

## 20.25E.020 Shoreline Uses Described.

### A. Shoreline Use Preferences.

Comment [ch1]: RCW 90.58.020, WAC 173-26-176, 173-26-181

It is the intent of the Bellevue SMP to manage the use and development of Bellevue's shorelines consistent with the legislature's priorities established for shorelines of statewide significance and the shoreline use preferences both described in RCW 90.58.020. The shoreline uses allowed in Bellevue pursuant to LUC 20.25E.030 (Shoreline Use Charts) help to achieve the legislative objectives by giving preference to specific uses on shorelines of statewide significance, uses which are consistent with control of pollution and prevention of damage to the natural environment, and uses that are unique to or dependent upon use of the state's shoreline as described below.

1. For uses on shorelines of statewide significance, the use preferences in LUC 20.25E.010.F were applied.
2. For uses that require alteration of the natural condition of the shorelines of the state, in those limited conditions when alteration is authorized, priority was given for:
  - a. Single-family residences and their appurtenant structures;
  - b. Shoreline recreational uses, including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines;
  - c. Commercial development that is particularly dependant on its location on or use of the shorelines; and,
  - d. Other development that will provide an opportunity for substantial numbers of the people to enjoy the shoreline.

### B. Applicability of the Use Charts.

Comment [ch2]: Modeled after Bel-Red approach in LUC 20.25D.070.

The Shoreline Use Charts contained in LUC 20.25E.030 apply in the Shoreline Overlay District. The uses and activities contained in LUC 20.25H.055 (Critical Areas Overlay District) may also be undertaken in the Shoreline Overlay District when located in critical areas identified pursuant to LUC 20.25H.030. The Land Use Charts contained in LUC 20.10.440 do not apply in the Shoreline Overlay District.

### C. Use Chart Interpretation.

Comment [ch3]: LUC 20.10.400

1. In Chart 20.25E.030, shoreline use classifications are listed on the vertical axis. City of Bellevue shoreline environments are listed on the horizontal axis.

The use chart description and interpretation provisions of LUC 20.10.400 and 20.10.420 do not apply in the shoreline environments.

- a. If the symbol "X" appears in the box at the intersection of the column and the row, the use is not allowed in that shoreline environment.
- b. If the symbol "P" appears in the box at the intersection of the column and the row, the use is permitted subject to the applicable provisions of the Bellevue SMP, and to Shoreline Substantial Development Permit provisions contained in LUC 20.25E.120 (Shoreline Process II), 20.25E.160 (Shoreline Substantial Development Permits) and 20.25E.170 (Letters of Exemption).
- c. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Shoreline Conditional Use Permit provisions contained in LUC 20.25E.110 (Shoreline Process I) and 20.25E.180 (Shoreline Conditional Use Permits), in addition to any applicable provisions of the Bellevue SMP.
- d. 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. Numbers appearing in the Land Use Classification column apply to the entire row.

2. Interpretation of Shoreline 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. Appeal. An applicant may appeal the final decision of the Director provided pursuant to paragraph 2.a of this section by requesting an interpretation of the use charts contained in LUC 20.25E.030 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.

**Comment [ch4]:** Modeled after general amendments made to LUC 20.10.420 as part of the Bel-Red project.

**D. Prohibited Uses in the Shoreline Jurisdiction.**

Comment [ch5]: WAC 173-27-160

1. General. Uses identified under paragraph D.2 of this section are specifically prohibited in all shoreline environments. Prohibited shoreline uses or activities shall not be authorized through a shoreline variance, shoreline conditional use permit, or other permit or approval.

2. Prohibited Uses in all shoreline environments. The following uses and activities are prohibited:

- a. Mining, quarrying (including Sand and Gravel), oil and gas extraction. Standard Land Use Code reference number 85.
- b. Forestry. Standard LUC reference number 83.
- c. Manufacturing. Standard LUC reference numbers 2 and 3.
- d. Solid waste disposal. Standard LUC reference number 485.
- e. Governmental services (Standard LUC reference numbers 671, 672, and 673) and limited governmental services.
- f. Military and correctional Institutions (Standard LUC reference numbers 674 and 675) and secure community transition facilities.
- g. Educational institutions, including primary, secondary, universities, colleges, and special schools (Standard LUC reference numbers 681, 682 and 683), except as noted in the Shoreline Use Chart – Services, Note 2.

