



DATE: December 10, 2008

TO: Chair Orrico and Members of the Planning Commission

FROM: Paul Inghram, Comprehensive Planning Manager 452-4070  
[pinghram@ci.bellevue.wa.us](mailto:pinghram@ci.bellevue.wa.us)

SUBJECT: 2009 Land Use Code Amendments review  
Courter Enterprises and Factoria SRO related Land Use Code Amendments

## INTRODUCTION

This memo outlines the framework for Planning Commission review of upcoming Land Use Code amendment (LUCA) proposals. The Growth Management Act provides for a process to amend development regulations to ensure consistency with the Comprehensive Plan. Staff is working to identify a list of potential Land Use Code amendments that will be brought forward for Commission review in 2009. Some of these stem directly from the GMA requirement and are largely the result of recent Comprehensive Plan amendments that require follow-on action. They also include other long-term policy issues and Code clean up identified by staff.

The LUCAs are being grouped as similar priorities. The first group includes amendments related to the 2007 **Courter Enterprises** and **Factoria SRO** Comprehensive Plan amendments. Additional amendments that are planned for 2009 include those related to the **Crossroads Center** and **Wilburton Corridor** studies. Code amendments will also be developed related to ongoing projects, such as Neighborhood Character, NPDES implementation and the Shoreline Master Program update, as well as other topics. Staff plans to brief the Commission on a schedule amendments anticipated to be developed in 2009 at an upcoming meeting.

Since the Courter and Factoria Code amendments have been largely defined by their related Comprehensive Plan amendments, staff recommends proceeding with these two amendments immediately even as the full 2009 work plan is developed.

## COURTER ENTERPRISES AND FACTORIA SRO

The private Courter Enterprises CPA sought to eliminate the nonconforming use status of the Honda Auto Center in Factoria under its existing OLB designation. This was because retail auto sales are not currently allowed in OLB zoning districts (including the Honda site) except along Auto Row at 116<sup>th</sup> Avenue. The CPA created new Factoria Subarea policy directing that retail auto sales be considered appropriate in the area where the Honda Auto Center retail auto dealership is located:

Factoria Subarea Plan

**Policy S-FA-26.5:** Retail auto sales are appropriate in OLB districts along SE 36<sup>th</sup> Street west of the ravine located at about 133<sup>rd</sup> Ave SE and east of the Newport Corporate Campus located at 132<sup>nd</sup> Ave SE.

The proposed Code amendment will modify the Land Use Districts Chart at LUC 20.10.440 to broaden the allowance of retail auto sales from 116th Avenue to include the area of Honda.

The private Factoria SRO CPA increased the allowed floor area ratio (FAR) for office on property north of Factoria Mall. This property is currently developed with a movie theater, its parking lot, and office buildings. The CPA created new Factoria Subarea policy to consider allowing office development up to a 0.75 FAR in OLB and O land use designations north of Factoria mall, with a related definition amendment in the Comprehensive Plan Glossary:

Factoria Subarea Plan

**Policy S-FA-30.1:** Consider allowing office intensity up to 0.75 FAR in the area north of Factoria Mall through application of design review, with particular emphasis on the area's contribution to Factoria's pedestrian environment and the area's "gateway" location to the Factoria commercial center.

The proposed Code amendment will modify the dimensional standard in LUC 20.20.010 for the F2 district increasing the allowed FAR from 0.6 to 0.75 and the standard for the Office district adjacent to F2 from a sliding scale with a maximum FAR of 0.5 to a maximum of 0.75. For development proposals wishing to take advantage of this policy direction the LUCA would also include amendment text requiring Design Review (LUC 20.30F).

See the ordinances in Attachments 1 and 2, respectively.

Land Use Code amendments are Process IV actions under the Land Use Code, requiring a public hearing before the Planning Commission with recommendations to the City Council for final ordinance action. Due to the straightforward nature of these two amendments, staff recommends scheduling a hearing for January 28, 2009. The draft amendments will be provided to the Commission prior to the hearing, however, no additional study sessions are anticipated unless requested by the Commission.

**ATTACHMENTS**

1. Courter Enterprises CPA Ordinance No. 5798 and location map
2. Factoria SRO CPA Ordinance No. 5799 and location map

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5798

AN ORDINANCE relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2007 amendments to the Comprehensive Plan amending the Factoria Subarea Plan.

