avenue N.E., and

ORIGINAL

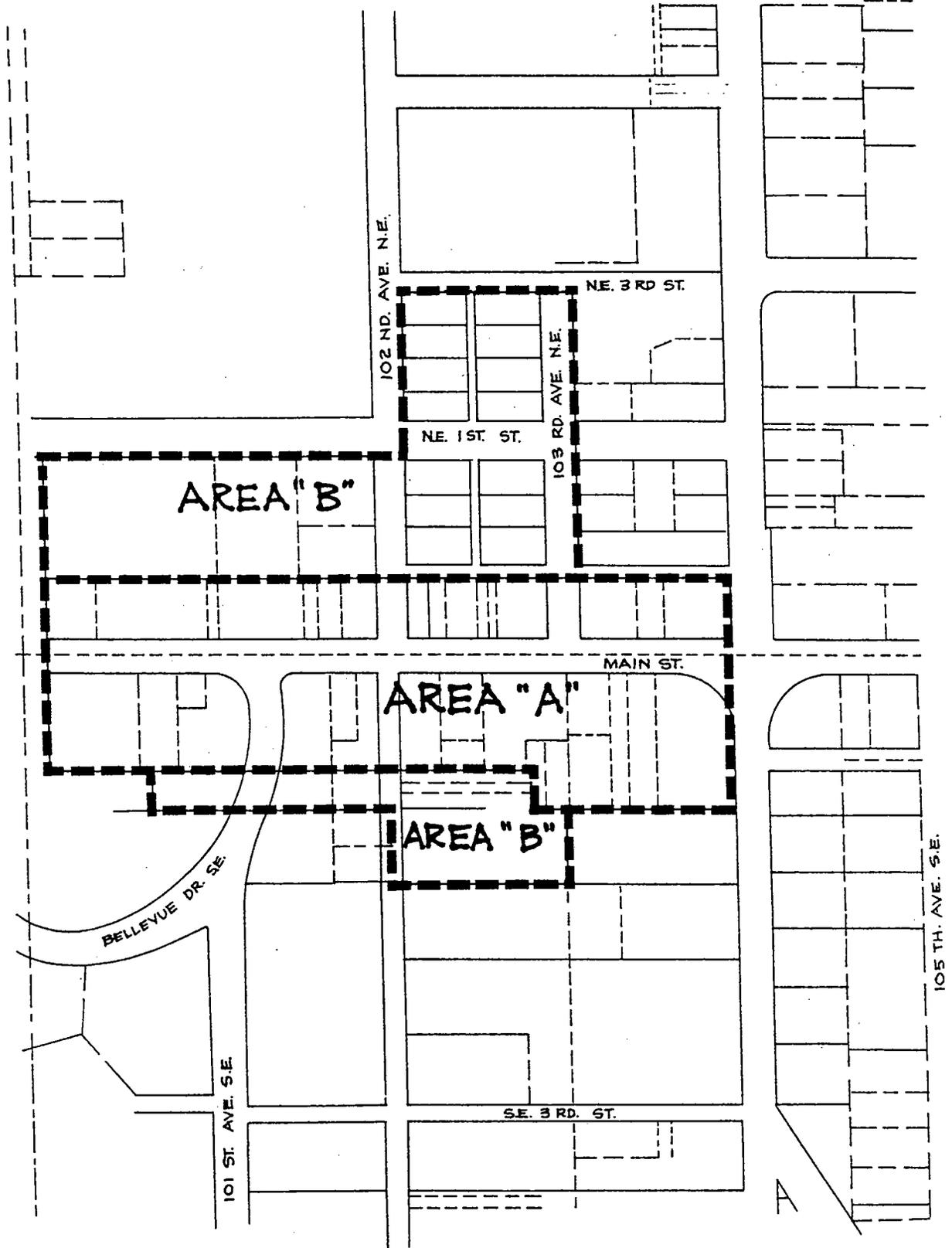
WP0235C-ORD
06/16/94

- ii. 102nd and 103rd Avenues approximately mid-block between Main Street and N.E. 1st Street; and
 - iii. Main Street at approximately 103rd Avenue and 102nd Avenue S.E. at approximately S.E. 1st Street.
 - b. A Mid-block Connection must be developed as a walkway or a combination walkway and vehicular lane. The connection shall incorporate decorative lighting and seating areas.
 - c. If a combination walkway and vehicular lane does not have a separate raised walkway, the surface must be paved with unit paver blocks to denote that it is a pedestrian area.
- 3. Parking: An off-street parking area may not be located between the buildings and streets along -
 - a. 102nd Avenue N.E. between Main Street and N.E. 1st Street, and
 - b. Main Street between 100th Avenue and Bellevue Way.
- 4. Minor Publicly Accessible Spaces:
 - a. The applicant shall provide Minor Publicly Accessible Spaces on Main Street at the intersections of 100th Avenue and Bellevue Way.
 - b. A Minor Publicly Accessible Space may be outdoors or may be enclosed as long as adequate access is provided, and its existence is readily identifiable.
 - c. A Minor Publicly Accessible Space must be developed as a Plaza, an Enclosed Plaza or Landscape Feature. The design criteria of Section 20.25A.030.C must be met, and the FAR amenity bonus may be utilized.
 - d. Structures must directly abut the Minor Publicly Accessible Space.
- 5. Pedestrian-Oriented Frontage and Marquees or Awnings:
 - a. The applicant shall provide Pedestrian-Oriented Frontage and Marquees or Awnings on -

ORIGINAL

WPO235C-ORD
06/16/94

- i. Both sides of Main Street from 100th Avenue to Bellevue Way, and
 - ii. 102nd Avenue between Main Street and N.E. 1st.
 - b. Pedestrian Oriented Frontage, Marquees, and Awnings must comply with the design criteria of Section 20.25A.030.C., and the FAR amenity bonus may be utilized.
 - c. Pedestrian-Oriented Frontage must include display windows having mullions that are spaced 2 to 6 feet apart.
 - d. The use of exposed concrete, metal or plastic for storefront facades is not permitted. This does not preclude the use of metal and acrylic glazing on marquees or vinyl fabric on awnings, nor the use of brass, copper or aluminum for decorative trim.
- C. Preferred Uses:
- 1. Overlay Area A: Pedestrian-Oriented Frontage uses as defined in 20.50.040 must be provided at street level for new development or substantial remodels in the area depicted on the following map as "Overlay Area A".
 - 2. Overlay Area B:
 - a. In the area depicted on the following map as "Overlay Area B" any development that is at least 25% residential in total gross floor area may exceed an overall floor area ratio of 1.0.
 - b. In no event may non-residential FAR exceed 1.0.
 - c. In the event more than 50% of the total gross floor area of a structure is devoted to residential use, the structure may be classified as residential for the purpose of attaining residential building height pursuant to Section 20.25A.020.A.2.



ORIGINAL

WPO235C-ORD
06/16/94

Section 43. Section 20.25A.100 of the Land Use Code is hereby amended to read as follows:

20.25A.100 Downtown Core Design District

- A. **Definition of District:** The Downtown Core Design District encompasses the area bounded by the extension of the centerlines of 102nd Avenue N.E. on the west, N.E. 9th Street on the north, 112th Avenue N.E. on the east and N.E. 3rd Street on the South plus any area within the Downtown-0-2 Land Use District not described above.
- B. **Purpose:** The purpose of the Downtown Core Design District is to implement the Downtown Subarea Comprehensive Plan Policies by providing more specific development guidelines, and by assuring high levels of attractiveness, urbanity, design quality, and coordination of development within the most intensive, visible portion of the Downtown.
- C. **All Development Subject to Design Review:** All development within the Downtown-Core Design District must be reviewed by the Director of Community Development through Design Review (Part 20.30F).
- D. **Review Criteria:** The Director of Community Development shall use the Downtown Design Review Criteria, 20.25A.110, and the provisions of this Section in deciding upon an application for development in the Downtown Core Design District.
- E. **Downtown Core Design District Guidelines:**
 1. **Major Pedestrian Corridor:**
 - a. **Purpose:** The Major Pedestrian Corridor is to serve as a focus for pedestrian use.
 - b. **Location:** The alignment of the Major Pedestrian Corridor is defined as the area within 30' of the extension of the North line of Lots 3 and 4, Block 2 of Cheriton Fruit Gardens Plat No. 1 recorded in the King County Department of Records and Elections in Volume 7 of Plats at Page 47, extending from the eastern edge of the enclosed portion of Bellevue Square to 108th Avenue N.E. and the area within 30' north of the north curb and 30' south of the south curb of the Bellevue Transit Center traffic lanes as hereafter approved by the City, extending across the 108th Avenue N.E. right-of-way and to 110th Avenue N.E. This alignment may be modified by

ORIGINAL

WPO235C-ORD
06/16/94

the Bellevue Pedestrian Corridor Guidelines or by a Corridor Development Design Plan for a specific property.

- c. Bellevue Pedestrian Corridor Guidelines: The City Council shall adopt Bellevue Pedestrian Corridor Guidelines, and may amend adopted guidelines. The procedures of Process N, (Section 20.30.400 et. seq.) shall apply. The Planning Commission shall be the Advisory Body. The Bellevue Pedestrian Corridor Guidelines shall consist of general design guidelines consistent with provisions of this paragraph and determine appropriate alignment(s) and elevation(s) of the Major Pedestrian Corridor.
 - i. The Corridor must present a coordinated design. The City will consider coordinated design features such as uniform treatment of signing, landscaping and lighting over the entire length of the corridor. Variety in design will be allowed and in some cases encouraged in order to provide visual interest and harmony with adjacent development. The Corridor must incorporate numerous pedestrian amenities such as seating areas, landscaping, art features, weather protection and pedestrian scale lighting.
 - ii. Predominantly continuous Pedestrian Oriented Frontage, Plazas, Pedestrian Ways, Street Arcades, Art or Landscape Features, or Enclosed Plazas shall be located along or on the Major Pedestrian Corridor.
 - iii. The Corridor may be bridged or covered but is intended for pedestrian movement though the Corridor 24 hours a day over the entire length of the Corridor, excluding temporary closures of the Corridor for maintenance purposes. This requirement shall be reviewed as part of the Bellevue Pedestrian Corridor Guidelines.
 - iv. Pedestrian movement across 104th Avenue N.E., 106th Avenue N.E. or 108th Avenue N.E. may occur at grade or be grade separated.
 - v. The Major Pedestrian Corridor width may be established as part of the Bellevue Pedestrian Corridor Guidelines. The Corridor width shall

ORIGINAL

WPO235C-ORD
06/16/94

average 60' and in no case be less than 40' over each superblock west of 108th Avenue N.E., and shall average 30' and in no case be less than 20' on each side over the superblock extending from the western edge of the 108th Avenue N.E. right-of-way to 110th Avenue N.E. All subdivisions or short subdivisions hereafter approved or permits for any structure or permanent parking or circulation area shall be reviewed for compatibility with the alignment of the Major Pedestrian Corridor as specified in Paragraph E.1.b. of this Section or in the Bellevue Pedestrian Corridor Guidelines if any lot line, structure or permanent parking or circulation area is within -

- (1) 330 feet of the centerline of the Major Pedestrian Corridor if west of 108th Avenue N.E., or
- (2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in Paragraph v.(1) to 110th Avenue N.E.

d. Preservation of the Major Pedestrian Corridor:

- i. Prior to the issuance of a building permit for any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20% of the gross floor area of the existing building is added, and provided that all new floor area is devoted to pedestrian oriented uses; located within the Major Pedestrian corridor as defined in Paragraph E.1.b the following conditions must be met:

- (1) The alignment of the Major Pedestrian Corridor related to the proposed structure or permanent parking or circulation area must be established by the execution and recording of a legal agreement in accordance with Paragraph E.1.e.i or E.1.e.ii of this Section.

