

ORIGINAL

0037-ORD
01/06/97

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4959

AN ORDINANCE relating to the clarification of policies contained in the Comprehensive Plan which prohibit multifamily housing in certain Crossroads Planning Districts; amending Section 20.10.440 of the Bellevue Land Use Code.

WHEREAS, City of Bellevue Comprehensive Plan contains policies (S-CR-52 and S-CR-68) which prohibit multifamily housing in several of the Crossroads Planning Districts; and

WHEREAS, multifamily housing is permitted in the Community Business Districts with the exception of those located in Crossroads Planning Districts B and E; and

WHEREAS, the Land Use Code must be consistent with the policies contained in the Comprehensive Plan; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), RCW 43.21C, and the City's Environmental Procedures Code, BCC 22.02; now, therefore,

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

Section 1. 20.10.440 of the Bellevue Land Use Code is hereby amended as follows:

20.10.440 Land use charts.

[See next 2 pages]

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20.10.440 Land use charts.

Chart 20.10.440

Uses in land use districts

Residential

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | Open Use | Residential | | | | | | | | | | | |
|---|---|----------|-------------|---------|---------|---------|---------|---------|---------|---------|------|------|------|---|
| | | OU | R-1 | R-1.8 | R-2.5 | R-3.5 | R-4 | R-5 | R-7.5* | R-10 | R-15 | R-20 | R-30 | |
| 1 | Residential | | | | | | | | | | | | | |
| | Single-Family Dwelling 3 | P | P | P | P | P | P | P | P | P | P | P | P | P |
| | Two to Four Dwelling Units Per Structure | PD | PD | PD | PD | PD | PD | PD | PD | PD | P | P | P | P |
| | Five or More Dwelling Units Per Structure | PD | PD | PD | PD | PD | PD | PD | PD | PD | P | P | P | P |
| NOT CODED IN LAND USE CODE | Group Facility Class I 2,10,12 | P | P | P | P | P | P | P | P | P | P | P | P | P |
| | Group Facility Class II 2,10,11,12,13,14 | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 12 | Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions | PD | | | | | | | | | C | P | P | P |
| | Senior Citizen Dwellings 4,7 | PD 5 | PD 5 | PD 5 | PD 5 | PD 5 | PD 5 | PD 5 | PD 5 | PD 5 | P | P | P | P |
| 13 15 | Hotels and Motels | | | | | | | | | | | | | |
| | Congregate Care Senior Housing 4,7 | PD | | | | | | | | | P | P | P | P |
| 6516 | Nursing Home | C | | | | | | | | | C | P | P | P |
| | Assisted Living 4,7 | C | | | | | | | | | C | P | P | P |
| | Accessory Dwelling Unit 9 | S | S | S | S | S | S | S | S | S | S | S | S | S |

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

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

KEY

- P – PERMITTED USE
- C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
- PD – PERMITTED subject to planned unit development only.
(See Part 20.30D)
- A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
- S – Permitted only as a subordinate use to a permitted or special use

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Chart 20.10.440

Uses in land use districts

Residential

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | Professional Office | Office | Office/Limited Business | Light Industry | General Commercial | Neighborhood Business | Community Business | County Office District 1 | County Office District 2 | County Mixed Use District | County Residential District | County Old Bellevue District | County Office and Limited Business District |
|---|---|---------------------|--------|-------------------------|----------------|--------------------|-----------------------|--------------------|--------------------------|--------------------------|---------------------------|-----------------------------|------------------------------|---|
| | | PO | O | OLB | LI | GC | NB | CB | COU O-1 | COU O-2 | COU MU | COU R | COU OB | COU OLB |
| 1 | Residential | | | | | | | | | | | | | |
| | Single-Family Dwelling 3 | P15 | P1 | S | S | S | P8 | S | P | P | P | P | P | |
| | Two to Four Dwelling Units Per Structure | | P1 | P | | | P8 | P | P | P | P | P | P | |
| | Five or More Dwelling Units Per Structure | | P1 | P | | | P8 | P | P | P | P | P | P | |
| NOT CODED IN LAND USE CODE | Group Facility Class I 2,10 | P | P | P | P | P | P | P | P | P | P | P | P | P |
| | Group Facility Class II 2,10,11 | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 12 | Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions | | | | | | | C | P | P | P | P | P | |
| | Senior Citizen Dwellings 4,7 | P | P | P | | | P8 | P | P | P | P | P | P | |
| 13 15 | Hotels and Motels | | | P | | | | C | P | P | P | P | P | P |
| | Congregate Care Senior Housing 4,7 | P | P | P | | | P | P | P | P | P | P | P | |
| 6516 | Nursing Home | C | P | P | | | C | P | | | P | P | P | |
| | Assisted Living 4,7 | C | P | C | | | C | P | | | P | P | P | |
| | Accessory Dwelling Unit 9 | S | S | S | S | S | S | S | | | S | S | S | |

