

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Bel-Red Land Use Code Amendments

STAFF CONTACTS

Matt Terry, Director, 452-6191
Dan Stroh, Planning Director, 452-5255
Planning & Community Development Department

Mike Brennan, Director 452-4113
Carol Helland, Land Use Director, 452-2724
Development Services Department

POLICY ISSUES

Should the City adopt new land use regulations and zoning to implement the Bel-Red Subarea Plan?

DIRECTION NEEDED FROM COUNCIL

Action
 Discussion
 Information

This Study Session is the latest in a series of Council discussions about Bel-Red, and will focus on the Land Use Code and associated zoning. These regulatory components implement the Bel-Red Subarea Plan and map and related Comprehensive Plan amendments that were adopted by Council on February 17, 2009. Staff is requesting Council direction to facilitate final ordinance drafting. Outstanding issues requiring Council consideration include:

1. Whether Technical Amendments recommended by Staff should be adopted.
2. Whether Substantive Amendments recommended by Staff should be endorsed.
3. Whether East Area Building Height Limits recommended by the Planning Commission capture the Council direction provided in the Subarea Plan.
4. Whether amendment recommended by Staff in response to Bel-Green and OPUS comments should be endorsed.
5. Whether Regional TDRs should be included in the amenity incentive system.

These issues are presented in detail below and will be addressed in order during the study session on March 2. Staff is still evaluating issues raised by Wright Runstad related to the implementation package. A future Study Session will be scheduled to discuss the "catalyst project" issues.

BACKGROUND / ANALYSIS

The Bel-Red project was initiated by the City Council in 2005 with the adoption of a set of planning principles that sought to establish a long term vision for the area, enhance the area's

economic strengths, capitalize on the opportunity of high capacity transit, integrate planning for land use and transportation, and provide for greater environmental sustainability. Through a two year public process, the Bel-Red Steering Committee developed a vision to transform Bel-Red. The Steering Committee's recommendation was formally reviewed by five of the City's boards and commissions, leading to adoption of the Bel-Red Subarea Plan, and the specific Land Use Code and zoning that is now before Council for review.

PREVIOUS CITY COUNCIL REVIEW

Council has had numerous briefings on Bel-Red over the last three years that culminated in adoption of a new subarea plan on February 17, 2009. In September and October 2008, the Council reviewed the subarea plan, land use map, and code provisions recommended by the Planning Commission. On November 10, Council was provided with a follow-up memorandum that addressed a series of issues that emerged from the initial review. The memorandum discussed incorporation of changes to the incentive system following the Urban Land Institute (ULI) review, future review steps for the NE 15th/16th corridor design, use of terminology, designations of specific areas, and other issues. Council subsequently held three additional study sessions to discuss details regarding the subarea plan and application of zoning to specific parcels.

This memorandum focuses on outstanding issues that require Council review and direction so that the Code package can be finalized. Direction from tonight's meeting will be incorporated into draft ordinances for further discussion at a future Council study session.

A. LAND USE CODE AMENDMENT PACKAGE

Since the Planning Commission's recommendation in July, a number of factors have led to continued refinement of the draft Code language. Staff has conducted additional internal review that included the City Attorney's office and the Land Use review staff to ensure that the proposed code language was clear, precise, and enforceable. We have also continued to receive public comments and questions about the proposed Land Use Code. These factors prompted staff to recommend changes intended to clarify the Code's intent and application. Anticipation of these additional changes was discussed by the Council in November 2008.

Copies of the updated Land Use Code amendments are included as Attachment A. This version of the draft Land Use Code is presented in strike-draft form to show changes made to the Planning Commission Transmittal. Rationale for the recommended changes is annotated in the margin of the attached strike-draft.

1. Staff Recommended Changes

Staff is recommending a range of technical amendments to the code previously transmitted by the Planning Commission. The technical amendments do not change the substance of the Planning Commission recommendation. These amendments fall into one or more of the following six categories:

- Provision Moved (relocated within the text)
- Code Consistency
- Code Clarity
- Code Flexibility

- Correction
- Simplification

Staff is also recommending four substantive changes to the Planning Commission recommendation. These changes modify the Planning Commission recommendation and fall into one of the following four categories:

- FAR Limitation
- Floor Plate Maximum
- Residential Mixed Use Requirement
- Recommendations based on ULI Feedback

Additional explanation regarding the technical and substantive amendments are presented in the cover memorandum to Attachment A. Staff reviewed the proposed technical and substantive changes with the Planning Commission on January 7. The Planning Commission endorsed the amendments recommended by staff. At the same time, the Planning Commission recommended four corrections to the Bel-Red Overlay portion of the Land Use Code amendment package. These corrections are identified in the strike-draft as Planning Commission Corrections or Planning Commission Clarifications.

2. City Council Directed Changes

Following initial review of the subarea plan, Council directed staff to revisit size limitations associated with retail and service uses in the Bel-Red Residential (BR-R) District. These changes were suggested as a means to provide flexibility and a more graceful transformation from industrial to residential use. The attached strike-draft responds to the Council direction by eliminating the individual use requirements in favor of a larger aggregate size limit of 10,000 square feet, allowing commercial uses on the ground floor of residential structures, and allowing existing structures to be re-tenanted with individual retail and service uses that do not exceed a maximum of 10,000 square feet. These changes are identified in the strike-draft with a City Council BR-R annotation.

Dormitory use provisions were also modified in response to Council concerns. The strike-draft no longer permits stand-alone dormitories or boarding/fraternal houses. The strike-draft responds to Council direction by permitting dormitory uses more surgically, so they are only allowed when operated in affiliation with a college or university use. These use chart changes are identified in the strike-draft with a City Council Dormitory annotation.

3. East Area Building Heights

Over the course of the Council's review of Bel-Red Subarea, the Council received a number of comments from citizens and property owners concerned about the potential height of buildings in the east portion of the Subarea, between Bel-Red Road and 156th Avenue NE (the Angelo's site and vicinity). We also heard property owners express a need for somewhat taller height limits. The Planning Commission recommendation includes a number of detailed provisions to address community concerns while supporting appropriate redevelopment, which include:

- A general height limit of 70 feet (up from a height limit of 60 feet that currently applies to much of the area)

- A height limit of 45 feet adjacent to 156th Avenue NE to provide a step-down transition on the Subarea's eastern edge; this height limit applies to the area within 50 feet of 156th Avenue NE
- A requirement for a 40-foot separation between buildings to encourage east-west view windows across the affected sites
- A maximum building width of 150 feet to avoid a continuous view blocking wall along 156th Avenue NE (see revision discussed below)

As part of the Subarea Plan review, the Council thoroughly reviewed the height options and implications for this area recognizing the tension between wanting to support appropriate redevelopment while respecting the transitional nature of the area and the adjacent, lower density neighborhood. With the adoption of the Subarea Plan on February 17, the Council confirmed applying an overall height limit of 70 feet and a height limit of 45 feet along 156th Avenue. Staff will be prepared to address any remaining questions the Council has regarding the east area height limits.

Bel-Green Development and The OPUS Group raised additional, more detailed, comments about the application of the height limits and other dimensional standards for this area, which resulted in modest proposed code changes. Letters received from Bel-Green, OPUS and Coa-Cola Bottling are included in Attachment D together with a staff response to the issues raised. In response to Bel-Green and OPUS comments, staff recommends increasing the maximum façade length for buildings along 156th Avenue NE from the 150 feet recommended by the Planning Commission to 190 feet. This dimension will increase the flexibility for redevelopment and allow developers to better maximize the use of their sites while maintaining the Planning Commission's objective of moderating building mass and bulk at this edge of the Subarea. Staff has proposed one other step-back clarification that is described in greater detail in Attachment D. These recommended changes are included in the strike-draft of the Bel-Red Land Use Code, and no other amendments are proposed in response to the comments received.

4. Other issues raised by Bel-Green Development and The OPUS Group

Bel-Green Development and The OPUS Group have sent recent letters that comment on dimensional requirements, the amenity incentive system, and building design standards. The letters together with the staff responses have been included as Attachment D for Council reference. As noted above in the discussion of the east area building heights, staff recommends increasing the maximum façade length for buildings along 156th Avenue NE from the 150 feet recommended by the Planning Commission to 190 feet in response to these comments. This additional change is included in the attached draft of the Bel-Red Land Use Code. Staff will be prepared to discuss the responses during the Study Session or can bring back additional information as directed by Council.

5. Regional TDRs (Transfer of Development Rights)

Participation in a Regional Transfer of Development Rights program was addressed favorably in the Bel-Red Steering Committee report. Incorporating Regional TDRs into the Bel-Red incentive zoning system could be an opportunity to help preserve open space and natural areas outside of the City that are important to the community and contribute to regional growth

management goals. Subsequent to the Steering Committee effort, King County came forward with a proposal to promote Bel-Red as a receiving area for the King County Regional TDR program, offering a County capital investment in funding to help off-set the loss of infrastructure funding due to the TDR bonus replacing Bel-Red's "Tier 1" bonus for parks and stream restoration.

Whether it makes sense to participate in a Regional TDR program involves analysis of how the program would fit into the proposed land use incentive system, balancing the local and regional benefits to be obtained via Regional TDRs against infrastructure revenues lost to Bel-Red. It also entails consideration of whether Regional TDRs are an appropriate tool for preserving rural resource lands and open space, as opposed to conventional regulatory approaches.

A white paper assessing the Regional TDR proposal from King County and addressing the valuation of TDR credits was prepared by the City's economic consultant, Property Counselors. This was previously distributed to Council with other materials related to the long-term funding strategy, and is re-printed in tonight's packet as Attachment B.

The Council engaged in a significant discussion of Regional TDRs at the January 20 study session, and raised several issues for staff response. A concern raised by several Councilmembers was the extent to which the regional TDR bonus would offset other Tier 1 developer contributions needed to support the Bel-Red Plan. The County offers to provide \$750,000 up-front, in 2009, as funding to offset the loss of some developer funding for parks and stream corridor enhancements. This payment is contingent on the City adopting regional TDRs as a Tier 1 zoning bonus, with a limit of 75 TDRs. Under the City's draft rates, the bonus FAR given up for 75 Regional TDRs would otherwise generate \$1.5 million (without TDRs). Thus on the surface, the County contribution offsets half the funding that would otherwise be generated by the bonus system, meaning \$750,000 less for Bel-Red open space.

At the January study session, staff and Council discussed the time value of money, and the added "buying power" of having the County contribution this year. Given escalation in property values and construction costs, having \$750,000 available to use this year versus receiving \$1.5 million in some future year is likely a difference in buying power of something considerably less than \$750,000. A recent County memo (Attachment C) attempts to quantify this difference, based on several different scenarios about when \$1.5 million in incentive zoning payments might be received by the City (assuming no regional TDRs). These numbers, reviewed by the City's Finance Department, conclude that the effective fiscal impact in loss of Bel-Red purchasing power is in the range of \$316,000 to \$545,000, far less than the \$750,000 figure that disregards the time value of money.

Beyond the issue of direct fiscal impact, one Councilmember requested a summary of what the City would give up and what the City would gain via participation in a Regional TDR Program. Below is a summary, which includes the key terms of the County offer:

Give up

- Loss of up to \$750,000 (in 2009 \$) in incentive zoning value, for affordable housing and parks/stream improvements

Receive

- Up-front \$750,000 to help offset part of the loss in incentive zoning value
- Up-front dollars likely have more purchasing power than dollars received in the future
- Bellevue decides on eligible rural sending areas, based on City preferences
- Contributes to quality of life that attracts “creative class” to the region
- Places Bel-Red in larger regional context, which may be helpful for state and federal partnerships

At tonight’s study session staff will be requesting direction whether to incorporate Regional TDRs into the Land Use Code incentive zoning provisions, for action when the Code comes back for Council adoption.

6. Issues raised by Wright Runstad (Discussion to be scheduled)

A number of issues have been raised by Wright Runstad that relate to the costs and uncertainties associated with early major development in the Bel-Red corridor. The key strategic location and economic potential of Bel-Red makes the area prime for redevelopment over the long term. However, the area is immature today, and lacks basic infrastructure and amenities needed to support and transform its land use pattern. Potential Bel-Red developers have noted that early major developments in the area will be required to make very large and costly infrastructure investments not required in more mature areas of the City.

Issues raised by Wright Runstad include the economic feasibility of the proposed amenity incentive system, and whether a ‘credit’ should be provided for developer funded public infrastructure, whether a longer vesting period should be established by the City, whether the City should establish developer funded LID’s to pay for infrastructure investments, and whether the City should modify the requirement for residential development in the nodes.

Staff is in the process of re-evaluating financial assumptions to determine if it would be appropriate and financially feasible to pursue more aggressive incentives for major “catalyst” developments. Staff will be returning to discuss this issue at a future Council Study Session.

B. ZONING MAP DESIGNATIONS/DISTRICT BOUNDARIES

The Zoning Map is provided as Attachment E for reference as the Council works through the details of the Land Use Code amendment package. The Zoning Map will be used to effectuate the legislative rezone necessary to apply the Land Use Code regulations to specific parcels of land. The Zoning Map is the mirror image of the Land Use Map that was adopted

as part of the Bel-Red Subarea Plan. As a result, further changes to the Zoning Map cannot be entertained without re-opening the Bel-Red Subarea Plan discussion.

C. OTHER ISSUES

Traffic Standards Code and Sign Code

Implementation of the Bel-Red Subarea Plan requires amendments to other City Code sections in addition to the Land Use Code. This includes an update to the Traffic Standards Code (BCC 14.10), addressing MMA boundaries, concurrency in Bel-Red, and concurrency vesting. These changes have been reviewed with the Transportation Commission and will be discussed with Council on March 2 under a separate Study Session item. Sign Code amendments consistent with the Bel-Red vision are not part of the current Bel-Red package, but are being prepared for Council consideration.

NEXT STEPS

Following any additional direction provided at tonight's meeting, staff is planning to prepare ordinances to bring back for future Council review. Future Council Study Session topics are anticipated to include consideration of the "catalyst project" issues raised by Wright Runstad, final Land Use Code amendments (including zoning map), the Traffic Standards Code amendments specific to Bel-Red, and modest amendments to the Bellevue Sign Code necessary to recognize the new Bel-Red Land Use Districts. Subsequent final action on the Bel-Red implementation package would likely follow in April. These steps are of course contingent on the Council's direction and readiness to take action on this schedule.

SEPA environmental review has been conducted on the Bel-Red project, in the form of an EIS. An addendum to the Bel-Red EIS was published on February 12, and updated the project environmental documentation to be consistent with the final version of the Subarea Plan and the code package that is currently before Council for consideration.

ATTACHMENTS

Three-ring binders have been prepared as a tool to organize the materials for the Bel-Red project. Please add this Study Session memo and attachments to the binder.

- A. Annotated Bel-Red Land Use Code amendments (including the Bel-Red Overlay and Design Guidelines, General Amendments, and Critical Area Amendments)
- B. White Paper on Regional TDRs
- C. Memo from County TDR Program Manager Darren Greve
- D. Bel-Green Development, The OPUS Group and Coca Cola Bottling letters with staff responses
- E. Draft Bel-Red zoning map

City of
Bellevue



MANAGEMENT BRIEF

DATE: February 24, 2009

TO: Mayor Degginger and Members of the City Council

FROM: Carol V. Helland, Land Use Director 452-2724
Development Services Department

SUBJECT: Annotated Bel-Red Code Revision Roadmap

In preparation for Council consideration, staff performed a thorough review of the Land Use Code amendment package that was transmitted by the Planning Commission as recommended Bel-Red corridor implementing regulations. This staff review included an examination of all cross references, examination of content for clarity and ease of administration, and identification of opportunities for simplification and flexibility.

As a result of this review, staff is recommending a range of technical amendments to the code previously transmitted by the Planning Commission. Staff is also recommending four substantive changes to the Planning Commission recommendation. Rationale for the recommended changes is noted in the margin of the attached strike draft and is explained in greater detail below.

Technical Amendments to the Planning Commission Recommendation

The technical amendments do not change the substance of the Planning Commission recommendation. These amendments fall into one or more of the following six categories:

1. Provision Moved

Technical amendments annotated with the word "Moved," describe code changes where a section or paragraph was relocated to another section of the Bel-Red code or to the General Land Use code amendment package. Provisions were moved to enhance readability or ensure consistency with the city-wide provisions. In some cases, provisions were moved to consolidate several sections in order to provide code simplification and enhance ease of administration.

2. Code Consistency

Technical amendments annotated with the word “Consistency,” describe code changes to ensure consistency between the Bel-Red code and LUC that is applicable city-wide or to insure internal consistency within the Bel-Red code amendments.

3. Code Clarity

Technical amendments annotated with the word “Clarity,” describe code changes to enhance readability and to facilitate ease of administration. These changes were made to enhance understanding of the code without compromising the Planning Commission intent expressed in the original transmittal.

4. Code Flexibility

Technical amendments annotated with the word “Flexibility,” describe code changes that are intended to expand administrative flexibility without compromising the Planning Commission intent expressed in the original transmittal.

5. Correction

Technical amendments annotated with the word “Correction,” describe code changes necessary to fix mistakes such as inaccurate cross references and misspellings. References to high capacity transit were also corrected to reference light rail and accurately reflect terminology used in Proposition 1 that was passed by voters in November.

6. Simplification

Technical amendments annotated with the word “Simplification,” describe code changes of a regulatory reform nature that simplify or streamline language and processes without compromising the Planning Commission intent expressed in the original transmittal.

Substantive Amendments to the Planning Commission Recommendation

These amendments change the substance of the Planning Commission recommendation. The recommended substantive amendments fall into one of the following four categories and are described in greater detail below.

1. FAR Limitation

The substantive amendment annotated with the words “FAR Limitation” describe a code change recommended by staff to delete LUC section 20.25D.040.A in anticipation of Council adoption of the Mobility and Infrastructure Finance Plan.

2. Floor Plate Maximum

Substantive amendments annotated with the word “Maximum,” describe code changes to gross sf/floor above 40 feet contained in LUC Chart 20.25D.080.A. These code changes are recommended by staff to limit floor plate size above 40 feet and below 70 feet. The code change was originally recommended by staff to the Planning Commission, but was not recommended to Council as part of the Planning Commission transmittal. The Planning Commission did not recommend this change to Council, because they were concerned that it might discourage residential development. Staff does not agree, and views this recommended change as necessary to ensure that mid-rise buildings maintain an appropriate urban form, minimize view impacts from the north, and maintain pedestrian related scale.

3. Residential Mixed-Use Requirement

Substantive amendments annotated with the word “Mixed-Use,” describe a code change to Footnote 19 of the dimensional requirements contained in LUC Chart 20.25D.080.A. The code change is recommended by staff to give developers greater timing flexibility for when the required residential component of a mixed use development must be provided. The Planning Commission recommended language required a proportionate share of residential uses to be constructed with each phase of development. The staff recommended language would allow developers to provide the required residential uses when the market demand justifies residential development.

4. Recommendations based on ULI Feedback

Substantive amendments annotated with the word “ULI,” describe code changes made in response to feedback received from the Urban Land Institute (ULI) review. These changes included amendments to the dimensional requirements contained in LUC Chart 20.25D.080.A that increase maximum FAR limitations. These changes also included amendments to the amenity incentive system to finalize bonus ratios based on the ULI economic analysis. The changes described above were discussed during the October 6 study session and are consistent with changes directed by the City Council during that session. Staff is recommending one additional change that would distinguish “parks dedications” from “parks improvements” in the amenity incentive system chart to enhance clarity in response to the ULI recommended changes.

Part 20.25D Bel-Red**20.25D.010 General.****A. Applicability.**

1. This Part 20.25D, Bel-Red (BR) contains requirements, standards, and guidelines that apply to development and activity within the Bel-Red Land Use Districts. Except to the extent expressly provided in this Part 20.25D and as referenced in paragraph 2 below, the provisions of the Land Use Code, other development codes, the city development standards, and all other applicable codes and ordinances shall apply to development and activities in the Bel-Red Land Use Districts. Except within the Critical Areas Overlay District (Part 20.25H LUC), where there is a conflict between the Bel-Red Land Use District regulations and the Land Use Code and other city ordinances, the Bel-Red Land Use District regulations shall govern. Where there is a conflict between the Bel-Red Land Use District regulations and the Critical Areas Overlay District, the Critical Areas Overlay District shall govern. Where the requirements of the Bel-Red Land Use District exceed those of the Land Use Code and other city ordinances, the Bel-Red Land Use District regulations shall govern.
2. The following general development requirements of Chapter 20.20 LUC do not apply in the Bel-Red Land Use Districts:
 - a. LUC 20.20.005;
 - b. LUC 20.20.010;
 - c. LUC 20.20.012;
 - d. LUC 20.20.015
 - e. LUC 20.20.017;
 - f. LUC 20.20.018;
 - g. LUC 20.20.030 (provided, this section applies in the ORT Land Use District);
 - h. LUC 20.20.060;
 - i. LUC 20.20.070;
 - j. LUC 20.20.125 (provided, this section applies in the ORT Land Use District);
 - k. LUC 20.20.128;
 - l. LUC 20.20.135;

- m. LUC 20.20.190;
- n. LUC 20.20.250;
- o. LUC 20.20.400;
- p. LUC 20.20.520;
- q. LUC 20.20.560;
- r. LUC 20.20.720;
- s. LUC 20.20.760;
- t. LUC 20.20.800; and,
- u. LUC 20.20.890.

B. Land Use Districts.

Bel-Red is divided into twelve (12) land use districts to facilitate its transformation into a vibrant and sustainable, pedestrian oriented mixed use neighborhood with vital businesses. The transformation will include multimodal transit systems that connect to the greater city and region. The geographic location of Bel-Red is legally described in LUC 20.50.012.

The purpose and intent of the Bel-Red Land Use Districts is described in LUC 20.10.375 and application of requirements, standards, and guidelines to a specific property may differ depending upon which of the following districts a property is located.

1. Bel-Red-Medical Office (BR-MO).
2. Bel-Red-Medical Office Node 1 (BR-MO-1).
3. Bel-Red-Office/Residential (BR-OR).
4. Bel-Red-Office/Residential Node 1 (BR-OR-1).
5. Bel-Red-Office/Residential Node 2 (BR-OR-2).
6. Bel-Red-Residential/Commercial Node 1 (BR-RC-1).
7. Bel-Red-Residential/Commercial Node 2 (BR-RC-2).
8. Bel-Red-Residential/Commercial Node 3 (BR-RC-3).
9. Bel-Red-Commercial/Residential (BR-CR).

10. Bel-Red-Residential (BR-R).
11. Bel-Red-General Commercial (BR-GC).
12. Bel-Red-Office/Residential Transition (BR-ORT).

20.25D.020 Definitions Specific to Bel-Red.

A. Bel-Red Definitions.

The following definitions are specific to the Bel-Red land use districts and shall have the following meaning:

BROTS. An interlocal agreement between the cities of Bellevue and Redmond regarding land use planning and the funding and construction of transportation improvements in the Bel-Red/Overlake Transportation Study Area, as adopted by Resolution No. 6353 and subsequently amended.

Build-to Lines. A location along a designated block or right-of-way where a building must be constructed. The build-to line is the property line unless designated otherwise by an adopted street design.

Curb Extension. A section of sidewalk that projects into the street at an intersection or midblock crossing that reduces the crossing width of a street or right-of-way for pedestrians.

Average Finished Grade Along Façade. Proposed grade after development as measured along a building façade from perpendicular wall to perpendicular wall including offsets, bays, and other minor modulating treatments not more than five feet deep.

Façade Length. The length of a building from perpendicular wall to perpendicular wall including offsets, bays, and other minor modulating treatments not more than five feet deep.

Gross SF/Floor. Floor area in square feet within the surrounding exterior walls measured from the interior wall surface and including openings in the floor plate such as vent shafts, stairwells, and interior atriums.

~~Health Club. A place of business with equipment and facilities for exercising and improving physical fitness. A broader range of services such as restaurant and meeting rooms are not included, except when subordinate to the permitted use.~~

Comment [C1]: Moved

Natural Drainage Practices. Techniques such as rain gardens, pervious pavement, vegetated roofs, and amended soils that manage stormwater runoff in a manner that improves the quality of runoff and more closely mimics natural drainage flows and rates than traditional stormwater techniques.

Note. An area, or district where planned transportation facilities will support sufficient development intensity, amenities, recreation opportunities, and a mix of uses that foster a high level of pedestrian activity.

Project Limit. A lot, portion of a lot, or combination of lots or portions of lots treated as a single development parcel for purposes of the Land Use Code. A project limit may cross a right-of-way as long as the project limit results in a cohesive design and the Master Development Plan process is used.

Required Ground Floor Uses. Retail and commercial activities or a combination thereof as permitted by 20.25D.070 that are required to be located on the ground floor. Ground floor uses shall be located as indicated in LUC Figure 20.25D.420130.A.

Comment [C2]: Correction

~~SF. Square Feet.~~

Comment [C3]: Moved

Tower. That portion of a building that is in excess of 40 ft above average finished grade for any building with a maximum allowable height of 70 feet or greater.

Comment [C4]: Clarity

Tree Well. A tree planting area, generally within a paved surface area.

Work-Live Unit. A commercial building or tenant space that includes a functionally related and integrated residential unit where residential is a subordinate use. Employees and walk-in trade are permitted.

Comment [C5]: Clarity

B. General Definitions not applicable to Bel-Red are noted in the text of the general definitions contained in Chapter 20.50 LUC.

20.25D.030 Review Required.

A. Applicable Review and Guidelines.

The Director shall use this Part 20.25D LUC and the Bel-Red Subarea Design Guidelines (LUC 20.25D.440-150) as currently adopted or subsequently amended or superseded) in reviewing an application for Master Development Plan or Design Review approval in the Bel-Red Use Districts. The Community Retail Design Guidelines of Part 20.25I LUC and Transition Area Design Guidelines of Part 20.25B LUC shall not apply to applications for development in the Bel-Red Land Use Districts.

Comment [C6]: Correction

B. Master Development Plans.

1. Projects located within a node. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project may submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. The Director may, through the Master

Comment [C7]: Flexibility

Development Plan process, approve a proposal that varies from the specific requirements as set forth in paragraph C.2 below.

2. ~~Projects located outside of a node. This requirement shall not apply to projects located outside of a node~~An applicant may submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. The Director may, through the Master Development Plan process, approve a proposal that varies from the specific requirements as set forth in paragraph C.2 below.

Comment [C8]: Flexibility

3. This requirement shall not apply to the placement of additional structures associated with existing conditions.

4. For the purposes of this section, the project limit may be drawn to encompass right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:

Comment [C9]: Clarity

- a. A system of corner and mid-block crossings shall be provided to functionally connect the on-site pedestrian paths across the bisecting right-of-way within the proposed project limit.

Comment [C10]: Clarity

- b. Pedestrian paths shall be provided to ~~create direct connections between~~connect all buildings and right-of-way crossings located within the proposed project limit.

Comment [C11]: Clarity

- c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces.

- d. Only right-of-way meeting the requirements of LUC 20.25D.080.D may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review Required.

1. Process Required. With the exception of the Bel-Red General Commercial district (BR-GC) all development within the Bel-Red Land Use Districts shall be reviewed by the Director through Design Review (Part 20.30F LUC). An applicant may submit a Design Review for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the Bel-Red General Commercial that includes deviations permitted by paragraph 2 below.

Comment [C12]: Flexibility

2. ~~Dimensional Deviations. The Director may, through the Design Review process, approve a proposal that varies from the specific dimensional requirements set forth in Part LUC Section 20.25D.130 LUC if the applicant demonstrates that the resulting design will be more consistent with the purpose and intent of the code. Deviation from the following dimensional requirements is not permitted, except pursuant to 20.25D.080.B, or unless a variance is obtained under Part 20.30G LUC:~~

Comment [C13]: Clarity

Comment [C14]: Corrections

- a. Floor plate maximums;
- b. Minimum setbacks/stepbacks;
- c. Impervious surface/lot coverage percentages; and
- d. Maximum floor area ratio.

No deviation from Maximum Building Height is permitted in any Bel-Red Land Use District.

D. Procedural Merger.

Within a Bel-Red Land Use District, any administrative decision required by this Part 20.25D or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200-250:

- 1. Master Development Plan, Part 20.30V LUC;
- 2. Administrative Conditional Use Permit, Part 20.30E LUC;
- 3. Design Review, Part 20.30F LUC;
- 4. Variance, Part 20.30G LUC; and
- 5. Critical Areas Land Use Permit, Part 20.30P LUC.

20.25D.035 Recording Required.

Following approval of a Master Development Plan or Design Review and any subsequent modifications thereto, the applicant shall record the plans and conditions that constitute the approval with the King County Division of Records and Elections or its successor agency. Components of the approval required to be recorded include but are not limited to the applicable conditions of approval, total amount (square footage) of floor area earned through the FAR Amenity Incentive System, or floor area earned through the Special Dedication of right-of-way, parks or open space. A copy of the recorded document shall be provided to the city for inclusion in the project file.

Comment [C15]: Moved

20.25D.040 Phasing of Intensity.

~~This section provides limits on development based on (1) the provision of public improvements to the Bel-Red Subarea, and (2) the Interlocal Agreement between the cities of Bellevue and Redmond for the Bel-Red/Overlake Transportation Study Area (otherwise referred to as BROTS).~~

Comment [c16]: FAR

A. FAR Limitation on Development in Nodes.

Comment [C17]: FAR

Development shall be limited in the MO-1, OR-1, OR-2, RC-1, and RC-2 districts to a 0.5 floor area ratio (FAR) until such time as the Bellevue City Council determines ~~adopts~~ that a financial strategy is in place to complete the Phase 1 public transportation, parks, and open space improvements identified in ~~Bel-Red Transportation Phasing Map (Figure 20.25D.040A.1) and the Bel-Red Parks and Open Space Phasing Map (Figure 20.25D.040A.2).~~

~~{insert Bel-Red Transportation Phasing Map (Figure 20.25D.040A.1)
{insert Bel-Red Parks and Open Space Phasing Map (Figure 20.25D.040A.2)}~~

Comment [C18]: Correction

~~B. BROS Interlocal Agreement Limitation~~

~~All~~ Development in the Bel-Red Land Use Districts shall be subject to the provisions of BROS, as originally executed to cap commercial development at a total of 12.2 million square feet through 2012, or as thereafter amended or superseded.

Comment [C19]: Clarity

Comment [C20]: Correction/Clarity

~~C. 2030 Development Limitation~~

~~New commercial development as measured in the BROS Interlocal Agreement in the Bel-Red Land Use Districts shall not exceed 4,500,000 square feet until such time as high capacity transit service is provided to the Bel-Red Subarea. High capacity transit may include light rail or bus transit in a dedicated right of way with high frequency and capacity.~~

Comment [C21]:

20.25D.050 Permitted Uses.

A. Permitted Uses.

Specific categories of uses are listed in Chart 20.25D.070 LUC. LUC 20.25D.050.B explains Chart 20.25D.070 and describes the applicable review procedures. The use chart description and interpretation provisions of 20.10.400 do not apply to the Bel-Red Land Use Districts.

B. Use Chart Described.

In Chart 20.25D.070, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permits), and subordinate uses which are regulated under LUC Section 20.20.840, and existing uses which are regulated under LUC Section 20.25D.060.

Comment [C22]: Flexibility/
Simplification

2. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district specific requirements of this Part 20.25D LUC.

~~3. If the symbol "E" appears in the box at the intersection of the column and row, the use is permitted subject to the regulations governing "Existing Uses" contained in LUC Section 20.25D.050. There are no nonconforming uses, structures or sites located in the Bel-Red Land Use Districts as of [insert Plan adoption date]. LUC 20.20.560 does not apply to the Bel-Red Land Use Districts.~~

Comment [C23]: Flexibility/Simplification

~~34. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B or 20.30C LUC in addition to any applicable general requirements for the use and land use district.~~

Comment [C24]: Correction

~~45. If the symbol "A" appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and land use district.~~

Comment [C25]: Correction

~~56. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.~~

Comment [C26]: Correction

~~67. If a "/" appears in the box at the intersection of the column and the row:~~

Comment [C27]: Correction

- a. The process or note indicated in front of the slash (i.e., P/ or 1/ applies outside of the node described in the column; and
- b. The process or note indicated behind the slash (i.e., /P or /1) applies inside the node described in the column.

20.25D.060 Existing Conditions.

A. Purpose.

Many existing uses and developments would not be permitted to establish ~~allowed~~ pursuant to the Bel-Red Land Use District Charts (refer to LUC Section 20.25D.070) and district specific standards and guidelines in Part 20.25D that are in effect to implement the policies of the Bel-Red Subarea Plan. The purpose of this section is to allow the continued operation of existing light industrial and service uses and development that were legally established when the Bel-Red Subarea Plan was adopted on [insert Plan adoption date]. An additional purpose of this section is to allow limited expansion of existing uses and structures that is compatible with residential and higher intensity mixed use development that was introduced with the adoption of the Plan.

Comment [C28]: Clarity/Consistency

B. Types of Existing Conditions - Definitions.

A site may be considered an existing condition because it contains either an existing use or existing development as defined in this paragraph B and based on documentation provided pursuant to paragraph D of this section.

Comment [C29]: Simplification

1. Existing Use. The use of a structure or land which was permitted when established, in existence on [insert Plan adoption date] and not discontinued or destroyed, but is not otherwise allowed under LUC 20.25D.070.
2. Existing Development. A structure or site development which was permitted when established, in existence on [insert Plan adoption date] and not discontinued or destroyed, but does not otherwise comply with Part 20.25D LUC.

Comment [C30]: Clarity

C. Applicability.

1. This Section 20,25D.060 LUC applies only to existing conditions occurring within a Bel-Red Land Use District.
2. The nonconforming provisions of LUC 20.20.070 and 20.20.560 do not apply within the Bel-Red Land Use Districts.
3. Expansions or modifications of an existing use or development must shall comply with any applicable requirements of Part 20.25H LUC – Critical Areas Overlay District. In the event of a conflict between this Part 20.25D LUC and Part 20.25H LUC, the requirements of Part 20.25H LUC Critical Areas Overlay District shall control.
4. Modifications to signs associated with an existing use or development shall comply with any applicable requirements of the Sign Code, Title 22B.10 BCC.

Comment [C31]: Consistency

Comment [C32]: Clarity

D. Documentation.

The applicant shall submit documentation, which shows that the existing condition was permitted when established and has been maintained over time. The Director shall determine based on Paragraph 1 and 2 below whether the documentation is adequate to support a determination that the use and development constitute an existing condition under the terms of this section. The Director may waive the requirement for documentation when an existing condition has been clearly established.

1. Existing Condition Permitted when Established. Documentation that the condition was permitted when established includes, but is not limited to the following:
 - a. Building, land use or other development permits; or
 - b. Land Use Codes or Land Use District Maps.

2. Existing Condition Maintained Over Time. Documentation that the existing condition was maintained over time, and not discontinued or destroyed as described in this Section 20.25D.060 includes, but is not limited to the following:

Comment [C33]: Flexibility/
Simplification

- a. Utility bills;
 - b. Income tax records;
 - c. Business licenses;
 - d. Listings in telephone or business directories;
 - e. Advertisements in dated publications;
 - f. Building, land use or other development permits;
 - g. Insurance policies;
 - h. Leases; and
 - i. Dated aerial photos.
3. Appeal of Director Determination. The Director determination of whether a use constitutes an existing condition may be appealed pursuant to LUC Section 20.35.250 Appeal of Process II decisions.

E. Regulations Applicable to all Existing Conditions.

1. Ownership. The status of an existing condition is not affected by changes in ownership.
2. Maintenance. Normal maintenance and repairs associated with existing conditions are allowed.

F. Regulations Applicable to Existing Uses.

1. Operations.
 - a. Existing Uses May Continue to Operate. Operations associated with an existing use may continue, subject to the provisions of this Section F.
 - b. Existing Uses – Hours of Operation. The hours of operation associated with an existing use located in land use districts which permit residential uses may only extend into the period of 9:00 p.m. to 6:00 a.m. subject to Administrative Conditional Use approval. Existing uses which currently operate between these hours may continue without ACU approval, as long as the hours of operation between 9:00 p.m. and 6:00 a.m. are not expanded.

~~2. Change of an Existing Use to a Permitted Use. An existing use may be changed to a permitted use pursuant to LUC 20.25D.070. Once a permitted use occupies a site, the existing use rights no longer apply and the existing use may not be re-established.~~

Comment [C34]: Moved

~~3. Accidental Destruction. When a structure containing an existing use is damaged by fire or other causes beyond the control of the owner, the use may be re-established. The structure may be repaired and/or reconstructed in its original configuration. Changes to the footprint and exterior proposed as part of the repair and/or reconstruction shall conform to this code.~~

Comment [C35]: Moved

~~4. Expansions. Existing uses may expand under certain circumstances as described in this paragraph:~~

Comment [C36]: Simplification

a. Expansions of Floor Area. Floor area associated with existing uses may be expanded in conformance with this code.

b. Expansions of Exterior Improved Areas. Exterior improved areas associated with an existing use may be expanded by increasing the amount of land used. Exterior areas supporting the existing use may be expanded.

c. Limitations on Expansion.

i. No expansion of hazards. No expansion in operations shall be permitted that increases the use or on-site quantity of flammable or hazardous constituents (e.g, compressed gases, industrial liquids, etc.), or that increases the amount of waste generated or stored that is subject to the Washington Hazardous Waste Management Regulations Chapter 70.105.210 RCW as currently adopted or subsequently amended or superseded. The Director may in consultation with the Fire Marshal modify the requirements of this paragraph if the Director determines that the expansion will not increase the threat to human health and the environment over the pre-expansion condition.

Comment [C37]: Correction

ii. Expansions within Nodes (BR-MO-1, BR-OR-1 and 2, BR-RC-1, 2, and 3) and Residential Land Use Districts (BR-R). Refer to LUC 20.25D.060.F.52.c Figure 1 below. Floor area or exterior improvements associated with an existing use may be expanded when proposed within the limits of property held in a single ownership in existence on [insert Plan adoption date] subject pursuant to an Administrative Conditional Use approval.

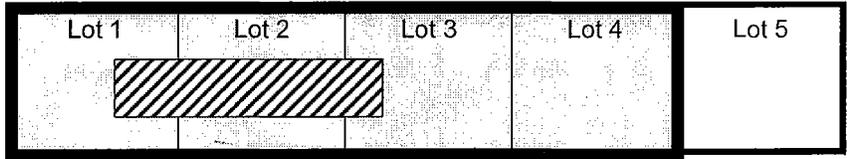
Comment [C38]: Correction

Comment [C39]: Consistency

20.25D.060.F.52.c - Figure 1

Comment [C40]: Correction

Expansions within nodes and residential Land Use Districts



-  Limits of property held in a single ownership as of (date)
-  Area occupied by existing use as of (date)
-  Area where existing use may expand in conformance with this code

iii. Expansions outside Nodes and in Non-Residential Land Use Districts (BR-MO, BR-OR, BR-GC, BR-CR, and BR-ORT). Refer to LUC 20.25D.060.F.52.c Figure 2 below. Floor area or exterior improvements associated with an existing use may be expanded beyond limits of property held within a single ownership in existence on [insert Plan adoption date] subject pursuant to an Administrative Conditional Use approval and the following limitations:

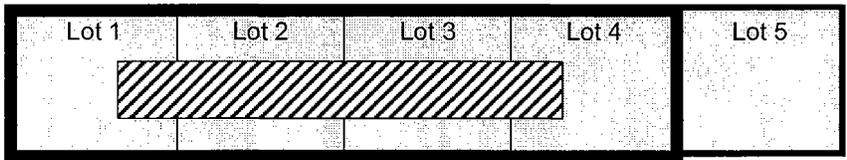
- Comment [C41]:** Correction
- Comment [C42]:** Correction
- Comment [C43]:** Consistency

- (1) The property proposed for expansion is abutting at least one of the property lines of the existing use as they existed on [insert Plan adoption date].
- (2) The regulations applicable to the property proposed for expansion would have allowed the use as of [insert Plan adoption date].

20.25D.060.F.52.c Figure 2

Comment [C44]: Correction

Expansion outside nodes and in non-residential Land Use Districts



-  Limits of property held in a single ownership as of (date)
-  Area occupied by existing use as of (date)
-  Area where existing use may expand in conformance with this code

d3. Loss of Existing Use Status.

ia. Discontinuance. If an existing use of a structure or exterior improved area is discontinued for a period of 12 months, any subsequent use shall thereafter conform to the regulations of the district in which it is located.

b. Accidental Destruction. When a structure containing an existing use is damaged by fire or other causes beyond the control of the owner, the use may be re-established. The structure may be repaired and/or reconstructed in accordance with applicable city codes.

Comment [C45]: Moved

ic. Intentional Destruction. When a structure containing an existing use is intentionally damaged by fire or other causes within the control of the owner of that structure that houses the existing use, the re-establishment of the existing use is prohibited.

d. Relinquishment. An existing use is relinquished when the existing use is replaced with an allowed use pursuant to LUC 20.25D.070. Upon relinquishment, the existing use rights no longer apply and the existing use may not be re-established.

Comment [C46]: Moved

G. Regulations Applicable to Existing Development.

1. Existing Development May Remain. Existing development may remain unless specifically limited by the terms of this paragraph-G.

2. ~~Permitted Changes~~ Alterations to Existing Development. Existing development may be ~~changed~~ altered, provided that the alteration conforms to city codes and the existing development conforms to including the proportional compliance requirements contained in paragraph 3 below.

Comment [C47]: Clarity/ Consistency

a. Three Year Period. Alterations made within a three year period will be viewed as a single change for the purposes of determining required improvements.

b. Value of Changes. The value of alterations is determined by the Director based on the entire project and not individual permits. The Director shall promulgate rules for determining the value of alterations in the context of LUC 20.25D.060.

