1395-ORD
07/10/14

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6169

AN ORDINANCE amending the City of Bellevue Land Use Code relating to retail uses and dimensional requirements in the Community Business (CB) land use district in the Wilburton Subarea, amending Section 20.10.440 (wholesale and retail use chart, note (36)) and Section 20.20.010 (maximum building height), and adding a new note (46) to Section 20.20.010; providing for severability; and establishing an effective date.

WHEREAS, the City of Bellevue Comprehensive Plan, Policy S-WI-3, anticipates that portions of the Wilburton Subarea will be rezoned to Community Business when NE 4th Street is extended; and

WHEREAS, the City's extension of NE 4th Street is underway; and

WHEREAS, the City of Bellevue Comprehensive Plan, Policy S-WI-2, indicates that large retail uses are generally appropriate west of the former BNSF rail corridor; and

WHEREAS, the City of Bellevue Comprehensive Plan, Policy S-WI-4, indicates that heights of up to 75 feet are appropriate for development generally between I-405 and the BNSF corridor, and along 116th Avenue NE in those areas zoned Community Business; and

WHEREAS, the City Council finds that a Land Use Code Amendment is necessary and appropriate to implement the policies of the Comprehensive Plan cited above; and

WHEREAS, on May 19, 2014 the City Council initiated a Land Use Code Amendment to allow retail uses exceeding 100,000 square feet in size in the Wilburton subarea for properties designated CB through a development agreement with design guidelines appropriate to the scale of use, and allowing for heights of up to 75 feet on properties designated CB in the Wilburton subarea between I-405 and the BNSF corridor; and

WHEREAS, on May 19, 2014 the City Council determined that, to allow for efficient processing of such amendment and anticipated development agreement, it is necessary for the City Council to hold the required public hearing on the LUCA as provided for in LUC Section 20.35.410.A; and

WHEREAS, the City Council held a public hearing on June 23, 2014 to consider the proposed Land Use Code amendment; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the 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 20.10.440 – Wholesale and Retail Use Chart, note 36 - of the Bellevue Land Use Code is hereby amended to read:

*(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, and Wilburton; provided, that in CB Districts in the Wilburton Subarea, retail uses may be allowed to exceed 100,000 gross square feet through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that (a) address the potential impacts of that scale of retail use, and (b) are consistent with the vision of Comprehensive Plan Policy S-WI-3 regarding the creation of a "retail village" on the commercial area west of 120th Avenue NE.

Section 2. Section 20.20.010 – Uses in land use districts dimensional requirements – is hereby amended to revise the Community Business column in the Maximum Building Height row to read:

45 (46)

Section 3. Section 20.20.010 – Uses in land use districts dimensional requirements – is hereby amended to add a new note 46 to read:

(46) Maximum building height in CB districts of the Wilburton Subarea that are located between 116th Ave NE and the BNSF Corridor is 75 feet.

Section 4. Severability. Should any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after adoption and legal publication.

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Passed by the City Council this 14th day of July, 2014 and signed in authentication of its passage this 14th day of July, 2014.

(SEAL)

Claudia Balducci, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Mary Kate Berens, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published July 17, 2014.