DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue, Development Services Department

LOCATION OF PROPOSAL: Bel-Red Subarea

DESCRIPTION OF PROPOSAL: Land Use Code Amendment to allow the Sound Transit Operations and Maintenance Satellite Facility (OMSF) to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Requires conformance to development requirements tailored to the OMSF. Requires Process I (Conditional Use) permit review if application requirements are not met.

FILE NUMBERS: 15-127182-AD **PLANNER:** Drew Folsom

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 the Land Use Division of the Development Services Department. This information is available to the public on request.

☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on

☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. 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. For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-4188.

☐ 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 is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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.

Carol V Helland
Environmental Coordinator

2/11/2016
Date

OTHERS TO RECEIVE THIS DOCUMENT:
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City of Bellevue

STAFF REPORT

DATE: February 11, 2016

TO: Mayor Stokes and Members of the City Council

FROM: Carol Helland, Land Use Division Director 452-2724
Drew Folsom, Associate Planner 452-4441
Development Services Department

SUBJECT: Sound Transit Operations and Maintenance Satellite Facility (OMSF) Procedural Streamlining Land Use Code Amendment, File No. 15-127182-AD

INTRODUCTION

On November 16, 2015, Council initiated an amendment to the Bellevue Land Use Code (LUC) to allow the Sound Transit Operations and Maintenance Facility (OMSF) to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure.

If adopted, the Land Use Code Amendment (LUCA) will add development requirements to any future review of a Master Development Plan and Design Review for an OMSF use. The development requirements applicable to the OMSF use are listed in the proposed Procedural Streamlining Land Use Code Amendment for OMSF Permit Review (Attachment 1) section 20.25D.105.D.2. If these requirements are not met, an OMSF use would require Process I (Conditional Use) permit review. The LUCA would also provide an administrative modification process to modify or waive provisions of the Land Use Code subject to the criteria described in paragraphs 20.25D.105.D and E.

The City and Sound Transit entered into an Amended and Restated Umbrella Memorandum of Understanding in May 2015 (2015 MOU, Attachment 2) that described the City's intent to initiate a code amendment process that would allow the OMSF to be approved under Process II review procedures. The purpose of the Land Use Code Amendment is to:

1. Provide certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF; and
2. Ensure that the design, development, construction and operation of the OMSF is consistent with the Bel-Red Subarea Plan Policies.

BACKGROUND

The City and Sound Transit entered into an Amended and Restated Umbrella Memorandum of Understanding in May 2015 (2015 MOU) that described the City's

intent to initiate a code amendment process that would allow the OMSF to be approved under Process II permit review procedures.

The 2015 MOU specifies that should the Sound Transit Board select an OMSF in Bellevue, and the OMSF project includes the design elements contained in Section 20.2 of the 2015 MOU, the City will initiate a code amendment process to consider allowing the OMSF under a Process II permit.

In accordance with the terms of the 2015 MOU, Sound Transit incorporated the design elements contained in Section 20.2 into the environmental review of the OMSF. On October 22, 2015, the Sound Transit Board selected the Bellevue site for the OMSF acknowledging that Section 20 of the 2015 MOU becomes operative, imposing certain requirements on both parties relating to advancing the project.

Shortly after selection of the Bellevue site, the Federal Transit Authority (FTA) issued the Record of Decision (ROD) for the OMSF. The ROD specifically references Section 20 of the 2015 MOU and notes that additional project elements have been included in the project to make the OMSF more compatible with the visions and policies of the Bel-Red Subarea plan. As the project advances and Sound Transit develops the design-build procurement for the OMSF project, the City will be included in the review of the project requirements to verify inclusion of the design elements into the project.

When the City Council initiated the proposed LUCA at its Study Session on November 16, 2015, the Council also indicated that the required public hearing associated with amendments be held by the City Council. The Public Hearing scheduled for March 7, 2016 will satisfy the requirements for adoption of the proposed LUCA by the City Council, which is scheduled for March 21, 2016. This Staff Report analyzes the decision criteria in the Land Use Code that must be met to support adoption of the proposed LUCA.

PROPOSAL SUMMARY:

The proposed Land Use Code Amendment would:

1. Add definitions to the Bel-Red Overlay for Operations and Maintenance Satellite Facility and Regional Transit Facility:
2. Add the OMSF use to the Bel-Red Use Chart;
3. Allow the OMSF use to be permitted through approval of a Master Development Plan and associated Design Review (Process II) approval when design elements contained within the 2015 MOU section 20.2 have been included within the OMSF permit application package(s);
4. Require Conditional Use Permit approval when application requirements for a Master Development Plan and Design Review have not been met;
5. Add Development Requirements tailored to the OMSF use that require:
    a. Inclusion of design elements agreed to in the 2015 MOU;
    b. Limitation on the number of cars to be served or stored at the OMSF to no more than 96;
    c. Regional Transit Board approval of the site in Bellevue (which was accomplished on October 22, 2105);

d. Conformance with a prescribed list of Bel-Red code sections that include landscape standards, fencing requirements, parking, circulation and internal walkway requirements, and prescribed building materials as well as conformance with design guidelines addressing height limits, setbacks, control of light and glare, mechanical equipment standards, provisions for recycling and solid waste collection, and treatment of critical areas.

A copy of the proposed LUCA language is included in this report as Attachment 1.

REVIEW PROCESS

A LUCA is reviewed through Process IV per LUC 20.35.400 - .450. This LUCA was presented to Council at a Study Session on November 16, 2015. Council is scheduled to hold a public hearing on March 7, 2016 and final action is scheduled to be taken by the Council on March 21, 2016, based on specific decision criteria set forth in the Code.

DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

A. The amendment is consistent with the Comprehensive Plan; and

The Comprehensive Plan General Elements as well as the Bel-Red Subarea Plan contain policies applicable to this LUCA proposal. The most relevant policies are listed below:

Land Use Element:
Policy LU-3: *Promote a land use pattern and an integrated multimodal transportation system.*

Policy LU-27: *Encourage the master planning of multi-building and multi-parcel developments and large institutions to emphasize aesthetics and community compatibility. Include circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan.*

Finding: The Land Use Code Amendment promotes an integrated multimodal transportation system by providing certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF.

The amendment encourages the use of design elements that make the OMSF more compatible with the visions and policies of the Bel-Red Subarea plan. These elements include landscaping, circulation, building location and design.

Transportation Element
Policy TR-40: *Work actively and cooperatively with other Eastside jurisdictions and regional and state agencies to plan, design, fund and construct regional transportation projects that support the city's Comprehensive Plan.*

Policy TR-90: *Partner with transit providers and work closely with neighborhoods, businesses and other stakeholders in the design of transit stations and facilities to integrate them into the community as follow:*

1. *Incorporate context-sensitive design that considers neighborhood objectives and superior urban design;*

2. *Integrate art, public spaces and other public amenities;*

3. *Utilize art, public spaces and other public amenities;*

4. *Integrate substantial landscaping at stations and along the alignment, and*

5. *Protect sensitive residential, outdoor recreation, and commercial land uses by minimizing and mitigating environmental, traffic and noise impacts.*

Finding: The Land Use Code Amendment provides certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF. The amendment supports the City's Comprehensive Plan and will make the proposed OMSF more integrated with the community by incorporating design elements consistent with the Bel-Red Subarea Comprehensive Plan. In return for the inclusion of design features identified in the 2015 MOU to better integrate the OMSF into the community, the LUCA provides for streamlining of applicable permitting procedures to increase predictability and decrease cost.

Bel-Red Subarea:

Policy S-BR-70: *Work with Sound Transit to determine the need for a future light rail maintenance facility in Bel-Red, and if needed, to locate it where compatible with planned land uses and transportation facilities and services.*

Finding: The amendment represents the City partnering with regional agencies to promote a future-focused design and project integration into the surrounding community. The proposal supports a sustainable transportation system and provides interconnected multimodal paths promoting health and societal welfare. The incorporation of design review will create a sense of place with particular emphasis placed on pedestrian access and transit oriented development (TOD).

B. The amendment enhances the public health, safety or welfare; and

Finding: Through adherence to design elements in the 2015 MOU the development will incorporate features within their proposals that enhance the public health, safety and welfare – such as streetscapes and interconnected multimodal paths promoting health and welfare.

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

Finding: The amendment is not contrary to the interests of citizens and property owners as it will provide certainty and predictability for the City; and ensure that the design, development, construction and operation of the OMSF is consistent with the Bel-Red Subarea Plan Policies and compatible with the surrounding area.

STATE ENVIRONMENTAL POLICY ACT

The application for SEPA review and an expected SEPA Determination of Nonsignificance was noticed on November 25, 2015. The minimum comment period ended on December 10, 2015, but public comments are accepted up until issuance of the threshold determination. No comments have been received as of the writing of this staff report. The following is a summary of the environmental review for this proposal:

A. Environmental Record

The environmental summary consists of analysis based on the following documents and studies in the environmental record or, if noted, incorporated by reference.

- Environmental Checklist, Supplemental Sheet for Nonproject Actions, prepared by Trish Byers, Code Development Manager, City of Bellevue Development Services Department, dated November 24, 2015.
- Draft Proposed Land Use Code Amendment; File No. 15-127182-AD.
- 2015 Amended and Restated Umbrella Memorandum of Understanding.
- Map of Bel-Red Subarea.

B. Proposed Timing and Phasing

The Council is scheduled to hold a public hearing on the amendment on March 7, 2016. The City Council is then scheduled to act on the amendments on March 21, 2016.

C. Environmental Summary

Purpose and Need:

The City and Sound Transit entered into an Amended and Restated Umbrella Memorandum of Understanding in May 2015 (2015 MOU) that described the City's intent to initiate a code amendment process that would allow the OMSF to be approved under Process II review procedures. The purpose of the Land Use Code Amendment is to:

1. Provide certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF; and
2. Ensure that the design, development, construction and operation of the OMSF is consistent with the Bel-Red Subarea Plan Policies

Major Conclusions, Significant Areas of Controversy and Uncertainty:
The major conclusions are that the proposal will increase certainty of the review process; and provide additional design requirements making the project more compatible with the Bel-Red Subarea Plan Policies and the surrounding area. Environmental review of the OMSF site was undertaken by Sound Transit and completed through issuance of an Environmental Impact Statement. There are no known significant areas of controversy or uncertainty.

Issues to be Resolved, Including Environmental Choices to Made Between Alternatives Courses of Action
Adoption of the proposed Land Use Code Amendment will permit any OMSF with specific design characteristics and mitigation measures to be permitted through the approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Requires conformance to development requirements tailored to the OMSF. Requires Process I (Conditional Use) permit review if application requirements are not met. The LUCA would also provide an administrative modification process to modify or waive provisions of the Land Use Code subject to the criteria described in paragraphs 20.25D.105.D and E.

The alternative course of action would be to not adopt the proposed Land Use Code Amendment. If the Land Use Code Amendment is not adopted any proposed OMSF use would be processed as a Process I (Conditional Use) permit. The Development Requirements and Administrative Modification Process proposed for inclusion in the Land Use Code Amendment paragraphs 20.25D.105.D and E would not be applicable to future OMSF uses, which would be processed as an Essential Public Facility, if proposed.

D. Conclusion and Determination
For the proposed LUCA, environmental review indicates no probability of significant adverse environmental impacts. Therefore, issuance of a **Determination of Non-Significance** pursuant to WAC 197-11-340 and Bellevue City code 22.02.034 is appropriate.