WHEREAS, on June 25, 2007, the City Council initiated a Comprehensive Plan Amendment ("CPA") to modify the Factoria Subarea Plan (otherwise known as the Courter Enterprises CPA); and

WHEREAS, the Planning Commission held a public hearing on December 12, 2007 with regard to the Courter Enterprises CPA; and

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

WHEREAS, the City Council has considered the Courter Enterprises CPA concurrently with the other 2007 amendments; and

WHEREAS, the City Council finds that the Courter Enterprises CPA satisfies the decision criteria established in Part 20.30(I) of the Land Use Code; and

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

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

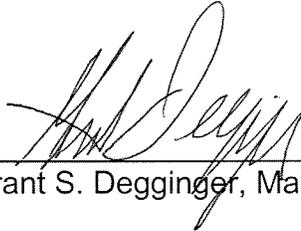
Section 1. Amendments. The Factoria Subarea Plan contained in the City of Bellevue's Comprehensive Plan is hereby amended as follows:

**POLICY S-FA-26.5** Retail auto sales are appropriate in OLB districts along SE 36<sup>th</sup> Street west of the ravine located at about 133<sup>rd</sup> Ave SE and east of the Newport Corporate Campus located at 132<sup>nd</sup> Avenue SE.

Section 2. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage and legal publication. This ordinance, the Factoria Subarea Plan and map, and the city's Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

Passed by the City Council this 25<sup>th</sup> day of February, 2008  
and signed in authentication of its passage this 25<sup>th</sup> day of February,  
2008.

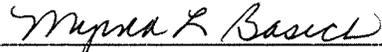
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Grant S. Degginger, Mayor

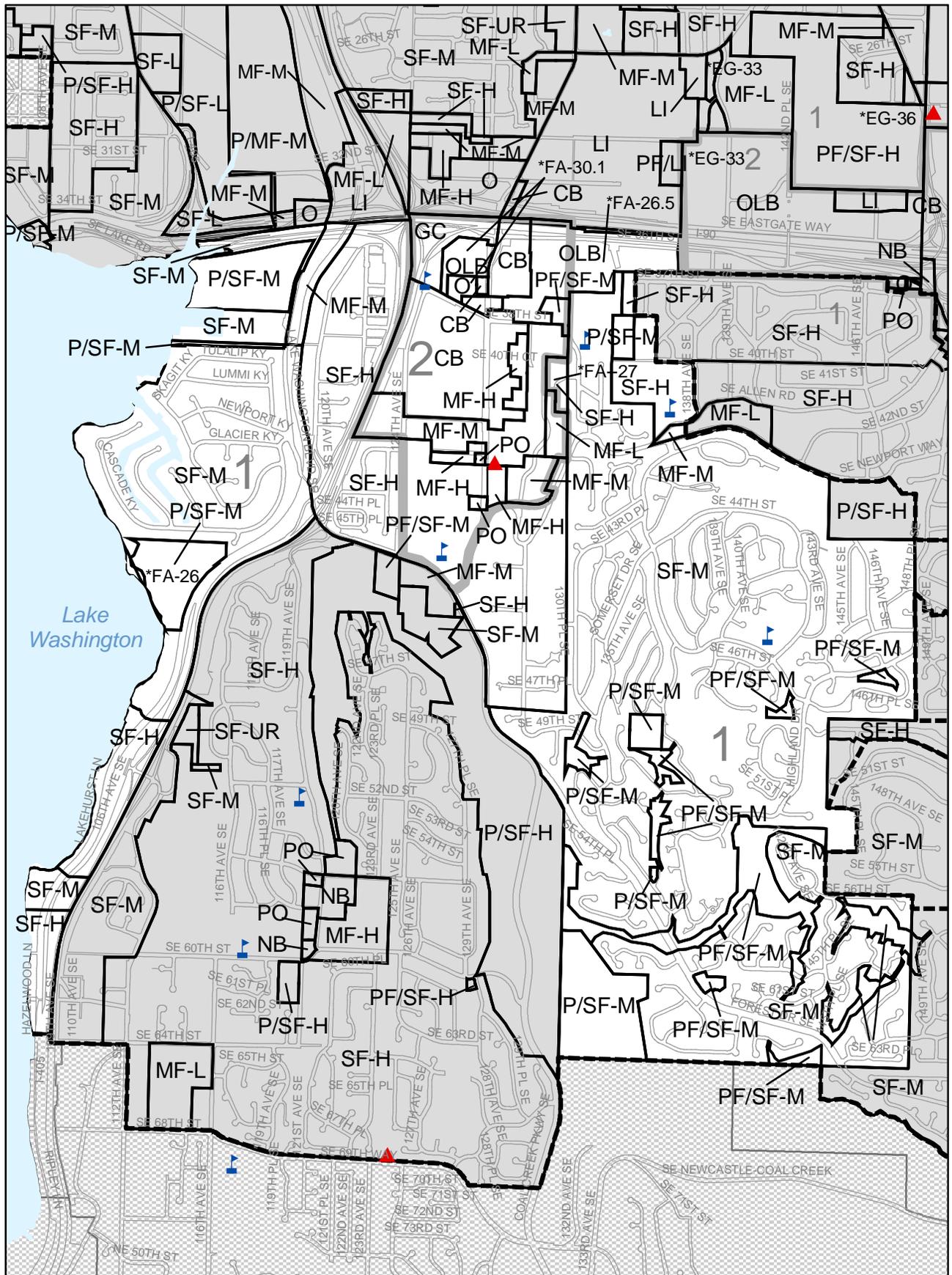
Approved as to form:

  
\_\_\_\_\_  
Lori M. Riordan, City Attorney

Attest:

  
\_\_\_\_\_  
Myrna L. Basich, City Clerk

Published February 28, 2008



**FIGURE S-FA.1**  
**Factoria Land Use Plan**

SF Single Family  
 MF Multi Family  
 -L Low Density  
 -M Medium Density  
 -H High Density  
 -UR Urban Residential

PO Professional Office  
 O Office  
 OLB Office, Limited Business  
 OLB-OS Office, Open Space  
 NB Neighborhood Business  
 CB Community Business

GC General Commercial  
 LI Light Industrial  
 PF Public Facility  
 P Park

▲ Fire Stations  
 🏫 Public Schools  
 — Planning Districts  
 - - - Bellevue City Limits (6/2005)  
 🌊 Lakes



CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5799

AN ORDINANCE relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2007 amendments to the Comprehensive Plan amending the Factoria Subarea Plan.

WHEREAS, on June 25, 2007, the City Council initiated a Comprehensive Plan Amendment ("CPA") to modify the Factoria Subarea Plan (otherwise known as the SRO Factoria CPA); and

WHEREAS, the Planning Commission held a public hearing on December 12, 2007, with regard to the SRO Factoria CPA; and

WHEREAS, after additional study sessions the Planning Commission recommended that the City Council approve such proposed amendments; and

WHEREAS, the City Council has considered the SRO Factoria CPA concurrently with the other 2007 amendments; and

WHEREAS, the City Council finds that the SRO Factoria CPA satisfies the decision criteria established in Part 20.30(I) of the Land Use Code; and

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

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

Section 1. Amendments. The Factoria Subarea Plan contained in the City of Bellevue's Comprehensive Plan is hereby amended as follows:

**POLICY S-FA-30.1:** Consider allowing office intensity up to 0.75 FAR in the area north of Factoria Mall through application of design review, with particular emphasis on the area's contribution to Factoria's pedestrian environment and the area's "gateway" location to the Factoria commercial center.

Section 2. Amendments. The Glossary of the City of Bellevue's Comprehensive Plan is hereby amended as follows:

**Office-** A land use designation that provides for the location of business, financial, administrative and professional uses.

*Discussion: A low intensity office is an office building or office portion of a building with a floor area ratio (FAR) of 0.5 or less and where the following sliding scale is used: At 0.5 FAR, no office building or portion of a building may exceed 50,000 square feet of gross floor area; at 0.3 FAR, 100,000 square feet; at 0.1 FAR, 150,000 square feet.*

*To provide significant permanent open space and to allow a shift of development potential, office intensity of no more than 0.5 is allowed on properties designated OLB-OS. In this district, the sliding FAR scale does not apply.*

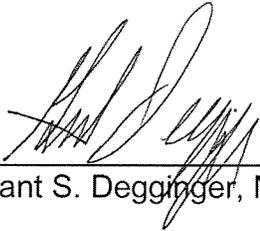
*A medium intensity office is a building of at least 0.5 FAR but not exceeding 3.0 FAR. A high intensity office is a building of at least 3.0 FAR.*

*Medium and high intensity offices are only located in the Downtown with the following exceptions: The 1993 Factoria annexation agreement created special circumstances for development in Factoria from 1993-2000 to permit office buildings of higher intensities; and office limit for FAR for the area north of Factoria Mall can be increased up to 0.75 consistent with Ordinance \_\_\_\_\_ and Policy S-FA-30.1.*