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010. (Ord. 4861, 3-28-96, § 16; Ord. 4816, 12-4-95, § 401; Ord. 4696-A, 11-21-94, § 2; Ord. 4498, 3-15-93, § 1; Ord. 4422, 9-28-92, § 2; Ord. 3530, 8-12-85, § 7)

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

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Notes: Uses in land use districts – Residential

- (1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O districts, unless Conditional Use permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.
- (2) Subject to the provisions for Reasonable Accommodations in LUC 20.50.044, Group Facilities, except Domestic Violence Shelter Homes, Foster Family Homes and Large Foster Family Homes, may not be established within 1,000 feet in any direction of any other like facility.
- (3) A boardinghouse or bed and breakfast is permitted in a single-family dwelling provided the requirements of LUC 20.20.140 are met.
- (4) An agreement must be recorded with the King County Department of Records and Elections restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain in perpetuity as senior housing.
- (5) Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.
- (6) Multifamily development in Planning Districts B and E of the Crossroads Subarea is not allowed. Refer to the Crossroads Subarea Plan policies of the Comprehensive Plan.
- (7) In areas where Comprehensive Plan policies specifically state that multifamily development is not appropriate, senior housing shall be permitted through the conditional use permit process.
- (8) These residential uses are permitted in NB districts only if located on the second floor and above the permitted ground floor non-residential uses.
- (9) Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.
- (10) A Group Facility must comply with the off-street parking requirements for the land use district in which it is located.
- (11) Operators of Class II Group Facilities must obtain a Class II Group Facility permit in accordance with Part 20.30T LUC. Each Class II Group Facility operator shall assign a staff person to serve as contact person for the Group Facility, advise the Director of the name of the staff person and provide a telephone number where the staff person may be reached during normal working hours, and a confidential alternate telephone number, which shall be available to and usable by City staff only, where the staff person may be reached at other than normal working hours.
- (12) Subject to the provisions for Reasonable Accommodations in LUC 20.50.044, Group Facilities located in R-1 through R-7.5 districts are limited to six Residents plus not more than two Resident Staff in addition to the minor children of the residents.
- (13) Subject to the provisions for Reasonable Accommodations in LUC 20.50.044, the following Class II Group Facilities are not permitted in R-1 through R-30 districts: (a) Facilities that are not operated by Resident Staff; (b) Facilities that accept Short Term Occupants; and (c) Facilities that house one or more persons who do not have a Handicap and who are a danger to others because: (i) their behavior is assaultive, physically violent, psychopathic, sexually deviant, sexually aggressive, or impaired by drug or alcohol dependency; or (ii) they have committed a crime or offense involving a serious threat to the person or property of another, including, but not limited to, rape, incest, theft or arson.

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(14) Class II Group Facilities in R-1 through R-30 districts must meet the following requirements:

(a) The Facility shall not display exterior signage that would alter the residential character of the premises.

(b) No structural alterations to the exterior of the structure shall be made which change its residential character except for alterations required by the Uniform Building or Fire Codes or other state or federal law.

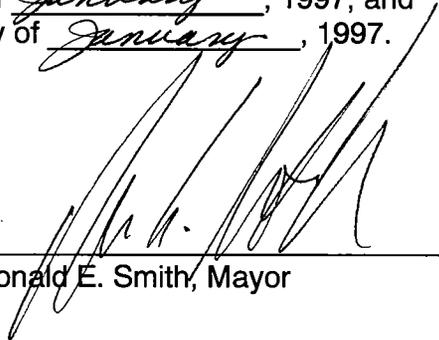
(c) The property must be landscaped in a manner compatible with surrounding residences.

(15) One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO district. (Ord. 4861, 3-28-96, §16; Ord. 4816, 12-4-95, § 401; Ord. 4696-A, 11-21-94, § 2; Ord. 4498, 3-15-93, § 1; Ord. 4422, 9-28-92, § 2; Ord. 4255, 6-3-91, § 1; Ord. 4065, 10-23-89, § 1; Ord. 4028, 7-17-89, § 1; Ord. 2945, 2-2-81, § 5)

Section 2. This ordinance shall take effect and be in force five (5) days after passage by the City Council.

PASSED by the City Council this 6th day of January, 1997, and signed in authentication of its passage this 6th day of January, 1997.

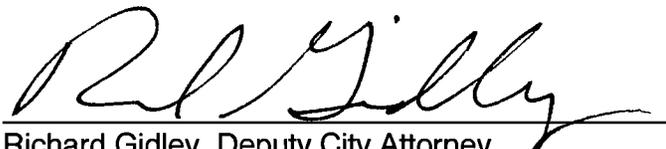
(SEAL)



Ronald E. Smith, Mayor

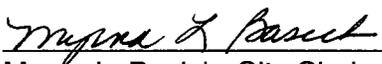
Approved as to form:

Richard L. Andrews, City Attorney



Richard Gidley, Deputy City Attorney

Attest:



Myrna L. Basich, City Clerk

Published January 10, 1997