



# Bellevue Planning Commission

**Wednesday, January 27, 2016**

6:30 to 8:30 p.m. ■ 1E-113

City Hall ■ 450 110th Avenue NE, Bellevue

## Agenda

Regular Meeting

- |           |   |
|-----------|---|
| 6:30 p.m. | <b>1. Call to Order</b><br><i>Michelle Hilhorst, Chairperson</i>  |
|           | <b>2. Roll Call</b><br><i>Michelle Hilhorst, Chairperson</i>  |
|           | <b>3. Approval of Agenda</b>  |
| 6:35 p.m. | <b>4. Public Comment*</b><br><i>Limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic</i>  |
|           | <b>5. Communications from City Council, Community Council, Boards and Commissions</b>   |
|           | <b>6. Staff Reports</b>   |
|           | <b>7. Draft Minutes Review</b><br>January 13, 2016  |
|           | <b>8. Study Session</b>   |
| 6:50 p.m. | <b>A. Eastgate/I-90 Corridor Implementing Regulations</b><br>Light Industrial (LI) zone amendment; new Neighborhood Mixed Use (NMU) zone<br><i>Erika Rhett, Senior Planner</i><br><i>Patricia Byers, Code Development Manager</i> |
|           | <b>9. Public Comment* - Limited to 3 minutes per person</b>   |
| 8:30 p.m. | <b>10. Adjourn</b>  |

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*Agenda times are approximate*

**Next Planning Commission Meeting – February 10**

**Planning Commission members**

Michelle Hilhorst, Chair  
John deVadoss, Vice Chair  
Jeremy Barksdale  
John Carlson

Aaron Laing  
Anne Morisseau  
Stephanie Walter

John Stokes, Council Liaison

**Staff contacts**

Emil King, Strategic Planning Manager 425-452-7223  
Michael Kattermann, Acting Comprehensive Planning Manager 425-452-2042  
Michelle Luce, Administrative Assistant 425-452-6931

*\* Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation.*

*Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance: 425-452-5262 (TDD) or 425-452-4162 (Voice). Assistance for the hearing impaired: dial 711 (TR).*



**DATE:** January 27, 2016

**TO:** Chair Hilhorst and Planning Commission Members

**FROM:** Trish Byers, Code Development Manager, [pbyers@bellevuewa.gov](mailto:pbyers@bellevuewa.gov), 452-4241  
*Development Services Department*  
Erika Rhett, AICP, Senior Planner, [erhett@bellevuewa.gov](mailto:erhett@bellevuewa.gov), 452-2898  
*Planning and Community Development*

**SUBJECT:** Eastgate/I-90 Land Use and Transportation Project Implementation:  
Neighborhood Mixed Use (NMU) Zoning Code and Light Industrial (LI) Land Use Code  
Amendments

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**DIRECTION NEEDED FROM PLANNING COMMISSION**

- Action
- Discussion
- Information

At this study session, the Planning Commission is requested to review proposed zoning code for the NMU (Neighborhood Mixed Use) district and minor changes to the LI (Light Industrial) district land use code. Discussion and direction on the proposed land use code amendments is requested but no formal action is requested at this time.

**BACKGROUND**

In late 2013 Council directed staff and the Planning Commission to begin work to implement the recommendations of the Eastgate/I-90 Citizen's Advisory Committee (CAC). After much study and public input, the CAC proposed a vision for Eastgate that included the following elements:

- A transit-oriented development (TOD) center near Bellevue College and the Eastgate Park and Ride
- A doubling of intensity in office and commercial areas offering a greater mix of uses to serve nearby workers and residents
- Multi-modal transportation improvements throughout the corridor, and
- A coherent corridor identity that reflects Eastgate as a gateway to Bellevue on the Mountains to Sound Greenway

Last year the Planning Commission reviewed policy changes to the Comprehensive Plan to

implement the Eastgate vision. Policy changes were adopted by Council in August 2015 with the rest of the Comprehensive Plan update. Since that time the Planning Commission has held five study sessions to review land use concepts and provide staff with preliminary guidance on the development of Land Use Code amendments that will implement the vision.

## **LIGHT INDUSTRIAL (LI) CODE AMENDMENTS**

In the 2012 *Final Report* the Eastgate Citizen Advisory Committee (CAC) recommended retaining the industrial lands in the Richard's Valley to provide needed industrial space for Bellevue. The CAC also recommended allowing research and development uses and flex-tech in order to create the potential for new relationships between Bellevue College, the tech industry, and industrial businesses in the corridor.

In the 2015 update of the Comprehensive Plan, the City Council adopted the Planning Commission's recommended amendment to the definition of the *Light Industrial* land use designation to include the use *research and development*:

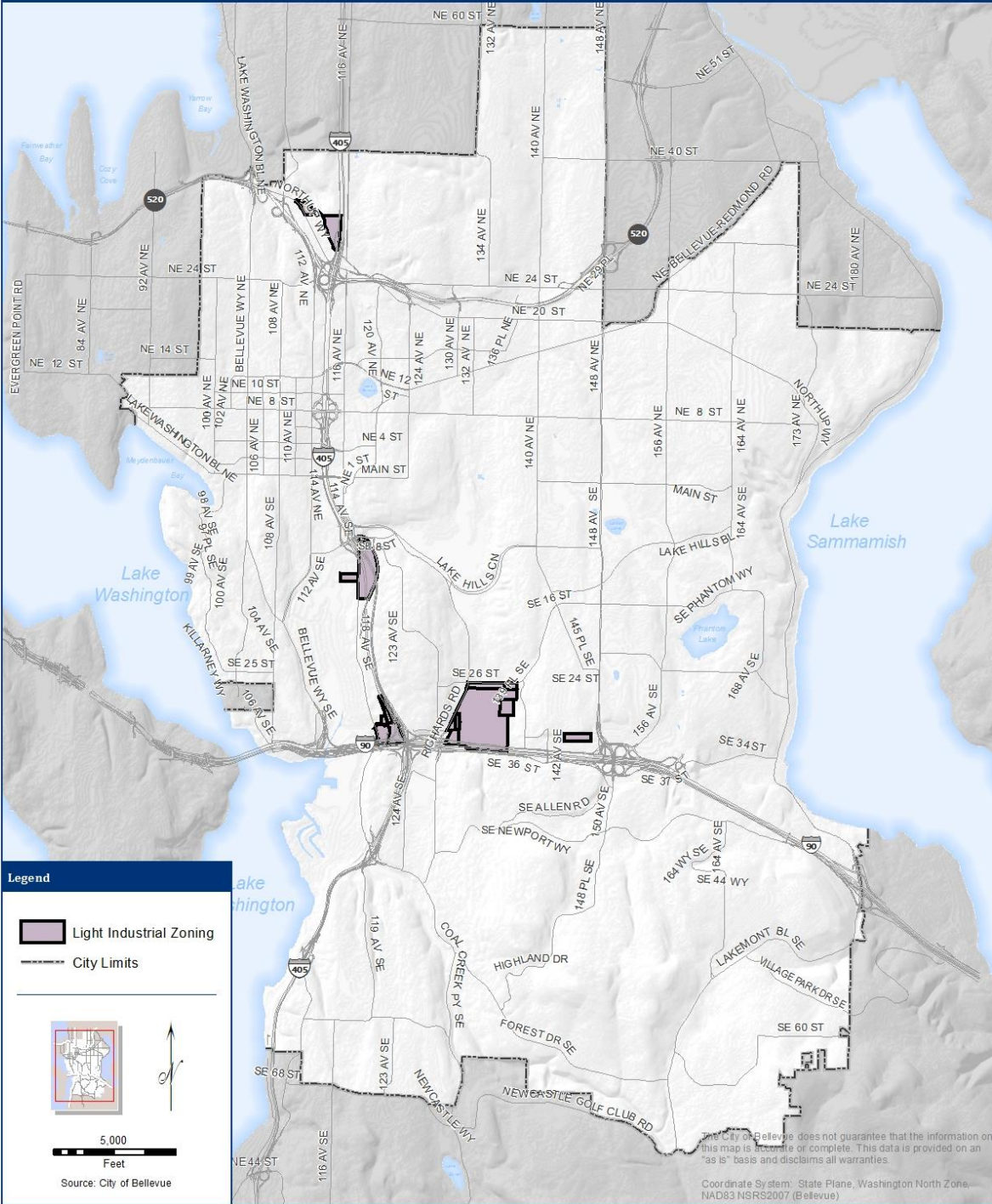
*Light Industrial (LI) – A land use designation that provides for the location of an array of activities, including manufacturing, wholesale trade, research and development, and distribution activities. Sales of goods and services subordinate to permitted activities and low traffic-generating uses that sell bulky or large scale items are appropriate. Auto sales and rentals are appropriate only in certain locations.*

During a study session on July 22, 2015 the Planning Commission discussed use changes in the LI district that would implement the direction of the CAC and the Comprehensive Plan. Attachment 1 shows proposed changes to the LI district based on that study session. The proposed changes remove note (5) that limits research and development uses and computer programming, data processing, and other computer related uses in the LI district to a multi-function building or complex. This would allow research and development and computer related uses to operate on their own, without being part of a larger complex of industrial uses. Changes to the LI district would affect the Richards Valley industrial area as well as a few other LI zoned properties that are scattered throughout the city, as shown in the following image.<sup>1</sup>

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<sup>1</sup> From the *Light Industrial Lands Analysis* done by BERK in 2014 for the Comprehensive Plan update.

# Light Industrial Zoning



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.