3. Proportional Compliance. An existing development associated with an existing, permitted, or conditional use, may be altered consistent with the requirements set forth below:

a. Thresholds Triggering Required Improvements. The standards of this paragraph shall be met when the value of the proposed changes to an existing development exceed \$150,000 as of [insert Plan adoption date]. The threshold established here will be reviewed annually, and, effective January 1 of each year, may be administratively increased or decreased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wager Earners and Clerical Workers as needed in

Comment [C48]: Flexibility/ Consistency

order to maintain accurate construction costs for the region. The following alterations and improvements do not count toward the threshold:

Comment [C49]: Flexibility/ Consistency

- i. Alterations required as a result of a fire prevention inspection;
- ii. Alterations related to the removal of architectural barriers as required by the Americans with Disabilities Act, or the Washington State Building Code (RCW 19.27), now or as hereafter amended;
- iii. Alterations required for the seismic retrofit of existing structures;
- iv. Improvements to on-site stormwater management facilities in conformance with Chapter 24.06 BCC, now or as hereafter amended;
- v. Alterations that reduce offsite impacts (including but not limited to noise, odors, dust, and other particulate emissions); and
- vi. Alterations that meet LEED, Energystar or other industry recognized standard that results in improved mechanical system or operational efficiency.

Comment [C50]: Consistency

Comment [C51]: Consistency

b. Required Improvements. ~~Existing development~~When alterations meet the threshold in subsection a above not in conformance with existing code existing development shall be brought toward conformance compliance in the following areas:

Comment [C52]: Clarity

Comment [C53]: Consistency

- i. Landscape development requirements as set forth in LUC 20.25D.400-110 and LUC 20.20.520 and required landscape treatments as set forth in LUC 20.25D.130;
- ii. Circulation and internal walkway requirements, as set forth in LUC 20.25D.120 and LUC 20.20.590;
- iii. Surface parking lot landscaping as set forth in LUC 20.25D.400-110 and LUC 20.20.520 standards that apply to the site; and
- iv. Required paving of surface parking, and ~~exterior outdoor storage, and retail display areas.~~

Comment [C54]: Correction

Comment [C55]: Correction

Comment [C56]: Correction

Comment [C57]: Consistency

c. Timing and Cost of Required Improvements.

- i. Required improvements shall be made as part of the alteration that triggered the required improvements;
- ii. The value of required improvements shall be limited to 20 percent of the value of the proposed alteration. The applicant shall submit an appraisal evidence as required by the Director that shows the value of proposed improvements associated with any ~~change~~alteration; and

Comment [C58]: Clarity

Comment [C59]: Consistency

iii. Required improvements shall be made in order of priority listed in paragraph 3.b above unless a deviation in priority order is approved by the Director as necessary to accommodate a function that is an essential component of the existing development.

4. Loss of Existing Development Status.

- a. Discontinuance. If an existing development is discontinued or abandoned for a period of 12 months, any subsequent development shall thereafter conform to the regulation of the district in which it is located.
- b. Accidental Destruction. When an existing development is damaged by fire or other causes beyond the control of the owner, the existing development may be re-constructed. The existing development may be repaired and/or reconstructed in its original configuration. Changes to the footprint and exterior proposed as part of the repair and/or reconstruction must conform to this code.
- c. Intentional Destruction. When an existing development is intentionally damaged by fire or other causes within the control of the owner of the existing development, reconstruction of the existing development is prohibited.

20.25D.070 Land Use Charts.

The following charts apply to Bel-Red. The use charts contained in LUC 20.10.440 do not apply within the Bel-Red land use districts.

Chart 20.25D.070 Residential Uses in Bel-Red Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
1	Residential (1) (5)							
	Single-Family Dwelling	E/	P 2/		P 2	3	P 2, 3	P
	Two to Four Dwelling Units Per Structure		P/P	P	P	3	P 3	P
	Five or More Dwelling Units Per Structure		P/P	P	P	3	P 3	P
12	Group Quarters: (5) Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions, and Excluding Secure Community Transition Facilities		P	P				
13	Hotels and Motels	P/P	P/P	P		P	P	
15	Congregate Care Senior Housing (1)	P/P	P/P	P	P		P	
6516	Nursing Home (1)	P/P	P/P	P	P		P	
	Assisted Living (1)	P/P	P/P	P	P		P	
	Accessory Dwelling Unit (4)	P/	P/		P		P	P

Comment [C60]: Clarity

Comment [C61]: Flexibility/ Simplification

Comment [C62]: Clarity

Comment [C63]: Moved/ Council Direction

Comment [C64]: Flexibility/ Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key

P – Permitted Use

E – Existing Use (see LUC Section 20.25D.060)

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Comment [C65]: Flexibility/ Simplification

Notes: Uses in land use districts – Residential

- (1) An agreement shall be recorded with the King County Department of Records and Elections restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain as senior housing for the life of the project.
- (2) A minimum density of 10 units per acre shall be achieved for new single family dwelling units. This requirement does not apply to work-live units.
- (3) ~~Residential Note (2) does not apply to Work-Live housing units that are secondary to a non-residential use.~~ Work-live units are the only housing permitted in BR-GC.
- (4) Accessory dwelling units may be established in existing ~~(E)~~ or permitted (P) single family structures subject to the performance criteria of LUC 20.20.120.
- (5) Bicycle parking shall be provided pursuant to 20.25D.120.G.

Comment [C66]: Clarity

Comment [C67]: Clarity

Comment [C68]: Flexibility/
Simplification

Comment [C69]: Clarity

Chart 20.25D.070 Manufacturing Uses in Bel-Red Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Manufacturing-Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
2 and 3	Manufacturing (1, 2, 5)							
21	Food and Beverage Products Mfg. (3)		E/E	E	E	P 4	P 4	
22	Textile Products Mfg.		E/E	E	E	P 4	P 4	
23	Apparel, Fabric, Accessories, and Leather Goods Mfg.		E/E	E	E	P 4	P 4	
24	Lumber and Wood Products Mfg.							
25	Furniture and Fixtures Mfg.		E/E	E	E	P 4	P 4	
26	Paper Products Mfg.		E/E	E	E	P4	P4	
27	Printing, Publishing, and Allied Industries		E/E	E	E	P	E	
28	Chemicals and Related Products Mfg.							
31	Rubber Products Mfg.							
314	Misc. Plastic Products Mfg.		E/E	E	E	P 4	P 4	
321	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery, and China Ceramic Products, Stone Cutting and Engraving (except Concrete Batch Plant)							
322								
324		E/E	E	E	P 4	P 4		
325								
327								
	Concrete Batch Plant		E/E	E	E			
329	Handcrafted Products Mfg.		E/E	E	E	P 4	P 4	
3427	Computers, Office Machines, and Equipment Mfg.		E/E	E	E	P 4	E	

Comment [C70]: Flexibility/
Simplification

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Manufacturing-Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
3433	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts							
3434			E/E	E	E	P 4	E	
3435								
3436								
3437								
3491	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating							
3492								
3493								
3495			E/E	E	E	P 4	E	
3497								
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.;	P	E/E	E	E	P 4	P 4	
3997	Signs and Advertising Display Mfg.		E/E	E	E	P 5	E	
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified		E/E	E	E	P 5	E	

Comment [C71]: Flexibility/
Simplification

Comment [C72]: Flexibility/
Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key P – Permitted Use

E – Existing Use (see LUC Section 20.25D.060)

C – Conditional Use (see Parts 20.30B and 20.30C)

Comment [C73]: Flexibility/
Simplification

A – Administrative Conditional Use (see Part 20.30E)

Notes: Uses in land use districts – Manufacturing

- (1) Permitted manufacturing uses shall not include primary metal industries such as foundries, smelters, blast furnaces, rolling mills, and concrete batch plants. The Director may in consultation with the Fire Marshal modify the requirements of this note for a limited scale manufacturing use if the Director determines that the modification will not create an unreasonable threat to human health and the environment. A limited scale manufacturing use is one that is size restricted to 20,000 sf or less.
- (2) The manufacture of flammable, dangerous or explosive materials is excluded as secondary, incidental, or as a permitted use.
- (3) Microbrewery manufacturing is permitted as a component of 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.
- (4) The manufacturing use located in this land use district shall not exceed 20,000 sf.
- (5) New outdoor storage associated with this permitted manufacturing use shall comply with applicable performance criteria for that use and the Landscape Development Requirements as set forth in LUC 20.25D.400110.

Comment [C74]: Clarity

Comment [C75]: Correction

Chart 20.25D.070 Transportation and Utilities Uses in Bel-Red Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
4	Transportation, Communications and Utilities							
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C/C	C/C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters		E/E	E	E	C		
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services	C/	C/E	E	E	C		
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 1	C 1					
	Accessory Parking (2,3)	P/P	P/P	P	P 4	P	P	P
46	Auto Parking Commercial Lots and Garages (5)	/P	/P	P				
	Park and Ride (6)		C/C	C				
475	Radio and Television Broadcasting Studios	E	E/E	E				
485	Solid Waste Disposal (7)	E	E/E	E	E			
	Highway and Street Right-of-Way (8)	P	P/P	P	P	P	P	P
	Utility Facility	C	C/C	C	C	C	C	C
	Local Utility System	P	P/P	P	P	P	P	P
	Regional Utility System	C	C/C	C	C	C	C	C
	On and Off-Site Hazardous Waste Treatment and Storage Facilities (9)		E/E	E	E			

Comment [C76]: Flexibility/
Simplification

		Transportation and Utilities – Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
	Essential Public Facility (109)	C	C/C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	104, 112, and 123	104, 112, and 123	104, 112, and 123	104, 112, and 123	104, 112, and 123	104, 121, and 132	104, 112, and 123
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	104, 112	104, 112	104, 112	104, 112	104, 112	104, 112	104, 112
	Satellite Dishes (134)	P	P/P	P	P	P	P	P
	Electrical Utility Facility (145)	A C/A C	A C/A C	A C	A C	A C	A C	A C

Comment [c77]: Correction

Comment [C78]: Flexibility/Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key P – Permitted Use

~~E – Existing Use (see LUC Section 20.25D.060)~~

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Comment [C79]: Flexibility/Simplification

Notes: Uses in land use districts – Transportation and Utilities

- (1) Aircraft transportation is limited to only heliports and is regulated under the terms of LUC 20.20.450.
- (2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC Chart 20.25D.070.
- (3) The location of an off-site parking facility shall be approved by the Director. See LUC 20.25D.110120.
- (4) Accessory parking is not permitted in the BR-R land use district as accessory to any use that is not permitted in the residential district ~~BR-R~~.

Comment [C80]: Correction

Comment [C81]: Consistency

(5) Commercial lots and garages are only permitted to accommodate short-term parking (four hours or less). Parking structures are required to meet the performance standards contained in LUC 20.25D.120.D.

Comment [C82]: Clarity

(6) A park and pool lot or other carpool facility is generally regulated as a park and ride. ~~However, a~~ park and ride providing no more than 50 parking spaces, and utilizing the parking area of an ~~existing established~~ use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride ~~shall comply with the requirements applicable to the use and the land use district~~ requires a conditional use permit.

Comment [C83]: Clarity

(7) Solid waste disposal facilities may be continued as an existing use pursuant to LUC 20.25D.060, provided all requirements in LUC 20.20.820 are met.

(8) Design is required to meet the standards contained in LUC 20.25D.130~~140~~ and the 2008 Transportation Department Design Manual as currently adopted or subsequently amended or superseded.

Comment [c84]: Correction

~~(9) On and off site hazardous waste treatment and storage facilities, as defined by LUC 20.50.024, may be continued as an existing use pursuant to the regulations contained in LUC 20.25.D.060, and provided the facilities comply with the state siting criteria as adopted in accordance with RCW 70.105.210.~~

Comment [C85]: Moved

~~(9)10~~ Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).

~~(10)1~~ Wireless communication facilities (WCFs) are not permitted on residential structures, sites developed with a residential use, or on undeveloped sites located in the BR-R land use district. This note does not prohibit locating a WCF on nonresidential structures (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any BR land use district.

~~(11)2~~ Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast, and relay facilities.

~~(12)3~~ Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.

~~(13)4~~ Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes. ~~For the following BR Land Use Districts, In~~ BR-OR, BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2, BR-RC-3, BR-CR, and BR-R, only the provisions of LUC 20.20.730.B and C shall apply.

Comment [C86]: Simplification

(145) For the definition of Electrical Utility Facility see LUC 20.50.018 and for reference to applicable development regulations relating to electrical utility facilities see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT.5a of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT.5a, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

Chart 20.25D.070 Wholesale and Retail Uses in Bel-Red Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail -Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
5	Trade (Wholesale and Retail) (1, 7)							
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:		E/E	E	E	P 2	E	
5111	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum							
5156			E/E	E	E	E	E	
5157								
5191 5192								
5193	Scrap Waste Materials, Livestock							
	Recycling Centers		P/E	E	E	P	P	
521	Lumber and Other Bulky Building Materials Including Preassembled Products							
522			P 3/E	E	E	P	P 3	
523								
524								
5251	Hardware Paint, Tile and Wallpaper (Retail)		P 3/E	P 3	P 4	P	P 3	
5252	Farm Equipment							
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)		P/P 2	P 2	P 4	P	P	
54	Food and Convenience Store (Retail) (5,6)	P/P	P/P	P	P 4	P	P	P4
5511	Autos, Motorcycles (Retail)		E/E	E	E	P 7	A 7	
	Trucks, Recreational		E/E	E	E	P 2	E	

Comment [C87]: Flexibility/Simplification

Comment [c88]: Correction

		Wholesale and Retail -Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
	Vehicles (Retail)							
	Boats (Retail)		E/E	E	E	P 2	E	
552	Automotive and Marine Accessories (Retail)		E/E	E	E	P 2	E	
553	Gasoline Service Stations (8)		P/E	E	E	P	P	E
56	Apparel and Accessories (Retail)	P/P 2	P/P	P	P 2, 13 14	P 2	P	
57	Furniture, Home Furnishing (Retail)		P/P	P	P 4 13 14	P	P	
58	Eating and Drinking Establishments (3, 6)		P/P 9	P 9	P 4 13 14	P	P	P
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P/P 3	P 3	P 4 13 14	P	P 2	P
	Adult Retail Establishments (10)		P/P			P	P	
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)		E/E	E	E	P 2		
596	Retail Fuel Yards		E/E	E	E	E	E	
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (11)		P/P 3	P 3	P 4 13 14	P	P	
5999	Pet Shop (Retail, and boutique boarding, Pet Day Care, and Grooming) (12)		E	P 3	P 4 13 14	P	P	
	Computers and Electronics (Retail)		P/P 3	P 3		P	P	

Comment [C89]: Flexibility/
Simplification

Comment [c90]: Council Direction
BR-R

Comment [C91]: Consistency

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Comment [C92]: Flexibility/Simplification

Key P – Permitted Use

~~E – Existing Use (see LUC Section 20.25D.060)~~

Comment [C93]: Flexibility/Simplification

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Notes: Uses in land use districts – Wholesale and Retail

- (1) Wholesale trade excludes tank farms.
- (2) This individual use is limited in size to no greater than 20,000 sf per establishment.
- (3) Any new 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 sf. This Note does not apply to uses that exceed the size limit, but are documented existing uses pursuant to LUC 20.25D.060.
- (4) ~~All miscellaneous retail uses combined cannot exceed 10,000 sf and each individual use cannot exceed 3,000 sf~~ All permitted retail, service, and recreation uses combined shall not exceed 10,000 sf, except as provided for in Notes (13) and (14) below.
- (5) Food and Convenience Stores (Retail) shall contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (6) Drive-in windows are not allowed except as regulated by Section 20.25D.060, Existing Conditions.
- (7) See LUC 20.25D.090 ~~100~~ Automobile Sales, Leasing, and Rental for applicable performance criteria.
- (8) Gasoline service stations may include ~~subordinate~~ convenience stores.
- (9) Microbrewery manufacturing is permitted as a component of 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.
- (10) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (11) Garden Supplies excludes items such as large trees, rock, and bulk supplies which require special handling equipment.
- (12) See LUC 20.20.130 for general requirements applicable to this use.

Comment [C94]: Clarity

Comment [C95]: Council Direction BR-R

Comment [c96]: Correction

Comment [C97]: Flexibility/Clarity

(13) In any existing development meeting the definition of Section 20.25D.060, all permitted retail, service, and recreation uses combined may occupy any part of the existing development, provided that no individual use shall exceed 10,000 sf.

Comment [C98]: Council Direction BR-R

(14) In any new residential building, all permitted retail, service, and recreation uses combined may occupy the ground floor without size limitation, provided that no individual use shall exceed 10,000 sf. A single building is considered residential for the purposes of this note if more than 50 percent of the gross floor area is devoted to residential uses.

Comment [C99]: Council Direction BR-R

Chart 20.25D.070 Services Uses in Bel-Red Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Services - Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
6	Services							
61	Finance, Insurance, Real Estate Services (11)	P 102/ P 102	P/P	P	P 1 13 14	P	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P/P	P/P	P	P 1 13 14	P	P	P
6241	Funeral and Crematory Services	C/C				C	E	E
6262	Cemeteries							
629	Child Care Services (2, 3)							
	Family Child Care Home in Single Family Residence	P/			P	P	P	P
	Child Day Care Center	P/P	P/P	P	A 4 1	P	P	
	Adult Day Care	P/P	P/P	P	A 4 1	P	P	
63	Business Services,	P/P	P/P	P		P	P	P

Comment [C102]: Council Direction BR-R

Comment [C100]: Correction

Comment [C101]: Correction

Comment [C103]: Flexibility/ Simplification

		Services - Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
	Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment (11)							
634	Building Maintenance and Pest Control Services		E/E	E	E	P	P	
637	Warehousing and Storage Services, Excluding Stockyards		P/E	E	E	P	E	
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools (5)		E/E	E	E	P	E	E
641	Auto Repair and Washing Services		P/P 6	P 6	E	P	P	E
649	Repair Services: Watch, TV, Electrical, Computer, Upholstery		E/E	E	E	P	P 7	
	Professional Services: Medical Clinics and Other Health Care Related Services (11)	P/P	P/P	P 4		P	P 7	P
	Professional Services: Other (11)		P/P			P	P 7	P
6513	Hospitals (11)	/C						
66	Contract Construction Services: Building Construction, Plumbing, Paving and		E/E	E	E	P	E	

Comment [C104]: Correction

Comment [C105]: Flexibility/Simplification

Comment [C106]: Correction

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Services - Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
	Landscape							
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions (11)	A/A	A/A				A	A
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops (11)	A/A	A/A	A	A	A	A	A
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (11)	P/P	P/P	P	P 8	P	P	P
674 675	Military and Correctional Institutions	/C	E/E	E	E	C	E	E
	Secure Community Transition Facility (9, 10)	G/G	G/G	G	G	G	G	G
681	Education: Primary and Secondary (9, 11)	/A	A/A	A	A	A	A	A
682	Universities and Colleges (11, 12)	A/P	A/P	P		A	A	
683	Special Schools: (11) Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P/P	P/P	P	P 7	P	P	P 7
691	Religious Activities	P/P	P/P	P	A	P	A	A

Comment [C107]: Correction

Comment [C108]: Flexibility/
Simplification

Comment [C109]: Correction

Comment [C110]: Correction

Comment [c111]: Moved/Council
Direction

		Services - Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
692 (A)	Professional and Labor Organizations Fraternal Lodge	A/A	A/A	A		P	A	A
692 (B)	Social Service Providers	P/P	P/P	P	P	P	P 7	P
	Administrative Office – General (11)	P 42-10 / P 4210	P/P	P 4210		P	P 4210	P
	Computer Programming, Data Processing and Other Computer Related Services		E/E	P 4210		P 4210	P	P
	Research, Development and Testing Services		E/E	P 4210		P 4210	P	P

Comment [C113]: Correction

Comment [C112]: Correction

Comment [C114]: Correction

Comment [C115]: Flexibility/
Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key P – Permitted Use

— E – Existing Use (see LUC Section 20.25D.060)

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Comment [C116]: Flexibility/
Simplification

Notes: Uses in land use districts – Services

- (1) All service uses combined cannot exceed 10,000 sf and each individual service use cannot exceed 3,000 sf. All permitted retail, service, and recreation uses combined shall not exceed 10,000 sf, except as provided for in Notes (13) and (14) below.
- (2) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.

(3) A child care service may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.

~~(4) This use is limited in size to no greater than 10,000 sf. (deleted)~~

(5) See LUC 20.25D.090~~100~~ Automobile Sales, Leasing, and Rental for applicable performance criteria.

Comment [C117]: Correction

(6) Auto repair and washing services are permitted ~~shall be permitted as a subordinate use pursuant to LUC 20.20.840 only if located in a structured parking area.~~

Comment [C118]: Consistency

(7) This use is limited in size to no greater than 20,000 sf.

(8) Uses are limited to community police stations of 1,500 sf or less.

~~(9) No portion of a property on which a Secure Community Transition Facility is proposed to be located may be within 300 feet of the boundary of any land use district within which the SCTF use is prohibited. The required 300 feet shall be measured in accordance with the policy guidelines established by the Department of Social and Health Services pursuant to RCW 71.09.285(4), now or as hereafter amended.~~

Comment [C119]: Consistency

~~(10) Secure Community Transition Facilities are subject to the regulations for Secure Community Transition Facilities in LUC 20.20.750.~~

Comment [C120]: Consistency

~~(11) Refer to LUC 20.20.740 for general requirements applicable to public and private schools. Schools located in the BR-ORT land use district are considered to be in a Transition Area for the purposes of applying the above referenced section. All Bel-Red land use districts are considered to be non-residential for the purposes of applying LUC 20.20.740.~~

~~(12) Limited to 0.5 floor area ratio (FAR).~~

~~(13) Bicycle parking shall be provided pursuant to 20.25D.120.G.~~

Comment [C121]: Clarity

~~(14) Dormitories owned and operated by an associated college or university are considered to be a component of this service use.~~

Comment [c122]: Moved/Council Direction

~~(15) In any existing development meeting the definition of Section 20.25D.060, all permitted retail, service, and recreation uses combined may occupy any part of the existing development, provided that no individual use shall exceed 10,000 sf.~~

~~(16) In any new residential building, all permitted retail, service, and recreation uses combined may occupy the ground floor without size limitation, provided that no individual use shall exceed 10,000 sf. A single building is considered residential for the purposes of this note if more than 50 percent of the gross floor area is devoted to residential uses.~~

Chart 20.25D.070 Recreation Uses in Bel-Red Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Recreation – Bel-Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
7	Cultural Entertainment and Recreation							
711	Library, Museum	P	P	P	A 1	P	P	
7113	Art Gallery		P/P	P	P 2 8 9	P	P	
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos (3)					C	C	
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities		A/A			A	A	
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs		P/P	P		P	P	
7213	Drive-In Theaters							
	Adult Theaters (4)		P/P			P		

Comment [C123]: Council Direction
BR-R

		Recreation – Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go- Cart Tracks, BMX Tracks and Skateboard Tracks					A	A	
73	Commercial Amusements: Video Arcades, Electronic Games			A		A	A	
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools (5)	A/	A/A	A		A	A	
744	Marinas, Yacht Clubs							
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs		P/P	P		P	P	

		Recreation – Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
7491 7515	Camping Sites and Hunting Clubs		E/E	E	E		E	E
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P/P	P	C	P	P	P
	Private Park	A	A/A	A	A	A	A	
	Stables and Riding Academies						A	
	Boarding or Commercial Kennels					A 6	A 6	
	Public Park	P	P/P	P	P-A 7	A	A	P-A

Comment [C124]: Flexibility/
Simplification

Comment [C125]: Consistency

Comment [C126]: Flexibility/
Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key P – Permitted Use

~~E – Existing Use (see LUC Section 20.25D.018)~~

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Comment [C127]: Flexibility/
Simplification

Notes: Uses in land use districts – Recreation

- (1) This individual use is limited in size to no greater than 20,000 sf.
- (2) ~~All private recreation uses combined cannot exceed 10,000 sf and each individual recreation use cannot exceed 3,000 sf. This size limitation does not apply to recreation uses located in a city park facility. Refer to Recreation Note 7 for permitting process applicable to city park uses. All permitted retail, service, and recreation uses combined shall not exceed 10,000 sf, except as provided for in Notes (1), (8), and (9) of this Recreation Use Chart.~~
- (3) Excludes zoos.

Comment [C128]: Clarity

- (4) Adult Theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (5) For carnivals, see LUC 20.20.160.
- (6) See LUC 20.20.130 for general requirements applicable to this use.
- (7) ~~City Public~~ parks are generally permitted in all ~~zones~~ districts. However, the following types of uses or facilities in ~~City public~~ parks require administrative conditional use approval when located in the BR-R or BR-ORT land use districts: lighted sports and play fields, sports and play fields with amplified sound, and community recreation centers. Nonrecreation uses in ~~City public~~ parks located in the BR Land Use Districts require conditional use approval, except that the permit requirements for wireless communication facilities shall be as set forth in LUC 20.20.195. For purposes of this note, "nonrecreation use" means a commercial, social service or residential use located on park property but not functionally related to ~~City~~ park programs and activities.
- (8) In any existing development meeting the definition of Section 20.25D.060, all permitted retail, service, and recreation uses combined may occupy any part of the existing development; provided that no individual use shall exceed 10,000 sf.
- (9) In any new residential building, all permitted retail, service, and recreation uses combined may occupy the ground floor without size limitation, provided that no individual use shall exceed 10,000 sf. A single building is considered residential for the purposes of this note if more than 50 percent of the gross floor area is devoted to residential uses.

Comment [C129]: Consistency

Chart 20.25D.070 Resource Uses in the Bel-Red Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Resources - Bel Red Districts						
		Bel-Red Medical Office /Node	Bel-Red Office Residential /Nodes	Bel-Red Residential Comm. Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR- R	BR- GC	BR- CR	BR- ORT
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)							
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs					P 1	P 1	
821	Agricultural Processing		E/E	E	E			
8221	Veterinary Clinic and Hospital (2)		P/P	P		P	P	P
8222	Poultry Hatcheries							
83	Forestry, Tree Farms and Timber Production							
8421	Fish Hatcheries							
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction							

Comment [C130]: Flexibility/
Simplification

Comment [C131]: Flexibility/
Simplification

Existing uses in the Bel-Red District are regulated pursuant to 20.25D.060.

Key P – Permitted Use

— **E – Existing Use (see LUC Section 20.25D.018)**

C – Conditional Use (see Parts 20.30B and 20.30C)

A – Administrative Conditional Use (see Part 20.30E)

Comment [C132]: Flexibility/
Simplification

Notes: Uses in land use districts – Resources

- (1) Agriculture production is limited to the production of food and fiber crops.
- (2) See LUC 20.20.130 for general requirements applicable to this use.

20.25D.080 Dimensional Requirements.

A. General.

Paragraph A of this section (Chart 20.25D.080.A Dimensional Requirements in Bel-Red Districts) sets forth the dimensional requirements for each land use district in the Bel-Red Subarea. The Dimensional Requirements of Chart 20.20.010 do not apply in the Bel-Red land use districts. Each structure, development, or activity in a Bel-Red Land Use District shall comply with these requirements except as otherwise provided in this section. If a number appears in a box at the intersection of a column and a row, the dimensional requirement is subject to the special limitation indicated in the corresponding Note.

Chart 20.25D.080.A Dimensional Requirement in Bel-Red Districts

Bel-Red Land Use District (19)	Project, Building, Floor Tower Type (1) (17) (19)-(21)	Minimum Setbacks/Stepbacks (8, 9, 113) (5) (7) (8) (10)			Gross SF/Floor Above 40 ft (gsf/f) (4) (18) (16) (20) (21)	Gross SF/Floor Above 80 Ft (gsf/f) (16) (20) (21) (4) (14) (18)	Maximum Impervious Surface/Lot Coverage (7) (6)	Building Height (45)		Floor Comment [C133]: ULI (45) (9) (40)	
		Front (6)	Rear (3) (16)	Side (3) (16)				Min. Base	Max.	Min. Base	Max. Comment [C134]: Consistency
MO-1 OR-1 RC-1	Nonresidential				28,000	28,000	75%	45	150	0.5 – 1.0	34
	Residential	0 (2)	0	0	28,000/12,000	9,000					
OR-2 RC-2	Nonresidential				28,000	28,000	75%	45	125	0.5 – 1.0	
	Residential	0 (2)	0	0	28,000/12,000	9,000					Comment [C135]: Floor Plate Maximum
RC-3 (15)	Nonresidential		0 (147)	0 (147)	28,000	NA	75%	45 (135)	70 (135)	0.5 – 1.0	2-5.
	Residential	0 (2)			NA 28,000						
CR (15)	Nonresidential		0 (147)	0 (147)	28,000	NA	75%	45 (135)	70 (135)	0.5 – 1.0	2.
	Residential	0 (2)			N/A 28,000						
R	Nonresidential	0 (2)	0	0	NA	NA	75%	30	45	0.5 – 1.0	2.
	Residential										
MO OR	Nonresidential				28,000	NA	75%	45/70	70	0.5 – 1.0	1.
	Residential	0 (2)	0	0	N/A 28,000						
GC	Nonresidential				NA	NA	75%	30/45	45	0.5 – 1.0	1.
	Residential	0 (2)	0	0							
ORT	Nonresidential				NA	NA	75%	30 45(12)	45 (12)	0.5 – 0.75	0.7
	Residential	20	30	20							
All	Parking (13) (12) (18)	(20)	(20)	(20)	NA	NA	75%	30	30	0.5	0.

Notes: Chart 20.25D.080.A Dimensional Requirement in Bel-Red Districts

(1) ~~For the purposes of this chart, a Project, Building, or Floor Type tower is determined to be nonresidential or residential or parking if more than 50 percent of the gross floor area of the tower is devoted to that use. This distinction does not apply to the requirement for providing FAR amenities per LUC 20.25D.~~

Comment [C136]: Clarification

(2) ~~Where building height exceeds 45 feet, and the~~ If a building is located within 15 feet of the front property line, the building shall incorporate a 15-foot deep stepback in that façade at a height no more than 40 feet above the average finished grade along that façade.

Comment [C137]: Consistency

(3) All rear and side yards shall contain landscaping as required by LUC ~~20.25D.110 and 20.20.520 and 20.25D.100.~~

Comment [C138]: Correction

(4) ~~Gross Square Feet Per Floor (gsf/f) refers to the floor area in square feet within the surrounding exterior walls measured from the interior wall surface and including openings in the floor plate such as vent shafts, stairwells, and interior atriums.~~

Comment [C139]: Moved

(45) The maximum building height and FAR may ~~only~~ be achieved ~~only~~ by participation in the FAR Amenity System LUC ~~20.25D.150090.~~

Comment [C140]: Clarification

Comment [C141]: Correction

(56) A building façade on any street identified as a Required Sidewalk-Oriented Development pursuant to LUC ~~20.25D.120130.C~~ shall incorporate a 15-foot deep stepback in that façade at a height no more than 40 feet above the average finished grade along that façade.

Comment [C142]: Correction

(67) Impervious Surface/Lot Coverage is calculated after subtracting all critical areas and critical area buffers; provided, that coal mine hazards (20.25H.130) and habitat associated with species of local importance (20.25H.150) shall not be subtracted. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.

(78) See LUC 20.20.030 for designation and measurement of setbacks.

(89) See LUC 20.25H.035 for additional critical area setbacks.

(940) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.

(104) Certain non-critical area setbacks on sites in the Critical Areas Overlay District may be modified pursuant to LUC 20.25H.040.

(112) Maximum building height in the BR-ORT land use district shall be measured from average existing grade. See LUC 20.25D.130.D.4.d for additional transition edge development requirements.

Comment [C143]: Clarification

(123) The ground floor of a parking structure shall include Required Ground Floor Uses pursuant to LUC 20.25D.429130.A.

Comment [C144]: Correction

(14) ~~Maximum floor plate above 80 feet may be increased to 10,000 sf if all required affordable housing is provided within the building and not through payment of a fee in lieu.~~

Comment [C145]: Consistency

(135) Maximum building height west of 156th Avenue NE. Maximum building height located within 50 feet of the back of sidewalk along 156th Ave NE shall not exceed 45 feet as measured from the sidewalk grade adjacent to the building front. Maximum building height located greater than 50 feet from the back of sidewalk along 156th Ave NE, shall not exceed 70 feet as measured from average existing grade.

(146) Where building height exceeds ~~75-80~~ feet, all floors above 40 feet shall include a minimum side setback of 25 feet and a minimum rear setback of 25 feet as measured from the property line. Where building heights exceed ~~75-80~~ feet, a minimum separation of 50 feet for buildings on the same site shall be maintained for all floors above 40 feet. See paragraph B of this section for exceptions to this minimum setback/stepback dimensions.

Comment [C146]: Floor Plate Maximum/Consistency

(157) Maximum façade lengths west of 156th Avenue NE. The façade of any single building fronting on 156th Ave NE shall not exceed a maximum length of ~~150-190~~ feet. All buildings or portions of buildings located above the sidewalk grade measured at adjacent to 156th Ave NE shall include a minimum building separation of 40 feet. The required minimum separation shall provide in a continuous building separation corridor that extends from 156th Ave NE to Bel-Red Road.

Comment [C147]: Flexibility

Comment [C148]: Clarification

(168) Gross square feet per floor may be averaged for floor plates located above 40 feet.

(179) For the purposes of determining tower type, ~~calculating gross square feet per floor~~-hotels and motels shall be considered nonresidential.

Comment [C149]: Clarification. Consistency

(1820) For parking structure minimum setbacks refer to specific land use district.

(1924) All new development in the OR-1 and OR-2 land use districts shall provide a minimum of 20 percent of the total project gross square feet as residential use for development on any site of five acres or greater pursuant to a phasing plan, Part 20.30V LUC. Notwithstanding any other provisions of this code, A a phased development shall is not required to provide the proportional minimum of residential use required per phase, provided that the 20 percent residential use requirement is met prior to occupancy of the final phase. except as provided pursuant to a development agreement as authorized by state law or Bellevue city code.

Comment [C150]: Mixed-Use

(202) The 28,000 gsf/f above 40 feet applies only to towers that do not exceed 80 feet. For residential towers, the maximum gross square feet per floor above 40 feet and

at or below 80 feet is 12,000 gsf/f. For residential towers the maximum gross square feet per floor above 80 feet is 9,000 gsf/f.

Comment [C151]: Floor Plate Maximum

Comment [C152]: Clarification

(21) Denotes roof height above average finished grade.

B. Exceptions to Dimensional Requirements.

1. Floor Plate Exceptions. For structures that do not exceed 70 feet in height (as defined by the International Building Code, as adopted by the City of Bellevue or subsequently amended or superseded):

Comment [C153]: Floor Plate Maximum/Consistency

a. Residential buildings. Floor plate maximums do not apply.

b. Non-residential buildings and parking structures. The Director may allow the connection of floor plates above 40 feet such that those floor plates exceed the "Maximum gross square feet per floor above 40 feet;" consistent with the following limitations:

- i. The connection shall be to allow for safe and efficient building exiting patterns. The connecting floor plate area shall include required exiting corridor GSF area and may include the GSF area associated with dwelling units or other building uses;
- ii. The connection shall occur on no more than three floor levels above 40 feet; and
- iii. The alternative design shall result in a building mass that gives the appearance of separate and distinct building elements.

b. Gross square feet/floor above 80 feet may be increased to 10,000 gsf/f if all required affordable housing is provided within the building and not through payment of a fee in lieu.

Comment [C154]: Floor Plate Maximum/Consistency

2. Setback/Stepback Exceptions.

a. Marquees, awnings, or bay windows which that comply with the requirements of the Bel-Red Subarea Design Guidelines adopted pursuant to LUC 20.25D.150140 may be permitted to extend over the public right-of-way upon approval of the Director notwithstanding the provisions of any other city code.

Comment [C155]: Clarity

Comment [C156]: Correction

Comment [C157]: Simplification

b. The Director may allow modifications to the minimum side and rear setbacks or spacing between buildings required above 40 feet for buildings pursuant to the requirements of Note 1614 to of Chart 20.25D.080.A consistent with the following limitations:

Comment [C158]: Correction

Comment [C159]: Simplification

i. The applicant can demonstrate that the resulting design will be more consistent with the Bel-Red Subarea Design Guidelines adopted pursuant to LUC 20.25D.140150; and

Comment [C160]: Correction

- ii. The building design, with the modification, shall maintain a minimum spacing between towers of not less than 50 feet.
- c. Minor building elements as defined pursuant to LUC 20.20.025.C may intrude into any setback or stepback required pursuant to LUC Chart 20.25D.080.A, provided that the applicant can demonstrate that the resulting design will be more consistent with the Bel-Red Subarea Design Guidelines adopted pursuant to LUC 20.25D.440150.

Comment [C161]: Correction

3. Floor Area Ratio Exceptions.

- a. Per the FAR Amenity Incentive System LUC 20.25D.450090, floor areas dedicated to affordable housing, public restrooms, and ~~community~~ child care/nonprofit uses shall not be counted for the purpose of calculating FAR.

Comment [C162]: Correction

Comment [C163]: Consistency

- b. Each square foot of ground floor retail and ~~indoor-enclosed~~ plaza meeting the criteria set forth below, shall not be counted for the purpose of calculating FAR:

Comment [C164]: Consistency

- i. Ground Floor Retail Uses: Ground floor retail uses as defined in LUC 20.25D.130420.A shall ~~be excepted~~ not be counted provided the following limitations are met:

Comment [c165]: Correction

Comment [C166]: Clarity

(1) ~~The ground floor retail shall only be eligible for exception if located within a multi-story, multi-use building;~~

(2) ~~The ground floor retail shall meet the requirements set forth in LUC 20.25D.130420.A Bel-Red Subarea Design Development Standards applicable to retail uses; Commercial ground floor uses shall not be eligible for exception.~~

Comment [c167]: Correction

Comment [C168]: Correction

(3) ~~Outside the nodes the maximum depth of tenant space eligible for exception shall not exceed 60 feet; and~~

(4) ~~Inside the nodes the ground floor retail exception is unlimited shall not be counted.~~

(5) ~~The retail ground floor use shall only be eligible for exception if located within a multi-story, multi-use building; and,~~

(6) ~~The ground floor use shall meet the requirements set forth in LUC 20.25D.120.A Bel-Red Subarea Design Standards applicable to retail uses. Commercial ground floor uses shall not be eligible for exception.~~

- ii. Enclosed Plazas shall ~~not be excepted~~ counted provided the following limitations are met:

Comment [C169]: Clarity

- ~~(1) The enclosed plaza shall be located within a building and covered to provide overhead weather protection while admitting substantial amounts of natural daylight (atrium or galleria);~~
- ~~(12) The enclosed plaza shall be clearly visible and accessible from the public right-of-way;~~
- ~~(23) The enclosed plaza shall coordinate with and complement ground floor retail uses to the maximum extent feasible;~~
- ~~(34) At least 10% of the surface area of the enclosed plaza shall be landscaped;~~
- ~~(45) The enclosed plaza shall contain at least one sitting space for each 100 sf of plaza;~~
- ~~(56) The enclosed plaza shall be a minimum size of 1,000 sf;~~
- ~~(67) Only 4,000 sf of the enclosed plaza shall only be eligible for exception to a maximum size of 4,000 SF be excepted for the purpose of calculating FAR;~~
- ~~(78) The enclosed plaza shall have a minimum horizontal dimension (width and depth) of no less than 20 feet;~~
- ~~(89) The enclosed plaza shall be signed as "Public Access" and open to the public from 7 a.m. to 9 p.m. daily or during business hours, whichever is longer... The sign for the enclosed plaza shall be visible from the public right-of-way; and~~
- ~~(910) Any use or feature for the exclusive use of the building users or tenants is in addition to the excepted square footage shall be counted for the purpose of calculating FAR.~~

Comment [C170]: Corrections

4C. Impervious Surface/Lot Coverage

- a1. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating floor area.
- b2. 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:
 - ia. The 30-inch height limit shall 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**b.** The rooftop of any underground building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520.G.2; except that the required trees shall be a minimum of 10 feet in height at planting. ~~Alternatively,~~ 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 (Alternative Landscaping Option) are applicable.~~

Comment [C171]: Clarity

Comment [C172]: Clarity

e3. Buildings constructed partially below grade and not higher than 30 inches above average finished grade are not structures for the purpose of calculating impervious surface; provided, that the rooftop of the building shall be landscaped consistent with the City of Bellevue's Utilities Department Engineering Standards, chapter D9, now or as hereafter amended, Natural Drainage Practices (NDP's) for the building roof area as approved by the Director. ~~All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.~~

Comment [C173]: Clarity

CD. Floor Area Ratio Earned from Special Dedications and Transfers.

1. General. Land ~~which~~ that is dedicated to the City of Bellevue for right-of-way, parks, or open space, without compensation to the owner may be used for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio in LUC 20.50.020, floor area ratio (FAR); provided that the requirements of Paragraph ~~CD.2 and/or CD.3~~ are met. The Director shall calculate the amount of square footage earned for transfer. Any dedication for which a transfer is earned under this LUC 20.25D.080.D is not eligible to earn additional bonus under LUC Chart 20.25D.090.C.2.

Comment [C174]: Planning Commission Correction

Comment [C175]: Clarity/Consistency

2. Right-of-Way Special Dedications. The special dedication provisions of LUC paragraph 20.30V.170.B do not apply in the Bel-Red subarea.

Comment [C176]: Clarity

a. Eligible Right-of-Way Identified in an Adopted Plan or Document. A property owner may make a special dedication by conveying land identified for right-of-way acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council, the Capital Investment Program Plan or the street development standards of LUC 20.25D.130 ~~140~~ to the City of Bellevue by an instrument approved by the City Attorney.

Comment [C177]: Correction

Comment [C178]: Simplification

b. Eligible Right-of-Way Not Otherwise Identified. ~~In addition to the eligible Right of Way identified in paragraph C.2.a above,~~ a property owner may also make a special dedication by conveying land identified by the Director of Transportation as necessary for safety or operational improvement projects by an instrument approved by the City Attorney.

Comment [C179]: Clarity/Consistency

c. ~~Square Footage~~Floor Area Earned. The floor area available to transfer shall be equal to that permitted through the base and maximum FAR limits. Square footage earned shall be equal that apply to the square footage of the area to be dedicated in conformance with this subsection paragraph GD.2 and shall be included in the project limit for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area and may include FAR earned through the amenity incentive system if permitted by the land use district.

Comment [C180]: Clarity

3. Parks and Open Space Transfers.

a. ~~Eligible Park or Open Space identified in an Adopted Plan or Document within the Bel-Red Subarea Plan.~~ A property owner may earn floor area for transfer to a different site by conveying land identified for park or open space in an adopted City Plan or Document the Bel-Red Subarea Plan to the City of Bellevue by an instrument approved by the City Attorney.