- (2) A design development plan for the section of the Corridor required to be constructed under E.1.c.iii. Corridor must be approved by the Director of Community Development as required by Paragraph E.1.e.ii. of this Section. Construction must begin prior to the issuance of certificate of occupancy or a temporary certificate of occupancy for the structure other than surface parking as required by Paragraph E.1.e.iii.(2) of this Section.
- ii. Building permits for surface parking areas to be located in this Corridor as defined in paragraph E.1.b. may be granted for up to a 5-year period, subject to the landscape requirement for surface parking areas in the Downtown-MU Land Use District, as specified in Section 20.25A.040. Building permits for parking areas may be renewed only if the Director of Community Development finds that an extension is necessary to meet the maximum code requirements for parking and the extension is necessary for the construction of a building requiring utilization of the surface parking area.
- e. Provision of the Corridor:
 - i. If the property owner wishes to at any time obtain bonus FAR for construction of the Major Pedestrian Corridor, the City may approve the subdivision or short subdivision of property resulting in any interior lot line which is within the distances specified in Paragraph 20.25A.100.E.1.c.v only if:
 - (1) The owner of the property to be subdivided or short subdivided executes a legal agreement providing that all property that he/she owns within the superblock in which any of property to be subdivided or short subdivided is located and which is within the alignment of the Major Pedestrian Corridor established under Paragraph E.1.b., E.1.c. or E.1.e.iii. (hereafter the "Corridor Property") shall be subject to a nonexclusive right of pedestrian use and access by the public. The agreement shall legally describe and shall apply to only that property of the owner located

ORIGINAL

WPO235C-ORD
06/16/94

within the distances specified in Paragraph 20.25A.100.E.1.c.v. Such an agreement shall further provide that:

- (a) The public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the Corridor Property for purposes of enforcing the rights of the public under this agreement.
- (b) The obligations under the agreement shall run with the Corridor Property. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then existing public need for pedestrian use and access of the Corridor for subsequent 50-year terms.
- (c) The owner will design and construct the Corridor within such Corridor Property in accordance with the requirements of Section E.1.
- (d) The agreement shall be recorded with the King County Department of Records and Elections.
- (e) The owner will maintain the portion of the Corridor located on the Corridor Property and keep the same in good repair.
- (f) The City will provide adequate police protection.
- (g) No modifications may be made to the Corridor without approval of the City in accordance with Section E.1.e.ii.
- (h) The alignment of any such portion of the Pedestrian Corridor established by a legal agreement may be modified or terminated by the property owner and

ORIGINAL

WPO235C-ORD
06/16/94

the City if the alignment of any section of the Major Pedestrian Corridor changes pursuant to Paragraph E.1.e.ii of this Section.

- (i) The owner may adopt reasonable rules and regulations for use of his/her portion of the Corridor provided that the same may not be inconsistent with the requirements or intentions of this Section.
 - (j) Any other terms and conditions that the owner(s) and the City agree to.
- ii. Corridor Design Development Plan: Prior to the issuance of a building permit for the construction of any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20% of the gross floor area of the existing building is added, and provided that all new floor area is devoted to pedestrian-oriented uses; on the property, any portion of which abuts the Major Pedestrian Corridor and is within the distances specified in Paragraph 20.25A.100.E.1.c.v., a Design Development Plan for the section of the Corridor required to be constructed under E.1.e.iii must be submitted to and approved by the Director of Community Development, through Design Review (Part 20.30F). If the owner constructs a Temporary Pedestrian Linkage under paragraph E.1.e.iii., preparation of the Corridor Design Development Plan will not be required until the property to be developed is located within -
- (1) 130 feet of the centerline of the Major Pedestrian Corridor, west of 108th Avenue N.E., or
 - (2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in Paragraph e.ii(1) to 110th Avenue N.E. The proposed plan must specify the following elements:

ORIGINAL

WPO235C-ORD
06/16/94

- (1) Landscaping,
 - (2) Lighting,
 - (3) Street Furniture,
 - (4) Color and materials,
 - (5) Relationship to building frontage,
 - (6) Specific alignment for property on which the Corridor will have to be constructed by the applicant proposing development,
 - (7) Any other physical element which the Director of Community Development and the City Council, in their review, determines is necessary for and consistent with the Design Development Plan for a specific section of the Major Pedestrian Corridor, not including specific requirements to construct structures containing retail uses abutting the Corridor.
- iii. The City may issue a permit for the construction of a structure other than surface parking and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20% of the gross floor area of the existing building is added, and provided that all new floor area is devoted to pedestrian oriented uses; on property any part of which abuts the Major Pedestrian Corridor and is within the distances specified in Paragraph 20.25A.100.E.1.c.v. at the time of the adoption of Ordinance No. 2945 only if:
- (1) The owner complies with Section E.1.e.i(a)-(j) above if that owner wishes to earn bonus FAR for construction of the Major Pedestrian Corridor; and
 - (2) The owner files a building permit application to construct his/her section of the Corridor on (a) land he/she owns within the Corridor and within the superblock of the subject construction permit for a structure, and (b) on one half the width of any abutting city-owned land in the Corridor (except for intersections listed below). The City shall initiate or

ORIGINAL

WPO235C-ORD
06/16/94

abutting property owners may initiate a street vacation for right-of-way the City owns between 104th Avenue N.E. and 106th Avenue N.E. at N.E. 6th Street in conjunction with or prior to an owner application to construct the Major Pedestrian Corridor. Actual construction of the Corridor must begin prior to the issuance of a certificate of occupancy or temporary certificate of occupancy for the structure other than surface parking. The City shall construct the Corridor at the street intersections of the Corridor and 104th Avenue N.E., 106th Avenue N.E., and 108th Avenue N.E. The width of the Corridor that would have to be constructed under the requirements of this paragraph may be modified when the final alignment of the Corridor is established as part of Corridor Design Development Plan (E.1.e.ii.). Notwithstanding this potential change in the width of the Corridor that would have to be constructed under paragraph E.1.e.iii., property owners shall at a minimum be required to construct the section of the Corridor as specified in E.1.e.iii(2)(a). Building permits for surface parking areas to be located on property any part of which abuts the Major Pedestrian Corridor and is within the distances specified in Paragraph 20.25A.100.E.1.c.v at the time of the adoption of this ordinance may be issued subject to the conditions specified in paragraph E.1.d.ii. of this section. Notwithstanding any other requirement of this section, if a Temporary Pedestrian Linkage is constructed as specified in paragraph E.1.f., construction of the Corridor will not be required unless the property to be developed is located within the distances specified in Paragraph 20.25A.100.E.1.e.ii.

- f. Temporary Pedestrian Linkage:
 - i. Any Temporary Pedestrian Linkage developed under paragraph E.1.c.iii. shall at a minimum include

ORIGINAL

WP0235C-ORD
06/16/94

a combination of paving, landscaping and lighting to permit safe pedestrian movement at night.

- ii. The City Council must approve a plan for any Temporary Pedestrian Linkage to be prepared as part of a Corridor Design Planning process following the procedures of Process IV (Section 20.35.400 et. seq.) The Planning Commission shall be the Advisory Body.
- iii. Any owner constructing a Temporary Pedestrian Linkage under paragraph E.1.e.iii. must construct the Linkage across all lands that he/she owns within the superblock where development is proposed that abut or are within the alignment of the corridor.
- g. Maintenance: Each segment of the Major Pedestrian Corridor shall be maintained by the property owners abutting it. The City shall maintain the intersections of all public streets with the Corridor.
- h. Bonus Floor Area for Major Pedestrian Corridor Construction: Bonus floor area associated with the Major Pedestrian Corridor (Section 20.25A.030) shall be awarded to owners of property within the distances specified in Paragraph 20.25A.100.E.1.c.v through Design Review (Part 20.30F) and according to the provisions of Paragraph E.1.e(iii.2), in conjunction with an application for a permit to construct a structure, permanent parking, or circulation area and the Major Pedestrian Corridor and the provision of a legal agreement establishing the public right of pedestrian use pursuant to Paragraph 20.25A.100.E.1.e(i)(a-j).
- i. Exempt Activity/Use: Notwithstanding the provisions of Paragraph 20.25A.100.E.1, the following activities and uses may occur on property within the distances specified in Paragraph 20.25A.100.E.1.c.v without concurrent construction of the Major Pedestrian Corridor, the Temporary Pedestrian Linkage or the Intermediate Pedestrian Corridor:
 - i. Surface parking approved pursuant to Paragraph 20.25A.100.E.1.d.ii,

ORIGINAL

WP0235C-ORD
06/16/94

- ii. Landscape Development,
 - iii. Street, access and sidewalk improvements, including the Transit Center as provided for in Paragraph E.2 of this Section,
 - iv. Any interior remodel,
 - v. Any exterior remodel provided that if exterior dimensions are enlarged new floor area may not exceed a total of 20% of the gross floor area of the structure as it existed on the effective date of this provision, and provided that all new pedestrian level floor area is devoted to Pedestrian Oriented Uses.
 - vi. Development of the Temporary Pedestrian Linkage or the Intermediate Pedestrian Corridor.
- j. Intermediate Pedestrian Corridor:
- i. Notwithstanding any provision of this Code which requires construction of the Major Pedestrian Corridor, a property owner may phase construction of that section of the Major Pedestrian Corridor otherwise required to be built by delaying any portion not directly abutting or adjacent to the project limit which triggered the construction requirement if the owner provides an Intermediate Pedestrian Corridor for that delayed portion of the Corridor Property which -
 - (1) Is a least 16 feet in width from the centerline of the Major Pedestrian Corridor west of 108th Avenue N.E., or extending outward from the exterior edge of the north or south curblines of the Bellevue Transit Center traffic lanes. This space shall be designed to include a minimum 4' edge separating and defining the space, a minimum 8' pedestrian movement area and a minimum 4' recreation/activity area.
 - (2) Incorporates lighting, planting, seating, and scored or decorative paving.