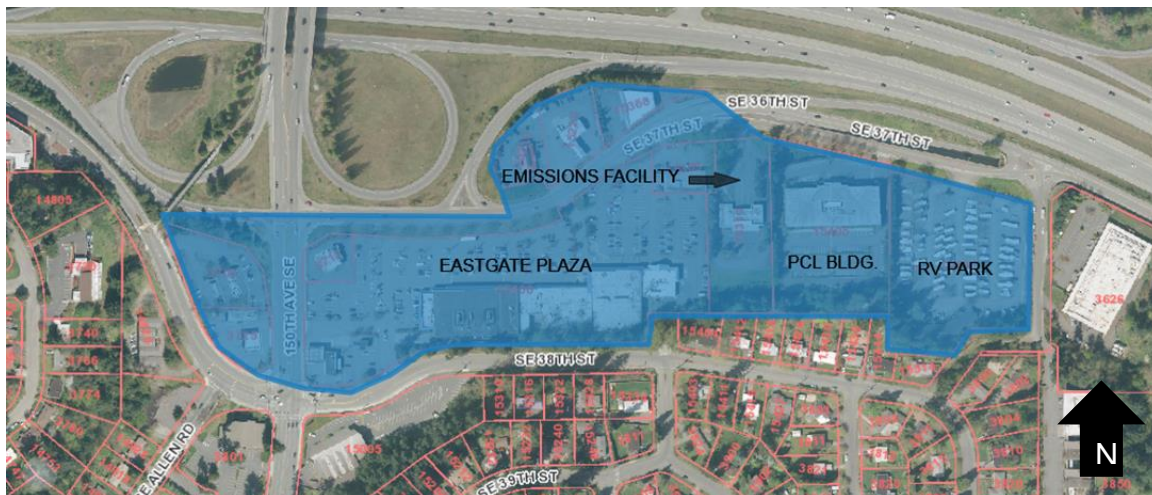
Coordinate System: State Plane, Washington North Zone, NAD83 NSRS2007 (Bellevue)

## NEIGHBORHOOD MIXED USE (NMU) ZONING CODE

The area including and surrounding the Eastgate Plaza was envisioned by the CAC as a variety of commercial and residential uses, with a focus on community-oriented retail. During the outreach process, the CAC heard input from local residents who wanted to ensure that neighborhood-oriented shopping continued to have a place in the Eastgate corridor. The vision supports multi-story mixed use development with good access for pedestrians, cars, and bicycles from the surrounding neighborhood and the Mountains to Sound Greenway Trail. New development should be well planned and designed so that the use and intensity of this area does not adversely affect nearby neighborhoods. Ultimately, this type of redevelopment could provide a greater selection of goods and services to the local community.

Policy implementation of this vision involved the creation of a new land use designation – the Neighborhood Mixed Use (NMU) designation. The Comprehensive Plan defines the NMU as: *A land use designation that provides for a mix of retail, service, office, and residential uses, with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby residential neighborhoods and to be easily accessible from the nearby office and residential uses that it serves.*

### NEIGHBORHOOD MIXED USE DISTRICT MAP



The area of the NMU designation includes Eastgate Plaza and surrounding retail properties, the Washington State Vehicle Emissions testing facility, and the Trails End RV Park. This will be the same area of the proposed NMU district. Attachment 1 includes a proposed definition of the NMU district that was written for consistency with the NMU designation definition and the CAC vision for Eastgate.

In addition to adding a new land use designation to the Comprehensive Plan, policies were added to the Eastgate Subarea Plan to support the NMU designation. These policies include:

***POLICY S-EG-3.*** Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

***POLICY S-EG-10.*** Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods or as a part of mixed use developments where there is close proximity to transit or neighborhood-serving commercial uses, with a special emphasis on meeting the housing needs of Bellevue College.

***POLICY S-EG-43.*** Retain neighborhood-serving commercial uses through flexible zoning that allows a rich combination of neighborhood retail and services.

During a work session on October 14, 2015 the Planning Commission discussed the uses that should be allowed in the NMU district. During that discussion, the commission compared the Community Business (CB), Neighborhood Business (NB), and BelRed Office/Residential Transition District (BR-ORT) districts to explore what might be a good fit for the NMU district. Attachment 1 includes the use tables that were prepared following that discussion.

Attachment 1 also includes other proposed zoning code amendments to define the NMU district. Maximum FAR<sup>2</sup> of 0.75-1.0 and maximum building heights of four to six stories was the recommended level of intensity by the CAC. In their *Final Report*, the CAC added the caveat that such intensity should only be allowed if the design protects adjacent single-family residential areas from development impacts. While the CAC recommendation establishes some basic information about the type of development that should be allowed in this area, there are several development standards still needed to fully implement the NMU district. Using the CB, NB, and BR-ORT districts for comparison again, staff created a proposed set of development standards for Planning Commission review (Attachment 1). In order to address compatibility with nearby single-family neighborhoods, development in this district would be subject to the Transition Area Design District (TADD)<sup>3</sup> as well as design guidelines. Staff is drafting design guidelines that will be presented the Planning Commission this spring.

## **CONCOMITANT AGREEMENTS IN THE NMU AREA**

In December 2015 staff provided an overview on the concomitant agreements in place in the Eastgate corridor. Concomitant agreements provide property-specific development regulations that could make the implementation of the Eastgate vision a challenge. At the current time, the

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<sup>2</sup> FAR = Floor Area Ratio. This is a calculation of allowed development intensity that compares the amount of building area to the amount of site area. A 20,000 square foot site with a 20,000 square foot building on it would have an FAR of 1.0. The configuration of the 20,000 square foot building is determined by building purpose and design as well as other development standards such as maximum height and lot coverage.

<sup>3</sup> The area is subject to the TADD under its current zoning.

city's strategy is to repeal all the concomitant agreements in the areas proposed for rezone with a single action. Please refer to the December 9, 2015 memo to the Planning Commission for more information.



There are two concomitant agreements that exist in the area of the NMU district. Concomitant 3592, passed in 1976 and amended in 2002 affects the Eastgate Plaza. Concomitant 11426, which affects the PCL building, passed in 1986. Generally, these concomitants address issues that relate to ensuring compatibility with nearby single-family neighborhoods, an issue that is proposed to be addressed with the NMU district. In the case of concomitant 3592, the current use and height restrictions directly conflict with the Eastgate vision of a multi-story, multi-use community-serving retail area. If the concomitant is repealed, there will not be a comparable regulation or policy in place. The following tables list the concomitant conditions and staff response for both concomitant agreements in the NMU area.



**Concomitant 3592**

<b>Condition</b>	<b>Response</b>
<p>Uses permitted on the property shall be limited to the following:</p> <ol style="list-style-type: none"> <li>1. Retail stores.</li> <li>2. Personal service shops.</li> <li>3. Professional and business offices.</li> <li>4. Gasoline service stations.</li> <li>5. Restaurants which may have a cocktail bar or serve beer and wine ancillary to food service.</li> <li>6. Laundry, cleaners, self-service laundry.</li> <li>7. Retail upholstery shops.</li> <li>8. Enclosed food stores.</li> <li>9. Open-air nursery sales.</li> </ol>	<p>This restriction on uses is not consistent with the Eastgate vision and these restrictions should be repealed to allow for a greater mix of uses while maintaining a focus on neighborhood-serving retail and services in the new zoning code.</p>
<p>Screening shall be provided along the north property line which will obscure the parking lot to a height of five feet, except in areas where screening may create a traffic hazard for reason of sight obstruction. The means of screening is to be approved by the Director of Planning.</p>	<p>This type of condition is now addressed by the transition design district which is proposed to be applied to the NMU district.</p>
<p>Maximum height of buildings shall be one story, but not more than 20 feet.</p>	<p>This restriction should be repealed as it is not consistent with the Eastgate vision that would allow uses on top of neighborhood-serving retail at this location such as office or residences.</p>
<p>Air conditioning units, exhaust fans, compressors, or any other noise-producing equipment, and service entrances, loading or unloading doors, garbage cans or containers, shall be so located and baffled that no disturbing sound or vibrations materially affect adjacent residential properties.</p>	<p>This is required in code.</p>
<p>The zoning on the below described real property is hereby amended to include the following permitted uses:</p> <p><u>Financial Institutions</u>            Banks            Credit Unions            Consumer Financial Services            Check Cashing Services</p> <p><u>Health Care Facilities</u>            Doctor's Offices            Dental Offices</p>	<p>While this 2002 amendment allowed more uses, the overall restrictive nature of this concomitant is not consistent with the Eastgate vision. These neighborhood-serving uses are proposed to be allowed in the new zoning code.</p>

**Concomitant 11426**

<b>Condition</b>	<b>Response</b>
<p>The minimum depth of the perimeter landscaping on the southerly portion of the site shall be increased to 50 feet.</p>	<p>The Transition Area Design District requires a setback of 30 feet in which 20 feet is landscaped. Preservation of this area in future redevelopment is supported by policy S-EG-20 in the Eastgate subarea plan: <i>Provide graceful edges and transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain compatibility between different land uses through land use regulations.</i></p>
<p>The maximum elevation of buildings and structures shall be limited to 370 feet, USC &amp; GC Datum, elevation above mean sea level or to the maximum height established by the Land Use Code, whichever is more restrictive. For purposed of limiting the building height to the 370 foot elevation the height shall be measured to the highest point of the building or structure, including the ridge of a pitched roof and mechanical equipment screening. Not included are minor appurtenances such as antennas and chimneys.</p>	<p>This type of condition is now addressed by the transition design district which is proposed to be applied to the NMU district.</p>
<p>Design Review or Conditional Use approval shall be required for all development and improvements to this site. The approval shall specifically include or address the following issue to mitigate potential impacts on the residential area to the south:</p> <ul style="list-style-type: none"> <li>(1) Exterior lighting and potential glare from lights and windows shall be shielded or screened from the residential area to the south;</li> <li>(2) Building design with particular emphasis on roof top design;</li> <li>(3) Orientation and location of service bay doors, garbage collection location, mechanical equipment, storage yards and areas using heavy equipment, i.e. loaders, truck loading, etc. to minimize potential impact of noise, odors and aesthetic compatibility on the single family area to the south;</li> <li>(4) Consideration of type and intensity of additional landscape screening beyond code requirements to insure compatibility with adjacent properties and uses and protection of the steep slope areas on the south.</li> </ul>	<p>Design review is proposed for the NMU district. Issues of light and glare, building design, and neighborhood compatibility will be addressed in the Design Guidelines for the NMU district.</p>

## **RV PARK REQUEST**

The Kramer family, owners of the Trails End RV Park, and their representative Mr. Woosley have addressed the Planning Commission on multiple occasions requesting an increase in FAR for the proposed NMU district, up to a maximum of 2.5. Staff does not recommend exceeding the CAC recommendation of a maximum FAR of 1.0.

