



Bellevue Planning Commission

AGENDA

Regular Meeting

May 25, 2016

4:30 PM (Please note this an earlier start time.)

City Hall, Room 1E-113, 450 110th Avenue NE, Bellevue WA

4:30 PM – 4:35 PM	Call to Order	
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4:35 PM – 4:40 PM	Roll Call	
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4:40 PM – 4:45 PM	Approval of Agenda	
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4:45 PM – 5:45 PM	Study Session Low Impact Development Principles Project	1
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Proposed code amendments to implement the Low Impact Development Principles Project will be discussed.

Category: Land Use Code Amendments

Staff: Catherine Drews, Assistant City Attorney, City Legal Dept.

Staff: Paul Bucich, Assistant Director of Engineering, Utilities Dept.

5:45 PM – 6:00 PM	Public Comment	
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6:00 PM – 6:30 PM	Break	
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6:30 PM – 6:35 PM	Call to Order	
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6:35 PM – 6:40 PM	Roll Call	
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6:40 PM – 7:10 PM	Public Comment	
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7:10 PM – 7:15 PM	Staff Reports	
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Bellevue Planning Commission

7:15 PM – 7:15 PM

Draft Minutes Review

The minutes for May 11, 2016 were not available at time of publication.

7:15 PM – 10:30 PM

Study Session

43

Proposed Eastgate Land Use Amendments

Code amendments to implement the Eastgate Land Use and Transportation Plan will be discussed.

Land Use Code Amendments

Patricia Byers, Code Writing Manager, Development Services Department

Terry Cullen, Comprehensive Planning Manager, Planning & Community Development

10:30 PM – 10:45 PM

Public Comment

Please note:

- Agenda times are approximate only.
- Generally, public comment is limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic. The last public comment session of the meeting is limited to 3 minutes per person. The Chair has the discretion at the beginning of the comment period to change this.

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

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Kristin Gulledge, Administrative Assistant 425-452-4174

** 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).*

May 16, 2016

SUBJECT

Study session on the Low Impact Development (LID) Principles Project.

STAFF CONTACT

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City Attorney's Office

Paul Bucich, Assistant Director of Engineering 452-4596 pbucich@bellevuewa.gov
Utilities

DIRECTION NEEDED FROM PLANNING COMMISSION

Action

- Discussion
- Information

At this study session, the Low Impact Development (LID) Project Principles team (staff and consultants from AHBL) will introduce to the Planning Commission proposed Land Use Code amendments (LUCAs) to incorporate LID principles into the City's development codes and standards. A copy of the proposed LUCAs, along with other project documents will be provided to the Planning Commission at the study session, during which the project team will walk the Commission through the proposed amendments. Also, the project team will provide an overview of proposed changes to other development codes and standards, receive feedback from the Commission, and answer any questions the Planning Commission may have regarding LID principles or the proposed amendments to the Land Use Code (LUC).

A second study session has been scheduled for June 22 for continued review and consideration and for the Commission and public to provide additional feedback on the proposed LUCAs. A public hearing is tentatively scheduled for July 13. With the December 31 deadline, it is hoped that at the conclusion of the July 13 public hearing, the Commission will be prepared to make its recommendation to the City Council. Council action on the proposed amendment will occur following the Planning Commission's recommendation to the City Council.

BACKGROUND

The proposed LUCAs result from a requirement under the 2013-2018 National Pollutant Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles. The NPDES Permit is issued by the Washington State Department of Ecology and is required for stormwater discharges under the federal Clean Water Act. The intent of the review and revision process is to make LID the preferred and commonly-used approach to site development. The Project team reviewed the City's development codes and standards and found the codes supportive of LID principles, but also found opportunities to incorporate LID principles.

The project team presented the LID Principles Project as a briefing to the Council on July 6, 2015. At the briefing, Council provided the following direction:

Bellevue has a long history of supporting low impact development principles in its development policies and regulations; from early (1987) sensitive or critical areas protection and long-standing significant tree and maximum impervious surface coverage regulations to the clustering and LID incentive regulations included in the recent (2009) Bel-Red Rezone.

Bellevue supports the objective of maintaining the region's quality of life, including that of making low impact development the preferred and commonly used approach to site development.

During the briefing, Council approved the following project principles intended to ensure that the community's visions and goals are achieved while developing a program that supports development and redevelopment and meets LID Principles.

Bellevue Appropriate. *Proposed amendments to Bellevue's development codes and standards will be area and context sensitive. A one-size-fits-all is inappropriate. Attention will be paid to the differing levels of urban development, watershed conditions, impervious surface coverage, tree canopy coverage, and areas of direct discharge. Proposed amendments, where feasible, will provide flexibility, incentives, and innovation in achieving the goal of making LID the preferred and commonly used approach to site development in Bellevue.*

Engage Stakeholders. *Provide a public participation process that seeks and includes input from a wide range of stake holders. The process will provide opportunities for interested stakeholders to learn about LID principles, participate in developing options, and provide meaningful and informed comments.*

Maintain Bellevue's Compliance Record with its NDPES Stormwater Permit. *The LID principles project shall be timely completed to ensure compliance with the requirement that amendments are effective by December 31, 2016.*

Build On Existing Information and Programs. *The LID Principles Project will build on existing City information and programs to develop and evaluate options to make LID the preferred and commonly used approach to site development.*

Recognize and Seek to Balance Competing Needs. *The LID Principles Project will recognize and seek to balance competing laws applicable to development and redevelopment, by considering and developing effective, innovative, flexible, and/or area-specific options. The LID Principles Project will also recognize that supporting growth in urban areas is appropriate and that balancing environmental benefits with economic development goals is important.*

Council also approved the following areas of focus to explore for integrating LID principles into the City's development codes and standards:

1. Land Use Code
 - a. Evaluate use of LID principles (and BMPs) early in the site design process;
 - b. Reduce impervious surface coverage
 - c. Preserve and enhance tree canopy

Outline of Land Use Code Proposed Amendments:

Evaluate the use of LID principles (and BMPs) early in the site design process.

Information only: No action is required by the Planning Commission. This area of focus falls under the application requirements (LUC 20.35.030.B – Submittal Requirements), and will require revising the application submittal sheet. The goal is to make consideration of hydrology an integral component of site design early in the process to allow the integration of LID principles and best management practices into site design.

Chapter 20.20 LUC: General Development Requirements

Impervious Surfaces. The goal for the proposed amendment is to encourage the use of permeable surfacing materials where they are technically feasible. The proposed code amendment also seeks to align the maximum allowed impervious surface limit with what is found on the ground in Bellevue. This was done by using GIS analysis of impervious surface coverage throughout the City and comparing what has been historically constructed to what is allowed under the Land Use Code. Maximum allowed surfaces were reduced to levels consistent with development with the goal of not creating nonconforming sites.

Where site conditions are suitable for permeable surfacing, the maximum hard surface coverage limitation is the same as the existing standard for impervious surfaces. This means that the mix of impervious and permeable surfaces will not exceed the coverage that currently exists within the City, thereby maintaining neighborhood character by avoiding the coverage of lots with excessive pavement. The new standards for impervious and hard surfaces incentivize the use of permeable surfacing materials where feasible without penalizing sites where the practices will not work. Should the use of permeable surfacing be deemed technically infeasible, the applicant may use impervious surfaces up to the maximum hard surface allotment.

An outline of the proposed code amendments and a brief description follows. The Project Team will walk through the proposed amendments and provide scenarios demonstrating the impacts of some of the proposed changes for the Planning Commission and public at the study session.

1. *LUC 20.20.010* Uses in land use districts dimensional requirements
 - a. Reducing maximum impervious surfaces consistent with GIS analysis for some land use districts. No reduction of maximum impervious surfaces is recommended for some land use districts, such as Bel-Red or the Downtown. Impervious surface coverage for Eastgate is yet to be determined.
 - b. Including a new “maximum hard surface” coverage limit that is the same as the old maximum impervious surface coverage. Result: Property owners are still able to build to the same extent as before (lot coverage by buildings stay the same), however some of the surfacing that may have been impervious will be permeable.
 - c. Adding the following new notes:
 - i. All areas of lot coverage by structures are included in the calculation of maximum impervious surface, and all areas of impervious surface are included in the calculation of maximum hard surface,
 - ii. Referencing (new) section LUC 20.20.425, performance standards for hard surfaces.
 - iii. Including criteria for when permeable surfacing is determined to be infeasible that stipulate impervious surfaces may be utilized up to the

maximum hard surface limit. The effect is that there would be no reduction in allowable surfacing, only a movement toward pervious surfaces for those sites where pervious surfaces are feasible.

2. *LUC 20.20.025* Intrusions into required setbacks
 - a. Including bioretention facilities as improvements that may be located within setbacks.
3. *LUC 20.20.425* Hard surface (Permeable and Impervious Surfaces)
 - a. Adding a purpose statement and applicability similar to those found under BCC 20.20.460 Impervious surface.
 - b. Adding exemptions to the calculation of hard surfaces for decks/platforms, rockeries, shoreline stabilization measures and landscape features, consistent with those found under BCC 20.20.460. The benefit of this amendment is that it removes language that would be inconsistent with the use of the term “hard surface.”
4. *LUC 20.20.460* Impervious surface
 - a. Removing the exemption for pervious pavement under innovative techniques by specifying that permeable surfaces will be included in the calculation of hard surface. The benefit of this amendment is that it removes language that would be inconsistent with the use of the term “hard surface.”
5. *LUC 20.20.590* Parking, circulation and walkway requirements
 - a. Including pervious pavement as an acceptable surfacing material for walkways.
6. *LUC 20.20.900* Tree retention and replacement.
 - a. Changes include:
 - i. Incorporating a “hierarchy” for selecting trees for retention.
 - ii. The director may require assurance devices to ensure the continual healthy life of retained trees, similar to how performance standards for wetlands are regulated in the critical areas ordinance.
 - iii. Including a provision in the code to include notice on the face of the plat.
 - b. Items to note:
 - i. Tree retention will still be required only for new or redevelopment, however limitations on when a clearing and grading permit is required have been included in the Clearing and Grading Code (Chapter 23.76 BCC) so that removal of more than 5 trees requires a permit, and the City can more effectively track tree loss.

Part 20.25 LUC Special and Overlay Districts

1. Allowing bioretention swales and planters within planter strips and landscape buffers.
2. Prioritizing the use of native plant species for landscaping.
3. Including pervious pavement as an acceptable paving material within linear buffers.
4. Requiring the use of LID drainage practices within Bel-Red unless infeasible (previously was recommended).
5. Street trees with grates may be substituted for bioretention facilities.

Part 20.30D LUC Planned Unit Development (PUDs)

1. Allowing for zero lot line development through reduction in side yard setbacks.
2. Including conservation of vegetation and on-site soils and reduction in hard surfaces as criteria for which PUDs may be evaluated.

Chapter 20.50 LUC Definitions.

1. Amends the definition of a significant tree to include trees six inches or greater, and to amend how tree size (diameter at breast height or DBH) is measured (four and

- one half feet above existing grade instead of four feet). Removing the word “healthy” from the definition of a significant tree as all significant trees should be analyzed as a part of a tree retention plan before determining whether or not they are healthy.
2. Included a definition for “landmark trees”, and reference to a Development Services Handout determining thresholds for “rare, uncommon, unique or exceptional” trees that should be preserved on development sites.
 3. Included a definition for “hard surface”, as now used in the dimensional requirements.

Changes to Development Codes and Standards outside of the Land Use Code

The following information is provided for the Planning Commission’s information and to allow the Commission to review the proposed LUCAs in light of proposed amendments to other of the City’s development codes and standards. No action is required from the Planning Commission.

Chapter 23.76 BCC - Clearing and Grading Code.

1. A clearing and grading permit will be required for the removal of more than five significant trees, to facilitate tracking of canopy loss.
2. A tree preservation plan will be required to be submitted as a part of clearing and grading approval. Tree preservation plans shall include tree protection measures necessary during construction.

Chapter 14.60 BCC - Transportation Development Code

1. Storm drainage including bioretention swales and other vegetation-based LID BMPs as potential frontage improvements that may be required.
2. Requiring native plant species to be planted where retention of existing vegetation is not feasible.
3. Calling out the use of bioretention swales within the landscaped island of a cul-de-sac as allowed.

Transportation Design Standards Transportation Design Manual

1. Planter strips should be a minimum of four feet in width.
2. Permeable pavement may be utilized where feasible in pedestrian paths and bicycle lanes.

Transportation Design Standards Development Review Drawings

1. Bioretention and vegetation-based stormwater management facilities may be utilized within landscaped islands and planter strips.
2. Landscaping should utilize native species to the maximum extent possible.

Transportation Design Standards Appendix B Bel-Red Area Standards

1. Native plant species are preferred.
2. Vegetation-based stormwater management facilities are permitted within landscape strips.
3. Where bioretention facilities are proposed in conjunction with trees, tree grates shall be removable.

Chapter 24.06 BCC - Storm and Surface Water Utility Code

1. LID BMPS are required unless infeasible.

Storm and Surface Water Engineering Standards

1. Natural drainage practices are required unless infeasible.

Environmental Best Management Practices and Design Standards

1. Bioretention facilities should be utilized where feasible.
2. Removable tree grates should be utilized where street trees are planted within bioretention planter boxes.

NEXT STEPS

The Planning Commission is being asked to review and provide feedback on the proposed code amendments prepared by staff and the City's consultants that incorporates LID principles into the City's Land Use Code. The timeline for meeting the December 31 deadline includes the following tentatively scheduled meetings:

1. East Bellevue Community Council study session (June 7, 2016)
2. Bellevue Transportation Commission study session (June 9, 2016)
3. Planning Commission study session (June 22, 2016)
4. Planning Commission public hearing and recommendation to Council (July 13, 2016)
5. Transportation Commission public hearing (July 14, 2016)
6. Council action on the proposal (November, 2016)
7. East Bellevue Community Council public hearing and final action (December, 2016)

ATTACHMENTS

- A. September 9, 2015 Planning Commission Study Session materials (dated August 31, 2015)
 - a. Memorandum to the Planning Commission
 - b. Attachment 1 - July 6, 2015 Council Study Session Memo
 - c. Attachment 2 - Final Interest Statement and Project Principles

August 31, 2015

SUBJECT

Introduction of the Low Impact Development Principles Project.

STAFF CONTACT

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Development Services Department

Paul A. Bucich, P.E., Assistant Director of Engineering
Phyllis A. Varner, NPDES Permit Manager
Utilities Department

DIRECTION NEEDED FROM PLANNING COMMISSION

- Action
- Discussion
- Information

At this Study Session, staff will introduce the Low Impact Development (LID) Principles Project to the Planning Commission. Staff will also provide information on upcoming opportunities for the public to participate in exploring possibilities to further integrate LID Principles into the City's development-related codes and standards.

BACKGROUND

The 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit ("NPDES Permit") *requires the City to review and revise its development-related codes and standards to incorporate and require low impact development ("LID") principles.* LID principles are "land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff." The intent for the revisions is to make LID the preferred and commonly-used approach to site development. LID principles are different from LID Best Management Practices (BMPs), which include rain gardens, permeable pavement, and will be addressed in a separate project that will not come before the Planning Commission. The NPDES Permit does require that the review process be similar to that described in *Integrating LID Into Local Codes: A Guidebook for Local Governments, Prepared by AHBL for the Puget Sound Partnership* (July 2012).

Bellevue's review project is called the LID Principles Project (the Project) and the Project deadline is December 31, 2016. This means that any code amendments must be adopted and be in effect by December 31, 2016. To accomplish this, the goal is to have the Council adopt any recommended land use code amendments by late November 2016 to allow the East Bellevue Community Council to take action on any adopted ordinances in early December 2016. The

Project Lead Team provided a project update to City Council on July 6, 2015 (Attachment 1) and received approval of the:

- Areas of Focus in the development-related codes and standards to be explored for opportunities to further integrate LID Principles into development-related codes and standards;
- Project Interest Statement; and
- Project Principles, with some additional language (Attachment 2).

The Project's Public Participation Plan was also introduced to Council and this informational briefing continues implementation of that Plan. Work is underway on the following elements of the public participation plan:

- Development of the LID Principles Project webpages on the City Internet site
- Public Workshops
 - September 30 at City Hall
 - October 6 at Lewis Creek Park
 - October 15 at the Northwest Arts Center
- Transportation Commission, September 10 at City Hall
- Parks Board, October 13 at City Hall

NEXT STEPS

Work will now begin to explore Bellevue-appropriate options to integrate LID principles into the City's development-related codes and standards. It is possible that Land Use Code Amendments (LUCA or LUCAs) may be required to integrate LID Principles into the City's development-related codes. As with any LUCA, the Planning Commission will hold a public hearing on the draft amendments followed by a recommendation to the Council.

