

0164-ORD  
06/11/98

# ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5089

AN ORDINANCE relating to updating the Bellevue Land Use Code to correct typographical errors, inaccurate citations, and inadvertent repeals, to clarify provisions of the Land Use Code to ensure internal consistency, and to add a new section which regulates the storage and parking of commercial vehicles in residential areas; amending Sections 20.10.020, 20.10.440, 20.20.010, 20.20.017, 20.20.025B.3, 20.20.025E, 20.20.120D, 20.20.125B, 20.20.130B, 20.20.140, 20.20.170, 20.20.190, 20.20.400A.1, 20.20.400D, 20.20.520F.1 (Note 2), 20.20.520F.5, 20.20.560E, 20.20.590G, 20.20.590J.2, 20.20.590K.3, 20.20.680, 20.20.740, 20.25B.020B, 20.25B.040A, 20.25H.070A.4, 20.25H.070B.2, 20.25H.110A.9, 20.25H.110B.2, 20.30D.115C, 20.30D.165A.1, 20.30D.170, 20.30N.115, 20.30N.120, 20.30N.140, 20.35.070A, 20.35.120, 20.35.150A.7, 20.35.210A.3, 20.35.320, 20.35.350A.7, 20.35.365B, 20.35.420B.2, 20.45A.100, 20.45A.110A, 20.45B.230, 20.50.014 (part), 20.50.016 (part), 20.50.020 (part), 20.50.032 (part), 20.50.046 (part), and 20.50.050 (part) of the Bellevue Land Use Code; repealing Sections 20.10.160, 20.30D.155, 20.30N.130, and 20.30N.135 of the Bellevue Land Use Code and adding a new Section 20.20.192 to the Bellevue Land Use Code.

WHEREAS, the City of Bellevue continues to conduct a regulatory reform program to amend its Land Use Code to improve regulatory standards, omit unnecessary regulation and provide consistency between code sections; and

WHEREAS, it is the intent of the Bellevue City Council that the Land Use Code be free of typographical errors and inaccuracies to provide consistency, clarity and ease of administration of the land use permit and approval processes; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, 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. Section 20.10.020 of the Bellevue Land Use Code is hereby amended as follows:

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

District	Designation
Single-family Residential Estate	R-1
Single-family Residential	R-1.8
	R-2.5
	R-3.5
	R-4
	R-5
Multifamily Residential	R-7.5*
	R-10
	R-15
	R-20
	R-30
Professional Office	PO
Office	O
Office and Limited Business	OLB
Light Industrial	LI
General Commercial	GC
Neighborhood Business	NB
Community Business	CB
Downtown	
Office District 1	DNTN-O-1
Office District 2	DNTN-O-2
Multiple Use District	DNTN-MU
Residential District	DNTN-R
Old Bellevue District	DNTN-OB
Office and Limited Business District	DNTN-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 20.10.160 of the Bellevue Land Use Code is hereby repealed:

Section 3. Section 20.10.440 of the Bellevue Land Use Code is hereby amended as follows:

0164-ORD  
06/11/98

ORIGINAL

*[see next 33 pages]*

0164-ORD  
06/11/98

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20.10.440 Land use charts.  
[INSERT RESIDENTIAL CHARTS]  
Chart 20.10.440

Uses in land use districts

Residential

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Open Use <del>OU</del>	Residential										
			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	<del>P</del>	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units Per Structure	<del>PD</del>	PD	PD	PD	PD	PD	PD	PD	PD	P	P	P
	Five or More Dwelling Units Per Structure	<del>PD</del>	PD	PD	PD	PD	PD	PD	PD	PD	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military & Correctional Institutions	<del>PD</del>									C	P	P
	Senior Citizen Dwellings 4,7	<del>PD</del> <del>S</del>	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	P	P	P
13 15	Hotels & Motels												
	Congregate Care Senior Housing 4,7	<del>PD</del>									P	P	P
6516	Nursing Home	<del>C</del>									C	P	P
	Assisted Living 4,7	<del>C</del>									C	P	P
	Accessory Dwelling Unit 9	<del>C</del>	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

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	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
1	Residential													
	Single-Family Dwelling 3	P15	P 1	S	S	S	P 8	S	P	P	P	P	P	
	Two to Four Dwelling Units Per Structure		P 1	P			P 8	P6	P	P	P	P	P	
	Five or More Dwelling Units Per Structure		P 1	P			P 8	P6	P	P	P	P	P	
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military & Correctional Institutions							C	P	P	P	P	P	
	Senior Citizen Dwellings 4,7	P	P	P			P 8	P	P	P	P	P	P	
13 15	Hotels & 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. 4999, 7-7-97, § 1; Ord. 4959, 1-6-97, § 1; 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)

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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) (Deleted by Ord. 4999).
- (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 only 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 nonresidential 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) (Deleted by Ord. 4999).
- (11) (Deleted by Ord. 4999).
- (12) (Deleted by Ord. 4999).
- (13) (Deleted by Ord. 4999).
- (14) (Deleted by Ord. 4999).
- (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.

0164-ORD  
06/11/98

ORIGINAL

Chart 20.10.440

Uses in land use districts

Manufacturing

STD LAND USE CODE REF	LAND USE CLASSIFICATION	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
2 & 3	Manufacturing 1,4												
21	Food & Beverage Products Mfg.												
22	Textile Products Mfg.												
23	Apparel, Fabric, Accessories & Leather Goods Mfg.												
24	Lumber & Wood Products Mfg.												
25	Furniture & Fixtures Mfg.												
26	Paper Products Mfg.												
27	Printing, Publishing & Allied Industries												
28	Chemicals & Related Products Mfg.												
31	Rubber Products Mfg.												
314	Misc. Plastic Products Mfg.												
321 322 324 325 327	Light Stone, Clay, & Glass Products Mfg.; Glass, Pottery & China Ceramic Products, Stone Cutting & Engraving												

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

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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

Chart 20.10.440

Uses in land use districts

Manufacturing

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
2 & 3	Manufacturing 1,4													
21	Food & Beverage Products Mfg.				P 5	S 5	S	S						
22	Textile Products Mfg.				P									
23	Apparel, Fabric, Accessories & Leather Goods Mfg.				P	S		S						
24	Lumber & Wood Products Mfg.				S	S		S						
25	Furniture & Fixtures Mfg.				P	S		S						
26	Paper Products Mfg.				S 2									
27	Printing, Publishing & Allied Industries				P	P		S	S	S	S			
28	Chemicals & Related Products Mfg.				S 3									
31	Rubber Products Mfg.				C									
314	Misc. Plastic Products Mfg.				P	P		S						
321 322 324 325 327	Light Stone, Clay, & Glass Products Mfg.; Glass, Pottery & China Ceramic Products, Stone Cutting & Engraving				P	P		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.

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0164-ORD  
06/11/98

ORIGINAL

Chart 20.10.440

Uses in land use districts

Manufacturing

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
329	Handcrafted Products Mfg.												
3427	Computers, Office Machines & Equipment Mfg.												
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment & Component Parts												
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating & Plating												
35	Measuring, Analyzing & Controlling Instruments, Photographic, Medical & Optical Goods; Watches & Clocks Mfg.; Computer Software												
3997	Signs & Advertising Display Mfg.												
3999	Misc. Light Fabrication Assembly & Mfg. Not Elsewhere Classified												

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

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0164-ORD  
06/11/98

Chart 20.10.440

Uses in land use districts

Manufacturing

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
329	Handcrafted Products Mfg.				P	P		P	S	S	S	S	S	S
3427	Computers, Office Machines & Equipment Mfg.				P	P								
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment & Component Parts				P	S		S						
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating & Plating				P	S		S						
35	Measuring, Analyzing & Controlling Instruments, Photographic, Medical & Optical Goods; Watches & Clocks Mfg.; Computer Software	P	P	P	P	S		S						
3997	Signs & Advertising Display Mfg.				P	S		S						
3999	Misc. Light Fabrication Assembly & Mfg. Not Elsewhere Classified				P	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. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; Ord. 3530, 8-12-85, § 7)

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0164-ORD  
06/11/98

ORIGINAL

Notes: Uses in land use districts – Manufacturing

- (1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.
- (2) Paper Products Mfg. excludes paper and pulp manufacturing in LI Districts.
- (3) Manufacture of flammable, dangerous or explosive materials is excluded in LI Districts.
- (4) An office is permitted if accessory and subordinate to a manufacturing use.
- (5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.

