DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue Department of Planning and Community Development

LOCATION OF PROPOSAL: The proposed Bellevue Land Use Code amendment applies City-wide.

DESCRIPTION OF PROPOSAL: The proposal is to amend the Bellevue Land Use Code to eliminate out-dated cross references, correct conflicting provisions and inadvertent errors in the code, ensure use of terms consistently throughout the code and other minor, non-substantive changes.

FILE NUMBER: 06-123848-AD

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with Land Use Division. This information is available to the public on request.

☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project), or if the DNS was procured by misrepresentation or lack of material disclosure.

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. *See* LUC 20.35.250C.

Carol V Helland
Environmental Coordinator

January 18, 2007
Date

OTHERS TO RECEIVE THIS DOCUMENT:
State Department of Fish and Wildlife
U.S. Army Corps of Engineers
Attorney General
King County
Muckleshoot Indian Tribe

City of Bellevue

MEMORANDUM

DATE: February 7, 2007

TO: Chair Mathews, Members of the Planning Commission

FROM: Lesa Hutnak, Legal Planner (425-452-4863)
Department of Planning and Community Development

SUBJECT: 2006 Clean-up Land Use Code Amendment; File No. 06-123848 AD

This memorandum presents the report and recommendation of the Department of Planning and Community Development (PCD) on the proposal to amend the Land Use Code (LUC) to remove outdated cross references and correct erroneous cross references and inadvertent mistakes. A copy of the proposed Land Use Code amendment ordinance is included with this memorandum as Attachment A.

Following the public hearing scheduled for February 7, 2007 and consideration of public comment and the analysis herein, PCD recommends **APPROVAL** of the attached amendment.

I. BACKGROUND

Throughout the process of administering the Code, various errors have been discovered. The errors typically stem from changes in department names, cross-references that are no longer valid, and inadvertent errors in previous amendments.

II. PROPOSAL

The following is a summary of the proposed amendments. In the description of each amendment, the LUC sections affected are listed. Some sections are listed in multiple amendments, as proposed amendments are suggested to resolve more than one inconsistency:

1. The Institutional District (I) was previously changed to the Medical Institution District (MI). However, a number of the references to the Institutional District were not changed to reflect the new name. Amendments contained in LUC sections 20.10.020, 20.10.440, and 20.20.005 would correct the outdated references.

2. The reference to 47 C.F.R. 1400 in LUC section 20.20.440 Note 21 (Uses in land use districts – Transportation and Utilities) is a typographical error. An amendment contained in LUC section 20.10.440 substitutes the correct reference to 47 C.F.R. 1.4000.

3. Motorcycles sales are currently categorized along with truck and recreational vehicle sales. However, the impacts of a motorcycle dealership are more similar to those of an auto dealership, than those created by a dealership selling large trucks or recreational vehicles. Recognizing the similarities between the impacts of auto and motorcycle sales, the LUC allows motorcycle sales in every district where auto sales are permitted outright, except the Office/Limited Business District (OLB). This omission in the LUC was likely an inadvertent error. An amendment to 20.10.440 will create a consistency in the LUC by allowing motorcycle sales in all land use districts where auto sales are a permitted use.

4. The requirements for accessibility (the Barrier Free Code) are contained and imposed through the building code. Therefore, it is unnecessary to include such requirements in the LUC. The proposed amendments contained in LUC sections 20.20.590.K.10, 20.25A.050.F and 20.25A.110.A.4 would remove references to the Barrier Free Code from the LUC.

5. The definition of "Gross Square Feet Per Floor" in LUC section 20.25A.020.A.2 is currently inconsistent with all other definitions of gross floor area contained in the Code. All other references to gross floor area indicate that this calculation **excludes** openings in the floor plate. However the definition in 20.25A.020.A.2 states that these opening are **included**. This is an error in the code. The amendment contained in Note 24 to LUC section 20.25A.020.A.2 corrects this error, resolving the inconsistency.

6. The amendment contained in LUC section 20.25A.020.B.1 increases the maximum height of buildings for which the Director of PCD may allow exceptions to certain dimensional requirements. This amendment is necessary to maintain consistency with the International Building Code.

7. The LUC allows an exception to height limits in the Downtown if certain requirements are met. In the Downtown Perimeter Design District, maximum building heights may be exceeded by an increasing percentage as the distance between the perimeter district and the core Mixed Use district decreases. These provisions were intended to create a "wedding cake" effect, allowing buildings to achieve increasing height as they are located closer to the core Downtown districts. A maximum height allowance of 15% may be achieved in Perimeter District C (the Perimeter District closest to the core Mixed Use district). However, the maximum height allowance which may be achieved in the core Mixed Use district is only 10%. This provision is contrary to the intent of the LUC. An amendment to 20.25A.020.B.4 will allow a maximum height allowance of 15% in the Downtown Mixed Use district, so that the "wedding cake" effect may be achieved.

8. LUC 20.25A.020.B.4.a includes language describing the criteria for obtaining and exception to the height requirements in downtown districts. This language was intended to apply to the Perimeter Design District as well. The amendment in LUC

section 20.25A.090.D.2 (the Perimeter Design District dimensional requirements) revises the language in this section to include these criteria.

9. The language contained in LUC section 20.45B.260 was intended to prohibit boundary line adjustments from **creating** new non-conforming lot dimensions, as well as merely **increasing** non-conforming dimensions. State law prohibits both of these outcomes. However, the intent of this provision is not clearly stated in the current LUC language. The amendment contained in LUC section 20.45B.260 clarifies the intent of LUC section 20.45B.260, bringing the LUC in line with state law and current practice.

10. Critical Area Ordinance corrections:

    - In January of this year, City Council adopted Ordinance No. 5650, deleting the term Annual Docket Adoption from LUC section 20.35.015.E. Subsequently City Council adopted Ordinance No. 5683 as part of the Critical Areas ordinances, which inadvertently retained the term. An amendment contained in LUC section 20.35.015.E reinstates the previously approved language.

    - When LUC section 20.25H.140 was amended earlier this year as part of the Critical Areas Ordinances, language which should have been deleted from this section was inadvertently left in the ordinance. The amendments to this section correct these errors.

    - The definition of "Protected Area" should have been appealed as part of the Critical Areas Ordinances. This term has been replaced with the term "Critical Area." The amendment contained in LUC section 20.50.040 repeals the definition of "Protected Area."

III. STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant, adverse environmental impacts. A final threshold determination of nonsignificance (DNS) was issued on January 18, 2007. The final DNS is attached to this memorandum as Attachment B.

IV. PUBLIC NOTICE, PARTICIPATION, COMMENT AND RESPONSE

The Clean-up Land Use Code amendment was introduced at a study session with the Planning Commission on October 11, 2006. During that study session, the Planning Commission gave staff direction to proceed to a public hearing on the proposed amendment. Notice of the Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on January 18, 2007.

The proposed amendments to the LUC are within the jurisdiction of the East Bellevue Community Council. A courtesy hearing with the EBCC was held at their regular meeting on November 8, 2006. Notice of the courtesy hearing was published on October 26, 2006.

Pursuant to the requirements of the Growth Management Act, state agencies must be given an opportunity to review and comment on proposed amendments to the LUC. Copies of the draft LUC amendment were provided to the state agencies for review on October 26, 2006. No comment letters were received by PCD prior to release of this staff report. Comments received after release of the staff report will be forwarded to the Planning Commission prior to the public hearing.

V. APPLICABLE DECISION CRITERIA – LAND USE CODE PART 20.30J

The Planning Commission may recommend and the City Council may approve or approve with modifications an amendment to the text of the Land Use Code if:

A. The amendment is in accord with the Comprehensive Plan; and

The proposed amendment is intended to improve the quality and consistency of the LUC. The amendment is supported by the public participation goals of the Comprehensive Plan and Growth Management Act, as it serves to clarify the LUC for all citizens subject to it.

