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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4130

AN ORDINANCE relating to transition area design district; amending Sections 20.20.520.F and H, and 20.25H.090.C of the Bellevue City Code (Land Use Code); repealing Chapter 20.25B and 20.25D of the Bellevue City Code (Land Use Code) and adding new Chapter 20.25B to Bellevue City Code (Land Use Code).

WHEREAS, these regulations are adopted to ensure that development in transitional areas is compatible with less intensive residential development; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the City's Environmental Procedures Code; therefore

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

Section 1. Bellevue City Code (Land Use Code) Section 20.20.520.F.1 is amended as follows:

F. Site Landscaping:

1. Perimeter Landscaping Requirements for Use Districts: The Applicant shall provide site perimeter landscaping either according to the following chart and subject to Paragraph F.2 and F.6 of this Section; or in conformance with Paragraph J of this Section:

Perimeter Landscaping Requirements for Use Districts

LAND USE DISTRICT IN WHICH THE SUBJECT PROPERTY IS LOCATED ³	STREET FRONTAGE (Type & Minimum Depth)	INTERIOR PROPERTY LINES (Type & Minimum Depth) ¹
R-10, 15, 20, 30	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , see Section 20.25B for requirements.	Type III, 8' but if located in a Transition Area, and directly abutting S/F ² , see Section 20.25B for requirements.

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NB, PO, O, OLB	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Section 20.25B for requirements.	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Section 20.25B for requirements.
LI, GC, CB	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Section 20.25B for requirements.	Type III, 8' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Section 20.25B for requirements.

Note 1: If the property which abuts the subject property is in the same or a more intensive Land Use District than the subject property, the landscaping required along that common interior property line may be reduced by 25% in area. The remaining 75% of the required landscaping may be relocated.

Note 2: S/F includes the G, OU, R-1, R-1.8, R-2.5, R-3.5, R-4 and R-5 Land Use Districts.

Note 3: Notwithstanding the provisions of this Paragraph, Landscape development requirements for specific uses are listed in Paragraph F.2 of this Section.

Section 2. Bellevue City Code (Land Use Code) Section 20.20.520.H is amended as follows:

H. Limitation of Landscaping Requirements:

1. Except in a Transition Area, the total Buildable Area of the subject property which is required to be landscaped is limited as follows. The location of this landscaping within the Buildable Area must meet the purpose and intent of Paragraphs A, F.1 and G of this Section.
 - a. Twenty percent of the Buildable Area in a NB, PO, O or OLB Land Use District.
 - b. Fifteen percent of the Buildable Area in an LI, GC, or CB Land Use District.

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Section 3. Bellevue City Code (Land Use Code) Chapter 20.25B is repealed.

Section 4. Bellevue City Code (Land Use Code) is amended by the addition of a new Chapter 20.25B.

20.25B. Transition Area Design District

20.25B.010 Purpose

The Transition Area Design District provides a buffer between a residential Land Use District and a Land Use District which permits development of higher intensity. Where multi-family development is planned adjacent to single family residential uses or commercial development is planned adjacent to residential uses, such development should incorporate elements in the site design and building design to soften its impact and to result in a compatible transition.

20.25B.020 Applicability

A. General

This chapter applies to any portion of property located in a district designated on the chart below as "Districts providing transition" which is located within 300' of property located in a district designated on the chart as "Single Family Districts receiving transition" or within 150' of property located in a district designated on the chart as "Multifamily Districts receiving transition."

B. Limitations

1. Where a transition area abuts a portion of I-90, I-405, SR 520, Burlington Northern Railroad right-of-way, or power transmission line, which is located in a single family or multifamily district, the City shall include that portion as part of the required width of the transition area.
2. If the applicant establishes that a minimum 150' width greenbelt or native growth protection easement is permanently dedicated for non-buildable purposes and is located in a single family or multifamily district, the City shall include that portion as part of required width of the transition area.
3. Development within any CBD Land Use District is not subject to transition area design district requirements (Refer to Section 20.25A.090, Perimeter Design District).