0164-ORD  
06/11/98

ORIGINAL

Chart 20.10.440

Uses in land use districts

Transportation & Utilities

STD LAND USE CODE REF	LAND USE CLASSIFICATION	-Open Use-	Residential										
		<del>OU</del>	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
4	Transportation, Communication & Utilities												
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	<del>C-1</del>	C	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters												
4214 422	Motor Vehicle Transportation: Maintenance Garages & Motor Freight Services												
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage & Maintenance	<del>C-2</del>	C11	C 11	C 11	C 11	C11	C11	C 11	C11	C11	C11	C11
	Accessory Parking 6	<del>P-3</del>	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3
46	Auto Parking: Commercial Lots & Garages												
	Park & Ride 5	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
47	Point to Point Communications Services 9												
475	Radio & Television Broadcasting Studios												
479	Communication Broadcast & Relay Towers	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
	Highway & Street Right-of-Way	<del>P</del>	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	<del>P</del>	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment & Storage Facility 7												
	Off-Site Hazardous Waste Treatment & Storage Facility 8												

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

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- A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
- S – Permitted only as a subordinate use to a permitted or special use

ORIGINAL

0164-ORD  
06/11/98

Chart 20.10.440

Uses in land use districts

Transportation & Utilities

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
4	Transportation, Communication & Utilities													
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters				P	P		P	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages & Motor Freight Services				P	C			S	S	S			S
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage & Maintenance	C11	C	C	C	C	C11	C	C A 2,12	C A 2,12	C A 12			C A 2,12
	Accessory Parking 6	P	P	P	P	P	P	P	P4	P4	P4	P4	P4	P4
46	Auto Parking Commercial Lots & Garages			C	C	C		C	P13	P13	P13	A	P13	P13
	Park & Ride 5	C	C	C	C	C	C	C			A			A
47	Point to Point Communications Services 9	P	P	P	P	P		P	P	P	P	P	P	P
475	Radio & Television Broadcasting Studios	P	P	P	P10	P10		P	P	P	P		P	P
479	Communication Broadcast & Relay Towers	C	C	C	C	C	C	C	C	C	C	C	C	C
	Highway & Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment & Storage Facility 7			A	A	A	A	A	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment & Storage Facility 8				C									

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. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; Ord. 3530, 8-12-85, § 7)

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Notes: Uses in land use district – Transportation and Utilities

- (1) (Deleted)
- (2) Aircraft transportation is limited to only heliports in Downtown-O-1, Downtown-O-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 Planning and Community Development. See LUC 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 LUC 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 LUC 20.10.440.
- (7) On-site hazardous waste treatment and storage facilities as defined by LUC 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 the State siting criteria as adopted in accordance with RCW 70.105.210.
- (8) Off-site hazardous waste treatment and storage facilities as defined by LUC 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.
- (13) Design Review approval (Part 20.30F LUC) or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.

ORIGINAL

0164-ORD  
06/11/98

Chart 20.10.440

Uses in land use districts

Wholesale & Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Open-Use	Residential										
		<del>OU</del>	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
5	Trade (Wholesale & Retail)												
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials & Equipment except the following: 1												
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary & Structural Metals, Bulk Petroleum 2												
5193	Scrap Waste Materials, Livestock												
	Recycling Centers	<del>G</del>	C	C	C	C	C	C	C	C	C	C	C
521 522 523 524	Lumber & Other Bulky Building Materials Including Preassembled Products 3												
5251	Hardware Paint, Tile & Wallpaper (Retail)												
5252	Farm Equipment												
53	General Merchandise: Dry Goods, Variety & Dept. Stores (Retail)												
54	Food & Convenience Store (Retail) 27												
5511	Autos (Retail)												
	Trucks, Motorcycles, Recreational Vehicles (Retail)												
	Boats (Retail)	<del>CS</del>											

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

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(See Part 20.30D)
- A - ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
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Chart 20.10.440

Uses in land use districts

Wholesale & Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 5	CB 36*	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
5	Trade (Wholesale & Retail)													
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials & Equipment except the following: 1				P	P								
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary & Structural Metals, Bulk Petroleum 2				P	C								
5193	Scrap Waste Materials, Livestock													
	Recycling Centers				P	P	P	P	P	P	P	C	C	
521 522 523 524	Lumber & Other Bulky Building Materials Including Preassembled Products 3				P 35	P		P						
5251	Hardware Paint, Tile & Wallpaper (Retail)				S 35	P	P	P	P	P	P	P 21, 23	P 30	
5252	Farm Equipment				P 35									
53	General Merchandise: Dry Goods, Variety & Dept. Stores (Retail)							P	P	P	P	P 22, 23	P 30	
54	Food & Convenience Store (Retail) 27					P	P	P	P	P	P	P 22, 23	P 30	P38
5511	Autos (Retail)			P6	A 4, 35	P		C	P 24	P 24	P			
	Trucks, Motorcycles, Recreational Vehicles (Retail)				P 7, 35	P			P 24, 25	P 24, 25	P			
	Boats (Retail)				P 35	P			P 24	P 24	P			

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.

0164-ORD  
06/11/98

ORIGINAL

Chart 20.10.440

Uses in land use districts

Wholesale & Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Open Use	Residential											
		<del>OU</del>	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	
552	Automotive & Marine Accessories (Retail)	<del>C-9</del>												
553	Gasoline Service Stations	<del>C-10</del>												
56	Apparel & Accessories (Retail)													
57	Furniture, Home Furnishing (Retail)													
58	Eating & Drinking Establishments 37	<del>C-8</del>												
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals & Computer Supplies													
	Adult Retail Establishments 31													
5961	Farm Supplies, Hay, Grain, Feed & Fencing, etc. (Retail)													
596	Retail Fuel Yards													
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries & Light Supplies & Tools	<del>C-33</del>												
5999	Pet Shop (Retail & Grooming)													
	<del>Fireworks Stands 32</del>													
	Computers & Electronics (Retail)													

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

Chart 20.10.440

Uses in land use districts

Wholesale & Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 5	CB 36*	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
552	Automotive & Marine Accessories (Retail)				P 35	P		P			P			
553	Gasoline Service Stations			A 34	P 34, 35	P	P	P	A, S	A, S	P			A 34 S 38
56	Apparel & Accessories (Retail)			S				P	P	P	P	P 21, 23	P 30	P 38
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P	P	P	P 21, 23	P 30	
58	Eating & Drinking Establishments 37		P 13	P 14	P 15, 29, 35	P	P 16	P	P 28	P 28	P 28	P 23, 28	P 28	P 28, 38
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals & Computer Supplies		P 17	S		P 18	P 19	P	P	P	P	P 21, 23	P 30	P 38
	Adult Retail Establishments 31			S				P	P	P	P		P	S
5961	Farm Supplies, Hay, Grain, Feed & Fencing, etc. (Retail)				P 35	P								
596	Retail Fuel Yards				P 35	P								
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries & Light Supplies & Tools				P 35	P	P 20	P 20			P 20			
5999	Pet Shop (Retail & Grooming)				P 26, 35	P 26	P	P	P	P	P	P 21, 23	P 30	P 38
	<del>Fireworks Stands 32</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P 35</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
	Computers & Electronics (Retail)				P 12, 35	P 12		P	P	P	P	P 21, 23	P 30	

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. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; Ord. 4935, 12-2-96, § 1; Ord. 4646, 5-2-94, § 3; Ord. 4516, 4-12-93, § 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.

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 LUC 20.20.135.
- (5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet.  
Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 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 Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; 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 the ordinance codified in this chapter are exempt from the ACUP requirements.
- (6) Retail auto sales are permitted on the west side of 116th Avenue NE between NE 8th Street and Main Street only.
- (7) Motorcycle (Retail) requires administrative conditional use approval in LI Districts.
- (8) (Deleted)
- (9) (Deleted)
- (10) (Deleted)
- (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 the OLB District subject to the following criteria:
  - (a) Such uses are physically integrated within a structure primarily used as a hotel or motel, office building, charitable, social, professional and labor organization, fraternal lodge, recreational facility or institution such as a hospital or public assembly (indoor).
  - (b) Such uses do not exceed 20 percent 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 Districts.
- (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 on-site outdoor display or inventory storage.
- (25) Motorcycles only.
- (26) Only pet grooming is permitted in the LI and GC Districts.
- (27) Food and Convenience Stores (Retail) must contain at least 75 percent 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 LUC 20.20.127.
- (32) Firework stands do not require temporary use approval but must comply with BCC 23.11.781. Adequate access to the stand and off-street parking must be provided.
- (33) (Deleted)
- (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) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, Wilburton.
- (37) Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.

- (38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District provided the following criteria are met:
- (a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.
  - (b) The uses do not exceed 30 percent of the total floor area of the building or complex.
  - (c) Each individual retail use is limited to 15,000 gross square feet in area.
  - (d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.
- \* Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish County Council.

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0164-ORD  
06/11/98

Chart 20.10.440

Uses in land use districts

Services

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	
6	Services													
61	Finance, Insurance, Real Estate Services													
62	Personal Services: Laundry, Dry Cleaning, Barber & Beauty, Photography Studio & Shoe Repair													
6241	Funeral & Crematory Services													
6262	Cemeteries	-C-	C	C	C	C	C	C	C	C	C	C	C	C
629	Child Care Services 3,4													
	Family Day Care Home Mini-Center in Residence	-P-	P	P	P	P	P	P	P	P	P	P	P	P
	Mini-Day-Care-Center	-A-								A	A	P	P	
	Day-Care-Center	-C-								C	C	P	P	
63	Business Services, Duplicating & Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies & Employment													
634	Building Maintenance & Pest Control Services													
637	Warehousing & Storage Services, Excluding Stockyards													
639	Rental & Leasing Services: Cars, Trucks, Trailers, Furniture & Tools													
641	Auto Repair & Washing Services													
649	Repair Services: Watch, TV, Electrical, Upholstery													
	Professional Services: Medical Clinics & Other Health Care Related Services	-C-												
	Professional Services: Other	-C-												
6513	Hospitals													
66	Contract Construction Services: Building Construction, Plumbing, Paving & Landscape													

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

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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