Section 3. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage and legal publication. This ordinance, the Factoria Subarea Plan and map, and the city's Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

Passed by the City Council this 25<sup>th</sup> day of February, 2008  
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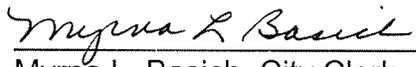
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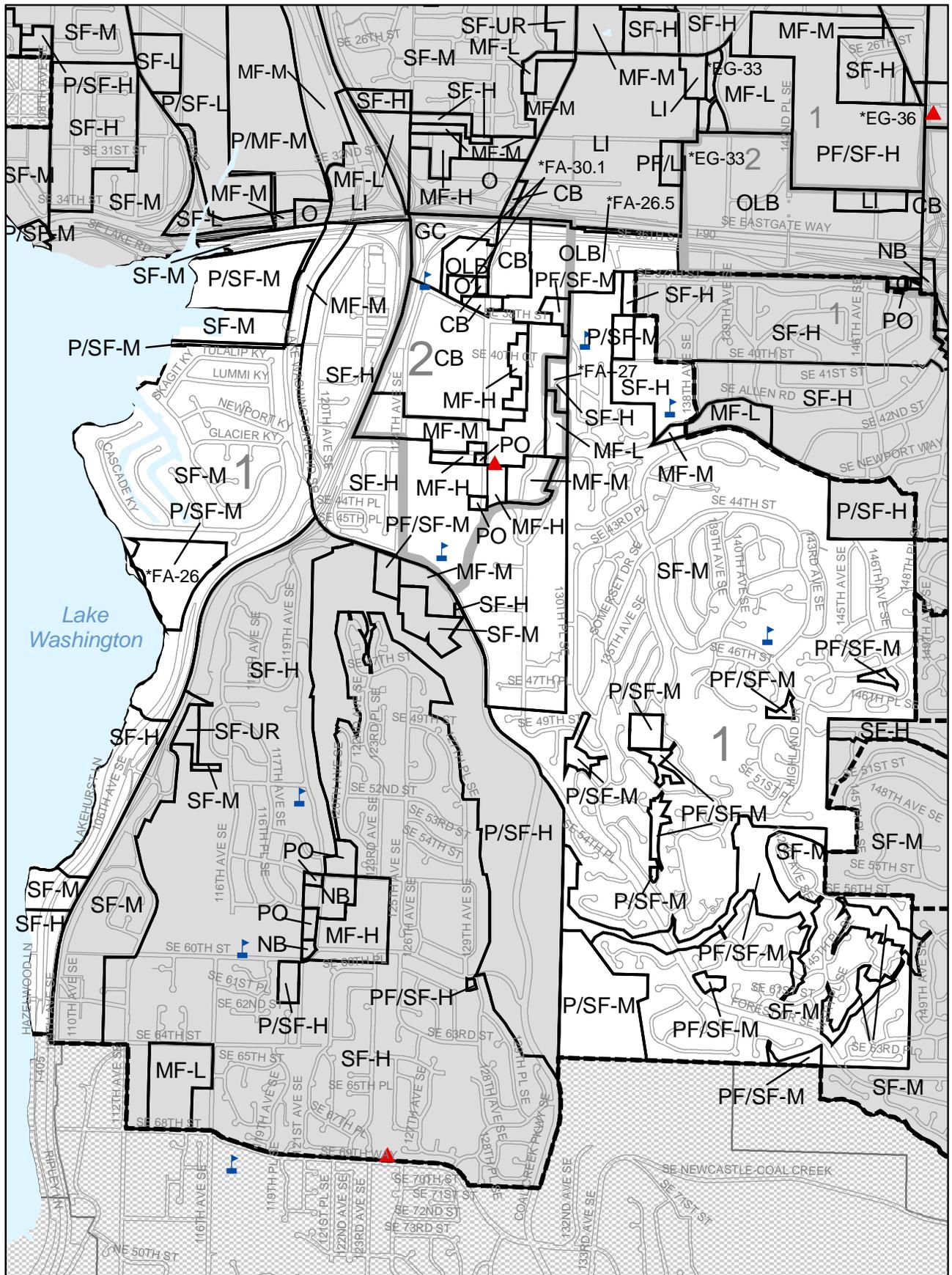
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