Staff will provide a short presentation on the Project to the Planning Commission at the September 9, 2015, Study Session.

ATTACHMENTS

- 1 LID Principles Project Update July 6, 2015 City Council Study Session Agenda Memo
- 2 Final LID Principles Project Interest Statement, Project Principles and Areas of Focus

July 6, 2015

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Update on the Low Impact Development Principles Project and Introduction of Areas of Focus

STAFF CONTACT

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Utilities Department

POLICY CONSIDERATION

Should Council approve the Areas of Focus developed as part of Phase I of the LID Principles Project as the starting point to explore what revisions, if any, are appropriate for the City’s development-related codes and standards to make LID the preferred and commonly-used approach to site development? The NPDES Permit requirement is included as Attachment A.

Comprehensive Plan

POLICY UT-23. Manage the storm and surface water system in Bellevue to maintain a hydrologic balance in order to prevent property damage, protect water quality, provide for the safety and enjoyment of citizens, and preserve and enhance habitat and sensitive areas.

POLICY EN-1. Consider the immediate and long-range environmental impacts of policy and regulatory decisions and evaluate those impacts in the context of the City’s commitment to provide for public safety, infrastructure, economic development, and a compact Urban Center in a sustainable environment.

POLICY EN-17. Establish land use regulations that limit the amount of impervious surface area in new development and redevelopment city-wide.

POLICY EN-18. Implement land use incentives to minimize the amount of impervious surface area below that allowed through prescriptive standards, in new development, redevelopment, and existing development city-wide.

POLICY EN-27. Implement the citywide use of low impact development techniques and green building practices that provide benefits to critical areas functions.

POLICY EN-39. Restrict the runoff rate, volume, and quality to predevelopment levels for all new development and redevelopment.

DIRECTION NEEDED FROM COUNCIL

- Action
- Discussion
- Information

At the conclusion of the presentation, **staff seeks approval from Council to move forward with the Areas of Focus. Staff also seeks Council’s approval of the Project Interest Statement and Project Principles.**

BACKGROUND/ANALYSIS

This memorandum presents an Executive Summary providing Council with an overview of the LID Principles Project and its status. Following the Executive Summary the memorandum provides Council with information on the following topics:

1. The proposed Project Interest Statement and Principles;
2. Overview of the City's NPDES Stormwater Permit and corresponding requirements;
3. Project status and phase 1 of the work;
4. Discussion of the Areas of Focus, the process to distill the areas, and the next phase of work
5. Information on the proposed Public Participation Plan; and
6. Next Steps

Executive Summary

The 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit ("NPDES Permit") requires the City to review and revise its development-related codes and standards to incorporate and require low impact development ("LID") principles. LID principles are "land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff." LID principles are different from LID Best Management Practices ("BMPs"), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The intent for the revisions is to make LID the preferred and commonly-used approach to site development. A copy of the NPDES Permit requirement is included as Attachment A.

The permit, however, doesn't provide any metrics for reducing impervious surfaces and native vegetation loss, thus providing jurisdictions flexibility to determine appropriate measures. This allows development of Bellevue-appropriate recommendations that are area and context sensitive, thus avoiding a one-size-fits all approach. The permit does require, however, that the City's review of its development-related codes and standards be similar to the process described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Reviewing to integrate LID principles is a new requirement and process for all the Phase II permittees, including Bellevue. In addition to reviewing the City's development-related codes and standards, the process requires identifying and engaging stakeholders early in the process and ensuring successful implementation.

Bellevue's review project is called the LID Principles Project (the "Project") and the Project deadline is December 31, 2016. Early on, the Project team recognized the need for the Project to be context and area sensitive, recognizing that Bellevue has varying levels of urban development and targeted areas for growth. Consequently a one-size-fits-all approach is inappropriate. For example, what is appropriate for the highly urbanized Downtown, will not be appropriate in Bridle Trails, with its large, treed single-family lots and the community's strong desire to maintain neighborhood character. Bellevue also has development goals for the Downtown, Bel-Red, and Eastgate. Concentrating density in certain areas of the City, such as the Downtown, achieves two things. First, it helps the City meet its GMA obligations to meet growth targets (population and employment) and concentrating growth in areas already growing provides for concentrated impervious areas while maintaining reduced impervious cover in other areas of the City, which is a LID technique. Balancing environmental benefits with Bellevue's goals for economic development is important and will also be considered.

The Project not only supports permit compliance now and in the future, but it also has the potential to support or advance other Council goals and priorities and certain City programs. For example, minimizing native vegetation loss could result in increased tree canopy, helping to meet proposed tree canopy targets, decreased greenhouse gas emissions, reduced stormwater flows, and reinforcing Bellevue's reputation as a City in a Park. Other efforts that will benefit from the Project include aiding salmon recovery, supporting the Environmental Stewardship Initiative, implementing aspects of the Storm and Surface Water System Plan, and championing the Council's vision of a high quality built and natural environment for Bellevue. In the 2014 Budget Survey, Bellevue's

citizens ranked protecting Bellevue’s water quality in its lakes and streams fifth in importance; only public safety issues ranked higher.

The internal Project team, with the assistance of the consulting firm AHBL, has completed reviewing the development-related codes and standards, and from that work has developed Areas of Focus. The Areas of Focus will be the starting point for discussions with the City’s boards and commissions and stakeholders about what revisions are appropriate for Bellevue. At the conclusion of the Study Session, staff seeks Council approval of the Areas of Focus. Once approved, the Project may then move forward and begin the public participation process. The Project team will provide updates to the Council throughout the process and ensure Council’s questions and concerns are addressed.

If the City adopts any land use code amendments, the adoption must occur before November 2016 to allow the East Bellevue Community Council (“EBCC”) to hold a final public hearing on the adopted amendments in early December. Once the EBCC completes its final hearing, the City will have completed the Project and met the compliance deadline of December 31, 2016. A report detailing the review process, revisions which incorporate LID principles, and discussing measures to minimize impervious surfaces, loss of native vegetation, and other measures to reduce stormwater runoff is due to the Washington State Department of Ecology in March of 2017.

Project Principles

The Project Interest Statement and Principles will establish Council-approved guidelines for the Project. This document will guide staff and boards and commissions as they explore the feasibility of the Areas of Focus and develop recommendations to better align the City’s codes and standards with the LID principles. These principles require consideration of:

- Bellevue-appropriate options (area and context sensitive);
- Engaging stakeholders (educate and seek input);
- Building on existing City programs;
- Maintaining Bellevue’s compliance record with its NPDES permit; and
- Recognizing and seeking to balance competing needs.

A copy of the proposed Interest Statement and Project Principles is included as Attachment B to this memorandum. At the conclusion of the Study Session, staff seeks Council’s approval of the Interest Statement and Project Principles or alternative direction.

NPDES Permit: Stormwater Management Program

LID principles are but one component of the City’s Stormwater Management Program, required under the City’s NPDES Permit, which is a requirement of the federal Clean Water Act (“CWA”). The CWA goal is to protect water quality and beneficial uses of the nation’s surface waterbodies, such as aquatic life support, recreational activities and drinking water supply. The Stormwater Management Program is designed and intended to reduce pollutants discharged to and from the municipal storm drainage systems into waterbodies.

The NPDES Permit continues and builds upon the prior permit’s Stormwater Management Program requirements by increasing and adding new requirements that are phased in over the 5-year permit term, including LID principles. Examples of increased or new requirements that staff are implementing include:

Requirement	2013-2018 Change
Municipal O&M	Reduce inspection/maintenance cycle from 4 to 2years for over 21,000 catch basins
Illicit Discharge Detection & Elimination (IDDE)	Field screen at least 40% of municipal storm system for illicit discharges

Monitoring	Participate in collectively-funded regional monitoring program
Public Education & Outreach	Measure a targeted audience's adoption of water quality protective measures
Controlling Runoff from New Development, Redevelopment & Construction Sites	Make LID (Principles and BMPs) the preferred and commonly-used approach to site development

Project Status – Phase I Work

Staff introduced the Project to Council on September 16, 2013. The September Study Session materials are included as Attachment C. Since introducing the Project, the City selected AHBL, Inc. as its consultant to assist in the required review. AHBL authored the guidebook *Integrating LID into Local Codes* for the Puget Sound Partnership that contains the review process the City must undertake for this project. Additionally, AHBL has provided consulting services for numerous jurisdictions seeking to integrate LID into codes and standards, including the cities of Newcastle, Redmond, Issaquah, and Kirkland.

The Project's first substantive work was the Opportunity Analysis of the City's Comprehensive Plan. Between February and June 2014, the consultant, with assistance and input from staff, reviewed the Comprehensive Plan to identify opportunities to integrate LID principles into the policy document. As a result of the analysis, it was concluded that, although the Comprehensive Plan provides excellent policy support for earlier LID requirements, opportunities exist to better align the City's polices with the new LID principle requirements. Based on this conclusion, on September 24, 2014, staff presented recommended policy amendments to the Planning Commission as part of the City's major Comprehensive Plan Update.

The Planning Commission's recommendation, which incorporated policy updates addressing LID, was presented to the Council on April 6, 2015. Council specifically reviewed the Environment Element policies, including LID on June 8. During that Study Session, Council raised questions about proposed policy EN-X6, in response to questions about the policy wording and the objectives of the NPDES Permit. A written response to Council's questions was provided with the July 6 Study Session materials for the Comprehensive Plan update. Staff will also be available to address Council's questions at the July 6 Study Session.

The Opportunity Analysis of the City's development codes and standards is also complete. To complete the analysis, AHBL conducted a thorough review of Bellevue's development codes and standards and development guidelines, including the:

- Transportation Code (Title 14);
- Land Use Code (Title 20);
- Construction Codes (Title 23);
- Utilities Codes (Title 24);
- Clearing and Grading Code and Development Standards;
- Critical Areas Handbook;
- Design Guidelines Building/Sidewalk Relationships, Central Business District;
- Environmental Best Management Practices & Design Standards;
- Pedestrian Corridor and Major Public Open Space Design Guidelines;
- Storm and Surface Water Engineering Standards; and
- Transportation Design Manual and Standards.

The Opportunity Analysis was presented to the internal staff team, which includes staff from Development Services, Transportation, Parks, Fire, and Utilities departments, and discussed over six working meetings. Like the Comprehensive Plan polices, the consultants and staff found the City's development-related codes and standards generally support LID Principles, and found opportunities exist to better align the City's development codes and standards with LID principles.

Moving to Next Phase of Work: Evaluating Appropriate Revisions

To better align the City's development codes and standards, themes or Areas of Focus were identified in the Opportunity Analysis for further consideration and discussion with stakeholders, the City's commissions and boards, and interested citizens. The goal of this next phase of work is to determine what revisions, if any, are appropriate to the City's development-related codes and standards to make LID the preferred and commonly-used approach to site development. The Areas of Focus Memorandum is included as Attachment D to this memorandum.

The internal team considered numerous issues when evaluating the appropriateness of the Areas of Focus, including:

- Providing site flexibility similar to allowed modifications to critical area buffers and setbacks;
- Ensuring the right vegetation in the right place;
- Thinking outside of the box for creative solutions, such as the use of incentives;
- Understanding impacts to public and private projects;
- Considering neighborhood concerns and goals;
- Implementing programs related to preserving and protecting trees;
- Improving processes – such as elevating site analysis to the forefront;
- Understanding what the market supports;
- Balancing competing interests and needs;
- Acknowledging known issues with LID BMPs;
- Focusing on solutions that support other Council goals and priorities; and
- Engaging in the process without pre-conceived ideas.

From these discussions, the following Areas of Focus emerged:

- Land Use Code
 - Evaluate use of LID principles (and BMPs) early in the site design process
 - Reduce impervious surface lot coverage
 - Preserve and enhance tree canopy
 - Improve options for clustering development
- Transportation Code and Design Standards
 - Reduce impervious surfaces in road rights-of-way
 - Increase tree canopy in transportation facilities.

For each area of focus, both the opportunities and challenges to implement each area were vetted and considered. The Areas of Focus were also presented to directors or their representatives from Parks, Utilities, and Transportation because their respective departments undertake development in the City that may be affected by incorporating LID Principles into the City's development codes and standards. Staff was interested in learning their impressions, questions, and concerns, and having the opportunity to inquire about possible stakeholders to invite to participate in the Project as it moves forward.

The next phase of work for the Project is to engage the public, stakeholders, commissions and boards and initiate discussions about what revisions to the City's development-related codes are appropriate for Bellevue. To initiate this next phase of work, staff is seeking Council's input on and approval of the Areas of Focus. The Council-approved Areas of Focus will be the starting point for the next project phase. If additional areas of focus in the codes and standards are identified by stakeholders, including the City, these additional areas will be evaluated for feasibility for inclusion in the Project or addressed during the next permit cycle.

Draft Public Participation Plan

A robust public participation plan is an important element of the Project. A copy of the draft public participation plan is included with this Memorandum as Attachment E. The goal of the public participation plan is to educate the public about low impact development, the NPDES Permit and its requirements, and Bellevue’s approach to meeting the LID permit requirement. The public participation effort is intended to achieve specific desired outcomes, including:

- Providing clear information to the public on the purpose of the LID Principles project and the project process;
- Providing opportunities for interested parties to comment, and for people to listen and learn from one another;
- Conducting public participation events in multiple locations to capture an area’s priorities and to make citizen participation easier;
- Seeking broad participation of all interested groups and individuals to capture different viewpoints;
- Harnessing the energies and knowledge of a broad range of stakeholders to ensure issues and concerns are understood, considered, and addressed wherever possible; and
- Creating a transparent process which documents all public input and makes that input readily available for review.

Components of the plan include public workshops, open houses, and presentations before the City’s boards, commissions, and the East Bellevue Community Council. To provide easy access to information, the Project will establish a web page on the City’s website where the public may access information, schedules, and contact information.

Next Steps

After Council direction, staff will next meet with the City’s Parks Board and Environmental, Transportation and Planning Commissions to introduce the Project, explain the process, and identify roles and responsibilities as the Project moves forward. Staff will contemporaneously finalize the public engagement plan and begin engaging stakeholders and community members on exploring the feasibility of each of the Areas of Focus. Staff will provide Council with a status report this fall.

ALTERNATIVES

- Direct staff to explore the six Areas of Focus and approve the Project Interest Statement and Guidelines.
- Provide alternative direction to staff.

RECOMMENDATION

- Direct staff to explore the six Areas of Focus and approve the Project Interest Statement and Guidelines

ATTACHMENT(S)

- A. NPDES Permit Requirement
- B. Draft Project Interest Statement and Principles
- C. September 16, 2013 Study Session materials
- D. Areas of Focus Memorandum, AHBL
- E. Draft Public Participation Plan

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Document	Information Summary	Meeting Date & Recommended Reading
Integrating LID into Local Codes	Guidance for required review	July 6 Study Session. Introduction.

	process	Reviewing Steps 2 and 3 illustrates project status to date
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The public may access this document here:

http://www.psp.wa.gov/downloads/LID_Guidebook/20120731_LIDguidebook.pdf

Low Impact Development (LID) Principle Condition and Definitions from the 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit

S5.C.4 Controlling Runoff from New Development, Redevelopment and Construction Sites
Special Condition S5.C.4.f.i. and ii. (pages 30-31):

f. Low impact development code-related requirements.

- i. No later than December 31, 2016, Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs.

The intent of the revisions shall be to make LID the preferred and commonly-used approach to site development. The revisions shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations. Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: *Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012)*.

- ii. Each Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. This summary shall include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development related codes. The summary shall be organized as follows:
 - a) Measures to minimize impervious surfaces;
 - b) Measures to minimize loss of native vegetation; and
 - c) Other measures to minimize stormwater runoff.

DEFINITIONS AND ACRONYMS

Low Impact Development means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning and distributed stormwater management practices that are integrated into a project design.

LID means Low Impact Development.

Low Impact Development Principles means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

Low Impact Development Best Management Practices means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water re-use.

BMP means Best Management Practice.

Low Impact Development Principles Project



For Council Consideration and Comment Low Impact Development Principles Project Draft Interest Statement and Project Principles July 6, 2015

Purpose

The interest statement and project principles are intended to guide staff and the City's commission's and boards as they explore and develop appropriate options and recommended amendments to Bellevue's development codes and standards to make low impact development (LID) the preferred and commonly used approach to site development in Bellevue.

Background

The 2013-2018 NPDES¹ Western Washington Phase II Municipal Stormwater Permit requires the City to review and revise its development-related codes and standards to incorporate LID principles. The intent of the revisions is to make LID the preferred and commonly used approach to site development. The permit defines LID principles as land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff. LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The LID principles are the focus of this project.

The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of the permit, this project must be completed by December 31, 2016. A report detailing how the project satisfies the permit conditions is due to Ecology in March of 2017.