> **Policy CP-1**. Encourage and facilitate public participation in all planning processes and make those processes user-friendly.

B. The amendment bears a substantial relationship to the public health, safety or welfare; and

The City's development regulations, contained in the LUC, are designed to further public health, safety and welfare, as identified by the City Council through its legislative process. The proposed amendments clarify and correct previous legislative actions to better serve the original intent of these previous actions. The public health, safety and welfare is served by the proposal.

C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

The public interest is generally identified in the Comprehensive Plan and the development regulations that implement it. As described above, the proposed amendments serve to correct the LUC, and better serve the original intent of previously-adopted legislation. The impact of the amendments will be to improve the clarity and usefulness of the LUC, especially for those less familiar with its provisions and how it may apply to a particular project. The public interest is advanced through this proposal.

VI. RECOMMENDATION

PCD recommends that the Planning Commission APPROVE the Clean-up Land Use Code amendment as drafted in Attachment A and transmit the ordinance on to the City Council for final approval.

ATTACHMENTS
A. Draft Clean-up Amendment Ordinance
B. Final DNS published on January 18, 2007

ATTACHMENT A

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending the Bellevue Land Use Code to remove outdated references, correct cross references and correct errors in the Code; amending Sections 20.10.020, 20.10.440, 20.20.005, 20.20.590.K.10, 20.25A.020.A.2, 20.25A.020.B.1, 20.25A.020.B.4, 20.25A.050.F, 20.25A.090.D.2, 20.25A.110.A.4, 20.25H.140, 20.35.015.E, 20.45B.260 and 20.50.040 of the Bellevue Land Use Code; and establishing an effective date.

WHEREAS, changes in land use district names have left the Land Use Code with outdated references; and

WHEREAS, certain provisions of the Land Use Code refer to sections that have subsequently been amended or deleted; and

WHEREAS, the City of Bellevue has determined that correcting these outdated references and inconsistencies will improve and clarify the Land Use Code; and

WHEREAS, the Planning Commission held a public hearing on **[insert date of public hearing]** with regard to such proposed Land Use Code amendment; and

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

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

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

Section 1. Section 20.10.020 of the Bellevue Land Use Code is hereby amended as follows:

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

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	R-7.5*
Multifamily Residential	R-10 R-15 R-20 R-30
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 Institutional District	MI

** Not effective within the jurisdiction of the East Bellevue Community Council.*

Section 2. Section 20.10.440 of the Bellevue Land Use Code is hereby amended as follows:

20.10.440 Land use charts.

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
1	Residential											
	Single-Family Dwelling (3)	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units Per Structure (6)	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
	Five or More Dwelling Units Per Structure (6)	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional								C	P	P	P

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	Institutions and Excluding Secure Community Transition Facilities											
	Senior Citizen Dwellings (4,7*)	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	P	P	P	P
13 15	Hotels and Motels											
	Congregate Care Senior Housing (4,7*)								P	P	P	P
6516	Nursing Home (7*)								C	P	P	P
	Assisted Living (4,7*)								C	P	P	P
	Accessory Dwelling Unit (9)	S	S	S	S	S	S	S	S	S	S	S

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

** Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY

P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S – Permitted only as a subordinate use to a permitted or special use

Chart 20.10.440

Uses in land use districts

		Residential – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
1	Residential										
	Single-Family Dwelling (3)	P 15	P 1	S	S	S	P 8	S	S	S	S
	Two to Four Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P
	Five or More Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities							C	C		
	Senior Citizen Dwellings (4,7*)	P	P	P			P 8	P	P	P	P
13	Hotels and Motels			P				C	C	P	P

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15											
	Congregate Care Senior Housing (4,7*)	P	P	P			P	P	P	P	P
6516	Nursing Home (7*)	C	P	P			C	P	P	P	P
	Assisted Living (4,7*)	C	P	C			C	P	P	C	C
	Accessory Dwelling Unit (9)	S	S	S	S	S	S	S	S	S	S

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
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S – Permitted only as a subordinate use to a permitted or special use

Chart 20.10.440

Uses in land use districts

		Residential – Downtown Districts					
STD LAND USE CODE REF		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
1	Residential						
	Single-Family Dwelling (3)	P	P	P	P	P	
	Two to Four Dwelling Units Per Structure (6)	P	P	P	P	P	
	Five or More Dwelling Units Per Structure (6)	P	P	P	P	P	
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	
	Senior Citizen Dwellings (4,7*)	P	P	P	P	P	
13 15	Hotels and Motels	P	P	P	P	P	P
	Congregate Care Senior Housing (4,7*)	P	P	P	P	P	
6516	Nursing Home (7*)			P	P	P	
	Assisted Living (4,7*)			P	P	P	
	Accessory Dwelling Unit (9)			S	S	S	

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Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
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C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
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S – Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Residential

(1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.

(2) (Deleted by Ord. 4999).

(3) A boardinghouse or bed and breakfast is permitted in a single-family dwelling provided the requirements of LUC 20.20.140 are met.

(4) An agreement must be recorded with the King County Department of Records and Elections restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain in perpetuity as senior housing.

(5) Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.

(6) Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street is not allowed. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.

(7) In Planning Districts A and B of the Crossroads Subarea and in Planning District E of the Crossroads Subarea north of NE 8th Street, existing legal nonconforming multifamily uses can be converted to senior citizen housing, congregate care senior housing, assisted living or nursing homes. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.*

(8) These residential uses are permitted in NB Districts only if located on the second floor and above the permitted ground floor nonresidential uses.

(9) Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.

(10) (Deleted by Ord. 4999).

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(11) (Deleted by Ord. 4999).

(12) (Deleted by Ord. 4999).

(13) (Deleted by Ord. 4999).

(14) (Deleted by Ord. 4999).

(15) One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District.

** Not effective within the jurisdiction of the East Bellevue Community Council.*

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Manufacturing – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
2 and 3	Manufacturing (1,4)											
21	Food and Beverage Products Mfg.											
22	Textile Products Mfg.											
23	Apparel, Fabric, Accessories and Leather Goods Mfg.											
24	Lumber and Wood Products Mfg.											
25	Furniture and Fixtures Mfg.											
26	Paper Products Mfg.											
27	Printing, Publishing and Allied Industries											
28	Chemicals and Related Products Mfg.											
31	Rubber Products Mfg.											
314	Misc. Plastic Products Mfg.											
321 322 324 325 327	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving											
329	Handcrafted Products Mfg.											
3427	Computers, Office Machines and Equipment Mfg.											
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts											
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating											
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software											
3997	Signs and Advertising Display Mfg.											
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified											

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Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
** Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY

P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
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Chart 20.10.440

Uses in land use districts

		Manufacturing – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
2 and 3	Manufacturing (1,4)										
21	Food and Beverage Products Mfg.				P 5	S 5	S	S	S		
22	Textile Products Mfg.				P						
23	Apparel, Fabric, Accessories and Leather Goods Mfg.				P	S		S	S		
24	Lumber and Wood Products Mfg.				S	S		S	S		
25	Furniture and Fixtures Mfg.				P	S		S	S		
26	Paper Products Mfg.				S 2						
27	Printing, Publishing and Allied Industries				P	P		S	S		
28	Chemicals and Related Products Mfg.				S 3						
31	Rubber Products Mfg.				C						
314	Misc. Plastic Products Mfg.				P	P		S	S		
321 322 324 325	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving				P	P		S	S		

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329	Handcrafted Products Mfg.				P	P		P	P		
3427	Computers, Office Machines and Equipment Mfg.				P	P					
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts				P	S		S	S		
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating				P	S		S	S		
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software	P	P	P	P	S		S	S	P	P
3997	Signs and Advertising Display Mfg.				P	S		S	S		
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified				P	S		S	S		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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Chart 20.10.440

Uses in land use districts

		Manufacturing – Downtown Districts					
STD LAND USE CODE REF		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
2 and 3	Manufacturing (1,4)						
21	Food and Beverage Products Mfg.						
22	Textile Products Mfg.						
23	Apparel, Fabric, Accessories and Leather Goods Mfg.						
24	Lumber and Wood Products Mfg.						
25	Furniture and Fixtures Mfg.						