ORIGINAL

WP0235C-ORD
06/16/94

- (3) Provides a sense of enclosure along the exterior edge of the space by the use of a design element which both physically and visually separates the Intermediate Corridor from abutting property. Nonexclusive examples of such an element include a sculptural wall, dense planting, or berm.
 - (4) Is consistent with the applicable provisions of the Bellevue Pedestrian Corridor Guidelines, as determined by the Director of Community Development.
- ii. Design for any Intermediate Pedestrian Corridor must be approved through Design Review (Part 20.30F) in conjunction with the Design Development Plan for the Major Pedestrian Corridor required to be constructed.
 - iii. An Intermediate Pedestrian Corridor satisfies any requirement of this Code to construct the Temporary Pedestrian Linkage.
 - iv. Space developed as an Intermediate Pedestrian Corridor must be replaced by the Major Pedestrian Corridor at the time of development on any project limit abutting or adjacent to the Major Pedestrian Corridor. Construction of the Major Pedestrian Corridor must be in conformance with all requirements of Paragraph 20.25A.100.E.1.e.

2. Transit Center:

- a. Purpose: The Transit Center is to provide the opportunity for intra-Eastside and regional bus routes to be timed and coordinated in a manner to maximize bus service for Bellevue Downtown employees, shoppers, and Bellevue residents.
- b. Location: The Transit Center is to be located within the Core Design District on N.E. 6th Street between 108th Avenue N.E. and 110th Avenue N.E. The location of the Transit Center must -
 - i. Be coordinated with feasible transit routes,

ORIGINAL

WP0235C-ORD
06/16/94

- ii. Be coordinated with efficient traffic operation,
 - iii. Be compatible with private development in the immediate vicinity,
 - iv. Permit the opportunity for phased construction, and
 - v. Be compatible with areas of pedestrian focus.
- c. Design:
- i. The design of the Transit Center must maximize accessibility for passengers and buses while providing a high level of adjacent pedestrian oriented activity and employment density. The Center must include bus access lanes, bus stalls, and passenger shelters. It may be integrated into another privately or publicly developed facility.
 - ii. If the Transit Center is constructed prior to construction of the abutting Major Pedestrian Corridor, a sidewalk at least 8' wide, a street tree planting area at least 4' wide and lighting shall be developed on each side of the transit center traffic lanes. Any individual street tree planting area must be at least 4'x4'. The design of this interim pedestrian improvement shall be compatible with the design of the Transit Center improvements.
 - iii. Provision of a sidewalk, street trees and lighting satisfies the construction requirements of the Temporary Pedestrian Linkage (20.25A.100.E.1.f).

3. HOV Routes:

- a. Purpose: High Occupancy Vehicle (HOV) routes are designated in order to minimize the impediment to HOV movement in Downtown, and to decrease dependence on private automobiles by providing a coordinated usable transportation system within Downtown.
- b. Location: The following streets are designated as HOV routes:

ORIGINAL

WPO235C-ORD
06/16/94

- i. N.E. 4th Street between I-405 and Bellevue Way,
 - ii. 106th Avenue between N.E. 4th Street and N.E. 8th Street,
 - iii. N.E. 8th between 100th Avenue N.E. and I-405, and
 - iv. 112th Avenue N.E. between Main Street and N.E. 8th.
- c. Design:

- i. HOV lanes when designated on an HOV route must be designed with adequate width and turning radius to serve transit vehicles. Special signalization may be required to enhance the flow of HOV's. Turning and weaving movements by autos through these lanes must be minimized through signing, design and physical land separation.
- ii. Specific lanes on HOV routes may be designated for exclusive or exclusive peak hour use by HOV's.

4. Pedestrian Connections:

- a. Purpose: A Pedestrian Connection provides an opportunity for increased pedestrian movement through a large superblock in the core of Downtown.
- b. Location: In each superblock a Pedestrian Connection must be provided to permit movement through the superblock from a Perimeter Walkway or Sidewalk to Publicly Accessible Spaces, adjoining structures, or parking areas.
- c. Design:
 - i. A Pedestrian Connection must be developed as an Internal Walkway or Sidewalk, an Arcade, an Interior Arcade, a Pedestrian Skybridge or Underground Passageway.
 - ii. A Pedestrian Connection may meander. Wherever feasible, Pedestrian Oriented Frontage must be located along these routes. A Pedestrian

WP0235C-ORD
06/16/94

Connection must comply with the applicable definitions Chapter 20.50, and if applicable the design criteria of Section 20.25A.030.C. If developed as an arcade, the FAR Amenity bonus may be utilized. In addition, Pedestrian Oriented Frontage must comply with the design criteria of Section 20.25A.030.C, and the FAR amenity bonus may be utilized.

5. Major Public Open Spaces:

- a. Purpose: Major Public Open Spaces serve as focal points for pedestrian activity within the Downtown Core Design District, and are design elements fully integrated with the Major Pedestrian Corridor.
- b. Location: The Major Public Open Spaces are to be located at or near the junction of the Major Pedestrian Corridor and -
 - i. Bellevue Way,
 - ii. 106th Avenue N.E.
 - iii. 110th Avenue N.E.
- c. Design:
 - i. The Major Public Open Spaces must be designed with numerous pedestrian amenities such that these areas serve as focal points. Pedestrian amenities include elements such as seating, lighting, special paving, planting, food and flower vendors, artwork and special recreational features. Design must be coordinated with that of the Major Pedestrian Corridors.
 - ii. The Major Public Open Space at or near 106th Avenue N.E. shall be a minimum of 30,000 square feet in size. A maximum of 37,000 square feet is allowed for the purpose of obtaining bonus floor area. The Major Public Open Spaces at or near Bellevue Way and 110th Avenue N.E. shall be a minimum of 10,000 square feet in size. A maximum of 15,000 square feet is allowed for the purpose of obtaining bonus floor area.

ORIGINAL

WPO235C-ORD
06/16/94

- iii. Area devoted to a Major Public Open Space must be in addition to any area devoted to the Major Pedestrian Corridor.
- iv. Pedestrian Oriented Frontage is required on at least two sides of a Major Public Open Space.
- d. Specific Development Mechanism:
 - i. General: The provisions of Paragraph E.6.d of this Section establish alternative development mechanisms and specific requirements for each of the Major Public Open Spaces. Each affected property owner must comply with the Major Public Open Space design and construction requirements. Only those property owners who establish public access through a recorded legal agreement may utilize the FAR bonus for these Open Spaces.
 - ii. Ownership: The owners of property to be devoted to a Major Public Open Space will retain fee ownership of that property.
 - iii. Public Access-Legal Agreement.
 - (1) Each owner of property to be devoted to a Major Public Open Space who chooses to participate in the FAR bonus system for a Major Public open Space shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.
 - (2) The agreement shall further provide that the public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the Major Public Open Space for purposes of enforcing the rights of the public under the agreement.
 - (3) The agreement shall be recorded with the King County Division of Records and Elections and Bellevue City Clerk.
 - (4) The obligations under the agreement shall run with the land devoted to a Major Public

ORIGINAL

WP0235C-ORD
06/16/94

Open Space. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then existing public need for pedestrian use and access of a Major Public Open Space for subsequent 50 year terms.

- (5) The owner of property to be devoted to a Major Public Open Space will maintain that portion of the Major Public Open Space and keep the same in good repair.
 - (6) The owners of property to be devoted to a Major Public Open Space may adopt reasonable rules and regulations for the use of that space, provided that the rules and regulations are not in conflict with the right of pedestrian use and access and the intention of Paragraph d.iii.
- iv. Arrangement of Space: The specific apportionment and general location of at least the minimum area of a Major Public Open Space shall be established as part of the Major Public Open Space Design Plan. Any alteration or modification to the designated Major Public Space must be reviewed and approved through an amendment to the Major Public Open Space Design Plan.
- v. Development Rights: Space above and beneath the area to be devoted to a Major Public Open Space may be developed by the property owner so long as that development is not in conflict with any established pedestrian use of and access to the Major Public Open Space, the intentions of Paragraph d.iii, if applicable, and the Major Public Open Space Design Plan.
- vi. Floor Area Ratio:
- (1) Basic: Area to be devoted to a Major Public Open Space may at any time be used to calculate the basic floor area ratio of development for any project limit which incorporates that Major Public Open Space, or of development on property in the same

WP0235C-ORD
06/16/94

ownership which abuts property which incorporates the Major Public Open Space. For purposes of this provision, abutting property includes all property in the same ownership separated from the Major Public Open Space by only a single public right-of way. Any transfer of basic floor area to an abutting property must be recorded with the King County Division of Records and Elections and Bellevue City Clerk.

(2) Bonus:

(a) Bonus floor area at the ratio of 16 square feet of floor area to 1 square foot of Major Public Open Space will be awarded to owners of property to be devoted to the Major Public Open Space who provide a recorded legal agreement pursuant to Paragraph d.iii upon approval of an application to construct that Major Public Open Space.

(b) Bonus floor area earned for construction of a Major Public Open Space may be -

(i) Transferred to any other property within the Downtown-01 zoning district and that portion of the Downtown-02 zoning district that is east of 110th Avenue N.E. provided, however, that properties may utilize transferred floor area only to the extent that the building height does not exceed limits depicted on the map entitled "Height Limits in the Core Design District" in Paragraph 20.25A.030.E. Each transfer must be recorded with the King County Division of Records and Elections and Bellevue City Clerk; and

ORIGINAL

WP0235C-ORD
06/16/94

- (ii) Utilized to exceed the maximum building height of structures on the project limit incorporating the Major Public Open Space, or of structures to which the bonus floor area is transferred, subject to the limitations in paragraph (i).
- vii. Construction Required: Subject to Paragraph E.6.d.viii, construction by the property owner of all or part of a Major Public Open Space on property in that ownership at the location identified in the adopted Major Public Open Space Design Plan is required in conjunction with any development on property in that ownership with -
 - (1) 175' of the intersection of the eastern edge of the 106th Avenue N.E. right of way and the centerline of the Major pedestrian Corridor, but including only that area east of the 106th Avenue N.E. right of way, or
 - (2) 175' of the intersection of the centerline of the 110th Avenue N.E. right of way and the centerline of the Major Pedestrian Corridor, or the extension thereof, or
 - (3) 175' of the intersection of the centerline of Bellevue Way right of way and the centerline of the Major Pedestrian Corridor.
- viii. Exempt Activity/Use: Notwithstanding the provisions of Paragraph E.6.d.vii, the following activities and uses may occur on property described therein without concurrent construction of the Major Public Open Space:
 - (1) Surface parking, subject to the landscape development provisions of this Code, for a period of not more than 5 years;
 - (2) Temporary major Pedestrian Corridor improvements in conformance with the Interim Corridor Design Plan;

ORIGINAL

WPO235C-ORD
06/16/94

- (3) Landscape development;
 - (4) Street improvements including the Transit Center as provided for in Paragraph E.2 of this Section.
 - (5) Any interior remodel.
 - (6) Any exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20% of the gross floor area of the existing building is added, and all new floor area is devoted to pedestrian oriented uses.
- ix. Major Public Open Space Design Plan:
- (1) Prior to issuance of a building permit for any structure which requires construction of all or part of a Major Public Open Space, or prior to actual construction of all or part of a Major Public Open Space, whichever comes first, a Major Public Open Space Design Plan for that entire Open Space must be submitted to and approved by the City Council. Each Major Public Open Space may have a separate Design Plan.
 - (2) The City Council shall adopt a Major Public Open Space Design Plan, and may amend an adopted plan, using Process IV (Section 20.35.400 et. seq.). The Planning Commission shall be the Advisory Body.
 - (3) A Major Public Open Space Design Plan shall consist of general design guidelines consistent with the provisions of Paragraph E.6.d., and shall specifically apportion and generally locate the Major Public Open Space. The Design Plan shall also establish guidelines for development above all or part of the Major Public Open Space.
 - (4) The property owners shall record the approved Design Plan with the King County Division of Records and Elections and Bellevue City Clerk.