Interest Statement

Bellevue has a long history of supporting low impact development principles in its development policies and regulations; from early (1987) sensitive or critical areas protection and long-standing significant tree and maximum impervious surface coverage regulations to the clustering and LID incentive regulations included in the recent (2009) Bel-Red Rezone. Bellevue supports the objective of maintaining the region's quality of life, including that of making low impact development the preferred and commonly used approach to site development.

¹ NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a Federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

Project Principles

The Project Principles are intended to ensure the community's visions and goals are achieved while developing a program that supports development and redevelopment and meets LID Principles. The following Council-approved Project Principles will guide the LID Principles Project:

Bellevue Appropriate. Proposed amendments to Bellevue's development codes and standards will be area and context sensitive. Attention will be paid to the differing levels of urban development, watershed conditions, impervious surface coverage, tree canopy coverage, and areas of direct discharge. Proposed amendments, where feasible, will provide flexibility, incentives, and innovation in achieving the goal of making LID the preferred and commonly used approach to site development in Bellevue.

Engage Stakeholders. Provide a public participation process that seeks and includes input from a wide range of stakeholders. The process will provide opportunities for interested stakeholders to learn about LID principles, participate in developing options, and provide meaningful and informed comments.

Maintain Bellevue's Compliance Record with its NDPEs Stormwater Permit. The LID principles project shall be timely completed to ensure compliance with the requirement that the amendments are effective by December 31, 2016.

Build On Existing Information and Programs. The LID Principles Project will build on existing City information and programs to develop and evaluate options to make LID the preferred and commonly used approach to site development.

Recognize and Seek to Balance Competing Needs. The LID Principles Project will recognize and seek to balance competing laws applicable to development and redevelopment, by considering and developing effective, innovative, flexible, and/or area-specific options.

Council Approved Areas of Focus for the LID Principles Project.

The City Council directs staff to begin exploring, in accordance with the Project Principles listed above, the following six Areas of Focus:

1. Land Use Code
 - a. Evaluate use of LID principles (and BMPs) early in the site design process;
 - b. Reduce impervious surface coverage
 - c. Preserve and enhance tree canopy
 - d. Improve options for clustering development

2. Transportation Code and Design Standards
 - a. Reduce impervious surfaces in road rights-of-way
 - b. Enhance tree canopy in transportation facilities

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

New NPDES Western Washington Phase II Municipal Stormwater Permit
(NPDES = National Pollutant Discharge Elimination System)

STAFF CONTACT

Nav Ota, Director, 452-2041
Paul Bucich, SSW Technical and Policy Advisor, 452-4596
Phyllis Varner, NPDES Permit Manager, 452-7683
Utilities Department

Chris Salomone, Director, 452-6191
Planning and Community Development Department

Mike Brennan, Director, 425-4113
Development Services Department

POLICY ISSUES

The Washington State Department of Ecology (Ecology) issued a new National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit, effective August 1, 2013. Bellevue, along with over 80 other Western Washington municipalities, is required to comply with the new 5-year (2013-2018) Permit conditions. Provisions of the new permit will require Bellevue to modify existing regulations and practices.

DIRECTION NEEDED FROM COUNCIL

Action
 Discussion
 Information

This briefing provides information on the new Permit. No action is required of Council.

BACKGROUND/ANALYSIS

Overview and Background

The National Pollutant Discharge Elimination System (NPDES) municipal stormwater permits are federal Clean Water Act permits. The goal of the federal Clean Water Act (CWA) is to protect water quality and restore waters of the nation for "fishable, swimmable" uses. The permit requirements are intended to reduce pollutants discharged from municipal storm drainage systems to help achieve this goal.

NPDES Permit requirements are phased in over the 5-year permit term and apply to functions across municipal organizations. Within Bellevue government, departments take the lead for implementing

permit conditions that apply to their programs and, for permit conditions which apply to multiple department functions, a lead department will manage implementation of the condition through cross-departmental coordination or teams. Overall permit management is provided by the Utilities Department with oversight from a citywide Steering Committee reporting to the City Manager's Office. Enforcement provisions for the CWA permit include fines, imprisonment and 3rd party lawsuits.

Attachment 1 contains further background information on the NPDES permit.

Permit Status

In August 2012, Ecology:

- Extended the existing (2007-2012) Permit to July 31, 2013 with no new permit conditions;
- Issued a new 5-year Permit (2013-2018) effective August 1, 2013; and
- Issued a new 2012 Ecology Stormwater Manual containing significantly revised low impact development (LID) stormwater facility requirements (e.g., rain gardens, bioretention facilities, pervious pavement) for new development and redevelopment projects.

Although a Coalition of Phase II municipalities (including Bellevue) appealed certain conditions in the new Permit, there is no stay on permit conditions. For 2013, Bellevue has continued implementation of the remainder of the one year Permit conditions and began processes to implement the new 2013-2018 NPDES Permit conditions by the permit-specified deadlines. There are no new Permit conditions for 2013. Bellevue remains in compliance with current Permit requirements as documented in the March 2013 submittal of the 6th NPDES Annual Report to Ecology.

New 2013-2018 Permit

The new permit, effective August 1, 2013, retains the first permit's Stormwater Management Program structure and phased implementation approach. It continues and builds upon the first permit's Program requirements by:

1. Increasing permit requirements for the illicit discharge detection and elimination (IDDE) and municipal storm drainage system operation and maintenance (O&M) programs. Specifically, the:
 - Old Permit required field assessing storm drainage outfalls in three waterbodies for illicit discharges per a prescribed methodology, then tracking pollutants back to the source and taking steps with property owners to eliminate sources in a 4-year time period;

New Permit requires developing a methodology to field assess 40% of the city-owned storm drainage system for illicit discharges, and then tracking pollutants back to the source and taking steps with property owners to eliminate sources in a 4 year, 5 month time period.

Ecology is expected to issue guidance on implementing this new Permit requirement. If the guidance allows municipalities to utilize existing programs and the outfall approach from the first permit to meet the 40% requirement, then cost and resource impacts will be reduced.

- Old Permit requires inspecting municipal storm drainage catch basins (over 23,000) once within the 5-year term;

New Permit requires inspecting municipal storm drainage catch basins in 4-years (by August 1, 2017) and, thereafter, inspecting them on a 2-year frequency.

Ecology subsequently issued guidance to clarify options and alternatives to meet the increased catch basin inspection frequency that may help mitigate resource and cost impacts for this new requirement. Utilities' surface water operations and maintenance staff will be evaluating Bellevue's options to comply with the requirement, protect water resources and minimize program resource and cost impacts.

2. Adding a new monitoring requirement;

- Old Permit required Phase II municipalities to prepare to implement a stormwater monitoring program in the next (new) permit.
- New Permit adds a 3-part monitoring program requirement and provides permittees with the option of either:
 - Paying to participate in a regional stormwater monitoring program (RSMP) to meet the new requirement (fee option)
 - or
 - Conducting an independent monitoring program to meet the new monitoring program requirement (independent option).

The 3-part monitoring program is intended to provide information on the:

- Status and trends of water quality in urban and rural small streams and the marine nearshore (“Are our streams and marine shorelines getting better or worse?”)
- Effectiveness of stormwater activities required by the permit, (“Is this activity making stormwater cleaner?”)
- Improving protocols and sharing information about removing sources of pollution (“Is there someone I can ask about solving this type of pollution problem?”).

The regional program fee option will provide better data and cost Bellevue approximately \$85,000 annually compared to the approximately \$800,000 to \$1 million annual cost for the independent program. For this permit requirement, Council approved the 2014 Utilities budget which includes the annual \$85,000 funding for the RSMP fee option.

3. Adding two significant new development requirements and project vesting requirements;

- Old Permit required adoption of the development stormwater standards in the 2005 Ecology Stormwater Manual for Western Washington which included allowing low impact development techniques.
- New Permit requires adoption of two new low impact development (LID) requirements by December 31, 2016. The intent of the new requirements is that municipalities “shall make low impact development the preferred and commonly used approach to site development.”
 - *The first requirement* is to amend codes and standards to require LID stormwater facilities for on-site stormwater management unless infeasible and to do so by adopting the new 2012 Ecology Stormwater Management Manual or an equivalent Phase I

Manual. The 2012 Ecology Manual requires all property owners developing or redeveloping property to do a site assessment and implement certain LID stormwater BMPs unless infeasible. The LID stormwater facilities include rain gardens, bioretention facilities, and pervious pavement.

Permit compliance will require amending three City codes, revising standards, and modifying development services programs and processes and documentation. There will also be post-development impacts for on-going inspection and maintenance of these dispersed new facilities to consider. A multi-department project team lead by Utilities will implement this permit requirement.

- *The second requirement* is to conduct a review and revision process of citywide land use policies, codes and standards with the intent of minimizing impervious surfaces and native vegetation loss. No metric is provided for impervious surfaces or native vegetation and each jurisdiction is given the flexibility of determining what is sufficient to that locale. Ecology requires a good faith effort be conducted that includes business and community members.

Examples of land use code revisions provided by Ecology to meet this requirement include:

- Site assessment, pre-application and review process
- Reduce street lane widths
- Eliminate curb and gutter requirements
- Provide setback and height flexibility
- Impervious surface limits
- Native vegetation percent area requirements
- LID stormwater facilities as part of open space/landscaping/rights-of-ways
- LID design standards (streets, parking lots, driveways, sidewalks)
- Allowance for clustered housing and efficient roads.

The first step to implementing this requirement is to conduct an opportunity analysis of existing policies, codes and standards to help define the scope of the review and revision process. After this analysis is completed, the multi-departmental project team will develop a recommended project plan and public and/or stakeholder process for City Council direction. Policies, codes, and standards that Ecology requires municipalities to review include:

- Comprehensive Plan
- Subdivision and PUC development codes
- Critical areas and shoreline management regulations
- Zoning code
- Open Space code
- Fire Code
- Bulk and dimensional consideration
- Impervious surface limits
- Landscaping/native vegetation/street landscaping standards

- **Parking**
 - **Design standard and guidelines for building and site design elements**
 - **Street standards.**
- **Vesting** - the new Permit also specifies vesting requirements for development projects. The requirements are generally consistent with the City's vesting regulations with the exception of a one-year window for subdivisions.

Next Steps

The first NPDES Annual Report under the new Permit is required to be submitted by March 31, 2014. Ecology has waived submittal of a compliance report for the 2013 transition year which means the first Annual Report under the new Permit will only contain the 2014 Stormwater Management Program Plan (SWMPP). The SWMPP describes the actions the City will take in 2014 to implement the new permit requirements. The City is currently in the process of performing a gap analysis between the old and the new permit conditions and developing a citywide 5-year work plan for the new permit. The 2014 SWMPP will be based on this work plan.

Multi-department project teams have begun work on the two new LID permit requirements and Utilities' staff has begun assessing options to meet the increased program requirements for the illicit discharge detection and elimination (IDDE) and municipal storm drainage O&M programs.

The budgetary impacts of the new Permit are being assessed and will be brought forward through the 2015-2016 budget process.

Staff will keep City Council informed and seek Council direction as the new Permit is implemented.

ALTERNATIVES: N/A

RECOMMENDATION: N/A

ATTACHMENT

Attachment 1: NPDES Permit Background Information.

AVAILABLE IN COUNCIL OFFICE FOR REVIEW

New 2013-2018 NPDES Western Washington Phase II Municipal Stormwater Permit

Attachment 1

Background Information on the NPDES Western Washington Phase II Municipal Stormwater Permit

The National Pollutant Discharge Elimination System (NPDES) municipal stormwater permits are federal Clean Water Act permits. The goal of the federal Clean Water Act (CWA) is to protect water quality and restore waters of the nation for “fishable, swimmable” uses. The permit requirements are intended to reduce pollutants discharged from municipal storm drainage systems to help achieve this goal.

The permit affects local governments and property owners. The CWA created a Phase I permit for large cities and counties¹ and a Phase II permit for medium and small cities and counties². Bellevue is a Phase II permittee. The federal Environmental Protection Agency specified minimum permit requirements and delegated permit authority to state environmental agencies. State agencies can add additional requirements. In Washington, the permit authority is the state Department of Ecology.

In 2007, Ecology issued the first Western Washington Phase II municipal stormwater permit. The permit was issued to over 80 Phase II municipalities, including Bellevue, for a 5-year term, 2007-2012. A Coalition of Phase II municipalities (including Bellevue) appealed certain conditions in the Permit. Ecology modified the permit in 2009 in response to appeal rulings by the Washington State Pollution Control Hearings Board (PCHB).

The Permit requires municipalities to implement a Stormwater Management Program (Program) consisting of over 100 permit-specified “best management practices” (BMPs). The Program is intended to meet the federal compliance standard to protect water quality and reduce the discharge of pollutants to the “maximum extent practicable” (MEP) and meet state AKART (all known, available, and reasonable methods of prevention, control and treatment) waste discharge requirements.

The Program’s best management practices are grouped under the following categories:

- Public Education and Outreach;
- Public Involvement and Participation;
- Illicit Discharge Detection and Elimination (IDDE);
- Controlling Runoff from New Development, Redevelopment and Construction Sites; and
- Pollution Prevention and Operations and Maintenance for municipal operations

In addition, the Permit requires:

- Water Quality Monitoring;
- Reporting (e.g., permit compliance documentation); and
- Implementation of waterbody-specific clean-up plans developed by Ecology, if applicable. To date, Ecology has not developed such plans for Bellevue waterbodies.

¹ Phase I municipalities are those which had 100,000 or more in population in the 1990 census, includes Seattle, Tacoma; King, Snohomish, Pierce, Clark counties and WA Department of Transportation (WSDOT).

² Phase II municipalities are those which had between 10,000 and 100,000 in population in the 1990 census.

Attachment 1

Background Information on the NPDES Western Washington Phase II Municipal Stormwater Permit

NPDES Permit requirements are phased in over the 5-year permit term and apply to functions across municipal organizations. Within Bellevue government, departments take the lead for implementing permit conditions that apply to their programs and, for permit conditions which apply to multiple department functions, a lead department will manage implementation of the condition through cross-departmental coordination or teams. Overall permit management is provided by the Utilities Department with oversight from a citywide Steering Committee reporting to the City Manager's Office. Enforcement provisions for the CWA permit include fines, imprisonment and 3rd party lawsuits.

PROJECT MEMO



TO: Catherine Drews and Phyllis Varner
City of Bellevue

DATE: May 5, 2015

FROM: Wayne Carlson and Annalisa McDaniel
AHBL
Seattle – (206) 267-2425

PROJECT NO.: 2130786.30

PROJECT NAME: Bellevue LID Principles Project

SUBJECT: Bellevue LID Principles Project – Areas of Focus

Introduction

The City is required under the 2013-2018 NPDES' Western Washington Phase II Municipal Stormwater Permit (NPDES Permit), to review and revise its development codes and standards to incorporate low impact development principles with the intent of making low impact development (LID) the preferred and commonly-used approach to site development. The NPDES Permit defines LID principles as land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff. The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of this permit, this project must be complete by December 2016. A report detailing the project is due to Ecology in March of 2017.

The first phase of this work, the opportunity analysis, is complete. This memorandum contains the results of the opportunity analysis of Bellevue's land use and development-related codes and standards for application of LID principles. Between November 2014 and April 2015, AHBL reviewed the City's codes and standards and met with City staff to address LID principles.

Based on our review of the City's codes and standards and discussions with City staff, we found that the City of Bellevue's land use and development-related codes and standards generally support the LID principles. There are opportunities to better align the City's codes and standards with the LID principles. This memorandum recommends six areas of focus in the codes and standards for further consideration and review.

Background

AHBL is assisting City of Bellevue staff in implementing the LID principles requirement of Special Condition S5.C.4.f of the NPDES Permit. The focus of this work is on the LID principles to minimize impervious surfaces, native vegetation loss and stormwater runoff in site development rather than on the LID Best Management Practices (BMPs).² Additionally the work analyzes how implementing these principles may affect the City's development codes, rules, and standards, some of which have not traditionally been considered part of the State's regulation of stormwater. Special Condition S5.C.4.f, as summarized below, states:

¹ NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

² The NPDES Permit requires municipalities to revise their stormwater development standards to require LID BMPs where feasible for new development and redevelopment. LID BMPs are stormwater management facilities such as rain gardens, bioretention facilities and permeable pavement. The City will address the LID BMP requirement in a separate project revising the City's stormwater engineering and clearing and grading codes and standards. The new LID BMPs condition is also required to be in place by December 31, 2016.