3. If a use is not listed as a Land Use Classification in the Shoreline Use Charts contained in LUC 20.25E.030, then the use is prohibited.

**20.25E.030 Shoreline Use Charts**

**Comment [ch6]:** WAC 173-26-211. Modeled after general use chart matrices in LUC 20.10.440.

The following charts apply to uses within the Shoreline jurisdiction. The use charts in LUC 20.10.440 apply only to that portion of a site outside of the Shoreline jurisdiction.

**RESIDENTIAL CHART**

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Single-Family Dwelling	X	P (1)	P (1)	P	P	P (2)
Multifamily Dwellings (Two or more units per structure)	X	X	X (3)	P (4)(5)	X	X
Congregate Care Senior Housing	X	X	X	P (5)(6)	X	X
Nursing Home	X	X	X	P/C (5)(7)	X	X
Assisted Living	X	X	X	P/C (5)(7)	X	X
Accessory Dwelling Unit (8)	X	P	P	P	P	X

**Comment [j7]:** Defined term – LUC 20.50.016

**Comment [j8]:** Defined term – LUC 20.50.016

**Comment [j9]:** Defined term – LUC 20.50.014

**Comment [j10]:** Defined term – LUC 20.50.036

**Comment [j11]:** Defined term – LUC 20.50.010

**Notes: Uses in Shoreline Environments - Residential**

- (1) Single family dwellings are allowed in this shoreline environment only if there is no other feasible alternative, pursuant to the requirements of LUC 20.25E.XXX [Technical Feasibility Test in Part III], to locate the building on the portion of the property outside shoreline jurisdiction.
- (2) One single family dwelling unit is allowed if accessory and subordinate to a legally established land use identified in the Recreation Chart.
- (3) Multifamily dwellings are prohibited, except as allowed in the nonconforming provisions applicable to existing office uses located in the Urban Conservancy environment.

**Comment [ch12]:** Modeled after LUC 20.25H.055.C.2

**Comment [ch13]:** Modeled after caretaker housing provisions of LUC 20.10.440 – Residential Chart Note (15)

**Comment [ch14]:** Belfield Flexibility provisions to be included in Part III

- (4) Multifamily development located in the shoreline residential environment shall not exceed the dwelling units per acre requirement for the underlying land use district (refer to LUC 20.20.010).
- (5) An agreement must be recorded with the King County Department of Records and Elections, or its successor agency, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project as senior housing.
- (6) Congregate care senior housing is a permitted use when more than 50% of the dwelling units contain kitchens and are designed for independent living; all other congregate care senior housing requires approval through the Shoreline Conditional Use process (refer to LUC 20.25E.110 and 20.25E.180).
- (7) Nursing homes and assisted living facilities are a permitted use when part of a multifamily development that comprises more than 50% of the net floor area of the entire project; all other nursing homes and assisted living facilities require approval through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180).
- (8) Accessory dwelling units may be established pursuant to applicable provisions of the Bellevue SMP and the requirements of LUC 20.20.120 (Accessory Dwelling Units).

**Comment [ch15]:** Modeled after recording provisions of LUC 20.10.440 – Residential Chart Note (4)

**Comment [ch16]:** Modeled after accessory dwelling unit provisions of LUC 20.10.440 – Residential Chart Note (9)

**KEY**

X – Use not allowed  
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)  
C – Shoreline Conditional Use Permit (see LUC 20.25.180)

**TRANSPORTATION and UTILITIES CHARTS**

**Comment [ch17]:** Modeled after general use chart requirements in LUC 20.10.440 – Transportation and Utilities Charts

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Water-dependent transportation Commercial float plane and ferry terminal	(1)	X	X	X	X	C
Highway and Street Rights-of-Way (2)	C/P (3)	C/P (3)	C/P (3)	P	P	P
Railroads (2)	C	C	C	C	C	C
Pedestrian, bicycle, equestrian facilities (2)	P	P	P	P	P	P
Accessory Parking	X	(4)	(4)	(4)	(4)	(4)
Regional light rail alignment including bridges, stations and associated structures	TBD	TBD	TBD	TBD	TBD	TBD
Park and Ride (2)	X	C	C	C	C	C
Utility Facility, excluding Electrical Utility Facility (2)(3)(5)	C/P	C/P	C/P	C/P	C/P	C/P
Local Utility System (2)	P	P	P	P	P	P