Other adverse impacts that are less than significant may be mitigated pursuant to Bellevue City Code 22.02.140, RCW 43.21C.060, and WAC 197-11- 660.

E. Mitigation Measures

There are no recommended SEPA-based mitigating measures for this proposal. The lead agency has determined that the requirements for environmental mitigation have been adequately addressed in the development regulations and comprehensive plans adopted under Chapter 36.70A RCW and in other applicable local, state or federal laws or rules, as provided by RCW 42.21C.240 and WAC 197-11-158.

RECOMMENDATION

Move to direct staff to prepare a final ordinance to approve the proposed Procedural Streamlining Land Use Code Amendment for OMSF uses, File No. 15-127182-AD.

NEXT STEPS

November 16, 2015:	City Council Study Session (completed)
March 7, 2016:	Public Hearing
March 21, 2016:	Council Final Action

ATTACHMENTS

1. Proposed Land Use Code Amendment
2. 2015 Amended and Restated Umbrella Memorandum of Understanding
3. Bel-Red Subarea Map
4. SEPA Checklist

2015 MOU Land Use Code Amendment for OMSF Permit Review

Section 1.

20.25D.020 Definitions Specific to Bel-Red.

A. Bel-Red Definitions.

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

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

Battery Charging Station. An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standard, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the Building Code Council for electric vehicle infrastructure requirements.

Battery Exchange Station. A fully automated facility that will enable an electric vehicle with an interchangeable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the Building Code Council for electric vehicle infrastructure requirements. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

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

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

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

Electric Vehicle Infrastructure. Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

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

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

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

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

Operations and Maintenance Satellite Facility (OMSF). A type of essential public facility, and refers to a regional light rail transit facility component used for overnight storage and maintenance of the expanded fleet of light rail vehicles as described in the Sound Transit "Link Operations and Maintenance Satellite Facility Environmental Scoping Information Report" dated September 2012, and other related documents.

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

Rapid Charging Station. An industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meet or exceed any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the Building Code Council for electric vehicle infrastructure requirements.

Regional Transit Authority (RTA). Regional Transit Authority" refers to an agency formed under the authority of Chapters 81.104 and 81.112 RCW to plan and implement a high capacity transportation system within a defined region.

Required Ground Floor Uses. Retail and commercial activities or a combination thereof as permitted by LUC 20.25D.070 that are required to be located on the ground floor. Ground floor uses shall be located as indicated in LUC Figure 20.25D.130.A.

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

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

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

B. General Definitions Not Applicable to Bel-Red.

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

Section 2.

20.25D.070 Land Use Charts.

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

Chart 20.25D.070

Transportation and Utilities Uses in Bel-Red Land Use Districts.

		Transportation and Utilities – Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office/ Node BR-MO/ MO-1	Bel-Red Office Residential/ Nodes BR-OR/ OR-1 OR-2	Bel-Red Residential Commercial Nodes BR-RC-1 RC-2 RC-3	Bel-Red Residential BR-R	Bel-Red General Commercial BR-GC	Bel-Red Commercial Residential BR-CR	Bel-Red Office Residential Transition BR-ORT
4	Transportation, Communications and Utilities							

		Transportation and Utilities – Bel-Red Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Bel-Red Medical Office/ Node BR-MO/ MO-1	Bel-Red Office Residential/ Nodes BR-OR/ OR-1 OR-2	Bel-Red Residential Commercial Nodes BR-RC-1 RC-2 RC-3	Bel-Red Residential BR-R	Bel-Red General Commercial BR-GC	Bel-Red Commercial Residential BR-CR	Bel-Red Office Residential Transition BR-ORT
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C/C	C/C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters					C		
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (15)	C/	C/			C		
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 1	C 1					
	Accessory Parking (2,3,16)	P/P	P/P	P	P 4	P	P	P
46	Auto Parking Commercial Lots and Garages (5, 16)	/P	/P	P				
	Park and Ride (6, 16)		C/C	C				

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Bel-Red Districts						
		Bel-Red Medical Office/ Node	Bel-Red Office Residential/ Nodes	Bel-Red Residential Commercial Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
475	Radio and Television Broadcasting Studios							
485	Solid Waste Disposal (7)							
	Highway and Street Right-of-Way (8, 16)	P	P/P	P	P	P	P	P
	Utility Facility	C	C/C	C	C	C	C	C
	Local Utility System	P	P/P	P	P	P	P	P
	Regional Utility System	C	C/C	C	C	C	C	C
	On- and Off-Site Hazardous Waste Treatment and Storage Facilities							
	Essential Public Facility (9)	C	C/C	C	C	C	C	C
	Regional Light Rail Transit Systems and Facilities (17)	C/P	C/P	C/P	C/P	C/P	C/P	C/P
	Operations and maintenance satellite facility (OMSF)	(18)	(18)		(18)	(18)		

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Bel-Red Districts						
		Bel-Red Medical Office/ Node	Bel-Red Office Residential/ Nodes	Bel-Red Residential Commercial Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
	Wireless Communication Facility (WCF): (without WCF Support Structures)	10, 11, and 12	10, 11, and 12	10, 11, and 12	10, 11, and 12	10, 11, and 12	10, 11, and 12	10, 11, and 12
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	10, 11	10, 11	10, 11	10, 11	10, 11	10, 11	10, 11
	Satellite Dishes (13)	P	P/P	P	P	P	P	P
	Electrical Utility Facility (14)	A C/A C	A C/A C	A C	A C	A C	A C	A C

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

Key

P – Permitted Use

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

A – Administrative Conditional Use (see Part 20.30E LUC)

Notes: Uses in land use districts – Transportation and Utilities.

(1) Aircraft transportation is limited in these districts to government and hospital heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.