Comment [C181]: Clarity

b. ~~Transfer Floor Area Earned.~~ The floor area available to transfer shall be equal to that permitted through the base and maximum FAR limits that apply to the square footage of the area to be dedicated in conformance with paragraph D.3 and shall be added to the allowed floor area of the project for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area and may include FAR earned through the amenity incentive system if permitted by the land use district.

Comment [C182]: Clarity

The Director shall calculate the amount of square footage and floor area earned for transfer subject to the following criteria:

- i. ~~The square footage earned is equal to the square footage that is eligible for transfer and conveyed pursuant to paragraph C.3.a; and~~
- ii. ~~The floor area earned for transfer is equal to the square footage earned pursuant to paragraph C.3.a.i times the minimum FAR applicable to the park or open space area conveyed pursuant to paragraph C.3.a.~~

Eligible <u>Land Conveyed</u> area <u>Dedication area</u> in Square feet	X	Maximum Base FAR applicable to land conveyed dedication area + FAR earned through amenity incentive system, not to exceed maximum FAR applicable to dedication area	=	Total Transferable Floor Area
--	---	--	---	--

Comment [C183]: Clarity
Formatted

c. Use of Transferable Floor Area.

i. Limitation on Location. Transferable floor area shall only be used in the following Bel-Red Nodes ~~land use districts~~ (MO-1, OR-1, OR-2, RC-1, and RC-2, CR, and R).

Comment [C184]: Correction

ii. Limitation on Transfer.

(1) Transferable floor area shall not be used to ~~exceed~~ achieve an effective site FAR of greater than 30.5 above the maximum FAR permitted for the land use district.

Comment [C185]: Clarity/ Consistency with ULI

(2) ~~The maximum FAR of the receiving site shall be achieved by providing amenities identified in Chart. 20.25D.150.C before employing this transfer opportunity.~~

Comment [C186]: Clarity

Hypothetical example: A 0.5 acre site, zoned CR, is dedicated to the city for park space. The CR zoning district has a base FAR of 1.0 and a maximum FAR of 2.0. Therefore, up to 21,780 sf (0.5 acres x 43,560 sf) of floor area could be transferred to a development site in Bel-Red at the base FAR, or up to 43,560 sq. ft. could be transferred if additional FAR is earned through participation in the amenity incentive system.

Comment [C187]: Clarity

If the receiving site is 10 acres with a maximum FAR of 4.0, its allowed floor area, with participation in the amenity incentive system, would be 1,742,400 sf (10 acres x 43,560 sf x 4.0 FAR). By transferring additional floor area from the above sending site, the maximum floor area could be 1,785,960 sf (1,742,400 + 43,560 sf). The transferred area could not exceed an additional 0.5 FAR for the receiving site, or 217,800 sf.

Comment [C188]: Clarity

4. Notwithstanding any provision of this Code, no transfer of floor area occurs when all property is included in one project limit

D. Recording Requirements.

~~The total amount of floor area earned through the FAR Amenity Incentive System or a Right-of-Way Special Dedication associated with a project and used to support project development, shall be recorded with the King County Division of Records and Elections. A copy of the recorded document shall be provided to the city for inclusion in the project file.~~

Comment [C189]: Moved

20.25D.090 FAR Amenity Incentive System.

A. General.

~~A building development within a project limit may exceed the minimum base FAR and minimum base building height permitted pursuant to Chart 20.25D.080.A for development within a Bel-Red Land Use District only if it complies with the~~

Comment [C190]: Clarity

Comment [C191]: Consistency

Comment [C192]: Consistency

requirements of this section. In no case may the ~~building development within a project limit~~ exceed the maximum floor area ratio permitted for the district except pursuant to LUC 20.25D.080.D. Each unit of measurement (square feet, linear feet, etc.) may only be used to gain one floor area ratio bonus, except where specifically provided otherwise. Any dedication for which a transfer is earned under LUC 20.25D.080.D is not eligible to earn additional bonus under this Section.

Comment [C193]: Clarity

Comment [C194]: Clarity

B. Required Review.

The Director may approve an amenity which complies with ~~subsection paragraph C of this section below~~ if:

Comment [C195]: Simplification

1. The design criteria established for the amenity have been met; and
2. A public benefit will be derived from the development of the proposed amenity in the proposed location.

C. Specific Requirements.

1. Participation in the FAR Amenity System shall comply with LUC Chart 20.25D.090.C FAR Amenity Incentive System provided below.
2. In a multi-building development within a single project limit, amenities may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan. If construction of the multi-building development is to be phased, no phase may depend on the future construction of amenities.
3. ~~Within a project limit that spans public right of way, FAR may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan.~~ Development within a project limit may only exceed its base FAR limit and base building height by providing FAR amenities as described in the LUC Chart 20.25D.090.C and this paragraph. To achieve the maximum FAR for the district, amenities from Tier 1 and Tier 2 must be provided at the specified ratio for every additional square foot of building area to be built beyond the base limit.

Comment [C196]: Moved

Comment [C197]: Clarity

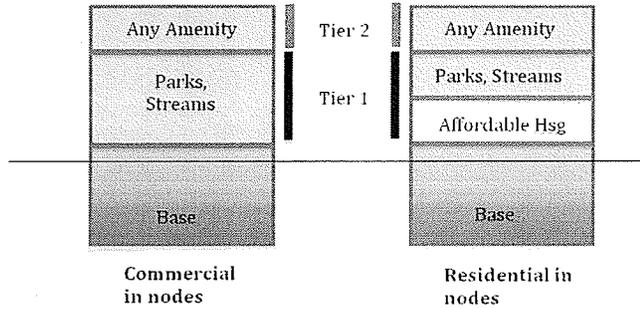
- a. A development within a single project limit must first fully utilize Tier 1 amenity bonuses before using Tier 2 amenity bonuses.
- b. A residential development or a residential portion of a development must utilize Tier 1 amenities in the following order:
 - i. Tier 1a, affordable housing as described in LUC Chart 20.25D.090.C.1 below; and
 - ii. Tier 1b, parks or stream restoration as described in LUC Chart 20.25D.090.C.2.

- c. After fulfilling Tier 1, a development may utilize any of the amenity bonus types, whether from Tier 1 or 2.
- ~~4. A residential building may only exceed its minimum FAR limit and minimum building height limit by providing FAR Amenities from Tier One in the following order:~~
- ~~a. Affordable Housing as described in LUC Chart 20.25D.090.C.1 below at a minimum of 0.5 FAR; and~~
 - ~~b. Dedication or in-lieu payment of Parks or Stream Restoration as described in LUC Chart 20.25D.090.C.2 and 3 below at a minimum of 0.5 FAR. Tier 1 equals 2.5 FAR above the base in the MO-1, OR-1, OR-2, RC-1, RC-2, and RC-3 districts and Tier 1a and 1b each equal 1.25 FAR, where applicable.~~
- ~~5. A nonresidential building may only exceed its minimum FAR limit and minimum building height limit by providing Parks or Stream Restoration FAR amenities as described in LUC Chart 20.25D.090.C 2 and 3 below. To exceed the 2.0 FAR and achieve the maximum building height for the district, amenities from Tier One or Tier Two must be provided equaling the remainder of the floor area proposed at a ratio of one FAR point for every square foot to be built. See LUC Figure 20.25D.090.C below. Tier 2 equals 0.5 FAR above Tier 1 in the MO-1, OR-1, OR-2, RC-1, RC-2, and RC-3 districts.~~
4. Tier 1 equals 1.0 FAR above the base in the CR and R districts and Tier 1a and 1b each equal 0.5 FAR, where applicable. No Tier 2 bonuses are permitted in the CR and R districts.

Comment [C198]: Clarity

Comment [C199]: Clarity

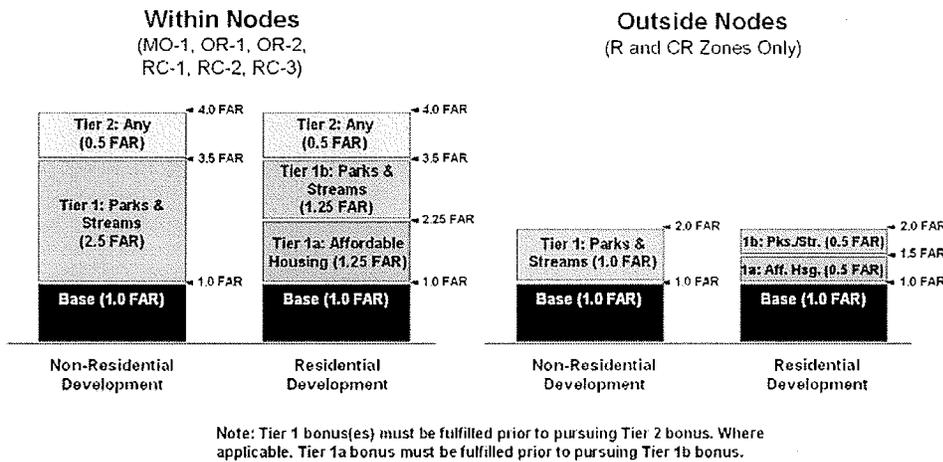
Comment [C200]: Clarity



Example of Tiered FAR Amenity Allocation
Figure 20.25D.090.C

Comment [C201]: Clarity

Comment [C202]: Clarity



5. In-lieu fees shall be used to develop the amenity for which the in-lieu fee was paid to earn bonus FAR.
6. In -lieu fees shall be assessed and collected at building permit issuance.

7. Chart 20.25D.090.C FAR Amenity Incentive System

FAR AMENITY STANDARDS			
AMENITY (1)	APPLICABLE ZONES AND DRAFT BONUS RANGE (3)		DESIGN CRITERIA
	MO-1, OR-1, OR-2, RC-1, RC-2, RC-3, CR, R	MO, OR, CR, R, C, ORT	
TIER ONE			
<p>1. AFFORDABLE HOUSING*</p> <p>Threshold bonus for residential/mixed-use development at up to 80% median income level for rental and up to 100% income level for ownership.</p> <p>Off-site units or fee-in-lieu may be provided as an off-site option for development of affordable housing in the Bel-Red corridor (but would be bonused at a lower level for residential/mixed-use projects, except congregate care, nursing home, and assisted-living uses, which shall be bonused at the same ratio for on-site, off-site, or fee-in-lieu).</p> <p>(2)</p> <p>*Floor area shall not be counted for the purpose of calculating may be excluded from calculation of FAR.</p>	<p>Rental: 3.2 to 4.6 sf bonus building area per 1 sf of affordable rental housing, 80% median income-rental.</p> <p>Owner: 5.4 to 7.2 sf bonus building area per 1 sf of ownership affordable housing at 100% median income ownership.</p> <p>Fee-in-lieu for Tier 1 residential: \$44-\$55/18 per sf bonus area (The Commission may consider a 10-20% increase to the fee as a disincentive for use of this alternative).</p> <p>Fee-in-lieu for commercial and Tier 2: \$44-\$55/15 per 1 sf bonus area.</p>	<p>TBD Note: Delete this column</p>	<p>1. May be integrated into the same building as market rate housing, or in a stand-alone building on-site.</p> <p>2. Design shall be generally consistent with associated market rate housing, provided that unit size, amenities, and interior finishes may vary from market units; and further provided that the bedroom mix and exterior finishes shall be comparable to the market rate units.</p>
	<p>2. PARKS DEDICATION</p> <p>Dedication of land for park purposes that is provided by the owner consistent with the Bel-Red Subarea Parks and Open Space Plan generalized locations and size requirements (Figure S-BR.3).</p>	<p>3.0 sf bonus building area per 1 sf of parks dedication.</p> <p>Fee-in-lieu: \$15 per 1 sf bonus area.</p>	<p>Note: Delete this column</p>

Comment [C203]: ULI

Comment [C204]: Simplification

Comment [C206]: Clarity

Comment [C207]: Clarity

Comment [C212]: Clarity

Comment [C208]: Clarity

Comment [C205]: Correction

Comment [C209]: Correction

Comment [C210]: Planning Commission Correction

Comment [C211]: ULI

Comment [C216]: Simplification

Comment [C213]: Planning Commission Consistency

Comment [C215]: ULI

Comment [C214]: ULI/ Clarity

Comment [C217]: Clarity

<p>32. PARK IMPROVEMENTS Improvements made on private property to function as parks or improvements made to city-owned New community, neighborhood, and mini-parks-parks, that are provided by the developer consistent with the Bel-Red Subarea Plan-generalized locations and size requirements.</p>	<p>2.1 to 4.52.7 sf bonus building area per 1 sf of new park, (does not include land value). Fee-in-lieu \$19-\$4015 per 1 sf bonus area.</p>	<p>FBD Note: Delete this column</p>	<p>1. Improvements made on private property to function as Bbonus parks must be consistent with the Bel-Red Subarea Plan, identified locations and sizes, provided Director may modify to bonus additional locations. 2. Improvements made on private property to function as Bbonus parks do not need to be contiguous with the site for which development is proposed. 3. Improvements made on private property to function as bonus Pparks must be signed and function as part of the Bellevue parks system, including the ability to be programmed by the city. 4. Owners of private property improved to function as a park shall provide an easement in a form satisfactory to the city that allows for public access and maintenance. 45. Parks improvements are constructed by the developer consistent with any applicable City plans. 5. Parks are dedeed to the city or an easement for public use is provided, at the discretion of the City.</p>	<p>Comment [C218]: ULI/Clarity Comment [C220]: Simplification Comment [C219]: ULI Comment [C221]: Clarity</p>
<p>4. TRAIL DEDICATIONS AND EASEMENTS Dedications and easements of land for public access trail purposes that are provided by the developer consistent with the Bel-Red Subarea Parks and Open Space Plan paved multi-purpose or soft surface locations and size requirements (Figure S-BR.3).</p>	<p>3.0 sf bonus building area per 1 sf of trail dedication. 1.5 sf bonus building area per 1 sf of trail easement. Fee-in-lieu: \$15 per 1 sf bonus area.</p>	<p>Note: Delete this column</p>	<p>1. Trails are dedicated or provided through an easement for public use at the discretion of and in a form approved by the City. 2. Bonused trail dedications and easements shall be consistent with the Bel-Red Parks and Open Space Plan paved multi-purpose or soft surface locations and sizes. 3. Bonused trail dedications and easements do not need to be contiguous with the site for which development is proposed. 4. Trail dedications shall include FAR associated with the dedicated area. 5. Trail easements shall allow City of Bellevue access for trail construction and maintenance.</p>	<p>Comment [c222]: Clarity Comment [C225]: Simplification Comment [C224]: ULI Comment [C223]: ULI/ Clarity Comment [C226]: Clarity</p>

<p>53. STREAM RESTORATION Stream restoration bonus to be applied for improvements above and beyond city's Critical Areas Ordinance provisions, part 20.25H. Projects must in Bel-Red Subarea Plan, and may include removal of fish passage barriers, daylighting piped stream segments, restoration of natural streamside vegetation, and enhanced fish and wildlife habitat.</p>	<p>25.2 to 53.466.7 sf building area bonus per \$1,000 stream restoration, <u>(does not include land value).</u> Fee-in-lieu \$49 \$4015 per 1 sf bonus area. Fee-in-lieu is not subject to the minimum <u>10,000 sf requirement.</u></p>		<p>1. A restoration plan shall be prepared by a qualified professional and approved by the city. 2. Must be coordinated with public trail system to the greatest extent possible. 3. Other elements to be considered are; public spaces with education opportunities. 43. Area improvements and plans to support those improvements shall be in addition to that required by LUC 20.25H. Critical Areas Overlay District. 54. Minimum 10,000 sf. 65. May occur on-site or off-site. 6. Owner shall provide easement allowing City of Bellevue access for maintenance, and monitoring, and trail construction.</p>	<p>Comment [C227]: Correction</p> <p>Comment [C228]: ULI</p> <p>Comment [C229]: Clarity</p>
TIER TWO				
<p>64. CHILD CARE/NONPROFIT/COMMUNITY SERVICE SPACE* <u>Space provided for floor area dedicated to child care, non-profit groups whose purpose is to provide community or social services, or non-profit groups whose purpose is to provide arts/cultural uses non-profit groups, child care, and arts/cultural uses.</u></p> <p><u>*Floor area shall not be counted for the purpose of calculating may be excluded from calculation of FAR.</u></p>	<p>4.7 to 40.0 13.7 sf bonus building area per 1 sf of non-profit/community service space. Buy-out Fee-in-lieu at \$49 \$4015 per 1 sf bonus area (or higher rate).</p>	<p>FBD Note: Delete this column</p>	<p>1. Childcare services must comply with the requirements of LUC 20.20.170. 2. Non-profit arts/cultural- uses include art education, rehearsal, and performance, art production, and artist live/work space. 3. Space shall be used in manner described for the life of the building project. 4. Documentation of nonprofit status shall be provided. 5. Bonused space may be used for other uses in this category with approval from the Director. 6. Director may approve a "Buy-out of space originally dedicated to child care/non-profit space at the prevailing fee-in-lieu rate if applicant shows good faith efforts to locate eligible tenant." option must be approved by the Director. If buy-out option is approved, covenant required in number 3 above shall be released.</p>	<p>Comment [C230]: Consistency</p> <p>Comment [C234]: Simplification</p> <p>Comment [C233]: ULI</p> <p>Comment [C231]: Clarification</p> <p>Comment [C232]: Clarification</p> <p>Comment [C235]: Clarification</p>

<p>75. PUBLIC RESTROOMS* A room or rooms containing toilets and lavatories for the use of the general public, with only limited control for purposes of personal safety.</p> <p>*Floor area may be excluded from calculation of shall not be counted for the purpose of calculating FAR.</p>	<p>6.3 to 13.3 16.7 sf bonus building area per 1 sf of public restroom space.</p>	<p>TBD Note: Delete this column</p>	<p>1. Shall be located on the ground level of the building. 2. Shall be open for use by the public during normal business hours. 3. Exterior of building shall be signed to identify location and public access of facility. 4. Maintenance of the facility is the obligation of the property owner of that portion of the building within which the restroom is located for the life of the project.</p>	<p>Comment [C237]: ULI</p> <p>Comment [C238]: Simplification</p> <p>Comment [C236]: Clarification</p> <p>Comment [C239]: Clarification</p>
<p>86. PUBLIC ART Sculpture, mural, water feature or other artwork that is located outside of or on a building and fully accessible to the general public. Includes building-related art treatments for awnings, doors, planters, etc., as well as fountains, cascades, and reflection ponds.</p>	<p>25.2 to 53.4 66.7 sf building area bonus per \$1,000 artwork.</p>	<p>TBD Note: Delete this column</p>	<p>1. Shall be permanent in nature and displayed outside of or on the building in areas open to the general public and/or any adjacent public right-of-way, perimeter sidewalk or pedestrian way. 2. May be an object or integrated feature of the building's exterior. 3. Art must be accepted by the Bellevue Arts Commission per the Public Art Selection Criteria. 4. Value of art to be determined through appraisal by accepted by Bellevue Arts Program. 5. Maintenance of the art is the obligation of the property owner of that portion of the site where the public art is located for the life of the project.</p>	<p>Comment [C240]: ULI</p> <p>Comment [C241]: Simplification</p> <p>Comment [C242]: Clarity</p>

<p>97. PUBLIC ACCESS TO OUTDOOR PLAZA A continuous open space, predominantly open above, and designed predominantly for use by people as opposed to serving specifically as a setting for a building.</p>	<p>0.9 to 1.92.3 sf bonus building area per 1 sf of outdoor plaza.</p>	<p>FBD Note: Delete this column</p>	<p>1. Shall abut and be within 3 ft in elevation of a perimeter sidewalk or pedestrian connection so as to be visually and physically accessible. 2. Shall provide protection from adverse wind, wherever practical. 3. At least 20% of the plaza surface area shall be landscaped. 4. Shall provide at least one sitting space for each 100 sf of plaza. 5. Shall be enclosed on at least two sides by a structure or by landscaping which creates a wall effect. 6. Minimum size is 1,500 sf 7. Maximum size is 15,000 sf 8. Minimum horizontal dimension is 20 ft. 9. Shall provide opportunities for penetration of sunlight in majority of plaza between 11am. and 2 p.m. 10. May Shall not be used for parking, loading or vehicular access. 11. Shall be signed "Public Access" per this Section and open to the public from 7 a.m. to 9.p.m daily or during business hours, whichever is longer."</p>	<p>Comment [C243]: ULI Comment [C244]: Simplification Comment [C245]: Consistency</p>
<p>108. LEED GOLD OR PLATINUM CERTIFICATION</p>	<p>0.1 to 0.15 0.13 FAR bonus for LEED Gold 0.15 to 0.20 0.33 for LEED Platinum.</p>	<p>FBD Note: Delete this column</p>	<p>1. Building shall meet minimum criteria for LEED certification in chosen category. 2. A performance bond equivalent to the value of the bonus shall be provided to the city by the developer. In the event the project does not achieve the planned rating, all or part of the money shall be used for environmental improvements identified by the city.</p>	<p>Comment [C247]: Simplification Comment [C246]: ULI</p>
<p>119. ACTIVE RECREATION AREA* An area which provides active recreational facilities for tenants of the development of which it is a part and for the general public. Does not include health or athletic clubs. *Floor area shall not be counted for the purpose of calculating (indoor) may be excluded from calculation of FAR.</p>	<p>9.7 sf bonus building area per 1 sf of active recreation area. 25.2 to 53.4 66.7 sf building area bonus per \$1,000 active recreation improvement (does not include land value).</p>	<p>FBD Note: Delete this column</p>	<p>1. May not be used for parking or storage. 2. May be located out of doors, on top of, or within a structure. 3. Recreational facilities include, but are not limited to, sport courts, child play areas, and exercise rooms. 4. May be fee-for-use but not exclusively by membership.</p>	<p>Comment [C250]: Simplification Comment [C249]: ULI Comment [C248]: Clarity</p>

<p>120. NATURAL DRAINAGE FEATURES Low impact development techniques that improve natural drainage features such as rain gardens, pervious pavement, vegetated roof, and amended soils.</p>	<p>0.3 to 0.60.7 bonus building area per 1 sf of effective natural drainage feature.</p>	<p>TBD Note: Delete this column</p>	<p>1. Shall meet criteria of the Bellevue Natural Drainage Practices Manual – fact sheet U1-U5. 2. Underlying soil condition and infiltration rate must be appropriate for the feature. 3. Requirement for large storm events as determined by Bellevue Utilities Department shall be met. 4. Maintenance of the natural drainage features is the obligation of the property owner for the life of the project.</p>
<p>131. REGIONAL TRANSFER OF DEVELOPMENT RIGHTS (TDRs) Transfer of development rights to designated Bel-Red areas that achieve conservation of rural resource lands outside the Countywide Urban Growth Boundary.</p>	<p>(Reserved for future updates)</p>	<p>Note: Delete this column</p>	<p>(Reserved)</p>

Comment [C252]: Simplification

Comment [C251]: ULI

Comment [C253]: Simplification

Notes: Chart 20.25D.090.C FAR Amenity Incentive System

- (1) Measured in square feet of permitted development for each qualifying developed square foot of amenity unless otherwise noted.
- (2) An agreement in a form approved by the city must be recorded with King County Department of Records and Elections requiring affordable housing square footage that is provided under this section to remain as affordable housing for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.
- (3) Where a bonus is earned by payment of a fee-in-lieu, the fee-in-lieu amount established in Chart 20.25D.090.C as of [insert Plan adoption date] will be reviewed annually, and, effective January 1 of each year, may be administratively increased or decreased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wager Earners and Clerical Workers as needed in order to maintain accurate costs for the region.

Comment [C254]: Clarity

Comment [C255]: Consistency

20.25D.100 Automobile and Motorcycle Sales, Leasing, and Rental.

The following decision criteria, in addition to the criteria in LUC 20.30E.140, apply to an Administrative Conditional Use Permit application for the leasing, rental, and/or retail sale of automobiles and/or motorcycles in the BR land use districts:

1. The applicant shall provide adequate off-street unloading area for vehicle carriers;
2. Limitations on Outside Storage and Displays
 - a. Inside Nodes: No outside storage or display is permitted between the building and public right-of-way designated for required sidewalk-oriented development (refer to LUC 20.25D.130.C);
 - b. Properties abutting the north side of Bel-Red Road: No outside storage or display is permitted between the building and Bel-Red Road; and
3. The provisions of LUC 20.20.135 shall not apply within Bel-Red.

20.25D.110 Landscape Development, Outdoor Storage, Retail Display, and Fence Standards.

Comment [C256]: Consistency

A. General.

1. Applicability. The provisions of LUC 20.20.520 Paragraphs A, C, D, E, G, I, J, K, and L apply to development in the BR Land Use Districts in addition to the provisions contained in this section.
2. Review Required. The Director shall review the proposed landscape development, outdoor storage, retail display, and fencing and may approve a proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met, subject to the provisions of LUC 20.25D.060 for existing conditions.

Comment [C257]: Correction

Comment [C258]: Clarity

Comment [C259]: Clarity

BA. Street Frontage Landscape Development Requirements.

1. Purpose/Intent. Landscape development, including retention of significant trees, as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the Bel-Red Subarea, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, to provide a better transition between the various land use districts in the Bel-Red Subarea and to enhance the pedestrian environment.
- 1.2. Where Required. ~~Build-to Lines and/or Required Sidewalk oriented development are not required pursuant to the Bel-Red Subarea Design Standards contained in LUC 20.25D.130.B and C, t~~The following street frontage landscape development requirements shall apply, except where the development is regulated by LUC 20.25D.130.B or C. See Figure 20.25D.110, Required Landscape Treatments for the streets mentioned below.

Comment [C260]: Clarity

Formatted: Bullets and Numbering

Comment [C261]: Clarity

Required Landscape Treatments

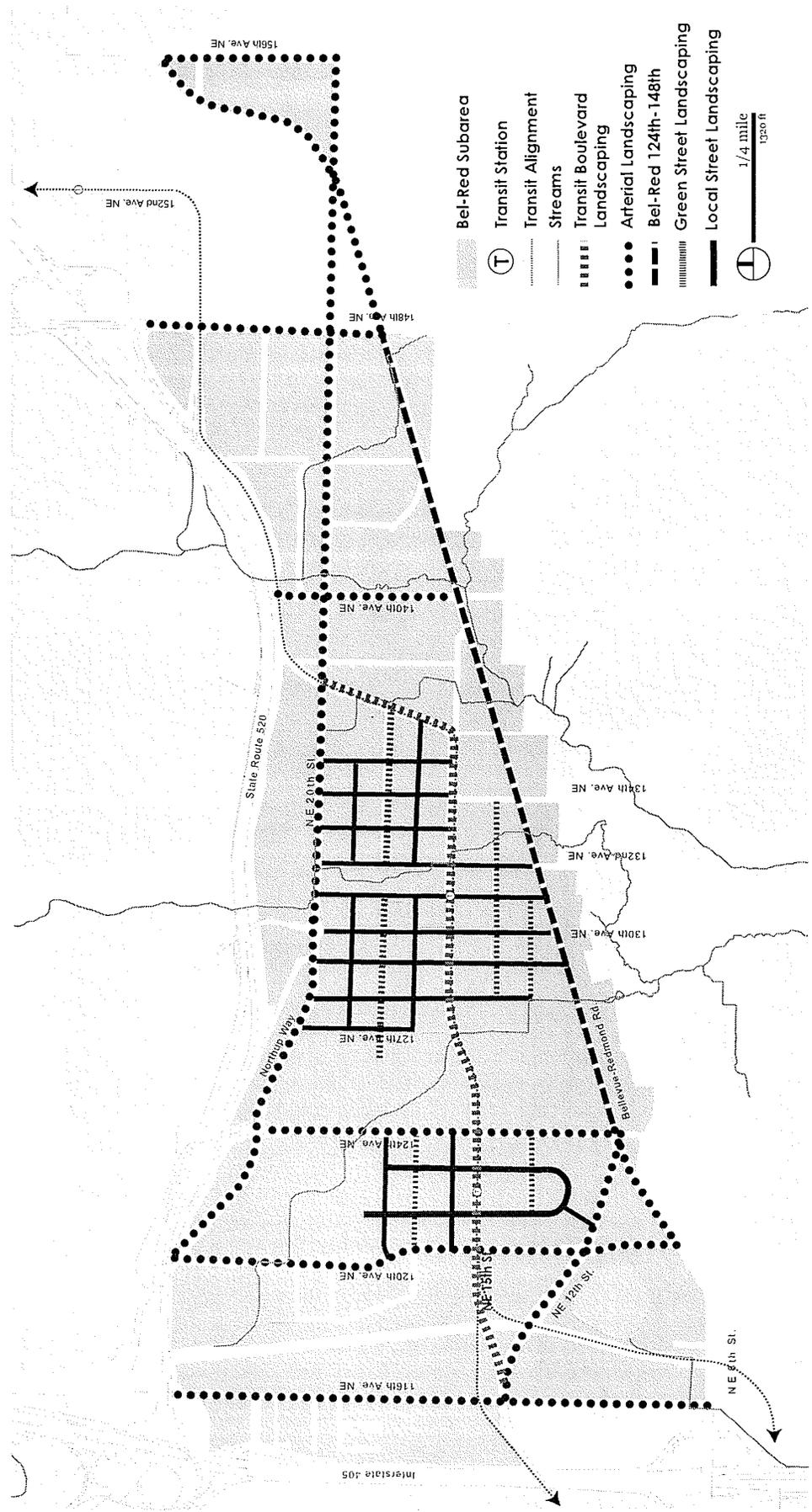


Figure 20.25D.110: Required Landscape Treatments

3. Applicable Standards:

a. Transit Boulevard Landscaping: NE15th/16th Street:
i. Corridor Design approval through Transportation Department.

b. 130th Avenue Shopping Street north of NE 15th/16th:
i. Corridor design approval through Transportation Department.
ii. Dimensions: Sidewalk: 9 ft
Planting: 5 ft

c. Bel-Red Road from 124th to 148th
i. Dimensions: Sidewalk: 8 ft
Planting: 20 ft
ii. On both sides of Bel-Red Road the required landscaping shall be provided except where a plaza or gateway meeting the requirements of the Bel-Red Design Guidelines, LUC 20.25D.150, abut the sidewalk.
iii. The sidewalk may meander into the planting area only where necessary to retain significant trees. In such case, the overall dimension of sidewalk and sidewalk planting shall total 28 feet.

iv. Planting

(1) All significant trees shall be maintained between the street and existing or proposed development pursuant to Paragraph A above and each of the following standards shall be met:

(2) A minimum of five trees (evergreen and deciduous) per 1,000 sf of planting area shall be provided. No more than 40 percent shall be deciduous. Evergreen trees shall be a minimum height of 10 feet at planting. Deciduous trees shall have a minimum caliper of 2-1/2 inches.

(3) Evergreen shrubs shall be provided at a minimum spacing of three feet on center; shrubs shall be a minimum height of 42 inches at planting.

(4) Living groundcover shall be provided as necessary to cover the landscape area within a minimum of three years.

(5) At least 50 percent of the plantings shall be native species.

d. Arterial Landscaping includes 116th Avenue NE, 120th Avenue NE, 130th Avenue NE south of NE 15th/16th, 148th Avenue NE, 156th Avenue NE, Bel-Red Rd east of 148th Avenue NE
i. Dimensions: Sidewalk 6 ft
Planting 5 ft
ii. Street Trees:

Comment [C263]: Clarity

(1) Street trees with a minimum caliper of 2-1/2 inches shall be provided at a maximum spacing of 30 feet on center in tree wells a minimum of five feet wide and 10 feet long.

(2) Summit Ash - *Fraxinus pennsylvanica* "Summit". The Summit Ash trees will be planted symmetrically (from mid-block outwards to end of block).

(3) Greenspire Linden - *Tilia cordata* "Greenspire" located located at the end of block.

iii. Tree Well Groundcover Plantings: Groundcover shall be provided as necessary to cover the landscape area within a minimum of three years.

(1) Mondo Grass

(2) Creeping Lily Turf

(3) Lemon Daylily - *Hemerocallis flava*

(4) Salal - *Gaultheria shallon*

e. Local Street Landscaping

i. Dimensions: Sidewalk: 6 ft

Planting: 5 ft

ii. Street Tree Planting List. Street trees shall have a minimum 2-1/2-inch caliper. The trees shall be planted symmetrically (from mid-block outwards to end of block).

(1) Village Green Zelkova - *Zelkova serrulata* "Village Green"

(2) Greenspire Linden - *Tilia cordata* "Greenspire"

iii. Tree Well Groundcover Plantings.

(1) Lemon Daylily

(2) Kinnickinnick - *Arctostaphylos uva-ursi*

f. Green Street Landscaping

i. Dimensions: Sidewalk: 6 ft

Plantings: 6 ft

ii. Stormwater planters pursuant to Utilities Department Surface Water Engineering Standards.

iii. Street Trees:

(1) Street trees with a minimum caliper of 2-1/2 inches shall be provided at a maximum spacing of 30 feet on center

(2) Black Tupelo *Nyssa sylvatica*

(3) American Hornbeam *Carpinus caroliniana*

(4) Eastern Redbud *Cercis canadensis*

(5) Dacquemontii Birch *Betula jacquemontii*

Chart 20.25D.110.A – Street Frontage Landscape Development Requirements

Comment [C264]: Clarity

Street	Sidewalk Width	Sidewalk Planting Width (2) (3)	Landscape Density (3) (4)
NE15 th /16 th Street			Corridor design approval through Transportation Department.
Bel-Red Road	6	20 (1)	<ol style="list-style-type: none"> 1. All significant trees shall be maintained between the street and existing or proposed development pursuant to Paragraph G below; and each of the following standards shall be met: 2. A minimum of five trees (evergreen and deciduous) per 1,000 square feet of buffer area shall be provided. No more than 40 percent shall be deciduous. Trees shall be a minimum height of 10 feet high at planting. 3. Evergreen shrubs shall be provided at a minimum spacing of three feet on center; shrubs shall be a minimum height of 42 inches at planting. 4. Living groundcover shall be provided as necessary to cover the landscape area within a minimum of three years. 5. At least 50 percent of the plantings shall be native species. 6. Sidewalk may meander to retain significant trees.
Arterial Streets Northup Street/ NE 20 th Street	6	5	All significant trees shall be maintained between the street and existing or proposed development pursuant to Paragraph G below.
Arterial Streets 130 th Avenue NE (north of 16 th)	9.5	5	Corridor design approval through Transportation Department

Formatted: Space Before: 0 pt, After: 0 pt

Street	Sidewalk Width	Sidewalk Planting Width (2) (3)	Landscape Density (3) (4)
Arterial Streets 116 th Avenue NE, 120 th Avenue NE, 124 th Avenue NE, 130 th Avenue NE (south of 16 th)	6	5	1. Street trees shall be provided at a maximum spacing of 30 feet on center in tree wells a minimum of five feet wide and 10 feet long. 2. Living groundcover shall be provided as necessary to cover the landscape area within a minimum of three years. 3. At least 50 percent of the plantings shall be native species.
Local Grid Streets	6	5	1. Street trees shall be provided at a maximum spacing of 30 feet on center in tree wells a minimum of five feet wide and 10 feet long. 2. Living groundcover shall be provided as necessary to cover the landscape area within a minimum of three years. 3. At least 50 percent of the plantings shall be native species.
Green Streets	6	6	Stormwater planters pursuant to Director's Administrative Rule guidelines for Low Impact Development (reserved)

Formatted: Space Before: 0 pt, After: 0 pt

Comment [C265]: Clarity

Comment [C266]: Clarity

Notes: Chart 20.25D.110.A – Street Frontage Landscape Development

- (1) On the both sides of Bel-Red Road, a landscape buffer meeting the requirements contained in LUC Chart 20.25D.110.A shall be provided except where a plaza or gateway meeting the requirements of Bel-Red Design Guidelines, LUC 20.25D.150 abuts the sidewalk.
- (2) An alternative design may be approved through Alternative Landscape Option, LUC 20.20.520.J.
- (3) Landscape Types are described in 20.25D.110 C-F below.
- (4) See LUC 20.20.520 for Type III Landscaping.

Comment [C267]: Clarity

B. District Perimeter Property Line Landscape Development Requirements.

Chart 20.25D.110.B Required Perimeter Landscape Buffer

District Perimeter Landscape Development Abutting BR-R district or property outside the Bel-Red Subarea (1) (2)	Other Property Line Landscaping (1) (2) (3)
<p>20 foot buffer shall be provided and meet each of the following requirements:</p> <ol style="list-style-type: none"> 1. Evergreen and deciduous trees shall be provided at a maximum spacing of 20 feet on center. No more than 30 percent shall be deciduous. Trees shall be a minimum height of 10 feet at planting. 2. Evergreen shrubs shall be provided at a minimum spacing of three feet on center. Shrubs shall be a minimum of two-gallon in size. 3. Living ground cover shall be provided as necessary to cover the entire remaining area within a minimum of three years. 4. No portion may be paved except for vehicular entrance drives and required trails or other pedestrian connections, and these features should be minimized to the extent feasible. 	<p>10 Ft Type III (4)</p>

Notes: Chart 20.25D.110.B Other Property Line Landscape Development

- (1) ~~An alternative design may be approved through Alternative Landscape Option, LUC 20.20.520.J.~~
- (2) ~~Tree Retention Requirements of LUC 20.20.900 and Paragraph G below shall apply.~~
- (3) ~~Not applicable to setbacks abutting right-of-way frontage regulated pursuant to Paragraph A above.~~
- (4) ~~See LUC 20.20.520.G.3 for Type III landscaping.~~

Comment [C268]: Clarity

C. Perimeter Landscape Development for land use districts

- 1. Purpose Intent. Landscape development, including retention of significant trees, as required by this section is necessary to create visual separation between different land use districts.
- 2. Where Required. A 20 foot landscape buffer shall be provided along the interior property line of a district abutting BR-R and BR-ORT Land Use Districts.
- 3. Applicable Standards.
 - a. Evergreen and deciduous trees shall be provided at a maximum spacing of 20-feet on center. No more than 30 percent shall be deciduous. Trees shall be a minimum height of 10 feet at planting.
 - b. Evergreen shrubs shall be provided at a minimum spacing of three feet on center. Shrubs shall be a minimum of two-gallon in size at planting.
 - c. Living ground cover shall be provided as necessary to cover the entire remaining area within a minimum of three years.
 - d. No portion may be paved except for vehicular entrance drives and required trails or other pedestrian connections, and these features should be minimized to the extent feasible.

Comment [C269]: Clarity

D. Interior Property Line Development

- 1. Purpose/Intent. The landscape development required by this section is necessary to provide visual separation of uses so as to soften the appearance of parking areas and building elevations.
- 2. Where Required. A 10 foot landscape buffer shall be provided along an interior property not regulated elsewhere.
- 3. Applicable Standard.
 - a. Evergreen and deciduous trees, with no more than 50 percent being deciduous, a minimum of six feet in height, and planted at intervals no greater than 30 feet on center; and
 - b. If planted to buffer a building elevation, shrubs, a minimum of three and one-half feet in height, and living ground cover planted so that the ground will be covered within three years; or
 - c. If planted to buffer a parking area, access, or site development other than a building, any of the following alternatives may be used unless otherwise noted:
 - i. Shrubs, a minimum of three and one-half feet in height and living ground cover must be planted so that the ground will be covered within three years.

- ii. Earth-mounding, an average of three and one-half feet in height, planted with shrubs or living ground cover so that the ground will be covered within three years. This alternative may not be used in a Downtown Land Use District.
- iii. A combination of earth-mounding and shrubs to produce a visual barrier at least three and one-half feet in height.

Comment [C270]: Clarity

EC. Curb Extension Planting.

1. Purpose/Intent. Landscape development as required by this section is necessary to enhance the visual appearance of the Bel-Red Subarea, to reduce the impacts of development on the storm drainage system and water resources to enhance the pedestrian environment in the Bel-Red Subarea.

2. Where Required: Refer to Transportation Department Development Standards for curb extension design standards and generalized locations.

- a. Type I. Curb Extension Planting – refer to symbol on map
- b. Type II. Curb Extension Planting – refer to symbol on map

3. Applicable Standard.

- a. General Standards applicable to all curb extension planting types
 - i. Groundcover and shrubs shall be provided as necessary to cover the landscape area width within three years.
 - ii. Shrubs shall be a minimum of one gallon at the time of planting to cover the landscape area within a minimum of three years. li Shrubs. A combination of the following shrubs is required at any curb extension unless modified below. All specified shrubs shall be a minimum of one gallon at the time of planting.