During the CAC process there was a considerable amount of public input that went into the *Final Report*. For the Eastgate Plaza, the CAC determined that it is necessary to balance the redevelopment potential of this area with neighborhood compatibility and local character. In the *Eastgate Plaza Area* section of the *Final Report* there are two *Attributes and Strategies* that speak to this balance:

- *East of Eastgate Plaza, prioritize office and hotel uses and allow existing religious uses to remain. Encourage increased intensity of development featuring offices, community-serving uses, lodging, and other uses.*
- *Throughout this area, ensure that the type, scale, and design of development does not adversely affect nearby neighborhoods.*

Increasing FAR to 1.0 with NMU zoning, as recommended by the CAC, allows for a doubling of intensity in this area. Currently this area is limited to a maximum FAR of 0.5 under existing zoning, although the concomitant agreement in place for Eastgate Plaza provides additional de facto limitations. It is likely that the restrictions for Eastgate Plaza were the result of concerns about the impacts of development on the adjacent neighborhood in the 1970s. Although the city now has the TADD and other regulatory requirements in place to address neighborhood compatibility, the issue was important enough to the public and the CAC in 2012 that it was also included in the *Final Report*. A request for an FAR of 2.5 represents an intensity of more than five times what is allowed in the Eastgate Plaza area now and a significantly higher potential for increased conflicts, impacts, and compatibility issues with nearby neighborhoods.

Development at an intensity approaching 2.5 FAR would be out of character for this area as it exists now as well as its future Eastgate vision. The Eastgate vision does allow for a more intensive use of this area, but it also calls for an enhancement of “city in a park character” that includes the provision of open space and green visual elements. The proposed doubling of intensity allows room for the growth and expansion of neighborhood businesses and housing into the NMU district, but still allows ample room for open space, greenery, and other desired amenities. An intensity of 2.5 FAR would create a pocket of higher intensity urban development in which it may be challenging to achieve the desired character from the Eastgate vision. It is also difficult to serve isolated pockets of urban intensity with adequate transportation infrastructure and service.

Taking a broader look at the vision for the Eastgate corridor and the approach to assigning FAR citywide, the request for a 2.5 FAR for the Eastgate Plaza area does not fit. In the Eastgate vision the only area with comparable density is the proposed Transit-Oriented

Development (TOD) area. The TOD area is located adjacent to the Eastgate Park and Ride, which provides local and high capacity transit, minimizing the intensity of the transportation impacts associated with higher intensity land uses. Concentration of this intensity also is intended to create a corridor focal point, a center of activity. Other areas in Bellevue with an FAR of 2.5 are located in Downtown or in the BelRed area. These are areas that have a high level of public amenity (or are planned to) including high capacity transit, public gathering spaces, a diverse mix of uses and open space.

## **NEXT STEPS**

Staff will continue to bring land use code amendments forward to the Planning Commission for review. This includes proposed zoning codes for the EG-TOD and OLB-2 districts, a public amenity incentive system, and proposed design guidelines for the corridor. After initial Planning Commission review of the proposed land use code, a public hearing will be scheduled. Public outreach on specific issues will occur concurrently with Planning Commission review and general outreach will be conducted prior to the public hearing.

## **DISCUSSION QUESTIONS**

- Are the changes to the Light Industrial use tables consistent with the Eastgate vision and Planning Commission direction?
- Are the use tables for the Neighborhood Mixed Use district consistent with the Eastgate vision and the Planning Commission direction?
- Are the development standards for the Neighborhood Mixed Use district consistent with the Eastgate vision?
- Are there any concerns about removing the concomitant agreements in place for this district?

## **ATTACHMENTS**

1. Proposed Land Use Code Amendments

ATTACHMENT 1

**20.10.365 Neighborhood Mixed Use (NMU)** – A land use district that provides for a mix of retail, service, office, and residential uses, with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby residential neighborhoods and to be easily accessible from the nearby office and residential uses that it serves.

**20.10.440 Land use charts.**

Uses in land use districts

Manufacturing – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neighor- hood Mixed Use
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	NMU
2 and 3	Manufacturing (1,4)											
21	Food and Beverage Products Mfg.				P 5	S 5	S	S	S			P 6
22	Textile Products Mfg.				P							
23	Apparel, Fabric, Accessories and Leather Goods Mfg.				P	S		S	S			
24	Lumber and Wood Products Mfg.				S	S		S	S			
25	Furniture and Fixtures Mfg.				P	S		S	S			
26	Paper Products Mfg.				S 2							
27	Printing, Publishing and Allied Industries				P	P		S	S			
28	Chemicals and Related Products Mfg.				S 3							
31	Rubber Products Mfg.				C							
314	Misc. Plastic Products Mfg.				P	P		S	S			
321 322 324 325 327	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving				P	P		S	S			
329	Handcrafted Products Mfg.				P	P		P	P			P 7
3427	Computers, Office Machines and Equipment Mfg.				P	P						

ATTACHMENT 1

Manufacturing – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	NMU
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts				P	S		S	S			
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating				P	S		S	S			
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software	P	P	P	P	S		S	S	P	P	
3997	Signs and Advertising Display Mfg.				P	S		S	S			
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified				P	S		S	S			

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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

**Notes: Uses in land use districts – Manufacturing**

- (1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.
- (2) Paper products manufacturing excludes paper and pulp manufacturing in LI Districts.

ATTACHMENT 1

- (3) Manufacture of flammable, dangerous or explosive materials is excluded in LI Districts.
- (4) An office is permitted if accessory and subordinate to a manufacturing use.
- (5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.
- (6) Permitted only when combined with an eating and drinking establishment.
- (7) Permitted only when combined with a retail store.

Chart 20.10.440

Uses in land use districts

Recreation – Nonresidential Districts

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

ATTACHMENT 1

Recreation – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighborhood Mixed Use</u>
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	NMU
	BMX Tracks and Skateboard Tracks											
73	Commercial Amusements: Video Arcades, Electronic Games					A		A	A			<u>P</u>
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools (2,11)	C	C	C		C	C	C	C	C	C	<u>C</u>
744	Marinas, Yacht Clubs											
7413 7414 7415 7417 7425	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction		C 3	C	P 3	P 3	A 9	P	P	C	C	<u>P</u>
7491 7515	Camping Sites and Hunting Clubs	C	C	C	C	C	C	C	C	C	C	
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P	P	P	P	P	<u>P</u>
	Public/Private Park	P	P	P	P	P	P	P	P	P	P	<u>P</u>
	Stables and Riding Academies											
	Boarding or Commercial Kennels											
	City Park* (10)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	<u>P/C</u>

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.



ATTACHMENT 1

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

**Notes: Uses in land use districts – Recreation**

- (1) Cultural activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 Districts.
- (2) For carnivals, see LUC 20.20.160.
- (3) Recreation activities do not include athletic clubs in O, LI and GC Districts.
- (4) Limited to a maximum of 2,000 gross square feet per establishment.
- (5) Nonresidential uses are permitted in Downtown-R Districts only when developed in a building which contains residential uses.
- (6) Excludes zoos.
- (7) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.
- (9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site.
- \*(10) City parks are generally permitted in all zones. However, the following types of uses or facilities in City parks in single-family or R-10 zones require conditional use approval: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Nonrecreation uses in City parks in all zones outside the Downtown require conditional use approval, except that the permit requirements for wireless communication facilities shall be as set forth in LUC 20.20.195. For purposes of this requirement, “nonrecreation use” means a commercial, social service or residential use located on park property but not functionally related to City park programs and activities.
- (11) See LUC 20.20.190 for additional regulations.

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

**Chart 20.10.440**

**Uses in land use districts**

**Residential – Nonresidential Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	
1	Residential											

ATTACHMENT 1

Residential – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	
	Single-Family Dwelling (3)	P 15	P 1	S	S	S	P 8	S	S	S	S	
	Two to Four Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P	<u>P</u>
	Five or More Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P	<u>P</u>
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities (16)							C	C			<u>C</u>
	Rooming House (17)			P				P	P	P	P	<u>P</u>
	Senior Citizen Dwellings (4,7*)	P	P	P			P 8	P	P	P	P	<u>P</u>
13 15	Hotels and Motels <u>Transient Lodging</u>			P				C	C	P	P	<u>C</u>
	Congregate Care Senior Housing (4,7*,16)	P	P	P			P	P	P	P	P	<u>P</u>
6516	Nursing Home (7*,16)	C	P	P			C	P	P	P	P	<u>P</u>
	Assisted Living (4,7*)	C	P	C			C	P	P	C	C	<u>P</u>
	Accessory Dwelling Unit (9)	S	S	S	S	S	S	S	S	S	S	

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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

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### Notes: Uses in land use districts – Residential

- (1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.
- (2) (Deleted by Ord. 4999).
- (3) A boardinghouse or bed and breakfast is permitted in a single-family dwelling, provided the requirements of LUC 20.20.140 are met.
- (4) An agreement must be recorded with the King County Department of Records and Elections restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain in perpetuity as senior housing.
- (5) Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.
- (6) Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street may be allowed through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that are consistent with the vision of Comprehensive Plan Policies S-CR-79 and S-CR-81 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.
- (7) In Planning Districts A and B of the Crossroads Subarea and in Planning District E of the Crossroads Subarea north of NE 8th Street, existing legal nonconforming multifamily uses can be converted to senior citizen housing, congregate care senior housing, assisted living or nursing homes. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.\*
- (8) These residential uses are permitted in NB Districts only if located on the second floor and above the permitted ground floor nonresidential uses.
- (9) Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.
- (10) (Deleted by Ord. 4999).
- (11) (Deleted by Ord. 4999).
- (12) (Deleted by Ord. 4999).
- (13) (Deleted by Ord. 4999).
- (14) (Deleted by Ord. 4999).
- (15) One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District.
- (16) See LUC 20.20.190 for additional regulations.
- (17) See LUC 20.20.700 for general development requirements for rooming house.

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Chart 20.10.440

Uses in land use districts

Resources – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neighbor- hood Mixed Use
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)											
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	<u>P1</u>
	Marijuana Production				A 6							
8192	Other Horticultural Specialties: Medical Cannabis Collective Gardens (4)											
821	Agricultural Processing				P 2							
	Marijuana Processing				A 6							
8221	Veterinary Clinic and Hospital (5)	P	P		P	P	P 3	P	P			<u>P</u>
8222	Poultry Hatcheries				P	P						
83	Forestry, Tree Farms and Timber Production	C	C	C	C	C	C	C	C	C	C	
8421	Fish Hatcheries				P							
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	C	C	C	C	C	C	C	C	C	C	

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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**Notes: Uses in land use districts – Resources**

- (1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, F1, F2, F3, LI, GC, NMU, and CB Districts agriculture is limited to the production of food and fiber crops.
- (2) Agriculture processing excludes grain mill products manufacturing and slaughtering in LI Districts.
- (3) Veterinary clinics and hospitals are limited to 5,000 square feet per use in NB Districts.
- (4) Medical cannabis collective gardens are prohibited in Bellevue. See LUC 20.20.535 for general requirements applicable to marijuana uses.
- (5) See LUC 20.20.130.E for additional regulations.
- (6) See LUC 20.20.535 for general development requirements for marijuana uses.