0164-ORD  
06/11/98

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Chart 20.10.440

Uses in land use districts

Services

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 16	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
6	Services													
61	Finance, Insurance, Real Estate Services	P	P	P	P 1	P	P	P	P 13	P 13	P	P 11, 12	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber & Beauty, Photography Studio & Shoe Repair			S	P 2	P	P	P	P	P	P	P 11, 12	P	P 11, 20
6241	Funeral & Crematory Services	C	C	C										
6262	Cemeteries	C	C	C	C	C	C	C						
629	Child Care Services 3,4													
	Family Day Care Home Mini-Center in Residence	P	P	P	P	P	P	P	P	P	P	P	P	P
	<del>Mini Day Care Center</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
	<del>Day Care Center</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
63	Business Services, Duplicating & Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies & Employment	P	P	P	P 5	P	P 17	P	P	P	P	P 11, 12	P	P
634	Building Maintenance & Pest Control Services				P	P		P						
637	Warehousing & Storage Services, Excluding Stockyards				P	P		S						
639	Rental & Leasing Services: Cars, Trucks, Trailers, Furniture & Tools			S	P 6	P	A 18	P 7			P			S
641	Auto Repair & Washing Services				P	P	A 19	P			P 8			
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P	P	P		P	
	Professional Services: Medical Clinics & Other Health Care Related Services	P	P	P		P	P	P	P	P	P	P 11, 12	P 11	P
	Professional Services: Other	P	P	P	P 9	P		P	P	P	P	P 11, 12	P 11	P
6513	Hospitals	C	C	C	C	C		C			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving & Landscape				P	P								

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.  
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Chart 20.10.440

Uses in land use districts

Services

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
671	Governmental Services: Executive, Legislative, Administrative & Judicial Functions	<del>C</del>						C 15					
672 673	Governmental Services: Protective Functions & Related Activities Excluding Maintenance Shops	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
	Limited Governmental Services: Protective Functions 21									P	P	P	P
	Limited Governmental Services: Executive & Administrative, Legislative & Protective Functions 22												
674 675	Military & Correctional Institutions		C	C	C	C	C	C	C	C	C	C	C
681	Education: Primary & Secondary		C	C	C	C	C	C	C	C	C	C	C
682	Universities & Colleges		C	C	C	C	C	C	C	C	C	C	C
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber & Beauty Schools												
691	Religious Activities	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C
692 (A)	Professional & Labor Organizations Fraternal Lodge	<del>C</del>											
692 (B)	Social Service Providers	<del>C</del>	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14
	Administrative Office – General	<del>C</del>											
	Computer Program, Data Processing & Other Computer Related Services	<del>C</del>											
	Research, Development & Testing Services	<del>C</del>											

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

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KEY

- P – PERMITTED USE
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- PD – PERMITTED subject to planned unit development only.  
(See Part 20.30D)
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Chart 20.10.440

Uses in land use districts

Services

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 16	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
671	Governmental Services: Executive, Legislative, Administrative & Judicial Functions	C	C	C				C	P	P	P	P 11, 12	P 11	A
672 673	Governmental Services: Protective Functions & Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C			P	C	C	A
	Limited Governmental Services: Protective Functions 21													
	Limited Governmental Services: Executive & Administrative, Legislative & Protective Functions 22	P	P	P		P	P	P	P	P	P	P 12	P	P
674 675	Military & Correctional Institutions	C	C	C	C	C	C	C						
681	Education: Primary & Secondary	C	A	A	A	A	C	A	A	A	A	C	A	A
682	Universities & Colleges	P	P	P	P	P	C	P	P	P	P			
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber & Beauty Schools	P	P	P	P	P		P			P	P 11, 12	P 11	P
691	Religious Activities	P	P	P	P	P	C	P	P	P	P	C	C	P
692 (A)	Professional & Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P	C	C	P
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P	C	C	P
	Administrative Office – General	P	P	P	P 5	P		P	P	P	P	P 11, 12	P	P
	Computer Program, Data Processing & Other Computer Related Services	P	P	P	P 5	P			P	P	P	P 11, 12	P	P
	Research, Development & Testing Services	P	P	P	P 5	P			P	P	P	P 11, 12	P	P

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. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; 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.

Notes: Uses in land use districts - Services

- (1) Finance, Insurance, Real Estate Services are permitted only if commercially or industrially related in LI Districts.
- (2) Personal Services are permitted in LI Districts only if located in a multiple function building or complex.
- (3) Refer to LUC 20.50 for definitions of child care service, family child care home, and child day care center.
- (4) A child care service may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.
- (5) These uses are permitted in LI only if located in a multiple function building or complex.
- (6) Automobile rental and leasing services require administrative conditional use approval and are subject to the decision criteria in LUC 20.20.135.
- (7) Rental Services are restricted to autos and furniture in CB Districts and to truck, trailer, and tool rentals provided the site has two street frontages.
- (8) Auto repair and washing services are permitted only if washing services are a subordinate use to a permitted or special use in Downtown-MU Districts.
- (9) Professional services are permitted in LI Districts only if located in a multiple function building or complex.
- (10) Governmental Services include maintenance shops in LI and GC Districts.
- (11) Limited to a maximum of 1,500 gross square feet per establishment.
- (12) Nonresidential uses are permitted in Downtown-R only if developed in a building which contains residential uses.
- (13) Drive-in facilities may be permitted through Design Review Part 20.30F LUC at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:
  - (a) On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.
  - (b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
  - (c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
  - (d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.
  - (e) Walk up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.

# ORIGINAL

0164-ORD  
06/11/98

- (14) These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.
- (a) In the review of the proposed use or uses under the Administrative Conditional Use Permit application (Part 20.30E LUC), the following criteria shall be considered:
- (i) Consistency of the proposal with the goals and policies of the Comprehensive Plan.
  - (ii) Extent to which the physical environment will be modified by the proposal.
  - (iii) Ability to provide on-site parking facilities to accommodate intended uses under the proposal.
  - (iv) Extent of additional demand on public utilities and public services resulting from the proposal.
  - (v) Noise impacts of the proposal.
  - (vi) Traffic volumes and street classifications in the area of the proposal.
  - (vii) Compatibility of the proposal with surrounding land uses.
  - (viii) Impact of the proposal on the visual and aesthetic character of the neighborhood.
- In addition, the proposed use or uses shall not be more intensive than if the school were being used as a school.
- (b) A Master Conditional Use Permit listing a range of permissible uses from those permitted in the land use district as listed in LUC 20.10.440 can be obtained for the entire school by using the conditional use process (Part 20.30B or Part 20.30C LUC). Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a Conditional Use Permit.
- (15) Permitted in inactive elementary school facilities. The following criteria shall be considered:
- (a) Criteria a.i-viii, Note 14 – Uses in land use districts – Services.
  - (b) Hours of operation.
  - (c) Proposed signing.
- (16) Each individual service use in NB Districts is limited to 5,000 square feet. Administrative conditional use approval is required for hours of operation between 12:00 midnight and 6:00 a.m. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; 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 City of Bellevue Ordinance No. 4422 are exempt from the ACUP requirements.
- (17) Only travel agencies are permitted in NB District.

ORIGINAL

0164-ORD  
06/11/98

- (18) Rental services limited to truck, trailer and tool rentals are permitted in NB Districts with administrative conditional use approval, provided the site has two street frontages.
- (19) Auto repair and washing services are permitted with administrative conditional use approval only in NB sites that have two street frontages.
- (20) Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility.
- (21) Uses are limited to neighborhood community police stations of 1,000 square feet or less.
- (22) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.

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0164-ORD  
06/11/98  
Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Open Use	Residential										
		<del>OU</del>	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
7	Cultural Entertainment & Recreation												
711	Library, Museum	<del>C</del>			C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1
7113	Art Gallery	<del>C</del>			C	C	C	C	C	C	C	C	C
712	Nature Exhibitions: Aquariums, Botanical Gardens & Zoos	<del>C</del>											
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums & Exhibition Halls but excluding School Facilities												
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls & Teen Clubs												
7213	Drive-In Theaters												
	Adult Theaters	7											
7223 73	Public Assembly (Outdoor): Fairgrounds & Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks & Skateboard Tracks												
73	Commercial Amusements: Video Arcades, Electronic Games												

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

Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
7	Cultural Entertainment & Recreation													
711	Library, Museum	P	P	P				P	P	P	P	A	A	P
7113	Art Gallery	P	P	P				P	P	P	P	P <sup>4,5</sup>	P	P
712	Nature Exhibitions: Aquariums, Botanical Gardens & Zoos	C	C	C	C	C		C	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums & Exhibition Halls but excluding School Facilities			P				P	P	P	P	A <sup>5</sup>	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls & Teen Clubs			P				P	P	P	P	A <sup>5</sup>	A	P
7213	Drive-In Theaters				C	C		C						
	Adult Theaters	7		P				P	P	P	P		P	P
7223 73	Public Assembly (Outdoor): Fairgrounds & Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks & Skateboard Tracks					C		C						
73	Commercial Amusements: Video Arcades, Electronic Games					A		A			P			

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.