~~A combination of the following shrubs is required at any curb extension unless modified below. All specified shrubs shall be a minimum of one gallon at the time of planting.~~

- (1) Tall Oregon Grape - *Mahonia aquafolium*
- (2) Creeping Oregon Grape - *Mahonia repens*
- (3) Salal - *Gaultheria shallon*
- (4) Golden Princess Spiraea - *Spiraea japonica*
"Golden Princess"
- (5) Western Swordfern - *Polystichum munitum*
- (6) Lemon Daylily - *Hemerocallis flava*
- (7) David Viburnum - *Viburnum davidii*

- b. Type I Curb Extension Planting.
 - i. Trees

~~(1) Vine Maple - *Acer circinatum* with 2-3 trees
with a minimum 3/4 inch caliper planted within
each curb extension~~

~~(2) *Styrax japonicus* "Japanese snowdrop"~~

~~(3) *Cercidiphyllum japonicum* "Katsura"~~

~~(4) *Cercis canadensis alba* "Redbud"~~

~~c. Type II Curb Extension Planting~~

~~i. Trees~~

~~(1) Minimum 2-inch caliper~~

~~(2) Coral Bark Maple - *Acer Palmatum* "Sango-kaku"~~

~~(3) Dogwood *cornus kousa*~~

~~(4) Lemon Daylily - *Hemerocallis flava*~~

~~(5) David Viburnum - *Viburnum davidii*~~

Comment [C271]: Clarity

~~D. NE 15th/16th Street~~

~~1. Street Tree Planting List.~~

~~Corridor design approval through Transportation Department.~~

~~2. Ornamental Curb Extension Tree Planting List.~~

~~Corridor design approval through Transportation Department.~~

~~3. Tree Well Plantings.~~

~~Corridor design approval through Transportation Department.~~

Comment [C272]: Clarity

~~E. Arterial Streets~~

~~1. Street Tree Planting List. Canopy street trees shall have a minimum 2 1/2-inch caliper.~~

~~a. Summit Ash - *Fraxinus pennsylvanica* "Summit". The Summit Ash trees will be planted symmetrically (from mid-block outwards to end of block).~~

~~b. Greenspire Linden - *Tilia cordata* "Greenspire". The Greenspire Lindens will be located at the ends of blocks.~~

~~2. Ornamental Curb Extension Tree Planting List. Ornamental trees shall have a minimum 3/4-inch caliper.~~

~~Vine Maple - *Acer circinatum* with 2-3 trees planted within each curb extension.~~

3. ~~Tree Well Plantings.~~

- a. ~~Mondo Grass~~
- b. ~~Creeping Lily Turf~~
- c. ~~Lemon Daylily — *Hemerocallis flava*~~
- d. ~~Salal — *Gaultheria shallon*~~

Comment [C273]: Clarity

F. Local Grid Streets.

- 1. ~~Street Tree Planting List.~~ Street trees shall have a minimum 2-1/2-inch caliper. The trees shall be planted symmetrically (from mid-block outwards to end of block).
 - a. ~~Village Green Zelkova — *Zelkova serrulata* “Village Green”~~
 - b. ~~Greenspire Linden — *Tilia cordata* “Greenspire”~~
- 2. ~~Ornamental Curb Extension Tree.~~ Ornamental trees shall have a minimum 2-inch caliper. These trees will provide accent at each intersection.
 - a. ~~Coral Bark Maple — *Acer Palmatum* “Sango-kaku”~~
 - b. ~~Dogwood~~
- 3. ~~Tree Well Plantings.~~
 - a. ~~Lemon Daylily —~~
 - b. ~~Kinnickinnick — *Arctostaphylos uva-ursi*~~

FG. Significant Tree Retention and Pruning.

Tree retention requirements of LUC 20.20.900 shall apply in addition to the requirements set forth below.

- 1. In the landscape areas required pursuant to paragraphs A-B and B-C above, all significant trees shall be retained which ~~that will do~~ not constitute a safety hazard as determined by the Director and consistent with the guidelines of the International Society of Arboriculture.
- 2. **Select Tree Pruning.** Pruning of existing trees within the 20-foot wide landscape buffer on the north and south sides of Bel-Red Road shall be performed in accordance with guidelines established by the Director for each of the following pruning techniques: canopy reduction; canopy cleaning; canopy thinning; canopy raising or lifting; structural pruning; and canopy restoration. Pruning shall be performed in a manner that ensures continued survival of the vegetation.

Comment [C274]: Correction

Comment [C275]: Clarity

3. Pruning or removal of significant trees within Parks and Community Services easements is prohibited except as performed by the City of Bellevue if restricted by the terms of an easement.

Comment [C276]: Clarity

GH. Screening of Outdoor Storage, Retail Display, Parking Areas, Vehicular Access, and Outdoor Storage Associated with Manufacturing Uses.

Comment [C277]: Consistency

Between the sidewalk and the subject property 10 feet of Type III landscaping is required ~~if to buffering screen~~ a surface vehicular access, parking area, new retail display, or new outdoor storage associated with an existing or permitted manufacturing use. An alternative design may be approved through Alternative Landscape Option, LUC 20.20.520.J.

Comment [C278]: Consistency

HI. Fences.

1. No fence shall be permitted to violate the sight obstruction restrictions at street intersections. (See BCC 14.60.240 now or as hereafter amended.)

Comment [C279]: Consistency

2. Any fence which exceeds eight feet in height requires a building permit and shall conform to the International Building Code, as adopted by the City of Bellevue now or as subsequently amended or superseded.

Comment [C280]: Consistency

3. Height shall be measured from finished grade at the exterior side of the fence. No person shall construct a berm upon which to build a fence unless the total height of the berm plus the fence does not exceed the maximum height allowable for the fence if the berm was not present.

4. Prohibited Fences. The following types of fences are prohibited:

Comment [C281]: Clarity

- a. Barbed wire.
- b. Electric fences.
- c. Chain link fences are not permitted on any street frontage in any land use district except as follows:
 - i. To secure a construction site or area during the period of construction, site alteration, or other modification;
 - ii. In connection with any approved temporary or special event use; or
 - iii. As a component of a ~~documented~~ existing development that meets the requirements of pursuant to LUC 20.25D.060.

Comment [C282]: Consistency

20.25D.120 Parking, Circulation, and Internal Walkway Requirements.

A. General.

1. General. The provisions of LUC 20.20.590 Paragraphs C, E, G, H, I, and K apply to development in the BR Land Use Districts in addition to the provisions contained in this section.
2. Review Required. The Director shall review the proposed parking, circulation, and walkways and may approve the proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met, subject to the provisions of LUC 20.25D.060 for existing conditions.

B. Minimum/Maximum Parking Requirements by Use – Specified Uses.

1. Number of Parking Stalls. The requirements of this section for the number of parking stalls apply to each new use and to each new tenant.
2. Parking Standards for Bel-Red - Chart 20.25D.120.B.2

Chart 20.25D.120.B.2 - PARKING STANDARDS FOR BEL-RED (6) (7)					
Use	Unit of Measure	MO-1, OR-1, OR-2, RC-1, RC-2, RC-3		MO, OR, RC, CR, GC, R, ORT	
		Min.	Max.	Min.	Max.
a. Financial institution	Per 1,000 nsf	2.0	3.0/3.5 (1)	3.0	4.0
b. Manufacturing/assembly	Per 1,000 nsf	1.0	2.0	2.0	4.0
c. Home furnishing-retail and major appliances-retail	Per 1,000 nsf	1.5	3.0	1.5	3.0
d. Manufacturing/assembly (other than high technology/light industry)	Per 1,000 nsf	1.0	1.5	1.5	2.0
e. Office: Business services/professional services/general office	Per 1,000 nsf	2.0	3.0/3.5 (1)	3.0	4.0
f. Office: Medical/dental/health related services	Per 1,000 nsf	3.5	4.0/4.5 (1)	4.0	5.0
g. Residential (5)	Per unit	0.75	2.0	1.0	2.0
h. Restaurant and bar (3)	Per 1,000 nsf	5.0 (4)	15.0	10.0	20.0
i. Retail, personal service, shopping center	Per 1,000 nsf	2.5 (4)	4.5	3.0	5.0
j. Retail and personal service in mixed-use development (2,3)	Per 1,000 nsf	2.0	3.5	3.0	4.5
k. Senior housing: Nursing home	Per patient bed	0.25	0.75	0.25	1.0
l. Senior housing: Senior citizen dwelling or congregate care	Per living unit	0.25	1.0	0.5	1.25
m. Wholesale, warehouse	Per 1,000 nsf	1.5	2.0	1.5	No max.

Comment [PI283]: Correction

Notes applicable to off-street parking requirements (see previous page) standards for Bel-Red (Chart 20.25D.120.B.2):

Comment [C284]: Consistency

- (1) The maximum parking ratio for financial institutions and office uses in LUC Chart 20.25D.120.B.2.a and e may be increased from 3.0 to 3.5 per 1,000 nsf and in Chart 20.25D.120.B.2.f from 4.0 to 4.5 per 1,000 nsf if as follows:

Comment [C285]: Consistency

Comment [C286]: Correction

Comment [C287]: Consistency

- a. For off-site parking, the additional 0.5 per 1,000 nsf increment shall be provided off-site in an interim surface parking configuration no more than 500 feet away from the building site. The interim parking will have a sunset clause of ~~(TBD) ten (10) years, or as agreed upon by the Directors such other period approved through a phasing plan, Part 20.30V; and/or~~
- b. For on-site parking, the additional 0.5 per 1,000 nsf increment may be constructed on-site if it is part of an approved ~~master phasing plan, Part 20.30V LUC~~, and dedicated for a portion of the parking requirement for a future phase of the project.
- (2) If retail and personal service space in a mixed-use development exceeds 250 percent of the net ~~floor area~~ square footage of the development, the retail, personal service, shopping center parking requirements in Chart 20.25D.120.B.2.i may be ~~applied~~ apply to the entire retail and personal service space.
- (3) If restaurant and/or bar uses ~~comprise more than~~ exceed 25 percent of the total net square footage of a retail, shopping center, or mixed-use development, the restaurant and bar requirements in Chart 20.25D.120.B.2.h apply to the entire restaurant and/or bar space.
- (4) Inside nodes, no parking is required for retail and restaurant and/or bar uses under 2,000 nsf ~~in size when the use is: inside nodes and~~ directly adjacent to a public on-street parking supply of at least 20 spaces within 500 feet, ~~or within 1,000 feet of a public parking garage, or within 500 feet of a light rail or bus rapid transit station.~~
- (5) The minimum requirement for ~~studio up to and including one bedroom~~ apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with ~~the King County.~~
- (6) Vanpool/Carpool Facilities. The ~~property owner~~ applicant shall provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths and that is contained within the required parking and circulation areas. The facility shall be adjacent to an entrance door to the structure served by the parking, or as nearly so as possible after barrier free access parking has been provided, and shall be consistent with all applicable design guidelines.
- (7) Tandem/stacked parking stalls. The ~~property owner~~ applicant may use tandem/stacked parking stalls to exceed the minimum parking requirement, so long as the maximum parking requirement is not exceeded.

Comment [C288]: Clarity

Comment [C289]: Clarity

Comment [C290]: Correction

Comment [C291]: Correction

Comment [C292]: Clarity

Comment [C293]: Simplification

Comment [C294]: Clarification

Comment [C295]: Flexibility/ Consistency

Comment [C296]: Clarity

Comment [C297]: Clarity

C. Off-Site Accessory Parking.

The Director may approve off-site accessory parking to meet the minimum and up to the maximum parking allowed to serve a specific use if the following criteria are met.

1. Adequate visitor parking is provided on the subject property;
2. Adequate pedestrian, van, or shuttle connections between the sites exists;
3. On-site signage is provided regarding accessory parking location;
4. The use being served is within 500 ft of a light rail, bus, or bus transit station; and
5. The off-site parking is within ¼ mile of the use being served.

D. Parking Structure Performance Standards.

The Director may approve a proposal for a parking structure through Design Review if the following criteria are met:

1. Driveway openings are limited to those needed to adequately serve the facility;
2. Exposed parking on the roof of a structure shall be screened by a parapet or other solid screening that equals or exceeds the height of the vehicles;
3. Safe pedestrian connection between the parking structure and the public right-of-way exists;
4. Unfinished ceilings visible from the public right-of-way shall be substantially screened from view; and
5. Lighting shall utilize cut-off shields to prevent spillover upon adjacent uses and the right-of-way and to conceal the light source.

E. Phased Parking.

The property owner may install the required parking spaces in phases if ~~the schedule has been approved by the Director pursuant to a phasing plan, Part 20.30V LUC.~~ Each phased parking installation must include the approved minimum to meet the parking requirements for the completed phases of the development for which the parking is provided. The phasing schedule must specifically indicate when all parking approved pursuant to this section will be provided.

Comment [C298]: Clarity

1. Location. Phased parking may be located off the site being served if the criteria of paragraph C above are met.

Comment [C299]: Clarity

2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirement and intent of paragraph C of this section above.

Comment [C300]: Consistency

F. Director's Authority to Modify Required Parking.

1. The Director may modify the minimum or maximum parking ratio for any use in LUC 20.25D.120.B as follows:

Comment [C301]: Consistency

a. ~~The modified parking ratio is supported by a parking demand analysis including but not limited to:~~

Comment [C302]: Clarity

- i. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
- ii. Evidence in available planning and technical studies relating to the proposed use; or
- iii. Required parking for the proposed use as determined by other comparable jurisdictions.

b. The proposal does not result in any adverse impact beyond the site; and

c. A shared parking agreement is executed pursuant to 20.20.590.I. Use of Shared Parking.

Comment [C303]: Clarity

2. Periodic Review. The Director may require periodic review of the reduced parking supply to ensure the terms of the approval are being met.

3. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to insure compliance with the requirement and intent of paragraph F.1 of this section.

G. Bicycle Parking.

Office, residential, ~~institutional, retail,~~ and education uses are required to provide bicycle parking pursuant to the following standards:

Comment [C304]: Consistency

1. Ratio.

a. 1 space per 10,000 nsf for ~~office, institutional and retail non-residential uses~~ greater than 20,000 nsf.

Comment [C305]: Consistency

b. 1 space per every 10 dwelling units for residential ~~projects~~ uses.

Comment [C306]: Consistency

2. Location. Minimum bicycle parking requirement shall be provided on-site.

3. Covered spaces. At least 50% ~~percent~~ of required parking shall be protected from rainfall by cover.

Comment [C307]: Consistency

4. Racks. The rack(s) shall be securely anchored and a bicycle six feet long can be securely held with its frame supported so the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.
5. Size requirement. Each required bicycle parking space shall be accessible without moving another bicycle.

H. Unspecified Uses.

The Director shall establish the minimum number of parking spaces required and may establish the maximum number of parking spaces allowed for any use not specified on the previous page in LUC 20.25D.120.B. The Director may consider but is not limited to the following in establishing parking requirements for an unspecified use:

Comment [C308]: Clarity

1. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
2. Evidence in available planning and technical studies relating to the proposed use; or
3. Required parking for the proposed use as determined by other comparable jurisdictions.

Comment [C309]: Consistency

20.25D.130 Bel-Red Development Standards.

The Bel-Red Development Standards establish regulatory requirements for new structures, development, or activities and remodels or expansions on public and private parcels within the Bel-Red Subarea. These standards support and strengthen existing and planned infrastructure while establishing a hierarchy of use and a highly identifiable Subarea character. Deviations from the specific requirements set forth in this Section may be approved through the Master Development Plan or Design Review processes consistent with the criteria set forth in LUC paragraphs 20.25D.030B. and C.2.

Comment [C310]: Consistency

A. Required Ground Floor Uses.

1. Purpose/Intent. Ground floor retail and commercial uses are an essential component of active and vital streets as well as transit station areas. Ground floor uses create a vibrant “18-hour” pedestrian environment where neighborhood- servicing uses are within an easy walk, bike or transit trip.
2. Where Required. Figure 20.25D.130.A identifies those streets where ground floor retail and ground floor commercial uses are required for buildings frontages.
 - a. Location. All buildings along the 130th Avenue pedestrian-oriented street shall include ground floor retail uses. The street edges facing the transit station areas along NE 15th/16th Street shall include ground floor commercial uses.

Comment [C311]: Clarity

Comment [C312]: Simplification

b. ~~Map Reference. The required ground floor uses standards apply only to building frontages identified in Figure 20.25D.120-A below.~~

3. Applicable Standards for Ground Floor Retail Uses.

a. Ground floor retail uses shall satisfy the intent of paragraph 1 above and include uses such as:

Comment [C313]: Clarity

- i. Eating and drinking establishments;
- ii. Merchandise sales (including but not limited to grocery, food retail, art, and clothing); or
- iii. Personal services (including but not limited to laundry and beauty services).

b. Continuous retail storefronts shall be provided for 75-100 percent of the building frontage on a designated street.

Comment [C314]: Consistency

Comment [C315]: Clarity

c. Interruptions in storefronts shall be limited to residential lobbies and required emergency access. ~~Lobby and community facilities interruptions shall be~~ limited to 25 percent of the building frontage.

Comment [C316]: Consistency

Comment [C317]: Clarity

d. All other ~~land-uses~~ are prohibited on the ground floor.

4. Applicable Standards for Ground Floor Commercial Uses.

a. Ground floor commercial uses shall satisfy the intent of paragraph 1 above and include all ground floor retail uses permitted in paragraph A.3 of this section, and as well as financial, real estate, insurance services, and hotels.

Comment [C318]: Clarity

b. In the 122nd Avenue Node, at least 50 percent of the street level building edges shall incorporate ground floor commercial uses. The required ground floor commercial uses may be interrupted by lobby entrances to office, hotel or residential buildings and required emergency access. Lobby interruptions shall be limited to 25 percent of the building frontage.

Comment [C319]: Consistency

c. In the 130th Avenue Node, at least 75-100 percent of the street level building edges shall incorporate ground floor commercial uses. The required ground floor commercial uses may be interrupted by residential lobbies or work-live space units. Lobby interruptions shall be limited to 25 percent of the building frontage.

Comment [C320]: Planning Commission Consistency

Comment [C321]: Consistency

Required Ground Floor Uses

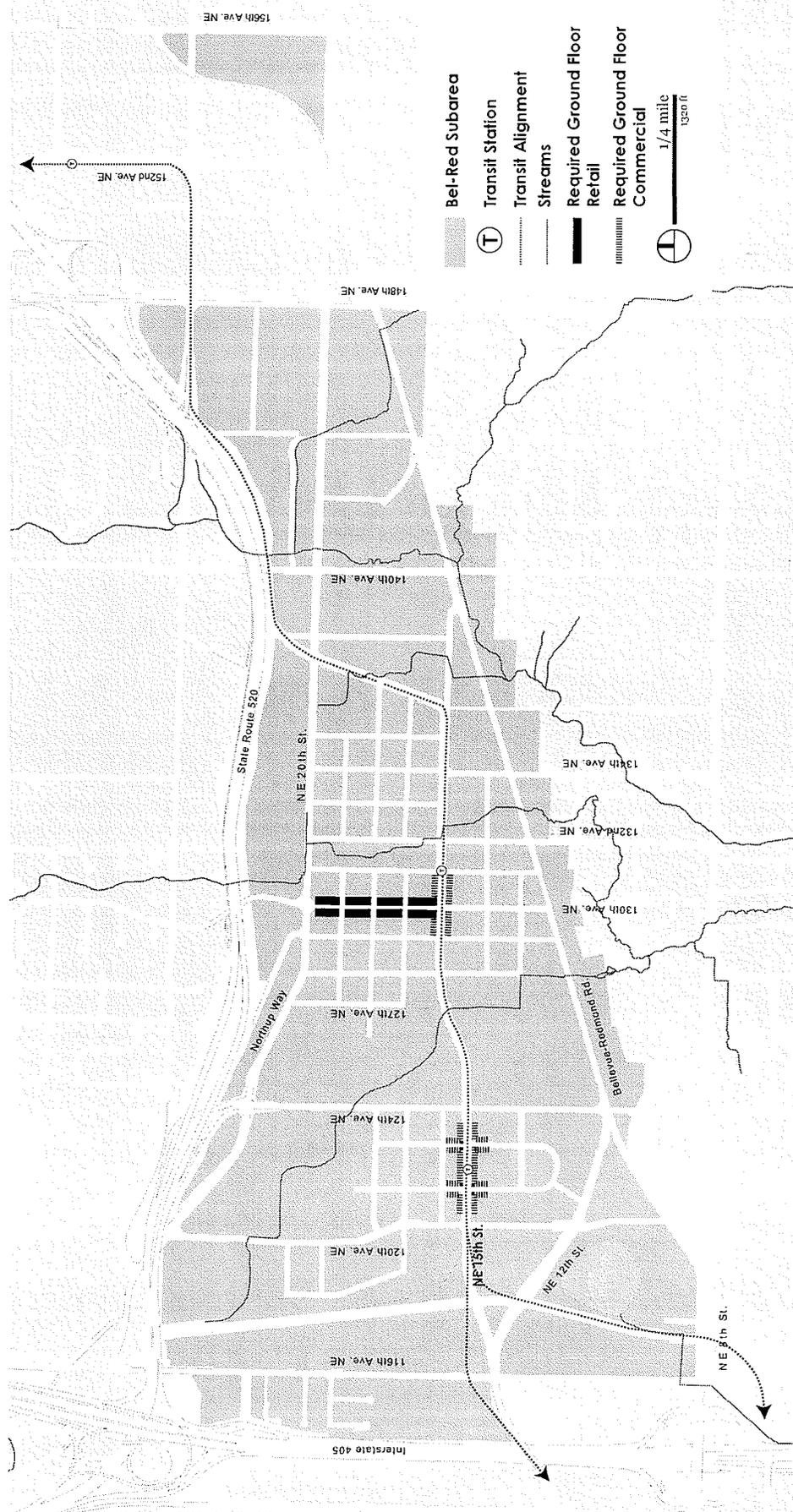


Figure 20.25D.130.A: Required Ground Floor Uses

B. Required Build-to Lines.

1. Purpose/Intent. Build-to lines occur along select block faces to help establish a continuous "street wall" providing a sense of enclosure and visual interest for pedestrians. Build-to-lines also contribute to the economic viability of retail and commercial uses by providing direct pedestrian access and visual exposure to potential drive-by customers.
2. Where Required. Figure 20.25D.130.B identifies locations of required build-to lines where the ground-floor facades must be built to the back of sidewalk.
3. Applicable Standards for required build-to lines.
 - a. Except as provided in paragraphs d, e, and f below, buildings shall satisfy the intent of paragraph 1 above and be constructed along the entire block length as where indicated in Figure 20.25D.130.B below.
 - b. Entrances to buildings may be recessed a maximum of five feet behind the build-to line.
 - c. Windows and walls may be recessed up to 18 inches if columns, pilasters, walls or other architectural fenestration tie them together with the rest of the building frontage.
 - d. In the 122nd Avenue Node, required build-to lines may be interrupted only to accommodate public or private plazas, parks, or other publicly accessible spaces. Interruptions in the required build-to lines shall be limited to a maximum of 25 percent of the total ~~block~~ project frontage on an individual block.
 - e. In the 130th Avenue Node, required build-to lines may be interrupted only to accommodate public or private plazas, parks, or other publicly accessible spaces. Interruptions in the required build-to lines shall be limited to 15 percent of the total project frontage on an individual block.
 - f. ~~Interruptions are only allowed to accommodate public or private plazas, parks, or other publicly accessible spaces. Vehicular access is limited pursuant to LUC section 20.25D.140.F regarding restricted driveway access.~~
 - g. Surface parking is not permitted between the sidewalk and the building wall.

Comment [C322]: Consistency

Comment [C323]: Clarity

Comment [C324]: Moved

Comment [C325]: Consistency

Comment [C326]: Moved

Comment [C327]: Consistency

Comment [C328]: Moved

Comment [C329]: Clarity

Required Build-to-Lines

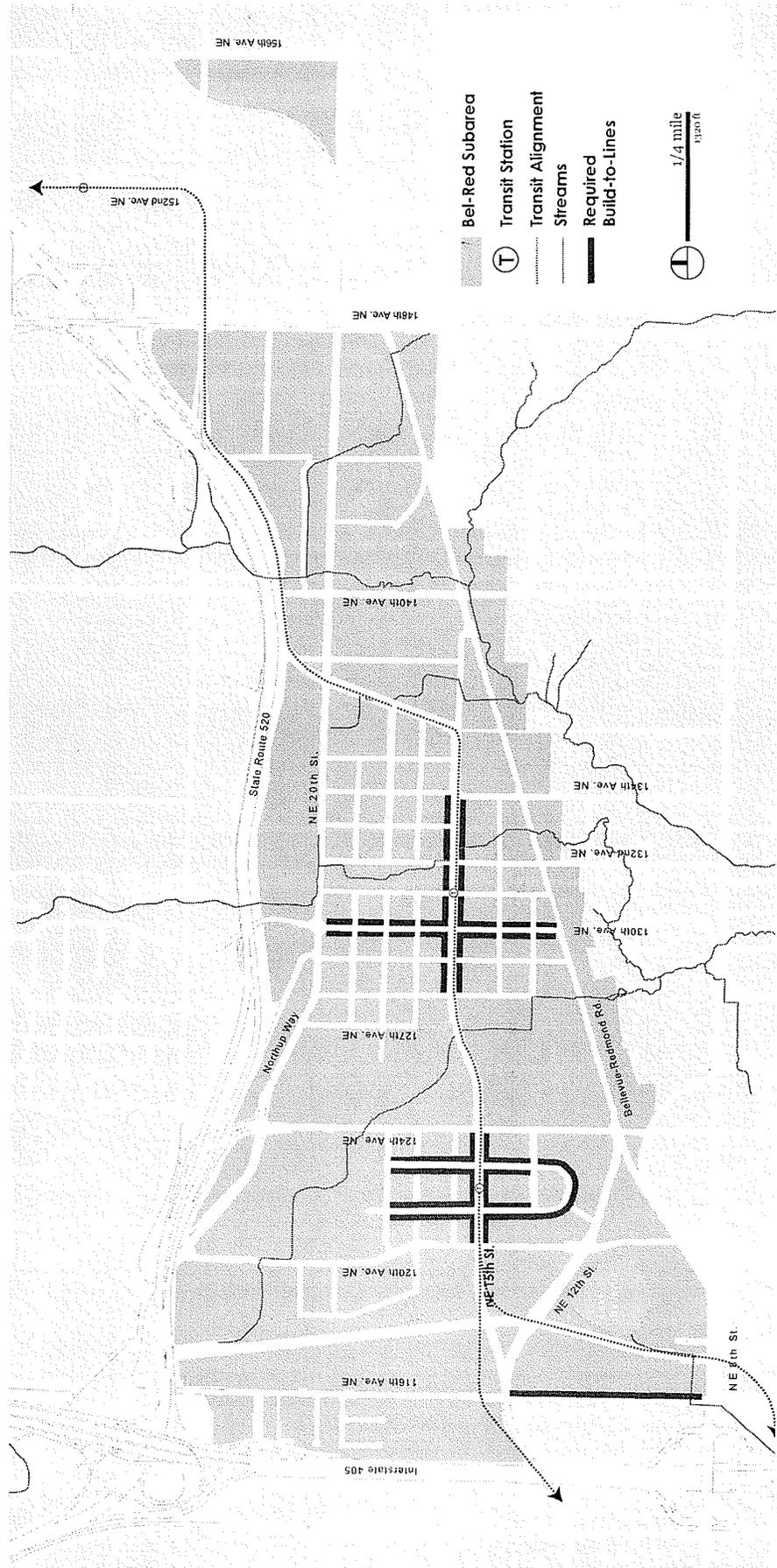


Figure 20.25D.130.B: Required Build-to-Lines

C. Required Sidewalk-Oriented Development

1. Purpose/Intent. Sidewalk-oriented development is characterized as ground floor building frontages with direct entries from the sidewalk and/or building frontages with a high degree of transparency and activating land use. This increased visual and physical interaction between the people inside and outside the buildings results in "eyes on the street" while creating a greater degree of safety and a vibrant public realm.
2. Where Required. Figure 20.25D.130.C identifies where sidewalk-oriented development is required.
3. Applicable Standards for Ground Floor Retail and Commercial Uses.
 - a. On street frontages identified in Figure 20.25A.130.A, ~~a minimum of 70-100~~ percent of ground floor facades shall be transparent glass or screens ~~that satisfy the intent of paragraph 1 above~~. Tinted, reflective, or other types of glass or window treatments that diminish transparency are prohibited.
 - b. Interruptions in the transparent glass or screens shall be limited to a maximum of 30 percent of the sidewalk-oriented development.
 - ~~b~~c. Primary entrances to all ground floor uses shall be oriented to the public right-of-way. Doors shall not be separated from adjacent public sidewalks by steps or ramps except where no feasible alternative exists.
4. Applicable Standards for Other Uses.
 - a. Primary entrances shall be oriented toward the public right-of-way or open space.
 - b. Doors may be separated from adjacent public right-of-way or open space by a maximum of 36 inches grade separation.
 - c. A minimum of 40 percent of ground floor facades shall be transparent glass or screens.

Comment [C330]: Planning Commission Consistency
Comment [C331]: Consistency
Comment [C332]: Clarity

Comment [C333]: Clarity

Required Sidewalk-Oriented Development

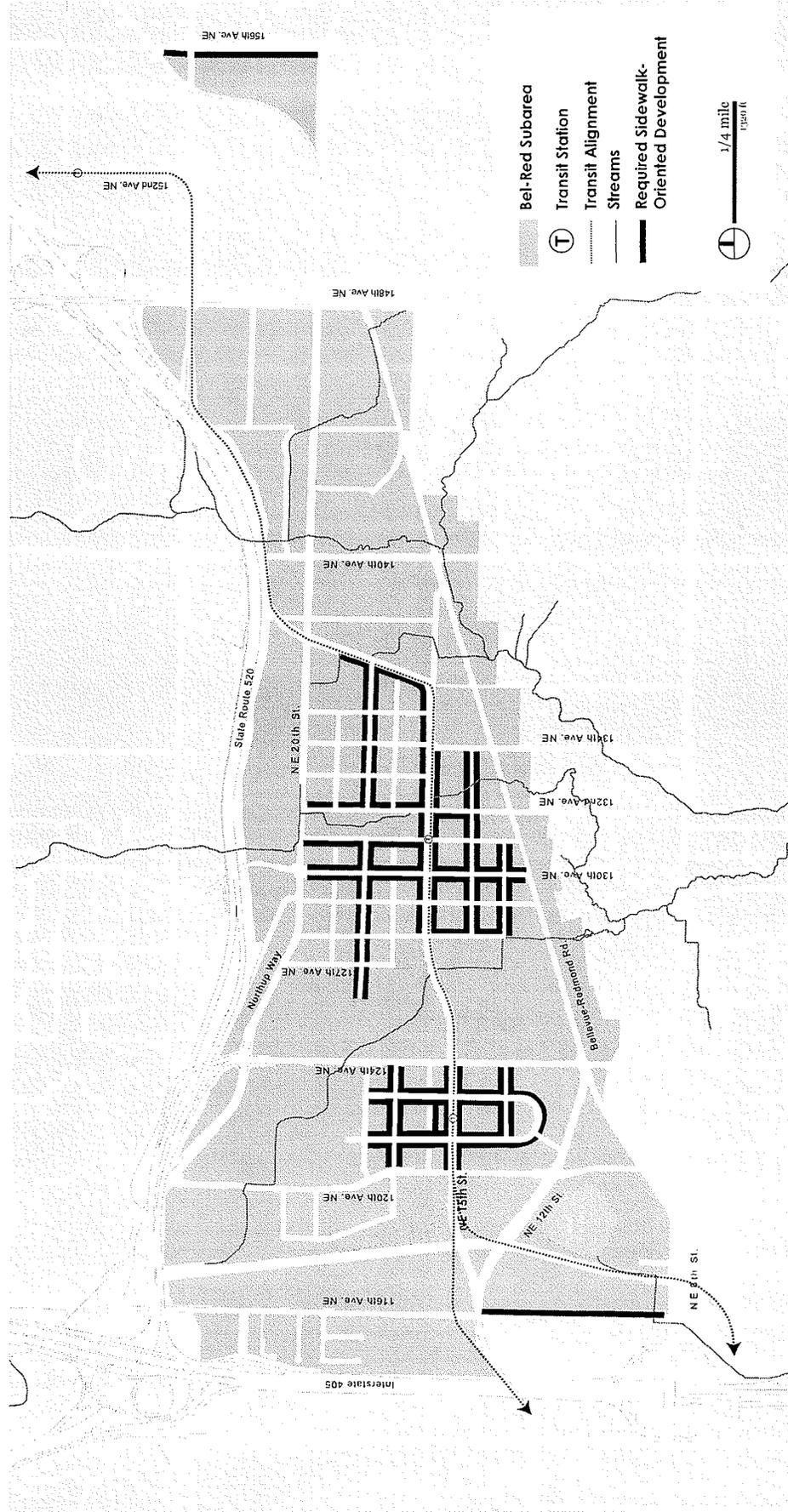


Figure 20.25D. 130.C Required Sidewalk-Oriented Development

D. Required Transition Edge Development.

1. Purpose/Intent. Transition edge development requires elements incorporated into the site and building design that soften the impact of BR-ORT, ~~a~~ this more intensive land use district, where it is adjacent to single-family uses.
2. Where Required. All buildings on the south side of Bel-Red Road between 124th Avenue NE and 148th Ave NE where abutting property is zoned single-family residential, R-1 – R 7.5.
3. Applicable Standards for Site Design.
 - a. Surface parking lots shall be screened from street level views and from ground level views of an abutting residential district per LUC 20.25D.110.B. In appropriate circumstances, surface parking lots should be located away from adjacent residential properties.
 - b. Mechanical equipment that is located on the roof shall be incorporated into a pitched or stepped roof form, and not appear as a separate penthouse or box.
 - c. All refuse and recycling containers shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering material. ~~The containers shall be and~~ located on a side of the building facing away from the abutting residential properties, but not between the street and the subject building.
4. Applicable Standards for Building Design Standards.
 - a. Building facades shall incorporate elements including but not limited to stepbacks, offsets, roof overhangs, and recesses with a minimum depth of 18 inches. Incorporated recess and offset elements should generally occur along the building façade at intervals no greater than 30 feet generally every 30 feet.
 - b. A building façade visible from abutting residential properties shall not exceed 150 feet.
 - c. A primary structure shall be a minimum of 20 feet from another primary structure, provided this dimension may be modified pursuant to LUC 20.25H.040 on sites in the Critical Areas Overlay District.
 - d. The maximum building height of 45 feet above average finished grade may be reached only when incorporating pitched or stepped roof forms.
 - e. Communication dishes greater than one meter (3.28 feet) in diameter shall not be visible from adjacent residential districts.
 - f. Natural materials and neutral colors shall be used.

Comment [C334]: Clarity

Comment [C335]: Consistency

Comment [C336]: Consistency

Comment [C337]: Consistency

5. Signs.

- a. Building design shall provide for architecturally integrated signage consistent with the scale and architecture of the building, and signage shall be installed so as not to obscure any architectural detail of the building.
- b. Signs shall meet the requirements of Chapter 22B.10 BCC, Bellevue Sign Code.
- c. Signs shall be located so that they are not visible from abutting single family properties land use districts.

Comment [C338]: Clarity

Comment [C339]: Consistency

E. Prohibited Materials.

To ensure the Bel-Red District contains high-quality buildings of durable and sustainable materials the following materials are prohibited on facades visible from the public right-of-way within the Bel-Red District unless expressly approved through Design Review.

Comment [C340]: Consistency/
Flexibility

- 1. Synthetic stucco;
- 2. Unfinished metal or plastic storefront window systems;
- 3. Unfinished concrete or cinder block;
- 4. Aluminum, plastic, or vinyl siding;
- 5. ~~Flagstone, s~~Simulated materials such as river rock, or other similar veneer~~faux~~ cladding;
- 6. Clapboard, cementitious lap and shingle~~Rough-sawn, simulated wood siding, wood veneer, clapboard,~~ or other types of residential siding;
- 7. ~~Cementitious lap or shingle siding;~~
- 8. ~~Corrugated metal siding;~~
- 9. Architectural foam detailing; and
- 10. Applied simulated divided light window systems.

Comment [C341]: Clarity

20.25D.140 Bel-Red Street Development Standards.

The Bel-Red street development standards are a hierarchy of emphasis and design treatment for public areas within the Bel-Red District. These standards ensure that a consistent, high-quality public realm is developed throughout the district and that the unique qualities of Bel-Red are enhanced.

Comment [C342]: Consistency

A. Required New-Local Streets

Comment [C343]: Consistency

1. Purpose/Intent. The intent of the local streets grid is to introduce a public right-of-way system that improves mobility by increasing access for local vehicular and pedestrian access-traffic throughout the Bel-Red District.

Comment [C344]: Clarity

2. Where Required. Figure 20.25D.140.A identifies the general location of new local streets. The Director may approve modifications to the local street grid may be adjusted to respond to specific site conditions, property ownership, and phasing considerations; provided that the modified local street grid satisfies the intent of paragraph 1 above and meets the applicable standards below.

Comment [C345]: Clarity/
Flexibility

3. Applicable Standards.

a. The total perimeter distance of a block shall not exceed 1,200 feet. For the purpose of measuring this dimension, a block may be bordered by a right-of-way, an alley with pedestrian facilities, a private roadway with pedestrian facilities, or a pedestrian street.

Comment [C346]: Clarity

b. All streets shall be accessible to the public at all times. Gateways or other means of restricting access are prohibited.

c. Street Design details, including roadway sections and engineering, shall be approved by the Transportation Department receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted.

Comment [C347]: Clarity

B. 15th/16th Transit Boulevard.

1. Purpose/Intent. The NE 15th/16th Transit Boulevard serves as the symbolic and functional thread that knits the Bel-Red District together. It connects the most intense area of development and includes vehicular, ~~high capacity transit light rail~~, and non-motorized travel modes. It is also intended to incorporate significant urban open spaces and environmentally sensitive design features.
2. Where Required. Figure 20.25D.140.B identifies the general location for the NE 15th/16th Transit Boulevard. The Director may approve the final location of the Boulevard to respond to specific site conditions, property ownership, and phasing considerations; provided that the final location satisfies the intent of paragraph 1 above and meets the applicable standards below.
3. Street design details, including roadway sections and engineering, shall receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted. ~~Applicable Standards. Design details including roadway sections shall be approved by the Transportation Department.~~

Comment [C348]: Correction

Comment [C349]: Clarity/
Flexibility

Comment [C350]: Clarity

NE 15th/16th Transit Boulevard

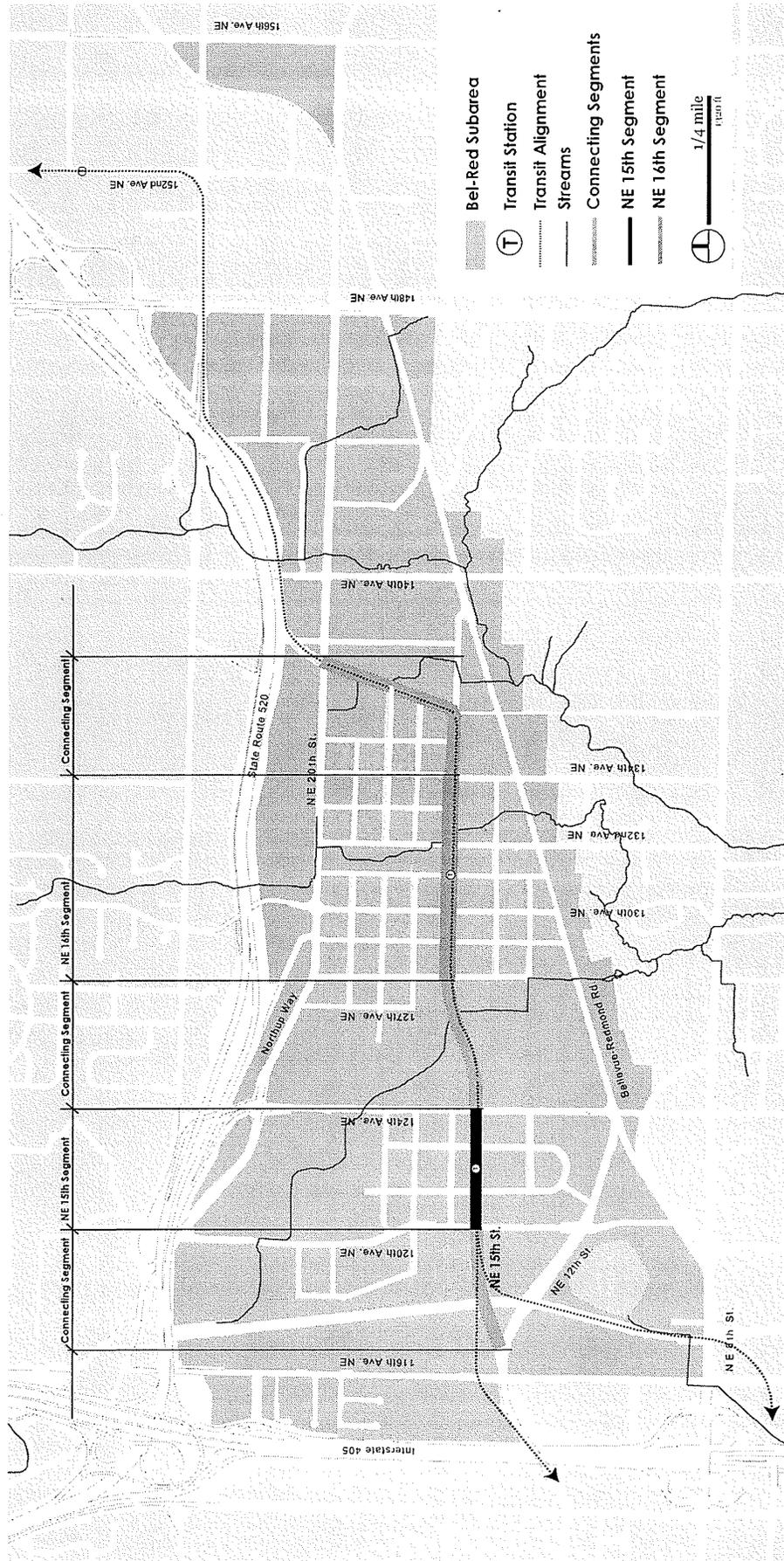


Figure 20.25D.140.B : NE 15th/16th Transit Boulevard Segments

C. 130th Avenue Shopping Street.

1. Purpose/Intent. 130th Avenue NE north of the NE 15th/16th Transit Boulevard is envisioned as a centralized neighborhood-serving retail street. Design is intended to make the pedestrian experience a priority and foster a vital retail environment by using uniform design features.
2. Where Required. The 130th Avenue Shopping Street extends from NE 15th/16th Transit Boulevard to Northup Way/NE 20th. Figure 20.25D.140.C identifies the general location of the 130th Avenue Shopping Street. The Director may approve the final location of the Shopping Street to respond to specific site conditions, property ownership, and phasing considerations; provided that the final location satisfies the intent of paragraph 1 above and meets the applicable standards below.
 - a. ~~Location. The 130th Shopping Street extends from NE 15th/16th Transit Boulevard to Northup Way/NE 20th.~~
 - b. ~~Map Reference. Figure 20.25D.140.C identifies the location of the 130th Avenue Shopping Street.~~
3. Applicable Standards.
 - a. Sidewalks shall be a minimum of 14 feet 6 inches from face of curb to face of building or open space.
 - b. Street design details, including roadway sections and engineering, shall receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted. ~~Applicable Standards. Design details including roadway sections shall be approved by the Transportation Department.~~

Comment [C351]: Clarity

Comment [C352]: Clarity/
Flexibility

Comment [C353]: Consistency

Comment [C354]: Consistency

Comment [C355]: Clarity

D. Green Streets.

1. Purpose/Intent. Green Streets utilize natural drainage systems, to the extent feasible, to improve and reduce the amount of stormwater runoff at its source.