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26	Paper Products Mfg.						
27	Printing, Publishing and Allied Industries	S	S	S			
28	Chemicals and Related Products Mfg.						
31	Rubber Products Mfg.						
314	Misc. Plastic Products Mfg.						
321 322 324 325 327	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving						
329	Handcrafted Products Mfg.	S	S	S	S	S	S
3427	Computers, Office Machines and Equipment Mfg.						
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts						
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating						
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software						
3997	Signs and Advertising Display Mfg.						
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified						

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S – Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Manufacturing

(1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.

(2) Paper Products Mfg. excludes paper and pulp manufacturing in LI Districts.

(3) Manufacture of flammable, dangerous or explosive materials is excluded in LI Districts.

(4) An office is permitted if accessory and subordinate to a manufacturing use.

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(5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
4	Transportation, Communications and Utilities											
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters											
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services											
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11
	Accessory Parking (6)	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3
46	Auto Parking: Commercial Lots and Garages											
	Park and Ride (5)	C	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios											
485	Solid Waste Disposal (19)											
	Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)											
	Off-Site Hazardous Waste Treatment and Storage Facility (8)											
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P	P

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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ATTACHMENT A

KEY

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C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
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Chart 20.10.440

Uses in land use districts

		Transportation and Utilities – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
4	Transportation, Communications and Utilities										
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters				P	P		P	P		
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services				P	C					
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C	C	C	C	C 11	C	C	C	C
	Accessory Parking (6)	P	P	P	P	P	P	P	P	P	P
46	Auto Parking Commercial Lots and Garages			C	C	C		C	C	C	C
	Park and Ride (5)	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios	P	P	P	P 10	P 10		P	P	P	P
485	Solid Waste Disposal (19)				C						
	Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)			A	A	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)				C						
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	Communication, Broadcast and Relay Towers	14,	14,	14, 16	14,	14,	14, 16	14,	14, 16	14, 16	14, 16

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	Including WCF Support Structures (Freestanding)	16	16		16	16		16			
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
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Chart 20.10.440

Uses in land use districts

		Transportation and Utilities – Downtown Districts					
STD LAND USE CODE REF		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
4	Transportation, Communications and Utilities						
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services	S	S	S			S
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	A/C 2,12	A/C 2,12	A/C 12			A/C 2,12
	Accessory Parking (6)	P 4	P 4	P 4	P 4	P 4	P 4
46	Auto Parking Commercial Lots and Garages	P 13	P 13	P 13	A	P 13	P 13
	Park and Ride (5)			A			A
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal (19)						
	Highway and Street Right-of-Way	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C

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	Local Utility System	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)						
	Essential Public Facility (20)	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
	Satellite Dishes (18)	P	P	P	P	P	P

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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Notes: Uses in land use districts – Transportation and Utilities

(1) (Deleted by Ord. 5086).

(2) Aircraft transportation is limited to only heliports in Downtown-O-1, Downtown-O-2 and Downtown-OLB Districts.

(3) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.

(4) The location of an off-site parking facility must be approved by the Director of Planning and Community Development. See LUC 20.25A.050H.

(5) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.

(6) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.10.440.

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(7) On-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 are only permitted as administrative conditional use approvals as a subordinate use to a permitted or special use. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.

(8) Off-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.

(9) (Deleted by Ord. 5086).

(10) These uses are permitted only if located in a multiple function building or complex.

(11) Aircraft transportation is limited in these districts to government heliports used only for emergency purposes.

(12) A roof top helicopter landing area which is utilized for life threatening emergencies only does not require conditional use approval.

(13) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.

(14) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. This note does not prohibit locating WCF: a) on any residential structure or undeveloped site in R-20 or R-30 Land Use Districts; or b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.

(15) Intentionally deleted.

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

(17) Intentionally deleted.

(18) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.

(19) Refer to LUC 20.20.820 for general requirements applicable to solid waste disposal facilities.

(20) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).

(21) 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. 1.4000, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.

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Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
5	Trade (Wholesale and Retail)											
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)											
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)											
5193	Scrap Waste Materials, Livestock											
	Recycling Centers	C	C	C	C	C	C	C	C	C	C	C
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)											
5251	Hardware Paint, Tile and Wallpaper (Retail)											
5252	Farm Equipment											
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)											
54	Food and Convenience Store (Retail) (27)											
5511	Autos (Retail)											
	Trucks, Motorcycles, Recreational Vehicles (Retail)											
	Boats (Retail)											
552	Automotive and Marine Accessories (Retail)											
553	Gasoline Service Stations											
56	Apparel and Accessories (Retail)											
57	Furniture, Home Furnishing (Retail)											
58	Eating and Drinking Establishments (37)											
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies											
	Adult Retail Establishments (31)											
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)											
596	Retail Fuel Yards											
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools											
5999	Pet Shop (Retail and Grooming)											
	Computers and Electronics (Retail)											

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical ~~Institutional~~ District are listed in LUC 20.25J.020.

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Chart 20.10.440

Uses in land use districts

		Wholesale and Retail – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3
5	Trade (Wholesale and Retail)										
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P					
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)				P	C					
5193	Scrap Waste Materials, Livestock										
	Recycling Centers				P	P	P	P	P		
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)				P 35	P		P	P		
5251	Hardware Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P		
5252	Farm Equipment				P 35						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)							P	P		
54	Food and Convenience Store (Retail) (27)					P	P	P	P		
5511	Autos (Retail)			P 6	A 4, 35	P		C	C		
	Trucks, Motorcycles, Recreational Vehicles (Retail)			P 25	P 7, 35	P					
	Boats (Retail)				P 35	P					
552	Automotive and Marine Accessories (Retail)				P 35	P		P	P		
553	Gasoline Service Stations			A 34	P 34, 35	P	P	P	P	A 34	A 34
56	Apparel and Accessories (Retail)			S		P		P	P	S	S
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P		
58	Eating and Drinking Establishments (37)		P 13	P 14	P 15, 29, 35	P	P 16, 28	P	P	P 14	P 14
59	Misc. Retail Trade: Drugs, Liquor, Antiques,		P 17	S		P	P 19	P	P	S	S

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	Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies										
	Adult Retail Establishments (31)			S				P	P	S	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)				P 35	P					
596	Retail Fuel Yards				P 35	P					
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools				P 35	P	P 20	P 20	P 20		
5999	Pet Shop (Retail and Grooming)				P 26, 35	P 26	P	P	P		
	Computers and Electronics (Retail)				P 12, 35	P 12		P	P		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

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Uses in land use districts

		Wholesale and Retail – Downtown Districts					
STD LAND USE CODE REF		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
5	Trade (Wholesale and Retail)						
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)						
5111 5156 5157 5191	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)						

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5192							
5193	Scrap Waste Materials, Livestock						
	Recycling Centers	P	P	P	C	C	
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)						
5251	Hardware Paint, Tile and Wallpaper (Retail)	P	P	P	P 21, 23	P 30	
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P 22, 23	P 30	
54	Food and Convenience Store (Retail) (27)	P	P	P	P 22, 23	P 30	P 38
5511	Autos (Retail)	P 24	P 24	P			
	Trucks, Motorcycles, Recreational Vehicles (Retail)	P 24, 25	P 24, 25	P			
	Boats (Retail)	P 24	P 24	P			
552	Automotive and Marine Accessories (Retail)			P			
553	Gasoline Service Stations	A, S	A, S	P			A 34, S 38
56	Apparel and Accessories (Retail)	P	P	P	P 21, 23	P 30	P 38
57	Furniture, Home Furnishing (Retail)	P	P	P	P 21, 23	P 30	
58	Eating and Drinking Establishments (37)	P 28	P 28	P 28	P 23, 28	P 28	P 28, 38
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies	P	P	P	P 21, 23	P 30	P 38
	Adult Retail Establishments (31)	P	P	P		P	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)						
596	Retail Fuel Yards						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 20			
5999	Pet Shop (Retail and Grooming)	P	P	P	P 21, 23	P 30	P 38
	Computers and Electronics (Retail)	P	P	P	P 21, 23	P 30	

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

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Notes: Uses in land use districts – Wholesale and Retail

(1) Wholesale trade includes sales offices for these goods.