ORIGINAL

WP0235C-ORD
06/16/94

x. Design Development Plan:

- (1) Prior to issuance of a building permit for any structure which requires construction of all or part of a Major Public Open Space, or prior to actual construction of all or part of a Major Public Open Space, whichever comes first, a Design Development Plan for that portion to be constructed must be submitted to and approved by the Director of Community Development.
- (2) The Director of Community Development shall review the plan, or amend any approved plan through Design Review (Part 20.30F).
- (3) The proposed plan must specify the following elements:
 - (a) Landscaping
 - (b) Lighting
 - (c) Street Furniture
 - (d) Color and Materials
 - (e) Relationship to Building Frontage
 - (f) Specific location of the Major Public Open Space
 - (g) All design features required pursuant to Paragraph E.6.c of this Section
 - (h) Relationship to and coordination with other portions of the Major Public Open Space, and with the Major Pedestrian Corridor.
 - (i) Any other physical element which the Director of Community Development determines is necessary for and consistent with the Major Public Open Space Design Plan.

6. Minor Publicly Accessible Spaces:

ORIGINAL

WP0235C-ORD
06/16/94

- a. Purpose: Minor Publicly Accessible Spaces provide relief from high intensity urban development, serve as visual gateways to the intensive Downtown Core, and provide opportunities for active or passive recreation.
 - b. Location: Minor Publicly Accessible Spaces shall be located along Bellevue Way and 108th Avenue N.E. approximately at their intersections with N.E. 8th Street, N.E. 6th Street and N.E. 4th Street. Additionally, at least two spaces shall be located in each superblock based on coordination of design and proximity to other Publicly Accessible Spaces, or Pedestrian Connections.
 - c. Design:
 - i. Minor Publicly Accessible Spaces may be outdoors or enclosed as long as adequate access is provided and their existence is easily identifiable.
 - ii. A Minor Publicly Accessible Space must be open at least during normal business hours.
 - iii. A Minor Publicly Accessible Open Space must be developed as a Plaza, Enclosed Plaza, or Art or Landscape Feature. The design criteria of Section 20.25A.030.C must be met, and the FAR amenity bonus may be utilized.
7. View Preservation Corridors:
- a. Purpose: View Preservation Corridors retain the opportunity for viewing Lake Washington, the Seattle Skyline, the Olympic Mountains and the Cascade Mountains from the Major Public Open Spaces and the Major Pedestrian Corridor.
 - b. Design Criteria: Consideration must be given to the identification and preservation of these views in the siting, orientation and bulk of structures in the Core Design District.
8. Upper Level Setback: Each building facade within the Core Design District facing N.E. 4th, N.E. 6th (Major Pedestrian Corridor), N.E. 8th and 104th Avenue N.E. must incorporate a minimum 20-foot deep setback at a height between 25-40' above average finished grade, unless the applicant

ORIGINAL

WPO235C-ORD
06/16/94

demonstrates through Design Review (Part 20.30F) that such setback is not feasible due to site constraints, such as a small or irregularly shaped lot.

Section 44. Section 20.25B.040.D of the Land Use Code is hereby repealed:

20.25B.040 Transition Area Design District Development Standards

Section 45. Section 20.25C.040.C of the Land Use Code is hereby amended to read as follows:

20.25C.040 Design Standards In OLB Districts:

C. Special lighting standards

1. A lighting plan shall be submitted of the building exterior and of the entire site including parking area. Lighting fixtures and standards shall be designed to be consistent with the scale and architectural design of the primary structure(s). Building wall and roof surfaces may be flood-lit, if, in the judgement of the Director of Community Development, the effect is discreet and restrained.

Section 46. A new Section 20.25D of the Land Use Code is hereby added as follows:

Chapter 20.25D of the Land Use Code is Reserved.

Section 47. Section 20.25H.040 of the Land Use Code is hereby amended to read as follows:

20.25H.040 Applicable Procedure:

- A. The Director of Community Development shall review and decide upon each application for a use or development subject to this Part where the use is permitted by Section 20.10.440 or Section 20.25H.080, except as otherwise specified herein.
- B. If the use requires a Conditional or Administrative Conditional Use or requires a Planned Unit Development, the provisions of this Part will be applied through that review and a decision on such applications may be appealed as specified therein.
- C. Design Review (Part 20.30F) is required for all development in a Sensitive Area in an R-10, R-15, R-20 or R-30 Land Use District, excluding detached dwelling units. Design Review is not required

ORIGINAL

WPO235C-ORD
06/16/94

if the project obtains Planned Unit Development (Part 20.30D) approval.

Section 48. Section 20.25H.060 of the Land Use Code is hereby amended to read as follows:

20.25H.060 Submittal Requirements:

- A. The Director of Community Development shall specify the submittal requirements, including type, detail and number of copies, for a use or development application to be deemed complete and accepted for filing.
- B. The Director of Community Development may waive specific submittal requirements determined to be unnecessary for review of an application.

Section 49. Section 20.25H.070 of the Land Use Code is hereby amended to read as follows:

20.25H.070 Designation and Restriction of Protected Area:

- A. Designation: Except in Downtown Districts and as limited by Paragraph 20.25H.070.B, the following areas are designated as Protected Areas for purposes of the Bellevue City Code:
 - 1. Areas of Special Flood Hazard (See 20.50.010), and
 - 2. Riparian Corridors excluding Type C (See 20.50.044), and
 - 3. Wetlands excluding Type C (See 20.50.054), and
 - 4. Areas of colluvial or landslide deposit on slopes of 15% or more, and
 - 5. Slopes of 40% or more; and
 - 6. Areas designated on the Coal Mine Areas maps or in the City's Coal Mine Area Regulations as potentially affected by abandoned coal mines; provided that compliance with the Coal Mine Area Regulations shall constitute compliance with the requirements of this chapter with regard to coal mines.
- B. Removal from Protected Area Status: Areas of colluvial or landslide deposit on slopes of 15% or more and slopes of 40% or more may be deemed Buildable Areas. To apply for removal from protected area status, the applicant must -

ORIGINAL

WP0235C-ORD
06/16/94

1. Demonstrate compliance with all applicable standards and criteria of this Part, and
2. Provide a geotechnical and stability analysis as required by the City and an engineering design acceptable to the Director of Community Development which assures long-term slope and soil stability with minimum maintenance, and
3. Provide other information necessary for the analysis as required by the Director of Community Development.

If the Director of Community Development determines that the applicant has demonstrated such compliance, Protected Area status and regulations no longer apply to the development for which the application was submitted.

- C. Protected Area Restriction: No development, use or activity may occur in a Protected Area or a Protected Area setback except as specifically allowed by this Part 20.25H.

Section 50. Section 20.25H.090 of the Land Use Code is hereby amended to read as follows:

20.25H.090 Dimensional Requirements

- A. General: The requirements of this Section apply along with any other dimensional requirements of the Land Use Code (see 20.20.010, 20.20.020, 20.20.130, 20.20.190, 20.25A-G). The most restrictive dimension controls.
- B. Minimum Setback of Structures and Land Alteration:
 1. General: Any structure and any land alteration must be setback as required by Paragraphs 20.25H.090.B.2 through B.5; provided, however, that the setback of Paragraph 20.25H.090.B.3 applies only to structures. Setbacks are required in order to -
 - a. Minimize long-term impacts of development adjacent to Sensitive Areas, and
 - b. Protect Sensitive Areas from adverse impacts during construction, and
 - c. Preserve the edge adjacent to the Sensitive Area for its habitat value, or

ORIGINAL

WP0235C-ORD
06/16/94

- d. Prevent loading of potentially unstable slope formations.

Provided; however, that land alteration for necessary access, supplemental planting and approved land uses (20.25H.080) is permitted.

2. Setback from wetlands as defined in Section 20.50.054:

- a. Type A: 50 feet from the wetland boundary determined pursuant to the City of Bellevue Sensitive Area Notebook.
- b. Type B: 25 feet from the wetland boundary determined pursuant to the City of Bellevue Sensitive Area Notebook.

3. Setback from riparian Corridor as defined In Section 20.50.044:

- a. Type A: 20 feet from the Corridor (50' from top of bank as defined in 20.50.044) boundary determined pursuant to the City of Bellevue Sensitive Area Notebook.
- b. Type B: 10 feet from the Corridor (25' from top of bank as defined in 20.50.044) boundary determined pursuant to the City of Bellevue Sensitive Area Notebook.
- c. Type C: 15 feet from the Corridor (width as defined in 20.50.044) boundary determined pursuant to the City of Bellevue Sensitive Area Notebook.

Provided; however, that the setback required by Paragraph 20.25H.090.B.3 applies only to structures and not to other land alteration.

- d. Riparian Corridor Setback Modification: The Director of Community Development may waive or modify the Riparian Corridor setback of Paragraph B.3 if the applicant demonstrates that -
 - i. Water quality will not be adversely affected, and
 - ii. Riparian Corridor vegetation will be maintained in a healthy condition. Solar access to vegetation must be maintained at least 50% of daylight hours during the normal growing season.