**Comment [ch18]:** RCW 90.58.020 and WAC 173-26-201 priorities and preferences

**Comment [j19]:** Defined term – LUC 20.50.010

**Comment [j20]:** Defined term – LUC 20.50.050

**Comment [j21]:** Defined term – LUC 20.50.032 and 20.50.050

**TRANSPORTATION and UTILITIES CHARTS**

**Comment [ch22]:** Modeled after general use chart requirements in LUC 20.10.440

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Regional Utility System, except Electrical Utility Facility (2)(5)(6)	C/P	C/P	C/P	C/P	C/P	C/P
Essential Public Facility (2)(7)	C	C	C	C	C	C
Wireless Communication Facility (WCF) (without WCF Support Structures) (2)(8)	X	C	C	C	C	C
Communication, Broadcast and Relay Towers including WCF Support Structures (Freestanding) (2)(8)	X	C	C	C	C	C
Satellite Dishes (9)	X	P	P	P	P	P
Electrical Utility Facility (2) (10)	C	C	C	C	C	C

**Comment [j23]:** Defined term – LUC 20.50.044

**Comment [j24]:** Defined term – LUC 20.50.018

**Comment [j25]:** Defined term – LUC 20.50.054

**Comment [j26]:** Defined term – LUC 20.50.014

**Comment [j27]:** Defined term – LUC 20.50.046

**Notes: Uses in Shoreline Environments – Transportation and Utilities**

**Comment [j28]:** Modeled after the general use chart Transportation and Utilities Notes in LUC 20.10.440

- (1) Moorage and landing facilities may be allowed only as accessory to a water-dependent transportation use approved through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180).
- (2) This use may be approved through the required shoreline review process, only if there is no technically feasible alternative pursuant to the requirements of LUC 20.25E.XXX [Technical Feasibility Test in Part III].
- (3) Public Facilities not identified in a Council-adopted Master Plan require approval through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110)

**Comment [ch29]:** Modeled after LUC 20.25H.055.C.2

and 20.25E.180). Public Facilities are permitted uses, provided that the following criteria are met:

- (a) The Public Facility use is identified in a Council-adopted Master Plan; and,
  - (b) The Public Facility use will be established, developed, expanded or modified consistent with the terms of the Council-adopted Master Plan.
- (4) Accessory Parking may be approved through the shoreline review process required to allow the specific use that is served by the parking.
- (5) Refer to LUC 20.20.650 for general requirements applicable to public utilities.
- (6) Connections to a legally established Utility Facility or Local Utility System are permitted.
- (7) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities.
- (8) Refer to LUC 20.20.195 for general requirements applicable to Communication Facilities.
- (9) Satellite dishes are permitted only when affixed to a structure housing a legally established shoreline use. Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.
- (10) 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 in the shoreline jurisdiction, the applicant shall obtain Shoreline Conditional Use Permit approval under LUC 20.25E.110 and 20.25E.180, 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.

**KEY**

X – Use not allowed  
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)  
C – Shoreline Conditional Use Permit (see LUC 20.25.180)

**WHOLESALE and RETAIL CHART**

Comment [ch30]: RCW 90.58.020 priorities and preferences.

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Water-dependent commercial, wholesale, retail	X	X	(1)(2)	X	X	(1)(2)
Water-related, water-enjoyment commercial, wholesale, retail	X	X	(1)(2)	X	X	(1)(2)
Retail Boat Sales	X	X	X	X	X	(1)(2)
Marina Fueling Stations	X	X	X	X	X	(1)(2)
Eating and Drinking Establishments	X	X	(1)(2)	X	X	(1) (2)

**Notes: Uses in Shoreline Environments – Wholesale and Retail**

- (1) Accessory to a Private Marina, Yacht Club, Community Club or Public/Private Park. This use may be permitted as an accessory and subordinate use through the shoreline review process required for the legally established recreation use to which it is accessory.
- (2) Accessory to a Public Marina or City Park. This use may be permitted as an accessory and subordinate use through the shoreline review process required for the legally established city park use to which it is accessory.