**Chart 20.10.440**

**Uses in land use districts**

**Services – Nonresidential Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neigh- bor- hood Mixed Use
		PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3	<u>NMU</u>
6	Services											
61	Finance, Insurance, Real Estate Services	P	P	P	P 1	P	P	P	P	P	P	<u>P</u>
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair			S	P 2	P	P	P	P	S	S	<u>P</u>
6241	Funeral and Crematory Services	C	C	C						C	C	

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3	NMU
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C	
629	Child Care Services (3,4)											
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P	<u>P</u>
	Child Day Care Center	P	P	P	P	P	P	P	P	P	P	<u>P</u>
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 5	P	P 17	P	P	P	P	<u>P</u>
634	Building Maintenance and Pest Control Services				P	P		P	P			<u>P</u>
637	Warehousing and Storage Services, Excluding Stockyards				P	P		S	S			
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S	P 6	P	A 18	P 7	P 7	S	S	<u>P</u>
641	Auto Repair and Washing Services (26)				P	P	A 19	P	P			<u>P</u>
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P			<u>P</u>
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P		P	P	P	P	P	P	<u>P</u>
	Professional Services: Other	P	P	P	P 9	P		P	P	P	P	<u>P</u>
6513	Hospitals	C	C	C	C	C		C	C	C	C	
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape				P	P						
671	Governmental Services: Executive, Legislative,	C	C	C				C	C	C	C	<u>C</u>

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3	NMU
	Administrative and Judicial Functions											
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C	C	C	C	<u>C</u>
	Limited Governmental Services: Protective Functions (21)											
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)	P	P	P		P	P	P	P	P	P	<u>P</u>
674 675	Military and Correctional Institutions (27)	C	C	C	C	C	C	C	C	C	C	
	Secure Community Transition Facility (23,24)				C	C						
681	Education: Primary and Secondary (25,27)	A	A	A	A	A	A	A	A	A	A	<u>A</u>
682	Universities and Colleges (27)	P	P	P	P	P	C	P	P	P	P	<u>P</u>
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P	P		P	P	P	P	<u>P</u>
691	Religious Activities (27)	P	P	P	P	P	C	P	P	P	P	<u>P</u>
692 (A)	Professional and Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P	<u>P</u>
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P	<u>P</u>
	Administrative Office – General	P	P	P	P 5	P	P	P	P	P	P	<u>P</u>
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P 5	P				P	P	<u>P</u>
	Research,	P	P	P	P 5	P				P	P	

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3	NMU
	Development and Testing Services											<u>P</u>

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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

**Notes: Uses in land use districts – Services**

- (1) Finance, insurance, real estate services are permitted only if commercially or industrially related in LI Districts.
- (2) Personal services are permitted in LI Districts only if located in a multiple function building or complex.
- (3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.
- (4) A child care service may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.
- (5) These uses are permitted in LI Districts only if located in a multiple function building or complex.
- (6) Automobile rental and leasing services require administrative conditional use approval and are subject to the decision criteria in LUC 20.20.135.
- (7) Rental services are restricted to autos and furniture in CB and F1 Districts and to truck, trailer, and tool rentals, provided the site has two street frontages.
- (8) Auto repair and washing services are permitted only if washing services are a subordinate use to a permitted or special use in Downtown-MU Districts.
- (9) Professional services are permitted in LI Districts only if located in a multiple function building or complex.
- (10) Governmental services include maintenance shops in LI and GC Districts.
- (11) Limited to a maximum of 1,500 gross square feet per establishment.



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- (12) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.
- (13) Drive-in facilities may be permitted through Design Review, Part 20.30F LUC, at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:
- (a) On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.
  - (b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
  - (c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
  - (d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.
  - (e) Walk-up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.
- (14) These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.
- (a) In the review of the proposed use or uses under the Administrative Conditional Use Permit application, Part 20.30E LUC, the following criteria shall be considered:
    - (i) Consistency of the proposal with the goals and policies of the Comprehensive Plan.
    - (ii) Extent to which the physical environment will be modified by the proposal.
    - (iii) Ability to provide on-site parking facilities to accommodate intended uses under the proposal.
    - (iv) Extent of additional demand on public utilities and public services resulting from the proposal.
    - (v) Noise impacts of the proposal.
    - (vi) Traffic volumes and street classifications in the area of the proposal.
    - (vii) Compatibility of the proposal with surrounding land uses.
    - (viii) Impact of the proposal on the visual and aesthetic character of the neighborhood.

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

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

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- (15) Permitted in inactive elementary school facilities. The following criteria shall be considered:
- (a) Subsections a.i – viii of Note 14 – Uses in land use districts – Services.
  - (b) Hours of operation.
  - (c) Proposed signing.
- (16) Other than administrative office use, each individual service use in NB Districts is limited to 5,000 square feet. Administrative office use is limited as follows: when located on the first floor of a building, administrative office use is limited to 5,000 square feet or 25 percent of the first floor footprint, whichever is less; when located above the first floor of a building, administrative office use is allowed without a limit on total aggregate square footage, so long as each individual administrative office use is limited to 5,000 square feet. In no event may administrative office uses exceed more than 50 percent of the total building square footage. Administrative conditional use approval is required for hours of operation between 12:00 midnight and 6:00 a.m. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: (a) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and (b) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of City of Bellevue Ordinance No. 4422 are exempt from the ACUP requirements.
- (17) Only travel agencies are permitted in NB Districts.
- (18) Rental services limited to truck, trailer and tool rentals are permitted in NB Districts with administrative conditional use approval, provided the site has two street frontages.
- (19) Auto repair and washing services are permitted with administrative conditional use approval only in NB sites that have two street frontages.
- (20) Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility.
- (21) Uses are limited to neighborhood community police stations of 1,000 square feet or less.
- (22) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.
- (23) No portion of a property on which a Secure Community Transition Facility is proposed to be located may be within 300 feet of the boundary of any land use district within which the SCTF use is prohibited. The required 300 feet shall be measured in accordance with the policy guidelines established by the Department of Social and Health Services pursuant to RCW 71.09.285(4), now or as hereafter amended.
- (24) Secure Community Transition Facilities are subject to the regulations for Secure Community Transition Facilities in LUC 20.20.750.
- (25) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in all residential land use districts and the DNTN-R District a Conditional Use Permit is required for:

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- (a) The siting of such educational facility on a site not previously developed with an educational facility; or
- (b) The addition to or modification of a site previously developed with an educational facility where that addition or modification involves:
  - (i) An increase of 20 percent or more in the number of students occupying the school. The increase shall be measured against the number of students for which the school was designed prior to the addition or modification, without regard to temporary structures that may have been added to the site over time. If there is no information establishing the number of students for which the school was originally designed, then the increase shall be measured against the average number of students occupying the school in the three academic years immediately preceding the proposed addition or modification; or
  - (ii) A change in the age group of students occupying the school, or the addition of an age group where such age group was not previously served at the school, except that the addition of students younger than kindergarten age consistent with the definition of school in LUC 20.50.046 shall not be considered a change in the age group of students or an addition of an age group for purposes of this subsection. For purposes of this subsection, age group refers to elementary, middle, junior or high school, as defined and used by the school district operating the school; or
  - (iii) The addition of facilities or programs that may result in impacts not anticipated at the time the original school was developed, including, for example: development of lighted ballfields or the addition of lighting to existing ballfields; development of an exterior sound amplification system; development of fixed outdoor seating; or a proposal to increase the height of the facility pursuant to LUC 20.20.740.A.3.b.
- (26) Battery Exchange Stations are ancillary to Auto Repair and Washing Services, 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.
- (27) See LUC 20.20.190 for additional regulations.

**Chart 20.10.440**

Uses in land use districts

Transportation and Utilities – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neighbor- hood Mixed Use
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	NMU
4	Transportation, Communications and Utilities											
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus				P	P		P	P			

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Transportation and Utilities – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	<u>NMU</u>
	Terminals, Taxi Headquarters											
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (23)				P	C						
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C 12	C 12	C 12	C 12	C 11	C 12	C 12	C 12	C 12	
	Accessory Parking (6)(24)	P	P	P	P	P	P	P	P	P	P	<u>P</u>
46	Auto Parking: Commercial Lots and Garages (24)			C	C	C		C	C	C	C	
	Park and Ride (5) (24)	C	C	C	C	C	C	C	C	C	C	<u>C</u>
475	Radio and Television Broadcasting Studios	P	P	P	P 10	P 10		P	P	P	P	<u>P</u>
485	Solid Waste Disposal (19)				C							
	Highway and Street Right-of-Way (24)	P	P	P	P	P	P	P	P	P	P	<u>P</u>
	Utility Facility	C	C	C	C	C	C	C	C	C	C	<u>C</u>
	Local Utility System	P	P	P	P	P	P	P	P	P	P	<u>P</u>
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	<u>C</u>
	On-Site Hazardous Waste Treatment and Storage Facility (7)			A	A	A	A	A	A	A	A	<u>A</u>
	Off-Site Hazardous Waste Treatment and Storage Facility (8)				C							
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C	<u>C</u>
	Regional Light Rail Transit Systems and Facilities (25)	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	<u>C/P</u>
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	<u>14, 16, 21</u>

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Transportation and Utilities – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neighbor- hood Mixed Use
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	NMU
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16

Transportation and Utilities – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Neighbor- hood Mixed Use
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P	P
	Electrical Utility Facility (22)	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22	A/C 22

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

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Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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**Notes: Uses in land use districts – Transportation and Utilities<sup>1</sup>**

- (1) (Deleted by Ord. 5086).
- (2) Intentionally deleted.
- (3) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.
- (4) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.25A.050H.

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- (5) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.
- (6) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.10.440.
- (7) On-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 are only permitted as administrative conditional use approvals as a subordinate use to a permitted or special use. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (8) Off-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (9) (Deleted by Ord. 5086).
- (10) These uses are permitted only if located in a multiple function building or complex.
- (11) Aircraft transportation is limited in these districts to government heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (12) 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.
- (13) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.
- (14) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. This note does not prohibit locating WCF: a) on any residential structure or undeveloped site in R-20 or R-30 Land Use Districts; or b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.
- (15) Intentionally deleted.
- (16) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.
- (17) Intentionally deleted.
- (18) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.
- (19) Refer to LUC 20.20.820 for general requirements applicable to solid waste disposal facilities.
- (20) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).
- (21) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the

ATTACHMENT 1

antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.