(2) Wholesale trade of motor vehicles, primary and structural metals, bulk petroleum includes sales offices for these goods and excludes tank farms.

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(3) Bulk Retail includes sales offices for these goods.

(4) Automobile (Retail) is subject to the decision criteria in LUC 20.20.135.

(5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and 2) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of the ordinance codified in this chapter are exempt from the ACUP requirements.

(6) Retail auto sales are permitted on the west side of 116th Avenue NE between NE 8th Street and the SE 8th off-ramp from northbound I-405 only.

(7) Motorcycle (Retail) requires administrative conditional use approval in LI Districts.

(8) (Deleted by Ord. 5089).

(9) (Deleted by Ord. 5089).

(10) (Deleted by Ord. 5089).

(11) Furniture and Home Furnishings are limited to uses with on-site warehousing in LI Districts.

(12) Computer supplies are permitted as a subordinate use to computer sales in LI and GC Districts.

(13) Eating and Drinking Establishments are excluded in transition areas in O Districts.

(14) Eating and Drinking Establishments are permitted in the OLB, F2 and F3 Districts subject to the following criteria:

(a) Such uses are physically integrated within a structure primarily used as a hotel or motel; office building; charitable, social, professional and labor organization; fraternal lodge; recreational facility or institution such as a public assembly (indoor).

(b) Such uses do not exceed 20 percent of the gross floor area of the structure or structures.

(c) The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.

(15) Eating and Drinking Establishments are permitted in LI Districts only if located in a multiple function building or complex.

(16) Eating and drinking establishments may include liquor sales only if operated under a Class A or C liquor license issued by the Washington State Liquor Control Board. Eating and

drinking establishments with other classes of liquor licenses require administrative conditional use approval.

(17) Other retail trade is limited to drugstores only in O Districts.

(18) Intentionally deleted.

(19) Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet.

(20) Garden Supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB, F1 and Downtown-MU Districts.

(21) Limited to a maximum of 1,500 gross square feet per establishment.

(22) Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.

(23) Nonresidential uses are permitted in Downtown-R only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.

(24) No on-site outdoor display or inventory storage.

(25) Motorcycles only.

(26) Only pet grooming is permitted in the LI and GC Districts.

(27) Food and Convenience Stores (Retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.

(28) Drive-in windows are not permitted.

(29) No more than one eating and drinking establishment is permitted in any building.

(30) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.

(31) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.

(32) (Reserved).

(33) (Deleted by Ord. 5089).

(34) Gasoline service stations may include subordinate convenience stores.

(35) Any 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 square feet.

*(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, Wilburton.

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(37) Microbrewery manufacturing is permitted subordinate to 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.

(38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District provided the following criteria are met:

(a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.

(b) The uses do not exceed 30 percent of the total floor area of the building or complex.

(c) Each individual retail use is limited to 15,000 gross square feet in area.

(d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.

** Not effective within the jurisdiction of the East Bellevue Community Council.*

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF		Services – Residential Districts										
	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
6	Services											
61	Finance, Insurance, Real Estate Services											
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair											
6241	Funeral and Crematory Services											
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C	C
629	Child Care Services (3,4)											
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center								C	C	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment											
634	Building Maintenance and Pest Control Services											
637	Warehousing and Storage Services, Excluding Stockyards											
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools											
641	Auto Repair and Washing Services											
649	Repair Services: Watch, TV, Electrical, Upholstery											
	Professional Services: Medical Clinics and Other Health Care Related Services											
	Professional Services: Other											

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6513	Hospitals											
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape											
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions					C 15						
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
	Limited Governmental Services: Protective Functions (21)								P	P	P	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)											
674 675	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C	C	C
	Secure Community Transition Facility (23,24)											
681	Education: Primary and Secondary (25)	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C
682	Universities and Colleges	C	C	C	C	C	C	C	C	C	C	C
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools											
691	Religious Activities	C	C	C	C	C	C	C	C	C	C	C
692 (A)	Professional and Labor Organizations Fraternal Lodge											
692 (B)	Social Service Providers	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14
	Administrative Office – General											
	Computer Program, Data Processing and Other Computer Related Services											
	Research, Development and Testing Services											

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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KEY

P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
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Chart 20.10.440

Uses in land use districts

		Services – Nonresidential Districts

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STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3
6	Services										
61	Finance, Insurance, Real Estate Services	P	P	P	P 1	P	P	P	P	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair			S	P 2	P	P	P	P	S	S
6241	Funeral and Crematory Services	C	C	C						C	C
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C
629	Child Care Services (3,4)										
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 5	P	P 17	P	P	P	P
634	Building Maintenance and Pest Control Services				P	P		P	P		
637	Warehousing and Storage Services, Excluding Stockyards				P	P		S	S		
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S	P 6	P	A 18	P 7	P 7	S	S
641	Auto Repair and Washing Services				P	P	A 19	P	P		
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P		
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P		P	P	P	P	P	P
	Professional Services: Other	P	P	P	P 9	P		P	P	P	P
6513	Hospitals	C	C	C	C	C		C	C	C	C
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape				P	P					
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	C	C	C				C	C	C	C
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C	C	C	C
	Limited Governmental Services: Protective Functions (21)										
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)	P	P	P		P	P	P	P	P	P
674 675	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C	C
	Secure Community Transition Facility (23,24)				C	C					
681	Education: Primary and Secondary (25)	A	A	A	A	A	A	A	A	A	A
682	Universities and Colleges	P	P	P	P	P	C	P	P	P	P
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P	P		P	P	P	P
691	Religious Activities	P	P	P	P	P	C	P	P	P	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P
	Administrative Office – General	P	P	P	P 5	P	P	P	P	P	P
	Computer Program, Data Processing and Other Computer Related Services	P	P	P	P 5	P				P	P
	Research, Development and Testing Services	P	P	P	P 5	P				P	P

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Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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S – Permitted only as a subordinate use to a permitted or special use

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF		Services – Downtown Districts					
		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
6	Services						
61	Finance, Insurance, Real Estate Services	P 13	P 13	P	P 11, 12	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P 11, 12	P	P 11, 20
6241	Funeral and Crematory Services						
6262	Cemeteries						
629	Child Care Services (3,4)						
	Family Child Care Home in Residence	P	P	P	P	P	P
	Child Day Care Center	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 11, 12	P	P
634	Building Maintenance and Pest Control Services						
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			P			S
641	Auto Repair and Washing Services			P 8			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P	P 11, 12	P 11	P
	Professional Services: Other	P	P	P	P 11, 12	P 11	P
6513	Hospitals			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						

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671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P 11, 12	P 11	A
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	A
	Limited Governmental Services: Protective Functions (21)						
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)	P	P	P	P 12	P	P
674 675	Military and Correctional Institutions						
	Secure Community Transition Facility (23,24)						
681	Education: Primary and Secondary (25)	A	A	A	A/C	A	A
682	Universities and Colleges	P	P	P			
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools			P	P 11, 12	P 11	P
691	Religious Activities	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	P	P	P	C	C	P
692 (B)	Social Service Providers	P	P	P	C	C	P
	Administrative Office – General	P	P	P	P 11, 12	P	P
	Computer Program, Data Processing and Other Computer Related Services	P	P	P	P 11, 12	P	P
	Research, Development and Testing Services	P	P	P	P 11, 12	P	P

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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KEY

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C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S – Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Services

(1) Finance, Insurance, Real Estate Services are permitted only if commercially or industrially related in LI Districts.