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20.25B.030 Design Review Requirements

All development within a Transition Area Design District must be reviewed by the Director of the Department of Design and Development using the Design Review Process, Part 20.30.F. If any portion of a building is within a transition area, only that portion is subject to transition area development standards; however, the entire building is subject to design review and site design guidelines. If any portion of a site is within a transition area, only that portion of the site is subject to transition area development standards, site design guidelines and design review. However, if the portion includes part of the street frontage, the entire street frontage is subject to the transition area buffer requirements.

20.25B.040 Development Standards: Pursuant to 20.25B.030, all development activity within a transition area must comply with the following:

A. Building Height

1. Definition.

For purposes of this Chapter, building height shall be measured from average existing grade around the building to the highest point of a flat roof or parapet or to the mean height between the eaves and ridge of a pitched roof. Mechanical equipment and satellite dish antennas are included in building height calculations, except that mechanical equipment may extend into the upper one-half of a pitched roof form not to exceed 10' above maximum building height. This additional 10 feet is for equipment or screening purposes only and not to obtain additional habitable space.

Specifically excluded from this definition are slender structural elements not intended for human habitation and not exceeding 10 feet above the maximum building height including chimneys, smoke ventilation stacks, antennas, and flagpoles. This definition supersedes the building height definition in Section 20.50.012 for purposes of this Chapter only.

2. Maximum Height.

The following chart sets forth the height limitation of any building within a transition area and the maximum height which may be achieved through bonuses as indicated in paragraph 3:

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<u>Zone</u>	<u>Height Limitation (Underlying Zone)</u>	<u>Maximum Height w/ Bonuses Limitation</u>
OU	30'	40'
R-10	30'	30'
R-15	30'	30'
R-20	30'	40'
R-30	30'	40'
PO	20'	30'
O	30'	40'
OLB	30'	45'
LI	30'	45'
GC	30'	40'
NB	20'	30'
CB	30'	45'

3. Allowable Height Increase.

Except in an R-10 or R-15 district, the height limitation may be increased up to maximum height with bonuses limitation indicated in Paragraph 2, only if one or more of the following items is provided, the decision criteria for administrative design review are met, and the intent of the transition area design district is maintained.

<u>Item</u>	<u>Increase Allowed</u>
a. Underbuilding parking:	5 foot increase
b. Underground parking:	10 foot increase
c. Pitched roof:	5 foot increase
d. Top floor stepback on all sides off at least ten feet:	5 foot increase
e. No mechanical equipment on the roof:	5 foot increase
f. Existing grade at the proposed building line is at least 10 feet below the existing grade at the property line of the property receiving transition:	5 foot increase

For purposes of this Section, "underground" is defined the same as a basement in Section 20.50.012.

4. Modification to Height.

The maximum building height allowed in Paragraph 20.25B.040.A.2 may be modified through the administrative design review process only if the following conditions

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are met:

- a. When the location of the building pad is at least 20 feet below the existing grade at the property line of the property receiving transition; and
- b. The modified building height does not exceed the maximum height permitted by the underlying land use district for properties outside transition areas; and
- c. The project, with the height modification will provide the same or better transition to the property receiving transition as with the maximum height permitted in paragraph A.2.

B. Setbacks

1. Setback for primary structures.

Primary structures must be located a minimum of thirty feet from the property line of the district receiving transition.

2. Distance between Primary Structures.

Primary structures must be located a minimum of twenty feet from other primary structures.

C. Landscaping, Open Space and Buffers.

1. Landscaping.

All landscaping shall comply with standards set forth in Section 20.20.520. The provisions of 20.20.520.J (alternate landscaping option) are applicable and, in addition, may be used to modify up to 10' of required street frontage landscaping.

2. Buffer.

- a. A landscaped buffer, at least 20 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a district receiving transition and along the interior property line abutting the district receiving transition.
- b. All significant trees within 15 feet of the

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property line shall be retained as required by Section 20.20.520.E of this code.

- c. The buffer shall be planted with the following:
- (i) Evergreen and deciduous trees, of which no more than 40% can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in (ii) and (iii) to effectively buffer development from adjacent residential properties; and
 - (ii) Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center, and
 - (iii) Living groundcover planted to cover the ground within 3 years.
 - (iv) Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, lawn may be substituted for the shrubs and ground cover required in Paragraphs c.(ii) and c.(iii). This paragraph does not apply in LI and GC districts.
- d. Where an LI, GC or CB zoned property abuts a residential district on an interior property line, an evergreen hedge a minimum of 4' in height at planting and capable of achieving a continued visual screen with a height of 5' within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.
- e. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20% of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

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- f. A water conserving underground irrigation system shall be provided if the Director determines it is necessary to preserve a required landscape buffer.