ORIGINAL

WPO235C-ORD
06/16/94

4. Slopes:
 - a. Top of Slope: 50 feet from top of a slope designated as a Protected Area by Section 20.25H.070 and having a grade difference from top to bottom of at least 8 feet.
 - b. Toe of Slope: 75 feet from toe of a slope where historic or potential mass slope movement occurs as determined by the Director of Community Development.
 - c. Measurement: The distance from the top of a slope or the toe of a slope is measured as specified by the City of Bellevue Development Standards.
 - d. Slope Setback Modification: The Director of Community Development may waive or modify the slope setback of Paragraph B.4 if the applicant demonstrates that -
 - i. The proposed construction method will, as demonstrated in the required geotechnical analysis, improve or not adversely impact the stability of the slope and reduce erosion potential, and
 - ii. the proposal uses construction techniques which minimize disruption of the existing topography and vegetation and
 - iii. The proposal adequately addresses the existing geological constraints of the site including soils and hydrology.
5. Area of Special Flood Hazard Extension: Any setback required by Paragraphs 20.25H.090.B.1-3 is increased to the edge of the Area of Special Flood Hazard (20.50.010) if the requirements of those Paragraphs otherwise result in a lesser setback.
6. Setback Adjustment Process: When the combination of opposite setback requirements for structures and land alteration pursuant to the Land Use Code equals more than 50% of the property dimension which includes those setbacks and when a Sensitive Area setback required by this Part is required in that determination, the Director of Community Development may adjust setback requirements as follows:
 - a. When a side setback and a Sensitive Area Setback are combined, the side setback may be reduced to a figure

ORIGINAL

WP0235C-ORD
06/16/94

- equal to the perimeter landscape development requirement of Section 20.20.520 but in no case less than 5 feet.
- b. When a rear setback and a Sensitive Area Setback are combined, the rear setback may be reduced to a figure equal to the perimeter landscape development requirement of Section 20.20.520 but not less than 10 feet unless a lower requirement exists in Section 20.20.010.
 - c. When a front setback and a Sensitive Area Setback are combined, the front setback may be reduced to 20 feet or to the minimum setback required by Section 20.20.010 except for Transition Area setbacks if less than 20 feet.
 - d. When any other setback requirement of this Code is combined with a Sensitive Area Setback, that other setback may be reduced to 5 feet.
 - e. When a Transition Area setback in paragraph 20.25B.040.B and a Sensitive Area setback are combined, the Transition Area setback may be reduced to the landscape dimension in paragraph 20.25B.040.C.
 - f. A setback adjustment beyond that authorized in Paragraph 20.25H.090.B.6 will be processed as a variance pursuant to Part 20.30G or 20.30H but in no case may a variance to the setback requirements of Paragraph 20.25H.090.B.1-5 be approved, except pursuant to the provisions of Part 20.30.P., relating to Protected Area Development Exceptions.

Section 51. Section 20.25H.100 of the Land Use Code is hereby amended to read as follows:

20.25H.100 Density/Intensity Calculation:

- A. General: Except as provided for Protected Areas in this Section, the number of dwelling units per acre and the maximum floor area ratio for office space pursuant to Section 20.20.020 apply to a Sensitive Area.
- B. Dwelling Units per Acre: The maximum number of dwelling units per acre for a site which contains a Protected Area designated by Section 20.25H.070 is equal to the dwelling units per acre as specified in Section 20.20.010 times the Buildable Area in acres

ORIGINAL

WP0235C-ORD
06/16/94

plus the dwelling units per acre times the Protected Area in acres times the Development Factor derived from Paragraph 20.25H.100.D:

$$[(DU/ACRE)(BUILDABLE AREA)] + [(DU/ACRE)(PROTECTED AREA)(DEVELOPMENT FACTOR)] = \text{MAXIMUM DWELLING UNIT POTENTIAL}$$

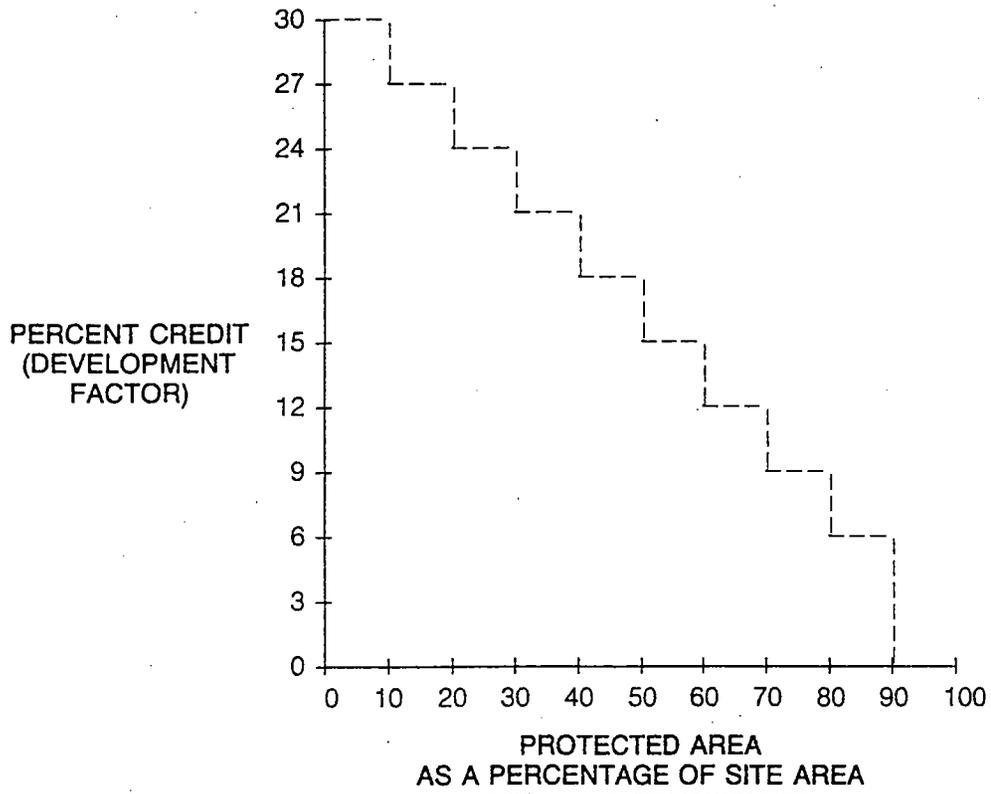
C. Floor Area Ratio for Office Space:

1. The maximum allowable office floor area for a site which contains a Protected Area designated by Section 20.25H.070 is equal to 0.5 times the Buildable Area plus 0.5 times the Protected Area times the Development Factor derived from Paragraph 20.25H.100.D:

$$0.5 \times \text{BUILDABLE AREA} + 0.5 \times (\text{PROTECTED AREA} \times \text{DEVELOPMENT FACTOR}) = \text{MAXIMUM OFFICE DEVELOPMENT POTENTIAL}$$

2. A property which contains a Protected Area designated by Section 20.25H.070 is exempt from the sliding scale FAR requirement of Land Use Code 20.20.010, Footnote 9 (Notes: Uses in Land Use Districts-Dimensional Requirements). The applicable maximum Floor Area Ratio to the Buildable Area is 0.5 regardless of building square footage.
- D. Development Factor: The development factor, consisting of a percent credit", to be used in computing the number of dwelling units per acre or the maximum allowable office floor area for a Protected Area designated by Section 20.25H.070 is derived from the following table:

ON-SITE DENSITY CREDIT DEVELOPMENT FACTOR



ORIGINAL

WP0235C-ORD
06/16/94

- E. This section shall not apply to the density within a subdivision or short subdivision, which shall be determined according to Disturbance Limits (20.25H.110.D) and other performance standards set forth in this Code or City regulations.

Section 52. Section 20.25H.110.A of the Land Use Code is hereby amended to read as follows:

A. Area of Special Flood Hazard

1. Restricted Use and Development: No use, development or activity may occur in an Area of Special Flood Hazard except as specifically allowed by Part 20.25H. All use, development or activity which is allowed is subject to the performance standards of Paragraph 20.25H.110.A. No alteration of the flood carrying capacity, configuration or volume of the Area of Special Flood Hazard is permitted except as specifically permitted by Part 20.25H.
2. Existing Development Declared Legal Nonconforming: All development within the Area of Special Flood Hazard (20.50.010) constructed or for which a vested building permit application exists prior to the effective date of Part 20.25H and which fails to comply with the requirements of Part 20.25H is legal nonconforming development. Any change to a legal nonconforming development is subject to the performance standards of Paragraph 20.25H.110.A.
3. Review Required:
 - a. In order to assure that proposed development will be safe from flooding, the Director of Community Development and the Fire Marshall shall review and must approve, approve with conditions or deny new development under Part 20.25H and the substantial improvement of existing development within the Area of Special Flood Hazard. The Director of Community Development shall determine that all necessary permits have been obtained from federal, state, or local agencies prior to approval.
 - b. The Director of Community Development shall obtain and transmit to the Director of the Utility Department the elevation in relation to mean sea level of the lowest habitable floor including basement, of a new or substantially improved structure permitted by this Part.

ORIGINAL

WP0235C-ORD
06/16/94

- c. The Director of the Utilities Department shall review and must approve all plans and specifications for new or replacement water and sanitary sewage systems permitted by Part 20.25H to assure compliance with the regulations of this Part and to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law or agency regulation.
4. Definitions: The following definitions apply to the Area of Special Flood Hazard regulated under Paragraph 20.25H.110.A:
 - a. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from-
 - i. The overflow of inland or tidal waters; or
 - ii. The unusual and rapid accumulation or runoff of surface waters from any source.
 - b. Flood Insurance Rate Map: The map delineating special flood hazard areas effective December, 1978, that was prepared by the Federal Insurance Administration for the City or as subsequently revised by the Federal Emergency Management Agency.
 - c. Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
 - d. Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."
 - e. One Hundred-Year Flood: The flood having a one percent chance of being equaled or exceeded in any given year as determined by customary methods of statistical analyses defined in the Utility Code (Bellevue City Code 24.06).
 - f. Structure: A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

ORIGINAL

WP0235C-ORD
06/16/94

g. Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the replacement value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged, and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places.

5. Intrusion Allowed: In addition to the uses and activity permitted by Section 20.25H.080, any structure may intrude over the Area of Special Flood Hazard if -

- a. The intrusion is located above existing grade, does not alter configuration of the Area of Special Flood Hazard; and
- b. The intrusion is at an elevation and orientation which maintains the existing vegetation of the Area of Special Flood Hazard in a healthy condition. Solar access to vegetation must be maintained at least 50% of daylight hours during the normal growing season.

No pile supported or other structural element may be located in the Area of Special Flood Hazard except as required for those uses and activities permitted by Section 20.25H.080.