2. Where Required.

a. ~~Location.~~ Green Streets shall be generally located between stream corridors and trail connections.

Comment [C356]: Consistency

b. ~~Figure 20.25D.140.D indicates the general location of Green Streets. The Director may approve the final location of Green Streets to respond to specific site conditions, property ownership, and phasing considerations; provided that the final location satisfies the intent of paragraph 1 above and meets the applicable standards below.~~

Comment [C357]: Clarity/
Flexibility

3. Applicable Standards.

a. See LUC 20.25D.110.AB for Green Streets natural drainage planting requirements.

Comment [c358]: Correction

b. ~~Street design details, including roadway sections and engineering, shall receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted. Design details including roadway sections shall be approved through a Transportation Department.~~

Comment [C359]: Clarity

E. Required On-Street Parking.

1. Purpose/Intent. On-street parking can contribute to the pedestrian environment, be a great benefit to retail uses, and enhance elements of neighborhood character.
2. Where Required.
 - a. ~~Location.~~ Required locations include the portions of the NE 15th/16th Transit Boulevard adjacent to retail and commercial uses, along the 130th Avenue Shopping Street, and for some of the local streets within the transit nodes.
 - b. ~~Figure 20.25D.130.E indicates the block faces where on-street parking is required. The Director may approve the final location of on-street parking to respond to specific site conditions, property ownership, and phasing considerations; provided that the final locations satisfy the intent of paragraph 1 above and meets the applicable standards below.~~
3. Applicable Standards. ~~Parking design details shall receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted. Details shall conform with the Transportation Department design standards.~~

Comment [C360]: Consistency

Comment [C361]: Clarity/
Flexibility

Comment [C362]: Clarity

Required On-Street Parking

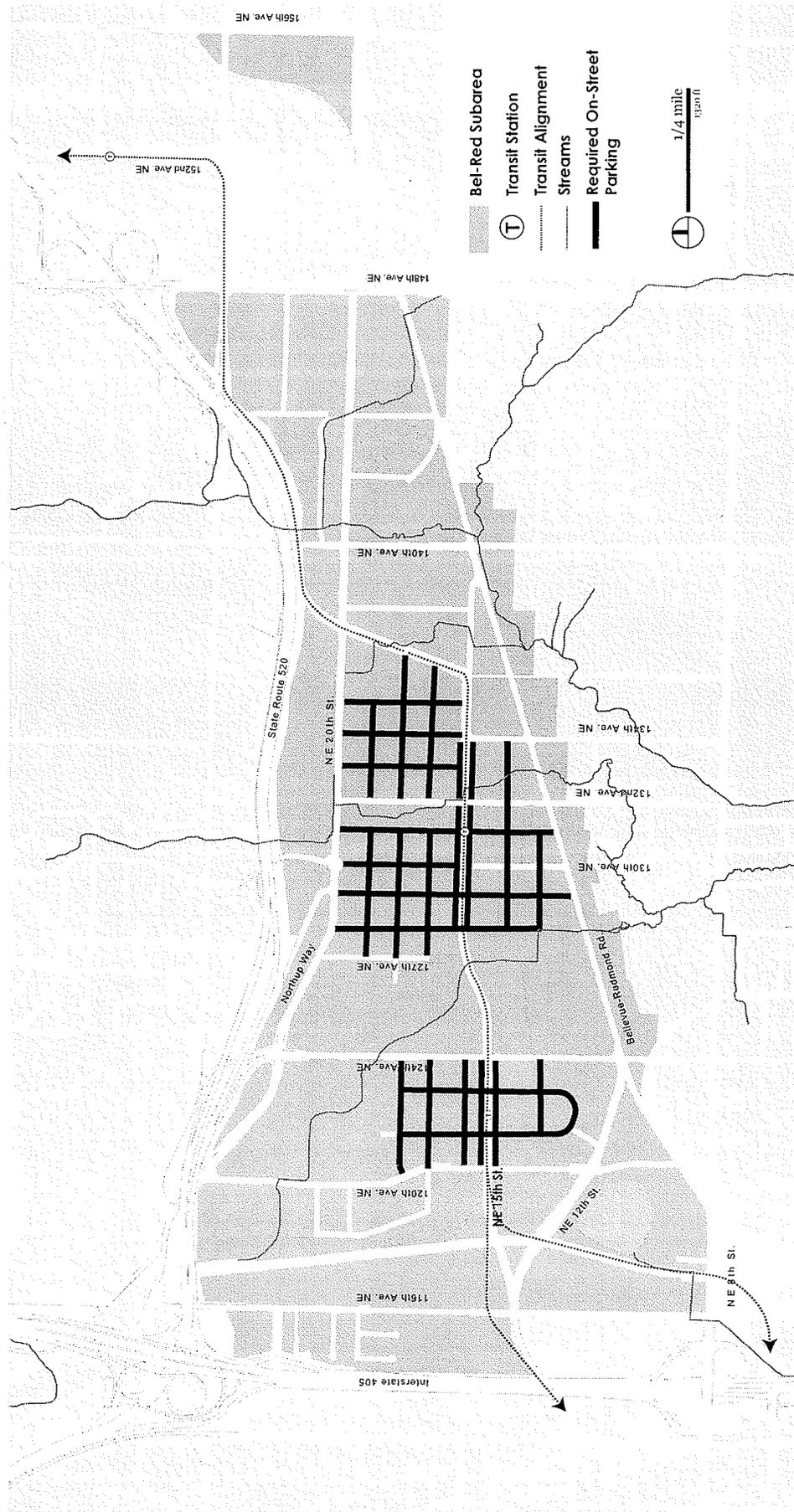


Figure 20.25D.140.E: Required On-Street Parking

F. Restricted Driveway Access.

1. Purpose/Intent. Driveway access ~~locations along certain streets is~~are restricted in order to minimize conflicts with transit, autos, bicycles, and pedestrians and to reinforce active edge continuity along commercial and retail frontages.
2. Where Required ~~Restricted~~. Driveway access is ~~restricted~~ generally prohibited along the NE 15th/16th Transit Boulevard and the 130th Shopping Street as shown in Figure 20.25D.140.F.
3. Applicable Standards.
 - a. Except where no feasible alternative access exists, vehicular access to properties abutting the rights-of-way identified in paragraph 2 above, shall be from other arterials, local streets, and alleys off of these designated corridors. The Director may approve vehicular access in these restricted areas to respond to specific site conditions, property ownership, and phasing considerations; provided that the final locations satisfy the intent of paragraph 1 above and meets the applicable standards below.
 - b. The Director may approve on-street loading and service locations when the off-street loading space required by LUC paragraph 20.20.590.K.4 cannot reasonably be designed to satisfy the intent of paragraph 1 above. Designated on-street loading and service locations shall be approved by the Transportation Department receive all approvals required pursuant to city codes and standards, including but not limited to transportation and utility codes and development standards, now or as hereafter adopted.

Comment [c363]: Consistency

Comment [C364]: Clarity

Comment [C365]: Clarity

Comment [C366]: Clarity

Comment [C367]: Clarity/Flexibility

Comment [C368]: Clarity

Restricted Driveway Access

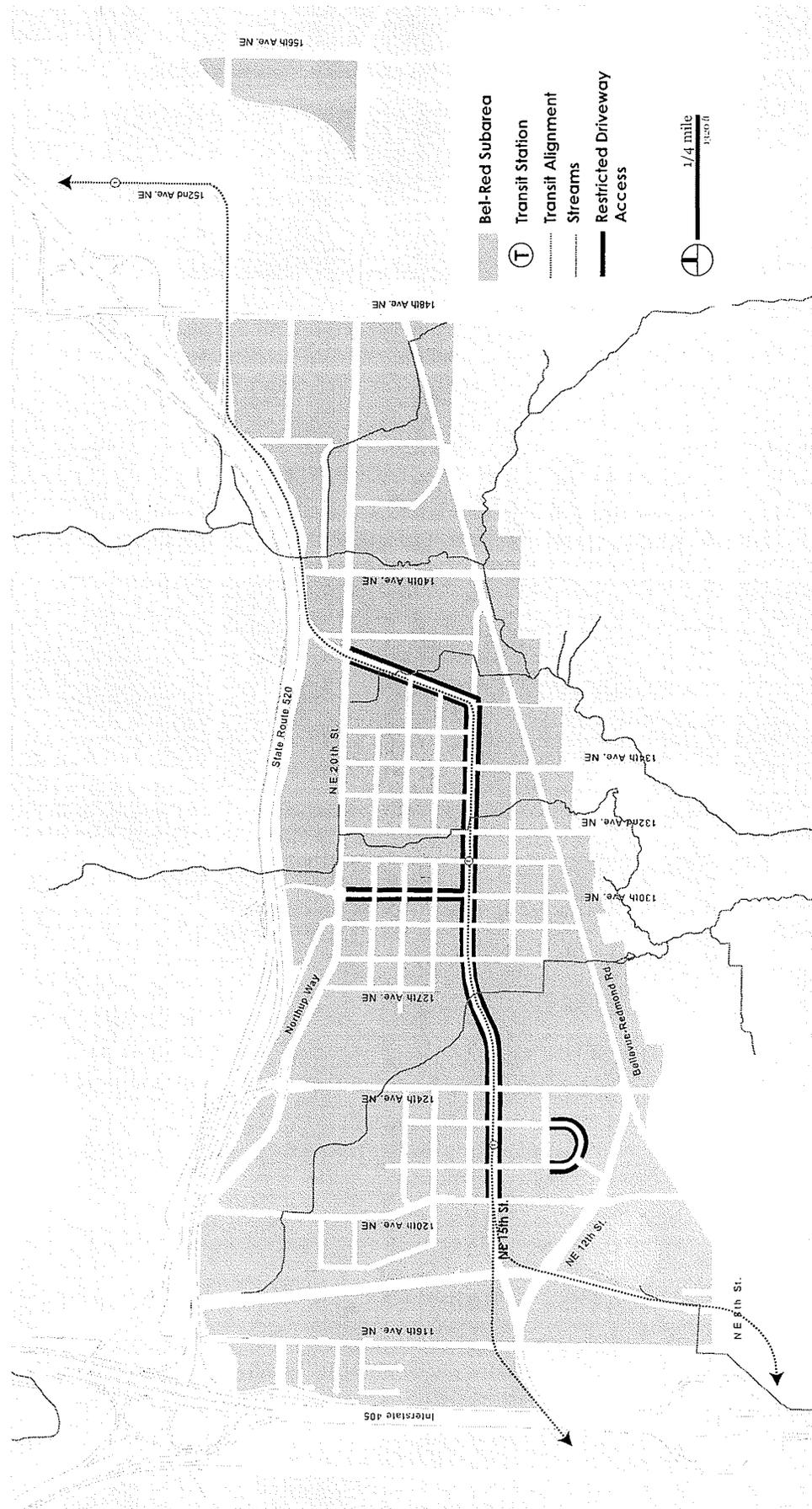


Figure 20.25D.140.F: Restricted Driveway Access

G. Required Street Furniture.

1. Purpose/Intent. Street furniture elements support a consistent and uniform street character, ~~and reinforce the identity of a district, and minimize conflicts with pedestrian mobility.~~
2. Where Required. Street furniture elements are required along streets identified in Figure 20.25D.140.G.
3. Applicable Standards. Location and specifications shall be approved by the Transportation Department.

Comment [C369]: Clarity

Required Street Furniture

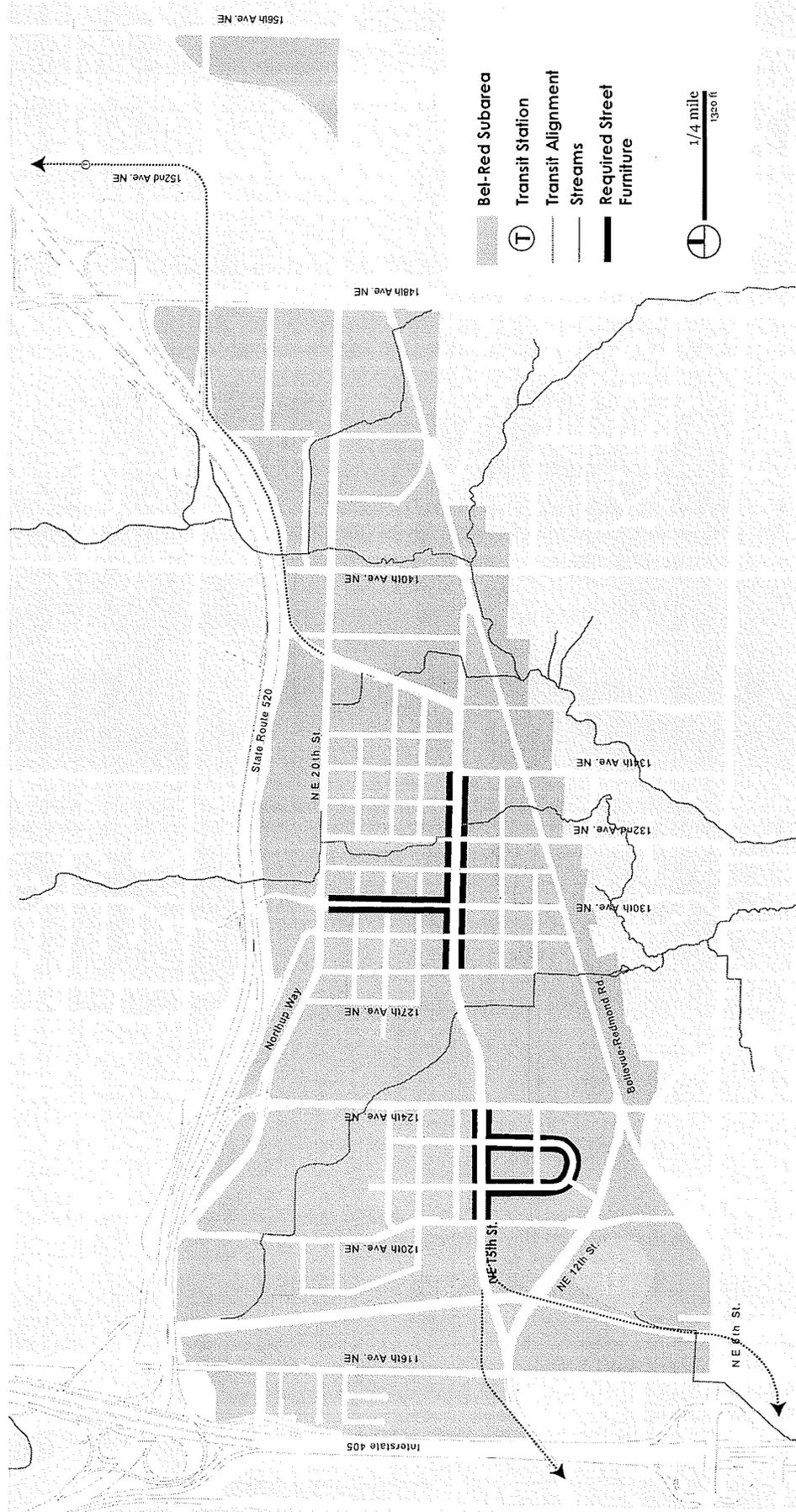
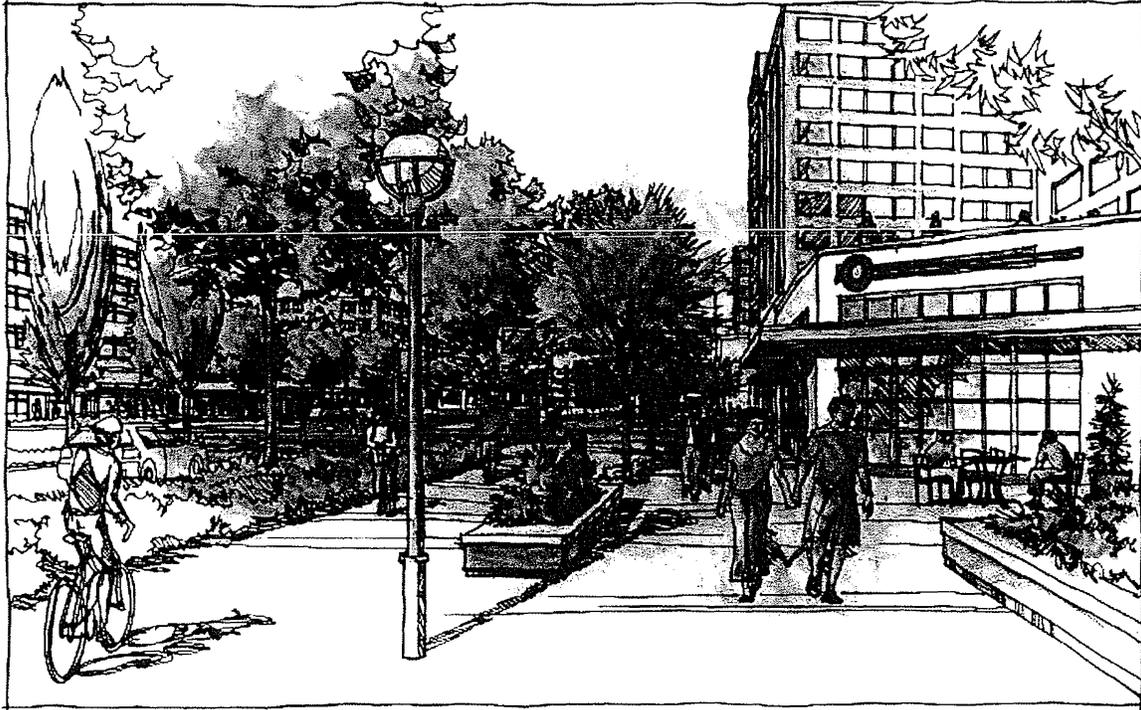


Figure 20.25D.140.G: Required Street Furniture

20.25D.150 Design Guidelines.

Each development within a Bel-Red Land Use District must comply with the provisions of the document entitled Bel-Red Subarea Design Guidelines dated [insert Plan adoption date], now or as hereafter amended or superseded pursuant to the provisions of that document. The provisions of the Design Guidelines will be applied ~~through the Master Development Plan and Design Review processes~~ pursuant to the review requirements of LUC section 20.25D.030.

Comment [C370]: Consistency



BEL-Red Subarea Design Guidelines

City Council Review DRAFT 01-05-2009

A. Introduction

The Bel-Red Subarea Design Guidelines support and complement the community vision described in the Bel-Red Subarea Plan that is part of the city's adopted Comprehensive Plan. The Design Guidelines offer a flexible tool for quality and innovation. They do not prescribe specific design solutions or make rigid requirements. There are many ways to meet a particular guideline. The guidelines are a descriptive template for promoting and improving the urban character of the area without dictating or prescribing a specific style of theme.

Each individual guideline provides the following detail:

- **Intent:** An initial concise statement of the objective of the guideline
- **Guideline:** Explanatory text describing the details of the guideline
- **Recommended:** Textual and photographic examples of recommended development consistent with the intent of the guideline
- **Not Recommended:** Textual and photographic examples of development that does not meet the intent of the guideline

Visual examples are included as models for design and review purposes. They are intended to provide a means to effectively judge a building or project relative to the design criteria; they are not intended to be specific examples to be replicated.

B. Character and Site Guidelines

Purpose

These guidelines address the qualities that make the Bel-Red subarea unique. They consider what makes an area a special, distinct "place," not simply a group of individual buildings and streets.

1. Integrate the Natural Environment

a. Intent

Reinforce linkages and orient buildings to the Bel-Red Subarea's natural and landscaped features.

b. Guideline

Site and building design should capitalize on significant elements of the natural environment, Highland Community Park and planned park and open space, riparian corridors and wetlands. Designs should incorporate open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.

c. Recommended

- i. Active and passive gathering places and walkways oriented toward parks and open, natural spaces
- ii. Clear and convenient public access to open space amenities
- iii. Elements that engage the natural environment where the sight, sound and feel of nature can be directly experienced
- iv. Buildings sited to take maximum advantage of adjacent public amenities
- v. Walkways and plazas paved with high-quality materials (such as brick or stone), and other architectural elements that use materials, colors and forms that are harmonious with the

natural surroundings



Open space amenity that allows for the public experience of natural elements

d. Not Recommended

- i. Buildings that turn their back on open space amenities
- ii. slands of 'native' planting schemes within large, automobile oriented parking lots



Inaccessible islands of planting that do not connect well to the built environment or public amenities

2. Promote Architectural Compatibility

a. Intent

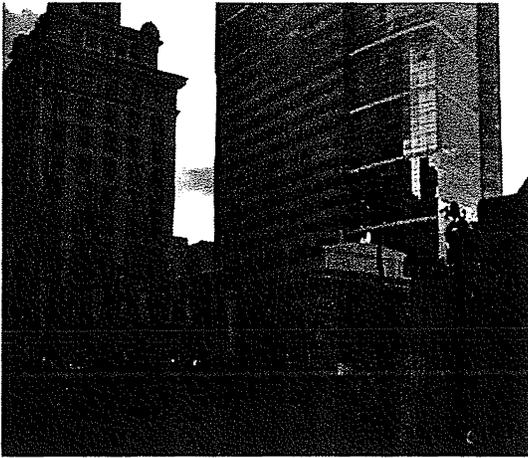
New buildings should contribute to the quality and character of their architectural context.

b. Guideline

Buildings should “fit” with their architectural surroundings – relating to nearby buildings rather than calling attention to themselves through design excesses or novel variations. Architectural elements should enhance not detract from the area’s overall character.

c. Recommended

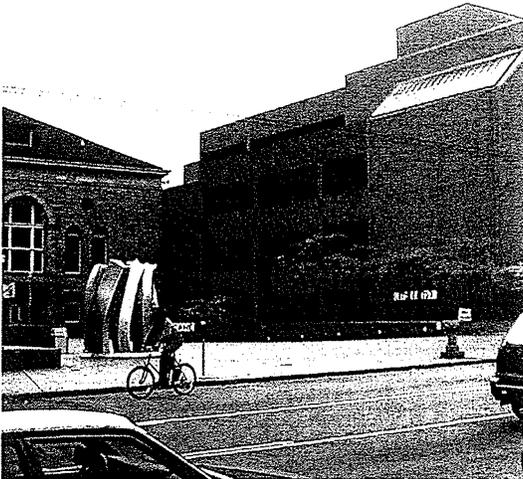
- i. Architectural elements used at a scale and level of detailing proportionate to the size of the building
- ii. Forms, proportions, rhythms, materials, colors and architectural motifs that are suggested by and complement adjacent buildings



Architectural elements fit into local context and overall character of the area

d. Not Recommended

- i. Out-of-scale, over-simplified, cartoon-like or other architectural elements applied without regard to size or use of the element
- ii. Building elements that do not respect the scale, materials, proportions and heights of adjacent high-quality buildings



Building on the right does not respect the scale, materials, proportions and character of adjacent area

3. Establish and Strengthen Gateways

a. Intent

Use architectural and landscape elements to mark transitions and entrances.

b. Guideline

Entrances into and within the Bel-Red Subarea should be celebrated at many levels. Pedestrians, cyclists, transit passengers, and motorists should experience a sense of “entering” or moving into the area as well as entry into unique districts or neighborhoods in the subarea.

c. Recommended

- i. New buildings designed to create gateways, using elements such as arches, arcades, pylons, columns, fountains and bridges

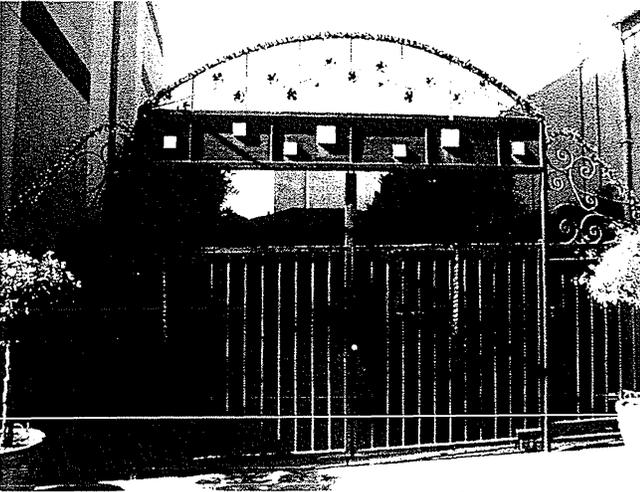
- ii. Signage, landscaping, lighting, or sculptural and artistic elements used to identify a gateway
- iii. Markers or inlaid art treatment in sidewalk paving to strengthen sense of entry into a particular district or neighborhood
- iv. Design elements that indicate a change or separation in transportation modes (i.e., from auto to pedestrian areas, or into transit stations)



Entrances to districts and among modes of transportation emphasized through design elements

d. Not Recommended

- i. Gated, private compounds



Detailing of private spaces in lieu of gateway treatment

4. Protect and Enhance Surface Water Resources

a. Intent

Conserve water quality, natural hydrology and habitat, and preserve biodiversity through protection of water bodies and wetlands.

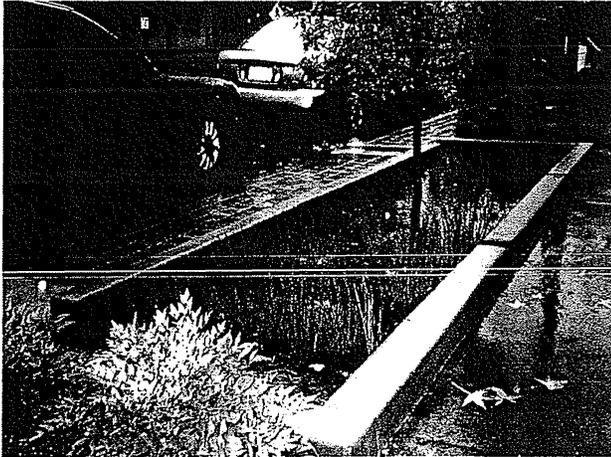
b. Guideline

Natural water systems regulate water supply, provide biological habitat and may provide recreational opportunities. Undeveloped ecosystems absorb the precipitation and convey only a

small portion of rainfall as surface runoff. New and infill development should minimize disturbances to the on-site, adjacent, and regional natural water systems.

c. Recommended

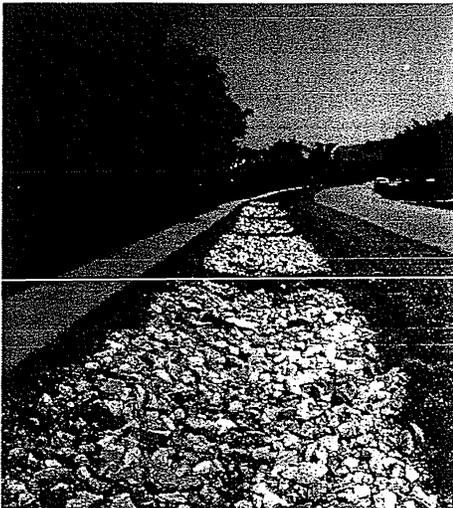
- i. Grading and plan layout that captures and slows runoff
- ii. Pervious or semi-pervious surfaces that allow water to infiltrate soil
- iii. On-site landscape-based water treatment methods that treat rainwater runoff from all surfaces, including parking lots, roofs and sidewalks



Aesthetically pleasing development that minimizes adverse impacts to water systems

d. Not Recommended

- i. Buried, piped or culverted stream channels
- ii. Water quality enhancement projects that detract from the urban character of the area



Aesthetically pleasing development that minimizes adverse impacts to water systems

5. Integrate Art

a. Intent

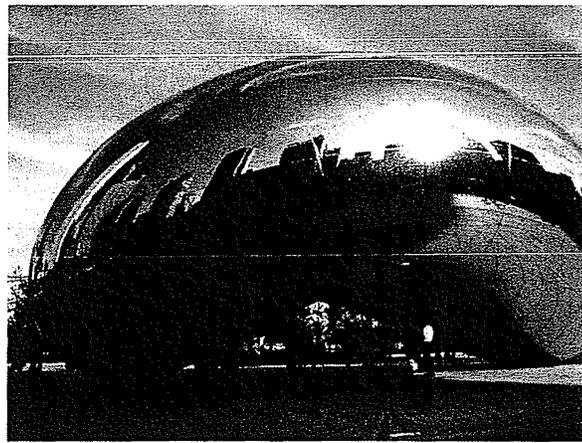
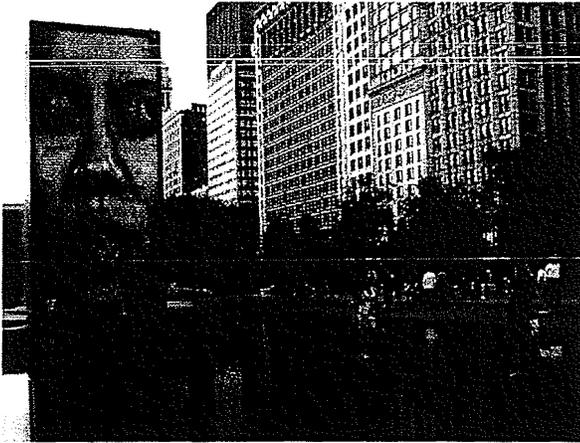
Art in the Bel-Red Subarea should complement the character of a site, building or district as a whole. Art should be integrated into the design of the building or outdoor space.

b. Guideline

Large scale art in both public and private applications should bring focus to an outdoor space while small scale pieces should bring detail to the pedestrian realm surrounding a building or site. At any scale, art should not overwhelm outdoor spaces or render buildings mere backdrops.

c. Recommended

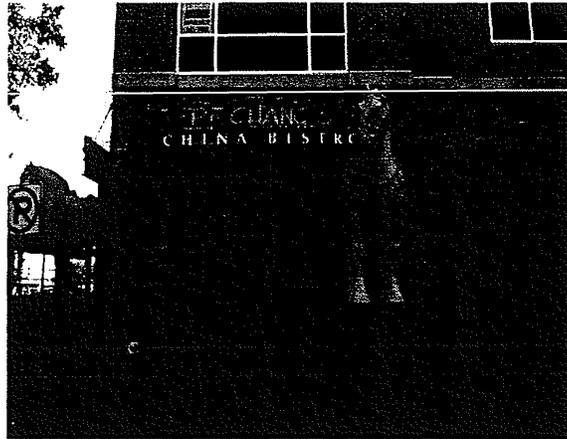
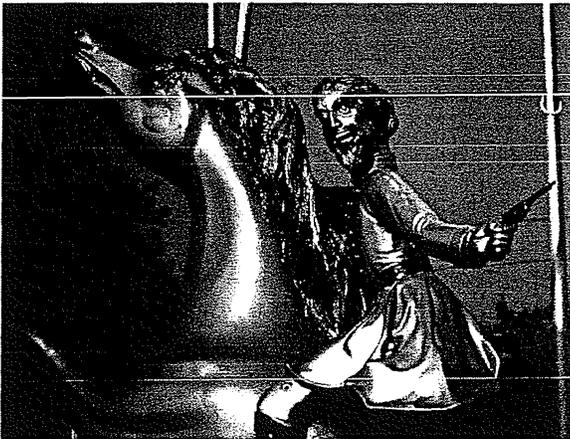
- i. Artwork designed for and integrated into the building or site
- ii. Functional or interactive artwork
- iii. Durable materials that are vandal-resistant and designed to age well



Public art that complements the built environment and reinforces or creates a distinctive image of a place

d. Not Recommended

- i. Amateur art projects
- ii. Artwork used as advertising
- iii. Display conditions that detract from the artwork



Advertising in lieu of public art or art of poor quality that detracts from the urban character of the area

C. Pedestrian Emphasis Guidelines

Purpose

The pedestrian emphasis guidelines promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and gathering places.

1. Define the Pedestrian Environment

a. Intent

A building should provide a continuous, visually rich pedestrian experience along its ground floor street front.

b. Guideline

The most important part of a building to a pedestrian is its ground floor – the lowest 15 feet of the facade, which a person experiences walking past or entering the building. This “pedestrian experience zone” should provide a sense of enclosure, and a continuous and comfortable street edge for the pedestrian. Ground floor building transparency should foster interaction between the public and private realms.

c. Recommended

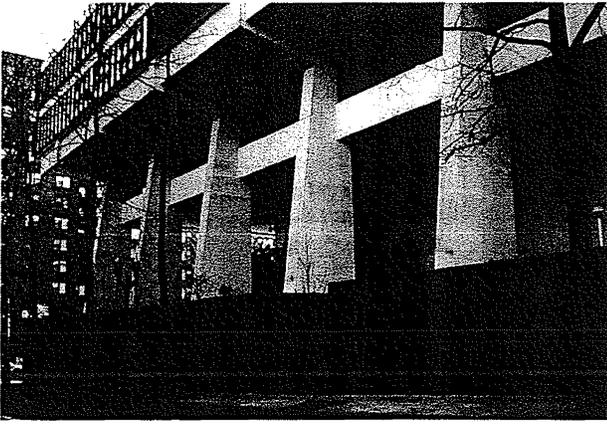
- i. Windows that are transparent or have displays at the street level
- ii. Walls that create visual interest by using a variety of forms, colors and compatible cladding materials
- iii. Facades that provide a rhythm by using bays, columns, pilasters or other articulation at the street level
- iv. Signs and lighting at the ground level that complement the human scale



Building edges that maintain strong visual and physical connections to the sidewalk

d. Not Recommended

- i. Blank, flat, nondescript walls that are not articulated by any visual interest or detail at the street level
- ii. Uniform treatment of entire block face



Long, blank facade unconnected visually or physically to the street and sidewalk

2. Enhance the Pedestrian System

a. Intent

Establish the pedestrian as the priority, eliminating pedestrian barriers and ensuring that walking routes are convenient, direct and pleasant.

b. Guideline

Pedestrian routes should be attractive, easy to use and encourage walking and activity. Sidewalks should be continuous, avoiding interruptions such as vehicle curbcuts or changes in direction or grade. The portion of the sidewalk dedicated to walking should be free of barriers such as utility poles, newspaper boxes, cafe tables and chairs, permanent planters, tree grates or other obstructions and clutter.

c. Recommended

- i. Direct pedestrian routes
- ii. Separate pedestrians from visual and other nuisances (e.g. trash dumpsters, loading docks, mechanical equipment, etc.)
- iii. Pedestrian routes that are safely integrated with the street system
- iv. Maintain pedestrian access where rights-of-way have traditionally been located
- v. Parking lot walkways
- vi. Mid-block pedestrian connections



Attractive, safe pedestrian routes that increase walkability and connectivity

d. Not Recommended

- i. Circuitous pedestrian routes
- ii. Pedestrian-only streets Permanent or temporary pedestrian route obstructions
- iii. Interrupted or discontinuous pedestrian routes



Unconnected, discontinuous, overly wide pedestrian-only walkways

3. Protect Pedestrians from the Elements

a. Intent

Provide pedestrians with protection from wind, sun, rain, sleet and snow.

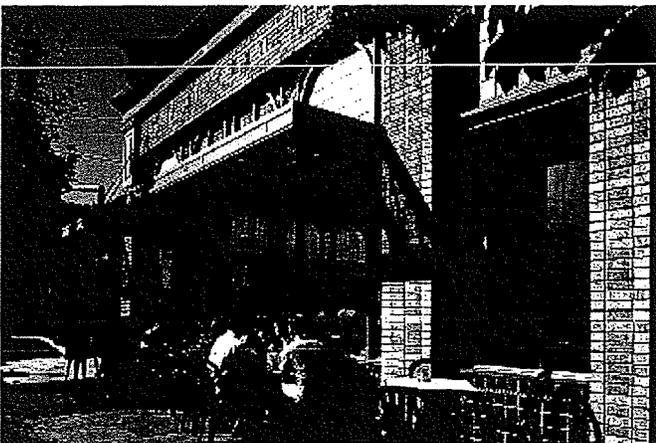
b. Guideline

Awnings and canopies are encouraged along the ground floor of buildings to protect pedestrians from rain and snow and provide shade in summer.

The design of awnings and canopies should be an integral component of the building facade. Awnings should be in proportion to the building and sidewalk, and not so large as to impact street trees, light fixtures or other street furniture.

c. Recommended

- i. Fabric awnings
- ii. Horizontal metal canopies, especially if transom or clerestory windows are above storefront glazing
- iii. Glazed canopies
- iv. Weather protection follows pattern of storefronts



Weather protection that is well integrated with the design of the building

d. Not Recommended

- i. Backlit awnings
- ii. Oversized advertising or tenant signs on awnings



Out of scale canopy made of poor quality materials that serves primarily as signage

4. Create a Variety of Successful Outdoor Spaces

a. Intent

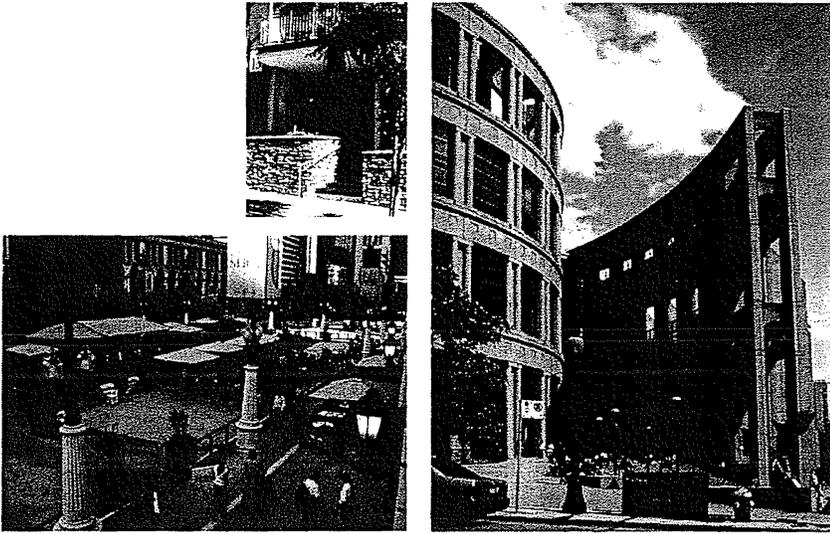
Provide comfortable and inviting outdoor spaces for a variety of activities during all hours and seasons.

b. Guideline

Outdoor gathering spaces should be inviting and maximize opportunities for use. They should be spatially well defined, inviting, secure, easy to maintain. They may be intimate and quiet or active and boisterous. All areas should work well for pedestrians and provide space for special events as well as passive activities.

c. Recommended

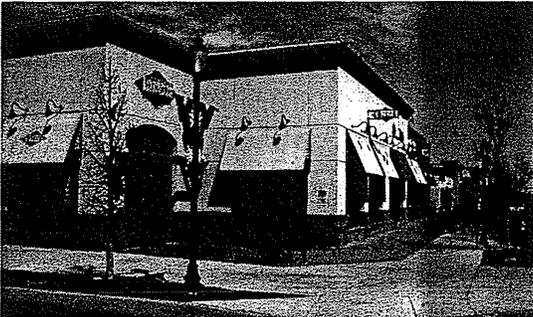
- i. Courtyards, squares and plazas with active adjacent ground floor uses
- ii. Buildings surrounding green spaces to give the space visual definition and vitality generated by active ground floor uses
- iii. Trees, shrubs and plants to help define walkways, create transitions from the park to the street and provide visual interest
- iv. Structures, pavilions and seating areas that are easily accessible, and feel safe and secure during day and evening hours
- v. Greenways or pedestrian walkways and courtyards in residential or office development areas



Well defined, comfortable and inviting outdoor spaces that offer varied opportunities for use

d. Not Recommended

- i. Pocket parks, forecourts and plazas without active uses along retail streets
- ii. Outdoor spaces separated from the street by visual barriers or change in grade
- iii. "Leftover" green spaces
- iv. Sunken plazas disconnected from the edge of the street
- v. Courtyards, squares and plazas adjacent to parking lots and other inhospitable areas without appropriate landscaping



Plaza space adjacent to parking lot and street without appropriate landscaping or buffering

5. Provide Places for Stopping and Viewing

a. Intent

Provide comfortable and inviting places where people can stop to sit, rest and visit.

b. Guideline

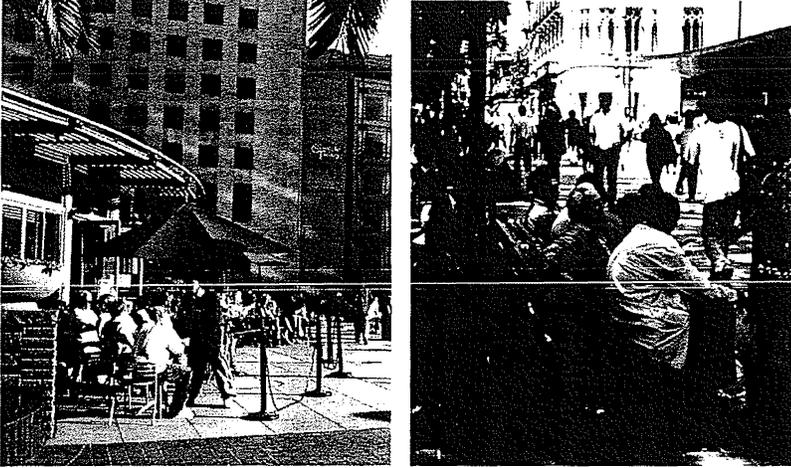
People watching, socializing and eating are restful and pleasurable activities for the pedestrian; providing special places where they can do these activities increases the pedestrian's sense of enjoyment.