(2) Personal Services are permitted in LI Districts only if located in a multiple function building or complex.

(3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.

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

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(5) These uses are permitted in LI Districts only if located in a multiple function building or complex.

(6) Automobile rental and leasing services require administrative conditional use approval and are subject to the decision criteria in LUC 20.20.135.

(7) Rental Services are restricted to autos and furniture in CB and F1 Districts and to truck, trailer, and tool rentals provided the site has two street frontages.

(8) Auto repair and washing services are permitted only if washing services are a subordinate use to a permitted or special use in Downtown-MU Districts.

(9) Professional services are permitted in LI Districts only if located in a multiple function building or complex.

(10) Governmental Services include maintenance shops in LI and GC Districts.

(11) Limited to a maximum of 1,500 gross square feet per establishment.

(12) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.

(13) Drive-in facilities may be permitted through Design Review Part 20.30F LUC at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:

(a) On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.

(b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.

(c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.

(d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.

(e) Walk up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.

(14) These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.

(a) In the review of the proposed use or uses under the Administrative Conditional Use Permit application, Part 20.30E LUC, the following criteria shall be considered:

(i) Consistency of the proposal with the goals and policies of the Comprehensive Plan.

(ii) Extent to which the physical environment will be modified by the proposal.

(iii) Ability to provide on-site parking facilities to accommodate intended uses under the proposal.

(iv) Extent of additional demand on public utilities and public services resulting from the proposal.

(v) Noise impacts of the proposal.

(vi) Traffic volumes and street classifications in the area of the proposal.

(vii) Compatibility of the proposal with surrounding land uses.

(viii) Impact of the proposal on the visual and aesthetic character of the neighborhood.

In addition, the proposed use or uses shall not be more intensive than if the school were being used as a school.

(b) A master Conditional Use Permit listing a range of permissible uses from those permitted in the land use district as listed in LUC 20.10.440 can be obtained for the entire school by using the conditional use process, Part 20.30B or Part 20.30C LUC. Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a Conditional Use Permit.

(15) Permitted in inactive elementary school facilities. The following criteria shall be considered:

(a) Criteria a.i-viii, Note 14 – Uses in land use districts – Services.

(b) Hours of operation.

(c) Proposed signing.

(16) Other than administrative office use, each individual service use in NB Districts is limited to 5,000 square feet. Administrative office use is limited as follows: when located on the first floor of a building, administrative office use is limited to 5,000 square feet or 25 percent of the first floor footprint, whichever is less; when located above the first floor of a building, administrative office use is allowed without a limit on total aggregate square footage, so long as each individual administrative office use is limited to 5,000 square feet. In no event may administrative office uses exceed more than 50 percent of the total building square footage. Administrative conditional use approval is required for hours of operation between 12:00 midnight and 6:00 a.m. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: (a) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and (b) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of City of Bellevue Ordinance No. 4422 are exempt from the ACUP requirements.

(17) Only travel agencies are permitted in NB District.

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(18) Rental services limited to truck, trailer and tool rentals are permitted in NB Districts with administrative conditional use approval, provided the site has two street frontages.

(19) Auto repair and washing services are permitted with administrative conditional use approval only in NB sites that have two street frontages.

(20) Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility.

(21) Uses are limited to neighborhood community police stations of 1,000 square feet or less.

(22) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.

(23) 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.

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

(25) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in all residential land use districts and the DNTN-R District a Conditional Use Permit is required for:

(a) The siting of such educational facility on a site not previously developed with an educational facility; or

(b) The addition to or modification of a site previously developed with an educational facility where that addition or modification involves:

(i) An increase of 20 percent or more in the number of students occupying the school. The increase shall be measured against the number of students for which the school was designed prior to the addition or modification, without regard to temporary structures that may have been added to the site over time. If there is no information establishing the number of students for which the school was originally designed, then the increase shall be measured against the average number of students occupying the school in the three academic years immediately preceding the proposed addition or modification; or

(ii) A change in the age group of students occupying the school, or the addition of an age group where such age group was not previously served at the school, except that the addition of students younger than kindergarten age consistent with the definition of school in LUC 20.50.046 shall not be considered a change in the age group of students or an addition of an age group for purposes of this subsection. For purposes of this subsection, age group refers to elementary, middle, junior or high school, as defined and used by the school district operating the school; or

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(iii) The addition of facilities or programs that may result in impacts not anticipated at the time the original school was developed, including, for example: development of lighted ballfields or the addition of lighting to existing ballfields; development of an exterior sound amplification system; development of fixed outdoor seating; or a proposal to increase the height of the facility pursuant to LUC 20.20.740.A.3.b.

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Recreation – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
7	Cultural Entertainment and Recreation											
711	Library, Museum			C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1
7113	Art Gallery			C	C	C	C	C	C	C	C	C
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos											
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities											
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs											
7213	Drive-In Theaters											
	Adult Theaters (7)											
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks											
73	Commercial Amusements: Video Arcades, Electronic Games											
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 (2)	C	C	C	C	C	C	C	C	P	P	P
744	Marinas, Yacht Clubs	C	C	C	C	C	C	C	C	C	C	C
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction											
7491 7515	Camping Sites and Hunting Clubs	C	C	C	C	C	C	C	C	C	C	C
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	C	C	C	C	C	C	C	C	P	P	P
	Public/Private Park	C	C	C	C	C	C	C	C	P	P	P
	Stables and Riding Academies	C										
	Boarding or Commercial Kennels	C										
	City Park* (10)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C

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Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

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Chart 20.10.440

Uses in land use districts

		Recreation – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
7	Cultural Entertainment and Recreation										
711	Library, Museum	P	P	P				P	P	P	P
7113	Art Gallery	P	P	P				P	P	P	P
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos	C	C	C	C	C		C	C	C	C
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities			P				P	P	P	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs			P				P	P	P	P
7213	Drive-In Theaters				C	C		C	C		
	Adult Theaters (7)			P				P	P	P	P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks					C		C	C		
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 (2)	C	C	C		C	C	C	C	C	C

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744	Marinas, Yacht Clubs										
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction		C 3	C	P 3	P 3	A 9	P	P	C	C
7491 7515	Camping Sites and Hunting Clubs	C	C	C	C	C	C	C	C	C	C
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P	P	P	P	P
	Public/Private Park	P	P	P	P	P	P	P	P	P	P
	Stables and Riding Academies										
	Boarding or Commercial Kennels										
	City Park* (10)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C

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Chart 20.10.440

Uses in land use districts

		Recreation – Downtown Districts					
STD LAND USE CODE REF		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
7	Cultural Entertainment and Recreation						
711	Library, Museum	P	P	P	A	A	P
7113	Art Gallery	P	P	P	P 4, 5	P	P
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos	P 6	P 6	P 6			
7212 7214 7222 7231	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities	P	P	P	A 5	A	P

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7232							
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs	P	P	P	A 5	A	P
7213	Drive-In Theaters						
	Adult Theaters (7)	P	P	P		P	P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks						
73	Commercial Amusements: Video Arcades, Electronic Games	P	P	P			
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 (2)				P	A	A
744	Marinas, Yacht Clubs						
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction	A 8	A 8	P	A 5	A 8	A 8
7491 7515	Camping Sites and Hunting Clubs						
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P
	Public/Private Park	P	P	P	P	P	P
	Stables and Riding Academies						
	Boarding or Commercial Kennels						
	City Park* (10)	P/C	P/C	P/C	P/C	P/C	P/C

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.

**Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY

P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S – Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Recreation

(1) Cultural activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 Districts.