Chart 20.10.440

Uses in land use districts

Recreation

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	
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches & Pools 2	<del>C</del>	C	C	C	C	C	C	C	C	C	P	P	P
744	Marinas, Yacht Clubs	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C	C
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction													
7491 7515	Camping Sites & Hunting Clubs	<del>C</del>	C	C	C	C	C	C	C	C	C	C	C	C
76	Private Leisure & Open Space Areas Excluding Recreation Activities Above	<del>P</del>	C	C	C	C	C	C	C	C	C	P	P	P
	Public/Private Park	<del>P</del>	C	C	C	C	C	C	C	C	C	P	P	P
	Stables & Riding Academies	<del>C</del>	C											
	Boarding or Commercial Kennels	<del>C</del>	C											
	City Park* 10	<del>P/C</del>	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C

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
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(See Part 20.30D)
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- S - Permitted only as a subordinate use to a permitted or special use

Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches & Pools 2	C	C	C		C	C	C				P	A	A
744	Marinas, Yacht Clubs													
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction		C3	C	P3	P3	A9	P	A8	A8	P	A5	A8	A8
7491 7515	Camping Sites & Hunting Clubs	C	C	C	C	C	C	C						
76	Private Leisure & Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P	P	P	P	P	P	P	P
	Public/Private Park	P	P	P	P	P	P	P	P	P	P	P	P	P
	Stables & Riding Academies													
	Boarding or Commercial Kennels													
	City Park* 10	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C

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. 5038, 11-17-97, § 1; Ord. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; Ord. 4511, 4-5-93, § 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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06/11/98

Notes: Uses in land use districts - Recreation

- (1) Cultural activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 Districts.
- (2) For carnivals, see LUC 20.20.160.
- (3) Recreation activities do not include athletic clubs in O, LI and GC Districts.
- (4) Limited to a maximum of 2,000 gross square feet per establishment.
- (5) Nonresidential uses are permitted in Downtown-R only when developed in a building which contains residential uses.
- (6) Excludes zoos.
- (7) Adult Theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.
- (9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site.
- \*(10) City parks are generally permitted in all zones. However, the following types of uses or facilities in city parks in single-family or R-10 zones require conditional use approval: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Nonrecreation uses in city parks in all zones outside the Downtown require conditional use approval. For purposes of this requirement, "nonrecreation use" means a commercial, social service or residential use located on park property but not functionally related to city park programs and activities.

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06/11/98

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Chart 20.10.440

Uses in land use districts

Resources

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Open-Use	Residential										
		<del>OU</del>	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
8	Resource Production (Minerals, Plants, Animals Including Pets & Related Services)												
81	Agriculture, Production of Food & Fiber Crops, Dairies, Livestock & Fowl, Excluding Hogs	<del>P1</del>	P	P	P1	P1	P1	P1	P1	P1	P1	P1	P1
821	Agricultural Processing												
8221	Veterinary Clinic & Hospital												
8222	Poultry Hatcheries												
83	Forestry, Tree Farms & Timber Production	<del>P</del>	P	P	C	C	C	C	C	C	C	C	C
8421	Fish Hatcheries	<del>C</del>											
85	Mining, Quarrying (Including Sand and Gravel), Oil & Gas Extraction		C	C	C	C	C	C	C	C	C	C	C

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

Chart 20.10.440

Uses in land use districts

Resources

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8	Resource Production (Minerals, Plants, Animals Including Pets & Related Services)													
81	Agriculture, Production of Food & Fiber Crops, Dairies, Livestock & Fowl, Excluding Hogs	P1	P1	P1	P1	P1	P1	P1						
821	Agricultural Processing				P2									
8221	Veterinary Clinic & Hospital	P	P		P	P	P3	P			P			
8222	Poultry Hatcheries				P	P								
83	Forestry, Tree Farms & Timber Production	C	C	C	C	C	C	C						
8421	Fish Hatcheries				P									
85	Mining, Quarrying (Including Sand & Gravel), Oil & Gas Extraction	C	C	C	C	C	C	C						

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. 4979, 3-17-97, § 1; Ord. 4973, 3-3-97, § 301; 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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0164-ORD  
06/11/98

Notes: Uses in land use districts - Resources

- (1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.
- (2) Agriculture Processing excludes grain mill products manufacturing and slaughtering in LI Districts.
- (3) Veterinary Clinics and Hospitals are limited to 5,000 square feet per use in NB Districts.

Section 4. Section 20.20.010 of the Bellevue Land Use Code is hereby amended as follows:

*[See next 5 pages]*

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0164-ORD  
06/11/98

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts

Dimensional Requirements

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Generat	Open-Use	Residential										
		-G-	-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
	<b>DIMENSIONS</b>													
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	<del>95</del>	<del>95</del>	35	30	20	20	20	20	20	20	20	20	20
	Rear Yard (17) (18) (20)	<del>25</del>	<del>25</del>	25	25	25	25	20	20	20	25	25	25	25
	Side Yard (17) (18) (20)	<del>10</del>	<del>10</del>	5	5	5	5	5	5	5	5	5	5	5(1)
	2 Side Yards (17) (18) (20)	<del>20</del>	<del>20</del>	20	15	15	15	15	15	10	15	15	15	15
	Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)	<del>1A</del>	<del>1A</del>	35	20	13.5	10	8.5	7.2	4.7	8.5	8.5	8.5(12)	8.5(12)
	Dwelling Units per Acre (15) (21) (22)			1	1.8	2.5	3.5	4	5	7.5	10	15	20	30
	Minimum Dimensions (feet) Width of Street Frontage	<del>90</del>	<del>90</del>	30	30	30	30	30	30	30	30	30	30	30
	Width Required in Lot (4)	<del>150</del>	<del>60</del>	100	90	80	70	65	60	50	70	70	70	70
	Depth Required in Lot (4)	<del>150</del>	<del>80</del>	150	80	80	80	80	80	80	80	80	80	80
	Maximum in Building Height (feet) (10) (19) (26)	<del>30</del>	<del>30</del>	30	30	30	30	30	30	30	30	30	30	40
	Maximum Lot Coverage by Structures (percent) (13) (14) (26) (27)		<del>35</del>	35	35	35	35	35	40	40	35	35	35	35

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

NOTE: Dimensional Requirements for Downtown are found in Part 20.25A LUC.  
Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part 20.25F LUC.

Chart 20.20.010

Uses in land use districts

Dimensional Requirements

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	<b>DIMENSIONS</b>	(8)	(8)	(8)	(8)	(8)	(8)	(8)	(7)	(7)	(7)	(7)	(7)	(7)
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	30	30	50	15	15	(2)	(2)						
	Rear Yard (17) (18) (20)	25	25	50	(2)	(2)	(2)	(2)						
	Side Yard (17) (18) (20)	20	20	30	(2)	(2)	(2)	(2)						
	2 Side Yards (17) (18) (20)	40	40	60	(2)	(2)	(2)	(2)						
	Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)			2A										
	Dwelling Units per Acre (15) (21) (22)	10(23)	20(23)	30(23)			15(23)	30(23)						
	Minimum Dimensions (feet) Width of Street Frontage			200										
	Width Required in Lot (4)			200										
	Depth Required in Lot (4)													
	Maximum in Building Height (feet) (10) (19)	20	30	45(6)	45(9)	30	20(25)	45						
	Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35(24)	35(24)	35(24)	50		35(24)							

(Ord. 4979, 3-17-97, § 3; Ord. 4977, 3-17-97, § 1; Ord. 4973, 3-3-97, § 303; Ord. 4816, 12-4-95, § 402; Ord. 4422, 9-28-92, § 2; Ord. 4270, 7-8-91, § 6; Ord. 4065, 10-23-89, § 3; Ord. 3780, 5-26-87, § 1; Ord. 3775, 5-26-87, § 6; Ord. 3747, 1-20-86, § 2; Ord. 3690, 8-4-86, § 2)

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

NOTE: Dimensional Requirements for Downtown are found in Part 20.25A LUC.  
Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part 20.25F LUC.

Notes: Uses in land use districts - Dimensional requirements

- (1) Side yard setback in R-30 Districts increases to 20 feet on any side yard where structure exceeds 30 feet above finished grade.
- (2) All rear and side yards shall contain landscaping as required by LUC 20.20.520.
- (3) See LUC 20.20.012.
- (4) See LUC 20.20.015.
- (5) Except in transition areas, the maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.
- (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.
- (7) Dimensional requirements for Downtown Land Use Districts are listed in LUC 20.25A.020.
- (8) Any office building or any office portion of a building shall comply with the following limitations on Floor Area Ratio:
  - (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
  - (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area the following sliding scale shall be observed as interpolated and extrapolated below:
    - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
    - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
- \*(9) The maximum building height may be exceeded upon approval of the Director of Planning and Community Development. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E LUC. Before granting any such approval, the Director of Planning and 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 LUC.

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

- \* (10) Except in transition areas, the allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by one story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.
- \* 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.
- (11) The LUC contains enhanced setback requirements for churches, clubs, and institutions (refer to LUC 20.20.190) and schools (refer to LUC 20.20.740) located in residential land use districts.
- (12) For each square foot of lot area devoted to open space in excess of 30 percent of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
- (13) Lot coverage is calculated after subtracting all Protected Areas defined by LUC 20.25H.070.
- (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
- (15) If there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls.
- (16) Exceptions to Lot Coverage
  - (a) Underground buildings as defined in 20.50.050 are not structures for the purpose of calculating lot coverage.
  - (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
    - (i) The 30 inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
    - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in Sec.20.20.520G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternate Landscaping Option) are applicable.
- (17) 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.
- (18) See LUC 20.20.030 for designation and measurement of setbacks.
- \*(19) Notwithstanding any other provision of this Code, except Part 20.25B LUC or LUC 20.20.900 through 20.20.910, as applicable, the allowable building

height of an office building may be increased by one story, not to exceed 15 feet, if a minimum of 75 percent of the ground floor of that building is devoted to parking for that building.

