

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5867

AN ORDINANCE amending the City of Bellevue Land Use Code relating to SRO Factoria; specifically amending Section 20.20.010, footnotes (8) and (31) of the Land Use Code; providing for severability; and establishing an effective date.

WHEREAS, on February 25, 2008, the City Council adopted Ordinance No. 5799 amending the Comprehensive Plan of the City of Bellevue to modify the Factoria Subarea Plan to allow increased FAR in the F2 district; and

WHEREAS, the Land Use Code of the City of Bellevue must be amended to implement the provisions of Ordinance No. 5799; and

WHEREAS, the Planning Commission held a public hearing on January 28, 2009, to consider the proposed Land Use Code amendments; and

WHEREAS, the Planning Commission recommends that the City Council approve such proposed amendments; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 42.21C RCW) and the city Environmental Procedures Code (Chapter 22.02 BMC); now, therefore,

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

Section 1. Section 20.20.010 – Wholesale and Retail Use Chart, footnote (8) of the Bellevue Land Use Code is hereby amended to read:

(8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 Districts 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.

- (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.

This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.

Section 2. Section 20.20.010 – Dimensional Requirements, footnote (31) of the Bellevue Land Use Code is hereby amended to read:

- (31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of 0.75 FAR.

Section 3. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 6th day of April, 2009 and signed in authentication of its passage this 6th day of April, 2009.

(SEAL)



Grant S. Degginger, Mayor

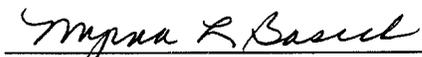
Approved as to form:

Lori M. Riordan, City Attorney



Lacey Madche, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published _____