(2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to Chart 20.25D.070.

(3) The location of an off-site parking facility shall be approved by the Director. See LUC 20.25D.120.

(4) Accessory parking is not permitted in the BR-R land use district as accessory to any use that is not permitted in BR-R.

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

(6) 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 established use, shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a conditional use permit.

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

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

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

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

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

(12) Antennas 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.

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

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

(15) Battery Exchange Stations are ancillary to Motor Vehicle Transportation, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(16) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.

(17) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A Conditional Use Permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance, or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.

(18) Refer to LUC 20.25D.105 for specific requirements applicable to EPF defined as an Operations and Maintenance Satellite Facility (OMSF) pursuant to LUC 20.25D.020. An OMSF is permitted through approval of a Master Development Plan and associated Design Review (Process II) when the application conditions of LUC 20.25D.105.C have been met. When the application conditions of LUC 20.25D.105.C have not been met, an OMSF shall require approval through a Conditional Use Permit (Process I) and shall meet the requirements of LUC 20.20.350 in addition to the requirements of LUC 20.25D.105.D.

Section 3.

20.25D.105 Operations and Maintenance Satellite Facility Development Requirements.

A. Applicability. This section applies to property where the use, construction, or installation of an OMSF is proposed, including areas disturbed temporarily during construction and identified for mitigation of permanent and temporary impacts related thereto.

B. Purpose. The purpose of this part is to:

1. Provide certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF;

2. Provide a mechanism for addressing any applicable Land Use Code requirements that are impractical or infeasible for an OMSF;

3. Facilitate transparent and efficient decision making and interagency cooperation between the City of Bellevue and the Regional Transit Authority;

4. Ensure that the design, development, construction and operation of the OMSF is consistent with applicable Comprehensive Plan and Subarea Plan Policies; and

5. Ensure that the development, construction and operation of the OMSF complies with applicable Bellevue City Codes, including without limitation the noise control code, Chapter 9.18 BCC, and the environmental procedures code, Chapter 22.02 BCC.

C. Who May Apply. A Regional Transit Authority authorized under Chapter 81.112 RCW, as may be hereinafter amended, may apply for Master Development Plan and Design Review approvals required by the terms of LUC 20.25D.070 Transportation and Utilities Chart Note (18) to develop an OMSF; provided, the following conditions have been satisfied for all properties affected by the permit application:

1. The Regional Transit Authority has completed environmental review of the OMSF site identified in the City of Bellevue; and

2. Design elements agreed to in any MOU between the Regional Transit Authority and the City of Bellevue have been included in the environmental review completed to support siting and development of the OMSF; and,

4. The OMSF is designed to serve or accommodate storage of no more than 96 cars; and,

5. A final decision regarding location of the OMSF site has been made by the Regional Transit Authority.

D. Applicable Land Use Code Provisions.

1. Applicable Bel-Red Land Use District Sections Incorporated by Reference. Predictability and certainty with respect to substantive Land Use Code requirements ensures that an OMSF design is sensitive to the context of the underlying land use district, and that temporary and permanent impacts are appropriately mitigated. The following Bel-Red Land Use District sections of the Land Use Code are expressly incorporated into the provisions of this Section 20.25D.105 and made applicable to an OMSF within that land use district:

a. LUC 20.25D.010 – General;

b. LUC 20.25D.020 – Definition Specific to Bel-Red;

c. LUC 20.25D.030 – Review Required;

d. LUC 20.25D.050 – Permitted Uses;

e. LUC 20.25D.070 – Transportation and Utilities Use in Bel-Red Land Use Districts;

f. LUC 20.25D.110.B, D, E, F – Various Landscape Standards;

g. LUC 20.25D.110.H – Fences;

h. LUC 20.25D.120 – Parking, Circulation and Internal Walkway Requirements;

i. LUC 20.25D.130.E – Building Materials;

j. LUC 20.25D.150 – Design Guidelines

2. The following development requirements shall apply to the OMSF use in addition to the provisions contained in paragraph D.1 above.

a. Dimensional Requirements

i. Height Limitations. The height limitation applicable to OMSF structures is 45 feet.

ii. Setbacks. On 120th Ave NE, the minimum setback applicable to the OMSF facility is as agreed to between the Regional Transit Authority and the City. On perimeter property lines other that 120th Ave NE, the setback to the OMSF facility is determined by the landscaping required by paragraph D.2.b below.

b. Landscaping for OMSF Use.

i. The OMSF use requires 15 feet of Type I landscaping pursuant to the requirements of LUC 20.20.520.G.1 on all sides of the facility when not housed within a building. Type V landscaping is required within all parking areas.

ii. Existing Vegetation in Lieu of Landscape Development. If the proposal is located within the Critical Areas Overlay District, the Director may waive the planting requirements of paragraph D.2.b.i of this section and allow the use of native vegetation that exists within a critical area or within a critical area buffer in lieu of landscape development if the width of that existing vegetated area equals at least twice the dimension required by paragraph D.2.b.i of this section and the dense sight barrier purpose of the Type I landscaping is achieved. Supplemental landscaping may also be added adjacent to a buffer to create the necessary width.

iii. The Director will allow the planting requirements of paragraphs D.2.b.i of this section to be satisfied within a critical area buffer where landscaping is added pursuant to a habitat improvement plan meeting the requirements of LUC 20.25H.055, provided that the dense sight barrier purpose of the Type I landscaping is achieved.

iv. All landscaping of the OMFS shall comply with the provisions contained in LUC 20.20.520.F.5, F.8, and I.

v. Additional Landscaping Provisions:

(1) Landscape development required by this paragraph shall be installed and maintained pursuant to the guidance set forth in the Environmental Best Practices and Design Standards (Bellevue Parks Department 2006), now or hereafter amended.