- \* Effective only within Community Council jurisdiction.
- (20) See LUC 20.25H.090 for additional sensitive area setbacks.
- (21) Dwelling units per acre is determined pursuant to LUC 20.30D.155.
- (22) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as 0.5 unit and units 600 square feet or greater count as one unit.
- (23) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing.
- (24) Lot coverage may be increased to 50 percent if congregate care senior housing, senior citizen dwellings, assisted living or nursing homes are constructed on-site; provided, however, that coverage for the nonresidential portions of the development cannot exceed the maximum limits indicated. Lot coverage within NB Districts may be increased to 50 percent 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 percent of the site area shall not be included in lot coverage calculations.
- (25) 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.
- (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
- (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).

Section 5. Section 20.20.017 of the Bellevue Land Use Code is hereby amended as follows:

20.20.017 Minimum lot size – Averaging in short plats and subdivisions.  
In approved short plats and subdivisions, the individual lots shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the short plat or plat meets the minimum requirement for the district in which the short plat or plat is located, provided: (1) that no individual lot therein shall be reduced more than 10 percent 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 percent from the district minimum; (2) a reduction of five percent in the required lot width may be applied to 20 percent of the lots provided no reduction in the required area is applied to these lots.

Section 6. Section 20.20.025B.3 of the Bellevue Land Use Code is hereby amended as follows:

0164-ORD  
06/11/98

ORIGINAL

20.20.025 Intrusions into required setbacks.

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B. Garages/Carports on Slopes.

.....

3. A garage/carport must comply with the street intersection sight obstruction requirements of BCC 14.60.240.

.....

Section 7. Section 20.20.025E of the Bellevue Land Use Code is hereby amended as follows:

20.20.025 Intrusions into required setbacks.

.....

E. Underground Buildings and Buildings Constructed Partially Below Grade.

1. Limitations. This paragraph cannot be used to develop any building (including an underground building) which intrudes into setbacks required by LUC 20.25H.090.

2. Subject to the limitations contained in this paragraph, underground buildings may intrude in the required setback.

3. Subject to the limitations contained in this paragraph, buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, may intrude into required setbacks subject to the following conditions:

a. The 30 inch height limit must be met at all points along the building except those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and

b. The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in Sec.20.20.520.G.2 except that the required trees shall be a minimum of 10 feet in height at planting or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternate Landscaping Option) are applicable.

Section 8. Section 20.20.120D of the Bellevue Land Use Code is hereby amended as follows:

20.20.120 Accessory dwelling units.

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.....

D. Limitations.

A site may not contain both an accessory dwelling unit and a business subject to the regulations in 20.30N for a Home Occupation Permit.

.....

Section 9. Section 20.20.125B of the Bellevue Land Use Code is hereby amended as follows:

20.20.125 Accessory structures in residential districts – Detached.

.....

B. Applicability.

This section applies to detached accessory structures located on lots less than 20,000 square feet within any residential land use district. This section is not applicable to Guest Cottages regulated pursuant to LUC 20.20.250. This section is not applicable to structures exempt from regulation under the Uniform Building Code, as adopted by the City of Bellevue; however, exempt structures (e.g., swimming pools, greenhouses, and similar structures) and parked or stored recreational vehicles, watercraft, and utility trailers (regulated pursuant to LUC 20.20.720 or 20.20.890) may intrude into side or rear yard setbacks pursuant to the process contained paragraph F.3 of this section.

.....

Section 10. Section 20.20.130B of the Bellevue Land Use Code is hereby amended as follows:

20.20.130 Animals.

*[See next 2 pages]*

Animal Regulations

Type of Animal/Use	Maximum Number (A)	Minimum Lot Size	Minimum Setback (E)
1. Household Pets	Dogs, Cats, Rabbits: 3(B); Fowl: 6(D); Other: no maximum	No minimum	<p>May not be restrained, or enclosed outdoors so that the animal is able to come within 15 feet of a property line. This limitation does not prohibit the keeping of a household pet within the following areas, provided it must be allowed to roam freely therein:</p> <ol style="list-style-type: none"> <li>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</li> <li>2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or <del>principal</del> <del>primary</del> structure as one side of the enclosure and which may include all or a portion of either or both side yards.</li> </ol> <p>• No structure to house the household pet may be within 15 feet of a property line.</p>
2. Small Domestic Animals or Hobby Kennel	10: 20,000 sq. ft. and an additional 1,500 sq. ft. for each animal; 6: 10,000 sq. ft. and an additional 1,500 sq. ft. for each animal over 6.	20,000 sq. ft. or 10,000 sq. ft.	<p>May not be restrained, or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a small domestic animal within the following areas, provided it must be allowed to roam freely therein:</p> <ol style="list-style-type: none"> <li>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</li> <li>2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or <del>principal</del> <del>primary</del> structure as one side of the enclosure and which may include all or a portion of either or both side yards.</li> </ol> <p>• No structure to house the household pet may be within 25 feet of a property line.</p>
3. Large Domestic Animals	1: each 10,000 sq. ft.	20,000 sq. ft.	<p>May not be restrained, or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a large domestic animal within the following areas, provided it must roam freely therein:</p> <ol style="list-style-type: none"> <li>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</li> <li>2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or <del>principal</del> <del>primary</del> structure as one side of the enclosure and which may include all or a portion of either or both side yards.</li> </ol> <p>• No structure to house the animal may be within 25 feet of a property line.</p>

0164-ORD  
06/11/98

ORIGINAL

Special Regulations: Open pasture, foraging or grazing may extend to the property line.			
4. Bees	Maximum of four hives, each with one colony: Lots containing 15,000 sq. ft. or less.; Maximum of 15 hives, each with one colony: Lots containing more than 15,000 sq. ft. but less than 35,000 sq. ft.; Maximum of 25 hives, each with one colony: Lots containing 35,000 sq. ft. or more.	7,200 sq.	Hives must be at least 25 feet from a property line, except when situated 8 feet or more above adjacent ground level, or when situated less than 6 feet above adjacent ground level and behind a solid fence or hedge at least 6 feet high parallel to any property line within 25 feet of the hive and extending at least 25 feet level, or when situated beyond the hive in both directions.
Special Regulations: <ul style="list-style-type: none"> <li>• Must register with the Washington State Department of Agriculture.</li> <li>• Must requeen annually or anytime following swarming or aggressive behavior with a breeder raised queen of suitable docile strain.</li> <li>• Hives must be maintained to avoid overpopulation and minimize swarming.</li> <li>• Must be maintained in a movable frame hive at all times.</li> </ul>			
5. Kennel (C)	Determined in Conditional Use Process.	35,000 sq. ft.	May not be restrained, or enclosed outdoors so that the animal is able to come within 50 feet of a property line. This limitation does not prohibit the keeping of an animal within the following areas, provided it must be allowed to roam freely therein: 1) A lot which is fenced along all lot lines so as to enclose the entire lot, or 2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or principal structure as one side of the enclosure and which may include all or a portion of either or both side yards. • No structure to house the animal may be within 50 feet of a property line.
Special Regulations: See LUC 20.10.440.			
6. Commercial Stable or Riding Academy (C)	Determined in Conditional Use Process	35,000 sq. ft.	<ul style="list-style-type: none"> <li>• May not be restrained, or enclosed outdoors so that the animal is able to come within 50 feet of a property line. This limitation does not prohibit the keeping of an animal within the following areas, provided it must be allowed to roam freely therein:                1) A lot which is fenced along all lot lines so as to enclose the entire lot, or                2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or principal structure as one side of the enclosure and which may include all or a portion of either or both side yards.</li> <li>• No structure to house the animal may be within 50 feet of a property line.</li> </ul>
Special Regulations: See LUC 20.10.440. Open pasture, foraging or grazing may extend to the property line.			

Section 11. Section 20.20.140 of the Bellevue Land Use Code is hereby amended as follows:

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

Section 12. Section 20.20.170 of the Bellevue Land Use Code is hereby amended 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.

C. Family Child Care Home in a Residence.

Family child care providers must obtain an operating license from the Department of Health Services. Minimum licensing requirements can be found in WAC chapter 388-155. Family child care providers also must obtain a Registration Certificate from the City of Bellevue as required by Chapter 4.02 BCC (Tax Administration Code). All family child care homes must comply with applicable building and fire codes, the sign code (Chapter 22B.10 BCC), and LUC provisions governing lot size, building dimensions, setbacks and lot coverage requirements for the zone in which they are located.

D. Child Day Care Center.

1. General. The requirements of subsection D of this section apply to each child 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 subsections C and E of this section, respectively.

2. Review or Registration Required.

a. If located in an R-10 or R-15 Land Use District, child 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 child day care center must register with the Bellevue Department of Planning and 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 subsection D of this section as listed on the Registration Form.

3. Use Requirements. The following requirements apply to each child 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 day care center use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.

c. The child day care center 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 day care center 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 Chapter 4.02 BCC (Tax Administration Code).

f. If located in an R-10, R-15, R-20, or R-30 Land Use

District:

i. A solid fence at least six feet high compatible with neighborhood character must be installed along each side and rear lot line.

ii. One sign, not exceeding four square feet and five feet in height, is permitted to identify the use notwithstanding the provisions of Chapter 22B.10 BCC. 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 this subsection apply to each child day care center use located in a community facility.