- f. *Low impact development code-related requirements.*
- i. *No later than December 31, 2016, Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. [...] The intent of the revisions shall be to make LID the preferred and commonly-used approach to site development. The revisions shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations. Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012).*
- ii. *[E]ach Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. ... The summary shall be organized as follows:*
- a) *Measures to minimize impervious surfaces;*
 - b) *Measures to minimize loss of native vegetation; and*
 - c) *Other measures to minimize stormwater runoff.*

Between February and June 2014, AHBL reviewed the Bellevue Comprehensive Plan to identify opportunities to integrate LID principles into that policy document. We generally found that the City's Comprehensive Plan provided excellent policy support for the LID principles. There were, however, some opportunities to better align the City's policies with the LID principles. Our policy recommendations were presented to the Bellevue Planning Commission on September 24, 2014 as part of the City's broader eight-year, periodic update to its Comprehensive Plan. Amendments to the Comprehensive Plan, including LID policy recommendations, are scheduled to be considered and adopted by the Bellevue City Council in June of 2015.

AHBL next reviewed the Bellevue City Code and development standards for opportunities to integrate the LID principles identified in Special Condition S5.C.4.f.ii. The following codes and standards were analyzed:

- Transportation Code (Title 14)
- Land Use Code (Title 20)
- Construction Codes (Title 23)
- Utilities Codes (Title 24)
- Clearing and Grading Code and Development Standards
- Critical Areas Handbook
- Design Guidelines Building/Sidewalk Relationships, Central Business District
- Environmental Best Management Practices & Design Standards
- Pedestrian Corridor and Major Public Open Space Design Guidelines
- Storm and Surface Water Engineering Standards
- Transportation Design Manual and Standards

The results of our opportunity analysis of the codes and standards were presented to the City's internal LID Principles Team for review and discussion. We met with Bellevue's LID Principles Team on six occasions between December 2014 and April 2015 to discuss the integration of LID principles into the City's codes and standards. The following generally describes the nature of each meeting:

- | | |
|------------------|--|
| December 8, 2014 | <ul style="list-style-type: none"> • Introduction by Bellevue's Project Manager about the permit requirements • Preliminary discussion of opportunities within the City's development codes and standards to minimize impervious surface cover and vegetation loss |
| January 6, 2015 | <ul style="list-style-type: none"> • Transportation opportunities to minimize impervious surface cover |
| January 20, 2015 | <ul style="list-style-type: none"> • Discussion of opportunities within the land use code to minimize impervious surface cover and native vegetation loss |

- Discussion of differences among various Bellevue neighborhoods and the implications for city-wide versus neighborhood-specific standards
- February 5, 2015
- Discussion of strategies to encourage and/or require the preparation of site analyses at the initial phases of project conception
 - Discussion of opportunities for narrower streets including reduction of required street, bicycle lane, and sidewalk widths.
 - Discussion of vegetation retention strategies
- February 18
- Detailed discussion of vegetation retention strategies
- April 28
- Discussion of areas of focus

Our findings and recommendations are described below.

Findings and Recommendations

Like our findings for the Comprehensive Plan, we found that the City of Bellevue's existing land use and development-related codes and standards generally support the LID principles identified in the NPDES Permit. There are opportunities to better align the City's codes with the LID principles within the Permit. Based on our opportunity analysis and discussions with the LID team, we identified six areas of focus to elevate for further consideration for potential amendments to codes and standards.

The six areas of focus are:

1. Land Use Code
 - a. Evaluate use of LID principles (and BMPs) early in the site design process
 - b. Reduce impervious surface coverage
 - c. Preserve and enhance tree canopy
 - d. Improve options for clustering development

2. Transportation Code and Design Standards
 - a. Reduce impervious surfaces in road rights-of-way
 - b. Increase tree canopy in transportation facilities

1. Land Use Code

Four areas of focus in the Land Use Code (BCC Title 20) were identified through our code review and meetings with staff. Areas of focus include site analysis and design, reducing impervious surfaces coverage, tree canopy preservation and enhancement, and clustering development, specifically reducing obstacles to clustering. These areas are interconnected, and it may be helpful to consider new code language and amendments that address more than one of these areas at once.

a. Site Analysis / Site Design

The Phase II NPDES Permit requires that LID is the preferred and commonly used approach to site development. Currently there are no requirements in Bellevue City Code that state that LID principles must be considered at the beginning of the development or redevelopment process. Early analysis in the site design process is critical to identify suitable areas for LID infrastructure within the constraints of a project site.

Opportunity

- i. Evaluate use of LID principles (and BMPs) early in the site design process. At the outset of site development or redevelopment, evaluate LID principles and LID BMP

feasibility. Ensure that reviewers from all departments consider LID during development review.

Challenge

- i. Designing a project to factor in LID at the beginning of site development will require a paradigm shift for developers and reviewers.
- ii. Geotechnical, soil, and other analysis required before a property owner or developer can determine site feasibility may be costly.

b. Impervious Surface Coverage

Minimizing impervious surfaces is a low impact development principle. As a developed urban area, it is challenging for Bellevue to address this requirement. Opportunities to incorporate low impact development principles will largely be provided as properties redevelop.

Opportunities

- i. Reduce impervious surface lot coverage in the City by reducing maximum allowed impervious surface coverage proportional to the area of the lot.
- ii. Replace the term “Impervious Surface” with Ecology’s definition of “Hard Surface” in BCC 20.20.010 and BCC 20.20.460 to reduce impervious surface coverage. “Hard surface” includes permeable surfaces such as permeable driveways, patios, and sport courts.
- iii. Reduce vegetation loss by allowing site design flexibility similar to the flexibility provided in the Critical Areas Ordinance for setback and buffer requirements. Flexibility in site design will allow developers more options in site planning to meet LID goals.

Challenges

- i. Reducing allowed impervious surface coverage might be perceived as the City taking away development rights of private property owners.
- ii. It will need to be shown how a reduction in impervious surface coverage can both benefit the City and allow property owners to develop or redevelop their lots.

c. Tree Preservation and Canopy Enhancement

Tree canopy preservation and enhancement is a low impact development principle. Tree canopy in Bellevue decreased 20 percent between 1986 and 2006³. Preserving and increasing tree canopy is a priority of the City of Bellevue Environmental Stewardship Initiative.

³ City of Bellevue Environmental Stewardship Initiative Strategic Plan, 2013-2018.

Opportunities

- iii. Numerous opportunities were identified by staff. These opportunities likely need to be further refined and prioritized. The opportunities include:
 - a) Amend the definition of significant tree;
 - b) Enhance fencing and other requirements to reduce vegetation loss caused by construction staging;
 - c) Establish a fee in lieu program to replace trees removed on private property with trees planted at publicly owned priority sites; and
 - d) Establish innovative programs and/or incentives to preserve trees.

Challenges

- i. There is an apparent cultural shift occurring in the City, moving away from tree preservation and toward view protection and tree removal.
- ii. Land Use Code lacks the flexibility to accommodate development and vegetation preservation on R5 and higher intensity zoned lots.
- iii. There is a limited number of staff available for enforcement.

d. Clustering Development

As noted above, opportunities to incorporate low impact development principles will largely be provided as properties redevelop. To increase the likelihood of clustered residential development and redevelopment, add tools to the Land Use Code to improve opportunities for clustering and allow for zero lot line development.

Opportunities

- i. Amend Land Use Code criteria to improve clustering provisions and provide for zero-lot line development. This is possible through permitting short plats for clustered development that would not meet current lot size, setback, and access standards.
- ii. Clustering and zero-lot line development may lead to less vegetation loss, more affordable housing options, and denser development compared to traditional single family development.

Challenges

- i. The success of clustered development is dependent on market demand.
- ii. There are currently no provisions for zero lot line development in the Bellevue City Code.
- iii. Clustering and native vegetation preservation may be difficult to achieve without flexibility in setback and buffer requirements.

2. Transportation

a. Impervious Surface (Road Rights-of-Way)

Minimizing impervious surfaces is a low impact development principle. As a developed urban area, it is challenging for Bellevue to address this requirement. There are opportunities to explore variants to the City's existing street standards that serve to reduce impervious surface coverage. This may result in designs that may differ amongst the City's neighborhoods.

Opportunities

- i. Minimize impervious surfaces by:
 - a) Reducing the overall impervious nature of improved Rights-of-Way by potentially reducing or eliminating lanes and/or widths and associated pedestrian and bicycle facilities.

Challenges

- i. Loss of parking.
- ii. Providing adequate fire access (IFC 503).
- iii. Bicycle and pedestrian groups may object to changes within the City's street standards.
- iv. The City wants to design complete streets for all users, but complete streets require a substantial amount of impervious surface coverage.
- v. Reduction of impervious surface coverage may penalize non-polluting modes of transportation.

b. Tree Canopy within Transportation Facilities

Achieving City-wide tree canopy coverage of 40 percent is a central element within the Bellevue Environmental Stewardship Initiative Strategic Plan (ESI). The tree canopy enhancement goals of the Environmental Stewardship Initiative can be furthered by leveraging opportunities to integrate tree canopy within transportation facilities. Enhancing the tree canopy will serve two goals: integrating LID principles and increasing the tree canopy, which is a goal of the ESI.

Opportunities

- i. Enhance City-wide tree canopy by increasing landscaping areas and/or integrating additional tree canopy into new and retrofit transportation designs.
- ii. Specify coniferous species, where appropriate, to facilitate stormwater interception during the rainy winter months when deciduous species may not be fully leafed.

Challenges

- i. A limited number of conifer species are suitable for use in street rights-of-ways.

WEC/AM/am



DRAFT Public Participation Plan

Introduction

The City of Bellevue is updating its codes and standards to be consistent with the Low Impact Development Principles condition in the 2013-2018 National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. As a Phase II Permittee, the City is required to review and update its development codes and standards to make Low Impact Development (LID) the preferred and commonly-used approach to site development.

The intent of this Public Participation Plan is to describe opportunities for stakeholders to participate in the process and provide input on potential code and standard revisions to make LID the preferred and commonly-used approach to site development.

The public participation effort is intended to achieve specific desired outcomes, which include:

- Provide clear information to the public on low impact development, the LID Principles Project and project proposals;
- Involve commissions and boards early in and throughout the project;
- Provide opportunities for interested parties to comment and for people to listen and learn from one another;
- Conduct public participation events in multiple locations to capture an area's priorities and to make citizen participation easier;
- Seek broad participation of interested groups and individuals to capture differing viewpoints;
- Harness the energies and knowledge of a broad range of stakeholders to ensure issues and concerns are understood, considered, and addressed wherever possible;
- Create a transparent process which documents public input and makes it available for review.

The Public Participation Plan may be modified if necessary to meet the NPDES Permit compliance deadline of December 31, 2016. If the Public Participation Plan is modified, stakeholders are welcome to submit comments directly to the project contacts or participate through the City's boards, commissions, and City Council meetings.

Low Impact Development Principles Project



Website

The LID Principles Project website is available at: [website address](#)

- The website provides education, project schedule and links to project documents, and contact information for the project team.

Stakeholder Notification

We will develop a notification process for distribution to a wide range of stakeholder groups. The notices will contain a brief description of the project and the opportunities for public participation in the project. The stakeholder groups identified so far, include:

- Neighborhood groups
- Environmental groups
- Developer groups
- Bicycle/Pedestrian groups
- Business associations
- Building associations
- Architecture, engineering, and planning professionals

Boards, Commissions, and EBCC: http://bellevuewa.gov/boards_commissions.htm

Four City boards and commissions which represent Bellevue citizen's interests and the East Bellevue Community Council (EBCC), representing Bellevue residents in the East Bellevue area, will be asked to provide input on the LID Principles Project early and periodically throughout the project. The public has the opportunity to attend and provide comments at these meetings. Early and periodically through the process.

Informational Briefings

The project team will provide informational briefings to the four boards and commissions after receiving Council direction for the project in June 2015.

- Planning Commission
- Environmental Services Commission
- Transportation Commission

Low Impact Development Principles Project



- Parks and Community Services Board

The project team will also provide an informational briefing to East Bellevue Community Council (EBCC).

Public Workshops

The objective of the public workshops is to introduce and educate the public on Low Impact Development and the City of Bellevue's Low Impact Development Principles Project, respond to questions, gain public input, and ensure issues and concerns are understood, considered, and addressed wherever possible.

Three public workshops are proposed for September 2015 at different locations to facilitate broader participation and provide several opportunities to attend:

- One public workshop to be held at City Hall.
- One public workshop to be held in North Bellevue.
- One public workshop to be held in South Bellevue.

Public Open Houses on Proposed Changes to Codes and Standards

The objective of the public open houses obtain public input on initial code and standard proposals. It also is consistent with the code and standard evaluation process outlined in *Integrating LID into Local Codes: A Guidebook for Local Government* by having internal and external stakeholders review documents, particularly proposed regulations and standards, and provide feedback. City staff and the project consultant team will present proposed changes to City codes and standards for public input.

City staff and consultants will consider public input, and revise the documents to address identified concerns where appropriate. The intent is for City staff and the project consultant team to get detailed input from a range of stakeholders to create a balanced set of regulations and standards that reflect the permit requirements and community vision.

The following open houses are proposed to be held in early 2016:

- One public open house to be held at City Hall.
- One public open house to be held in North Bellevue.

Low Impact Development Principles Project



- One public open house to be held in South Bellevue.

Stakeholder Groups

The project team will meet with stakeholder groups as requested or necessary. Our goal will be to obtain as much input through the public workshops, open houses and at commissions and boards listed above as much as possible because of the constraints imposed by the Permit and efficient use of resources.

Boards and Commissions and EBCC: http://bellevuewa.gov/boards_commissions.htm

Update Briefings on Proposed Changes to Codes and Standards

Proposed changes to codes and standards will be presented to the boards and commissions for their comment. Public input gained at the three public workshops, three open houses and stakeholder meetings preceding this update will be discussed. The proposed changes will reflect and respond to the public's input wherever possible. Public comment is welcome at the board and commission meetings.

The following update briefings are tentatively scheduled for April 2016:

- Planning Commission
- Environmental Services Commission
- Transportation Commission
- Parks and Community Services Board
- EBCC

Opportunities for Public Comment During Council Consideration of Amendments

Planning Commission Public Hearing

- The Planning Commission will hold one public hearing in June 2016 to provide stakeholders with the opportunity to officially comment on the LID Principles Project.

Low Impact Development Principles Project



City Council Study Sessions

- Following the public workshops, open houses, stakeholder meetings, boards and commission meetings and the Planning Commission Public Hearing on the LID Principles proposed code amendments, City Council will consider the proposed amendments and take action per the following schedule:
- Consideration of proposed amendments at three study sessions: August TBD, September 12, and October 10.
- Action on proposed amendments either November 21 or November 28.

East Bellevue Community Council Final Hearing

- A final hearing is scheduled with EBCC for December 6, 2016.