(2) For carnivals, see LUC 20.20.160.

ATTACHMENT A

(3) Recreation activities do not include athletic clubs in O, LI and GC Districts.

(4) Limited to a maximum of 2,000 gross square feet per establishment.

(5) Nonresidential uses are permitted in Downtown-R Districts only when developed in a building which contains residential uses.

(6) Excludes zoos.

(7) Adult Theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.

(8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.

(9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site.

*(10) City parks are generally permitted in all zones. However, the following types of uses or facilities in city parks in single-family or R-10 zones require conditional use approval: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Nonrecreation uses in city parks in all zones outside the Downtown 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 requirement, "nonrecreation use" means a commercial, social service or residential use located on park property but not functionally related to city park programs and activities.

** Not effective within the jurisdiction of the East Bellevue Community Council.*

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Resources – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
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	P	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1
821	Agricultural Processing											
8221	Veterinary Clinic and Hospital											
8222	Poultry Hatcheries											
83	Forestry, Tree Farms and Timber Production	P	P	C	C	C	C	C	C	C	C	C
8421	Fish Hatcheries											
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	C	C	C	C	C	C	C	C	C	C	C

ATTACHMENT A

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
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Chart 20.10.440

Uses in land use districts

		Resources – Nonresidential Districts									
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
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	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1
821	Agricultural Processing				P 2						
8221	Veterinary Clinic and Hospital	P	P		P	P	P 3	P	P		
8222	Poultry Hatcheries				P	P					
83	Forestry, Tree Farms and Timber Production	C	C	C	C	C	C	C	C	C	C
8421	Fish Hatcheries				P						
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	C	C	C	C	C	C	C	C	C	C

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
Permitted uses in the Medical Institutional District are listed in LUC 20.25J.020.
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ATTACHMENT A

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Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF		Resources – Downtown Districts					
		Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
	LAND USE CLASSIFICATION	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
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						
821	Agricultural Processing						
8221	Veterinary Clinic and Hospital			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						

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.
Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.
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ATTACHMENT A

Notes: Uses in land use districts – Resources

(1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.

(2) Agriculture Processing excludes grain mill products manufacturing and slaughtering in LI Districts.

(3) Veterinary Clinics and Hospitals are limited to 5,000 square feet per use in NB Districts.

Section 3. Section 20.20.005 of the Bellevue Land Use Code is hereby amended as follows:

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 ~~Institutional~~ District, and the OLB-OS Land Use District. 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. Dimensional requirements for the Evergreen Highlands Subarea Transportation Improvement Overlay District are found in Part 20.25G. Dimensional requirements for the Medical ~~Institutional~~ District are found in Part 20.25J. Dimensional requirements for the OLB-OS Land Use District are found in LUC 20.25L.030. 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.

Section 4. Section 20.20.590.K.10 of the Bellevue Land Use Code is hereby amended as follows:

K. Parking Area and Circulation Improvements and Design. [Reader Note: The Tables and illustrations at the end of LUC Section 20.20.590.K.10 have not been reprinted here for formatting reasons; they are not impacted by this ordinance]

Parking of vehicles for all uses is only permitted in parking areas that meet the requirements of this section; except that, vehicles on residential lots may also be parked in areas that meet

the requirements of LUC 20.20.720 and 20.20.890 relating to the storage of recreational vehicles and trailers.

1. Materials. A parking and circulation area must be hard-surfaced and conform to any applicable City of Bellevue Development Standards as now or hereafter amended. For purposes of this section, the term hard-surfaced includes pavers, stones, bricks or other similar materials placed to support vehicle circulation, but also allow rain and other water to penetrate the surface (i.e. "grasscrete"). Hard surfaced also includes innovative pavement techniques approved pursuant to LUC 20.20.460.F. Existing legally established parking areas within critical areas and critical area buffers are exempt from the requirement to use hard surfaced materials. The Director of Planning and Community Development may approve a gravel surface for parking and circulation areas used on a temporary basis during construction pursuant to paragraph K.11 of this section.

2. Marking Required. The property owner shall delineate car stalls, directional arrows and crosswalks within parking areas using paint or other methods approved by the Director of Planning and Community Development.

3. Driveways.

    a. Entrances and Exits. The Director of the Transportation Department shall fix the location, width, and manner of approach of vehicular ingress and egress from a parking area in conformance with Chapter 14.60 BCC. The Director of Transportation may require the property owner to alter ingress or egress as necessary to control traffic in the interest of public safety and general welfare. Wherever available, the property owner shall provide access from commercial or multifamily property onto streets which do not abut R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, or R-7.5 Districts.

    b. Combined Driveway. The owners of adjoining properties shall provide combined driveways wherever practical. In conjunction with approval of a development, the City may require a property owner to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.

    c. Driveway Dimensions. Internal circulation driveways that do not provide direct access to parking stalls must be a minimum of 20 feet wide for two-way traffic and 15 feet wide for one-way traffic unless otherwise specified by the Director of Planning and Community Development or by the Fire Marshal.

4. Loading Space.

    a. General. A property owner shall provide an off-street loading space which can access a public street. The number and size of loading spaces must be equal to the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with the business conducted on the property.

    b. Loading Space Dimension.

        i. Standard Requirement. Each loading space must be a minimum of 10 feet wide and 55 feet long. Where a loading space is adjacent to an arterial, the property owner shall provide an additional 40-foot maneuvering length.
        ii. Reduction. The Director of Planning and Community Development may reduce required stall length and maneuvering length if the property owner demonstrates that known delivery vehicles can park and maneuver within the proposed loading

and maneuvering spaces so that no part of a vehicle using or maneuvering into the loading space projects into a public right-of-way, access easement or private road.

c. Waiver. If the property owner demonstrates that the development has and will have no loading needs, the Director of Planning and Community Development may waive the requirements of paragraphs K.4.a through b of this section. Additionally, the Director of Planning and Community Development may waive the requirements of paragraphs K.4.a through b if the applicant has obtained a Right-Of-Way Use Permit approving on-street loading.

5. Drive-Through Facility Stacking Lanes. A property owner proposing a drive-through facility shall provide seven stacking spaces for each drive-through station in addition to the parking required by this section. Each lane of stacking space must be at least nine feet wide and must be delineated with pavement markings. Each stacking space must be at least 12 feet long; however, individual spaces within the lane may not be delineated with pavement markings. Stacking lanes may not be located within required driveway, internal circulation drive, or parking aisle widths.

6. Grade Separation Protection. Where a parking area, service yard or other vehicle area slopes or has a drop-off grade separation, the property owner shall install a wall, railing or other barrier which will prevent a slow-moving or driverless vehicle from escaping such area and which will prevent pedestrians from walking over drop-off edges.

7. Landscaping.

   a. Required Landscaping. The property owner shall provide parking area landscaping as required by LUC 20.20.520.

   b. Reserved Parking in Landscaping.

      i. General. The property owner shall plant reserved parking required by subsections F and G of this section subject to approval of the proposed landscape plan by the Director of Planning and Community Development.

      ii. Exempt from Landscape Limitation. Reserved parking in landscaping does not contribute to required landscape development or to the total site area in landscape development for purposes of applying LUC 20.20.520 or any other landscape or open space requirement of this Code.