(2) Maintenance of Landscape Screening. Landscape screening is required to be maintained by the owner of the OMSF for the life of the project. Maintenance of landscape screening may be reassigned pursuant to voluntary written agreement filed with the Development Services Department and King County Recorder's Office or its successor agency.

(3) The applicant may request a modification of the landscape requirements contained in the section pursuant to the provisions of LUC 20.20.520.J; provided, however, that modification of the provisions of paragraph D.2.b.ii of this section shall not allow disturbance of a critical area or critical area buffer.

c. Light and Glare. The provisions of LUC 20.20.522 shall apply to the generation of light and glare from OMFS facilities.

d. Mechanical Equipment. Mechanical equipment shall be required to meet the requirements of LUC 20.20.525. Any mechanical screening associated with the OMSF shall be consistent with the landscaping requirements of paragraph B of this section.

e. Recycling and Solid Waste. Solid waste and recyclable material collection areas shall be provided for workers maintaining and operating the OMSF and for removal of waste generated by operation of the OMSF. The applicable sections of LUC 20.20.725 shall apply.

f. Critical Areas.

i. General. The provisions of Part 20.25H LUC, Critical Areas Overlay District, apply except as modified pursuant to the provisions of this paragraph f or paragraph 20.25D.105.E.

ii. An applicant seeking approval of an OMSF is not required to demonstrate that no technically feasible location alternative with less impact exists; provided, that the the application conditions of LUC 20.25D.105.C have been met. If the application conditions of LUC 20.25D.105.C have not been met, the Regional Transit Authority will be required to demonstrate that no technically feasible location alternative exists consistent with the terms of LUC 20.25H.055.C.2.a.

E. Administrative Modification Process. Due to the unique nature of an OMSF use, strict application of LUC provisions will not always be practical or feasible. The purpose of this paragraph is to provide an administrative modification process to modify or waive provisions of the Land Use Code when the strict application will render the construction or operation of the OMFS impracticable or infeasible.

1. Decision Criteria. The City, including the Director, may approve or approve with conditions a modification or waiver from the provisions of the Land Use Code if the following criteria have been met:

a. The modification or waiver is the minimum reasonably necessary to make construction or operation of the OMSF practicable and feasible; or

b. The modification or waiver is reasonably necessary to implement or ensure consistency with other related actions approved by the City Council with respect to the OMSF including, but not limited to, any development agreement between the City and the Regional Transit Authority.

2. Limitation on Authority. The Director may not grant a modification or waiver to:

a. The provisions of LUC 20.25D.070 establishing the allowable uses in each land use district in Bel-Red.

b. The provisions of Chapters 20.30 and 20.35 LUC or any other procedural or administrative provision of the Land Use Code; or

c. Any provision of the Land Use Code or this overlay which, by the terms of the code or overlay, are specifically identified as not subject to modification or waiver, unless such modification is necessary to comply with the terms of subsection E.1.b of this section.

Excerpt of the Amended and Restated Umbrellas Memorandum of Understanding (May 2015)

20.3 The City will initiate the code amendment process to consider allowing the OMSF under a Process II permit as described in Exhibit K, attached and incorporated herein, within thirty (30) days of the Sound Transit Board's selection of the OMSF project to be built, provided the design elements described in Section 20.2 are included as part of the project scope for the OMSF. The legislative action identified in this section is subject to final decision by the Bellevue City Council, and nothing in this MOU shall constitute a waiver of that authority or a commitment to any particular final decision.

18.3 Each Designated Representative is also responsible for coordinating the input and work of its agency, consultants, and staff as it relates to the objectives of this MOU. The parties reserve the right to change Designated Representatives, by written notice to the other party during the term of this MOU. Each party's Designated Representative is identified in Exhibit H-1, attached and incorporated herein.

19.0 NOTICE

19.1 Unless otherwise provided herein, all notices and communications concerning this MOU shall be in writing and addressed to the Designated Representative. Any party at any time by written notice to the other party may designate a different address or person to which such notice or communication shall be given.

19.2 Unless otherwise provided herein, all notices shall be either: (i) delivered in person, (ii) deposited postage prepaid in the certified mails of the United States, return receipt requested, (iii) delivered by a nationally recognized overnight or same-day courier service that obtains receipts, or (iv) delivered electronically to the other party's Designated Representative as listed herein. However, notice under Section 14, Termination, must be delivered in person or by certified mail, return receipt requested.

20.0 OPERATIONS AND MAINTENANCE SATELLITE FACILITY

20.1 The parties acknowledge that environmental review of the OMSF sites is ongoing and that the Sound Transit Board has not made a final decision regarding the OMSF site. Upon execution of this MOU, Sound Transit shall incorporate the design elements contained in Section 20.2 in its environmental review of the OMSF. The parties agree to the terms in this Section to address items of mutual concern in the event that the Sound Transit Board ultimately selects an OMSF site in Bellevue after completion of the Final EIS.

20.2 The design elements described in this Section 20, which support and complement the Bel-Red Subarea Plan vision, and which also work to sustain the value of Sound Transit's potential future surplus property and encourage timely TOD in furtherance of the Bel-Red Subarea Plan vision, will be included in the appropriate phases of engineering design of the OMSF. If an OMSF site in Bellevue is selected, the following design elements will be included as a part of the OMSF project scope:

(a) Water, sewer, storm sewer, electrical, natural gas, communications (e.g. fiber, cable) utilities , sized adequately to serve the future development identified through the process described in Section 20.4. The utilities will be designed and constructed by Sound Transit, at the appropriate phase of engineering and development, with stub-outs to each of the future development parcels as generally depicted and described in the

Development Scenario – Phase 1, attached and incorporated herein as Exhibit I-1.