6. Construction Standards:

- a. Within the Area of Special Flood Hazard, any new development permitted by Part 20.25H and any substantial improvement of existing development which is permitted must -
 - i. Be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure; and

ORIGINAL

WP0235C-ORD
06/16/94

- ii. Be constructed with materials and utility equipment resistant to flood damage; and
 - iii. Be constructed by methods and practices that minimize flood damage; and
 - iv. Be constructed by methods and practices that minimize disturbance of the Area of Special Flood Hazard and retain its natural character; and
 - v. Be designed and constructed so that electrical heating, ventilation, plumbing and air conditioning equipment and other services are elevated or otherwise located to prevent water from entering or accumulating within the components during conditions of flooding; and
 - vi. Be elevated at least two feet above existing grade where floodplain data or other reliable historical flooding elevations are not available. Adequacy of historical data shall be determined by the Director of the Storm and Surface Water Utility; and
 - vii. The cumulative effect of any proposed development adjacent to, or encroaching within the Area of Special Flood Hazard, when combined with all other existing and proposed development, may not increase the water surface elevation of the base flood.
- b. Residential Construction.
- i. The substantial improvement of an existing residential structure must result in the lowest floor (including basement) elevation being at or above the elevation of the one-hundred-year flood; and
 - ii. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional

ORIGINAL

WPO235C-ORD
06/16/94

engineer or architect or must meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed floor area subject to flooding must be provided; and
- (2) The bottom of all openings may be no higher than one foot above grade; and
- (3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

c. Nonresidential Construction.

i. New development permitted by Part 20.25H or the substantial improvement of an existing nonresidential structure must -

- (1) Result in the lowest floor (including basement) elevation being at or above the elevation of the one-hundred-year flood; or
- (2) Together with attendant utility and sanitary facilities, be designed so that below a point one foot above the elevation of the one-hundred-year flood the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Minimum floodproofing standards are contained within Sections 210.2.1 and 210.2.2 of the U.S. Army Corps of Engineers publication entitled "Floodproofing Regulations," June 1972, or any subsequently adopted amendments thereto. Additionally, no perceptible change in the flood elevation upstream or downstream may occur and no change in the quantity, quality or velocity of flow leaving the site may occur; and
(Ord. 4302, 11-18-91, Section 10)

ORIGINAL

WP0235C-ORD
06/16/94

- ii. Where floodproofing is utilized for a nonresidential structure, a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one-hundred-year flood; and
- iii. Nonresidential structures that are elevated, and not floodproofed, must meet the same standards for space below the lowest floor as set forth in 20.25H.110.A.4.b.ii; and
- iv. Applicants floodproofing nonresidential buildings shall be notified by the Director of the Storm and Surface Water Utility that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

7. Roads and Utilities:

- a. The Director of Community Development must approve road and utility crossings within the Area of Special Flood Hazard and must find that the utility facility, system or road is an essential public utility, and that a crossing will provide essential public access or service which cannot be made feasibly in a location which is not an Area of Special Flood Hazard. The crossing must be by bridging the Area of Special Flood Hazard and designed for shared road and utility facilities in order to minimize adverse impacts. No more than one crossing may occur on a site unless required for safe emergency access; and
- b. All new and replacement water supply systems must be essential public utilities and designed to minimize or eliminate infiltration or exfiltration of floodwaters into the systems; and
- c. All new and replacement sanitary sewage systems must be essential public utilities and designed to minimize or eliminate infiltration or exfiltration of floodwaters

ORIGINAL

WP0235C-ORD
06/16/94

into the systems and discharges from the systems into floodwaters; and

- d. All on-site waste disposal systems must be essential public utilities and located to avoid impairment to them or contamination from them during flooding.

8. Subdivisions and Other Proposed New Developments:

- a. All plat and short plat proposals and other proposed new development must:
 - i. Be consistent with the need to minimize flood damage; and
 - ii. Provide for the location and construction of public utilities and facilities, such as sewer, gas, electrical, and water systems, so as to minimize flood damage; and
 - iii. Provide adequate drainage to reduce exposure to flood hazards.
- b. All plat and short plat proposals and other new development proposals must provide one hundred-year flood elevation data.

9. Agricultural Uses:

- a. Erosion control measures, such as crop rotation, mulching, strip cropping and contour cultivation must be used in conformance with guidelines and standards established by the Soil Conservation Service, U.S. Department of Agriculture; and
- b. Areas of Special Flood Hazard must be protected from significant impacts of agricultural chemicals and pesticides as required by the Utility Code (Bellevue City Code 24.06.085) and must meet the water quality standards of Paragraph 24.06.060.9.

Section 53. Section 20.25I.050.B of the Land Use Code is hereby amended to read as follows:

20.25I.050 Community Retail Design District Design Standards

B. Other Site Development Standards.

ORIGINAL

WP0235C-ORD
06/16/94

Section 54. Section 20.30A.130 of the Land Use Code is hereby amended to read as follows:

20.30A.130 Applicable Procedure: The City will process an application for a reclassification of property through Process I (Section 20.35.100 et. seq.). The Director of Community Development is the applicable Department Director.

Section 55. Section 20.30A.135 of the Land Use Code is hereby amended to read as follows:

20.30A.135 Submittal Requirements:

- A. The Director of Community Development shall specify the submittal requirements, including type, detail and number of copies for a reclassification application to be deemed complete and to be accepted for filing.
- B. The Director of Community Development may waive specific submittal requirements determined to be unnecessary for review of an application.

Section 56. Section 20.30E.170A of the Land Use Code is hereby amended to read as follows:

20.30E.170 Modification/Revocation

- A. Modification. The City may initiate a modification to an approved administrative conditional use permit. A modification will be processed through Process II (Section 20.35.200 et. seq.). Through the modification procedure, the Director of Community Development may delete, modify or impose additional conditions upon finding that the use for which such approval was granted has been intensified, changed or modified by the property owner or by person(s) who control the property without approval so as to significantly impact surrounding land uses.

Section 57. Chapter 20.30L of the Land Use Code is hereby re-codified as follows:

Former Section	New Section
20.30L.110	14.35.020
20.30L.115	14.35.030
20.30L.120	14.35.040
20.30L.125	14.35.050
20.30L.130	14.35.060
20.30L.135	14.35.070

ORIGINAL

WP0235C-ORD
06/16/94

20.30L.140	14.35.080
20.30L.145	14.35.090
20.30L.150	14.35.100
20.30L.155	14.35.110
20.30L.160	14.35.120
20.30L.165	14.35.130
20.30L.170	14.35.140
20.30L.175	14.35.150
20.30L.180	14.35.160
20.30L.185	14.35.170

Section 58. Section 20.30M.115 of the Land Use Code is hereby amended to read as follows:

20.30M.115 Applicability: This Part applies to each application for a Temporary Use Permit whether located on private property or on the public right-of-way, provided that Temporary Use approval is not required for any use obtaining a permit pursuant to the City's Special Events Policy Permit process.

Section 59. Section 20.30M.160 of the Land Use Code is hereby amended to read as follows:

Abatement of Temporary Use: Prior to the approval of a Temporary Use Permit, the applicant shall submit to the Director of Community Development an irrevocable, signed statement granting the City permission to summarily abate the Temporary Use, and all physical evidence of that use if it has not been removed as required by the terms of the Permit. The statement shall also indicate that the applicant will reimburse the City for any expenses incurred in abating a Temporary Use under the authority of this Section.

Section 60. Section 20.30N.130 of the Land Use Code is hereby amended to read as follows:

20.30N.130 Applicable Procedure:

- A. A Home Occupation Permit is required for any occupation or profession carried on in a dwelling unit, provided that a business which has no external indication of commercial activity, including no non-resident employees, no client visits, no business-related deliveries, and no vehicle signage is exempt from the requirements of this Section.
- B. Class A (General Business) and B Home Occupation Permit Issuance:

ORIGINAL

WPO235C-ORD
06/16/94

1. The City will process an application for Class A (General Business) and B Home Occupation Permit through Process II (Section 20.35.200 et. seq.). The Director of Community Development is the applicable Department Director. A public information sign is required for these applications.
2. The decision of the Director of Community Development on a Class A (General Business) or B Home Occupation Permit may be appealed using Process VI, Section 20.35.600 et. seq. The Board of Adjustment shall serve as the Hearing Body.

Section 61. Section 20.30N.135 of the Land Use Code is hereby amended to read as follows:

20.30N.135 Submittal Requirements:

- A. The Director of Community Development shall specify the submittal requirements, including type, detail and number of copies, for a Home Occupation Permit application to be deemed complete and accepted for filing.
- B. The Director of Community Development may waive specific submittal requirements determined to be unnecessary for review of an application.

Section 62. Section 20.30N.140 of the Land Use Code is hereby amended to read as follows:

20.30N.140 Requirements/Decision Criteria:

- A. Class A (General Business) Home Occupation Permit: The Director of Community Development may approve or modify and approve a Class A Home Occupation Permit if the following decision criteria are met:
 1. The business does not involve automobile related services, warehousing of more than 1,000 cubic feet of materials, or external storage of goods, and
 2. The business is conducted wholly within a structure and utilizes no more than 25% of the gross floor area of the structure in which it is located, and
 3. No more than one person who is not a resident of the dwelling is participating in the business at the dwelling, and

ORIGINAL

WPO235C-ORD
06/16/94

4. There is no exterior display, exterior alteration of the property, including expansion of parking, no exterior sign other than business signage on the applicant's vehicle, no exterior storage of materials or other exterior indication of the business, and
5. There is no variation from the residential character of the premises, and
6. There is no structural alteration to the interior or exterior of the structure which changes its residential character, and
7. There is no use of electrical or mechanical equipment which would change the fire rating of the structure or which would create visible or audible interference in radio or television receivers or which would cause fluctuations in line voltage outside the dwelling, and
8. There is no noise, vibration, smoke, dust, odor, heat or glare produced by the business which would exceed that normally associated with a dwelling, and
9. In addition to parking required for the residents, there are no more than two vehicles parked on or in the vicinity of the property as a result of the business at any one time, and
10. There are no more than six client visits per day and there is not more than one client on the premises at any one time. One client does include a family arriving in a single vehicle, and
11. There are no more than two deliveries per week either to or from the residence by a private delivery service and no other use of a commercial vehicle other than that normally used by the applicant or an employee;
12. If deemed necessary, the business has been inspected by the Bellevue Fire Department and the applicant commits to implement all required corrective measures within the stated time period.

Section 63. Section 20.30N.145 of the Land Use Code is hereby amended to read as follows:

ORIGINAL

WPO235C-ORD
06/16/94

20.30N.145 Conditions: The Director of Community Development may impose conditions to mitigate any potential adverse impact on surrounding uses.

Section 64. Section 20.30N.150 of the Land Use Code is hereby amended to read as follows:

20.30N.150 Time Limitation: The Director of Community Development may establish a time limitation on the effectiveness of a Home Occupation Permit in order to provide for periodic review of business activity in a dwelling.

Section 65. Section 20.30N.155 of the Land Use Code is hereby amended to read as follows:

20.30N.155 Quarterly Report: The Director of Community Development shall send a report listing all Home Occupation Permits by number and address and describing the status of each, at least quarterly, to -

- A. Each person who has requested public notices for the calendar year and who has paid the fee established by the Director of Community Development, and
- B. Each member of a Community Council.