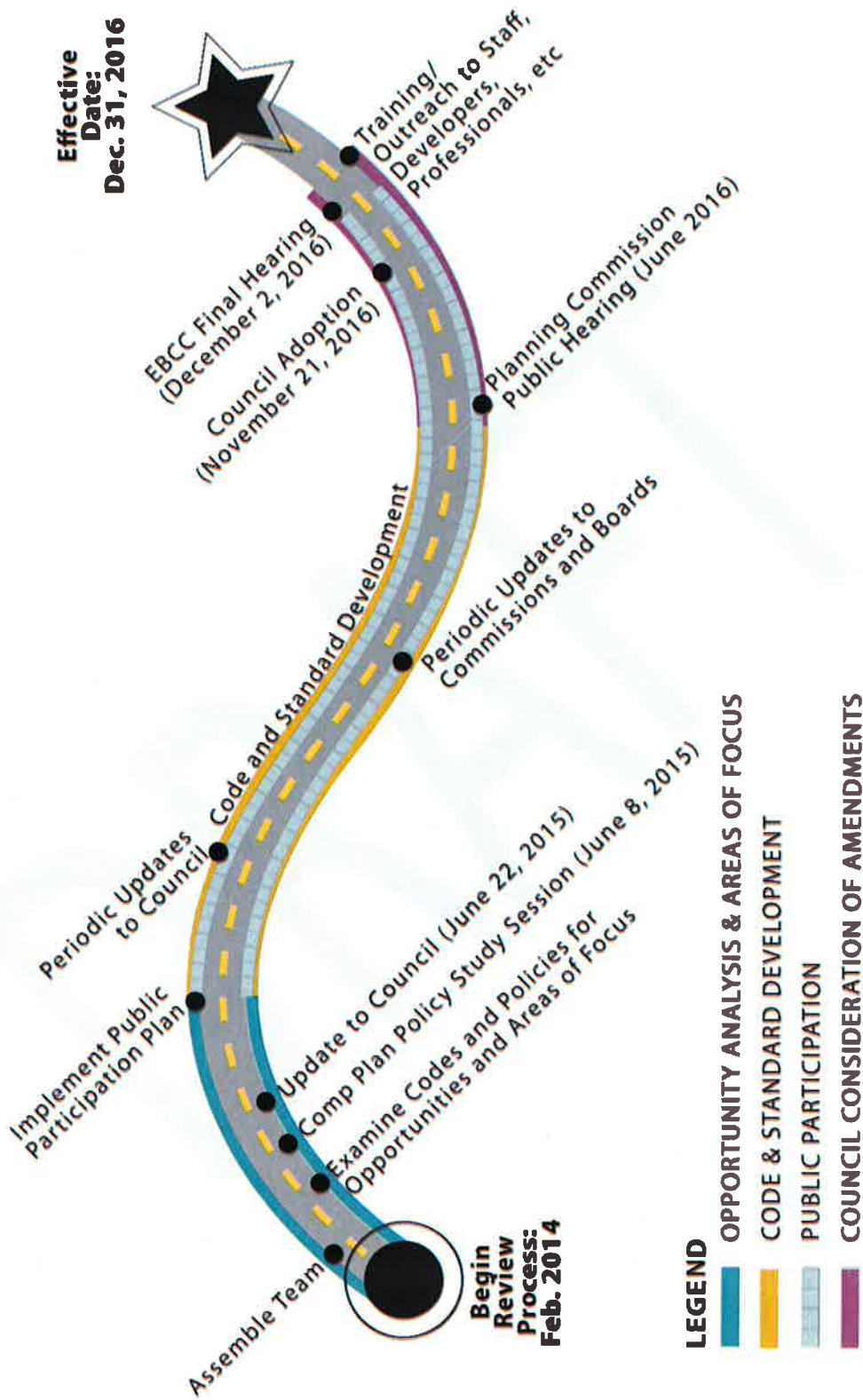
Project Contacts: LIDPrinciplesProject@bellevuewa.gov

- The Project Team can be contacted at 425-452-6134.
- City of Bellevue project leads may be emailed at the addresses below:
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 - Paul Bucich, Assistant Director of Engineering, Utilities, PBucich@bellevuewa.gov

Low Impact Development Principles Project



LID PRINCIPLES PROJECT ROAD MAP



Low Impact Development Principles Project



For Council Consideration and Comment Low Impact Development Principles Project Final Interest Statement and Project Principles July 6, 2015¹

Purpose

The interest statement and project principles are intended to guide staff and the City's commission's and boards as they explore and develop appropriate options and recommended amendments to Bellevue's development codes and standards to make low impact development (LID) the preferred and commonly used approach to site development in Bellevue.

Background

The 2013-2018 NPDES² Western Washington Phase II Municipal Stormwater Permit requires the City to review and revise its development-related codes and standards to incorporate LID principles. The intent of the revisions is to make LID the preferred and commonly used approach to site development. The permit defines LID principles as land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff. LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement. LID BMP requirements will be addressed in a different project. The LID principles are the focus of this project.

The review and revision process the City is undertaking must be similar to that described in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership 2012). Under the terms of the permit, this project must be completed by December 31, 2016. A report detailing how the project satisfies the permit conditions is due to Ecology in March of 2017.

Interest Statement

Bellevue has a long history of supporting low impact development principles in its development policies and regulations; from early (1987) sensitive or critical areas protection and long-standing significant tree and maximum impervious surface coverage regulations to the clustering and LID incentive regulations included in the recent (2009) Bel-Red Rezone.

Bellevue supports the objective of maintaining the region's quality of life, including that of making low impact development the preferred and commonly used approach to site development.

¹ Includes edits received from City Council at the July 6, 2015 Council Study Session.

² NPDES means National Pollutant Discharge Elimination System. The NPDES Permit is a Federal Clean Water Act permit intended to protect water quality and fishable, swimmable uses of the nation's surface water resources.

Project Principles

The Project Principles are intended to ensure the community's visions and goals are achieved while developing a program that supports development and redevelopment and meets LID Principles. The following Council-approved Project Principles will guide the LID Principles Project:

Bellevue Appropriate. Proposed amendments to Bellevue's development codes and standards will be area and context sensitive. A one-size-fits-all is inappropriate. Attention will be paid to the differing levels of urban development, watershed conditions, impervious surface coverage, tree canopy coverage, and areas of direct discharge. Proposed amendments, where feasible, will provide flexibility, incentives, and innovation in achieving the goal of making LID the preferred and commonly used approach to site development in Bellevue.

Engage Stakeholders. Provide a public participation process that seeks and includes input from a wide range of stake holders. The process will provide opportunities for interested stakeholders to learn about LID principles, participate in developing options, and provide meaningful and informed comments.

Maintain Bellevue's Compliance Record with its NDPEs Stormwater Permit. The LID principles project shall be timely completed to ensure compliance with the requirement that amendments are effective by December 31, 2016.

Build On Existing Information and Programs. The LID Principles Project will build on existing City information and programs to develop and evaluate options to make LID the preferred and commonly used approach to site development.

Recognize and Seek to Balance Competing Needs. The LID Principles Project will recognize and seek to balance competing laws applicable to development and redevelopment, by considering and developing effective, innovative, flexible, and/or area-specific options. The LID Principles Project will also recognize that supporting growth in urban areas is appropriate and that balancing environmental benefits with economic development goals is important.

Council Approved Areas of Focus for the LID Principles Project.

The City Council directs staff to begin exploring, in accordance with the Project Principles listed above, the following six Areas of Focus:

1. Land Use Code
 - a. Evaluate use of LID principles (and BMPs) early in the site design process;
 - b. Reduce impervious surface coverage
 - c. Preserve and enhance tree canopy
 - d. Improve options for clustering development

2. Transportation Code and Design Standards
 - a. Reduce impervious surfaces in road rights-of-way
 - b. Enhance tree canopy in transportation facilities

May 25, 2016

SUBJECT

Eastgate Land Use and Transportation Plan Draft Land Use Code Amendments

STAFF CONTACTS

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Department

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Development Services Department

DIRECTION NEEDED FROM PLANNING COMMISSION

Action

X Discussion

X Information

GOAL FOR STUDY SESSION: Planning Commission review of first installment of the Eastgate code amendments.

BELLEVUE COMPREHENSIVE PLAN CONSIDERATIONS (EASTGATE SUBAREA)

The Eastgate/I-90 project supports changes intended to capture market demand, improve transportation conditions, address concerns of the employment sector as well as the general public, and position the corridor to grow gracefully over time with an emphasis on housing. It includes the following key elements and policies:

- Build on the success of the corridor as a major employment and office center, by adding capacity for additional office growth and allowing a greater mix of support retail and service uses.
- Establish a mixed-use Transit-Oriented Development center around the transit center and south of Bellevue College. A substantial portion of the future office and residential growth in the corridor is expected to occur at this location.
- Increase opportunities for residential development in the corridor, to add vibrancy to the area, provide housing in proximity to Bellevue College and places of work, benefit from existing transit service, and support nearby retail uses.
- Seek to enhance Bellevue College’s visual presence and connections to the adjacent community.
- Promote the Mountains-to-Sound Greenway by supporting the development of the Mountains-to-Sound Greenway trail through Bellevue and by incorporating sustainable design and abundant natural landscaping into the built environment.

- Identify modest but effective motorized and non-motorized transportation improvements that may be accomplished through partnerships with other agencies.
- Support increased floor area ratios and building heights throughout the corridor to meet demand for continued job and economic growth consistent with the desired housing emphasis.

POLICY S-EG-13. Consider allowing a reduction in parking requirements where it is possible to do so because of proximity to transit.

POLICY S-EG-17. Improve connectivity within the subarea for pedestrians and bicycles where opportunities exist by integrating land uses, improving roadway safety for all modes of travel, and linking commercial, office, parks, and public spaces with trails and pathways.

POLICY S-EG-19. Reinforce the area’s location on the Mountains to Sound Greenway, accentuate Eastgate as a major entry into Bellevue, and emphasize the emerging urban character of the Eastgate I-90 corridor through the application of land use regulations, public amenity incentives, and design guidelines.

POLICY S-EG-20. 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.

POLICY S-EG-21. Consider design review for commercial, office, and mixed use development that promotes pedestrian-friendly design, ensures quality and a sense of permanence, promotes environmental sustainability and creates a distinct identity.

POLICY S-EG-24. Support the overall sustainability and green identity of the I-90 corridor consistent with the Mountains to Sound Greenway by including visibly recognizable natural features in public and private development. Examples include, but are not limited to green walls, façade treatments, green roofs, retained native vegetation, and abundant natural landscaping.

POLICY S-EG-25. Diminish the effect of rooftop equipment on views from residential areas by requiring rooftop equipment to be low-profiled and screened to match the building’s exterior color, building materials, and styles.

POLICY S-EG-26. Maintain the Subarea’s predominantly treed skyline and encourage preservation of existing stands of trees and landscaping.

POLICY S-EG-42. Encourage a mixed use area between Bellevue College and I-90 into a walkable, transit-oriented center at the level of intensity needed to create a vibrant mix of offices, residences, and locally-serving shops and restaurants that are urban in character.

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

CAC Discussion

The Commission has heard much about the Eastgate CAC's vision for Eastgate. The Planning Commission has reviewed several topics as the CAC recommended. The Eastgate CAC recommended several changes that have been reviewed in past study sessions including:

- Better connectivity;
- Creation of transit-oriented development near Bellevue College and the Metro Transit Center;
- Continuation of the neighborhood-serving retail on the Eastgate Plaza site, while also allowing residential uses;
- The expansion of services and amenities allowed in areas with office buildings; and
- Review of Concomitant Agreements to determine whether they are still relevant.

These topics have been discussed in past study sessions including 2016 sessions: January 27, February 16, March 23 and April 27. The Planning Commission has discussed the creation of three new districts as proposed by the CAC: Neighborhood Mixed Use (NMU), Office Limited Business 2 (OLB 2), and Eastgate Transit Oriented Development (EG-TOD). While discussing the new zones, the Planning Commission considered whether to remove the concomitant agreements that were associated with some of the parcels in the area. The removal of these agreements would occur with the rezoning of the parcels. If concomitants were removed upon rezoning, the impacts of new development would be addressed by amendments being considered now or provisions in the existing Land Use Code.

The following is a recap of the CAC's discussion on the three new districts. This is not intended to be an exhaustive list, but rather a list of highlights.

The CAC discussed how the EG-TOD should be implemented:

- Office, commercial and residential uses with ground floor retail.
- Establish new zoning and land use provisions that promote increased densities, and incentives for intense mixed use development that integrates and leverages the advantages of the transit center and Bellevue College.
- Maximum FAR of 1.5 to 2.0 is envisioned, but flexibility should be considered if necessary to ensure a desirable urban form, mix of uses, and range of public benefits.
- Consider reduced parking requirements but only if project-generated demand can be demonstrated and accommodated on-site.
- Formalize an internal east-west street for multi-modal users that would connect the Lincoln Executive Center with the Park and Ride.
- Develop a hillside stairway from the TOD to Bellevue College with a small overlook or plaza on the south slopes.

The CAC discussed the NMU and stated that any new development in this area should:

- Upon redevelopment, prioritize retail and service uses that serve the surrounding residential neighborhoods and allow upper-level residential uses.

- Integrate the Mountains to Sound Greenway by providing bicycle and pedestrian access from the development to the Greenway.
- Improve vehicle and pedestrian access and movement internal to the site.
- Ensure that the type, design and scale of development does not adversely affect nearby neighborhoods.

Some of the CAC's statements address the vision for OLB 2:

- Enhance connections and streetscapes that link the I-90 Office Park to retail, services and transit on 156th Avenue SE. (I-90 Office Park)
- Enhance the active transportation benefits of improved pathway connections to the Eastgate Park project. (I-90 Office Park)
- Establish building and site design standards to ensure that this project adds to the area's visual quality. (King County site).

DISCUSSION

Organization of the Draft Code Amendment

The Eastgate Subarea Plan Code amendments cover three new districts: EG-TOD, NMU, and OLB 2.¹ All three will require design review for new development. The Eastgate code amendments fall into four general topic areas:

- New Districts and Permitted Uses
- Dimensional Requirements
- Development Standards and Design Guidelines
- Conformance Amendments

For the EG-TOD, the new district and its permitted uses, dimensional requirements, development standards including street standards, and design guidelines will be consolidated in one part of the Land Use Code, Part 20.250 LUC.

Conversely, the uses and dimensional requirements for NMU and OLB 2 will be located in the general provisions of the Land Use Code. These districts may be applied citywide, thus they are included in the general use and dimensional charts. In addition, the NMU District will be included in the Community Retail Design District (CRDD) because it is similar to the other districts in the CRDD, including the Community Business (CB) and Neighborhood Business (NB) Districts. The CRDD provides design guidelines and standards that will be applied to the NMU District, just as they are to the CB and NB Districts. However, there will be some additional amendments to the CRDD that will be specific to the NMU district. These will be

¹ Earlier in the year, the Planning Commission discussed the Light Industry (LI) changes. There will be a few parcels that will be rezoned to LI, but no other changes will occur. Originally, we had discussed removing 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. However, this is already available without restriction under the Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software Use Classification.

provided at a later date. The design guidelines for OLB 2 will also be provided at a later date and be added to the OLB District design standards provided in Part 20.25I. The OLB 2 standards will be distinct from the OLB standards, but will be included in the same part of the LUC for ease of administration.

Below is a chart that depicts the location of provisions within the LUC.

	EG-TOD	NMU	OLB 2
Permitted Uses	EG TOD LUC 20.25O.050	General Use Charts LUC 20.10.440	General Use Charts LUC 20.10.440
Dimensional Chart	EG TOD LUC 20.25O.060	General Dimensional Chart LUC 20.20.010	General Dimensional Chart LUC 20.20.010
Standards and Design Guidelines	EG TOD LUC 20.25O.070 – 20.25O.100	Community Retail Design District Part 20.25I LUC	Office Limited Business Part 20.25C LUC
Conformance Amendments	Various	Various	Various

Eastgate Transit Oriented Development Land Use District (EG-TOD)

The entire EG-TOD will be encompassed in one part of the Land Use Code, Part 20.25O LUC. Attachment A includes the first installment of Draft Code Amendments for the EG-TOD Land Use District. An outline of the entire section has been included at the front of Attachment A for ease of navigation. As you will see, a Master Development Plan and Design Review will be required for development in the EG-TOD. The use charts have already been discussed with the Planning Commission, and reflect the feedback that was previously provided.

Dimensional charts are new for Planning Commission review. The draft code amendment includes a 2.0 FAR intensity measure consistent with the CAC recommendation, and a new façade separation provision has been added. This provision is modeled after the setback and stepback provisions of the Bel Red Code, but has been modified to provide increased design flexibility for developers to achieve the desired separation outcomes. The dimensional chart also provides an FAR exception for affordable housing, public restrooms, and special dedications of property for open space, rights-of-way or light rail. Additional discussion of the FAR approach for the Eastgate Subarea is provided later in this memorandum. Finally, the first installment of the EG-TOD also includes standards regarding landscaping, fences, parking, circulation, and walkways.

The balance of the EG-TOD provisions will be provided in a second installment for Planning Commission review. The street is the focal point of the district, plans are being developed in collaboration with the Transportation Department to clearly reflect the street standard details. The design guidelines are closely tied to the street standards and these final two sections of the draft EG-TOD code will be provided together in the second installment of Eastgate Code Amendments. That work is ongoing and not included as part of this packet of information at the time of mailout.

General Dimensional Charts

The general dimensional chart includes building height, setbacks, and floor area ratio (FAR). A FAR of 1.0 with a building height maximum of 75 feet is proposed for both NMU and OLB-2. This is in keeping with the with a similar office area nearby, Factoria. The Factoria Land Use District 2 has an FAR of .75 and a maximum building height of 75 feet. Affordable housing has been exempted from the FAR calculation for the NMU Land Use District in response to the Planning Commission's strong interest in exploring tools to achieve affordable housing in Bellevue. The dimensional chart also provides a maximum impervious surface for NMU and OLB-2 at 80 percent to align with other similar zones in the City. This dimensional requirement may need to be modified to be consistent with the Low Impact Development Principles Project that is before Planning Commission for review at the same time as the Eastgate Subarea Plan project.

Design Guidelines and Development Standards for NMU and OLB2

Some of the development standards have been provided with this packet. However, the design guidelines specific to the NMU and OLB-2 Land Use Districts will be provided in the second installment of Eastgate Code Amendments.

Additional Information on the Incentive Zoning Issue

The CAC envisioned a maximum 1.5 to 2.0 floor area ratio (FAR) for the TOD. Transportation analysis was completed a few years ago and improvements programmed with population and employment commensurate with development built at a 2.0 floor area ratio. This FAR would give the Eastgate TOD additional capacity to remain competitive in the years to come, be achievable with transportation infrastructure and planned improvements and be consistent with both the CAC vision and the adopted comprehensive plan.

Two methods for regulating the FAR to encourage the development to respond with new development or redevelopment include a zoning incentive system, or a more traditional approach with set or fixed requirements.

