

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5308

AN ORDINANCE relating to the Traffic Standards Code (TSC) and amending Section 2 (part) of Ordinance No. 4823 and Section 14.10.020I of the Bellevue City Code; creating an additional exemption from the TSC for Neighborhood Shopping Centers which meet specific criteria.

WHEREAS, neighborhood concern about the plight of neighborhood shopping centers (especially fears of grocery store closures) led the City Council to prioritize the preservation and enhancement of neighborhood shopping centers to ensure their economic vitality and continued provision of necessary good and services to the immediate neighborhood; and

WHEREAS, as a result of City-wide neighborhood concerns regarding the continued viability of neighborhood shopping centers, the Department of Planning and Community Development studied a number of such centers in 2000; and

WHEREAS, the study indicated that residents living in the vicinity of declining neighborhood shopping centers are changing their vehicle travel habits to shop at more distant regional centers that provide a broader array of necessary goods and services; and

WHEREAS, the City Council desires to accommodate redevelopment objectives supported by neighbors to revitalize declining neighborhood shopping centers and reintroduce availability of necessary goods and services into residential neighborhoods; and

WHEREAS, the City responded by offering to partner with neighborhood shopping center owners to undertake urban design studies; and

WHEREAS, the purpose of the studies was to generate redevelopment options and to initiate dialogue among the neighbors, owner and the City about the future of the neighborhood shopping centers and to help the interested parties to reach consensus on a preferred development option; and

WHEREAS, Cosmos Development & Administration Corp. was the first to partner with the City and that partnership led to the creation of a preferred development option for the Lake Hills Shopping Center; and

WHEREAS, the City conducted three meetings involving many of the surrounding neighborhood residents to discuss redevelopment options for the Lake Hills Shopping Center; and

WHEREAS, the preferred redevelopment option was embraced by a majority of the neighbors during a public hearing before the City Council; and

WHEREAS, reintroduction of necessary goods and services within a residential neighborhood reduces the distance that residents in the vicinity of the neighborhood shopping center must travel to obtain necessary goods and services for every day living; and

WHEREAS, reintroduction of necessary goods and services within a residential neighborhood reduces the number of trips that residents in the vicinity of a neighborhood shopping center must make through other residential neighborhoods and on the broader arterial street network of the City to access more distant regional centers that provide a broader array of necessary goods and services; and

WHEREAS, the effect of reducing the number of trips and length of trips which residents of neighborhoods must make to obtain necessary goods and services would reduce the total traffic on the City street network; and

WHEREAS, the methodology for determining traffic generation does not fully recognize the actual reduction in traffic on the City street network which is achieved by enabling neighborhood residents to obtain necessary goods and services within their own neighborhood rather than being required to travel outside their neighborhood to more distant locations; and

WHEREAS, inclusion of a narrowly tailored exemption to the TSC is appropriate for neighborhood shopping center redevelopment projects that will create a net community benefit, including not only reducing the numbers and lengths of shopping trips from neighborhoods, but also preventing deterioration of neighborhood shopping centers which would eventually become a blight on the surrounding neighborhood; and

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

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

Section 1. Section 2 (part) of Ordinance No. 4823 and BCC 14.10.020I are hereby amended to read as follows:

14.10.020 Application and administration.

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I. Exemptions. The portion of any project used for any of the following purposes is exempt from the requirements of this chapter:

1. Child care facility for children, as defined in Land Use Code 20.50.014, if not operated for profit;
2. Public transportation facilities;
3. Public parks and recreational facilities;
4. Privately operated not-for-profit social service facilities recognized by the Internal Revenue Service under Internal Revenue Code Section 501(c)(3);

5. Affordable housing, which is defined as housing which is affordable to persons whose income is below 80 percent of the median income for persons residing in the Seattle Metropolitan Statistical Area;

6. Public libraries;

7. Publicly-funded educational institutions;

8. Hospitals, as defined in Bellevue City Code (Land Use Code) 20.50.024, if not operated for profit.

9. Neighborhood Shopping Center Redevelopment Projects, defined as a project located in a Commercial Business (CB) or Neighborhood Business (NB) land use district surrounded by Residential land use districts on a site not greater than eight (8) acres in size that is proposed to accommodate a total Floor Area Ratio (FAR) not to exceed 0.6 and a mix of NB and CB uses. This exemption applies only to those uses that are included as a component of a Neighborhood Shopping Center Redevelopment Project and are permitted outright in the NB land use district.

Notwithstanding the exemptions hereunder provided, the traffic resulting from an exempt use shall nonetheless be included in computing background traffic for any nonexempt project.

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 30th day of July, 2001, and signed in authentication of its passage this 30th day of July, 2001.

(SEAL)

Chuck Mosher, Mayor

Approved as to form:
Richard L. Andrews, City Attorney

Attest:
Myrna L. Basich, City Clerk

Published August 3, 2001