Section 66. Section 20.30N.160 of the Land Use Code is hereby amended to read as follows:

20.30N.160 Revocation of Home Occupation Permit: Upon a determination that there has been a violation of any decision criteria or condition of approval, the Director of Community Development may give written notice to the permit holder describing the alleged violation. Within 17 calendar days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the 17 day period, the Director of Community Development shall sustain or revoke the permit. When a home occupation permit is revoked, the Director of Community Development shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a home occupation permit will be processed using Process VI (Section 20.35.600 et seq.).

Section 67. Section 20.30N.165 of the Land Use Code is hereby amended to read as follows:

20.30N.165 Assurance Device: In appropriate circumstances, the Director of Community development may require a reasonable performance or maintenance assurance device in conformance with

ORIGINAL

WP0235C-ORD
06/16/94

Section 20.40.490 to assure compliance with the provisions of the Land Use code and the Home Occupation Permit as approved.

Section 68. A new section 20.30S of the Land Use Code is hereby added as follows:

20.30S Vendor Cart Permit

20.30S.110 Scope: This part establishes the procedure and criteria that the City will use in making a decision upon an application for a Vendor Cart Permit.

20.30S.115 Applicability: This part applies to any application to operate a vendor cart as defined in Land Use Code section 20.52.052.

20.30S.120 Purpose: A Vendor Cart permit is a mechanism by which the City may permit small-scale, mobile retail sales.

20.30S.125 Applicable Procedure: The Director of the Department of Community Development shall review and decide on an application for a Vendor Cart Permit.

20.30S.130: Who May Apply: The property owner may apply for a permit to operate a Vendor Cart.

20.30S.135: Submittal Requirements:

- A. The Director of Community Development shall specify the submittal requirements, including type, detail, and number of copies, for a Vendor Cart Permit application to be deemed complete and accepted for filing.
- B. The Director of Community Development may waive specific submittal requirements determined to be unnecessary for review of an application.

20.30S.140: Decision Criteria: The Director may approve or modify and approve an application for a Vendor Cart permit, if:

- A. The use will not cause pedestrian or traffic congestion, and
- B. The use will be harmonious with existing and planned uses in the immediate vicinity, and
- C. The use is in accord with other applicable provisions of the Land Use Code, and

ORIGINAL

WP0235C-ORD
06/16/94

- D. The use is covered by a valid right of way use permit, if required under Bellevue City Code 14.30.080.

Section 69. Section 20.40.440 of the Land Use Code is hereby amended to read as follows:

20.40.440 Inspections

Whenever it is necessary to make an inspection to enforce any of the provisions of the Land Use Code, or whenever the Director of Community Development has reasonable cause to believe that there exists in any building, or upon any premises, any condition which makes such building or premises nonconforming the Director of Community Development may enter such building or premises, provided that if such building or premises be occupied, the Director of Community Development shall first present proper credentials and demand entry; and if such building or premises be unoccupied, the Director shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Director of Community Development shall have recourse to every remedy provided by law to secure entry.

Section 70. Section 20.40.475 of the Land Use Code is hereby repealed.

Section 71. Section 20.40.477 of the Land Use Code is hereby repealed.

Section 72. Section 20.40.478 of the Land Use Code is hereby repealed:

Section 73. Section 20.45B.020 of the Land Use Code is hereby amended to read as follows:

20.45B.020 Purpose

Pursuant to RCW 58.17.060 it is the intent of this chapter to permit administrative processing and approval of a division of land into nine or fewer lots, tracts, parcels, or sites; to promote the public health, safety, and general welfare; to further the goals and objectives of the comprehensive plan; to facilitate adequate provisions for water, sewer, storm water drainage, ingress and egress, and public uses; to promote the coordinated development of vacant lands; to protect Sensitive Areas as designated in the Sensitive Area Overlay District and the Sensitive Area Notebook; and to require conveyance by accurate legal description.

ORIGINAL

WP0235C-ORD
06/16/94

Section 74. Section 20.45B.160 of the Land Use Code is hereby amended to read as follows:

20.45B.160 Preliminary Short Plat - Extension

- A. The Director of Community Development may extend a Preliminary Short Plat not to exceed two years, if:
1. A written request for extension is filed at least 30 days before the expiration of the one year period; and
 2. Unforeseen circumstances or conditions necessitate the extension of the Preliminary Short Plat; and
 3. Termination of the Preliminary Short Plat would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and
 4. Conditions in the immediate vicinity of the subject property have not changed substantially since the Preliminary Short Plat was first granted; and
 5. An extension of the Preliminary Short Plat will not cause substantial detriment to existing uses in the immediate vicinity of the subject property or to the community as a whole.

Section 75. Section 20.45B.200 of the Land Use Code is hereby amended to read as follows:

20.45B.200 Final Short Plat - Applicable Procedure

The City will process an application for a Final Short Plat as provided in Sections .210-.250. The Director of Community Development is the applicable Department Director.

Section 76. Section 20.45B.240 of the Land Use Code is hereby amended to read as follows:

20.45B.240 Final Short Plat - Revision

- A. Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further subdivided in any manner unless a final subdivision thereof has been approved and filed for record in accordance with Chapter 20.45A of this code, or a binding site plan is approved in accordance with Land Use Code requirements; provided however, when the original short subdivision contains less than

ORIGINAL

WPO235C-ORD
06/16/94

nine lots it may be revised to create additional lots if no more than nine lots are created within the boundary lines of the original Short Plat during the original five-year period. For the purposes of calculating the five-year period, the date of approval of a short subdivision shall be the date the Short Plat was recorded with the King County Department of Records and Elections.

Section 77. Section 20.50.012 (part), subsection "Boarding House," of the Land Use Code is hereby amended to read as follows:

20.50.012 ADDITIONAL DEFINITIONS.

BOARDING HOUSE. A dwelling in which roomers and/or boarders are housed and/or fed for profit (see Section 20.20.140).

Section 78. Section 20.50.014 (part), subsection "Classified Street," of the Land Use Code is hereby repealed.

Section 79. Section 20.50.016 of the Land Use Code is hereby amended to read as follows:

20.50.016 ADDITIONAL DEFINITIONS

DEAD STORAGE. A storage area for items which are not currently intended for use.

DEDICATION. The deliberate appropriation of land by an owner for general or public uses, reserving no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat showing the dedication thereon; and the acceptance by the public of any public dedications shall be evidenced by the administrative approval by the city of such plat for filing and the filing thereof.

DEPARTMENT OF COMMUNITY DEVELOPMENT. An administrative department of the City of Bellevue as described in Bellevue City Code Chapter 3.45.

DEPARTMENT OF TRANSPORTATION. An administrative department of the City of Bellevue as described in Bellevue City Code Chapter 3.39.

DETACHED BUILDING. A building surrounded on all sides by open space.

DEVELOPMENT. All structures and other modifications of the natural landscape above and below ground or water, on a particular site. For the purposes of Par 20.25E, regulation for the Shoreline Overlay District, a different definition is used. See Section 20.25E.017.A.

ORIGINAL

WPO235C-ORD
06/16/94

DIRECTOR OF COMMUNITY DEVELOPMENT. The Director of Community Development for the City of Bellevue, the Director's authorized representative or any representative authorized by the City Manager.

DISTRICT. A land use district.

DIVISION OF LAND. The separation of any parcel of land into two or more parcels.

DOMESTIC ANIMALS, LARGE. Generally grazing or foraging animals including horses, cattle, llama, sheep, goats, ponies and other animals of similar size and character.

DOMESTIC ANIMALS, SMALL. Includes ducks, geese, swans, chickens, other fowl and animals of similar size and character, however, fewer than six fowl are treated as household pets.

DREDGING. Removal of earth from the bottom of a body of water usually for the purpose of deepening a navigational channel or obtaining bottom materials.

DUPLEX. See Dwelling, Duplex.

DWELLING, DUPLEX. A building containing two kitchens and designed to be occupied by two families living independently of each other, but not including single family dwellings within an approved accessory dwelling unit.

DWELLING, MULTIFAMILY. A building designed to house two or more families living independently of each other.

DWELLING, SINGLE FAMILY. A building containing but one kitchen, designed for and occupied exclusively by one family, except where a valid accessory dwelling unit registration has been approved.

DWELLING, UNIT. Houses, apartments, condominiums, groups of rooms, or single rooms, which are occupied, or vacant, but intended for occupancy, as separate living quarters. Specifically, there is a dwelling unit when the occupants live and eat separately from any other persons in the structure and there is either (1) direct access to the unit from the outside or through a common hall, or (2) complete kitchen facilities for the occupants' exclusive use. A single unit providing complete, independent living facilities for one or more persons including permanent provisions of living, sleeping, eating, cooking and sanitation.

Section 80. Section 20.50.040 of the Land Use Code is hereby amended to read as follows:

ORIGINAL

WP0235C-ORD
06/16/94

20.50.040 ADDITIONAL DEFINITIONS

PARK, CITY. A recreational facility and/or open space operated by the City under the direction of the City Manager or his or her designee for the use and benefit of the general public.

PARK, PRIVATE. A facility under private ownership which provides passive recreation activities such as beaches, trails, camping sites, horticultural exhibits or interpretive centers.,

PARK, PUBLIC. A recreational facility and/or open space operated by King County, the State of Washington, or other governmental agency for the use and benefit of the general public, but not included a city park.

PARKING, COMMERCIAL USE. Means the provision of parking to the public for a fee.

PARKING, SPACE. A space of a size adequate to temporarily park a motor vehicle which has access to a public street or alley.

PARKING, SHORT-TERM. Means pay, validated or designated parking available to the general public for three hours or less.

PARKING TEMPORARY. Parking spaces approved by the Director of Community Development for interim use during construction and site development, but in no case for use longer than one year. Upon termination of this temporary use or the expiration of one year, whichever comes first, the area occupied by the temporary parking spaces must be restored to a vegetated condition.

PEDESTRIAN CONNECTION. A continuous readily accessible, usable area, open at either end and designed primarily to provide public access between two or more publicly accessible spaces, including public sidewalks, by means of a direct route.

PEDESTRIAN ORIENTED FRONTAGE. Building frontage devoted to uses which stimulate pedestrian activity at the pedestrian level. Uses are typically sidewalk oriented and physically or visually accessible by pedestrians from the sidewalks. Uses which compose pedestrian oriented frontage include, but are not limited to, specialty retail stores, groceries, drug stores, shoe repair shops, cleaning establishments, floral shops, beauty shops, barber shops, department stores, hardware stores, apparel shops, travel agencies and other services, restaurants and theaters. Banks and financial institutions are not pedestrian oriented uses.