The CAC and the updated Eastgate Subarea Plan called for the City to "consider" a zoning incentive system whereby development provided needed infrastructure and amenities in return for added floor area and height. The City staff asked CAI Community Attributes Inc. to conduct an analysis of the economic underlying a potential incentive zoning program for the Eastgate study area. Typically, economic modeling is not conducted for an area rezoning. In this case the City conducted limited economic modeling only for the single purpose of considering and

calibrating a potential incentive zoning system. Would it be possible to have an incentive zoning system similar to what is in place for the Bel-Red redevelopment area and the Downtown?

CAI completed that analysis in April 2015. The results, in part, demonstrated that the non-residential areas examined outside the TOD could achieve greater economic surplus if redeveloped to a higher FAR. This would encourage a different development pattern over time, one characterized by less surface parking perhaps, or one having more residential mixed into the development. Based on that conclusion, the newly proposed NMU and OLB-2 zoning districts were proposed to have 1.0 FAR, twice the amount of the existing 0.5 FAR maximum permitted today in comparable districts. The TOD area would continue to have 2.0 FAR maximum but the base FAR was raised from 0.5 (the existing OLB district in the TOD) to 1.0 to match the NMU and OLB-2 zoning FARs.

Given this, staff realized that a zoning incentive system would not be feasible in the Eastgate TOD. Increased development costs to buy up the FAR from 1.0 to 2.0 would not be offset by increased economic surplus for the developer. The variables that contribute to a higher economic surplus (such as capitalization rates, rent rates and development costs) fluctuate so much that a developer would not take the risk. Likewise from the City's perspective (the other party in an incentive zoning transaction), increases in FAR over 2.0 could dramatically increase other costs for the City (e.g. transportation).

The traditional approach setting the FAR and fixed requirements to achieve up to that FAR could achieve intended results. Staff has drafted a new TOD zoning district that will allow up to 2.0 FAR but will identify greater expectations through intent, requirements for design review, and new design guidelines and standards. For example, requirements will include elements that are most critical to activating the Transit Oriented Development zoning district, such as pedestrian oriented frontage on the east/west street in the TOD; weather protection for pedestrians, a green factor for infrastructure and sustainability; usable open space; impervious surfaces; and sensitive design of parking garages.

The economic analysis by CAI has been included as a separate appendix. The detail and complexity of the analysis, though interesting, is not always self-explanatory, and it could take a substantial amount of time and discussion to explore it. Staff is available and willing to explore that independently with any interested party.

Next Steps

June 8, 2016 Eastgate Proposed Land Use Code Amendments Open House

June 22, 2016 Eastgate Proposed Land Use Code Amendments Public Hearing

ATTACHMENTS

- A. Draft Eastgate Code Amendment Package – First Installment
 - 1. Table of Contents for Part 20.250
 - 2. Part 20.250 - Eastgate Transit Oriented Development Land Use District (excluding Street Standards and Design Guidelines)
 - 3. LUC 20.10.440 - General Land Use Charts
 - 4. LUC 20.20.010 - Dimensional Requirements
 - 5. Miscellaneous Conformance Amendments
- B. Zoning Maps
- C. Appendix A Eastgate Incentive Zoning Analysis April 2015 (under separate cover)

Part 20.250 EASTGATE TRANSIT ORIENTED DEVELOPMENT

20.250.010 General

- A. Applicability
- B. Purpose and Intent

20.250.020 Review Required

- A. Applicable Review and Guidelines
- B. Master Development Plan
- C. Design Review
- D. Procedural Merger

20.250.030 Permitted Uses

- A. Permitted Uses
- B. Use Charts Described

20.250.040 [Reserved]

20.250.050 Land Use Charts

20.250.060 Dimensional Requirements

- A. General
- B. Exceptions to Dimensional Requirements

20.250.070 Landscape Development and Fence Standards

20.250.080 Parking, Circulation and Walkway Requirements

20.250.090 EG-TOD Street Standards - To be provided in Second Installment

20.250.100 EG-TOD Design Guidelines – To be provided in Second Installment

Part 20.250 Eastgate Transit Oriented Development Land Use District

20.250.010 General.

A. Applicability.

1. This Part 20.250, Eastgate Transit Oriented Development Land Use District (EG-TOD), contains requirements, standards, and guidelines that apply to development and activity within the EG-TOD. Except to the extent expressly provided in this Part 20.250 and as referenced in subsection A.2 of this section, the provisions of the Land Use Code, other development codes, the City development standards, and all other applicable codes and ordinances shall apply to development and activities in the EG-TOD. Except within the Critical Areas Overlay District (Part 20.25H LUC), where there is a conflict between the EG-TOD regulations and the Land Use Code and other City ordinances, the EG-TOD regulations shall govern. Where there is a conflict between EG-TOD regulations and the Critical Areas Overlay District, the Critical Areas Overlay District shall govern. Where the requirements of the EG-TOD exceed those of the Land Use Code and other City ordinances, the EG-TOD regulations shall govern.

2. The following general development requirements of Chapter 20.20 LUC do not apply in the EG-TOD:
 - a. LUC 20.10.400;
 - b. LUC 20.10.440;
 - c. LUC 20.20.005;
 - d. LUC 20.20.010;
 - e. LUC 20.20.012;
 - f. LUC 20.20.015;
 - g. LUC 20.20.017;
 - h. LUC 20.20.018;
 - i. LUC 20.20.060;
 - j. LUC 20.20.070;
 - k. LUC 20.20.125
 - j. LUC 20.20.135;
 - l. LUC 20.20.400;
 - m. Part 20.25B LUC;
 - n. Part 20.25I LUC; and

o. LUC 20.30V.170.

B. Purpose .

The purpose of the EG-TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

20.250.020 Review Required.

A. Applicable Review and Guidelines.

The Director shall use this Part 20.250 LUC as currently adopted or subsequently amended or superseded in reviewing an application for Master Development Plan or Design Review approval in the EG-TOD.

B. Master Development Plan.

1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a proposal are consistent with the Comprehensive Plan, the housing emphasis of the EG-TOD is being achieved, and all applicable site development standards and guidelines are met. Design, character, architecture and applicable guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building location(s) within the project limit and demonstrate compliance with the following site development requirements, standards, and guidelines:

a. Residential Requirement in EG-TOD. The minimum residential use requirement shall be established and the location of the residential use shall be specified in the Master Development Plan to ensure that the envisioned housing emphasis for the land use district is met.

b. Dimensional requirements pursuant to LUC 20.250.060 as listed below:

i. Setbacks;

ii. Maximum impervious/lot coverage;

iii. Building height for each building identified in subsection B.1 of this section;

iv. Floor area ratio for each building identified in subsection B.1 of this section

(1) At a minimum square footage excepted from FAR pursuant to 20.250.060B shall be identified.

(2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.250.050.A;

c. Landscape development pursuant to LUC 20.250.070;

- d. Parking, circulation, and internal walkway requirements pursuant to LUC 20.25O.080;
- e. EG-TOD street development standards pursuant to LUC 20.25O.090; and
- f. Site development guidelines pursuant to LUC [20.25O.100.B](#).

2. When Required.

- a. A master development plan shall be required when an applicant proposes to develop more than one building under a single ownership.
- b. A master development plan shall be required where the applicant proposes to build a single building on one parcel that is adjacent to any street depicted on Figure _____. [to be added with street guidelines]

3. For the purposes of this section, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:

- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
- b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
- c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
- d. Only a right-of-way meeting the requirements of LUC 20.25O.060.B.4 may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review.

- 1. Scope of Approval. Design Review is a mechanism by which the City shall ensure that the design, character, architecture and amenity components of a proposal are consistent with the Comprehensive Plan and any approved Master Development Plan, and meet all applicable standards and guidelines contained in City Codes. Design Review is a mechanism by which the City shall ensure that the site development components of a proposal are consistent with the Comprehensive Plan and meet all applicable standards and guidelines contained in City Codes when site development components were not approved as part of a Master Development Plan.
- 2. When Required. All development within the EG - TOD shall be reviewed by the Director through Design Review (Part [20.30F](#) LUC).
- 3. Compliance with an applicable Master Development Plan. In addition to the decision criteria in LUC [20.30F.145](#), each structure and all proposed site development shall comply

with any approved Master Development Plan applicable to the project limit described in a Design Review application. If the application for Design Review contains elements inconsistent with an applicable Master Development Plan, the Director shall not approve the Design Review unless the Master Development Plan is amended to include those elements.

D. Procedural Merger.

Within the EG-TOD, any administrative decision required by this Part 20.25O LUC or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:

1. Master Development Plan, Part 20.30V LUC;
2. Administrative Conditional Use Permit, Part 20.30E LUC;
3. Design Review, Part 20.30F LUC;
4. Variance, Part 20.30G LUC; and
5. Critical Areas Land Use Permit, Part 20.30P LUC.

20.25O.030 Permitted Uses.

A. Permitted Uses.

Specific categories of uses are listed in Chart 20.25O.050. Subsection B of this section explains Chart 20.25O.050 and describes the applicable review procedures. The use chart description and interpretation provisions of LUC 20.10.400 do not apply to the EG-TOD.

B. Use Chart Described.

In Chart 20.25O.050, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permits), subordinate uses which are regulated under LUC 20.20.840, and non-conforming uses which are regulated under LUC 20.20.560.
2. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district-specific requirements of this Part 20.25O LUC.
3. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B in addition to any applicable general requirements for the use and land use district.
4. If the symbol "A" appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and land use district.

5. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.

20.250.040

Placeholder for EG-TOD specific definitions, if necessary

20.250.050 Land Use Chart.

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

Chart 20.250.050.A

Manufacturing Uses in EG-TOD

<u>STD LAND USE CODE REF</u>	<u>Manufacturing – EG-TOD</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
	<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD</u>
<u>21</u>	<u>Food and Beverage Products Mfg.</u>	<u>P 1</u>
<u>22</u>	<u>Textile Products Mfg.</u>	<u>P 2</u>
<u>23</u>	<u>Apparel, Fabric, Accessories and Leather Goods Mfg.</u>	<u>P 2</u>
<u>24</u>	<u>Lumber and Wood Products Mfg.</u>	
<u>25</u>	<u>Furniture and Fixtures Mfg.</u>	
<u>26</u>	<u>Paper Products Mfg.</u>	
<u>27</u>	<u>Printing, Publishing and Allied Industries</u>	
<u>28</u>	<u>Chemicals and Related Products Mfg.</u>	
<u>31</u>	<u>Rubber Products Mfg.</u>	
<u>314</u>	<u>Misc. Plastic Products Mfg.</u>	
<u>321</u> <u>322</u> <u>324</u> <u>325</u> <u>327</u>	<u>Light Stone, Clay, and Glass Products Mfg.;</u> <u>Glass, Pottery and China Ceramic Products,</u> <u>Stone Cutting and Engraving</u>	
<u>329</u>	<u>Handcrafted Products Mfg.</u>	
<u>3427</u>	<u>Computers, Office Machines and Equipment Mfg.</u>	

<u>3433</u> <u>3434</u> <u>3435</u> <u>3436</u> <u>3437</u>	<u>Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts</u>	
<u>3491</u> <u>3492</u> <u>3493</u> <u>3495</u> <u>3497</u>	<u>Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating</u>	
<u>35</u>	<u>Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software</u>	<u>P 2</u>
<u>3997</u>	<u>Signs and Advertising Display Mfg.</u>	
<u>3999</u>	<u>Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified</u>	

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Manufacturing

(1) Permitted only when combined with an eating and drinking establishment which constitutes a majority of the use.

(2) Permitted only when combined with a retail store which constitutes a majority of the use.

Chart 20.250.050

Recreation Uses in Eastgate Transit Oriented Development Land Use District

	<u>Recreation - Eastgate Transit Oriented Development Land Use District</u>	
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>Eastgate Transit Oriented Development Land Use District</u> <u>EG - TOD</u>
<u>7</u>	<u>Cultural Entertainment and Recreation</u>	
<u>711</u>	<u>Library, Museum</u>	<u>P</u>
<u>7113</u>	<u>Art Gallery</u>	<u>P</u>
<u>712</u>	<u>Nature Exhibitions: Aquariums, Botanical Gardens and Zoos</u>	

<u>7212</u> <u>7214</u> <u>7222</u> <u>7231</u> <u>7232</u>	<u>Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities</u>	<u>A 5</u>
<u>7212</u> <u>7214</u> <u>7218</u>	<u>Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs</u>	<u>A</u>
<u>7213</u>	<u>Drive-In Theaters</u>	
-	<u>Adult Theaters</u>	<u>P 2</u>
<u>7223</u> <u>73</u>	<u>Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks</u>	
<u>73</u>	<u>Commercial Amusements: Video Arcades, Electronic Games</u>	<u>P</u>
<u>411</u> <u>7413</u> <u>7422</u> <u>7423</u> <u>7424</u> <u>7441</u> <u>7449</u>	<u>Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools</u>	<u>A 1, 4, 5</u>
<u>744</u>	<u>Marinas, Yacht Clubs</u>	
<u>7413</u> <u>7414</u> <u>7415</u> <u>7417</u> <u>7425</u>	<u>Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction</u>	<u>A 3</u>
<u>7491</u> <u>7515</u>	<u>Camping Sites and Hunting Clubs</u>	
<u>76</u>	<u>Private Leisure and Open Space Areas Excluding Recreation Activities Above</u>	
	<u>Public/Private Park</u>	
	<u>Stables and Riding Academies</u>	
	<u>Boarding or Commercial Kennels</u>	
	<u>City Park</u>	<u>P</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Recreation

- (1) For carnivals, see LUC 20.20.160.
- (2) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (3) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums, an administrative conditional use is not required for these uses when less than 8,000 square feet.
- (4) See LUC 20.20.190 for additional regulations applicable to churches, clubs and similar use structures.
- (5) Public assembly uses in this Land Use District shall not exceed 20,000 square feet.

Chart 20.250.050

Residential Uses in Eastgate Transit Oriented Development Land Use District

	<u>Residential – Eastgate Transit Oriented Development Land Use District</u>	
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
<u>1</u>	<u>Residential</u>	
	<u>Single-Family Dwelling</u>	
	<u>Two to Four Dwelling Units Per Structure</u>	<u>P 5</u>
	<u>Five or More Dwelling Units Per Structure</u>	<u>P 5</u>
<u>12</u>	<u>Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities</u>	<u>C 2</u>
	<u>Rooming House</u>	<u>P 3</u>
	<u>Senior Citizen Dwellings</u>	<u>P 1</u>
<u>13</u> <u>15</u>	<u>Hotels and Motels</u> <u>Transient Lodging</u>	<u>P/A (4)</u>
	<u>Congregate Care Senior Housing</u>	<u>P 1, 2</u>
<u>6516</u>	<u>Nursing Home</u>	
	<u>Assisted Living</u>	<u>P 1</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Residential

- (1) An agreement must be recorded with the King County Department of Records and Elections and filed with the Bellevue City Clerk, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project.
- (2) See LUC 20.20.190 for additional regulations applicable to churches, clubs and similar use structures.
- (3) See LUC 20.20.700 for general development requirements for rooming houses.
- (4) Hotels and motels are permitted uses in this district. Transient lodging requires an administrative conditional use permit.

Chart 20.250.050

Resource Uses in Eastgate Transit Oriented Development Land Use District

	<u>Resources – Eastgate Transit Oriented Development Land Use District</u>	
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>Eastgate Transit Oriented Development Land Use District EG-TOD</u>
<u>8</u>	<u>Resource Production (Minerals, Plants, Animals Including Pets and Related Services)</u>	
<u>81</u>	<u>Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs</u>	
	<u>Marijuana Production</u>	
<u>8192</u>	<u>Other Horticultural Specialties: Medical Cannabis Collective Gardens</u>	
<u>821</u>	<u>Agricultural Processing</u>	
	<u>Marijuana Processing</u>	
<u>8221</u>	<u>Veterinary Clinic and Hospital</u>	<u>P 1, 2</u>
<u>8222</u>	<u>Poultry Hatcheries</u>	
<u>83</u>	<u>Forestry, Tree Farms and Timber Production</u>	
<u>8421</u>	<u>Fish Hatcheries</u>	
<u>85</u>	<u>Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction</u>	

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Resources

- (1) See LUC 20.20.130.E for additional regulations applicable to animal keeping and service uses.
- (2) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic / hospital, and veterinary clinic / hospital and kennel hours shall only be open to the public between 7 a.m. and 10 p.m.