(22) 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.

(23) 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.

(24) 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.

(25) 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.

**Chart 20.10.440**

**Uses in land use districts**

**Wholesale and Retail – Nonresidential Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3	<u>NMU</u>
5	Trade (Wholesale and Retail) (39)											
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)				P	C						
5193	Scrap Waste Materials, Livestock											

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Wholesale and Retail – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3	<u>NMU</u>
	Recycling Centers				P	P	P	P	P			
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)				P 35	P		P	P			
5251	Hardware, Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P			<u>P</u>
5252	Farm Equipment				P 35							
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)							P	P			<u>P</u>
54	Food and Convenience Store (Retail) (27)					P	P	P	P			<u>P</u>
5511	Autos (Retail)			P 6	A 4, 35	P		C	C			
	Trucks, Motorcycles, Recreational Vehicles (Retail)			P 25	P 7, 35	P						
	Boats (Retail)				P 35	P						
552	Automotive and Marine Accessories (Retail)				P 35	P		P	P			<u>P</u>
553	Gasoline Service Stations (40)			A 34	P 34, 35	P	P	P	P	A 34	A 34	<u>P</u>
56	Apparel and Accessories (Retail)			S		P		P	P	S	S	<u>P</u>
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P			<u>P</u>
58	Eating and Drinking Establishments (37)		P 13	P 14	P 15, 29, 35	P	P 16, 28	P	P	P 14	P 14	<u>P 42</u>
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P 17	S		P	P 19	P	P	S	S	<u>P</u>
	Adult Retail Establishments (31)			S				P	P	S	S	
59	Marijuana Retail Outlet					A 41		A 41	A 41			
5961	Farm Supplies, Hay, Grain, Feed and				P 35	P						



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Wholesale and Retail – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	<u>Neighbor- hood Mixed Use</u>
		PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3	NMU
	Fencing, etc. (Retail)											
596	Retail Fuel Yards				P 35	P						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools				P 35	P	P 20	P 20	P 20			<u>P20</u>
5999	Pet Shop (Retail and Grooming)				P 26, 35	P 26	P	P	P			P
	Computers and Electronics (Retail)				P 12, 35	P 12		P	P			P

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

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

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

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

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

**Notes: Uses in land use districts – Wholesale and Retail**

- (1) Wholesale trade includes sales offices for these goods.
- (2) Wholesale trade of motor vehicles, primary and structural metals, and bulk petroleum includes sales offices for these goods and excludes tank farms.
- (3) Bulk retail includes sales offices for these goods.
- (4) Automobile (retail) is subject to the decision criteria in LUC 20.20.135.
- (5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and 2) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of the ordinance codified in this chapter are exempt from the ACUP requirements.

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- (6) Retail auto sales are permitted only in the following locations:
  - a. The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405;
  - b. Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE; and
  - c. West of 148th Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148th Avenue SE. Retail auto sales located in this area shall be subject to design review per Part 20.30F LUC, which shall in particular address and control spillover lighting, and associated vehicle inventory storage shall predominantly occur within a building or buildings. Transition area landscape buffers consistent with LUC 20.25B.040.C shall be provided along interior property lines that abut properties located within OLB and LI land use districts.
- (7) Motorcycle (retail) requires administrative conditional use approval in LI Districts.
- (8) (Deleted by Ord. 5089).
- (9) (Deleted by Ord. 5089).
- (10) (Deleted by Ord. 5089).
- (11) Furniture and home furnishings are limited to uses with on-site warehousing in LI Districts.
- (12) Computer supplies are permitted as a subordinate use to computer sales in LI and GC Districts.
- (13) Eating and drinking establishments are excluded in transition areas in O Districts.
- (14) Eating and drinking establishments are permitted in the OLB, F2 and F3 Districts subject to the following criteria:
  - (a) Such uses are physically integrated within a structure primarily used as a hotel or motel; office building; charitable, social, professional and labor organization; fraternal lodge; recreational facility or institution such as a public assembly (indoor).
  - (b) Such uses do not exceed 20 percent of the gross floor area of the structure or structures.
  - (c) The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.
- (15) Eating and drinking establishments are permitted in LI Districts only if located in a multiple function building or complex.
- (16) Eating and drinking establishments may include liquor sales only if operated under a Class A or C liquor license issued by the Washington State Liquor Control Board. Eating and drinking establishments with other classes of liquor licenses require administrative conditional use approval.
- (17) Other retail trade is limited to drugstores only in O Districts.
- (18) Intentionally deleted.
- (19) Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet.

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- (20) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB, F1, NMU and Downtown-MU Districts.
- (21) Limited to a maximum of 1,500 gross square feet per establishment.
- (22) Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.
- (23) Nonresidential uses are permitted in Downtown-R Districts only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.
- (24) No on-site outdoor display or inventory storage.
- (25) Motorcycles only.
- (26) Only pet grooming is permitted in the LI and GC Districts.
- (27) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (28) Drive-in windows are not permitted.
- (29) No more than one eating and drinking establishment is permitted in any building.
- (30) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.
- (31) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (32) (Reserved).
- (33) (Deleted by Ord. 5089).
- (34) Gasoline service stations may include subordinate convenience stores.
- (35) Any business which combines two or more permitted retail sales uses and also includes subordinate retail sales uses shall be limited in size to 50,000 square feet.
- \*(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, and Wilburton; provided, that in CB Districts in the Wilburton Subarea, retail uses may be allowed to exceed 100,000 gross square feet through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that (a) address the potential impacts of that scale of retail use, and (b) are consistent with the vision of Comprehensive Plan Policy S-WI-3 regarding the creation of a “retail village” on the commercial area west of 120th Avenue NE.
- (37) Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.
- (38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District, provided the following criteria are met:

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- (a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.
  - (b) The uses do not exceed 30 percent of the total floor area of the building or complex.
  - (c) Each individual retail use is limited to 15,000 gross square feet in area.
  - (d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.
- (39) All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.
- (40) Battery Exchange Stations are ancillary to Gasoline Service Stations, 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.
- (41) See LUC 20.20.535 for general development requirements for marijuana uses.
- \* Not effective within the jurisdiction of the East Bellevue Community Council.
- (42) In the NMU district, microbreweries are allowed when combined with an eating and drinking establishment.

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<sup>1</sup> Code reviser's note: Ordinance 6016 amends these notes and unintentionally omits the amendments made by Ordinance 5989. At the city's request, the amendments of Ordinance 5989 have been retained.

Chart 20.20.010

NMU	Proposed NMU
Minimum setbacks of structures (feet) Front Yard	0
Rear Yard	0
Side Yard	0
2 Side Yards	-
Minimum Lot Area (A- acres or thousands of sq. ft)	-
Dwelling Units Per Acre	-
Minimum dimensions (feet) width of street frontage	-
Width required in lot	-
Depth required in lot	-
Maximum feet in Building Height	70
Maximum lot coverage by structures (%)	75

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Maximum impervious Surface (%)	75
FAR base	-
FAR max	1.0
Gross SF/floor above 40'	28,000
Gross SF/floor above 80'	NA



## Planning Commission Schedule

January 27, 2016

The Bellevue Planning Commission typically meets on the second and fourth Wednesdays of each month. Meetings begin at 6:30 p.m. and are held in the Council Conference Room (Room 1E-113) at City Hall, unless otherwise noted. Public comment is welcome at each meeting.

*The schedule and meeting agendas are subject to change.* Please confirm meeting agendas with city staff at 425-452-6931. Agenda and meeting materials are typically posted no later than the Monday prior to the meeting date on the city's website at:

<http://www.bellevuewa.gov/planning-commission-agendas-2016.htm>

<b><u>Date</u></b>	<b><u>Tentative Agenda Topics</u></b>
Feb 10, 2016	Downtown Livability
Feb 24	Eastgate Land Use Code
Mar 2	State Department of Commerce – Short Course on Local Planning (hosted by the City of Bellevue)
Mar 9	Downtown Livability Annual Comprehensive Plan Amendments
Mar 23	Eastgate Land Use Code Single Family Room Rental

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**From:** William Herman <william.j.herman@gmail.com>  
**Sent:** Monday, January 18, 2016 3:22 PM  
**To:** bill@l4bell.org  
**Cc:** Stroh, Dan; King, Emil A.; Council; PlanningCommission  
**Subject:** City Council to Adopt Guidelines for Downtown Incentive Zoning at meeting Tuesday at 6

City staff has asked for the City Council to send guidance for the creation of a new incentive zoning system. Please see the meeting agenda and the council principles.

Study Session Agenda -

<https://bellevue.legistar.com/View.ashx?M=A&ID=446447&GUID=9345CA4E-F14F-4986-B23C-0FB15C004706>

Council Principles -

<https://bellevue.legistar.com/View.ashx?M=F&ID=4207762&GUID=AD8B45C1-70F0-4754-9AF1-297B8136CCA6>

Bellevue currently has an incentive zoning system in place that is designed for developers to provide public amenities in return for a bonus - building taller buildings and additional square footage. The current list of amenities includes things like public spaces and the development of a pedestrian corridor. For a complete background please refer to the Citizen Advisory Committee

recommendations. [http://www.bellevuewa.gov/pdf/PCD/CAC\\_Final\\_Report\(1\).pdf](http://www.bellevuewa.gov/pdf/PCD/CAC_Final_Report(1).pdf) The problem has been that developers have earned the maximum bonus by providing underground parking, so few of the other amenities have materialized. According to testimony, the incentive system rewarded developers for providing what they would have provided without the incentive. Developers got a gift. The anticipated fix was to make underground parking a requirement and end the handout.

Once again the process is focused on the benefit of developers. A councilman circulated a private email to the other councilmembers warning them of a "back door downzoning". The argument was that requiring underground parking is an unfair taking of developer value because in the past developers got something in exchange for it. So if giving maximum incentive in the past was a mistake, the language of the council's proposed guidance is to institutionalize the mistake. See principle 7.