D. Lighting

All lighting fixtures within the transition area shall utilize cutoff shields to conceal the light source from the area receiving transition and to prevent spillover.

E. Refuse Containers.

All refuse and recycling containers within a transition area shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering material.

20.25B.050 Design Guidelines. Pursuant to 20.25B.030, all development activity within a transition area must comply with the following guidelines:

A. Site Design Guidelines.

1. Whenever possible, vehicular access should be designed so that traffic is not directed through an abutting residential district of lower intensity.
2. Surface parking lots should be screened from street level views and from ground level views of an abutting residential district of a lower intensity by berms, hedges, walls or combinations thereof. In appropriate circumstances, surface parking lots should be located away from adjacent residential properties.
3. Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback.
4. Site features such as fences, walls, refuse enclosures, light fixtures, carports and storage units should be designed to be consistent with the architectural design of the primary structure.
5. In addition to the minimum requirements of Section 20.20.520, site development should maximize the retention of existing significant vegetation in order to soften the visual impact on adjacent residential uses.

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6. Surrounding vegetation, topography, street patterns, parking configuration and building massing should be considered in order to result in a compatible fit between the proposed development and existing residential development.

B. Building Design Guidelines.

1. Building surfaces facing abutting residential districts should be clad with materials which are compatible with surrounding uses, and which minimize reflected lighting.
2. Building facades should incorporate elements such as stepbacks, offsets, angled facets, deep roof overhangs, recesses and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.
3. Within Transition Areas, pitched roof forms are preferred in order to enhance the compatibility with nearby residential areas. However, under certain circumstances, a stepped roof form could achieve a similar effect.
4. Mechanical equipment which is located on the roof should be incorporated into the pitched or stepped roof form, and not appear as a separate penthouse or box.
5. Communication dishes greater than two feet in diameter should not be visible from adjacent residential districts.
6. Within Transition Areas, materials and colors used on the building facades should generally be compatible with nearby residential buildings; however, colors and materials used for the purpose of accent may be approved.

C. Signage.

All signs shall be an integral part of the architectural design.

Section 5. Bellevue City Code (Land Use Code) Section 20.25D is repealed.

Section 6. Bellevue City Code (Land Use Code) Section 20.25H.090.C is amended as follows:

- C. Transition Area: Development on sites within the Sensitive

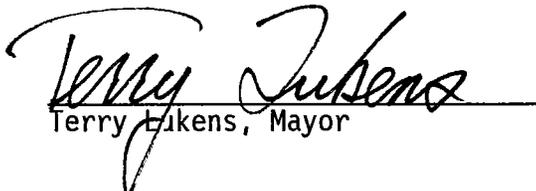
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Area Overlay District which contain areas designated as protected areas are exempt from the provisions of Part 20.25B. or Section 20.20.900-910.

Section 7. This ordinance shall take effect and be in force five days after its passage and legal publication.

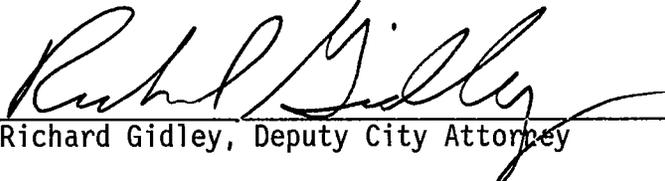
PASSED by the City Council this 12th day of March, 1990, and signed in authentication of its passage this 12th day of March, 1990.

(SEAL)

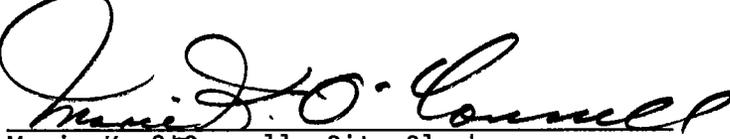

Terry Likens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Gidley, Deputy City Attorney

Attest:


Marie K. O'Connell, City Clerk

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