2. Review or Registration Required. Each operator of a child day care center housed in a community facility must register with the Bellevue Department of Planning and Community Development by filing a signed Child Care Registration Form as provided by the Department prior to initiation of the use. The

ORIGINAL

0164-ORD  
06/11/98

operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration form.

3. Use Requirements. The following requirements apply to each child day care center use located in a community facility:

a. The child day care center use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.

b. The child day care center 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 day care center 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 Chapter 4.02 BCC (Tax Administration Code).

e. The child day care center 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.

Section 13. Section 20.20.190 of the Bellevue Land Use Code is hereby amended as follows:

20.20.190 Churches, clubs and similar use structures.

In R Districts, churches, institutions, clubs and community recreation buildings shall have side and rear yard required setbacks of a minimum of 50 feet each. Automobile traffic to and from such a use and its parking area shall be from an arterial street, unless other access is approved through a Conditional Use Permit.

Section 14. A new section 20.20.192 is hereby added to the Bellevue Land Use Code as follows:

20.20.192 Commercial Vehicles in Residential Land Use Districts

Commercial vehicles are not permitted to be parked overnight on residential properties unless approved through a Home Occupation Permit. "Commercial vehicles" include: 1) vehicles used in a commercial enterprise which exceed 19 feet in length; and 2) truck tractors used in the drayage of semi-truck trailers.

ORIGINAL

0164-ORD  
06/11/98

Section 15. Section 20.20.400A.1 of the Bellevue Land Use Code is hereby amended as follows:

20.20.400 Fences.

A. General.

1. No fence may violate the sight obstruction restrictions at street intersections. (See BCC 14.60.240.)

.....

Section 16. Section 20.20.400D of the Bellevue Land Use Code is hereby amended as follows:

20.20.400 Fences.

.....

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 Planning and Community Development upon finding that the fence will not violate sight obstruction standards (BCC 14.60.240), nor stand in, or in front of, any required landscaping.

Section 17. Section 20.20.520F.1 (Note 2) of the Bellevue Land Use Code is hereby amended as follows

F. Site Landscaping.

1. Perimeter Landscaping Requirements for Use Districts. The applicant shall provide site perimeter landscaping either according to the following chart and subject to paragraphs F.2 and F.6 of this section; or in conformance with subsection J of this section.

.....

(2) S/F includes the R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, and R-7.5 Land Use Districts.

.....

Section 18. Section 20.20.520F.5 of the Bellevue Land Use Code is hereby amended as follows:

.....

F. Site Landscaping.

.....

0164-ORD  
06/11/98

ORIGINAL

5. All plantings and fences required by this section are subject to the street intersection sight obstruction requirements, BCC 14.60.240. All plant materials must be pruned as necessary to comply with BCC 14.60.240.

.....

Section 19. Section 20.20.560E of the Bellevue Land Use Code is hereby amended as follows:

20.20.560 Nonconforming structures, uses and sites.

.....

E. The provisions of this section shall not apply in the Downtown Special Overlay District, Part 20.25A LUC. Refer to LUC section 20.25A.025 for the requirements for nonconforming uses, structures, and sites located within the Downtown Special Overlay District.

Section 20. Section 20.20.590G of the Bellevue Land Use Code is hereby amended as follows:

20.20.590 Parking, circulation and walkway requirements.

.....

G. Director's Authority to Require Parking Exceeding Maximum. Except within downtown, the Director of Planning and Community Development may approve the installation of more than the maximum number of parking stalls, for other than office uses, if the Director determines 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. Any required transportation management program will remain effective.

.....

Section 21. Section 20.20.590J.2 of the Bellevue Land Use Code is hereby amended as follows:

20.20.590 Parking, circulation and walkway requirements.

.....

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

.....

2. District Limitations. Off-site parking located in a residential Land Use District may only serve a use also located and allowed pursuant to LUC 20.10.440 in the same district.

.....

Section 22. Section 20.20.590K.3 of the Bellevue Land Use Code is hereby amended as follows:

20.20.590 Parking, circulation and walkway requirements.

.....

K. Parking Area and Circulation Improvements and Design.

.....

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 Chapter 14.60 LUC. 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 multifamily property onto streets which do not abut 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 Planning and Community Development or by the Fire Marshal.

Section 23. Section 20.20.680 of the Bellevue Land Use Code is hereby amended 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 BCC 14.60.240.

Section 24. Section 20.20.740 of the Bellevue Land Use Code is hereby amended as follows:

20.20.740 Schools.

A. Public and private pre-schools, elementary and secondary schools are permitted as indicated by the chart in LUC 20.10.440, provided the following standards are met:

1. School buildings in residential districts shall: 1) cover not more than 35 percent of their site area; and 2) provide 50 foot side and rear yard setbacks for elementary and higher-grade schools.

2. Minimum size requirements in all land use districts.

a. Elementary: one acre per 100 students

b. Junior High: one and one-half acres per 100 students

c. Senior High: two acres per 100 students

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

3. Playfield standards in all land use districts.

a. 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.

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

4. The Director of Planning and 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 LUC for an Administrative Conditional Use.

B. 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 25. Section 20.25B.020B of the Bellevue Land Use Code is hereby amended as follows:

20.25B.020 Applicability.

.....

B. Limitations.

1. Where a transition area abuts a portion of I-90, I-405, SR 520, Burlington Northern Railroad right-of-way, or power transmission line, which is located in a single-family or multifamily district, the City shall include that portion as part of the required width of the transition area.

2. If the applicant establishes that a minimum 150 feet width greenbelt or native growth protection easement is permanently dedicated for nonbuildable purposes and is located in a single-family or multifamily district, the City shall include that portion as part of required width of the transition area.

3. Development within any Downtown Land Use District is not subject to Transition Area Design District requirements (refer to LUC 20.25A.090, Perimeter Design District).

ORIGINAL

0164-ORD  
06/11/98

CHART - DISTRICTS RECEIVING TRANSITION

*[See next 2 pages]*

ORIGINAL

CHART - DISTRICTS RECEIVING TRANSITION

Districts Providing Transition	Districts Receiving Transition																				SINGLE FAMILY	MULTIFAMILY
	SINGLE FAMILY										MULTIFAMILY											
	G	A	<del>OU</del>	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-20	R-30	PO	O	OLB	U	GC	NB	CB	LUC OC*	LUC OC**
R-10	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲											▲	
R-15	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲											▲	
R-20	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲											▲	
R-30	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲											▲	
PO	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
O	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
OLB	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
LI	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
GC	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
NB	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
CB	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲
<del>OU</del>	▲	▲	<del>▲</del>	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲					▲	▲

ORIGINAL

\*A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

\*\*A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

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

► Areas of transition

Section 26. Section 20.25B.040A of the Bellevue Land Use Code is hereby amended as follows:

20.25B.040 Development standards.

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

A. Building Height.

1. Definition. For purposes of this chapter, building height shall be measured from average existing grade around the building to the highest point of a flat roof or parapet or to the mean height between the eaves and ridge of a pitched roof. Mechanical equipment and satellite dish antennas are included in building height calculations, except that mechanical equipment may extend into the upper one-half of a pitched roof form not to exceed 10 feet above maximum building height. This additional 10 feet is for equipment or screening purposes only and not to obtain additional habitable space.

Specifically excluded from this definition are slender structural elements not intended for human habitation and not exceeding 10 feet above the maximum building height including chimneys, smoke ventilation stacks, antennas, and flagpoles. This definition supersedes the building height definition in LUC 20.50.012 for purposes of this chapter only.

2. Maximum Height. The following chart sets forth the height limitation of any building within a transition area and the maximum height which may be achieved through bonuses as indicated in paragraph A.3 of this section:

Zone	Height Limitation (Underlying Zone)	Maximum Height w/Bonuses Limitation
R-10	30'	30'
R-15	30'	30'
R-20	30'	40'
R-30	30'	40'
PO	20'	30'
O	30'	40'
OLB	30'	45'
LI	30'	45'
GC	30'	40'

0164-ORD  
06/11/98

NB	20'/30'1	35'2
CB	30'	45'

(1) In the NB District, the 30-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note (25).

(2) The 35-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note (25) and achieves a five-foot height bonus as indicated in paragraph A.3 of this section.

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

	<u>Item</u>	<u>Increase Allowed</u>
a.	Underbuilding parking:	5-foot increase
b.	Basement parking: 10-foot increase	
c.	Pitched roof:	5-foot increase
d.	Top floor stepback on all sides of at least 10 feet:	5-foot increase
e.	No mechanical equipment on the roof:	5-foot increase
f.	Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition:	5-foot increase

4. Modification to Height. The maximum building height allowed in paragraph A.2 of this section may be modified through the Administrative Design Review process only if the following conditions are met:

a. When the location of the building pad is at least 20 feet below the existing grade at the property line of the property receiving transition; and

b. The modified building height does not exceed the maximum height permitted by the underlying land use district for properties outside transition areas; and

c. The project, with the height modification, will provide the same or better transition to the property receiving transition as with the maximum height permitted in paragraph A.2 of this section.

.....

Section 27. Section 20.25H.070A.4 of the Bellevue Land Use Code is hereby amended as follows:

20.25H.070 Designation and restriction of protected area.

A. Designation.

.....