The principles that guide the incentive system have vague promises of value for the residents of downtown Bellevue, but the incentive system will provide for specific concrete benefits for developers. They get to keep the free lunch and now we'll buy them dinner. Livability as defined by the residents could be summed up as convenience. Our survey shows that transportation, gridlock and parking top our list. It is clear that the added bonus awarded to developers will have a negative impact on livability by creating gridlock on our streets. I propose that the city must meet mobility targets before any of the additional height and FAR are traded away. I never hear about the unconstitutional taking of value when the height of buildings is being increased,

blocking views and lowering property values. Why don't residents and developers get treated the same?

I encourage you all to write to council, the planning commission and the city planners to weigh in at this important juncture. [council@bellevuewa.gov](mailto:council@bellevuewa.gov);  
[planningcommission@bellevuewa.gov](mailto:planningcommission@bellevuewa.gov); [DStroh@bellevuewa.gov](mailto:DStroh@bellevuewa.gov);  
[EAKing@bellevuewa.gov](mailto:EAKing@bellevuewa.gov)

Thank you,



[www.L4Bell.org](http://www.L4Bell.org)

**William J Herman**  
10700 NE 4th St Unit 3616  
Bellevue, WA 98004  
[bill@l4bell.org](mailto:bill@l4bell.org)  
425 467-1264



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**From:** Mary O'Donnell <mary\_od@mac.com>  
**Sent:** Tuesday, January 19, 2016 10:46 AM  
**To:** Council; Stroh, Dan; PlanningCommission; King, Emil A.  
**Subject:** Incentive zoning system

Ladies and Gentleman,

We are downtown residents, owners, and living in Bellevue Towers.

We understand that a new incentive zoning system has been requested of the City Council.

We ask that strong consideration be given to the "livability" aspects of zoning, and how what you decide effects those of us who actually LIVE downtown. We are the ones that daily must deal with traffic which is getting worse and worse and most importantly, what will happen to the our property values when large, tall buildings are built across the street or down the street.

We are the voters that put you in office and we need to be heard.

And we are the ones that actually live in the heart of the city where these zoning laws come into play.

Living in an outlying neighborhood that is not in the heart of the city, it is easy to decide that tall buildings and lots of traffic is not an issue. After all, it isn't disturbing a family's day-to-day livability since that family's backyard or neighborhood isn't being disturbed. But those of us whose backyard is 106th and NE 4th Street, it IS affecting our livability. And our property values drop when Mt. Rainier is replaced by a big building!

Thank you for your consideration.

Sincerely,  
Richard and Mary O'Donnell  
10700 NE 4th Street #2114  
Bellevue, WA 98004

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

January 13, 2016  
6:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale, deVadoss, Walter

COMMISSIONERS ABSENT: Commissioners Laing, Morisseau

STAFF PRESENT: Mike Kattermann, Pattie Wilma, Emil King, Scott MacDonald, and Bradley Calvert, Planning and Community Development Department; Liz Stead, Development Services Department

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:39 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Laing and Morisseau, both of whom were excused.

3. APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Barksdale. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

4. PUBLIC COMMENT

Mr. Jonathan Kagle, PO Box 312, spoke as president of the Vuecrest Community Association. He noted that the Association was founded in 1947, six years before the city of Bellevue was incorporated. The Association represents more than 200 homes that border the northwest part of the downtown. The vast majority of the homes are limited by covenant to a single story no taller than 20 feet. The covenants were established to encourage a low profile look and to preserve views. Vuecrest members greeted the Downtown Livability Initiative with enthusiasm given its focus on making the downtown more walkable, improving amenities, and updating policies to reflect the increased density and changing demographics. However, toward the end of the process there was a shift toward increasing height limits in the areas that border the Vuecrest neighborhood. As envisioned, the change will create an abrupt transition from single story homes to six- or seven-story apartments and condominiums up to 70 feet tall, with additional height for mechanical and architectural features. The neighborhood is served by NE 100th Street, which is not a wide road. If approved, there will be tall buildings literally 70 feet away from many

backyards. The impacts will extend beyond the aesthetics to include loss of privacy and reduced sunlight. While it is possible to design taller buildings in ways that minimize impacts on surrounding properties, the recommendation does not consider any of that, leaving the neighboring communities little or no say in the configuration and design of the new developments. Revising the wedding cake concept would disrupt the transition between the neighborhood and the downtown and would have a negative impact on lifestyles and property values. Accordingly, the Vuecrest Community Association has voted to oppose the changes.

Commissioner Carlson asked if the Association has a counter proposal. Mr. Kagle said one option would be to retain the existing heights and developing a process that ensures more neighborhood involvement.

Ms. Betsi Hummer, 14541 SE 26th Street, noted that she was speaking as a private citizen rather than a member of the East Bellevue Community Council (EBCC), which has jurisdiction over certain land use actions in the Lake Hills area. A conditional use permit submitted by Puget Sound Energy was recently disapproved by the EBCC. Puget Sound Energy countered by suing the EBCC. At the court hearing on December 14, 2015, the judge came down on the side of the EBCC. Puget Sound Energy has appealed that ruling, and the EBCC will respond. A core criterion not met by the application was the violation of codes relating to the urban boulevards of NE 8th Street and 148th Avenue SE. Lake Hills is noted for its parks and parkways, and any other permits Puget Sound Energy submits will be fully researched with an eye on keeping Lake Hills as green and peaceful as major thoroughfares can be in accord with the urban boulevards program and the Environmental Stewardship Initiative. At its most recent meeting, the EBCC held a courtesy public hearing regarding a straight forward lot subdivision. The matter was brought to the EBCC by Development Services Department senior planner Carol Hamlin, even though the EBCC did not have authority over the permit; it gave the adjacent neighbors and others a chance to understand city processes, the application of zoning laws, and an opportunity to express their opinions. It was gratifying to hear the property owner intends to implement some low-impact development systems in the project.

## 5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS

Mayor Stokes noted that he intended to continue serving as liaison to the Planning Commission. He said as mayor he hoped to take a hard look at how decisions are made and how issues are worked through. Bellevue has traditionally done a great job in those areas, but things have changed a lot over the last few years and will continue to change in the coming years. The Commission has played and will continue to play a huge role going forward. He praised the Commissioners for choosing to be engaged with other boards and commissions.

## 6. STAFF REPORTS

Senior Planner Mike Kattermann reported that a new comprehensive planning manager has been hired and will be on board prior to the Commission's next meeting on January 27.

### A. Quarterly Check-in on Progress, Procedures and Support

Mr. Kattermann noted that one idea that came out of the Commission's annual retreat in the fall of 2015 was to conduct regular check-ins. To that end he called attention to the memo included on page 47 of the packet.

Strategic Planning Manager Emil King said one idea the Commission had at its retreat was to

produce a graphic depicting topics and projects being worked on by the Commission. He shared with the Commissioners an emerging tool intended to whet their appetites relative to story mapping. One tool took the Comprehensive Plan and broke it down into short sections based on the various elements. Each section included a picture or graphic, text with a brief outline, and a link to the full Comprehensive Plan element. Another was more map-based and showed all startup companies in the city, with links to click on to identify each company and gain some information about them. A third model was focused on annexations over time, starting in the Old Bellevue portion of the city and growing outward from there. The Commissioners were informed that each of the story maps can be accessed through the city's website.

Chair Hilhorst commented that after the Commission discussed early wins in December there was an understanding that some revisions to the documents would be forwarded to the Chair and Vice Chair for review before sending it on to the City Council. Mr. King said staff is working to conclude its work on the amendments as well as the transmittal document. The documents will be forwarded to the Chair and Vice Chair soon. The matter is not yet scheduled for a review by the Council.

Chair Hilhorst asked for follow-up on the single room rental ordinance. Mr. Kattermann said the issue is slated to go before the Hearing Examiner in February. An update will be provided to the Commission, hopefully in March.

Chair Hilhorst said she recently had discussions with Commissioners Barksdale and Walter about making more use of data. She said both have agreed to liaison with the staff and report back at a future Commission meeting.

Chair Hilhorst said she will be talking soon to a Commissioner about getting the speaker series going again, adding that she would like to be involved in the process. She added that she and Commissioner deVadoss continue to focus on Smart Cities issues. The intent is to schedule some follow-up discussions on how to take the workshop discussions and roll the ideas into downtown livability.

Commissioner Barksdale voiced a desire to see adaptive management discussed by the Commission. He noted that data is being collected and adjustments are being made based on it, but ways should be found to empower communities to own the creative direction for their neighborhoods to a practical extent. He allowed that the topic could possibly be folded into the data component.

Commissioner deVadoss congratulated staff for being selected to participate in the "What Works Cities" initiative. He suggested the Commission should support that work. The data work will in some way link in.

With regard to televising the Commission meetings, Commissioner deVadoss observed that there are a number of low-cost options in terms of telecasting. It could also be possible to telecast the Council meetings for less money. Mayor Stokes commented that public outreach could be enhanced by having the public see and hear the Commission's conversations and presentations. The Planning Commission is the obvious choice for launching such a program. So far it is just an idea that will need to be fleshed out.

Chair Hilhorst asked if the conversation could come sooner rather than later so the meetings could be telecast as soon as possible. She noted that there are a number of very important topics that will be addressed by the Commission in 2016 that will be of great interest to the public, including subarea planning.

With regard to the subarea planning work, Chair Hilhorst asked Mayor Stokes if he would be interested in receiving feedback from the Commission regarding which neighborhoods should be addressed first. Mayor Stokes allowed that he would.

Mayor Stokes announced that on Friday, January 15, there would be a Seahawks rally in Downtown Park. The Councilmembers will raise the 12th Man flag.

## 7. DRAFT MINUTES REVIEW

### A. December 9, 2015

A motion to approve the minutes was made by Commissioner Walter. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

## 8. STUDY SESSION

### A. Downtown Livability

Mr. King provided a brief outline of the process to date, noting that the recommendations from the Citizen Advisory Committee were forwarded to and reviewed by the Council. A joint Commission/Council workshop focused on incentive zoning, the outcomes of which are scheduled to be before the Council on January 19 to formalize the principles that will help guide the Commission's work on the incentives. With regard to the A Design District that was highlighted by the Vuecrest representative, the CAC recommended allowing building height of up to 70 feet, but the Council gave direction to look at the height issue from the perspective of the surrounding neighborhoods.

Continuing, Mr. King said the Commission focused first on the identified early win issues. The recommendations will be on the Council's agenda early in the year. A number of meaty topics will be addressed by the Commission. Ultimately a large body of work comprised of both code language and design guidelines will be transmitted to the Council to consider for adoption. He recommended dedicating the first Commission meeting of each month to the livability topic so the public will know when to attend.