Seating and resting places can add vitality to the urban environment. People will use available seating in open, well-designed areas, not in secluded or awkward spots.

c. Recommended

- i. Formal (benches) and informal (e.g. wide steps, edges of landscaped planters and low

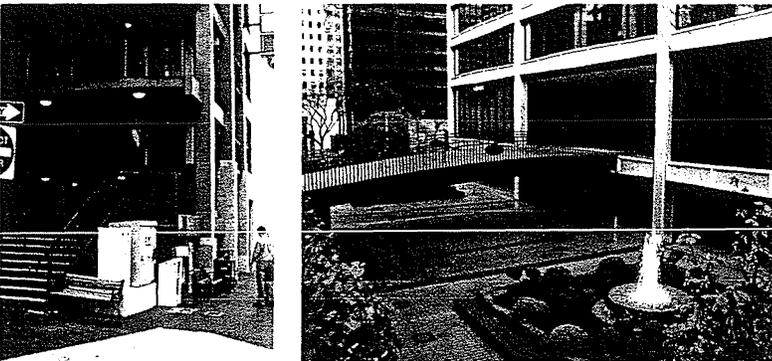
- walls) seating areas
- ii. Higher degree of seating areas near active retail establishments (esp. outside eating and drinking establishments and near food vendors)
- iii. Seating adjacent to pedestrian walkways
- iv. Places for stopping and viewing adjacent to and within parks, squares, plazas, and courtyards
- v. Sense of separation from vehicular traffic



Comfortable seating near active retail establishments, streets, and outdoor spaces

d. Not Recommended

- i. Seating areas more than three feet above or below street grade
- ii. Seating areas adjacent to loading, service bays or storage areas
- iii. Seating areas that are hidden, secluded, dark or unsecured spaces behind or to the side of buildings
- iv. Seating areas along high vehicle traffic areas



Isolated seating areas separated from the street through grade changes or otherwise

D. Architectural Guidelines

Purpose

The architecture guidelines promote high quality development while reinforcing the area's sense of place and Northwest provenance by encouraging innovative design, construction techniques and materials that reflect the industrial roots of the area while emphasizing the emerging urban character of Bel-Red.

1. Encourage High Quality Materials

a. Intent

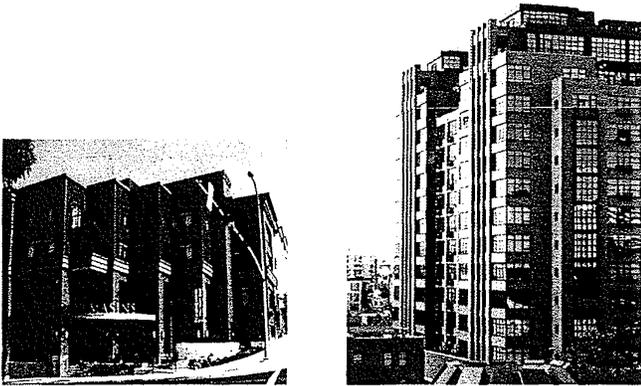
Create a sense of permanence in the Bel-Red Subarea through the use of high quality building materials.

b. Guideline

Quality wall materials can provide a sense of permanence and bring life and warmth to a neighborhood. Wall and building materials must enhance the street environment while maintaining compatibility with adjacent buildings. Articulation of wall materials should be bold, with materials that show depth, quality and durability. It should be apparent that the materials have substance and mass, and are not artificial, thin "stage sets" applied only to the building's surface.

c. Recommended

- i. Natural high quality materials such as brick, finished concrete, stone, terracotta, cement stucco, and wood
- ii. Natural or subdued building colors and limited use of bright accent trims
- iii. Varied, yet compatible cladding materials
- iv. Boldly articulated window and storefront trim

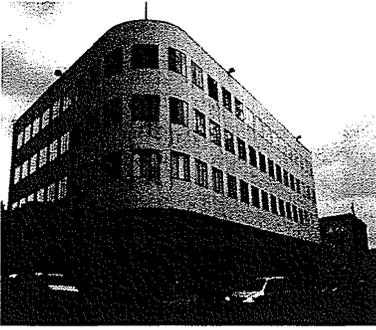


Durable natural materials of high quality that enhance the street environment and are compatible with local context

d. Not Recommended

Building materials such as:

- i. Simulated rock or brick
- ii. Faux finishes
- iii. Synthetic stucco (EIFS)
- iv. Simulated wood siding, wood veneer, clapboard or other types of residential siding
- v. Aluminum, plastic or vinyl siding
- vi. Corrugated metal siding
- vii. Unfinished concrete or cinder block
- viii. Exposed concrete, metal or plastic



Unarticulated surface treatment without depth, quality or detail

2. Provide Interesting Building Massing

a. Intent

Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.

b. Guideline

The length and breadth of a building should be friendly in scale and inviting to the pedestrian. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and indentations. This allows an overly large building to appear as smaller, side-by-side buildings. Vertical and horizontal elements should be used to create a human scale and form a coherent pattern providing visual interest to the pedestrian.

c. Recommended

- i. Break down long expanses of building frontage both horizontally and vertically.
- ii. A vertically articulated tripartite facade division – base, middle and top for buildings over three stories.
- iii. Upper floors set back.
- iv. Vertical articulation of windows, columns and bays



Well articulated buildings with a clearly defined base, middle and top

d. Not Recommended

- i. Long unbroken volume along street facade.
- ii. Smooth, undifferentiated facade.
- iii. Horizontal banding and emphasized horizontal orientation of building elements – walls, doors and windows.



Unbroken volume of building that does not enhance the street environment and lacks human scale

3. Create Attractive Building Silhouettes and Rooflines

a. Intent

Building rooflines should enliven the pedestrian experience and provide visual interest with details that create forms and shadows.

b. Guideline

A building's silhouette should be compatible with the intended character of the area and enhance the streetscape. In some cases, it may be appropriate to mark an entryway with a distinct form, such as a tower, to emphasize the significance of the building entry. Roof massing should be simple yet detailed and articulated. For example, flat roofs may be appropriate if they have a cornice designed with depth and detail expressing the top of the building wall. Dormers set into sloped roofs may be appropriate. These forms provide visual interest and bring additional living space, light and ventilation to upper floor and attic spaces.

c. Recommended

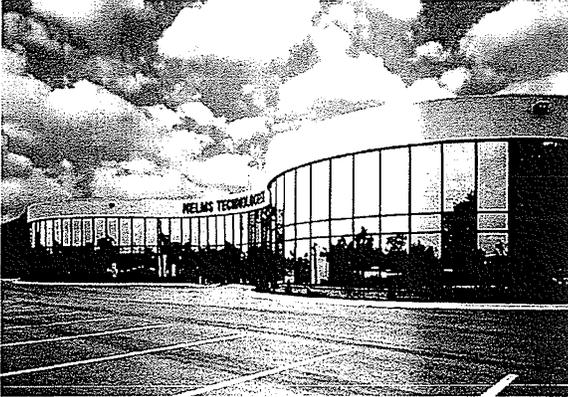
- i. Dormer windows
- ii. Towers or similar vertical architectural expressions of important building functions such as entries
- iii. Varied roof line heights
- iv. Well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines



Well detailed building silhouettes that create visual interest and enliven the pedestrian's experience of the built environment

d. Not Recommended

- i. Unarticulated rooflines
- ii. Roof forms lacking depth and detail



Unarticulated roof lines

3. Foster Attractive Rooftops

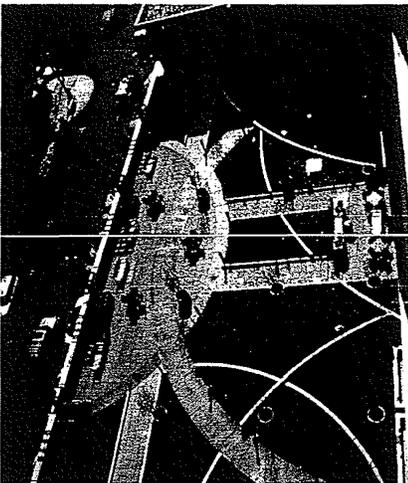
a. Intent

Integrate rooftop elements into the building design. Guideline

Roof shape, surface materials, colors, and penthouse functions should all be integrated into the overall building design. LUC 20.20.525 provides guidance for rooftop mechanical equipment.

b. Recommended

- i. Rooftop penthouse occupied by residential or office spaces
- ii. Rooftop terraces and gardens
- iii. Green roofs that reduce stormwater runoff
- iv. Consolidated and screened mechanical units



Attractive rooftops well integrated into overall building design

c. Not Recommended

- i. Exposed rooftop mechanical or electrical units visible from public spaces
- ii. Telecommunications equipment, including satellite dishes, cell-phone towers or antennae visible from public spaces



Rooftop telecommunications equipment visible from public spaces

4. Promote Welcoming Residential Entries

a. Intent

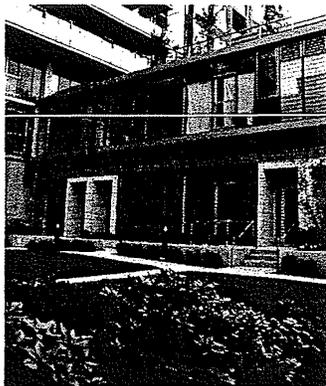
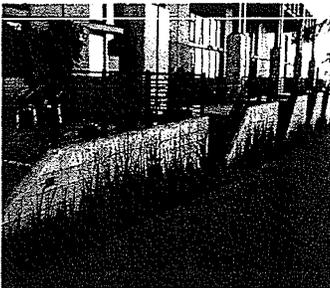
Residential entries should provide a graceful transition between the public and private realms.

b. Guideline

Residential entries should be substantial enough to suggest privacy yet welcoming to those who approach and enter. The overall character of the entry treatments will vary depending on street type. Entries on streets where sidewalk oriented development is required will have a higher degree of transparency, orientation towards the street, and design detail than other portions of the subarea.

c. Recommended

- i. Multi-panel painted doors
- ii. Doors combined with transom windows or side lights
- iii. Durable, high-quality metal door hardware
- iv. Wood solid core doors
- v. Doors accessed from canopy-covered entries
- vi. Moderate change of grade from sidewalk level to entry; more for townhouse-style housing than residential lobbies
- vii. Lobby entries to multi-family buildings providing double or multiple doors

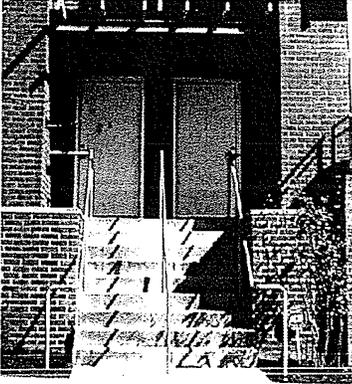


Substantial entries with transparency and design details

d. Not Recommended

- i. Doors raised more than three feet above sidewalk level for townhouse-style housing

- ii. Unarticulated, flush doors or sliding glass doors
- iii. Doors accessed directly from parking lots
- iv. Door glazing with simulated divided lights
- v. Doors glazed with reflective or tinted glazing



Significant grade separation from the street and no transparency

5. Promote Visually Interesting Upper Floor Residential Windows

a. Intent

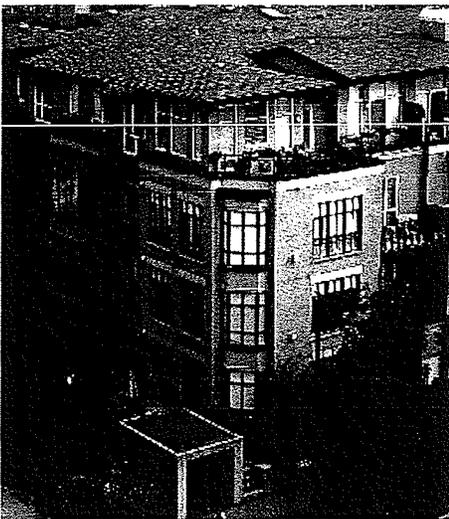
Upper floor residential windows should create an open and inviting atmosphere that add visual interest and enhances the experience of the building both inside and out.

b. Guideline

The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows.

c. Recommended

- i. Multiple lights or divisions
- ii. Operable windows
- iii. Trim around framed openings
- iv. Windows recessed from building facade, not flush



Upper floor windows with a mixture of depth and articulation

d. Not Recommended

- i. Strips of windows with more of a horizontal than vertical emphasis
- ii. All windows flush with building facade



Simple entrance flush to facade without articulation

6. Design Inviting Retail and Commercial Entries

a. Intent

Design retail and commercial entries to create an open atmosphere that draws customers inside.

b. Guideline

Primary entries to retail and commercial establishments should be transparent, allowing passersby to see the activity within the building and bring life and vitality to the street. Architectural detail should be used to help emphasize the building entry.

c. Recommended

- i. Doors with a minimum of 50% window area
- ii. Building lighting that emphasizes entrances
- iii. Transom, side lights or other window combinations
- iv. Doors combined with special architectural detailing
- v. Double or multiple door entries
- vi. Well-detailed or ornate door hardware
- vii. Large cafe or restaurant doors that open the street to the interior by pivoting, sliding or rolling up overhead



Entry is transparent, opens easily and connects the street to the interior

d. Not Recommended

- i. Primary entry doors that are solid or windowless
- ii. Primary entry doors raised more than three feet above sidewalk level
- iii. Doors flush with the building facade without other articulation or canopy
- iv. Clear anodized aluminum frames
- v. Glazing with simulated divisions
- vi. Reflective, opaque or tinted glazing
- vii. Visual and physical obstructions near the entry



Glazing with simulated divisions that do not connect the sidewalk or street to the interior

7. Encourage Retail Corner Entries

a. Intent

Use corner entries to reinforce intersections as important places for pedestrian interaction and activity.

b. Guideline

Locate entry doors on the corners of retail buildings wherever possible. Entries at 45 degree angles and free of visual obstructions are encouraged.

c. Recommended

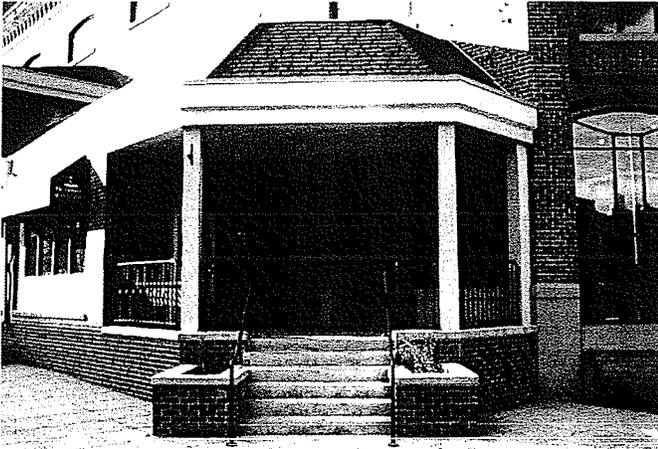
- i. Primary building entrance located at corner
- ii. Weather protection, special paving, and building wall lighting, to emphasize corner entry
- iii. Architectural detailing with materials, colors, and finishes that emphasize the corner entry
- iv. Doors with large glass areas with adjacent windows



Location of primary building entrance at corner and emphasized with details and architectural treatment

d. Not Recommended

- i. Visual and physical obstructions, especially utilities and columns



Visual and physical obstructions such as recessed entryway and grade separation

8. Encourage Inviting Ground Floor Retail and Commercial Windows

a. Intent

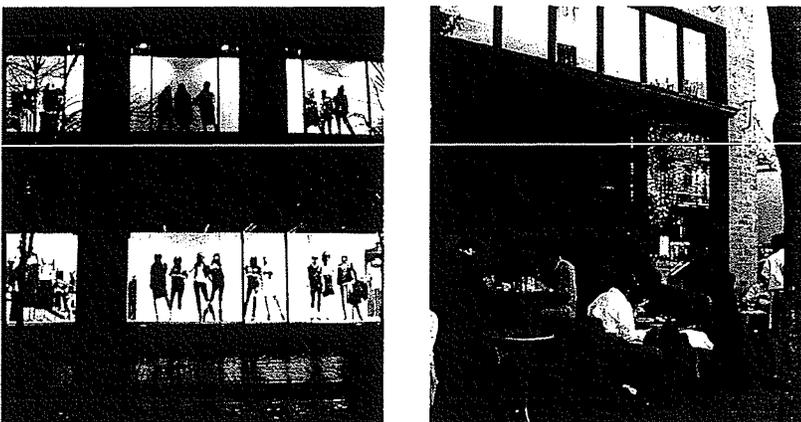
Use transparency to enhance visual interest and to draw people into retail and commercial uses.

b. Guideline

Retail and commercial uses should use unobstructed windows that add activity and variety at the street level, inviting pedestrians into retail and commercial uses and providing views both in and out.

c. Recommended

- i. Clear window glazing
- ii. Operable windows that open by pivoting, sliding or shuttering for restaurants and cafes
- iii. Painted wood, metal, and tile or stone clad panels below windows
- iv. Transom windows

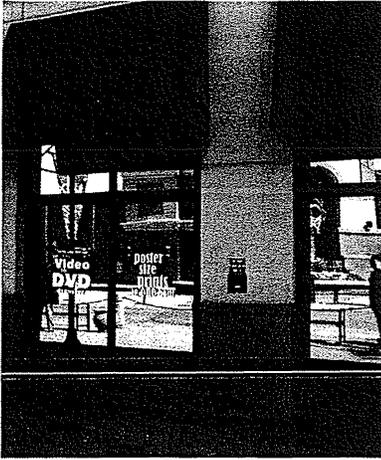


Transparent, visually interesting ground floor windows enhancing sidewalk activity

d. Not Recommended

- i. Exposed or unfinished window frame materials

- ii. Residential-styled bays, multi-paned divided lights, half-round or other similar forms
- iii. Tinted or reflective glazing
- iv. More than 8 feet between mullions
- v. Small scale windows



Tinted or reflective glazing or with no visual or physical connection to the sidewalk

9. Build Compatible Parking Structures

a. Intent

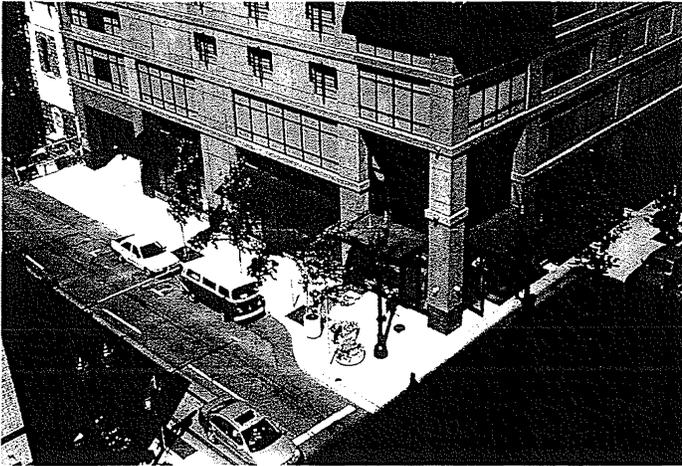
Use design elements so enhance the compatibility of parking structures with the urban streetscape.

b. Guideline

Parking structures should be designed so that their streetscape interface has a consistent form, massing and use of materials with the vision for the area. Any sidewalk facing parking garage frontages should be designed to appear like any other occupied buildings in the area. The horizontal garage form can be broken down by adding more wall surface and usable retail space, while retaining adequate garage ventilation.

c. Recommended

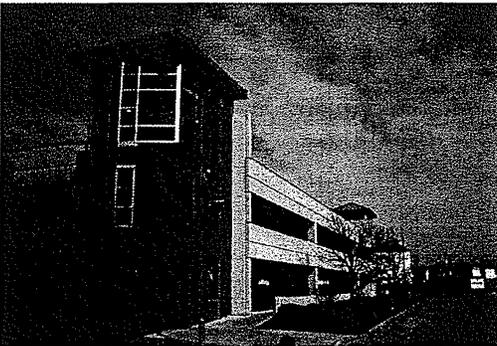
- i. Ground floor retail or other active uses
- ii. Small openings that may be glazed to function as windows
- iii. Stairways, elevators and parking entries and exits that occur at mid-block
- iv. Single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated)
- v. Vertical expression of building structure
- vi. Cladding to disguise sloped floors from the outside view



Parking garage design resembles mixed use development, limits driveway opening and integrates ground floor retail uses along sidewalk and at building corner

d. Not Recommended

- i. Parked cars on the ground floor that are visible from adjacent sidewalks
- ii. Exposed sloped floors visible from the street
- iii. Stairways, elevators and parking entries and exits occurring at the building's corners, where retail is a more appropriate use
- iv. Horizontal expression of building structure



Clearly visible sloping floors, parked cars and structural expression of structure

E. Lighting Guidelines

Purpose

The lighting of buildings and open spaces should provide security, and also contribute to the character and overall sense of and vitality of the area.

1. Orient Lighting Toward Sidewalks and Public Spaces

a. Intent

Pedestrian-scaled lighting should be used to highlight sidewalks, street trees and other features, and harmonize with other visual elements in the subarea.

b. Guideline

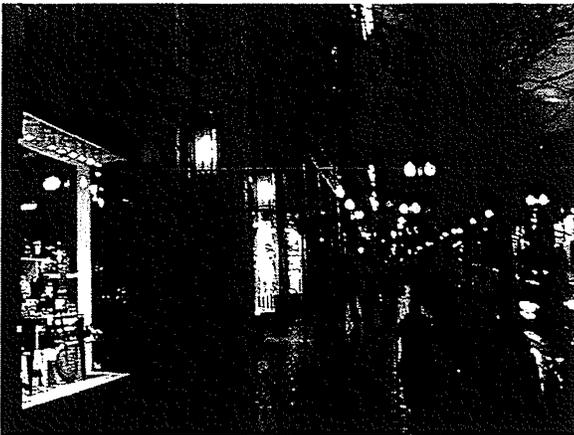
Pedestrian-scaled lighting should be provided along pedestrian walkways and public open spaces. A single fixture type should be used throughout an area with slight variations allowed to identify

smaller districts. Fixtures should be visually quiet as to not overpower or dominate the streetscape.

Lighting may also be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas to create an inviting and safe ambiance.

c. Recommended

- i. Lighting of district design
- ii. Pole standards black or dark green in color
- iii. Dual-purpose standards (that accommodate pedestrian and vehicular fixtures)
- iv. Standards accommodating banners and hanging flower pots
- v. Lighting to highlight landscape areas
- vi. Fixtures concealed and integrated into the design of buildings or landscape walls and stairways
- vii. Footlighting that illuminates walkways and stairs
- viii. Energy efficient lighting
- ix. Bollard lighting that is directed downward toward walking surfaces
- x. Festive lighting along signature streets on buildings and trees



d. Not Recommended

- i. Flashing or colored lights
- ii. Exposed wires, outlets or other electrical devices that may provide safety hazards and are unsightly
- iii. Exposed light source (bulbs should not be visible)
- iv. Low pressure sodium lamps



Tall auto oriented lighting fixture

2. Integrate Building Lighting

a. Intent

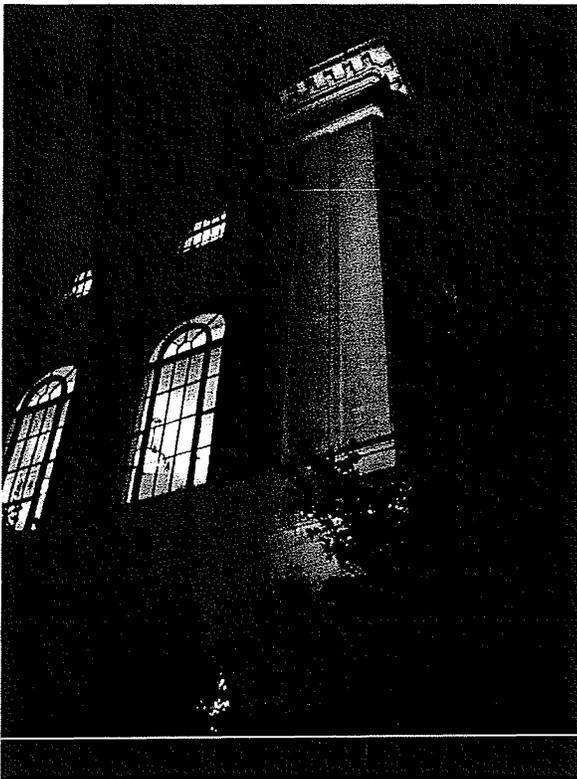
Architectural lighting that enhances and helps articulate building design, including illumination of cornices and entries, uplighting and other effects.

b. Guideline

Exterior lighting of buildings should be an integral component of the facade composition. Lighting should be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building. Lighting should not cast glare into residential units or onto adjacent lots or streets in any way that decreases the safety of pedestrians and vehicles.

c. Recommended

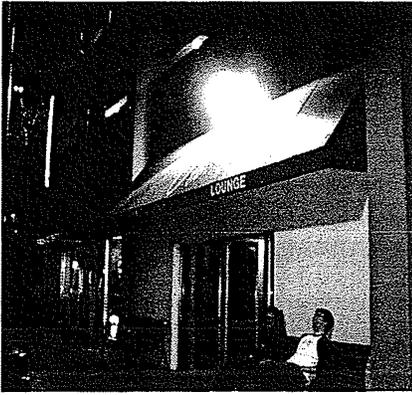
- i. Wall-washing lighting fixtures
- ii. Decorative wall sconce and similar architectural lighting fixtures
- iii. Screened uplight fixtures on buildings or integrated with landscape
- iv. Lighting that provides natural color



Screened uplight fixtures on buildings

d. Not Recommended

- i. Flashing or colored lights
- ii. Exposed light source (bulbs should not be visible)
- iii. Fluorescent tube lighting
- iv. Security spotlight
- v. Low pressure sodium lamps



Exposed security spotlight

F. Sign Guidelines

Purpose

Signs may provide an address, identify a place of business, locate residential buildings or generally offer directions and information. Regardless of their function, signs should be architecturally compatible with and contribute to the character of the subarea. Signs should be good neighbors – they should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement. Signs can contribute significantly to a positive retail and pedestrian environment, improve public safety perceptions and reinforce a sense of place.

1. Consider Size and Placement of Wall Signs

a. Intent

Signs that are sized and placed so that they are compatible with a building's architectural design and contribute to the character of the subarea.

b. Guideline

Signs should not overwhelm the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification. Signs should be good neighbors – they should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement.

c. Recommended

- i. Signs incorporated into the building architecture as embossing, low relief casting or application to wall surfaces
- ii. Signs constructed of individual, three-dimensional letters, as opposed to one single box with cutout flat letters
- iii. Signs may be painted or made with applied metal lettering and graphics
- iv. Signs made of durable and long lasting materials
- v. Signs incorporating lighting as part of their design
- vi. Signs located above storefronts, on columns or on walls flanking doorways



Sign incorporated into design of building façade

d. Not Recommended

- i. The material, size and shape of signs that overwhelm, contrast greatly or adversely impact the architectural quality of the building
- ii. Roof top signs
- iii. Cabinet or bow signs
- iv. Backlit signs
- v. Painted window signs



Sign overwhelms the architectural quality of the building

2. Orient Hanging Signs to Pedestrians

a. Intent

Hanging signs that are oriented to the pedestrian and highly visible from the sidewalk. Hanging signs can contribute significantly to a positive retail and pedestrian environment and reinforce a sense of place.

b. Guideline

Signs should not overwhelm the streetscape. They should be compatible with and complement the building's architecture, including its awnings, canopies, lighting and street furniture.

c. Recommended

- i. Sign lighting that is integrated into the facade of the building
- ii. Signs constructed of high-quality materials and finishes
- iii. Signs attached to the building in a durable fashion



Hanging signs incorporated into the building facade that are oriented to the pedestrian and clearly visible from the sidewalk

d. Not Recommended

- i. Signs interfering with sight lines, creating a safety hazard or obstructing views

Land Use Code Amendments of General Applicability

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
	R-1.8
Single-Family Residential	R-2.5
	R-3.5
	R-4
	R-5
Multifamily Residential	R-7.5*
	R-10
	R-15
	R-20
Professional Office	R-30
	PO
Office	O
Office and Limited Business	OLB
Office and Limited Business-Open Space	OLB-OS
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
Factoria Land Use District 1	F1
Factoria Land Use District 2	F2
Factoria Land Use District 3	F3
Medical Institution District	MI
Bel-Red	
Bel-Red-Medical Office	Bel-Red-MO
Bel-Red-Medical Office Node	Bel-Red-MO-1
Bel-Red Office/Residential	BR-OR
Bel-Red-Office/Residential Node 1	Bel-Red-OR-1
Bel-Red-Office/Residential Node 2	Bel-Red-OR-2
Bel-Red-Residential/Commercial Node 1	Bel-Red-RC-1
Bel-Red-Residential/Commercial Node 2	Bel-Red-RC-2
Bel-Red-Residential/Commercial	Bel-Red-RC-3
Bel-Red-Commercial/Residential	Bel-Red-CR
Bel-Red-Residential	Bel-Red-R
Bel-Red-General Commercial	Bel-Red-GC
Bel-Red-Office/ResidentialTransition	Bel-Red-ORT

20.10.375 Bel-Red.

A. Purpose and Intent.

Bel-Red is a major mixed use employment and residential area characterized by a transit-oriented, nodal development pattern, over time replacing the area's original low intensity light industrial and commercial past. The City will encourage land uses in the Bel-Red area which promote employment, retail and residential opportunities. More intense uses and greater heights are concentrated in designated nodal development areas along the NE 15th/16th corridor; these areas are intended to be served by high capacity transit. New development in these designated nodal areas is expected to have a transit-supportive and pedestrian-friendly form. The entire Bel-Red area will be distinguished by environmental and community amenities that serve residents and employees in the area, as well as nearby neighborhoods and the entire city. New

development is expected to make significant contributions to these amenities, and to the infrastructure needed to support redevelopment.

Redevelopment of the Bel-Red area will occur over decades, and the City encourages a graceful transition of land use over time. Therefore special provisions are appropriate for existing uses that may not be part of the area's long-term envisioned future.

1. Bel-Red-Medical Office (Bel-Red-MO). The purpose of the Bel-Red-MO Land Use District is to provide an area for office uses, with an emphasis on medical office.
2. Bel-Red-Medical Office Node (Bel-Red-MO-1). The purpose of the Bel-Red-MO-1 Land Use District is to provide an area for the most intense medical office uses. The district is located within the core of a nodal area, and is limited in extent in order to provide the level of intensity appropriate for areas in close proximity to the highest levels of transit service within the Bel-Red area.
3. Bel-Red Office/Residential (BR-OR). The purpose of the Bel-Red OR Land Use District is to provide an area for a mix of office, housing and retail uses, with office as the predominant use.
4. Bel-Red-Office/Residential Node 1 (Bel-Red-OR-1). The purpose of the Land Use District is to provide an area for a mix of office, housing and retail uses within the core of a nodal area, with office as the predominant use. The district is limited in extent in order to provide the level of intensity appropriate for areas in close proximity to the highest levels of transit service within the Bel-Red area.
5. Bel-Red-Office/Residential Node 2 (Bel-Red-OR-2). The purpose of the Bel-Red-OR2 Land Use District is to provide an area for a mix of office, housing and retail uses, with office as the predominant use. The district is located within a node but outside the node's core, and building heights provide for a transition between the node's core and areas outside the node.
6. Bel-Red-Residential/Commercial Node 1 (Bel-Red-RC-1). The purpose of the Bel-Red-RC-1 Land Use District is to provide an area for a mix of housing, retail, office and service uses within the core of a nodal area, with an emphasis on housing. The district is limited in extent in order to provide the level of intensity appropriate for areas in close proximity to the highest levels of transit service within the Bel-Red area.
7. Bel-Red-Residential/Commercial Node 2 (Bel-Red-RC-2). The purpose of the Bel-Red-RC-2 Land Use District is to provide an area for a mix of housing, retail, office and service uses. The district is located within a node but outside the node's core, and building heights provide for a transition between the node's core and areas outside the node.

8. Bel-Red-Residential/Commercial (Bel-Red-RC-3). The purpose of the Bel-Red-RC-3 Land Use District is to provide an area for a mix of housing, retail, office and service uses, with an emphasis on housing. The district is located within a node but in close proximity to mature, stable neighborhoods, and is thus appropriate for transitional heights.
9. Bel-Red-Commercial/Residential (Bel-Red-CR). The purpose of the Bel-Red-CR Land Use District is to provide an area for a mix of housing, retail, office and services. Multiple uses are encouraged on individual sites, in individual buildings, and in the district as a whole.
10. Bel-Red-Residential (Bel-Red-R). The purpose of the Bel-Red-R Land Use District is to provide an area for residential uses. Limited retail and service uses are permitted secondary to residential use, in order to provide the amenity of shopping and services within easy walking distance of residential structures.
11. Bel-Red-General Commercial (Bel-Red-GC). The purpose of the Bel-Red-GC Land Use District is to provide an area for a wide variety of business activities that provide goods and services to other businesses and the general public.
12. Bel-Red-Office/Residential Transition (Bel-Red-ORT). The purpose of the Bel-Red-ORT Land Use District is to provide an area for low-intensity office and uses and low density multifamily residential dwellings, developed in such a manner as to provide a buffer between residential and more intensively developed properties.

B. Permitted Uses.

Specific categories of uses are listed in Chart 20.25D.070. LUC 20.25D.050 explains Chart 20.25D.070 and describes the applicable review procedures for Bel-Red. The description of the use chart contained in LUC 20.10.400 and the categories of uses contained in LUC 20.10.440 do not apply to the Bel-Red Land Use Districts.

C. General Development Requirements.

1. Regulations applying to specific structures or activities are found listed alphabetically in Chapter 20.20 LUC; consult the alphabetical Key Word Index in the beginning of that chapter.
2. Bel-Red specific standards and guidelines are found in Chapter 20.25D LUC. All development in Bel-Red shall conform these requirements.

20.10.420 Interpretation of Land Use Charts by Director.

A. Director's Authority. In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Director shall have the authority to make the final determination. The Director shall make the determination

according to the characteristics of the operation of the proposed use and based upon the Director's interpretation of the Standard Land Use Coding Manual, the Standard Industrial Classification Manual and the North American Industry Classification System.

- B. Conflict. In the case of a conflict between the Land Use District Descriptions (contained in LUC 20.10.0180 through 20.10.395) and the Use Chart, the Use Charts contained in LUC 20.10.440 or Chapter 20.25 LUC shall prevail.
- C. Appeal. An applicant may appeal the final decision of the Director provided pursuant to paragraph A above by requesting an interpretation of the Use Charts contained in LUC 20.10.440 or Chapter 20.25 LUC relating to the inclusion or exclusion of a proposed use. This request for interpretation of the Land Use Code charts will be processed pursuant to Part 20.30K LUC.

20.10.440 Uses in Land Use District [Add following note to each chart]

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

20.20.005 Chart of dimensional requirements described.

Chart 20.20.010 sets forth the dimensional requirements for each land use district except: the Downtown Land Use Districts, the Evergreen Highlands Design District, the Evergreen Highlands Subarea Transportation Improvement Overlay District, Medical Institution District, the OLB-OS Land Use District, and the Bel-Red Land Use Districts. All structures and activities in the City not located in the above districts shall conform to the dimensional requirements in Chart 20.20.010. Dimensional requirements for the Downtown Land Use Districts are found in LUC 20.25A.020. Dimensional requirements for the Evergreen Highlands Design District are found in Part 20.25F LUC. Dimensional requirements for the Evergreen Highlands Subarea Transportation Improvement Overlay District are found in Part 20.25G LUC. Dimensional requirements for the Medical Institution District are found in Part 20.25J LUC. Dimensional requirements for the OLB-OS Land Use District are found in LUC 20.25L.030. Dimensional requirements for the Bel-Red Land Use Districts are found in LUC 20.25D.080. Additional special dimensional requirements for designated areas of the City are contained in other parts of the Code as follows:

- A. Part 20.25B LUC – Transition Areas;
- B. Part 20.25C LUC – OLB Districts;
- C. Part 20.25E LUC – Shoreline Overlay District;
- D. Part 20.25H LUC – Critical Areas Overlay District;
- E. Part 20.45A LUC – Platting and Subdivisions;
- F. Part 20.45B LUC – Short Plats and Short Subdivisions.

20.20.010 Uses in land use districts dimensional requirements.

[Add following notes to the general dimensional chart]

- 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.
 Dimensional Requirements for Office and Limited Business – Open Space (OLB-OS) are found in Part 20.25L LUC.
 Dimensional Requirements for Medical Institution District (MI) are found in Part 20.25J LUC.
 Dimensional Requirements for Bel-Red Land Use Districts are found in Part 20.25D LUC.
 ... Note (42) Dimensional requirements for the Bel-Red Land Use Districts are found at LUC 20.25D.080.

20.20.070 Lots nonconforming as to area, street frontage, width or depth – Status.

- E. This section is not applicable in the Bel-Red Land Use Districts. Refer to LUC 20.25.060 for regulations relating to existing conditions.

20.20.130 Animal Keeping and Services.

A. General.

Animal services as defined in 20.50.010 are subject to the requirements of this section and BCC Title 8, Animal Regulations.

B. Minimum Requirements.

The following chart entitled, “Animal Regulations” sets forth the minimum requirements for certain types of animal keeping.

Animal Regulations

Type of Animal/Use	Maximum Number (1)	Minimum Lot Size	Minimum Setback (5)
1. Household Pets (6)	Dogs, Cats, Rabbits: 3(2); Fowl: 6(4); Other: no maximum	No minimum	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

			<p>therein:</p> <p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>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 primary structure as one side of the enclosure and which may include all or a portion of either or both side yards.</p> <p>3) No structure to house the household pet may be within 15 feet of a property line.</p>
<p>2. Small Domestic Animals or Hobby Kennel (6)</p>	<p>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</p>	<p>20,000 sq. ft. or 10,000 sq. ft.</p>	<p>May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line.</p> <p>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> <p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>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 primary structure as one side of the enclosure and which may include all or a portion of either or both side yards.</p> <p>3) No structure to house the household pet may be within 25 feet of a property line.</p>
<p>3. Large Domestic Animals (6)</p>	<p>1: each 10,000 sq. ft.</p>	<p>20,000 sq. ft.</p>	<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</p>

			<p>the keeping of a large domestic animal within the following areas, provided it must roam freely therein:</p> <p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>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 primary structure as one side of the enclosure and which may include all or a portion of either or both side yards.</p> <p>3) No structure to house the animal may be within 25 feet of a property line.</p>	
4.	Bees (7)	<p>Maximum of four hives, each with one colony: Lots containing 15,000 sq. ft. or less;</p> <p>Maximum of 15 hives, each with one colony: Lots containing more than 15,000 sq. ft. but less than 35,000 sq. ft.;</p> <p>Maximum of 25 hives, each with one colony: Lots containing 35,000 sq. ft. or more</p>	7,200 sq. ft.	<p>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.</p>
5.	Kennel (3)(8)	Determined in Conditional Use Process	35,000 sq. ft.	<p>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</p>

			<p>following areas, provided it must be allowed to roam freely therein:</p> <p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>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 primary structure as one side of the enclosure and which may include all or a portion of either or both side yards.</p> <p>3) No structure to house the animal may be within 50 feet of a property line.</p>
6. Commercial Stable or Riding Academy (3) (9)	Determined in Conditional Use Process	35,000 sq. ft.	<p>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:</p> <p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>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 primary structure as one side of the enclosure and which may include all or a portion of either or both side yards. 3) No structure to house the animal may be within 50 feet of a property line.</p>

Notes: Animal Regulations

(1) Number of adult animals. One unweaned litter of offspring, and foals are not included in the number of animals allowed.

- (2) More than three rabbits are regulated as small domestic animals.
- (3) Requires a Conditional Use Permit.
- (4) More than six fowl are regulated as small domestic animals.
- (5) The purpose of these setback requirements is to prohibit the confinement of an animal within specific distances from neighboring property, as by leashing the animal to a stake or placing the animal in an enclosure, but to allow animals to be kept in yards fenced on their perimeter so long as the animal is free to roam within the fenced area.
- (6) Special Regulations: Open pasture, foraging or grazing may extend to the property line.
- (7) Special Regulations:
 - (a) Must register with the Washington State Department of Agriculture or any successor organization responsible for oversight of bee keeping.
 - (b) Must requeen annually or anytime following swarming or aggressive behavior with a breeder raised queen of suitable docile strain.
 - (c) Hives must be maintained to avoid overpopulation and minimize swarming.
 - (d) Must be maintained in a movable frame hive at all times.
- (8) Special Regulations: See LUC 20.10.440.
- (9) Special Regulations: See LUC 20.10.440. Open pasture, foraging or grazing may extend to the property line.

C. Prohibited Animals.

The keeping of mink, foxes or hogs is prohibited.

D. Pet Daycare.

In addition to the development standards applicable to the land use district, including Title 8 and Chapter 9.18 of the BCC, pet daycares are subject to the following requirements:

1. Facilities for the boarding of animals may occupy no more than 25 percent of the gross floor area of the pet daycare center.
2. Applicants shall submit at the time of permit application, written operating procedures, such as those recommended by the American Boarding and Kennel Association (ABKA) or the American Kennel Club (AKC). Such procedures, which are to be followed for the life of the business, shall address the identification and correction of animal behavior that impacts surrounding uses, including excessive barking.

E. Veterinary Services.

In addition to the development standards applicable to the land use district, including Title 8 and Chapter 9.18 of the BCC, veterinary services are subject to the following requirements:

1. A veterinary clinic designed for the treatment and care of pet animals, shall be operated by a registered veterinarian.
2. Animals shall be confined within the exterior walls of the building at all times.
3. Pet daycare services may be allowed as a subordinate use subject to the provisions of LUC 20.20.840 and LUC 20.20.130(D). All pet daycare services shall be isolated by soundproofing from all adjacent property and uses.
4. Walls of interior-court animal runs shall be a minimum of eight feet high. Interior-court animal runs shall be roofed and if there are open air spaces between the top of the wall and the roof, they shall be enclosed with wire mesh.
5. All rooms housing animals shall have ample natural or mechanical ventilation.
6. There shall be no cremation or other disposal of dead animals on the premises.
7. A veterinary clinic or hospital building shall not be located closer than 100 feet to an existing residence, residential district (R-1 through R-30), restaurant, clinic or hospital for humans.
8. The setback required above shall not apply in the case of a residence used by the veterinarian himself, or any caretaker or watchman on the same or an adjoining lot.

20.20.195 Communication, broadcast and relay facilities.

A. Definitions.

The following definitions apply to this section:

1. "Flush mounted" shall mean attached to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush mounting distance is given, that distance shall be measured from the outside edge of the support structure or building to the inside edge of the antenna.
2. "Gateway intersection" shall mean those intersections identified on Figure UD-1 in the Comprehensive Plan, now or as hereafter amended.

3. "Nonresidential land use districts" shall mean PO, O, OLB, OLB-OS, LI, GC, NB, CB, F1, F2, F3, EH, MI, all Downtown land use districts, and all Bel-Red land use districts.
4. "Residential land use districts" shall mean R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30.
5. "Utility support structure" shall mean street or pedestrian light standards, guy poles, traffic signal standards, and poles or towers supporting electrical, telephone, cable or other similar facilities.