8. Internal Walkways.

   a. When Required. The property owner shall install internal walkways in each new development or substantial remodel of existing development in R-10, R-15, R-20, R-30, NB, PO, O, OLB, OLB-OS, CB, LI, GC, MI or Downtown Land Use Districts. In addition, schools in all land use districts shall install internal walkways in each new facility or substantial remodel of an existing facility.

   b. Location. The property owner shall provide internal walkways around the building to the extent necessary to assure safe access to the building from parking areas, adjacent properties, and public sidewalks or street rights-of-way and to assure consistency with the requirements of Part 20.25A LUC. All required internal walkways must be located and constructed as an integrated part of existing sidewalks and pedestrian trails, and must coordinate with City plans for pedestrian circulation,

including, but not limited to, the Comprehensive Plan, formed or planned Local Improvement Districts, and approved Capital Improvement Projects.

c. Design Criteria. Except as otherwise specified in Part 20.25A LUC, internal walkways provided pursuant to this section must be designed and installed in conformance with the following:

i. Surface Materials. Internal walkways must be paved with hard-surfaced material such as concrete, asphalt, stone, brick, tile, etc. Only nonskid paving may be used in walkway construction.

ii. Walkway Marking. Internal walkways must be curbed and raised at least six inches above the parking lot grade except where they cross driveways or aisles or where necessary to meet handicap requirements. Alternatively, the Director of Planning and Community Development may approve walkways delineated by distinctive paving material or marking when adequate pedestrian safety is provided.

iii. Width. Internal walkways must be a minimum of four feet wide, exclusive of parked car overhangs. Where necessary to ensure four feet of unobstructed walkway, wheel stops are required.

iv. Stairs.

(1) General. Within any continuous exterior flight of stairs that is part of an internal walkway system, the largest riser height must not exceed the smallest by more than three-eighths of an inch and the largest tread run must not exceed the smallest by more than three-eighths of an inch.

(2) Adjacent Flights of Stairs. A flight of stairs that is connected with any other flight of stairs may have different rise and tread dimensions only if the flights of stairs are separated by at least eight horizontal feet of walkway that is constructed at a constant elevation.

v. Lighting. Night lighting must be provided where stairs, curbs, ramps or abrupt changes in walk direction occur.

vi. Markings. Where pedestrian walks cross parking areas or automobile circulation lanes, the pedestrian walk must be defined by use of a contrasting material or marking, including but not limited to white concrete in an asphalt area, visually obvious paint stripes or other clearly defined pattern.

vii. Handrails. The Director of Planning and Community Development may require handrails where more than two risers exist and the use of such stairs warrants handrails for safety reasons.

9. Compact Parking.

a. Maximum Amount. For all uses, the property owner may design and construct up to 50 percent of the approved parking spaces in accordance with the dimensions for compact stalls provided in paragraph K.12 of this section.

b. Identification Required. The property owner must identify compact stalls within the parking area through the use of pavement markings. The designation of compact stalls must be included on the site plan.

~~10. Handicapped Parking. The property owner shall provide parking and access for physically handicapped persons in accord with the Barrier Free Design Regulations, as now or hereafter amended.~~

ATTACHMENT A

10~~1~~. Temporary Construction Parking. Permit Required. The property owner shall obtain a Temporary Use Permit pursuant to Part 20.30M LUC for an off-site construction parking area.

11~~2~~. Minimum Dimensions.

a. Landscape Areas Excluded. Parking area dimensions do not include any area devoted to landscape development or open space except as provided for reserve parking areas pursuant to paragraph K.7.b of this section. If a stall is designed to include an overhang into landscaped or open space, that landscaped or open space is not counted toward meeting the requirements of LUC 20.20.520 or any other landscape or open space requirement of this Code.

b. Structured Parking Height Clearance. Vehicle height clearance for structured parking must be at least seven and one-half feet for the entry level.

c. Stall Overhang. Parking areas may be designed so that the car bumper overhangs the curb into landscape areas. If overhangs are provided, the stall length may be reduced by the same number of linear feet as the bumper overhang up to the following:

Maximum Bumper Overhang

Parking Angle Less Than 60·		Parking Angle 60· or More	
Compact	Standard	Compact	Standard
1.5 ft.	2.0 ft.	2.0 ft.	2.5 ft.

d. Stall and Aisle Dimensions. Off-street parking dimensions may not be less than as shown on the following tables and plates, except as otherwise approved by the Director of Planning and Community Development.

Section 5. Section 20.25A.020.A.2 Note 24 of the Bellevue Land Use Code is hereby amended as follows:

(24) 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~~excluding openings in the floor plate such as vent shafts, stairwells, and interior atriums.

Section 6. Section 20.25A.020.B.1 of the Bellevue Land Use Code is hereby amended as follows:

1. Floor Plate Exceptions.

a. For residential buildings, the Maximum Floor Area Per Floor above 40 feet may be increased by not more than 10 percent through Design Review, Part 20.30F LUC, if the applicant demonstrates that the increase is necessary for reasonable development of the building, and will not have a significant adverse effect on other properties. Each square foot of

floor area above the maximum requires a proportionate square footage of amenity in conformance with LUC 20.25A.030.C; however, the amenity area provided under this requirement may not be used to exceed the basic floor area ratio.

b. For buildings on streets designated "A" or "B" in Design Guidelines – Building/Sidewalk Relationships, the limitation of "Maximum Building Floor Area per Floor Above 40 Feet" may be modified through Design Review to apply to floor area above 45 feet. In this case, the applicant must demonstrate that the modification is necessary for creating higher, more prominent and distinctive ground-level pedestrian-oriented frontage; and the minimum retail floor height shall be 16 feet.

c. For structures that do not exceed 70~~65~~ feet in height (as defined by the International Building Code, as adopted and amended by the City of Bellevue) the Director may allow the connection of floor plates above 40 feet such that those floor plates exceed the "Maximum Building Floor Area per Floor Above 40 Feet"; provided, that:

i. The connection is to allow for safe and efficient building exiting patterns. The connecting floor area shall include required exiting corridor area and may include the floor area of units or other building uses;

ii. The connection occurs on no more than three floor levels above 40 feet; and

iii. The alternative design results in a building mass that features separate and distinct building elements.

d. Diminishing Floor Plate. A nonresidential building in the Downtown O-1, Downtown O-2, Downtown MU, and Downtown OLB land use districts can exceed the "Maximum Building Floor Area per Floor Above 40 Feet," to a maximum of 30,000 square feet, if the building incorporates two floor plates which are each at least 20 percent smaller than the floor plate of the floor below it. If only one floor of a nonresidential building exceeds the "Maximum Building Floor Area per Floor Above 40 Feet," the building must incorporate one floor plate which is at least 20 percent smaller than the floor plate of the floor below it. Exposed roof area at the level of the diminished floor must have some amount of landscaping and be physically accessible for use; or if not a flat surface, must provide a visually interesting roof form.

Section 7. Section 20.25A.020.B.4 of the Bellevue Land Use Code is hereby amended as follows:

4. Height Exceptions.

a. The maximum height identified in subsection A of this section may be increased by no more than 1~~0~~5 percent or 15 feet, whichever is greater, if the applicant can demonstrate that the additional height accommodates architecturally integrated mechanical equipment, interesting roof forms, significant floor plate modulation, significant facade modulation, or other such unique architectural features, and that the resulting design exceeds the quality and design requirements of LUC 20.25A.110.

b. In the area of the Downtown bounded on the west by Bellevue Way, on the east by 112th Avenue NE, on the south by NE 4th Street and on the north by NE 8th Street, the maximum height identified in LUC 20.25A.020.A may be exceeded if the major pedestrian corridor is constructed as required by LUC 20.25A.100.E.1, or if the major public open space is constructed as required by LUC 20.25A.100.E.4. The maximum height may only be exceeded by the amount required to accommodate the additional Floor Area Ratio provided under LUC 20.25A.030.C.16 or to accommodate the additional Floor Area Ratio provided under LUC 20.25A.100.E.4.d, or a combination thereof. Heights may be exceeded under this provision only to the extent depicted on the map entitled "Heights in Core Design District" in LUC 20.25A.030.E.

c. Except within the Perimeter Design District, the maximum building height can be exceeded if right-of-way is dedicated as provided by subsection D of this section but only to the

extent of the floor area earned as a result of the dedication. This provision does not preclude the applicability of subsection B.4.a of this section but in no event may the combined effect of applying that subsection and this subsection be to increase the building height over the maximum building height set forth in subsection A.2 of this section by more than 10 percent or 15 feet, whichever is greater.