Urban Design Planning Manager Liz Stead said her group has charge of conducting all design reviews for the downtown and will be the group responsible for implementing the code being drafted. She explained that the development standards are mandatory requirements. They include permitted uses, dimensional standards and landscaping requirements, all of which are black and white. The design guidelines talk about quality and impacts, and while they show clear intent, there is some flexibility allowed in how they are achieved by individual developments. The incentive zoning system gives developers a menu of amenities to choose from for which they can gain a bigger building or additional floor area.

Commissioner deVadoss asked if the design guidelines apply to the bonus amenities. Ms. Stead said they do in some situations. For instance, an open space created as an amenity would be required to follow the design guidelines.

Ms. Stead explained the steps involved in the design review process. The first interaction for a large project in the downtown involves a pre-application meeting. At that meeting, proposals are brought in and reviewed. The pre-application meeting leads to pre-development services where staff work closely with the applicant to make sure the proposal meets all code and design

guidelines requirements. The applicant then is directed to apply for design review, and the application is made in conjunction with a State Environmental Policy Act (SEPA) review. Projects are reviewed for compliance with the Comprehensive Plan, all applicable development codes, design guidelines, and SEPA requirements. The applications are all noticed in accord with the code requirements, which includes the posting of large white notice boards and mailings to all properties within 500 feet of a proposed project. An official public comment period is initiated, and public meetings are held for all downtown projects. The more interaction with the public, the more successful projects are.

Commissioner Carlson asked how long the process takes on average. Ms. Stead said the pre-application conference is relatively short, usually requiring no more than a couple of weeks to review the drawings and a couple more weeks to yield a determination. The design review process typically takes anywhere from six to nine months depending on the complexity of the project. There is a point in the design review after the public meeting and the revision cycle that everyone appears to be on the same page, and at that point the recommendation is made for the applicant to apply for construction permits; that is usually done before the design review process is completed and a combined notice of decision for both the SEPA and land use actions is issued. There is a 14-day appeal period that follows issuance of the notice of decision, and any appeal is heard by the Hearing Examiner.

Ms. Stead said when projects come in for a pre-application meeting, one of the first things done is a review of the dimensional standards chart to determine the project requirements. In the downtown O-1 district, the residential line item is looked at very closely. All required setbacks and stepbacks will be determined, along with the maximum building floor area per floor, the maximum lot coverage, the building height and the FAR. The maximum floor plate size changes for the higher floors to avoid buildings that are blocky all the way up, with reductions above 40 feet and above 80 feet. The basic building height is 200 feet, but there is an allowance to go up to 450 feet through the provision of certain amenities.

Questions are often asked about floor area ratio (FAR). An FAR of 1.0 means a site can be filled with one level of construction, or half the site with two levels, a quarter of the site with four levels. There are also questions asked about the difference between a setback and the stepback. A setback is a requirement to locate a building footprint from the sidewalk or property line. In most of the downtown, the required setback is zero feet. However, in Perimeter District A there is a 20-foot setback requirement to create a larger space between buildings. A stepback occurs at higher elevations and they are in place to prevent creating a canyon effect at the ground level; the first stepback is at 40 feet for buildings over 75 feet in height.

Commissioner Walter asked if there are specific requirements for each side of a building. Ms. Stead said that depends on the location of the building. In Old Bellevue there is a specific requirement for buildings facing Main Street. The requirements generally relate to front, side or rear property lines.

Ms. Stead explained that the review staff look first at the ground plane and determine what setbacks if any apply, and where through-block connections will be located. The maximum podium height is determined next, followed by the maximum floor plate size for the zone and the building height. Below grade parking is reviewed along with access points. The finer details follow next, including street tree species, sidewalk widths, the relationship between the sidewalk and the building, building articulation, building materials, rooftop mechanical screening, and the pedestrian scale. Beyond that, the review includes contextual relationships with surrounding sites. The side code, while separate from land use, is also looked at in the reviews.

Chair Hilhorst asked about the maximum building height and Ms. Stead said it is 450 feet. No allowance is made for mechanical equipment to extend beyond that height. The two Bellevue Towers and the Westin tower were built to the maximum allowed height.

Assistant Planner Scott MacDonald said walkability is a core theme the CAC final report identified. It is a prime element for achieving a viable, memorable and livable downtown. Walkability components include sidewalks, through-block connections, plazas, parks and open space, street crossings and mid-block crossings. Building façades serve as strong boundaries for one side of the pedestrian realm, and street trees help to identify the other. There are three zones that comprise the sidewalk space: buffer, through and frontage. The frontage zone is the area that is directly adjacent to a building façade and allows for window shopping, café and restaurant seating. The through zone is kept clear of obstructions in order to facilitate pedestrian mobility. The buffer zone is adjacent to the curb and can include elements such as tree wells, planter strips, utility poles, public art and bike racks.

Chair Hilhorst asked if café seating is required to have a railing separating it from the through zone of the sidewalk. Mr. MacDonald said the only rules that apply to café seating have to do with alcohol. If alcohol is served, there traditionally has been a requirement for a fence, though in a recent ruling it was determined that a mere painted line on the sidewalk is allowed. Chair Hilhorst asked how cafés and restaurants can be kept from allowing their tables to occupy part of the through zone of the sidewalk absent a fence. Mr. MacDonald said that is certainly the challenge. According to national standards for the different sidewalk zones, a sidewalk that is 12 feet wide does not have enough room to accommodate café or restaurant seating and still maintain the through zone. Under the Americans with Disabilities Act (ADA) requirements, a through zone must be a minimum of five feet wide.

Community Development Program Manager Bradley Calvert said tower spacing is an important element in that it influences how much sunlight reaches the pedestrian areas. Scale is important in creating a comfort level for pedestrians. The determining factors for tower separation are the International Building Code (IBC) and additional local tower separation requirements. The IBC calls for 40-feet of separation. Bellevue's stepback requirement essentially serves to increase the separation between towers. Many cities, including Vancouver, Toronto and San Francisco, have chosen to require 80 feet of separation. Given an equal FAR, the towers are taller.

Floor plate size also has an impact on the pedestrian realm in terms of the scale, bulk and mass of towers that loom over the pedestrian environment. If floor plate sizes are restricted too much, projects are not economically feasible, particularly in the case of office. Floor plates that are too large are bulkier and cast additional shade and shadows on the pedestrian environment. The determining factors are the maximum allowed floor plates, and floor plate exceptions which allow for slightly larger floor plates on buildings that are under 70 feet tall.

Chair Hilhorst sought an explanation of what was meant by the connecting floor plate provisions. Mr. Calvert said the intent is to allow a connection in a W-shaped and donut-shaped floor plan in order to yield a lesser number of exiting requirements for stairs and elevators, making a building more efficient. Additional square footage is allowed, but the results have not necessarily been conducive with the pedestrian environment.

Mr. Calvert allowed that shade and shadow is a huge issue when it comes to impacting public sidewalks and plazas, as well as adjacent developments. The determining factors are orientation, spacing, placement and tower form. Where façades are oriented toward the north and south, much larger shadows are cast.

Chair Hilhorst noted that property owners undoubtedly will want to design and orient their buildings to maximize views for their tenants; she suggested the Commission will want to address that issue going forward.

Commissioner Carlson asked what requirements or incentives would get more developers to adopt designs that minimize shade and shadow. Mr. Calvert said things have not progressed to that degree. It will be necessary to look at all relevant elements and whether or not good outcomes can be achieved through less impactful guidelines or requirements.

Commissioner deVadoss asked if building spacing could contribute to using less energy as well as reduce shade and shadow at the street level. Mr. Calvert allowed that to the degree buildings are oriented to receive more sunlight, energy consumption could certainly be positively impacted. Commissioner deVadoss asked if it would be fair to assume that a north-south orientation would result in more sunlight on a building. Mr. Calvert said that potentially could be the case. Of course, when it comes to energy usage, much would depend on the building materials and the systems that are installed.

There was agreement to further evaluate implications for sustainability and building performance. Mr. King agreed to do that.

With regard to wind, Mr. Calvert observed that like shade and shadow it can diminish the quality of public spaces. In Bellevue, the prevailing winds primarily come from the south and southwest, so orientations to minimize shade and shadow will also minimize wind impacts. The primary issues associated with wind are downdrafts, tunneling and accelerated winds, all of which are impacted by orientation and stepback requirements. By incorporating a series of stepbacks as well as a more narrow façade, building surface areas can be lessened, allowing the wind above the pedestrian area to shoot off and not be much of an impact. Circulation between buildings is another issue, but the impacts there can also be mitigated through application of appropriate stepback. Green roofs mitigate winds as well by interrupting the flow. Tunneling occurs where buildings with straight line façades are constructed. Stepbacks, canopies and arcades all can help in stopping the wind from impacting the pedestrian environment.

Mr. Calvert said building form and design can impact the pedestrian realm. At the same time, it can create an emotional and aesthetic response. Quality designs with unique and fluid forms of appropriate scale are pleasing and memorable. Designs with a base, middle and top allows the eye to travel up a diminishing scale that is both comfortable and predictable. At the same time it creates a landmark.

Mr. MacDonald informed the Commission that staff have been working on an analysis of protecting public views toward Mount Rainier from the City Hall concourse. The work is focused on preserving views of iconic natural resources that make Bellevue the amazing place it is. Views from public spaces reinforce the notion of Bellevue as a city in a park, and preserving the views gives residents, visitors and workers equal access to the resources.

Commissioner Carlson asked what the guiding standard is when it comes to protecting views, particularly what guarantees a person living in a tower in the downtown has that another building will not go up and block their view. Mr. MacDonald said the analysis done by staff was focused solely on views from public spaces. There is nothing in place currently that protects private views. Staff found there are some views of Mount Rainier from Downtown Park that are fairly obstructed by existing developments. The views of Mount Rainier that exist in other parks are almost completely obstructed as well. The view from City Hall is one of the few remaining views of the mountain from a public space in Bellevue.



Commissioner Walter commented that she has an excellent view of the Cascades from her medical office tower next to the hospital, but when the Spring District gets developed those views will go away. She said she remembered talking about protecting public views when working to update the Comprehensive Plan, but did not recall taking such specific steps to preserve the views from City Hall. She said to protect views from City Hall but nowhere else smacks of preferential treatment.