<b>KEY</b>
X – Use not allowed
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)
C – Shoreline Conditional Use Permit (see LUC 20.25.180)

**SERVICES CHART**

**Comment [ch31]:** RCW 90.58.020 priorities and preferences.

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Environmental Education, and Interpretive Centers	(1)	(1)(2)	(1)(2)	X	X	(1)(2)
Religious Activities	X	X	C	C	C	C
Administrative Office General	X	X	X	X	X	(3)

**Comment [j32]:** Defined term – LUC 20.50.026

**Comment [j33]:** Defined term – LUC 20.50.044

**Comment [j34]:** Defined term – LUC 20.50.010

**Notes: Uses in Shoreline Environments – Services**

- (1) Accessory to a City Park. An Environmental Education or Interpretive Center use may be approved through the review process applicable to the city park use to which it is accessory.
- (2) Not Accessory to a City Park. An Environmental Education use may be approved, for facilities that by their nature are dependent on a shoreline location, through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180). An Environmental Education use does not include primary, secondary, universities, or colleges, unless the school is dependent on a shoreline location to meet the school's educational purpose.
- (3) An office is permitted if accessory and subordinate to a legally established use located in the recreational boating environment through the review process applicable to the recreation use to which it is accessory.

KEY
X – Use not allowed
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)
C – Shoreline Conditional Use Permit (see LUC 20.25.180)

**RECREATION CHART**

**Comment [ch35]:** Bellevue specific approach crafted following Planning Commission discussion

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Public Marinas	(1)	X	X	X	X	C/P (2)(3)
Private Marinas	(1)	X	X	X	X	P/C(4)
Yacht Clubs	(1)	X	X	X	X	P/C(4)
Community Club	(1)	X	X	X	X	P/C(4)
Boat Moorage (5)	(1)	X	(1)	X	X	(1)
Boat Storage (cradle and trailer)	(1)	X	(1)	X	X	(1)
Boat Storage (dry stacked)	(1)	X	X	X	X	(1)
Boat launch ramps (motorized)	(1)	X	(1)	X	X	(1)
Boat launch ramps (non-motorized)	(1)	P	(1)	X	X	(1)
Public/Private Park	(1)	C	C	C	C	C
City Park	(1)	C/P (2)	C/P (2)	C/P(2)	C/P (2)	C/P (2)

**Comment [j36]:** Defined term – LUC 20.50.040

**Comment [j37]:** Defined term – LUC 20.50.040

**Notes: Uses in Shoreline Environments – Recreation**

- (1) Permitted only as accessory and subordinate to a lawfully established shoreline Recreation use. This use requires approval through the shoreline review process required for the legally established use to which it is accessory.
- (2) Public Facilities not identified in a Council-adopted Master Plan require approval through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180). Public Facilities are permitted uses, provided that the following criteria are met:
  - a. The Public Facility use is identified in a Council-adopted Master Plan; and,
  - b. The Public Facility use will be established, developed, expanded or modified consistent with the terms of the Council-adopted Master Plan.
- (3) A Council-adopted Master Plan is required for the Meydenbauer Bay Park, and the park is required to be established, developed, expanded or modified consistent with the terms of the Council-adopted Master Plan.
- (4) Establishment of new uses and expansions of existing uses greater than 20% require approval through the Shoreline Conditional Use Process (refer to LUC 20.25E.110 and 20.25E.180).
- (5) Boat moorage excludes residential docks and piers which are a permitted use pursuant to the development standards for residential docks and piers.

**KEY**

X – Use not allowed  
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)  
C – Shoreline Conditional Use Permit (see LUC 20.25.180)

**RESOURCES CHART**

Comment [ch38]: RCW 90.58.020 priorities and preferences

LAND USE CLASSIFICATION	SHORELINE ENVIRONMENTS					
	Aquatic	Urban Conservancy - Open Space	Urban Conservancy	Shoreline Residential	Shoreline Residential - Canal	Recreational Boating
Agriculture	X	P/C (1)	P/C (1)	X	X	X
Nurseries	X	C/P (2)	C/P (2)	X	X	X
Aquaculture	C	X	X	X	X	X

**Notes: Uses in Shoreline Environments – Resources**

- (1) Existing agriculture uses are permitted. New agriculture uses, or expansions of existing agriculture uses, require approval through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180). New agriculture uses and expansions of existing agriculture uses are prohibited in critical areas identified pursuant to LUC 20.25H.030.
- (2) Nurseries established and operated for native plant propagation are permitted, all other nurseries require approval through the Shoreline Conditional Use process (refer to LUC 20.25E.110 and 20.25E.180).

Comment [ch39]: RCW 90.58.065

KEY
X – Use not allowed
P – Permitted Use (see LUC 20.25E.160 and 20.25E.170)
C – Shoreline Conditional Use Permit (see LUC 20.25.180)