20.20.255 Electrical utility facilities.

D. Alternative Siting Analysis.

In addition to the requirements set forth in Part 20.30B LUC, Part 20.25B LUC (if applicable), and the decision criteria and design standards set forth in this section, the applicant shall identify alternative sites, provide required content showing analysis relating to identified sites, describe technologies considered, and describe community outreach conducted for proposals relating to new or expanding electrical utility facilities on sensitive sites as described in this section.

1. **Alternative Sites Analyzed.** Prior to submittal of the application for Conditional Use Permit required pursuant to subsection C of this section, the applicant shall identify not less than three alternative site options to meet the system needs for the proposed new or expanding electrical utility facility. At least one of the alternative sites identified by the applicant shall be located in the land use district to be primarily served by the proposed electrical utility facility.
2. **Content of Alternative Siting Analysis.** Upon submittal of the Conditional Use Permit required pursuant to subsection C of this section, the applicant shall submit results of the siting analysis which:
 - a. Describe the sites identified in subsection D.1 of this section and the land use districts within which the sites are located.
 - b. Map the location of the sites identified in subsection D.1 of this section and depict the proximity of the sites to Neighborhood Business Land Use Districts, Residential Land Use Districts, and Transition Areas.
 - c. Describe which of the sites analyzed are considered practical or feasible alternatives by the applicant, and which of the sites analyzed are not considered practical or feasible, together with supporting information that justifies the conclusions reached. For sites located within a Neighborhood Business Land Use District, Residential Land Use District, and/or Transition Area (including the Bel-Red Office/Residential Transition (BR-ORT), the applicant shall:

- i. Describe whether the electrical utility facility location is a consequence of needs or demands from customers located within the district or area; and
 - ii. Describe whether the operational needs of the applicant require location of the electrical utility facility in the district or area.
 - d. Identify a preferred site from the alternative locations considered for the proposed new or expanding electrical utility facility. The following location selection hierarchy shall be considered during identification of the preferred site alternative: (i) nonresidential land use districts not providing transition, (ii) nonresidential Transition Areas (including the Bel-Red Office/Residential Transition (BR-ORT), and (iii) residential areas. The applicant may identify a preferred site alternative in a Residential Land Use District or Transition Area (including the Bel-Red Office/Residential Transition (BR-ORT) upon demonstration that the location has fewer site compatibility impacts than a nonresidential land use district location.
3. Technology Considered for the Preferred Site Alternative. Upon submittal of the Conditional Use Permit required pursuant to subsection C of this section, the applicant shall:
 - a. Describe the range of technologies considered for the proposed electrical utility facility;
 - b. Describe how the proposed electrical utility facility provides reliability to customers served;
 - c. Describe components of the proposed electrical utility facility that relate to system reliability; and
 - d. Describe how the proposed facility includes technology best suited to mitigate impacts on surrounding properties.
4. Community Outreach Conducted. Upon submittal of the Conditional Use Permit application required pursuant to subsection C of this section, the applicant shall provide a description of all methods of community outreach or involvement conducted by the applicant prior to selecting a preferred site for the proposed electrical utility facility.

E. Decision Criteria.

In addition to the requirements set forth in Part 20.30B LUC, Part 20.30E LUC, Part 20.25B LUC (if applicable), and other applicable provisions of this section, all proposals to locate or expand electrical utility facilities shall comply with the following:

1. The proposal is consistent with Puget Sound Energy's System Plan;

2. The design, use, and operation of the electrical utility facility complies with applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;
3. The applicant shall demonstrate that an operational need exists that requires the location or expansion at the proposed site;
4. The applicant shall demonstrate that the proposed electrical utility facility improves reliability to the customers served and reliability of the system as a whole, as certified by the applicant's licensed engineer;
5. For proposals located on sensitive sites as referenced in Figure UT.5a of the Utility Element of the Comprehensive Plan, the applicant shall demonstrate:
 - a. Compliance with the alternative siting analysis requirements of subsection D of this section;
 - b. Where feasible, the preferred site alternative identified in subsection D.2.d of this section is located within the land use district requiring additional service and residential land use districts are avoided when the proposed new or expanded electrical utility facility serves a nonresidential land use district;
6. The proposal shall provide mitigation sufficient to eliminate or minimize long-term impacts to properties located near an electrical utility facility.

20.20.350 Essential public facility (EPF).

A. Applicability.

This section applies to each essential public facility (EPF) within the City except where a specific use is otherwise identified and regulated in the use charts in LUC 20.10.440 and Chapter 20.25 LUC. The requirements of this section shall be imposed at the establishment of any such EPF use, and upon any addition or modification to any such EPF use or structure housing that use.

Any EPF specifically identified and regulated in the use charts in LUC 20.10.440 and Chapter 20.25 LUC shall be subject to the permitting procedures and requirements for that use, and shall not be subject to this section.

C. Decision Criteria.

In addition to the decision criteria applicable to any permit required to construct or modify the EPF, the City may approve, or approve with modifications, a proposal to construct or modify an EPF if:

1. The location and design is consistent with any planning document under which the proposing agency, special district or organization operates, as determined by the person or body having authority to interpret such document;
2. The location, design, use and operation of the EPF complies with any applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;
3. A building which houses all or a majority of an EPF must be compatible with the architectural form of surrounding buildings. This requirement is not applicable to an EPF where significant elements of the facility are not housed in a building or to isolated minor elements such as utility meters;
4. An EPF may be permitted in a Neighborhood Business or residential land use district (R-1 through R-30), only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;
5. The City may approve a request to exceed the height limit for the underlying land use district if the applicant demonstrates that:
 - a. The requested increase is the minimum necessary for the effective functioning of the EPF; and
 - b. Visual and aesthetic impacts associated with the EPF have been mitigated to the greatest extent technically feasible;
6. If the City determines that the EPF is potentially dangerous to human life, appropriate protective measures may be required.

20.20.460 Impervious surface.

B. Applicability.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC, and the standards of this section, shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by this Code, or by the International Building Code.

C. Modifications to Impervious Surface Limits.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC may be modified pursuant to a critical areas report, LUC 20.25H.230, so long as the critical areas report demonstrates that the effective impervious surface on the site does not exceed the limit established in LUC 20.20.010 and Chapter 20.25 LUC.

2. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
3. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.

F. Existing Impervious Surfaces.

Impervious surfaces legally established on a site prior to August 1, 2006, and which exceed the limits set forth in LUC 20.20.010 and Chapter 20.25 LUC shall not be considered nonconforming. Proposals to increase impervious surface on a site shall conform to the limits of LUC 20.20.010 and Chapter 20.25 LUC; where a site already exceeds the allowed amount of impervious surface, the additional impervious surface shall not be approved unless an equal amount of existing impervious surface is removed such that the net amount of impervious surface is unchanged.

20.20.560 Nonconforming structures, uses and sites.

E. Exceptions.

1. Downtown. The provisions of this section shall not apply in the Downtown Special Overlay District, Part 20.25A LUC. Refer to LUC 20.25A.025 for the requirements for nonconforming uses, structures, and sites located within the Downtown Special Overlay District.
2. Critical Areas Overlay District. The provisions of this section do not apply to structures or sites nonconforming to the requirements of Part 20.25H LUC. Refer to LUC 20.25H.065 for the requirements for such nonconforming structures and sites.
3. Shoreline Overlay District. The provisions of this section do not apply to uses, structures or sites nonconforming to the requirements of Part 20.25E LUC. Refer to LUC 20.25E.055 for the requirements for such nonconforming uses, structures and sites.

4. Bel-Red (BR) Land Use Districts. The provisions of this section do not apply to uses, structures, or sites located in the Bel-Red Land Use Districts. For uses in the Bel-Red Land Use Districts established before [insert Plan adoption date] refer to the existing conditions regulations in LUC 20.25D.060.

20.20.590 Parking, circulation and walkway requirements.

A. Scope.

This section contains standards and design requirements for parking, circulation and internal walkways, except as otherwise provided in Chapter 20.25 LUC for Special and Overlay Districts.

...

20.20.620 Produce stands.

...

B. Permanent stands for the sale of fruit and vegetables may be erected in zoning districts permitting such retail sales and are exempt from Design Review requirements so long as:

1. Setback requirements are met;
2. The vendor provides safe vehicular and pedestrian ingress and egress from the street to the stand;
3. The site provides parking for retail uses according to the requirements of LUC 20.20.590 or district specific parking requirements contained in Chapter 20.25 LUC;
4. The stand meets technical code requirements for utilities and structural integrity;
5. Refuse, recycling, and similar containers are sight-screened and are made of sound-muffling material such as molded plastic;
6. Lighting is designed to prevent spillover of light from the site to surrounding properties; and
7. Where interior property lines abut residentially zoned property, sight-screening in the form of solid board fencing, evergreen plantings, berming, or a combination thereof, to a height of six feet, is provided.

20.20.650 Public utilities – Design and performance standards.

A. Utility Facility Site Standards.

1. **Architectural Form and Character.** A building which houses all or a majority of a utility facility must be compatible with the architectural form of surrounding buildings. This requirement is not applicable to a utility facility where significant elements of the facility are not housed in a building or to isolated minor elements such as pad mounted transformers, telephone pedestals and metering stations.
2. **Screening and Fence Requirements.**
 - a. A utility facility must be sight-screened as specified for that use in LUC 20.20.520.F.2 or as required by district specific landscape standards contained in Chapter 20.25 LUC. Alternatively, the provisions of LUC 20.20.520.J may be used.
 - b. If the Director of Planning and Community Development and the Transportation or Utilities Director, as applicable, determine that the utility facility is potentially dangerous to human life, an eight-foot fence may be required.
3. **Required Setback.**
 - a. Any structure, facility or fence must conform to the setback requirement for structures in the land use district in which the structure, facility or fence is located, except as specified in paragraph A.3.b of this section.
 - b. The minimum side setback for a structure, facility or fence in an R Land Use District is 20 feet.

20.20.730 Large satellite dish antennas.

A. Large Satellite Dish Antennas in Nonresidential Land Use Districts.

Large satellite dish antennas in all nonresidential districts (all land use districts except R-1 through R-30), shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.

B. Large Satellite Dish Antennas in Residential Land Use Districts.

The requirements for screening of large satellite dish antennas in residential districts (R-1 through R-30) shall depend upon the nature of use and building type of the development.

1. Large satellite dish antennas in any residential development other than detached or single-family attached housing shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.

2. Large satellite dish antennas in any residential development consisting of detached or single-family attached housing shall be screened in accordance with subsection C of this section.

C. Large satellite dish antennas in any residential development consisting of detached or single-family attached housing as specified in subsection B.2 of this section are permitted subject to the following criteria, provided the Director may modify setback and screening requirements upon proof that strict application of the requirements is infeasible or renders use of an antenna impossible:

1. The antenna shall meet front and side setback requirements for the main building and shall be a minimum of five feet from any rear property line;
2. The antenna shall be a minimum of 10 feet distant from any street right-of-way, vehicular access easement, or private road;
3. No antenna shall be located in a buffer or setback required by the City's critical areas regulations (see Part 20.25H LUC), unless affixed to a structure allowed pursuant to Part 20.25H LUC; and
4. The antenna shall be substantially screened from view from adjacent property and the adjacent public rights-of-way by sight-obstructing landscaping, fencing, on-site structures, or natural topography.

20.20.740 Schools.

A. Public and private schools are permitted as indicated by the chart in LUC 20.10.440 and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, "Education: Primary and Secondary," provided the following standards are met:

1. School buildings in residential districts shall cover not more than 35 percent of their site area.
2. Except as allowed in this section, school buildings in residential districts shall provide 50-foot side and rear yard setbacks. A reduction in the side or rear yard setback may be approved as follows:
 - a. In no event may a side or rear yard setback be less than 30 feet;
 - b. The landscaping required along interior property lines required pursuant to subsection A.5 of this section shall be increased to a minimum of 20 feet in depth;
 - c. No portion of a structure exceeding the building height allowed for the district may be within 50 feet of the side or rear property line; and

- d. Building entrances or exits, other than required emergency exits, are not located within 50 feet of a side or rear property line.
3. Building Height.
- a. An increase in building height of up to 10 feet above the maximum building height of the underlying district is allowed for schools so long as:
 - i. No mechanical equipment is located on the roof of any building or portion of building that exceeds the maximum building height of the underlying district; and
 - ii. The school is located on a site of at least five acres.
 - b. An increase in building height above that allowed under subsection A.3.a of this section may be approved if that portion of the structure exceeding the maximum building height of the underlying district satisfies the following criteria:
 - i. The increase in height is necessary to accommodate uses or equipment functionally related to a program offered as part of the educational programs of the school, for example, for a performing arts center, library or gymnasium;
 - ii. That portion of the structure exceeding the maximum building height is set back from any property line a distance equal to 1.5 times the height of that portion of the structure, unless a greater setback is required pursuant to LUC 20.20.010, or the dimensional charts applicable to specific land use districts contained in Chapter 20.25 LUC, or this section;
 - iii. The building and site design minimize the impact of the additional height on the surrounding land uses;
 - iv. The school is located on a site of at least five acres; and
 - v. In no event may the height of a structure or portion of a structure exceed 75 feet.
4. The Director may administratively consider, approve or disapprove the addition of temporary, portable classrooms to existing public schools subject to the criteria set forth in Part 20.30E LUC for an Administrative Conditional Use.
5. Perimeter Landscaping. In lieu of the Perimeter Landscaping Requirements set forth in LUC 20.20.520.F.1, schools shall provide the following landscaping, subject to LUC 20.20.520.F.6:

- a. Schools in Residential Districts or in Transition Areas as Described in Part 20.25B LUC and in the Bel-Red Office/Residential Transition (BR-ORT) Land Use District.
 - i. Ten feet of Type III landscaping along the street frontage, except that 100 percent of the required trees may be planted with deciduous trees; and
 - ii. Ten feet of landscaping meeting the requirements of LUC 20.25B.040.C.2.c along interior property lines, unless more stringent requirements apply pursuant to this section.
- b. Schools in All Other Districts.
 - i. Ten feet of Type III landscaping along the street frontage, except that 100 percent of the required trees may be planted with deciduous trees; and
 - ii. Ten feet of Type III landscaping along interior property lines.

Alternative landscaping may be approved by the Director if the requirements of LUC 20.20.520.J are met.

- 6. Vehicular and Pedestrian Circulation. In addition to the requirements of LUC 20.20.590, school vehicular and pedestrian circulation shall satisfy the following criteria:
 - a. Vehicular and bus loading and unloading areas shall be designed to minimize impacts on traffic on public rights-of-way;
 - b. Parking areas shall be designed to minimize conflicts between pedestrian and vehicular movements; and
 - c. Opportunities shall be found for safe, convenient, and pleasant pedestrian connections to existing transit facilities. Where needed, shelters and lay-bys for transit vehicles shall be incorporated into site development.
- 7. Design Guidelines for Schools in Residential Districts and in Transition Areas. Schools in residential land use districts and in Transition Areas shall meet the site and building design standards set forth in LUC 20.25B.040.D through G and 20.25B.050.
- 8. Playfields. Schools are not required to provide on- or off-site playfields. Where playfields are provided, however, they must meet the following requirements:
 - a. On-site playfields developed to the limits of their property and which are adjacent to developed private property shall be fenced with an eight-foot-high fence; and

- b. Travel to and from the school site to any off-site playfield must not be hazardous.

20.20.820 Solid waste disposal.

...

B. Decision Criteria.

In addition to the decision criteria applicable to any permit required to construct or modify a solid waste disposal facility pursuant to general use charts contained in LUC 20.10.440 and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, the City may approve, or approve with modifications, a proposal to construct or modify a solid waste disposal facility, provided the following standards are met:

1. All components of the solid waste disposal facility shall be contained within a building that is compatible with the architectural form of surrounding buildings. This requirement shall not apply to those components of the facility that cannot effectively function inside of a building.
2. A transportation plan may be required. The City shall determine the level of detail to be disclosed in the plan such as estimated trip generation, access routes and surrounding area traffic counts, based on the probable impacts and/or scale of the proposed facility.
3. The facility shall be designed to include design and operation measures to control odor emissions and airborne pollutants, rodents, birds, and other vectors.
4. The location, design, use and operation of the facility shall comply with any applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority.
5. The location and design is consistent with any planning document under which the proposing agency, special district or organization operates, as determined by the person or body having authority to interpret such document.

20.20.840 Subordinate Uses.

A. Purpose.

The purpose of this section is to provide performance standards for subordinate uses, as defined in LUC 20.50.046.

B. Applicability.

The performance standards contained in this section shall be required for subordinate uses, as defined in LUC 20.50.046, whether or not establishment of the use is subject to a permit, approval, or land use review.

C. Performance Standards.

Subordinate uses as defined in LUC 20.50.046 shall be:

1. Located on the same lot or in the same structure as the permitted or principal use;
2. Functionally related to the permitted or principal use; and
3. Generally limited in size to 25 percent of the floor area devoted to the related permitted or principal use.

20.20.900 Tree retention and replacement. . . .

B. Applicability.

The requirements of this section shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by the Bellevue City Code or Land Use Code. Subsection F of this section shall apply to permits for new single-family structures and for additions to impervious surface areas that exceed 20 percent when located on a single-family lot developed with a residential use. Subsection E of this section applies to the removal of any significant trees in the R-1 Land Use District located in the Bridle Trails Subarea.

...

D. Retention of Significant Trees for Subdivisions, Short Subdivisions, Planned Unit Development, Change in Lot Coverage, or Change in the Area Devoted to Parking and Circulation, Excluding Areas Located in the R-1 Land Use District in the Bridle Trails Subarea and for New or Expanding Single-Family Structures.

1. **Perimeter Landscaping Area.** In the required perimeter landscaping area, as set forth in LUC 20.20.520.F.1, the applicant shall retain all significant trees which will not constitute a safety hazard. For properties located in Bel-Red Land Use Districts, refer to perimeter landscape development at LUC 20.25D.110. Area devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC), and area to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements is exempt from this requirement.

2. Site Interior.

- a. In areas of the site other than the required perimeter landscaping area, the applicant must retain at least 15 percent of the diameter inches of the significant trees existing in this area; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. In applying the requirement for retention of significant trees, the Director shall consider the preservation of the following types of significant trees a priority:
 - i. Healthy significant trees over 60 feet in height;
 - ii. Significant trees which form a continuous canopy;
 - iii. Significant trees which contribute to the character of the environment, and do not constitute a safety hazard;
 - iv. Significant trees which provide winter wind protection or summer shade;
 - v. Groups of significant trees which create a distinctive skyline feature; and
 - vi. Significant trees in areas of steep slopes or adjacent to watercourses or wetlands.
 - b. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under subsection D.2.a of this section if a group of trees and its associated undergrowth can be preserved.
3. Exemption. The provisions of this subsection which require retention of significant trees are not applicable in any Downtown Land Use District.
 4. The applicant shall utilize tree protection techniques approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained significant trees.
 5. Reduced Parking Bonus. If the proposed landscape plan incorporates the retention of significant trees above that required by this section, the Director may approve a reduction of up to 10 percent of the required number of parking spaces if adequate parking will remain on the subject property, and if land area for the required number of spaces remains available for future development on the subject property.

20.25B.020 Applicability.

A. General.

This chapter applies to any portion of property located in a district designated on the chart below as “Districts providing transition” which is located within 300 feet of property located in a district designated on the chart as “Single-family districts receiving transition” or within 150 feet of property located in a district designated on the chart as “Multifamily districts receiving transition.”

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 of 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 the 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).
4. Development within the F1 Land Use District is not subject to Transition Area Design District requirements.
5. Development within the OLB-OS Land Use District is not subject to Transition Area Design District requirements where that property receiving transition is developed in a nonresidential use.
6. Development of a wireless communications facility is not subject to Transition Area Design District requirements.
7. Development within the Medical Institution Land Use District is not subject to Transition Area Design District requirements.
8. Development within the Bel-Red Land Use Districts is not subject to the Transition Area Design District requirements unless specifically made applicable pursuant to Part 20.25D LUC.

20.30D.150 Planned Unit Development plan – Decision criteria.

...

E. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by this code, LUC 20.20.520 and landscaping requirements applicable to specific districts contained in Chapter 20.25 LUC, and enhances the visual compatibility of the development with the surrounding neighborhood; and

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 general dimensional requirements contained in LUC 20.20.010, and district specific requirements contained in Chapter 20.25 LUC.

...

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

...

- B. Any provision of LUC 20.10.440, Uses in Land Use Districts and district specific requirements contained in Chapter 20.25 LUC; or

...

Part 20.30F Design Review

...

20.30F.145 Decision criteria.

The Director may approve or approve with modifications an application for Design Review if:

- A. The proposal is consistent with the Comprehensive Plan; and
- B. The proposal complies with the applicable requirements of this Code; and
- C. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and
- D. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity;
- E. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and,

F. The proposal is consistent with any required Master Development Plan approved pursuant to Part 20.30V LUV.

20.30G.150 Limitation on authority.

The decision maker may not grant a variance to:

A. The provisions of LUC 20.10.440 or Chapter 20.25 LUC, establishing the allowable uses in each land use district; or

20.50.010 A Definitions.

Adult Day Care. An adult care service use providing regularly scheduled care for a period less than 24 hours. An adult care service use meeting the definition of an Adult Family Home as defined pursuant to RCW 70.128.010(1) does not fall within the scope of this definition.

Affordable Housing. Housing used as the primary residence of an affordable housing qualified household. The price of affordable units is based on that amount a household can afford to pay for housing, when household income is less than 80 percent of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area, and when the household pays no more than 30 percent of household income for housing expenses. Households with income less than 80 percent of the median annual income, adjusted for household size, may purchase or rent these affordable units. In addition, affordable housing in the Bel-Red Subarea shall include for sale units that are affordable up to 100% of the median annual income. The Director shall issue administrative rules for establishing the sales or rental price of affordable units and the eligibility of residents.

Animal Service. Retail sale, service, or veterinary uses in which health care, pet grooming, pet daycare, or hobby kennel, kennel, or boarding services for animals are provided.

20.50.012 B Definitions.

Boarding. An animal service, which may include hobby kennel, kennel, veterinary, or pet daycare uses.

20.50.014 C Definitions.

Conditional Use. A use, which is compatible with its surrounding area, permitted if approved by a Hearing Body. See LUC 20.10.440 and district specific land use charts contained in Chapter 20.25 LUC.

20.50.016 D Definitions

Department of Development Services. The Development Services Department is an administrative department of the City as described in Chapter 3.44 BCC. (Ord. 5821, 7-2-2008, § 3)

Director of Development Services Department or Director. The Director of the Development Services Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager. (Ord. 5821, 7-2-2008, § 3)

20.50.024 H Definitions

Health Club. A place of business with equipment and facilities for exercising and improving physical fitness. A broader range of services such as restaurant and meeting rooms are not included, except when subordinate to the permitted use.

20.50.032 L Definitions.

Land Use. The use to which an area of land, or building thereon, is put; human activity taking place thereon. Categories of land uses in this Code are found in Chart 20.10.440 and district specific land use charts contained in Chapter 20.25 LUC.

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 20.20.010 and 20.25A.020. For reference to district specific regulations which govern lot coverage, refer to Chapter 20.25 LUC.

20.50.034 M definitions.

Multiple Function Building or Complex. A building or complex of buildings containing multiple activities such as office, warehousing, manufacturing, or services, as determined by the Director pursuant to LUC 20.10.440 provided this definition does not apply to multiple function buildings or complexes located in Bel-Red Land Use Districts.

20.50.040 P Definitions.

Pet Daycare. An animal service that regularly provides care for animals, which may include boarding or kennel services.

Primary Structure. The structure on a site that houses the principal use. For residential uses, the primary structure houses the dwelling unit(s). For nonresidential uses, the primary structure houses the use undertaken on the site, as classified by LUC 20.10.440 and district specific land use charts contained in Chapter 20.25 LUC. Primary

structures do not include structures that contain only certain functions or equipment that support the principal use, such as sheds, garages, or mechanical equipment structures.

20.50.046 S Definitions.

Special Use. A use which requires a Conditional Use Permit, Administrative Conditional Use Permit, or planned unit development pursuant to LUC 20.10.440 and district specific land use charts contained in Chapter 20.25 LUC.

Subordinate Use. A use which is secondary or incidental to a permitted or principal use. These uses are governed pursuant to LUC Section 20.20.840.

Part 20.25H Critical Areas Overlay District

I. SCOPE AND PURPOSE

...

II. DESIGNATION OF CRITICAL AREAS AND DIMENSIONAL STANDARDS

...

20.25H.045 Development density/intensity.

A. General.

For development in the Critical Areas Overlay District, the number of dwelling units per acre and the maximum floor area ratio for office space is determined pursuant to this section. The provisions of this section may not be modified through a critical areas report.

B. Dwelling Units per Acre.

The maximum density allowed for a site in the Critical Areas Overlay District is equal to the number of dwelling units per acre as specified in LUC 20.20.010, times the buildable area in acres, plus the dwelling units per acre times the total area of critical area and critical area buffer in acres times the development factor derived from subsection D of this section:

$$[(DU/acre)(Buildable\ area\ in\ acres) + (DU/acre)(Total\ critical\ area\ and\ critical\ area\ buffer\ in\ acres)(Development\ factor)] = \text{Maximum dwelling unit potential}$$

The Dwelling Unit per Acre calculation contained in this paragraph does not apply in the Bel-Red Land Use Districts.

C. Floor Area Ratio.

1. Office floor area outside the Bel-Red Land Use Districts

a. The maximum allowable office floor area for a site which contains a critical area or critical area buffer is equal to 0.5 times the buildable area in square feet plus 0.5 times the total area in critical area and critical area buffer in square feet times the development factor derived from subsection D of this section:

$$[(0.5)(Buildable\ area\ in\ square\ feet) + (0.5)(Total\ critical\ area\ and\ critical\ area\ buffer\ in\ square\ feet)(Development\ factor)] = \text{Maximum office development potential}$$

b. A property within the Critical Areas Overlay District is exempt from the sliding scale FAR requirement of LUC 20.20.010, Note 8.

The applicable maximum floor area ratio to the buildable area is 0.5 regardless of building square footage.

2. Floor area within the Bel-Red Land Use Districts

The maximum allowable floor area for a site which contains a critical area or critical area buffer is equal to the maximum FAR for the applicable Bel-Red Land Use District (refer to dimensional requirements of LUC 20.25D.080) times the buildable area in square feet plus the maximum FAR for the applicable Bel-Red Land Use District times the total area in critical area and critical area buffer in square feet times the development factor derived from subsection D of this section:

$$[(\text{Maximum FAR for the applicable Bel-Red Land Use District})(\text{Buildable area in square feet}) + (\text{Maximum FAR for the applicable Bel-Red Land Use District})(\text{Total critical area and critical area buffer in square feet})(\text{Development factor})] = \text{Maximum development potential within the Bel-Red Land Use Districts.}$$

D. Development Factor.

The development factor is a percent credit to be used in computing the number of allowed dwelling units or the maximum allowed office floor area for a site within the Critical Areas Overlay District. The development factor is determined by figuring the percentage of the total site that is buildable area, divided by 100. The result should be rounded to the nearest hundredth. The following table illustrates the development factor:

Total site (as %)	Critical area and critical area buffer total (as % of total site)	Buildable area (as % of total site)	Development factor (% BA/100)
100	10	90	.9
100	35	65	.65
100	50	50	.5
100	75	25	.25
100	90	10	.1

**ECONOMIC EVALUATION FOR BEL-RED BONUS
INCENTIVE SYSTEM
EVALUATION OF REGIONAL TRANSFER OF
DEVELOPMENT RIGHTS
PROPERTY COUNSELORS
SEPTEMBER 2008**

INTRODUCTION

The City of Bellevue is considering new zoning for the Bel-Red area. The proposed zoning will provide increased allowable density in the area, in return for investment in public infrastructure and public amenities. The incentive bonus system is intended to encourage more dense development as well as development that incorporates desirable features. The City has hired Property Counselors to assist them in evaluating the bonus incentive system and setting bonus rates that provide a real incentive, but also maximize public benefits.

Transfer of Development Rights (TDR) from eligible areas of unincorporated King County to Bel-Red sites is one of several features considered for the bonus incentive system. King County has proposed that the City join the County in establishing an interlocal agreement that provides for City participation in the county program. Specifically the County has proposed that:

- The City accept up to 75 rural TDR credits (equivalent dwelling units) to be purchased by developers for Bel-Red redevelopment. The eligible sending sites would be designated through joint discussions between the City and County to include properties with compelling interests for the City. Examples might include farm properties that supply the Bellevue Farmer's Market, or properties within key view corridors.
- The County pay the City \$750,000 as an amenity Payment to fund parks and open space within the Bel-Red Plan area, in recognition that these investments are critically important to enabling development in Bel-Red, and that use of TDRs may reduce the amount of incentive zoning payments otherwise generated for these investments. To receive full payment of this amenity fund up-front, the County proposes that the City prioritize rural TDRs as a Tier 1 bonus. If the rural TDRs fall into Tier 2 or a separate tier, then the amenity payment would not be available up-front; an alternative sequencing would need to be negotiated with the County.

The City is interested in how this proposal can be incorporated into the proposed incentive bonus system. This report documents an analysis of TDR options. It addresses three specific questions:

How should the regional TDR bonus be calibrated?

How could the TDR bonus be incorporated within the tiered categorization of bonus features?

What is the impact of the proposed TDR bonus feature on incentives to developers and contributions to City infrastructure?

The report is organized in five sections:

Market for Transferable Development Rights

Calibration of TDR Value and Bonus Rate

Description of Options for Incorporating TDRs in Incentive Bonus System.

Evaluation of Options

Conclusions and Recommendations

MARKET FOR TRANSFERABLE DEVELOPMENT RIGHTS

The existing King County TDR program was created in 1999 to direct development growth away from rural and resource lands and into urban areas. The program allows for transfers within unincorporated King County, as well as to designated areas of Seattle and Issaquah under terms of interlocal agreements, similar to what is proposed for Bellevue.

Over the period 1999 through 2008 to-date, there have been 57 private TDR transactions, involving the sale of 479 TDR credits (equivalent units) counted at the sending end. The program includes both rural and urban credits, with rural credits originating in land zoned Resource, Agriculture or Forest; and urban units originating in lands zoned R-1 Urban Separator. A rural TDR credit is equivalent to two additional units at the receiving end, while an urban credit is equivalent to one additional unit at the receiving end of a transfer. As one would expect, the average price per rural TDR credit (at the sending end) is approximately twice the average price for an urban TDR credit. Alternatively, the average price per useable TDR at the receiving end is approximately equal for rural and urban credits.

Figure 1 summarizes the level of program activity in terms of private transactions and TDRs sold. As shown, activity was highest in 2004 and 2005. Figure 2 summarizes the trends in average price per TDR credit for equivalent rural sending sites. As shown, the average price was highest in 2000 (as the result of one prominent high price sale), declined through 2004, and increased to approximately \$20,000 per TDR in 2007.

Figure 1.

**King County TDR Program
Summary of Private Transactions**

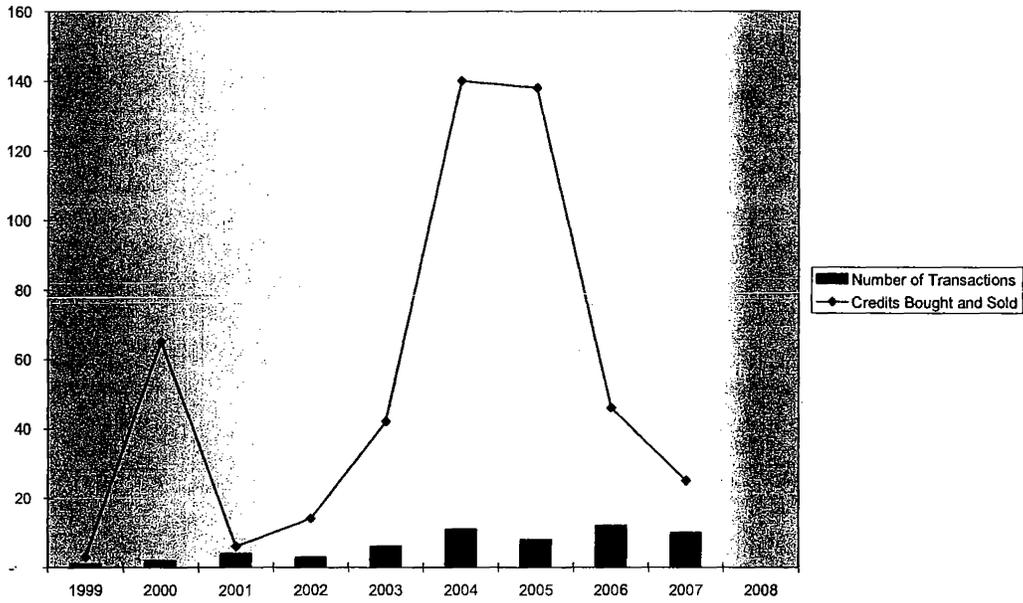
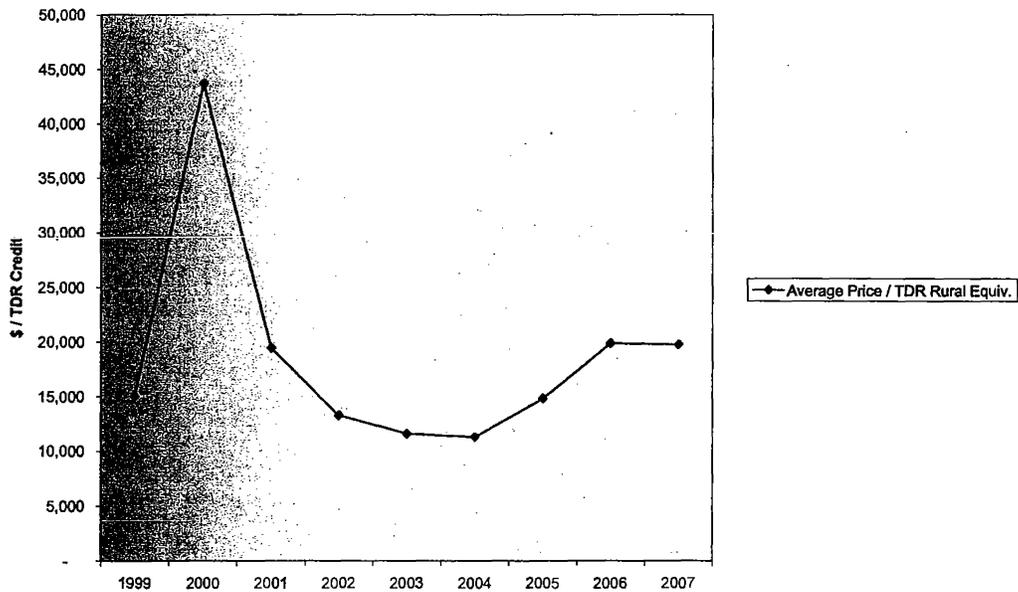


Figure 2.

**King County TDR Program
Summary of Price Trends**



To date, 520 credits have been approved at eligible private sending sites. 479 TDR credits have been sold. 329 credits have been redeemed.

The County also operates a TDR Bank. Activity levels to date are as follows:

TDR Credits Purchased by County	1,124
TDR Credits sold by County	<u>(49)</u>
Remaining Credits Available for Sale	1,075

The average price per TDR credit purchased by the County was \$23,100. The average price per TDR credit sold by the County was \$27,100.

The market data indicates that there is a somewhat active market for TDR credits. Recent trends indicate an average value for rural TDR credits of \$20,000, with some transactions higher, and some lower.

CALIBRATION OF TDR VALUES AND BONUS RATE

Calibration of the incentive system factors involves specifying the relationship between TDR credits and additional bonus area in Bel-Red. The TDR transfer program in the Denny Triangle area of Seattle under an interlocal agreement provides a starting point for specifying this relationship.

The City of Seattle and King County entered into an interlocal agreement that provides for the transfer of King County TDR credits to the Denny Triangle area. The agreement authorizes the transfer of 68 TDR credits to the designated area. One credit is equivalent to 2,000 square feet of additional development. The eligible sending areas are rural sites in the Cedar River and Tolt watersheds. Three projects have utilized the program to date.

	Year Purchased	Type	TDR Sending Credits	Price/Sending Credit
2200 Westlake	2004/05	Private	19	\$15,000
Olive 8 Tower	2007	TDR Bank	31	\$30,000
Terry Ave. Tower	2007	TDR Bank	18	\$22,000

The private purchase was equivalent to \$7.50 per square foot of additional building area. The TDR Bank transactions were equivalent to \$15 and \$11 per square foot respectively. The first transaction was a relative bargain, although it reflected the market price at that time. The price range for the TDR Bank transactions reflected the conclusions of an appraisal/pricing study prepared for the County in March 2006 by Allen Bracket Shedd.

The pricing study considered a variety of evidence for values including:

The 2004/2005 TDR purchases at \$7.50 per square foot.

Values of \$15 to \$20 per square foot for the City of Seattle's separate TDR program that allows for transfer of excess development rights related to Major Performing Arts and Landmarks and Low income Housing structures.

Values of \$20 to \$25 per square foot of total potential building area for recent Downtown Seattle residential project land sales.

The analysis discounted values because of site-specific considerations such as size, allowable heights, and likely use; and market factors such as downward pressures on rural sales prices. The conclusion of the analysis was that TDR bank prices be set at \$10 to \$15 per square foot of additional building area.

The driver for the calibration of the TDR bonus program is the estimated value of additional development rights. The underlying value for the bonus rates for other bonus features in the proposed Bellevue system is \$15 per square foot. This rate was determined to be supportable by feasibility analysis and the recommendations of the Urban Land Institute (ULI) Technical Assistance Panel. None of the site-specific factors applied in the King county pricing study are applicable, because the Bel-Red plan is intended to accommodate the extra density associated with the incentive system. The range in price for TDR credits for rural sites is \$15,000 to \$25,000, with an average price in 2007 of \$20,000. The appropriate bonus rate to provide equivalent bonus value at \$15 per square foot would be 1,333 square feet of additional development per TDR credit.

This bonus rate is lower than the 2,000 square foot rate in the Denny Triangle area of Seattle. This fact is related to the lower average value per square foot of additional development in Seattle, which in turn is related to the discounts attributable to site-specific size and zoning conditions. One result of this difference is that a potential purchaser might consider the TDRs as more valuable in Seattle and have an incentive to apply them to projects there, but in fact the values are intended to be equivalent in both areas.

DESCRIPTION OF OPTIONS FOR INCORPORATING TDRS IN INCENTIVE BONUS SYSTEM.

The current proposed incentive bonus system calls for two tiers of bonus features:

Tier 1. Allowing additional FAR beyond a base value in return for:

Residential Projects: 50% for affordable housing and 50% for open space and stream restoration.

Commercial: 100% for open space and stream restoration.

Tier 2. Allowing additional FAR beyond the maximum for Tier 1, in return for a variety of on-site development features.

Note that the Tier 2 features are not available for bonus until the Tier 1 bonuses are fully utilized.

There are three general ways that the TDRs can be incorporated into the system:

As a Tier 1 Feature,

as a Tier 2 feature, or

as a feature in a separate tier independent of the other two, with separate limits.

These three options are evaluated below.

EVALUATION OF OPTIONS

The three options can be evaluated in terms of:

The extent to which they provide an incentive to developers.

The impact on the City in terms of priorities for bonus features.

The impact on the City in terms of its ability to fund necessary infrastructure.

The 1,333 square foot per TDR credit bonus rate is assumed to be the same for all three options. Further, in each case the County is assumed to provide \$750,000 as an amenity payment, for up to 75 TDR credits. This amount is equivalent to \$10,000 per credit or \$7.50 per square foot of additional building area. The County proposes that if regional TDRS are included in the Tier 1 bonus, the amenity payment funds will be provided up-front, both earlier and with less uncertainty than would be the case with payments for developers.

OPTION 1. TIER 1 BONUS FEATURE

INCENTIVE TO DEVELOPER

The cost to the developer at the \$15 per square foot value would be equivalent to the estimated cost of the other Tier 1 features. However, if a developer could purchase TDR credits privately at a price less than \$20,000 per credit, that would be a cheaper method of acquiring extra density and provide an incentive to utilize that feature rather than stream restoration or affordable housing.

IMPACT ON CITY PRIORITIES

The amount of additional development allocated to this feature will reduce the amount of affordable housing or open space/stream restoration that would otherwise be provided in return for the extra density. In return, the City would benefit from the preservation of resource lands that are important to it. Some of the lost funding for affordable housing or stream restoration would be off-set by the County contribution, as described below.

IMPACT ON CITY INFRASTRUCTURE FUNDING

The City could collect funds for open space and stream restoration through the County's \$750,000 up-front amenity payment offered with the TDR feature, and through each development's zoning incentive payments for the other features. The amenity payment would be equivalent to \$7.50 per square foot of building area, while the zoning incentive payments would be equal to \$15 per square foot. With the County's proposed 75 TDR limit on the TDR transfers, the maximum "lost" in-lieu payment equals 75 TDRs times 1,333 sq. ft. times \$15/sq. ft. = \$1,500,000, off-set by the \$750,000 County contribution, to net \$750,000. To the extent that developers provide the amenity feature rather than make an in-lieu payment, the "lost" payments would be less than this amount..

OPTION 2. TIER 2 BONUS FEATURE

INCENTIVE TO DEVELOPER

The cost to the developer at the \$15 per square foot value would be equivalent to the estimated cost of the other Tier 2 features. However, if a developer could purchase TDR credits privately at a price less than \$20,000 per credit, that would be a cheaper method of acquiring extra density. In fact, the other Tier 2 features are likely to be preferred by developers, all else being equal, because the other features will directly enhance the marketability of the development.

IMPACT ON CITY PRIORITIES

The amount of additional development allocated to this feature will reduce the amount of on-site amenities that would otherwise be provided in return for the extra density.

IMPACT ON CITY INFRASTRUCTURE FUNDING

The City could collect the \$750,000 amenity payment with the TDR feature. To the extent that there wouldn't be in-lieu payments for the other bonus features, the amenity bonus would not be offset by the loss of any in-lieu payments. The amenity payment would not be available upfront for this option, however.