Mr. Kattermann said the issue had come up during the discussions regarding the East Main station area because the redevelopment area to the east of 112th Avenue SE is within the view corridor. The information was shared with the Council on January 11 as part of an update regarding the East Main station area study. He clarified, however, that the work is not focused on protecting views for city employees or for everyone in City Hall. Rather, the work is focused on protecting the view from the public area that is in fact designated as part of the public open space, and it is based on Council policy that is specific to the downtown.

Commissioner deVadoss agreed that protecting views from City Hall appears very awkward. The approach could have downstream impacts in terms of economic growth. Absent strong citizen feedback, the approach appears odd.

Commissioner Carlson suggested that very few people visit City Hall in order to gain a view of Mount Rainier. It makes little sense to use government regulations to preserve something people do not go to City Hall to take advantage of.

Commissioner Barksdale pointed out that the alternative would be to have no protections at all, which undoubtedly would result in the loss of the views. Keeping a view corridor from open public areas makes sense from a tourism standpoint. Private buildings can provide views of Mount Rainier in a variety of ways, including through rooftop amenities. The options are to find ways of protecting the views or risk losing all of the views from public spaces.

Chair Hilhorst asked for clarification of an earlier statement about no other views of Mount Rainier. Mr. MacDonald confirmed that according to the analysis done by staff, the view from City Hall is the last view of Mount Rainier from any public space in the downtown. The analysis was not in any way exhaustive, however, and it is up to interpretation whether or not views of the Cascades should also be protected. He added that the height limits currently in place will not impact the view from City Hall. Mr. King added that the redevelopment area to the east of 112th Avenue SE and south of Main Street, which is home to the Hilton and Red Lion hotels and the Bellevue Club, are under review by the East Main Station Area CAC, and additional height is being discussed. The property to the south of City Hall on which the Metro 112 building was constructed also lies within the view corridor window; the architects re-sculpted the building through the shifting of FAR on the property in order to preserve the views in accord with the Council policy.

Commissioner Carlson noted that directly south and southwest of Downtown Park there are apartment buildings that are about six stories tall. Those buildings block the views toward Mount Rainier from the park. He asked if construction of the buildings would have been prevented had the policy had been in place at the time. Mr. King said staff walked Downtown Park specifically to look for view windows. He said there are in fact still view windows toward Mount Rainier from the park. The view issue was not raised as part of the review process for the Old Bellevue projects.

Chair Hilhorst suggested that additional analysis would be helpful to identify all of the views

from public spaces. Additionally, there should be a determination made as to whether only views of Mount Rainier from public spaces are to be preserved or if views of the Cascades and Olympics from public spaces should also be preserved. She also agreed that consideration needs to be given to any possible economic impacts associated with retaining view corridors.

Mr. Kattermann reiterated that the East Main Station Area CAC is considering additional height for the properties to the east of 112th Avenue SE and south of Main Street. The CAC is not, however, charged with making a recommendation regarding the view corridor itself. The Council does, however, want to revisit the issue before the recommendation of the CAC is forwarded to the Planning Commission.

Turning to the topic of neighborhood character, Community Development Manager Patti Wilma said the issue was recommended by the CAC as something in need of being reinforced and developed. The downtown subarea plan in the Comprehensive Plan discusses neighborhood identity as a fundamental part of the great place strategy. The downtown was originally set down in 600-foot superblocks with retail in one corner, office in the middle, and residential on the edges. The 2003 Comprehensive Plan update looked at the priority of breaking down the superblocks to make them more pedestrian friendly and to create areas people can relate to as neighborhoods. Seven neighborhoods were identified in the Comprehensive Plan. The Northwest Village and East Main neighborhoods are similar but different. Both are areas awaiting significant change, both have proximity to neighborhoods outside the downtown, and both have similar zoning and building height characteristics. However, each has different topographies and different neighbors, with Northwest Village adjacent to a two-lane road and East Main adjacent to I-405.

Commissioner Barksdale suggested the two neighborhoods would be good to story map to see how development is occurring in each area.

Ms. Wilma addressed next the streetscape standards and guidelines. She noted that street types lay the foundation for dimensional standards. There are pedestrian-biased streets (Main Street, the pedestrian corridor), auto-biased streets (NE 4th Street, NE 8th Street), and neutral streets that essentially are a mix of both. There are in the Comprehensive Plan policies to develop signature streets, including Bellevue Way as a shopping street, 106th Avenue NE as an event and entertainment street, and 108th Avenue NE as a commerce street. The information can be layered to create the building and sidewalk relationship guidelines.

Ms. Wilma noted that the staff recommendation included removing a private street in the northeast corner of town, and upgrading the shopping and pedestrian priority of 103rd Avenue NE. The entire Old Bellevue district is really a shopping area and the intent was to have that street continue with that activity and vibrancy.

Commissioner Walter asked how much of the recommendation reflects what is on the ground and how much is prescriptive. Ms. Wilma said about 50 percent of the downtown is built out in accord with what the code calls for. Bellevue Way is a shopping street and is mostly built out to be just that. The entertainment street, 106th Avenue NE, is where the farmer's market operates and where the arts fair is sited. It is not physically fully built out, it is planned to be the entertainment street. The design guidelines will inform what will happen in the future as the street continues to build out.

Mr. King stressed that the recommendation meets the policy direction of the plan while recognizing what is already on the ground.

Commissioner Carlson noted that earlier in the meeting the Vuecrest residents objected to increased building height in the area of the downtown adjacent to their neighborhood. Ms. Wilma said Perimeter Design District A rings the downtown edge and currently has a 55-foot height limit and a 20-foot buffer from the back of the sidewalk. There are very different conditions on all the edges of the downtown. Vuecrest is entirely single family separated by only a two-lane road. Along NE 12th Street there are land use buffers in the form of McCormick Park and multifamily on the north side of the street. There is ample opportunity to customize conditions on the edges without making them all the same.

A motion to extend the meeting to 9:15 p.m. was made by Commissioner deVadoss. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Commissioner Carlson said he understood the objections from the Vuecrest neighborhood were in regard to the number of stories to be allowed in the perimeter district. He asked if the recommendations mean the neighborhood will simply be out of luck as the downtown builds out or if the complaints have merit. Ms. Wilma said the concerns certainly do have merit, though customized conditions could be realized depending on the perimeter. The East Main area has the exact same zoning but far different existing conditions. There is the potential of adding additional height up to 70 feet, which could have an impact on the adjacent neighborhood, but something like a reduction in the allowed lot coverage could serve as a tradeoff to balance things out for the neighborhood.

Ms. Wilma clarified for Chair Hilhorst that the recommendation for NE 6th Street and Bellevue Way relative to vehicular access means no curb cuts to access development would be permitted, and that parking on private property would also not be allowed.

Chair Hilhorst said it would be helpful to include the light rail alignment on the maps of current and future uses.

Ms. Wilma said through-block connections have helped to break up the downtown's superblocks and improve walkability. She noted that in Portland blocks are 200 feet and in Seattle they are 300 feet.

Commissioner Carlson asked if Bellevue's 600-foot blocks make it easier to drive a car. Mr. Kattermann said that is not necessarily the case given that there are fewer route options. Smaller grid patterns allow for more options, though the streets are not typically as wide as they are in Bellevue.

Ms. Wilma called attention to page 37 of the packet and noted that the map was taken directly from the CAC report. She said how the throughblock connections are treated are at the discretion of the developers. The CAC looked at a six-foot minimum clearance for all frontage categories except retail connections, for which they recommended a 12-foot minimum. The staff, however, has recommended eight feet minimum for the various frontages and 12 feet for retail connections.

Ms. Wilma said the Downtown Transportation Plan update included recommendations relative to sidewalk widths. Those routes expected to carry particularly heavy pedestrian traffic were recommended to have the widest sidewalks. Along the events street the recommendation is for sidewalks 20 feet wide. Staff are recommending some sidewalks should be 12 to 16 feet wide, particularly along the section of Bellevue Way yet to be developed as part of the future grand connection and the art walk.

Commissioner Carlson asked if any of the proposed sidewalk recommendations will reduce existing lane widths and parking opportunities. Ms. Wilma said they do not. In all cases the curb line would remain the same and the additional sidewalk width would come from the private property side. The impact on development would be considered in the incentive system and FAR calculations. She stressed that the requirements would apply only to new development.

Commissioner Barksdale asked if there is any anticipation that the full street adjacent to the widest sidewalks would ever just be blocked off to accommodate something like a fair or other event, leaving room for people to walk around the area. Ms. Wilma said that could be the case, which the street constructed essentially without a curb. Throughblock connections will also improve ways for people to get around or to bypass events should they want to.

Chair Hilhorst commented that NE 6th Street where the transit center is located will be part of the grand connection and should be considered as an appropriate location for holding street fairs and the like. Ms. Wilma said the standard for the pedestrian corridor is 60 feet wide building to building between Bellevue Way and 112th Avenue NE. Once the corridor is fully built out, the space certainly could be used for special events, particularly in light of the grand connection concept.

There was consensus in favor of directing staff to move forward with drafting code language for the Commission to review and comment on.

## 9. PUBLIC COMMENT

Mr. Patrick Bannon, president of the Bellevue Downtown Association, thanked the Commission for paying close attention to the potential changes that will be important to the downtown. He asked the Commission to seek out public input regarding the proposed sidewalk and right-of-way designation changes, not to slow the process, but to make sure all voices are heard and all potential tradeoffs and impacts are identified.

Mr. Jonathan Kagle, PO Box 312, thanked the Commissioners for taking into consideration his previous comments and said he was looking forward to seeing things progress. He stressed that when talking about things like building form, sunshine and shadows, the focus should not be solely on public spaces; consideration should also be given to adjacent neighborhoods like Vuecrest and Northtowne.

Mr. Walter Scott with Legacy Corporation, 400 112th Avenue NE, asked the Commission to keep in mind the area between 112th Avenue NE and I-405, and NE 6th Street and NE 4th Street. Development of the area could go very well or not so well depending on how it is viewed and how much attention is given to it. The transit station and some of the initiatives that came out of the CAC could be problematic, most notably the call for 24/7 open space. Privately owned areas should be closable at night. The main impetus for nighttime activity in the area will be retail, and retail is very sensitive to issues like loitering.

## 10. ADJOURN

A motion to adjourn was made by Commissioner Walter. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 9:09 p.m.