ORIGINAL

WPO235C-ORD
06/16/94

PEDESTRIAN SKYBRIDGE OR UNDERGROUND PASSAGEWAY. A continuous enclosed passageway connecting two or more publicly accessible spaces.

PERMITTED USE. Any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district.

PERSONAL SERVICE USE. An establishment that provides services involving the care of a personal or of a person's apparel, such as, laundry and dry cleaning services, beauty shops, barber shops, shoe repair shops, and tailors.

*PERSONAL USE HELIPORT. Any heliport that is used exclusively by the owner.

*Not effective within the jurisdiction of East Bellevue Community Council and Sammamish Community Council.

PLANNED UNIT DEVELOPMENT. A grouping of structures which contain certain uses occurring at a certain density, permitted subject to specified procedures and standards.

PLANNING DIRECTOR. The Planning Director for the City of Bellevue, the Director's authorized representative or any representative authorized by the City Manager.

PLAT. The map or representation of a subdivision.

PLAT, SHORT. The map or representation of a subdivision of nine parcels or less.

PLAZA. A continuous open space which is readily accessible to the public at all times, open above, and designed specifically for use by people as opposed to serving as a setting for a building.

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

PRELIMINARY PLAT. A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision, consistent with Chapter 20.45A and RCW 58.17.

ORIGINAL

WPO235C-ORD
06/16/94

PRIVATE PARK. A facility under private ownership which provides passive recreation activities such as beaches, trails, camping sites, horticultural exhibits or interpretive centers.

*PRIVATE USE HELIPORT. Any heliport that is used exclusively by the owner.

*Not effective within the jurisdiction of East Bellevue Community Council and Sammamish Community Council.

PROJECT LIMIT. A lot, portion of a lot or combination of lots or portions of lots treated as a single development parcel for purposes of the Land Use Code.

PROTECTED AREA. That area designated by Section 20.25H.070 where use or development is subject to special limitations due to its physical characteristics.

*PUBLIC USE HELIPORT. Any heliport open to the general public and which does not require prior permission of the owner to land.

*Not effective within the jurisdiction of East Bellevue Community Council and Sammamish Community Council.

PUBLIC WORKS DIRECTOR. The Director of Public Works for the City of Bellevue or the Director's authorized representative.

PUBLICLY ACCESSIBLE SPACE. An area which is open to the general public for passage, recreation or shopping during normal business hours.

Section 81. A new subsection "Replacement Value" is hereby added to Section 20.50.044 of the Land Use Code to read as follows:

20.50.044 ADDITIONAL DEFINITIONS

REPLACEMENT VALUE: The replacement value of a structure is the amount it would cost to replace it, minus deferred maintenance. The Director of Community Development shall promulgate rules for determining the replacement value of structures in the context of this Code.

Section 82. Section 20.50.046 of the Land Use Code is hereby amended to read as follows:

ORIGINAL

WP0235C-ORD
06/16/94

20.50.046 ADDITIONAL DEFINITIONS

SALES, INCIDENTAL RETAIL. Occasional retail sales forming a minor part of the total sales volume conducted on or from a business premises.

SALES, RETAIL. Sale to the ultimate consumer for direct consumption and not for resale.

SALES, TRADE. Sales, other than wholesale, of supplies, equipment, fixtures or hardware in small or mixed lots to other businesses, rather than to the general public. For the purpose of land use classifications, these are treated as wholesale trade.

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.

*SCHOOL. An institution primarily engaged in academic instruction for all or part of the K through 12 education program, public, parochial or private, and recognized or approved as such by the State.

*Not effective within the jurisdictions of the East Bellevue and Sammamish Community Councils.

- ** SCHOOLS.
- A. SCHOOL. An institution primarily engaged in academic instruction, public, parochial or private, and recognized or approved as such by the State.
 - B. PRESCHOOL or KINDERGARTEN. An institution primarily in child training and academic instruction prior to the mandatory First Grade.
 - C. SPECIALIZED INSTRUCTIONAL SCHOOLS. An institution engaged in specialized instructional areas, e.g., driving, trades, dancing and art; vocational school.

*Effective only with the jurisdiction of the East Bellevue and Sammamish Community councils.

SCULPTURE. Any form of sculpture located outside of a building.

ORIGINAL

WP0235C-ORD
06/16/94

SEMIPRIVATE FACILITY, SEMIPUBLIC FACILITY. Any facility which a class or group of the public is permitted to attend or use subject to the regulations of a club or other organization owning or regulating such facility.

SENIOR CITIZEN DWELLINGS. Dwellings exclusively designed for and occupied by families each of which have at least one person of 62 years of age or older, and limited by the requirements of State or federal programs for housing for senior citizens to include those individuals who are classified as head-of-household and are disabled or handicapped regardless of age.

SENSITIVE AREA. An area mapped or defined in the City of Bellevue Sensitive Area Notebook as a Sensitive Area including Areas of Special Flood Hazard, Wetlands, Riparian Corridors and Slopes equal to or exceeding 15%.

SETBACK. A space unoccupied by structures except where intrusions are specifically permitted by this Code.

SETBACK, FRONT. Space abutting a street right-of-way, access easement or private road either from which the lot is addressed or from which the lot gains primary access, and extending the full width of the lot; and at the intersection of two public rights of way, space abutting each right-of-way extending the full width of the lot.

SETBACK, REAR. Space abutting a property line, access easement or private road and opposite to the front setback or as nearly so as the lot shape permits, and extending the full width of the lot. If more than one rear setback is described, that setback which is farthest from the front setback is the required rear setback. All others will be treated as side setbacks. If more than one front setback exists, the rear setback is opposite to the front setback from which the lot gains access or is addressed.

SETBACK, SIDE. Space abutting a property line, access easement or private road and generally between the required front and rear setback. Any setback not defined as a front or rear setback is a side setback.

SHELTERED STATION. A structure for the protection from the elements of the waiting customers of a public transportation system.

SHOPPING CENTER. A grouping of retail business and service uses on a single site with common parking facilities.

ORIGINAL

WP0235C-ORD
06/16/94

SHORELAND, SHORELINE. Water and submerged lands under permanent bodies of water as further defined in Section 20.25E.010. (See RCW 90.58.030(2)(d).)

SIDEWALK. See Walk.

SIGHT AREA. An area through or across which unobstructed visibility is protected by this Code (See 20.20.830).

SIGN. Any device or visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

SIGNIFICANT IMPACT. Environmental effects of a proposed decision or action judged great enough to justify drafting an Environmental Impact Statement.

SIGNIFICANT TREE. A healthy evergreen tree, 8" in diameter or greater, measured 4 feet above existing grade, or a healthy deciduous tree, 12" in diameter or greater, measured 4 feet above existing grade. The Director of Community Development may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain. The Director of Community Development may also approve the retention of a group of small trees as a substitute for one or more significant trees.

SINGLE-FAMILY. See Dwelling, Single-family.

SITE. A lot or group of lots associated with a certain application, building or buildings or other development.

SOLID PLANTING. A planting of evergreen trees and shrubs which will prevent a through and unobscured penetration of site or light.

SORORITY. See Fraternity.

SPA. A tub, generally with heated and/or jetted water, designed for therapy and relaxation.

SPECIAL USE. A use which requires a conditional use permit, administrative conditional use permit, or planned unit development pursuant to Section 20.10.440.

SPECIALTY SPORTING GOOD. A retail sporting goods store which sells equipment and a subordinate amount of related apparel for a maximum of five sports activities. These uses may include space for practice and training areas, in addition to storage and retail sales display area.

ORIGINAL

WP0235C-ORD
06/16/94

SPECIFIED ANATOMICAL AREAS.

- A. Less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; or
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES.

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

STABLE, COMMERCIAL. See Riding Academy, Commercial Stable.

STATE. The State of Washington.

STOCK IN TRADE.

- A. The dollar value of all merchandise readily available for purchase, rental, viewing or use by patrons of the establishment, excluding merchandise located in any store room, under the counter or in any other portion of the premises not open to patrons; or
- B. The total volume of shelf space and display areas in those portions of the establishment open to patrons.

STORY. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above the basement, cellar or unused under-floor space is more than 6 feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered a story.

STREET. A public thoroughfare which affords the principal means of access to abutting properties.

STREET FRONTAGE. See Lot Frontage.

ORIGINAL

WP0235C-ORD
06/16/94

STRUCTURE. A combination of materials constructed and erected permanently on or under the ground or attached to something having a permanent location on or under the ground. Not included are residential fences, retaining walls less than 30 inches in height, rockeries less than 30 inches in height and similar improvements of a minor character. For the purposes of Part 20.35E, regulations for the Shoreline Overlay District, a different definition applies. See 20.25E.017.C.

STRUCTURAL ALTERATIONS. Any change in load or stress of the loaded or stressed members of a building or structure.

SUBDIVISION. The division or redivision of land into ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership, including all resubdivision of land.

SUBDIVISION, SHORT. The division or redivision of land, including a unit of land resulting from a previous subdivision, short subdivision, or revision into nine or fewer lots, tracts except nonbuilding tracts, parcels, sites or divisions, for the purpose of sale or lease or transfer of ownership.

SUBJECT PROPERTY. A lot, parcel, or group of contiguous lots or parcels owned by the same person.

SUBORDINATE USE. A use which is secondary or incidental to a permitted or principal use, located on the same lot or in the same structure as the permitted or principal use, and which is functionally related to the permitted or principal use. Subordinate uses generally are limited in size to twenty-five percent (25%) of the floor area devoted to the related permitted use.

SUPERBLOCK. In the area bounded by Main Street, 100th Avenue N.E., N.E. 12th St., and 112th Avenue N.E., Superblocks are those areas bounded by the intersections of the centerlines of even-numbered avenues, or their extensions with the centerlines of even-numbered streets, or their extensions.

SURFACE, IMPERVIOUS. Ground or covered ground, through which water cannot percolate.

Section 83. A new subsection "Vendor Cart" is hereby added to Section 20.50.052 of the Land Use Code as follows:

ORIGINAL

WPO235C-ORD
06/16/94

20.50.052 ADDITIONAL DEFINITIONS.

VENDOR CART: A cart with functional wheels which is not affixed to the ground, and which is operated for the purpose of vending food, drink, or retail goods, generally no larger than six feet wide by ten feet long by eight feet tall.

Section 84. This ordinance shall take effect and be in force five (5) days after its passage and the legal publication of a summary thereof.

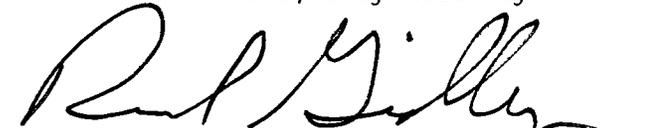
PASSED by the City Council this 6th day of June, 1994,
and signed in authentication of its passage this 6th day of
June, 1994.

(SEAL)


Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published June 24, 1994