OPTION 3. SEPARATE TIER

INCENTIVE TO DEVELOPER

The developer would compare the cost of value for the TDR credits, independent of the cost and value of any alternative features. If the developer can negotiate a purchase price that is equal to or lower than \$20,000 per credit, the feature would likely be used. The number of credits used will be affected by the numbers of credits allocated to the City, height and bulk limitations imposed in the area, and any other limitations the City would choose to apply.

IMPACT ON CITY PRIORITIES

TDRs would not compete with other desired bonus features. More development would be allowed in the area than would otherwise be allowed, however.

IMPACT ON CITY INFRASTRUCTURE FUNDING

The City would receive the \$750,000 amenity payment, equivalent to \$7.50 per square foot, without foregoing any payments associated with other bonus features. The amenity payment would not be available upfront for this option, however.

CONCLUSIONS

1. The appropriate bonus rate should be 1,333 square feet per TDR Credit. Such a rate would equate the estimated value of \$15 per square foot of additional development with the current price of TDR credits of \$20,000 on average.
2. The bonus system options provide a series of trade-offs among private incentives and funding to the City.
 - The County proposes that the TDR bonus be placed in Tier1. That would increase the likelihood that it would be used. Its use would reduce the amount of other bonus features that would be provided. Further, the amount of the County's amenity payment would be approximately one-half of the amount the City would receive in zoning incentive payments. However, the County's payment would be available up-front; the revenue off-set would occur over time as TDRs are used; and the offsets would be limited to \$750,000 due to the 75-TDR limit on TDR transfers.
 - The TDR program isn't likely to be used to a significant extent as a Tier 2 bonus feature because the on-site bonus features in this tier are likely to provide enhanced marketability at the same cost. The program might be utilized under this option if a developer could purchase TDR credits at a rate significantly less than \$20,000 per credit. The amenity credit would

be a net benefit to the City as it wouldn't forego any Tier 1 in-lieu zoning incentive payments for affordable housing, parks and open space.

- The Separate Tier Option would result in greater density than under the other options. However, the TDR bonus wouldn't take the place of any other desirable bonus feature, and the amenity credit would be a net benefit above and beyond any in-lieu zoning incentive payments. This option provides the most incentive for developers while providing additional infrastructure funding for the city. But it requires the City allowing FARs above the maximum otherwise allowed, and there as no guaranteed up-front amenity payment to the City.



King County

Department of Natural Resources and Parks
Water and Land Resources Division

Memo

Date: February 23, 2009

To: Dan Stroh, Planning Director and Steve Sarkozy, City Manager

From: Darren Greve, King County TDR Program Manager

RE: Fiscal Impact of the proposed City - County Transfer of Development Rights (TDR) Interlocal Agreement

On January 20th Bellevue City Council discussed the terms of a City-County transfer of development rights (TDR) partnership agreement. You presented King County's offer, and Council considered various aspects of the proposed TDR deal.

This memo provides additional information about the fiscal impacts of the TDR partnership agreement, an aspect your Council discussed at length in January.

In short, the true fiscal impact - considering present value of money principles - of a regional TDR partnership with the County may result in fiscal impacts between \$316,000 and \$545,000, not the \$750,000 as assumed in the consultant's report and discussed by some Council members.

Even at these lesser amounts, this fiscal information should be taken in full context. That is, coupled with the added benefits Bel-Red Regional TDR will bring the City and the Region, and the certainty of receiving a payment of \$750,000 from the County now as part of the deal, \$316,000 to \$545,000 is a relatively small cost.

The content below illustrates the rationale behind this fiscal conclusion.

The County is offering the City \$750,000 up-front to create needed open space and parks inside Bel-Red. In exchange, the City would agree to allow 75 rural development rights, from rural properties in King County that are of compelling interest for the City to protect; examples include: view properties that lie within the Mountains to Sound Greenway and/or rural farm properties that sell in Bellevue's Farmers Market.

Under the assumption that each TDR equals 1,333 square feet¹, all 75 TDRs represent \$1.5 million² that developers would pay rural landowners, rather than the City, for increased density. The County is offering the City \$750,000 today to mitigate this loss.

The true difference between the County's offer and the potential \$1.5 million in lost City revenue is not \$750,000; considering the present value of money, it is an amount much less. Let me explain how.

Not considered regional TDRs, there is significant time uncertainty as to when the City would receive \$1.5 million in payments from Bel-Red developers for 100,000 square feet of increased density. Given the current real estate market, it is safe to assume developers would not initiate projects in Bel-Red and start paying for increased density for 3 to 7 years, which at the earliest is 2011 and likely not until 2015 or even beyond.

Conservatively then, the present value of \$1.5 million in 2011 and 2015 is \$1.29 and \$1.06 million respectively. Comparing these figures with the County's offer of \$750,000 in 2009 yields a net fiscal impact of \$545,756 and \$316,000 respectively.

The chart on the attached page shows the basic present value calculations and discount rate assumptions to arrive at these estimates. The discount rate is assumed to be 5%, which is a conservative estimate for cost of capital; if it were higher and development lagged in the Bel-Red beyond 7 years the net impact to the City via TDR would decrease even further.

Simply put, there is inherent uncertainty about when the City would receive payments from Bel-Red developers for increased density. This makes a present value analysis requisite for considering the true fiscal impact of a TDR partnership agreement. In present value terms, the net impact to the City of a TDR partnership ranges between \$316,000 and \$545,000 depending on when developers make use of Tier 1 incentives in

¹ Per the City's consultant report, development rights in the County would sell for \$20,000 apiece. The Tier 1 "parks and streams" density bonus is set to cost developers \$15/sf. Therefore each of the 75 rural development rights from private properties in King County would equate to 1,333 additional square feet (i.e. \$20,000/\$15 per sf = 1,333 sf).

² Based on assumptions in the consultant's report, all 75 TDRs would equal 100,000 additional square feet (i.e. 75 x 1,333 sf) of density bonus; the 100,000 sf at a cost of \$15/sf = \$1.5 million).

Bel-Red. With the County's \$750,000 offer today, one could make the fiscal argument that "a bird in the hand is worth two in the bush."

On balance we believe the *City and the Region* will capture benefits significantly above and beyond the small fiscal impact mentioned herein. We look forward to partnering with the City in such smart, innovative and forward-looking approaches to managing growth and protecting our quality of life.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren", with a stylized flourish at the end.

Darren Greve
Manager, Transfer of Development Rights Program
Phone: (206) 263-0435
email: darren.greve@kingcounty.gov

Chart 1. Present Value Fiscal Impact Scenarios of TDR

City Revenue Scenarios	2009	2010	2011	2012	2013	2014	2015	2016	2017	Discount Rate	Present Value	Net PV Fiscal Impact of TDR Option
TDR Option	750,000	0	0	0	0	0	0	0	0	5%	\$750,000	N/A
Business as usual 1	0	0	1,500,000	0	0	0	0	0	0	5%	\$1,295,756	\$545,756
Business as usual 2	0	0	0	500,000	500,000	500,000	0	0	0	5%	\$1,176,222	\$426,222
Business as usual 3	0	0	0	0	0	0	1,500,000	0	0	5%	\$1,066,022	\$316,022

Response to Comments Regarding the East Area Dimensional Standards

Bel-Green Development and The OPUS Group recently submitted letters concerning the dimensional standards related to the eastern triangle area in Bel-Red between Bel-Red Road and 156th Avenue NE. While the Council discussed the height limits for this area during its review of the Bel-Red Subarea Plan, these letters also address other dimensional standards, such as façade length and impervious surface coverage. They also both comment on the proposed incentive system. Staff committed to follow up on these other issues when the draft Land Use Code provisions returned for review. Additionally, Coca-Cola Bottling Company of Washington also submitted a recent letter commenting on the existing use provisions. Staff responds to those comments here as well.

Incentive system (Bel-Green comments 1 & 5; OPUS bullet 6)

Bel-Green claims that the incentive system should be calibrated to take into account the lower height limit that applies to the eastern triangle area, compared to the other nodes. Bel-Green also suggests reviewing the incentive system inclusive of the other taxes, costs, and fees that will be paid by the land owners and developers. OPUS recommends graduating the incentive requirement for affordable housing with a lower rate during early years to encourage initial development in the corridor.

The RC-3 zoning that applies to the Bel-Green and OPUS sites is not fully unique. While some districts have taller height limits, the RC-3 district as well as the CR and R districts have height limits of 70 and 45 feet and also participate in the incentive system. The RC-3 district is allowed up to 4.0 FAR because of its proximity to the planned 152nd light rail station. Recognizing the infeasibility of determining an incentive ratio on a parcel-by-parcel basis, the staff, consultant, and ULI recommendations all intend for the incentive zoning framework to be applied evenly across the area. Even within like zones, developments will vary. For example, in some cases it may be more economical to build a lower height and FAR building using lower-cost wood frame construction than building taller buildings using more expensive high rise construction materials. In fact, the ULI report acknowledges the variability of conditions and the need for applicability across the subarea as reasons to reduce the value of the May 2008 incentive rate by about half to \$15 per square foot of development. The current draft Land Use Code for Bel-Red includes this reduced incentive rate.

Bel-Green suggests additional review of the incentive costs along with other taxes and fees. The City's consultant and Property Counselors included anticipated traffic impact fees, LID costs, and site development costs in the financial modeling of the incentive system reviewed with Council on October 13, 2008.

Whether the incentive system should have a graduated structure to make it more affordable for the first developers in the corridor is a question that the Council might consider along with comments received from Wright Runstad at an upcoming Study Session.

Underground parking (Bel-Green comment 2)

Bel-Green raised a concern that the lower height limit of the eastern triangle area will force them toward more costly underground parking.

The intent of the zoning is to encourage transit and pedestrian supportive development with less need for parking. The draft code recognizes the economic cost of structured and underground parking, and enables developments to reduce the amount of parking in new projects. Providing a subsidy for underground parking would encourage an over supply of parking and help to defeat the benefit of the transit node.

Step-back and setback requirements (Bel-Green comment 3; OPUS bullets 2 & 3)

Bel-Green and OPUS both comment on the proposal for the 45-foot height limit along 156th Avenue NE, which the Council addressed during its review of the Subarea Plan. Bel-Green also raises a question about a twenty-foot landscape requirement and OPUS expressed concern about a 15-foot step-back at 40 feet in height.

A 20-foot perimeter landscaping requirement had been included in the May public hearing draft, but has since been revised in the current draft Land Use Code, and now applies only adjacent to BR-R and BR-ORT districts. It no longer applies to the Bel-Green site. At 156th Avenue NE buildings will be allowed to be built adjacent to the back of sidewalk.

The draft Land Use Code does include a 15-foot step-back requirement for buildings at 40 feet in height. This step-back requirement was intended for taller buildings and in the current Land Use Code draft this has been clarified so that it only applies to districts with height limits greater than 45 feet. Therefore, the 15-foot step-back would not apply to 156th Avenue NE where a 45-foot height limit applies to the area within 50 feet of the sidewalk.

Maxim façade length and building spacing (OPUS bullet 1)

The May public hearing draft of the Land Use Code set a maximum building façade length along 156th Avenue NE at 150 feet and required a minimum spacing between buildings of 40 feet. As discussed during Council's review of the building heights for this area, the intent of the Planning Commission was to set standards that would prevent a solid wall of development at this transitional edge of the Subarea that faces the Unigard open space. OPUS argues that the requirements effectively divide the Uwajimaya site in half, reducing efficiency and increasing development costs. They suggest making the maximum façade length a design guideline that could be varied and allowing the opening between buildings to be bridged over at the third floor.

Staff looked again at the specifics of the Uwajimaya site in greater detail. A 40-foot space between buildings is sufficient to allow for a driveway with sidewalks on both sides or a broader pedestrian area with landscaping. If reduced in size or converted to a tunnel-like space the separation between buildings would lose its effectiveness to break up the building massing and bulk, and pedestrian connections would be less inviting. Compromising the spacing between buildings would also reduce the visual access into

and through the site.

When first drafted, the maximum for the building façade was intended to relate to the size of parcels in the area as well as to avoid overly large buildings. If the maximum is larger than the width of parcels, then it will have no effect. For comparison, the width of the Uwajimaya site, the two Bel-Green parcels, and the Sherwood Center site are 400 feet, 227 feet, 200 feet, and 430 feet, respectively. The east side of the Uwajimaya building facing 156th Avenue NE is 170 feet wide. A typical urban city block has a length of about 250 to 300 feet. In light of this closer review of the parcel and building sizes, staff recommends increasing the maximum façade length to 190 feet along 156th Avenue NE. This would allow each of the developments to make more efficient use of land while continuing to ensure spacing between buildings and to moderate the building bulk as intended in the Planning Commission recommendation. This change is included in the current draft before Council for review.

Maximum impervious surface coverage (OPUS bullet 4)

OPUS recommends increasing the maximum impervious surface coverage from 75% to 90% to allow them to increase their development capacity and in consideration of existing impervious levels that approach 100%.

The proposed 75% maximum impervious surface coverage is an important component of the Bel-Red Subarea Plan's objectives to support natural drainage practices, reduce impacts to local streams, and increase the amount of green space. By allowing taller, more intense development along with a reduced impervious surface coverage, the plan balances higher, transit supportive densities with a goal of reducing environmental impacts and restoring natural drainage practices. Additionally, when covered with vegetation, underground buildings, such as parking areas, will be allowed to be constructed under the required vegetated area allowing developments to maximize the use of the site below grade.

Entrances and transparency on 156th Avenue NE (OPUS bullet 5)

OPUS states that retail tenants will object to having store entrances face the undeveloped open space at the Unigard site and suggest allowing for other design techniques than the entrances and building transparency (i.e. windows) required for 156th Avenue NE.

The requirement for building entrance and transparency on 156th Avenue NE is a deliberate attempt to keep buildings oriented to the sidewalk. If changed to only require "interesting materials and design at the sidewalk," staff is concerned that the result will be a street lined with the backs of buildings. The requirement does not prevent buildings from also having an internal entrance as OPUS suggests, but simply forces the building design to balance public access from both the street and an internal courtyard.

While 156th Avenue NE is proposed to have required sidewalk oriented development, it is not proposed to have required ground floor uses. Sidewalk oriented development is characterized as ground floor building frontages with entries from the sidewalk and a

high degree of transparency. This increases the visual and physical interaction between people inside and outside the buildings and results in “eyes on the street.” It does not require specific uses at the sidewalk level and allows for interruption in transparency.

Proportional compliance (Coca-Cola comment 1)

Coca-Cola expresses concern that the draft Code provisions require proportional compliance with select site development standards when the value of improvements exceed \$150,000. They recommend an approach where the threshold should be set at a graduated level relative to the size of the existing development, such as at \$10 per square foot. (The main Coca-Cola building is roughly 200,000 square feet, which would mean that, under their proposal, proportional compliance with the applicable site standards would only occur when the value of alterations exceeds about \$2,000,000.)

The intent of the proportional compliance requirement is to ensure that new exterior improvements for existing uses adhere to minimal standards that provide greater compatibility with neighboring properties as the area transitions to include a new range of uses. As noted, proportional compliance only applies when the value of the new development exceeds \$150,000. It also requires developments to be brought toward compliance only for landscaping, circulation and walkways, surface parking lot landscaping, and paving requirements. It does not require existing development to be brought into compliance with the full range of development standards applicable to new development. Additionally, a number of improvements are exempt from the threshold calculation, such as fire safety improvements, alterations to reduce offsite impacts, alterations to meet LEED standards, and others. In addition, the expenditure to comply with site related standards is capped at no more than 20 percent of the total value of the new improvement.

The \$150,000 threshold in the current draft makes the valuation and compliance section more predictable and certain for both staff and developers. The City has received negative feedback in the past regarding process complexity when the proportionate compliance sliding scale has been applied in the current Code. In addition, a sliding scale has been more susceptible to accounting abuses. The \$150,000 threshold, the limit set on standards that it applies to, together with the list of items that are exempt makes the requirement quite modest.

Destruction of existing conditions (Coca-Cola comment 2)

The proposed existing conditions section of the draft Bel-Red Code provides for the continuation of existing buildings and uses. It also defines when an existing use or condition is discontinued, at which time the property must be developed under the standards for any new use. The existing use provisions call for the loss of existing use status when an existing development is intentionally destroyed. Coca-Cola raises questions about the clarity of this section.

This section of the Code provides for the distinction between accidental damage that would be allowed to be rebuilt and that of an intentional act, where a property owner nefariously destroys a structure in some attempt to bypass a development standard.

The section does not apply to demolition that is part of an approved construction permit. Staff feels that the section is appropriately clear as proposed and can work further with Coca-Cola to ensure a mutual understanding of the provisions as they are drafted.

Expansion of existing condition (Coca-Cola comment 3)

The draft provisions allow for expansion of existing uses onto abutting property in the BR-OR district that applies to the Coca-Cola site. Coca-Cola expresses concern about having to go through the administrative conditional use (ACU) process for such an expansion.

Requiring the ACU process for expansions that exceed the current site boundaries of an existing use was a deliberate recommendation of the Planning Commission to ensure that the varying nature and potential impacts of expansions could be addressed through appropriate mitigation during the permit review process. The purpose of the ACU process would be to address issues that may arise as existing uses expand adjacent to new uses. The intent is not to prohibit expansion, but rather to address impacts on adjacent uses that result from the proposed expansion. The ACU permit is an administrative decision of the Development Services Department Director, with the opportunity for appeal to the Hearing Examiner. Application of the ACU process represents a process simplification for Bel-Red businesses in comparison to the CU permit requirements that apply to expansions of nonconforming uses over 20 percent that apply elsewhere in the City.

Staff will be prepared to respond to any of these comments at the Study Session or can bring back additional information as directed.

**BelGreen Developments****SENT VIA EMAIL**

January 30, 2009

The Honorable Mayor Degginger
And Members of the Bellevue City Council
Bellevue City Hall
450 110th Avenue Northeast
Bellevue, WA 98004

Dear Mayor Degginger and members of the Bellevue City Council;

RE: UPDATE - BELGREEN DEVELOPMENT AT 2211 156TH AVE NE

This letter intends to address the key issues on our site including our concerns over the application of the proposed BelRed Subarea Land Use code as it applies to our site and the BR-RC3 zone.

We have presented all of these items to you over the last year and wanted to brief you in a simple format as you move toward your final review and adoption of the BelRed Subarea Land Use Code.

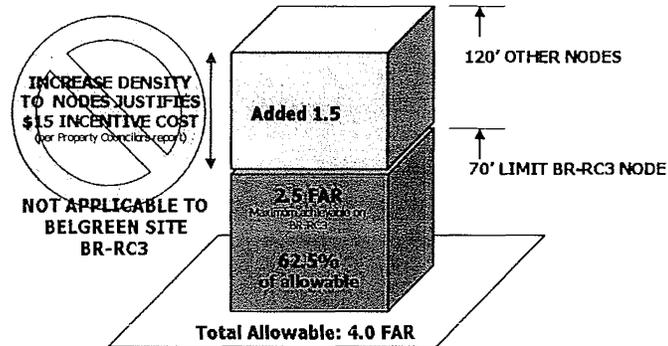
A few key points:

1. The plan looks to the next 20 years plus and uses parameters based on cost assumptions for that projection.
2. The plan has no mechanism for responding to land owners wanting to develop immediately. We have been ready to develop for two years.
3. The plan does not provide for unique areas in the BelRed area which have different economic factors than the 'average' assumed by the plan. Specifically land values in the eastern 'Triangle Area' are considerably higher than the average for the BelRed corridor while the market sale values will be no different: the result is that the effective residual value used for the calculation of incentives is incorrect, and the incentive values render the land parcels undevelopable.

There has been much material presented in the past workshops. In our opinion there has been lack of clarity in that you are only hearing half of the story regarding some specific and very relevant issues that affect us. We want to take the opportunity to present you all the facts related to our site and to recap the issues we have raised over the last few months with council, planning commission and to staff through our master plan application.

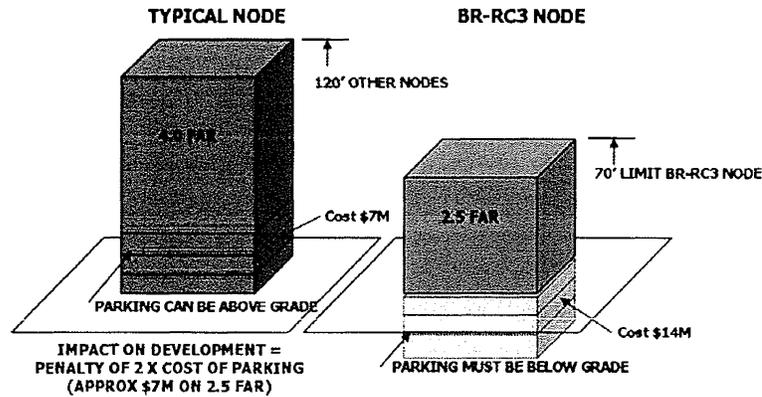
We present the following serious concerns....

1. INCENTIVE PROGRAM NEEDS TO BE APPLIED ON A LEVEL PLAYING FIELD



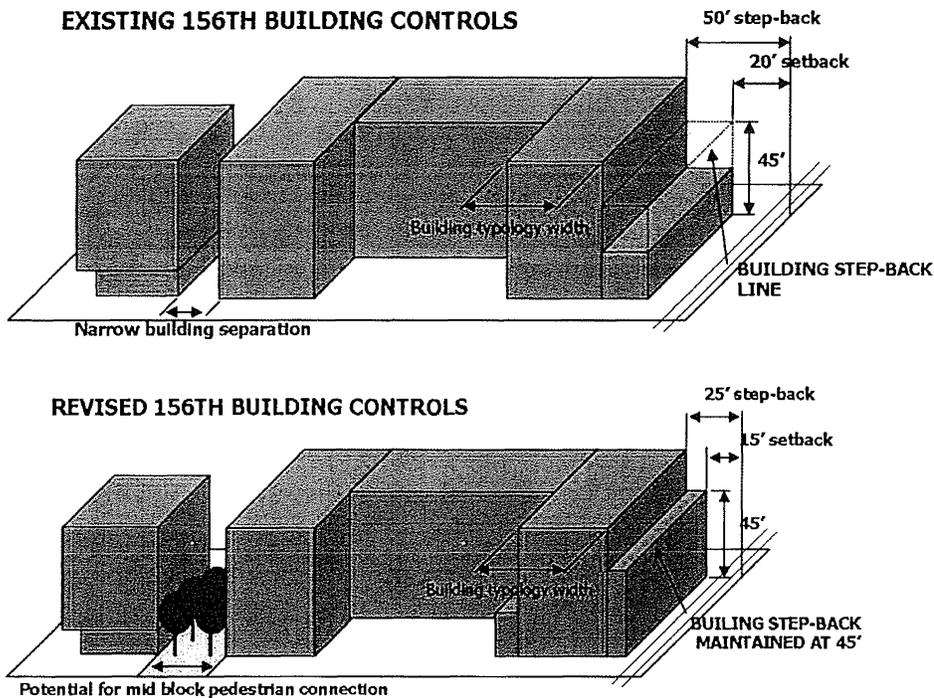
- Council hired the Seattle ULI to form a panel to review the proposed incentive plan prepared by Property Counselors. The ULI panel recommended that "...to be successful in the near term, total incentive fees should not exceed \$15 per square foot of bonus FAR".
- Property Counselors was then given an opportunity to redo their report based on the ULI recommendation and subsequently solved the issue raised by ULI by recommending adding extra density to the node areas to compensate for keeping the fee level at \$15 per incentive square foot.
- Due to the height cap on the BR-RC3 node zone we cannot use the extra density proposed by the Property Counselors report supported by Staff. There is no adjustment for what becomes an economic penalty by having a site in a Node with a height Cap.
- **SOLUTION #1:** For the BR-RC3 zone reduce the incentive fee by the ratio of the FAR achievable. I.e. 2.5/4.0
- **SOLUTION #2:** For the BR-RC3 zone in the Eastern "triangle" allow heights to be consistent with all other Nodes in the BelRed Subarea plan.

2. UNDERGROUND PARKING VS. ABOVE GRADE PARKING NEEDS TO BE TREATED ON A LEVEL PLAYING FIELD



- For the BR-RC3 zone the height cap, when combined with site coverage requirements (75%), forces the required parking to be underground to realize sufficient density to make any project work.
- Other sites with 'node' classification and higher height limits can achieve allowable density AND park in above grade structures.
- Above grade structures cost at least ½ of below grade structures.
E.g. 350 parking stalls on a typical node site would cost:
 - 350 parking stalls x \$20,000 per stall = \$7,000,000 cost for Above Grade Parking
 - Vs
 - Our site at 350 parking stalls x \$40,000 per stall = \$14,000,000 cost for Underground Parking
- Cost impact to our site for underground parking is approx \$7,000,000 or an additional \$14.89 per FAR square foot.
- **SOLUTION #1:** On height restricted FAR sites, for every square foot of parking space provided below grade, provide 1 square foot of incentivized FAR. This would equate to roughly 1/3 of the total possible incentivized FAR on our site.
- **SOLUTION #2:** As recommended in the ULI report, Incentivize Underground parking in combination with open space requirements since it enhances the ability of an owner to both reduce the mass of the above grade development and increase the amount of open space available at or near grade for the benefit of the community and character of the built fabric.

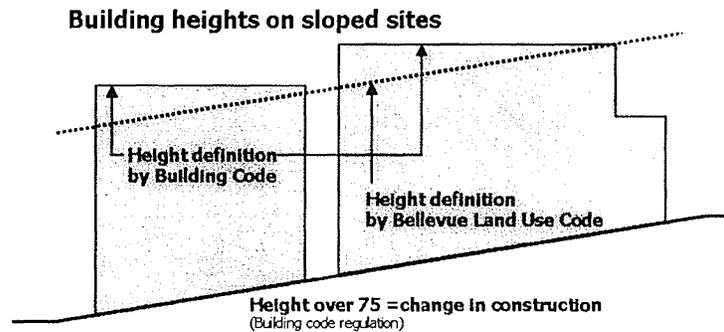
3. BUILDING 'STEP-BACK' AND LANDSCAPE 'SETBACK' ALONG 156TH



- We have had a series of discussions with staff during our master plan application process over the last several months regarding the impacts of both the landscape 'setback' and building façade 'step-back'. When reviewing our application staff have questioned the impact of these two regulatory requirements and their impact on the intent of the BelRed plan and have suggested that the objective is lost in the application of the regulation as proposed including impacts on the site and its ability to provide a city wide desire for mid block connections.
- The magnitude of the step-back at 50' forces the entire building to be setback the full 50' due to the nature of the building typology (e.g. residential).
- The requirements of constructability can accommodate a maximum step-back in a residential building of approx 6' (balcony-sized) before the entire building fabric and order is affected.
- With a height of 45' as the starting point and a max of 70' - it is not financially viable to articulate the building to meet these criteria.
- Add to this a setback of 20' for landscaping to adjacent uses (in this case the Unigard Park) that staff has identified from the guidelines.
- This landscape setback contradicts the intent to have 156th as a 'sidewalk oriented development' and to create 156th as an active street with interaction between sidewalk and building face.

- The result is that buildings are pushed back into the site with two negative impacts:
 - i. The loss of the potential for a reasonably sized north/south mid block connection
 - ii. The loss of maximized 'view corridors' as building widths are at a maximum for the full height in order to ensure the maximum building sf
- We support the idea of articulation of building massing to step down the 156th Ave corridor, however using the arbitrary line of the previous zoning without consideration for the reality of building does not make planning, community or architectural sense.
- Building form and street articulation should be part of a design review to determine the merits and tradeoffs for any development proposal.
- **SOLUTION:** reduce the building 'step-back' to 10' above 45' and remove the landscape setback to adjacent uses along 156th Ave.

4. HEIGHT LIMIT CONFIRMATION REQUESTED



- Our architects have undertaken a review of the application of the height limit proposed, the definitions of how height is calculated in the Bellevue Land Use Code, and the limitations for construction types as defined by the Building Code.
- The height limit for our site is determined by the construction typology used (i.e. for wood frame 5 over 1), where the typical height of a building will be between 60-75 feet dependant on the grade determination using the Bellevue Land Use Code.
- We have recommended 75' for the last two years in all our discussions with Staff, the Planning Commission and Council, as this is the Building Code maximum for this type of construction.
- **SOLUTION:** Utilize the building code definition as the proposed height limit and therefore confirm that 75' is the height limit in the zone.

5. Appropriateness of Incentive charge costs

- ULI recommended that a maximum charge of \$15 be established **INCLUSIVE** of all costs and fees associated with development of a property. The Property Councilor's recommendation carried into the current draft BelRed Sub Area Land Use Code ignores this.
- **SOLUTION:** Review the overall taxes, costs and fees paid by land owners as part of development and ensure that any new charges fit into a model that will support the realization of the BelRed plan.

As landowners our intention is to ensure that the BelRed plan, when adopted, will promote and not hinder the regeneration of this area. The plan has to address the entire area. However, there are unique precincts within the plan and we believe that with small adjustments will assist in ensuring for our area the playing field is level and consistent with maintaining equality for all landowners in the BelRed corridor.

There are a few projects that are ready to 'jump start' this regeneration. We are one of them and are prepared to move ahead into a construction process immediately upon adoption of the BelRed Plan. We request your assistance to allow us to proceed in this direction by ensuring, as we believe is your intention, that all landowners treated fairly and able to function in a sustainable economic reality.

If you have any questions regarding the above we would be pleased to discuss with you and look forward to working further with Council and staff on these issues.

Thank you for the opportunity to present this information and for your consideration of our comments.

Sincerely,



Chris Mooi
Chief Development Officer
604.915.7178
chris@cvinvestments.com

cc Planning Commission Members, City Of Bellevue
Matt Terry, Director of Planning, City of Bellevue



The Opus Group
www.opuscorp.com

January 19, 2009

OPUS NORTHWEST, L.L.C.

13920 SE Eastgate Way Suite 250 | Bellevue WA 98005
Phone 425.467.2700 | Fax 425.467.2701

Bellevue Mayor and City Council Members
Bellevue City Hall
450 110th Ave. NE
P.O. Box 90012
Bellevue, WA 98009

RE: Draft Bel-Red Comprehensive Plan

Dear Council Members,

As stakeholders in the Walgreens site at Bel-Red Road and NE 24th Street, also known as the Uwajamaya site, we sincerely appreciate all the efforts you, the city staff and the planning commission have gone through to develop the new Bel-Red Comprehensive Plan and Land Use Code amendments. The Bel-Red corridor is an excellent area to increase densities through pedestrian friendly nodes that accommodate future needs for office, retail and housing. However, after reviewing the latest draft amendments presented on January 7th, we have some concerns in regard to how these amendments impact the Walgreens site.

Many of the new zoning requirements conflict with each other when applied to the Walgreens site and we are not sure there could be a design that meets the intentions of the current draft and achieves the maximum FAR. Many of the problematic requirements relate to the fact the Walgreens site faces three streets: Bel-Red Rd, NE 24th St, and 156th Ave NE. In addition, there are requirements that limit building lengths and the planning department has also requested that a pedestrian corridor be placed down the middle of our site. The requirements probably work on some sites, but for the Walgreens site they combine to slice and dice the site and greatly reduce the potential density.

Two aerial pictures of the present site are attached along with several diagrams that, in conjunction with the following list of comments and requests, we hope will help you visualize the cumulative impact the draft zoning amendments have on the Walgreens site.

Chart 20.25D.080.A

- **Maximum façade length of 150' with 40' minimum building separation along 156th Avenue**
 - See Exhibit A. This requirement essentially divides the entire site in half. Separate buildings mean more space is required for elevators, mechanical equipment and corridors thus reducing the efficiency of a design and increasing construction costs. This requirement alone has a significant impact on project viability. We suggest the maximum length be left to the design review board as it will vary by site. Allowing the 40' minimum opening to be bridged over at the third floor and above would preserve the breakup of the building at the sidewalk and still allow for more efficient floors above. Modulation of the building façade should be encouraged and be part of the design review. Modulation can make a large building appear to be made up of smaller parts.
- **Height limit of 45' for the first 50' depth along 156th Avenue**
 - See Exhibit B. This regulation has a significant impact on any building constructed along 156th by removing 25' of height for 50' deep along the 400 foot length of the site on 156th. The planning staff

has told us they want a north south pedestrian connection through the site. This is a good idea we want to support, however, stepping back the building 50' at the 5th and 6th floors forces these floors to become very inefficient with single loaded corridors when we maintain a large interior courtyard with green space. We recommend the step back of 50' be removed and replaced with a requirement to modulate the façade along 156th and other streets to breakup the massing of the building. This modulation has been very successfully accomplished on many buildings in the city.

- **Minimum setback of 15' at 40' above grade on all streets**
 - See Exhibit C. Residential buildings are different from office buildings, in that they cannot as easily step back because the units must stack vertically to accommodate plumbing, structural elements, corridors and elevators. A 15' setback above the 3rd floor may not sound like much, but it is large enough to create a floor plate for the 4th, 5th, and 6th floors that does not work well for stacking or laying out units. We could set the entire building back 15' from the sidewalk, but because the buildings are sandwiched between the adjacent streets and the pedestrian corridor/green space (requested by the planning staff and desired by us) in the middle of the site, it would result in reduced internal public space. Exhibit C illustrates the narrow and inefficient 17' wide space on the upper floors.
- **Maximum impervious surface allowed is 75% of the site**
 - See Exhibit D. The present site is essentially 100% impervious as can be seen in the attached aerial photographs. A mixed-use project with an FAR of 3 or 4 will never be reached with 25% of a site required to be green space (pervious). This requirement is unachievable because so much surface area is needed for circulation and parking to make the retail viable. Exhibit D illustrates a Maximum FAR Study. It assumes a cube on a level site where the setback requirements above, the 40' building separation, the north to south connection for vehicles and pedestrians and a 25% pervious area are deducted. What remains is the area and levels where square footage can be used for retail or residential homes. This remaining area represents an FAR of 1.89. We recommend the maximum impervious surface allowed be increased to 90% and allow green resident community space on elevated terraces and roof tops to be counted towards this "green" requirement, as it is in other cities. **Exhibit D DOES NOT REPRESENT AN ACTUAL BUILDING DESIGN.** The open areas can be moved around, but the actual square feet of area for residential use will remain nearly the same. When modulations that indent walls to create interesting facades, views and light for the units on each floor are incorporated, the final area of residential homes will be considerably less than the FAR of 1.89

○
Section 20.25D.130

- **Requirement to have primary building entrances and a 100% transparency along 156th Avenue**
 - See Exhibit E and the aerial photographs. The Walgreens site is across 156th Ave NE from the Unigard site, which is a large grass covered passive park-like area. Retail tenants will object to facing such an area, as it will be impossible to achieve a critical mass of retail activity along one side of a busy street. The space will be impossible to lease to retailers. The Planning Department has told us they want a pedestrian corridor down the center of this super-block. We support this idea and believe it will be a good way to create a public courtyard in the center of the site with surrounding retail and short term parking. Retailers demand one customer entrance for security reasons and will want their entrance to face the pedestrian corridor and short term parking. We recommend allowing

flexibility for retail entries and if the entrance is not on 156th Ave, then allow for the treatment of walls with interesting materials and design at the sidewalk level. Also, we request that on Figure 20.25D.130.C the heavy black line along 156th Avenue NE which indicates “Required Sidewalk-Oriented Development” be removed. A copy of this Figure is attached as Exhibit E.

Section 20.25D.090

- **Affordable Housing Fee**
 - We recommend the affordable housing fee and other fees should be graduated with a low amount in the early years to encourage development of housing in the corridor. Current fees might be significant enough when combined with other zoning requirements to discourage residential development in the near term.

Again thank you for your considerable efforts to improve the Bel-Red Corridor with the new Comp Plan. Our intent is to point out consequences of the draft amendments that do not appear to align with the stated goals of bringing higher intensity mixed-use development to this area – specifically the Walgreens site. All the design impacts we have mentioned have a cumulative effect of slicing and dicing the buildable volume (See Exhibit D and F) that greatly reduce the potential useable square feet and will add significantly to the cost of delivering market rate/affordable housing. Our comments above address the impact of the design code on the site. The proposed design restrictions (prescriptive) when combined with the impact fees may make a project non-financeable. Development of the corridor could be delayed significantly. We look forward to working with the City to find solutions that meet the intent of the comp plan but are also financially viable.

Sincerely,



Andy Taber
Senior Real Estate Director
Opus Northwest, L.L.C.

CC: Planning Commission
Paul Inghram

Coca-Cola Bottling Company of Washington

• COCA-COLA ENTERPRISES company

February 10, 2009

1150 124th Avenue NE
Bellevue, WA 98005

Bellevue City Council
City of Bellevue
PO Box 90012
Bellevue, WA 98009

City of Bellevue
FEB 17 REC'D
Development Services
Department

Re: *Local Coca-Cola Bottling Company of Washington – Comments
Regarding Bel-Red Code Package*

Dear City Councilmembers:

We are writing to provide our comments regarding the draft land use code for the Bel-Red area. Over the past two years, Coca Cola Bottling Company of Washington (CCBCW) has been an active participant in the planning process for Bel-Red. Our representatives have attended Bel-Red Steering Committee, Planning Commission, and City Council meetings, participated in many of the public workshops, commented on the Draft EIS, and met with planning staff. We have consistently supported the Bel Red Steering Committee's recommendations pertaining to the retention of existing Light Industrial uses in Bel-Red, and want to reaffirm our desire to stay and grow in the corridor as a permitted use.

We support the City's plans for future development in the Bel-Red Corridor. We appreciate the efforts that the City has undertaken during the planning process to accommodate Existing Uses, and to address transportation needs within Bel-Red and the greater Bellevue area. The following comments are aimed at ensuring that the City's vision for future growth in the Bel-Red Corridor is fully compatible with CCBCW's long term plans to continue operations in the area.

1. PROPORTIONAL COMPLIANCE

The proportional compliance provisions of the draft Bel-Red land use code would subject Existing Conditions to new Bel-Red-specific development criteria under certain circumstances. The regulations provide that when alterations are made to an Existing Development that exceed \$150,000 in value, additional alterations will be required in order to bring the Existing Development into partial or full compliance with Bel-Red's development regulations.

Although CCBCW is supportive of the City's efforts to ensure that Existing Conditions proportionally comply with the development regulations for Bel-Red, we are concerned that the \$150,000 threshold for triggering proportional compliance is too low, and does not provide sufficient flexibility for future projects. As a relatively large corporation, CCBCW has undertaken structural alterations that exceed the \$150,000



value threshold in the past, and wants to preserve the flexibility to do so in the future. Past examples of such projects include the hot fill bottling line (2009) as well as the Dasani bottling line (2001) and warehouse expansion including a fleet & distribution building (2004).

Establishing a proportional compliance threshold that takes into account the relative size of the existing condition seems to be the fairest way to trigger the proportional compliance requirements. We would suggest that a per-square foot threshold, such as \$10 per square foot, would be adequate.

2. DESTRUCTION OF EXISTING CONDITIONS

The draft Bel-Red land use code allows Existing Conditions to be rebuilt only if they were accidentally (instead of intentionally) destroyed. A structure will be considered accidentally destroyed only if the destruction was not within the control of “the owner.” We have previously commented that we are concerned that this use of the term “owner” will make practical application of the distinction between “accidental” and “intentional” very difficult, especially for corporate landowners such as CCBCW.

The relevant code sections provide that when an Existing Development or a structure containing an Existing Use is, “intentionally damaged by fire or other causes within the control of the owner,” re-establishment or reconstruction of the Existing Use or development is prohibited. LUC §§ 20.25D.060.F.3.c; 20.25D.060.G.4.c. Alternately, when an Existing Development or a structure containing an Existing Use is, “damaged by fire or other causes beyond the control of the owner,” re-establishment or reconstruction of the Existing Use or development is allowed. LUC §§ 20.25D.060.F.3.b; 20.25D.060.G.4.b.

Evaluating whether the destruction of a use or development was intentional or accidental based on whether the event was within the control of “the owner” is somewhat problematic, especially in the corporate context. CCBCW is owned by its many shareholders, some of whom are involved in the day-to-day operations of the Bel-Red facility, but most of whom are not. As a result, these regulations are confusing when applied to CCBCW. Further, it is not clear under these regulations, whether an Existing Development or use could be rebuilt or reestablished if it was intentionally demolished during a remodel. CCBCW requests that these Sections be revised to specifically allow the reconstruction of uses and developments that are demolished during remodels, and to account for Existing Conditions that have corporate, and other similar types of ownership structures.

3. EXPANSION OF EXISTING CONDITIONS

Section 20.25D.060.F.2.iii of the draft Bel-Red land use code allows expansion of Existing Conditions subject to administrative conditional use approval. We have previously commented that we are concerned that requiring Existing Conditions to go through the administrative conditional use approval process will impose an unnecessary hardship on future operations. An alternative option, which would balance the City’s

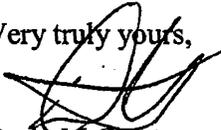
new vision for Bel-Red with the vitality of Bel-Red's Existing Conditions, would be to allow Existing Uses to expand without administrative conditional use approval so long as all zoning, dimensional, and development requirements were satisfied. CCBCW requests that the Council consider this as an alternative to requiring conditional use approval for existing use expansions.

Finally, CCBCW requests that the Council clarify that this Section allows Existing Conditions to expand onto adjacent parcels regardless of the existence and placement of roadways. The current language of this Section is unclear as to whether Existing Conditions in non-residential, non-nodal zones can expand onto adjacent properties if those properties is separated from currently owned properties by a roadway. CCBCW suggests that the following sentence be added to Section 20.25D.060.F.2.iii.2 in order to clarify this issue:

If the properties are separated by a road but would otherwise abut, they will still be considered to abut for the purposes of this Section.

Thank you for taking the time to consider our comments. CCBCW is committed to continuing its operations in the Bel-Red area for the long term. We hope the Council agrees that CCBCW should be a welcomed part of the new Bel-Red corridor.

Very truly yours,



Darin M Croston

cc: City Council Members
Matthew Terry, City of Bellevue
Carol Helland, City of Bellevue
Paul Inghram, City of Bellevue
Emil King, City of Bellevue