4. Protected Slopes.

ORIGINAL

a. Areas of colluvial or landslide deposit on slopes of 15 percent or more, together with a primary setback of 75 feet from the toe-of-slope; and

b. Slopes of 40 percent or more together with a primary setback of 50 feet from the top-of-slope.

.....

Section 28. Section 20.25H.070B.2 of the Bellevue Land Use Code is hereby amended as follows:

20.25H.070 Designation and restriction of protected area.

.....

B. Modification of Protected Area Status.

Modifications to standards as specified below shall be approved as part of approval of an underlying permit as provided for in LUC 20.25H.040.

.....

2. Wetland Primary Setbacks. The width of the wetland primary setback may be averaged to reduce the minimum dimension up to 25 percent to accommodate specific design features including but not limited to site access where no feasible alternative is available, to align roads with existing intersections, to maintain intersection separation, or an essential element of an allowed use of the site. To approve a modification, the applicant must demonstrate:

a. No reasonable alternative to modification is available to accommodate allowed development; and

b. The proposal complies with all applicable design standards of LUC 20.25H.110; and

c. The same area of primary setback is maintained through additional setback on-site or off-site, adjacent to the same wetland, and is of equal or superior value. Area added to the setback elsewhere shall perform a buffering function and shall be generally oriented parallel to the boundary of the wetland. If off-site, permanent Native Growth Protection Area designations and restrictions must be recorded with the King County Department of Records over the affected replacement area to assure long-term preservation.

.....

Section 29. Section 20.25H.110A.9 of the Bellevue Land Use Code is hereby amended as follows:

20.25H.110 Performance standards for Sensitive Areas.

All use and development within Sensitive Areas shall conform to the standards of this section. Standards shall apply to the entire contiguous parcel owned or controlled by

ORIGINAL

0164-ORD  
06/11/98

the applicant if necessary to enable compliance with the purpose and intent of the code.

A. Area of Special Flood Hazard.

.....

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 Natural Resources 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 (BCC 24.06.085) and must meet the water quality standards of BCC 24.06.060.9.

.....

Section 30. Section 20.25H.110B.2 of the Bellevue Land Use Code is hereby amended as follows:

20.25H.110 Performance standards for Sensitive Areas.

.....

B. Wetlands.

.....

2. 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 Natural Resources Conservation Service, U.S. Department of Agriculture; and

b. Wetland areas must be protected from significant impacts of agricultural chemicals and pesticides as required by the Storm and Surface Water Utility Code (BCC 24.06.085) and must meet the water quality standards of BCC 24.06.060.9.

.....

Section 31. Section 20.30D.115C of the Bellevue Land Use Code is hereby amended as follows:

20.30D.115 Applicability.

.....

C. In no case may a Planned Unit Development include uses which are not permitted by the zoning of the subject property. For purposes of this Part 20.30D, however, a single-family dwelling as defined in LUC 20.50.016 includes dwellings attached by common walls, floors, and ceilings.

Section 32. Section 20.30D.155 of the Bellevue Land Use Code is hereby repealed:

Section 33. Section 20.30D.165A.1 of the Bellevue Land Use Code is hereby amended as follows:

20.30D.165 Planned Unit Development plan – Request for modification of zoning requirements.

The applicant may request a modification of the requirements and standards of the Land Use Code as follows:

A. Density.

1. General. The applicant may request a bonus in the number of dwelling units permitted by the underlying land use district (see LUC 20.10.010).

.....

Section 34. Section 20.30D.170 of the Bellevue Land Use Code is hereby amended as follows:

20.30D.170 Planned Unit Development plan – Limitation on authority to modify zoning.

The following provisions of the Land Use Code may not be modified pursuant to LUC 20.30D.165:

- A. Any provision of this Part 20.30D, Planned Unit Development; or
- B. Any provision of LUC 20.10.440 – Uses in Land Use Districts; or
- C. Any provision of Part 20.25E LUC, the Shoreline Overlay District; or
- D. Any provision of the Land Use Code which specifically states that it is not subject to modification; or
- E. The procedural, enforcement and administrative provisions of the Land Use Code or any other applicable City Code; or
- F. Any provision of Part 20.25H LUC, the Sensitive Area Overlay District, except as specifically provided for in that part.

Section 35. Section 20.30N.115 of the Bellevue Land Use Code is hereby amended as follows:

20.30N.115 Applicability.

A Home Occupation Permit is required for any occupation or profession carried on in a dwelling unit, subject to the following exceptions. The requirements of this section are not applicable to: 1) businesses which have no external indication of commercial activity, including no nonresident employees, no client visits, no business-related deliveries, and no vehicle signage; and 2) family child care homes located in a residence (see LUC 20.20.170C).

Section 36. Section 20.30N.120 of the Bellevue Land Use Code is hereby amended as follows:

20.30N.120 Purpose.

A Home Occupation Permit is a mechanism by which the City may permit a business to be conducted in a dwelling by a resident of that dwelling. The business must be largely incidental to use of the premises as a dwelling. In a nonresidential land use district either a Home Occupation Permit must be obtained or all commercial development standards must be met.

Section 37. Section 20.30N.130 of the Bellevue Land Use Code is hereby repealed.

Section 38. Section 20.30N.135 of the Bellevue Land Use Code is hereby repealed.

Section 39. Section 20.30N.140 of the Bellevue Land Use Code is hereby amended as follows:

20.30N.140 Decision criteria.

A. The Director of Planning and Community Development may approve or modify and approve 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 percent 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
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

ORIGINAL

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; and

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.

B. In approving, conditioning or denying an application for a Home Occupation Permit, the City may consider, in addition to the criteria in paragraph A of this section, the following:

1. The location of the proposed home occupation in relation to traffic impacts and safety concerns to the adjacent neighborhood; and

2. The impacts the proposed home occupation may have on the residential character of the neighborhood; and

3. The cumulative impacts of the proposed home occupation in relation to other City-approved home occupations in the immediate vicinity; and

4. The imposition of a condition under which the City reserves the right to impose additional conditions or to reconsider the home occupation within a certain timeframe from approval date, based on complaints filed with the City.

Section 40. Section 20.35.070A of the Bellevue Land Use Code is hereby amended as follows:

20.35.070 Appeal of City land use decisions to Superior Court.

A. A final City decision on a land use permit application (Process I – III), except for shoreline permits, may be appealed to Superior Court by filing a land use petition meeting the requirements set forth in Chapter 36.70C RCW. The petition must be filed and served upon all necessary parties as set forth in state law and within the 21-day time period as set forth in RCW 36.70C.040. Notwithstanding the provisions of this paragraph, the time for filing an appeal of a Process II land use action that has been merged with a Process I or III application will be tolled until the Process I or III decisions are final. Requirements for fully exhausting City administrative appeal opportunities must be fulfilled. An appeal of a Shoreline

ORIGINAL

Substantial Development Permit, a Shoreline Conditional Use Permit, or a shoreline variance shall be to the State Shoreline Hearings Board and shall be filed within 21 days as set forth in RCW 90.58.180.

....

Section 41. Section 20.35.120 of the Bellevue Land Use Code is hereby amended as follows:

20.35.120 Notice of application.

A. Notice of application shall be provided, pursuant to the requirements of this section, within 14 days of issuance of the notice of completeness for an application for a Process I land use decision.

B. The Director shall provide notice of the application as follows:

1. Publication of the project description, location, types of City permits or approvals applied for, date of application and location where the complete application file may be reviewed in a newspaper of general circulation in the City;

2. Mailed notice to owners of real property within 200 feet of the project site including the following information:

- a. The date of application,
- b. The project description and location,
- c. The types of City permits or approvals applied for,
- d. The Director may, but need not, include other information

to the extent known at the time of notice of application, such as: the identification of other City permits or approvals required, related permits from other agencies or jurisdictions not included in the City permit process, the dates for any public meetings or public hearings, identification of any studies requested for application review any existing environmental documents that apply to the project, and a statement of the preliminary determination, if one has been made, of those development regulations that will be used for project mitigation;

3. Mailed notice of the application including at least the information required in paragraph A.1 of this section to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be the Chair and Vice Chair of each Community Council and a representative from each of the neighborhood groups, community clubs, or other citizens' groups who have requested regular notice of land use actions;

4. Mailed notice of the application including at least the information required in paragraph A.1 of this section to each member of a Community Council having jurisdiction over an application pursuant to Chapter 35.14 RCW..

C. The Applicant shall provide notice of the application as follows:

1. Posting of two signs or placards on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The Director shall establish standards for size, color, layout, design, wording, placement, and timing of installation and removal of the signs or placards.

0164-ORD  
06/11/98

Section 42. Section 20.35.150A.7 of the Bellevue Land Use Code is hereby amended as follows:

20.35.150 Appeal of Hearing Examiner decision.

A. A Process I decision of the Hearing Examiner may be appealed to the City Council as follows:

.....

7. City Council Decision on Appeal.

a. Criteria. The City Council may grant the appeal or grant the appeal with modifications if the appellant has carried the burden of proof and the City Council finds that the decision of the Hearing Examiner is not supported by material and substantial evidence. In all other cases, the appeal shall be denied. The City Council shall accord substantial weight to the decision of the Hearing Examiner.

b. Conditions. The City Council may impose conditions as part of the granting of an appeal or granting of an appeal with modifications to ensure conformance with the criteria under which the application was made.

c. Findings. The City Council shall adopt findings and conclusions which support its decision on the appeal.

d. Required Vote. A vote to grant the appeal or grant the appeal with modifications must be by a majority vote of the membership of the City Council. Any other vote constitutes denial of the appeal.