(b) Allow future TOD construction on Parcels 1-5 with minimal disruption to OMSF, as generally depicted and described in the Development Scenario Phases 1 and 2, attached and incorporated herein as Exhibits I-1 and I-2 including, without limitation: (i) a structural shear wall between the maintenance building and wash bay designed to allow development of a partially cantilevered structure on Parcel 5; (ii) providing points of access to such development parcels from 120th Ave NE; (iii) designing traction power system such that segments can be powered off temporarily; and (iv) other such items identified as necessary during design to allow future TOD construction.

(c) Design the OMSF site to accommodate construction and location of the future street network within and adjacent to the OMSF to support all the potential TOD parcels (Phases 1 and 2), the raised vehicle and pedestrian access roadway south of TOD Parcels 1 and 2, and provide access from 120th Ave NE to permanent parking on the OMSF site for Sound Transit employees in the approximate locations shown on Exhibit I-1 and I-2 consistent with City standards, including curb (regular and raised), gutters, sidewalks, surface water drainage, landscaping, and street and pedestrian lighting, and supporting the potential future relocation of 120th Avenue NE.

(d) Design Integration of the OMSF with surrounding architecture and future potential TOD development, as shown on Development Scenario Phases 1 and 2, Exhibit I-1 and I-2, including permanent parking for Sound Transit employees with access from 120th Ave NE. Such design integration must be consistent with the then applicable Bel-Red zoning and design guidelines and standards, and include accommodation of screening the OMSF along 120th Ave. NE. At a minimum, and without modifying any of the requirements of the Land Use Code, design integration will require:

(i) An appropriate TOD edge, with any structures architecturally compatible with urban TOD design and anticipated Bel-Red development as a Phase 1 condition along 120th Ave NE, including the maintenance building interface with 120th Ave NE.

(ii) Separation between the OMSF development and the current alignment of 120th Avenue NE sufficient to allow the future TOD Parcels 1-5 as generally depicted in Exhibits I-1 and I-2, with interim conditions for this area established by the design standards and guidelines applicable to Bel-Red.

(iii) Site design to ensure visual relief and pedestrian safety, through fencing and landscaping, along boundary with the ERC to

complement the regional recreational experience of the ERC trail contemplated in subsection (h) below.

(iv) Temporary outdoor storage shall have visual screening from 120th Ave. NE, the ERC, and adjoining properties provided by perimeter fencing and/or landscaping.

(v) All heavy maintenance, major repair activities, and exterior vehicle washing shall occur inside enclosed structures.

(e) 120th Avenue NE frontage improvements, which will be limited to a 14-foot wide asphalt or pervious pavement interim multipurpose path, separated from the roadway, along the western edge of the current alignment of 120th Avenue NE and landscaping along 120th Avenue NE. Notwithstanding the foregoing, Sound Transit acknowledges that future overlay of the roadway may be required as condition of the ROW use permit.

(f) Upon completion and acceptance by the City of the frontage improvements and landscaping described above, the City may request the "Sound Transit Property" be dedicated to the City in fee simple. In exchange for such dedication, the City shall transfer the "City Parcel #1099100104" to Sound Transit pursuant to any applicable requirements. The "Sound Transit Property" and "City Parcel #1099100104" referred to herein are as generally depicted and described in the Property Exchange Exhibit J, attached and incorporated herein.

(g) Bike and pedestrian connections between the future East Side Rail Corridor ("ERC") trail system to 120th Avenue NE, consistent with City standards, as depicted in Exhibit I-1. The trail on the north side of OMSF shall be constructed at the same time and in the same manner as the ERC interim trail described in subsection h below. The south trail, which is a raised facility, shall be built concurrent with the street network on the south side of the OMSF identified in subsection (c) above. Public easements over both trail connections shall be provided subject to terms acceptable to the City and Sound Transit.

(h) Collaborate with King County to designate a location within the ERC where an interim trail may be developed from the pedestrian connection between the Hospital Station and 116th Ave to SR520. Consistent with existing legal relationships within the corridor, facilitate and finance construction of the interim trail generally consistent with the crushed rock development method in the City of Kirkland interim trail. Sound Transit shall use its best efforts to obtain the approvals necessary from King County and any other necessary approvals in order to facilitate construction of the interim trail concurrent with development of East Link Project and the OMSF facility. It is acknowledged that Sound Transit may

be required to actually construct the improvements in order to meet this objective.

(i) The City of Bellevue acknowledges the extensive work completed to date by Sound Transit to identify and evaluate suitable and feasible wetland mitigation sites in Kelsey Creek basin for East Link and further acknowledges that additional feasible mitigation sites in the West Tributary Kelsey Creek basin are lacking. Accordingly, if further design, development and environmental review of the OMSF project, including all of the design and other features described herein identify wetland impacts, mitigation for such impacts shall be provided pursuant to the requirements of the City of Bellevue Land Use Code provisions, including Section 20.25H.105, while considering prior efforts as described above.

(j) Accommodate future daylighting of the creek, as depicted and generally described in Exhibit I-2.

(k) Design the interim employee surface parking located at the southern end of the OMSF site in a manner that allows the area to be integrated into a future development as part of a permanent parking solution associated with the future TOD Development Parcel 3, Phase 1.