Section 8. Section 20.25A.050.F of the Bellevue Land Use Code is hereby amended as follows:

F. Parking Area and Circulation Improvements and Design.

1. Landscaping. Paragraph F.1 of this section supersedes LUC 20.20.590.K.7. The property owner shall provide landscaping as required by LUC 20.25A.040.

2. Compact Parking. Paragraph F.2 of this section supersedes LUC 20.20.590.K.9. The Director of Planning and Community Development may approve the design and designation of up to 65 percent of the spaces for use by compact cars.

3. Vanpool/Carpool Facilities. The property owner must 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 must be adjacent to an entrance door to the structure served by the parking or as nearly so as possible and must be consistent with all applicable design guidelines.

4. Performance Standards for Parking Structures. The Director of Planning and Community Development may approve a proposal for a parking structure through Design Review, Part 20.30F LUC. The Director of Planning and Community Development may approve the parking structure only if:

    a. Driveway openings are limited and the number of access lanes in each opening are minimized.

    b. The structure exhibits a horizontal, rather than sloping building line.

    c. The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided.

    d. The parking structure complies with the requirements of LUC 20.25A.115.

    e. A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure.

    f. Safe pedestrian connection between the parking structure and the principal use exists.

    g. Loading areas are provided for vanpools/carpools as required by paragraph F.3 of this section.

    h. Vehicle height clearances for structured parking must be at least seven and one-half feet for the entry level to accommodate vanpool parking. ~~Where necessary to meet the requirements of the Washington State Barrier Free Code for van accessible~~

~~parking stalls, all or part of the entry level of the parking structure shall have a vehicle height clearance of 114 inches (nine and one-half feet).~~

Section 9. Section 20.25A.090.D.2 Note 2 of the Bellevue Land Use Code is hereby amended as follows:

(2) The maximum building height may only be achieved by participation in the FAR Amenity Incentive System, LUC 20.25A.030. ~~Except i~~In Subdistrict BA, the maximum height may be exceeded by no more than 10 percent ~~or 10 feet, whichever is less~~, and only if the applicant can demonstrate that the additional height accommodates architecturally integrated mechanical equipment, interesting roof forms, significant floor plate modulation, significant facade modulation, or other such unique architectural features, and that the resulting design exceeds the quality and design requirements of LUC 20.25A.110. ~~additional height is used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other decorative architectural features~~. In Subdistrict C, the maximum building height may be increased by no more than 15 percent if the applicant can demonstrate that the additional height accommodates architecturally integrated mechanical equipment, interesting roof forms, significant floor plate modulation, significant facade modulation, or other such unique architectural features; that the resulting design exceeds the quality and design requirements of LUC 20.25A.110; ~~an interesting roof form is provided~~ and ~~if the applicant demonstrates~~ that added height is necessary for provision of the neighborhood services listed in paragraph D.3 of this section.

Section 10. Section 20.25A.110.A.4 of the Bellevue Land Use Code is hereby amended as follows:

4. Open Space.

a. Design and locate open spaces, such as plazas, squares and large landscaped areas to work as part of a comprehensive system of spaces in the downtown.

b. Design open spaces to provide for maximum use by a wide range of people.

c. In designing open spaces, especially plazas, consider the following:

i. Orientation. Orient to sunlight and provide good physical and visual access to the sidewalk, so that the space is perceived as an extension of the sidewalk.
ii. Dimensions. Design as adequate for seating, planting, etc., but not so large as to appear barren and uninviting.
iii. Seating. Provide comfortable height and depth, and appropriate arrangement.
iv. Pavement. Use nonglare, nonslip, and safe surface materials.
v. Trees and Planting. Consider provision for shade and sun. Use to create space and define human scale. Provide protection from wind.
~~vi. Barrier Free. Provide accessible areas for handicapped.~~
vii. Amenities. Use pedestrian scaled lighting, fountains, litter receptacles, bicycle racks, and sheltered waiting areas.
viii. Provision of Space for Attractions. Design to permit vendors, outdoor cafes, rotating art displays, or abutting retail activity.
viii~~x~~. Physical access. Ensure ready physical as well as visual access with special attention to elevational difference.

ix. Enclosure. Use landscaping or structure to provide a sense of enclosure.

Section 11. Section 20.25H.140 of the Bellevue Land Use Code is hereby amended as follows:

20.25H.140 Critical Areas Report – Additional Provisions for Landslide Hazards and Steep Slopes.

In addition to the provisions of LUC 20.25H.230, any proposal to modify a landslide hazard or steep slope or associated critical area buffer through a critical areas report shall comply with the requirements of this section.

A. Limitation on Modification. The provisions for Coal Mine Hazard Areas in LUC 20.25H.130 may not be modified through a critical areas report.

~~2. Removal from critical area status. An area otherwise designated as a landslide hazard area or a steep slope or geologic hazard critical area buffer may be removed from critical area status and from regulation under this Part 20.25H only if all the following apply:~~

B. Area Addressed in Critical Area Report. In addition to the general requirements of LUC 20.25H.230, the following areas shall be addressed in a critical areas report for geologically hazardous areas:

1. Site and Construction Plans. The report shall include a copy of the site plans for the proposal ~~showing~~ and a topographic survey;

2. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region;

3. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties; and

4. Minimum Critical Area Buffer and Building Setback. The report shall make a recommendation for a minimum geologic hazard critical area buffer , if any, and minimum building setback, if any, from any geologic hazard based upon the geotechnical analysis.

Section 12. Section 20.35.015.E of the Bellevue Land Use Code is hereby amended as follows:

E. Process IV decisions are legislative nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public development and management of public lands. The following are Process IV decisions:

1. Consideration of suggestions for amendments to the Comprehensive Plan ~~(Annual Docket Adoption)~~;

ATTACHMENT A

2. Amendments to the text of the Land Use Code or Comprehensive Plan;

3. Amendments to the Comprehensive Plan Map;

4. Amendments to the Zoning Map (rezones) on a citywide or areawide basis.

Section 13. Section 20.45B.260 of the Bellevue Land Use Code is hereby amended as follows:

20.45B.260 Boundary line adjustment.

Pursuant to RCW 58.17.040, boundary line adjustments are exempt from requirements of this chapter except as provided for in this section.

A. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would allow a nonconforming dimension as specified in LUC 20.20.010 to become more nonconforming unless the adjustment equalizes more than one adjacent nonconforming lot.

B. No lot line adjustment may be approved when such action would violate an applicable requirement or condition of a previous land use action, subdivision, or short plat approval.

C. All lots modified by the boundary line adjustment procedure shall have legal access meeting the standards of the Transportation Department, the Utilities Department, and any other applicable department.

D. The processing of boundary line adjustments shall be the same as for final short plats as provided in the applicable provisions of LUC 20.45B.210 through 20.45B.230.

E. All boundary line adjustments shall be recorded surveys consistent with Chapter 58.09 RCW. All boundary lines being adjusted shall be surveyed, and newly established lot corners shall be staked.

F. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would create a nonconformity with respect to the requirements of this code.

Section 14. Section 20.50.040 of the Bellevue Land Use Code is hereby amended by the deletion of the following definition:

~~Protected Area. That area designated by LUC 20.25H.070 where use or development is subject to special limitations due to its physical characteristics.~~

Section 15. This ordinance shall take effect and be in force five (5) days after adoption and legal publication.

PASSED by the City Council this _____ day of _____, 2007, and signed in authentication of its passage this _____ day of _____, 2007.

(SEAL)

_____
Grant S. Degginger, Mayor

ATTACHMENT A

Approved as to form:

Lori M. Riordan, City Attorney

_____

Mary Kate Berens, Deputy City Attorney

Attest:

_____

Myrna L. Basich, City Clerk

Published _____