Chart 20.250.050

Service Uses in Eastgate Transit Oriented Development Land Use District

	<u>Services – Eastgate Transit Oriented Development Land Use District (9)</u>	
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
<u>6</u>	<u>Services</u>	
<u>61</u>	<u>Finance, Insurance, Real Estate Services</u>	<u>P 9</u>
<u>62</u>	<u>Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair</u>	<u>P</u>
<u>6241</u>	<u>Funeral and Crematory Services</u>	
<u>6262</u>	<u>Cemeteries</u>	
<u>624410</u>	<u>Family Child Care Home in Residence</u>	
<u>624410</u>	<u>Child Day Care Center</u>	<u>P 1, 2</u>
<u>63</u>	<u>Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment</u>	<u>P</u>
<u>634</u>	<u>Building Maintenance and Pest Control Services</u>	
<u>637</u>	<u>Warehousing and Storage Services, Excluding Stockyards</u>	
<u>639</u>	<u>Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools</u>	
<u>641</u>	<u>Auto Repair and Washing Services</u>	<u>P 4, 8</u>
<u>649</u>	<u>Repair Services: Watch, TV, Electrical, Upholstery</u>	<u>P 7</u>
	<u>Professional Services: Medical Clinics and Other Health Care Related Services</u>	<u>P 6</u>
	<u>Professional Services: Other</u>	<u>P</u>
	<u>Pet Grooming and Pet Day Care</u>	<u>P 10</u>
<u>6513</u>	<u>Hospitals</u>	
<u>66</u>	<u>Contract Construction Services: Building Construction, Plumbing, Paving and Landscape</u>	
<u>671</u>	<u>Governmental Services: Executive, Legislative, Administrative and Judicial Functions</u>	<u>A</u>

<u>672</u> <u>673</u>	<u>Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops</u>	<u>A</u>
	<u>Limited Governmental Services: Protective Functions</u>	<u>P 11</u>
	<u>Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions</u>	<u>P 12</u>
<u>674</u> <u>675</u>	<u>Military and Correctional Institutions</u>	
	<u>Secure Community Transition Facility</u>	
<u>681</u>	<u>Education: Primary and Secondary</u>	<u>A</u>
<u>682</u>	<u>Universities and Colleges</u>	<u>P</u>
<u>683</u>	<u>Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools</u>	<u>P</u>
<u>691</u>	<u>Religious Activities</u>	<u>P 5</u>
<u>692 (A)</u>	<u>Professional and Labor Organizations Fraternal Lodge</u>	<u>P</u>
<u>692 (B)</u>	<u>Social Service Providers</u>	<u>P</u>
	<u>Administrative Office – General</u>	<u>P</u>
	<u>Computer Program, Data Processing and Other Computer-Related Services</u>	<u>P</u>
	<u>Research, Development and Testing Services</u>	<u>P</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Services

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

(2) A child care service may be located in a community facility in any Land Use District pursuant to LUC 20.20.170.E.

(4) 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.

(5) See LUC 20.20.190 for additional regulations applicable to churches, club, and similar uses.

(6) Stand-alone emergency rooms shall not be permitted.

(7) Outdoor storage of materials is prohibited.

(8) Only car washing and detailing within a garage is allowed. No auto repair is allowed in the TOD district.

(9) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.

(10) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care meeting the criteria of LUC 20.20.130.

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

(12) 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.

Chart 20.250.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

<u>STD LAND USE CODE REF</u>	<u>Transportation and Utilities - Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
	<u>LAND USE CLASSIFICATION</u>	<u>EG - TOD</u>
<u>41</u>	<u>Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops</u>	
<u>42 4291</u>	<u>Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters</u>	
<u>4214 422</u>	<u>Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services</u>	
<u>43</u>	<u>Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance</u>	
<u>-</u>	<u>Accessory Parking</u>	<u>P 1, 3, 10</u>
<u>46</u>	<u>Auto Parking: Commercial Lots and Garages</u>	
	<u>Park and Ride</u>	<u>C 2, 10</u>
<u>475</u>	<u>Radio and Television Broadcasting Studios</u>	<u>P</u>
<u>485</u>	<u>Solid Waste Disposal</u>	
	<u>Highway and Street Right-of-Way</u>	<u>P 10</u>
	<u>Utility Facility</u>	<u>C</u>
	<u>Local Utility System</u>	<u>P</u>
	<u>Regional Utility System</u>	<u>C</u>
	<u>On-Site Hazardous Waste Treatment and Storage Facility</u>	
	<u>Off-Site Hazardous Waste Treatment and Storage Facility</u>	

	<u>Essential Public Facility</u>	<u>C 7</u>
	<u>Regional Light Rail Transit Systems and Facilities</u>	<u>C/P 11</u>
	<u>Wireless Communication Facility (WCF): (without WCF Support Structures)</u>	<u>4, 5, 8</u>
	<u>Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)</u>	<u>4, 5</u>
	<u>Satellite Dishes</u>	<u>P 6</u>
	<u>Electrical Utility Facility</u>	<u>A/C 9</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Transportation and Utilities

(1) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.250.080.C.

(2) 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 established use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.

(3) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.250.050. Accessory surface parking is not permitted between the front building setback line and back of sidewalk.

(4) 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.

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

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

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

(8) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.

(9) 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.

(10) 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.

(11) 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 20.25O.050

Wholesale and Retail in Eastgate Transit Oriented Development Land Use District

<u>Wholesale and Retail – Eastgate Transit Oriented Development Land Use District (1)</u>		
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
<u>5</u>	<u>Trade (Wholesale and Retail)</u>	
<u>51</u>	<u>Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:</u>	
<u>5111</u> <u>5156</u> <u>5157 5191</u> <u>5192</u>	<u>Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum</u>	
<u>5193</u>	<u>Scrap Waste Materials, Livestock</u>	
	<u>Recycling Centers</u>	<u>P</u>
<u>521</u> <u>522</u> <u>523</u> <u>524</u>	<u>Lumber and Other Bulky Building Materials Including Preassembled Products</u>	
<u>5251</u>	<u>Hardware, Paint, Tile and Wallpaper (Retail)</u>	
<u>5252</u>	<u>Farm Equipment</u>	
<u>53</u>	<u>General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)</u>	<u>P</u>
<u>54</u>	<u>Food and Convenience Store (Retail)</u>	<u>P 2</u>
<u>5511</u>	<u>Autos (Retail)</u>	
	<u>Trucks, Motorcycles, Recreational Vehicles (Retail)</u>	
	<u>Boats (Retail)</u>	

<u>552</u>	<u>Automotive and Marine Accessories (Retail)</u>	
<u>553</u>	<u>Gasoline Service Stations</u>	
<u>56</u>	<u>Apparel and Accessories (Retail)</u>	<u>P</u>
<u>57</u>	<u>Furniture, Home Furnishing (Retail)</u>	<u>P</u>
<u>58</u>	<u>Eating and Drinking Establishments</u>	<u>P 3, 4</u>
<u>59</u>	<u>Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies</u>	<u>P 5</u>
	<u>Adult Retail Establishments</u>	<u>P 6</u>
<u>59</u>	<u>Marijuana Retail Outlet</u>	
<u>5961</u>	<u>Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)</u>	
<u>596</u>	<u>Retail Fuel Yards</u>	
<u>5996</u>	<u>Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools</u>	
<u>5999</u>	<u>Pet Shop (Retail and Grooming)</u>	<u>P</u>
	<u>Computers and Electronics (Retail)</u>	<u>P</u>

Notes: Uses in EG-TOD– Wholesale and Retail

(1) 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.

(2) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.

(3) 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.

(4) Drive-in windows are not permitted.

(5) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.

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

20.250.060 Dimensional Requirements.

A. General.

This subsection (Chart 20.250.060.A, Dimensional Requirements in Eastgate Transit Oriented Development Land Use District) sets forth the dimensional requirements for the district. The Dimensional Requirements of Chart 20.20.010 do not apply in the EG - TOD. Each structure, development, or activity in the EG-TOD shall comply with these requirements except as otherwise provided in this section. If a number appears in a box at the intersection of a column and a row, the dimensional requirement is subject to the special limitation indicated in the corresponding Note.

Chart 20.250.080.A Dimensional Requirements in Eastgate Transit Oriented Development District

	<u>Eastgate Transit Oriented Development Land Use District</u>
<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD (10)</u>
<u>DIMENSIONS</u>	<u>(1)</u>
<u>Minimum Setbacks of Structures (feet)</u> <u>Front Yard</u>	<u>0 (2)(3)(4)</u>
<u>Minimum Façade Separation (Setback/Stepback)</u>	<u>(5)</u>
<u>Rear Yard</u>	<u>5 (2) (3) (4)</u>
<u>Side Yard</u>	<u>5 (2) (3) (4)</u>
<u>2 Side Yards</u>	
<u>Floor Area Ratio</u>	<u>2 (1)</u>
<u>Minimum Lot Area Acres (A) or Thousands of Sq. Ft.</u>	
<u>Dwelling Units per Acre</u>	
<u>Minimum Dimensions (feet)</u> <u>Width of Street Frontage</u>	
<u>Width Required in Lot</u>	
<u>Depth Required in Lot</u>	
<u>Maximum in Building Height (feet)</u>	<u>160/45 (9)</u>
<u>Maximum Lot Coverage by Structures (percent)</u>	<u>75 (6) (7) (8)</u>
<u>Maximum Impervious Surface (percent)</u>	<u>75 (8)</u>

Notes: Chart 20.250.060A Dimensional Requirements in Eastgate Transit Oriented Development Land Use District

(1) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.

(2) See LUC 20.20.030 for designation and measurement of setbacks.

(3) See LUC 20.25H.035 for additional critical area setbacks.

(4) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.

(5) Façade Separation. Where building height exceeds 45 feet, the façade of any building that fronts on the streets shown on Figure _____ [To be provided with street standards] shall have a minimum façade separation of 10 feet that shall be measured from the back of the required sidewalk dimension to all portions of the building located above 40 feet.

(6) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided that habitat associated with species of local importance (20.25H.150) shall not be subtracted.

(7) _____ Maximum lot coverage by structures is determined after public rights-of-way and private roads are subtracted from the gross land area.

(8) _____ Maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structure are included in the calculation of total maximum impervious surface, unless such structures are excepted under 20.20.460.

(9) Stand-alone parking garages shall have a maximum building height of 45 feet.

(10) Any Master Development Plan with a project limit of greater than five acres shall provide a minimum 20 percent of the total project gross square feet as residential use. A phased development shall provide the proportional minimum of residential use required per phase.

B. Exceptions to Dimensional Requirements

1. Lot Coverage.

a. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.

b. Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:

i. The 30-inch height limit shall be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and

ii. The rooftop of any underground building shall be screened from abutting properties with 10 feet of Type II landscaping as

described in LUC 20.20.520.G.2; except that the required trees shall be a minimum of 10 feet in height at planting. Alternatively, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520.

c. Buildings constructed partially below grade and not higher than 30 inches above average finished grade are not structures for the purpose of calculating impervious surface; provided, that the rooftop of the building shall be landscaped consistent with the City of Bellevue's Utilities Department Engineering Standards, Chapter D6, now or as hereafter amended, for the building roof area as approved by the Director.

2. Impervious Surface. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.

3. Floor Area Ratio. A combined maximum of 1.0 FAR floor area ratio may be excepted for affordable housing, public restrooms, open space, and special dedications as provided below. The maximum 1.0 FAR exception may be accomplished by using only one of these methods (affordable housing, public restrooms, open space or special dedications) or a combination thereof. Provided, neither the combination nor the singular use of any of these methods shall exceed an exception of 1.0 FAR. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating floor area.

a. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project, provided that:

- i. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary;
- ii. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

b. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site public restrooms shall not be counted for the purposes of calculating FAR of a project, provided that,

- i. The restrooms are open to the public during regular business hours.
- ii. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the public restrooms to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

c. Floor Area Earned from Special Dedications and Transfers.

i. General. Land that is dedicated to the City of Bellevue for right-of-way or to accommodate the linear alignment of an RLRT system, or open space, without compensation to the owner, may be used for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio in LUC 20.50.020; provided, that the requirements of subsection c.ii or c.iii of this section are met. The Director shall calculate the amount of square footage earned for transfer. Transferable floor area shall only be used in the EG-TOD.

ii. Right-of-Way and Linear Alignment of an RLRT System Special Dedications. The special dedication provisions of LUC 20.30V.170.B do not apply in the EG-TOD.

- (1) Eligible Right-of-Way Identified in an Adopted Plan or Document. A property owner may make special dedication by conveying land identified for right-of-way or linear alignment of an RLRT system acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council, the Capital Investment Program Plan or the street development standards of 20.25O.090 by an instrument approved by the City Attorney.
- (2) Eligible Right-of-Way Not Otherwise Identified. A property owner may make a special dedication by conveying land identified by the Director of Transportation as necessary for safety or operational improvement projects by an instrument approved by the City Attorney.
- (3) Floor Area Earned. The floor area available to transfer shall be equal to maximum FAR limits that apply to the square footage of the area to be dedicated in conformance with this subsection c.ii and shall be included in the project limit for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area.

iii. Open Space Transfers.

- (1) Eligible Open Space identified within the Eastgate Subarea Plan. A property owner may earn floor area for transfer to a different site by conveying land identified for open space in the Eastgate Subarea Plan by an instrument approved by the City Attorney.
- (2) Floor Area Earned. The floor area available to transfer shall be equal to that permitted through the FAR limits that apply to the square footage of the area to be dedicated in conformance with this subsection c.iii and shall be added to the allowed floor area of the project for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area.

20.25O.110 Landscape Development and Fence Standards

A. General.

1. Applicability. The provisions of LUC 20.20.520.A, D, E, G, I, J, K, and L apply to development in the EG-TOD in addition to the provisions contained in this Section.

2. Review Required. The Director shall review the proposed landscape development, outdoor storage, retail display, and fencing and may approve a proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met.

B. Street Frontage Landscape Development Requirements.

1. Purpose/Intent. Landscape development, including retention of significant trees, as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the EG-TOD, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, to provide a better transition between the various land use districts in the Eastgate Subarea and to enhance the pedestrian environment.

2. Street Trees and Landscaping – Perimeter.

a. Street Tree Species.

i. On the street with an east/west orientation in Figure _____ [to be provided with the Street Design Guidelines], Tulip Trees (*Liriodendron tulipifera*) shall be planted.

ii. On the streets with a north/south orientation in Figure _____ [to be provided with the Street Design Guidelines], street trees shall be planted. The street tree species may be selected from one of the following: Triumph Elm – *Ulmus 'Morton Glossy,'* Katsura tree - *Katsura japonica*, or Yellowwood - *Cladrastis kentukea*.

b. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, shall be planted at least 3 feet from the face of the street curb, and spaced a maximum of 30 feet apart. A street tree planter area may also include decorative paving and other plant materials, except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

c. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and sidewalk planter strip landscaping located in a required planter strip. The irrigation system shall be served by a separate water meter installed by the applicant and served by City-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

d. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

C. Interior Property Line Development.

1. Purpose/Intent. The landscape development required by this section is necessary to provide visual separation of uses so as to soften the appearance of parking areas and building elevations.

2. Applicable Standard. Landscaping shall be provided along an interior property line as set forth below.

a. Evergreen and deciduous trees, with no more than 50 percent being deciduous, a minimum of six feet in height, and planted at intervals no greater than 30 feet on center; and

b. If planted to buffer a building elevation, shrubs, a minimum of three and one-half feet in height, and living ground cover planted so that the ground will be covered within three years; or

c. If planted to buffer a parking area, access, or site development other than a building, any of the following alternatives may be used unless otherwise noted:

i. Shrubs, a minimum of three and one-half feet in height, and living ground cover must be planted so that the ground will be covered within three years.

ii. Earth-mounding, an average of three and one-half feet in height, planted with shrubs or living ground cover so that the ground will be covered within three years.

iii. A combination of earth-mounding and shrubs to produce a visual barrier at least three and one-half feet in height.

D. Significant Tree Retention and Pruning. Tree retention requirements of LUC 20.20.900 shall apply in addition to the requirements set forth below.

1. In the landscape areas required pursuant to subsections B and C of this section, all significant trees shall be retained that do not constitute a safety hazard as determined by the Director and consistent with the guidelines of the International Society of Arboriculture.

2. Pruning or removal of significant trees within a Parks and Community Services easement is prohibited except as performed by the City of Bellevue if restricted by the terms of an easement.

E. Fences.

1. No fence shall be permitted to violate the sight obstruction restrictions at street intersections. (See BCC 14.60.240, as now or hereafter amended.)

2. Any fence which exceeds eight feet in height requires a building permit and shall conform to the International Building Code, as adopted by the City of Bellevue now or as subsequently amended or superseded.

3. Height shall be measured from finished grade at the exterior side of the fence. No person shall construct a berm upon which to build a fence unless the total height of the berm plus the fence does not exceed the maximum height allowable for the fence if the berm was not present.