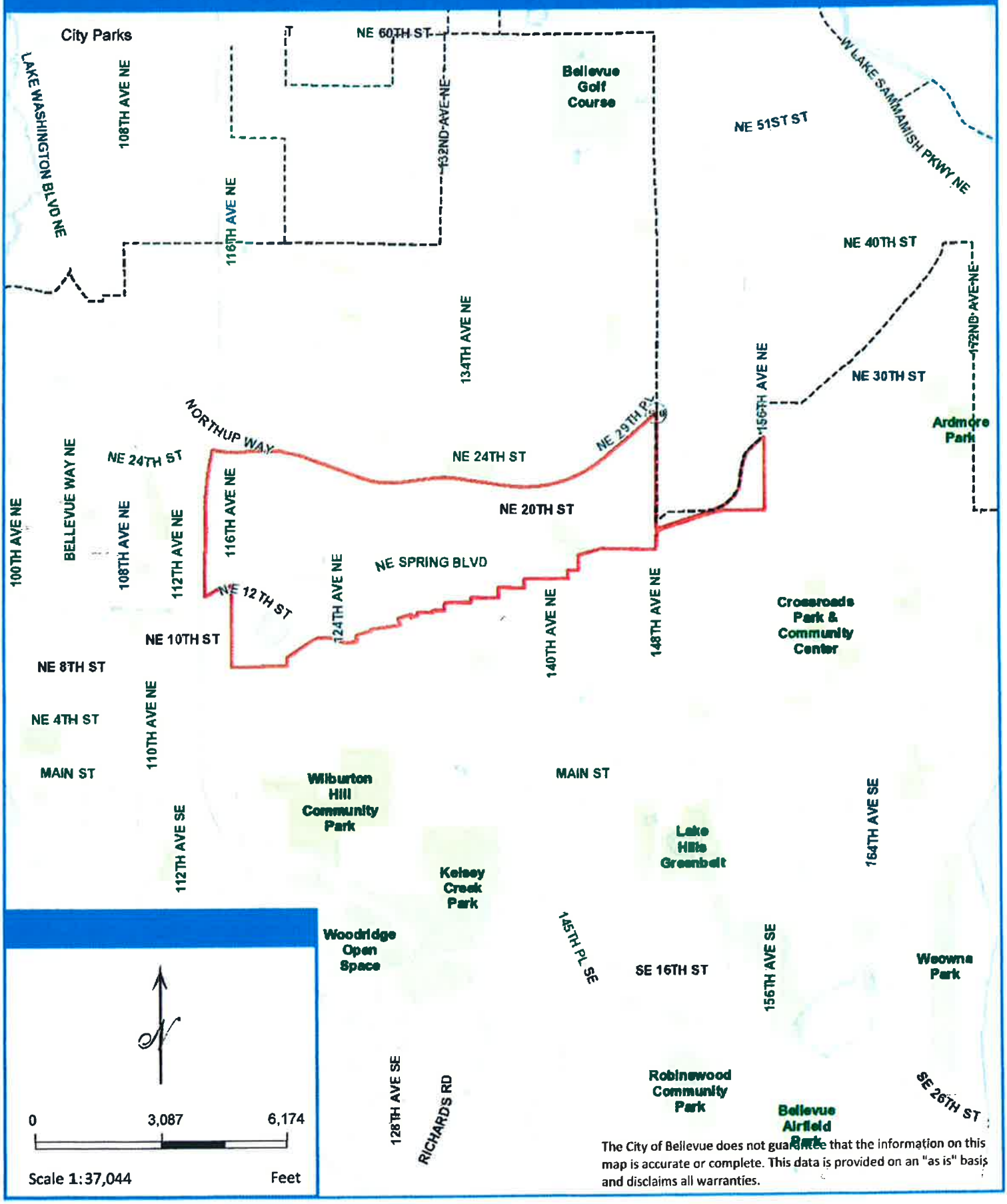
(l) The EIS for the OMSF shall include analysis of construction noise and vibration impacts to Children's Hospital and Bellevue Clinic and Surgery Center.

(m) Sound Transit agrees that the OMSF is subject to the requirements of Chapter 9.18 BCC and that the motor vehicle exemptions set forth in BCC Section 9.18.020.A.7 and 9.18.020.B.5 do not apply and that noise from trains at the OMSF shall be kept at a minimum.

20.3 The City will initiate the code amendment process to consider allowing the OMSF under a Process II permit as described in Exhibit K, attached and incorporated herein, within thirty (30) days of the Sound Transit Board's selection of the OMSF project to be built, provided the design elements described in Section 20.2 are included as part of the project scope for the OMSF. The legislative action identified in this section is subject to final decision by the Bellevue City Council, and nothing in this MOU shall constitute a waiver of that authority or a commitment to any particular final decision.

20.4 Within sixty (60) days of selection of an OMSF site in Bellevue, the parties shall commission a market analysis to consider future TOD for Phase 1 of attached Exhibit I-1 including the items of mutual concern set forth in this Section 20.4. The market analysis shall be completed at Sound Transit's sole cost and expense, but both parties shall be in agreement as to the scope of work and consultant selection.

Bel-Red Subarea



The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

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CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)

BACKGROUND INFORMATION

PROPOSAL TITLE: Sound Transit Operations and Maintenance Satellite Facility (OMSF) Procedural Streamlining Land Use Code Amendment

PROPERTY OWNERS' NAME: Various; applies throughout the Bel-Red Subarea

PROPOSAL LOCATION: Bel-Red Subarea

PROPONENT'S NAME: City of Bellevue, Development Services Department

CONTACT PERSON'S NAME: Drew Folsom, Assistant Planner

CONTACT PERSON'S ADDRESS: Development Services Department
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012

CONTACT PERSON'S PHONE: 425-452-4441

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** Land Use Code Amendment to allow the Sound Transit Operations and Maintenance Facility (OMSF) to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Requires conformance to development requirements tailored to the OMSF. Requires Process I (Conditional Use) permit review if application requirements are not met.

2. **Site acreage:** Applies area-wide in Bel-Red Subarea

3. **Number of dwelling units/buildings to be demolished:** N/A

4. **Number of dwelling units/buildings to be constructed:** N/A

5. **Square footage of buildings to be demolished:** N/A

6. **Square footage of buildings to be constructed:** N/A

7. **Quantity of earth movement (in cubic yards):** N/A

8. **Proposed land use:** Allows Process II review of the OMSF if application requirements met.