.....

Section 43. Section 20.35.210A.3 of the Bellevue Land Use Code is hereby amended as follows

20.35.210 Notice of application.

A. Notice of application for Process II land use decisions shall be provided within 14 days of issuance of a notice of completeness as follows.

.....

3. If signs are required, two signs or placards shall be posted by the applicant on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The Director shall establish standards for size, color, layout, design, wording, placement, and timing of installation and removal of the signs or placards.

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Section 44. Section 20.35.320 of the Bellevue Land Use Code is hereby amended as follows:

20.35.320 Notice of application.

ORIGINAL

A. Notice of application shall be provided, pursuant to the requirements of this section, within 14 days of issuance of the notice of completeness for an application for a Process III land use decision.

B. The Director shall provide notice of the application as follows.

1. Publication of the project description, location, types of City permits or approvals applied for, date of application and location where the complete application file may be reviewed, in a newspaper of general circulation in the City.

2. Mailed notice to owners of real property within 200 feet of the project site including the following information:

- a. The date of application;
- b. The project description and location;
- c. The types of City permits or approvals applied for;
- d. The Director may, but need not, include other information

to the extent known at the time of notice of application, such as: the identification of other City permits or approvals required; related permits from other agencies or jurisdictions not included in the City permit process; the dates for any public meetings or public hearings; identification of any studies requested for application review; any existing environmental documents that apply to the project; and a statement of the preliminary determination, if one has been made, of those development regulations that will be used for project mitigation.

3. Mailed notice of the application including at least the information required in paragraph A.1 of this section to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be the Chair and Vice Chair of each Community Council and a representative from each of the neighborhood groups, community clubs, or other citizens groups who have requested regular notice of land use actions.

4. Mailed notice of the application including at least the information required in paragraph A.1 of this section to each member of a Community Council having jurisdiction over an application pursuant to Chapter 35.14 RCW.

C. The Applicant shall provide notice of the application as follows:

1. Posting of two signs or placards on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The Director shall establish standards for size, color, layout, design, wording, placement, and timing of installation and removal of the signs or placards.

.....

Section 45 Section 20.35.350A.7 of the Bellevue Land Use Code is hereby amended as follows:

20.35.350 Appeal of Hearing Examiner recommendation.

A. A Process III recommendation of the Hearing Examiner may be appealed to the City Council as follows:

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ORIGINAL

0164-ORD  
06/11/98

7. City Council Decision on Appeal.

a. Criteria. The City Council may grant the appeal or grant the appeal with modifications if the appellant has carried the burden of proof and the City Council finds that the recommendation of the Hearing Examiner is not supported by material and substantial evidence. In all other cases, the appeal shall be denied. The City Council shall accord substantial weight to the recommendation of the Hearing Examiner.

b. Conditions. The City Council may impose conditions as part of the granting of an appeal or granting of an appeal with modifications to ensure conformance with the criteria under which the application was made.

c. Findings. The City Council shall adopt findings and conclusions which support its decision on the appeal.

d. Required Vote. A vote to grant the appeal or grant the appeal with modifications must be by a majority vote of the membership of the City Council. Any other vote constitutes denial of the appeal.

Section 46. Section 20.35.365B of the Bellevue Land Use Code is hereby amended as follows:

20.35.365 Community Council review and decision.

.....

B. The applicable Department Director shall prepare and distribute notice of the public hearing at which the Community Council will take action in accordance with the Community Council's Rules of Procedure.

.....

Section 47. Section 20.35.420B.2 of the Bellevue Land Use Code is hereby amended as follows:

20.35.420 Public hearing notice.

.....

B. Provision of Notice.

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2. If the proposal involves specific property, rather than an area-wide or zone-wide change, two signs or placards shall be posted by the applicant on the site or in a location immediately adjacent to the site that provides visibility to motorists using the adjacent streets. The Director shall establish standards for size, color, layout, design, wording, placement, and timing of installation and removal of the signs or placards.

.....

Section 48. Section 20.45A.100 of the Bellevue Land Use Code is hereby amended as follows:

ORIGINAL

20.45A.100 Exemption.

The provisions of this chapter do not apply to the following:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is at least 20 acres.

For purposes of computing the size of any lot under this subsection which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;

- C. Divisions made by testamentary provisions, or the laws of descent;
- D. Divisions of land into lots or tracts classified for industrial or commercial use or for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed on the land when the City has approved a Binding Site Plan in accordance with Land Use Code requirements;
- E. A division made for the purpose of alteration by adjusting boundary lines between platted or unplatted lots or both which does not create any additional lot, tract, parcel or site, in accordance with LUC 20.45B.260;
- F. Any division of land by short subdivision as provided for in Chapter 20.45B LUC.

Section 49. Section 20.45A.110A of the Bellevue Land Use Code is hereby amended as follows:

20.45A.110 Preliminary plat – Special notice requirement.

- A. General.

The notice requirements of this section are in addition to the notice requirements of LUC 20.35.120 and 20.35.135.

.....

Section 50. Section 20.45B.230 of the Bellevue Land Use Code is hereby amended as follows:

20.45B.230 Final short plat – Recording required.

Upon final short plat approval, the Department of Planning and Community Development will forward an approved short plat to the King County Department of Records and Elections for recording. Signatures of approval from the appropriate, authorized administrators in the Department of Public Works and Utilities, Department of Storm and Surface Water Utility, and the Department of Planning and Community Development shall constitute approval by the City for recording of the short plat. No administrative approval of a short subdivision is deemed final until a short plat is recorded and proof of recording is received by the Department of Planning and Community Development.

0164-ORD  
06/11/98

ORIGINAL

Section 51. Section 20.50.014 (part) of the Bellevue Land Use Code is hereby amended as follows:

20.50.014 C definitions.

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Child Care Service. A use providing regular care and training for children, generally for less than 24 hours, outside of the immediate family, or K through 12 education system. This use includes family child care homes and child day care centers. Also included are preschool and nursery school facilities which are not part of the K through 12 education program. Not included are uses solely for religious purposes.

.....

Section 52. A new definition of "Child Day Care Center" is hereby added to section 20.50.014 of the Bellevue Land Use Code as follows:

Child Day Care Center. A child care service use providing regularly scheduled care for period less than 24 hours. A child care service use meeting the definition of family child care home does not fall within the scope of this definition.

Section 53. A new definition of "Colluvium" is hereby added to section 20.50.014 of the Bellevue Land Use Code as follows:

20.50.014 C definitions

.....

Colluvium. A soil deposit derived from downslope movement of material from other soil formations as the result of one or more small earth slides. These deposits are typically found on steep hillsides or at the base of slopes.

.....

Section 54. The definition of "Detached Building" contained in section 20.50.016 of the Bellevue Land Use Code is hereby repealed:

20.50.016 D Definitions.

.....

Section 55. A new definition of " Family Child Care Home" is hereby added to section 20.50.020 of the Bellevue Land Use Code as follows:

20.50.020 F Definitions

.....

Family Child Care Home. A child care service use located in the family residence which provides regularly scheduled care for twelve or fewer children for periods of

0164-ORD  
06/11/98

ORIGINAL

less than 24 hours. For the purposes of this definition, family residence means the dwelling unit occupied for living purposes by the child care provider which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

.....

Section 56. Section 20.50.032 (Part) of the Bellevue Land Use Code is hereby amended as follows:

Lot Coverage. The percentage of a lot which is built upon subject to the exclusions listed in LUC 20.20.012 and the exceptions contained in the dimensional requirements charts contained in LUC sections 20.20.010 and 20.25A.020.

Section 57. A new definition of "Landslide Deposit" is hereby added to section 20.50.032 of the Bellevue Land Use Code as follows:

20.50.032 L definitions

Landslide Deposit. A large mass of earth and/or rock that has moved physically downslope by gravity and broken into discrete fragments.

Section 58. Section 20.50.046 (part) of the Bellevue Land Use Code is hereby amended as follows:

20.50.046 S definitions.

.....

Sight Area. An area through or across which unobstructed visibility is protected by this Code (See BCC 14.60.240).

.....

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 20.25E LUC, regulations for the Shoreline Overlay District, a different definition applies. See 20.25E.017.C.

.....

Section 59. A new definition of "Underground Building" is hereby added to section 20.50.050 of the Bellevue Land Use Code:

0183-ORD  
07/30/98

ORIGINAL

20.50.050 U definitions

Underground Building. A building or structure or portion thereof constructed entirely below existing or finished grade, whichever is lower.

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Section 60. The purpose of Section 14 of this ordinance is to make the regulations governing parking of commercial vehicles in residential areas uniform throughout the City. That purpose would be frustrated if this ordinance were disapproved by either of the Community Councils. Therefore, Section 14 of this ordinance shall not take effect until both the East Bellevue Community Council and the Sammamish Community Council have approved this ordinance, or until sixty days have passed from the date of enactment of this ordinance without it having been disapproved by either Community Council, whichever first occurs. If this ordinance is disapproved by either Community Council, Section 14 of this ordinance shall not go into effect anywhere in the City.

Section 61. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

PASSED by the City Council this 3rd day of August, 1998, and signed in authentication of its passage this 3rd day of August, 1998.

(SEAL)



Mike Creighton, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



████████████████████ City Attorney

Attest:



Myrna L. Basich, City Clerk

Published August 7, 1998