DL 2/10/12

9. **Design features, including building height, number of stories and proposed exterior materials:** If adopted, the Land Use Code Amendment will add development requirements to any future OMSF Master Development Plan and Design Review. The development requirements applicable to the OMSF use are listed in the proposed 2015 MOU Land Use Code Amendment for OMSF Permit Review section 20.25D.105.D.2. If these requirements are not met the use requires Process I (Conditional Use) permit review.

10. **Other:** N/A

Proposed timing or schedule (including phasing, if applicable): Final action on the Land Use Code Amendment by the City Council is expected to occur in February, 2016.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. The approval of this Land Use Code Amendment will allow the OMSF to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Design and permitting of the OMSF is projected for the 2015-2017; construction is scheduled for 2017-2020.

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None, other than this SEPA checklist.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.
None at this time.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known. Ordinance adoption by the City Council, Master Development Plan, Design Review, Critical Areas Land Use permit, and building permit.

A. ENVIRONMENTAL ELEMENTS

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

B. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

SUMMARY

Project Summary: Land Use Code Amendment to allow the OMSF to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Requires conformance to development requirements tailored to the OMSF. Requires Process I (Conditional Use) permit review if application requirements are not met.

CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)

Environmental Summary per WAC 197-11-235(3)(b):

State the proposal's objectives: The objective of the proposal is to allow the OMSF to be permitted as a Process II application if development requirements are met.

Specify the purpose and need to which the proposal is responding:

The City and Sound Transit entered into an Amended and Restated Umbrella Memorandum of Understanding in May 2015 (2015 MOU) that described the City's intent to initiate a code amendment process that would allow the OMSF to be approved under Process II review procedures. The purpose of the Land Use Code Amendment is to:

1. Provide certainty and predictability for the City, the Regional Transit Authority, and the public with respect to Land Use Code requirements and processes applicable to an OMSF; and
2. Ensure that the design, development, construction and operation of the OMSF is consistent with the Bel-Red Subarea Plan Policies

State the major conclusions, significant areas of controversy and uncertainty: The major conclusions are that the proposal will increase certainty of the review process; and provide additional design requirements making the project more compatible with the Bel-Red Subarea Plan Policies. There are no known significant areas of controversy or uncertainty.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Adoption of the proposed Land Use Code Amendment will permit any OMSF with specific design characteristics and mitigation measures to be permitted through the approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. Requires conformance to development requirements tailored to the OMSF. Requires Process I (Conditional Use) permit review if application requirements are not met.

The Land Use Code Amendment will allow modification of section 20.25H LUC, Critical Areas Overlay District, for Process II applications; per the requirements described in Land Use Code Amendment section 20.25D.105.D.2.c.ii. Impacts associated with this modification will be mitigated by the requirement that the applicant meet the conditions of Land Use Code Amendment section 20.25D.105.C.

The alternative course of action would be to not adopt the proposed Land Use Code Amendment. If the Land Use Code Amendment is not adopted any proposed OMSF use would be processed as a Process I (Conditional Use) permit. Non adoption would remove the Development Requirements and Administrative Modification Process listed in Land Use Code Amendment Section 20.25D.105.D and E.

CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated:
The proposal is a non-project action allowing the Sound Transit Operations and Maintenance Facility (OMSF) to be permitted through approval of a Master Development Plan and associated Design Review pursuant to the City of Bellevue's Process II permit review procedure. No significant adverse environmental impacts associated with the Land Use Code Amendment have been identified. Project specific impacts associated with construction and operation of the OMSF are analyzed in a separate environmental document.

Describe any proposed mitigation measures and their effectiveness:
No significant environmental impacts associated with the Land Use Code Amendment have been identified, therefore no mitigation measures are proposed.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?** Adoption of the proposed code amendment will allow modification of section 20.25H LUC, Critical Areas Overlay District for Process II applications; per the requirements described in Land Use Code Amendment section 20.25D.105.D.2.c.ii.

   Proposed measures to avoid or reduce such increases are: Impacts associated with this modification will be mitigated by the requirement that the applicant meet the conditions of Land Use Code Amendment section 20.25D.105.C.

2. **How would the proposal be likely to affect plants, animals, fish or marine life?** Adoption of the proposed code amendment will allow modification of section 20.25H LUC, Critical Areas Overlay District for Process II applications; per the requirements described in Land Use Code Amendment Section 20.25D.105.D.2.c.ii.

   Proposed measures to protect or conserve plants, animals, fish or marine life are: Impacts associated with this modification will be mitigated by the requirement that the applicant meet the conditions of Land Use Code Amendment section 20.25D.105.C.

3. **How would the proposal be likely to deplete energy or natural resources?** No adverse impacts to energy or natural resources are anticipated by the adoption of the proposed code amendment.

   Proposed measures to protect or conserve energy and natural resources are: N/A

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?** Adoption of the proposed code amendment will allow modification of section 20.25H LUC, Critical Areas Overlay District for Process II applications; per the requirements described in Land Use Code Amendment section 20.25D.105.D.2.c.ii.

Proposed measures to protect such resources or to avoid or reduce impacts are: Impacts associated with this modification will be mitigated by the requirement that the applicant meet the conditions of Land Use Code Amendment section 20.25D.105.C.

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?** Adoption of the proposed code amendment will not affect any shoreline areas. The Bel-Red Subarea does not contain any shorelines.

Proposed measures to avoid or reduce shoreline and land use impacts are: N/A

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?** Adoption of the proposed amendment will not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are: Mitigation measures have been included in the Land Use Code Amendment to ensure compatibility and sustainability of future OMSF uses.

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.** No conflicts are known or anticipated.

D. **The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.**

Signature _____ **Date Submitted:** November 24, 2014
Trish Byers

12.2/10/14