4. Prohibited Fences. The following types of fences are prohibited:

a. Barbed wire.

b. Electric fences.

c. Chain link fences are not permitted on any street frontage in the EG-TOD except as follows:

i. To secure a construction site or area during the period of construction, site alteration, or other modification; or

ii. In connection with any approved temporary or special event use.

20.250.080 Parking, Circulation, and Internal Walkway Requirements.

A. General.

1. General. The provisions of LUC 20.20.590.C, E, G, H, I, and K apply to development in the EG-TOD in addition to the provisions contained in this section.

2. Review Required. The Director shall review the proposed parking, circulation, and walkways and may approve the proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met.

B. Minimum/Maximum Parking Requirements by Use – Specified Uses.

1. Number of Parking Stalls. The requirements of this section for the number of parking stalls apply to each new use and to each new tenant.

2. Parking Standards for EG – TOD Land Use District – Chart 20.250.080.B.2.

Chart 20.250.080.B.2 – PARKING STANDARDS FOR EASTGATE TRANSIT ORIENTED DEVELOPMENT LAND USE DISTRICT (6) (7)

<u>Use</u>	<u>Unit of Measure</u>	<u>EG-TOD</u>	
		<u>Min.</u>	<u>Max.</u>
a. <u>Financial institution</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.0/3.5 (1)</u>
b. <u>Manufacturing/assembly</u>	<u>Per 1,000 nsf</u>	<u>1.0</u>	<u>2.0</u>
c. <u>Home furnishing retail and major appliances retail</u>	<u>Per 1,000 nsf</u>	<u>1.5</u>	<u>3.0</u>
d. <u>Manufacturing/assembly (other than high technology/light industry)</u>	<u>Per 1,000 nsf</u>	<u>1.0</u>	<u>1.5</u>

	<u>Use</u>	<u>Unit of Measure</u>	<u>EG-TOD</u>	
			<u>Min.</u>	<u>Max.</u>
e.	<u>Office: Business services/professional services/general office</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.0/3.5 (1)</u>
f.	<u>Office: Medical/dental/health-related services</u>	<u>Per 1,000 nsf</u>	<u>3.5</u>	<u>4.0/4.5 (1)</u>
g.	<u>Residential</u>	<u>Per unit</u>	<u>0.75(5)</u>	<u>2.0</u>
h.	<u>Restaurant and bar (3)</u>	<u>Per 1,000 nsf</u>	<u>5.0 (4)</u>	<u>15.0</u>
i.	<u>Retail, personal service, shopping center</u>	<u>Per 1,000 nsf</u>	<u>2.5 (4)</u>	<u>4.5</u>
j.	<u>Retail and personal service in mixed-use development (2, 3)</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.5</u>
k.	<u>Senior housing: Nursing home</u>	<u>Per patient bed</u>	<u>0.25</u>	<u>0.75</u>
l.	<u>Senior housing: Senior citizen dwelling or congregate care</u>	<u>Per living unit</u>	<u>0.25</u>	<u>1.0</u>
m.	<u>Wholesale, warehouse</u>	<u>Per 1,000 nsf</u>	<u>1.5</u>	<u>2.0</u>

Notes applicable to parking standards for EG - TOD (Chart 20.250.080.B.2):

(1) The maximum parking ratio for financial institutions and office uses in Chart 20.250.080.B.2.a and e may be increased from 3.0 to 3.5 per 1,000 nsf and in Chart 20.250.080.B.2.f from 4.0 to 4.5 per 1,000 nsf as follows:

a. For off-site parking, the additional 0.5 per 1,000 nsf increment shall be provided in an interim surface parking configuration no more than 500 feet away from the site. The interim parking will have a sunset clause of 10 years, or such other period approved through a phasing plan, Part 20.30V LUC; or

b. For on-site parking, the additional 0.5 per 1,000 nsf increment may be constructed on-site if it is part of an approved phasing plan, Part 20.30V LUC, and dedicated for a portion of the parking requirement for a future phase of the project.

(2) If retail and personal service space in a mixed-use development exceeds 25 percent of the net square footage of the development, the retail, personal service, and shopping center parking requirements in Chart 20.250.080.B.2.i apply to the entire retail and personal service space.

(3) If restaurant and/or bar uses exceed 25 percent of the total net square footage of a retail, shopping center, or mixed-use development, the restaurant and bar requirements in Chart 20.250.080.B.2.h apply to the entire restaurant and/or bar space.

(4) No parking is required for retail and restaurant and/or bar uses under 2,000 nsf when the use is: directly adjacent to a public on-street parking supply of at least 20 spaces within 500 feet, or within 1,000 feet of a public parking garage, or within 500 feet of a light rail or bus rapid transit station.

(5) The minimum requirement for up to and including one bedroom apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with King County.

(6) Vanpool/Carpool Facilities. The applicant shall provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths and that is contained within the required parking and circulation areas. The facility shall be adjacent to an entrance door to the structure served by the parking, or as nearly so as possible after barrier-free access parking has been provided, and shall be consistent with all applicable design guidelines.

(7) Tandem/Stacked Parking Stalls. The applicant may use tandem/stacked parking stalls to exceed the minimum parking requirement, so long as the maximum parking requirement is not exceeded.

C. Off-Site Accessory Parking. The Director may approve off-site accessory parking to meet the minimum and up to the maximum parking allowed to serve a specific use if the following criteria are met:

1. Adequate visitor parking is provided on the subject property;
2. Adequate pedestrian, van, or shuttle connections between the sites exists;
3. On-site signage is provided regarding accessory parking location;
4. The use being served is within 500 feet of a light rail, bus, or bus transit station; and
5. The off-site parking is within one-quarter mile of the use being served.

D. Parking Structure Performance Standards. The Director may approve a proposal for a parking structure through Design Review if the following criteria are met:

1. Driveway openings are limited to those needed to adequately serve the facility;
2. Exposed parking on the roof of a structure shall not be permitted;
3. Safe pedestrian connection between the parking structure and the public right-of-way exists;
4. Unfinished ceilings visible from the public right-of-way shall be substantially screened from view;
5. Lighting shall utilize cut-off shields to prevent spillover upon adjacent uses and the right-of-way and to conceal the light source; and
6. Design Guidelines of LUC 20.250.100 [to be provided] shall be met.

E. Phased Parking. The property owner may install the required parking spaces in phases pursuant to a phasing plan, Part 20.30V LUC. Each phased parking installation must include the approved minimum to meet the parking requirements for the completed phases of the development for which the parking is provided. The phasing schedule must specifically indicate when all parking approved pursuant to this section will be provided.

1. Location. Phased parking may be located off site if the criteria of subsection C of this section are met.

2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection C of this section.

F. Director's Authority to Modify Required Parking.

1. The Director may modify the minimum or maximum parking ratio for any use identified in LUC 20.250.080.B as follows:

a. The modified parking ratio is supported by a parking demand analysis including but not limited to:

i. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or

ii. Evidence in available planning and technical studies relating to the proposed use; or

iii. Required parking for the proposed use as determined by other comparable jurisdictions.

b. The proposal does not result in any adverse impact beyond the site; and

c. A shared parking agreement is executed pursuant to LUC 20.20.590.I, for any Shared Use of Parking.

2. Periodic Review. The Director may require periodic review of the reduced parking supply to ensure the terms of the approval are being met.

3. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection F.1 of this section.

G. Bicycle Parking. Bicycle parking is required for all uses permitted in the EG-TOD Land Use District pursuant to the following standards:

1. Ratio.

a. One space per 10,000 nsf for nonresidential uses greater than 20,000 nsf.

b. One space per every 10 dwelling units for residential uses.

2. Location. Minimum bicycle parking requirement shall be provided on site.

3. Covered spaces. At least 50 percent of required parking shall be protected from rainfall by cover.

4. Racks. The rack(s) shall be securely anchored and a bicycle six feet long can be securely held with its frame supported so the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.

5. Size Requirement. Each required bicycle parking space shall be accessible without moving another bicycle.

H. Unspecified Uses. The Director shall establish the minimum number of parking spaces required and may establish the maximum number of parking spaces allowed for any use not specified in LUC 20.25O.080.B. The Director may consider but is not limited to the following in establishing parking requirements for an unspecified use:

1. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
2. Evidence in available planning and technical studies relating to the proposed use; or
3. Required parking for the proposed use as determined by other comparable jurisdictions.

20.25O.090 Eastgate Transit Oriented Development Land Use District Street Standards.

[To be provided.]

20.25O.100 Design Guidelines.

[To be provided.]

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

District	Designation
Single-Family Residential Estate	R-1 R-1.8
Single-Family Residential	R-2.5 R-3.5 R-4 R-5 R-7.5*
Multifamily Residential	R-10 R-15 R-20 R-30
Professional Office	PO
Office	O
Office and Limited Business	OLB
<u>Office and Limited Business 2</u>	<u>OLB 2</u>
Office and Limited Business-Open Space	OLB-OS
Light Industrial	LI

General Commercial	GC
Neighborhood Business	NB
<u>Neighborhood Mixed Use</u>	<u>NMU</u>
Community Business	CB
<u>Eastgate Transit Oriented Development</u>	<u>EG-TOD</u>
Downtown	
Office District 1	DNTN-O-1
Office District 2	DNTN-O-2
Multiple Use District	DNTN-MU
Residential District	DNTN-R
Old Bellevue District	DNTN-OB
Office and Limited Business District	DNTN-OLB
Evergreen Highlands Design District	EH
Performance Area A	EH-A
Performance Area B	EH-B
Performance Area C	EH-C
Performance Area D	EH-D
Factoria Land Use District 1	F1
Factoria Land Use District 2	F2

Factoria Land Use District 3	F3
Medical Institution District	MI
Bel-Red	
Bel-Red-Medical Office	Bel-Red-MO
Bel-Red-Medical Office Node	Bel-Red-MO-1
Bel-Red Office/Residential	BR-OR
Bel-Red-Office/Residential Node 1	Bel-Red-OR-1
Bel-Red-Office/Residential Node 2	Bel-Red-OR-2
Bel-Red-Residential/Commercial Node 1	Bel-Red-RC-1
Bel-Red-Residential/Commercial Node 2	Bel-Red-RC-2
Bel-Red-Residential/Commercial	Bel-Red-RC-3
Bel-Red-Commercial/Residential	Bel-Red-CR
Bel-Red-Residential	Bel-Red-R
Bel-Red-General Commercial	Bel-Red-GC
Bel-Red-Office/Residential Transition	Bel-Red-ORT
Camp and Conference Center	CCC

...

20.10.285 Office Limited Business District 2 (OLB 2)

The purpose of the OLB 2 District is to provide an area of integrated complexes made up of offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support business and employees. The OLB 2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit.

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20.10.350 Neighborhood Mixed Use District (NMU)

The purpose of the NMU District is to provide an area with 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 neighborhoods and is easily accessible from the nearby office and residential uses.

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20.10.365 Transit Oriented Development District (TOD)

The purpose of the TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

Chart 20.10.440

Uses in land use districts

Manufacturing – Nonresidential Districts
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STD LAND USE CODE REF	LAND USE CLASSI- FICATION	Profes- sional Office	Offic e	Office/ Limite d Busine ss	Office/ Limited Business 2	Light Industry	General Com- mercial	Neighbor- hood Business	Neighb or- hood Mixed Use	Com- munity Busines s	Fac- toria Land Use Distri ct 1	Fac- toria Land Use Distri ct 2	Fac- toria Land Use Distri ct 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
2 and 3	Manufacturi ng (1,4)												
21	Food and Beverage Products Mfg.				P 6	P 5	S 5	S	P 6	S	S		
22	Textile Products Mfg.					P							
23	Apparel, Fabric, Accessories and Leather Goods Mfg.					P	S			S	S		
24	Lumber and Wood Products Mfg.					S	S			S	S		
25	Furniture and Fixtures Mfg.					P	S			S	S		
26	Paper Products Mfg.					S 2							
27	Printing, Publishing and Allied Industries					P	P			S	S		
28	Chemicals and Related					S 3							

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.

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.
- (3) Manufacture of flammable, dangerous or explosive materials is excluded in ~~all~~ all Land Use 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 which constitutes a majority of the use.
- (7) Permitted only when combined with a retail store which constitutes a majority of the use.

Chart 20.10.440

Uses in land use districts

Recreation-Residential Districts

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Chart 20.10.440

Uses in land use districts

STD LAN D USE CO DE REF	Recreation – Nonresidential Districts											
	Professional Office	Office	Office/ Limited Business	Office/ Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factorial Land Use District t 1	Factorial Land Use District t 2	Factorial Land Use District t 3
	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
LAND USE CLASSIFICATION												
7												
Cultural Entertainment and Recreation												
711	P	P	P	P					P	P	P	P
711 3	P	P	P	P				P	P	P	P	P
712	C	C	C		C	C			C	C	C	C
Nature Exhibitions: Aquariums, Botanical Gardens and Zoos												
721 2			P						P	P	P	P
721 4				A 8								
722 2												
723 1												
723 2												
721 2			P					A 8	P	P	P	P
721 4												
721 8			P					A	P	P	P	P
Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs												

- (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. Public assembly uses in this land use district shall not exceed 20,000 square feet.~~
- (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, and an administrative conditional use is not required for these uses when less than 8,000 square feet.~~
- (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.
- (12) Outdoor recreation facilities that include lighted sports and play fields or sports and play fields with amplified sound require administrative conditional use approval.

Chart 20.10.440

Uses in land use districts

Residential – Residential Districts

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Chart 20.10.440

Uses in land use districts

	Residential - Nonresidential Districts										
STD LAND USE CO	Professional Office	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factor 1 Land Use District 1	Factor 2 Land Use District 2	Factor 3 Land Use District 3

DE REF	LAND USE CLASSIFICATION	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
1	Residential												
	Single-Family Dwelling (3)	P 15	P 1	S		S	S	P 8		S	S	S	S
	Two to Four Dwelling Units Per Structure (6)		P 1	P	<u>P</u>			P 8	<u>P 8</u>	P 6	P	P	P
	Five or More Dwelling Units Per Structure (6)		P 1	P	<u>P</u>			P 8	<u>P 8</u>	P 6	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities (16)				<u>P</u>				<u>C</u>	C	C		
	Rooming House (17)			P	<u>P</u>				<u>P</u>	P	P	P	P
	Senior Citizen Dwellings (4,7)	P	P	P	<u>P</u>			P 8	<u>P 8</u>	P	P	P	P
13 15	Hotels and Motels <u>Transient Lodging</u>			P	<u>P</u>				<u>P</u>	C	C	P	P
	Congregate Care Senior Housing (4,7,16)	P	P	P	<u>P</u>			P	<u>P</u>	P	P	P	P
651 6	Nursing Home (7,16)	C	P	P				C		P	P	P	P
	Assisted Living (4,7)	C	P	C	<u>P</u>			C	<u>P</u>	P	P	C	C
	Accessory Dwelling Unit (9)	S	S	S		S	S	S		S	S	S	S

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

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

Permitted uses in the Medical 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.

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). Intentionally deleted.~~
- (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. An agreement must be recorded with the King County Department of Records and Elections and filed with the Bellevue City Clerk, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project.~~
- (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 and NMU 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). Intentionally deleted.~~
- (11) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (12) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (13) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (14) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (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.

Chart 20.10.440

Uses in land use districts

Resources – Residential Districts

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Chart 20.10.440

Uses in land use districts

STD LAN D USE CO DE REF	Resources – Nonresidential District										Factor ia Land Use Distric t 3	
	Profes- sional Office	Office	Office/ Limited Business	Office/ Limited Business <u>2</u>	Light Indus -try	General Commer- cial	Neighbor -hood Business	Neighbo rhood Mixed Use	Com- munity Busine ss	Facto ria Land Use Distri ct 1		Factor ia Land Use Distric t 2
8	PO	O	OLB	<u>OLB2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
81												
819 2	P 1	P 1	P 1		P 1	P 1	P 1	<u>P 1</u>	P 1	P 1	P 1	P 1
821					A 6							
					P 2							
					A 6							

822 1	Veterinary Clinic and Hospital (5)	P	P		<u>P7</u>	P	P	P	P				
822 2	Poultry Hatcheries					P	P						
83	Forestry, Tree Farms and Timber Production	C	C	C		C	C	C	C			C	C
842 1	Fish Hatcheries					P							
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	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.

Notes: Uses in land use districts – Resources

- (1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.
- (2) Agriculture processing excludes grain mill products manufacturing and slaughtering in LI Districts.
- (3) Veterinary clinics and hospitals are limited to 5,000 square feet per use in NB Districts.
- (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.
- (7) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic / hospital, veterinary clinic / hospital and kennel hours shall only be open to the public between 7 a.m. and 10 p.m.

Chart 20.10.440

Uses in land use districts

Services – Residential Districts

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Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	Services – Nonresidential Districts											
	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
6												
61	P	P	P	P	P1	P	P	P	P	P	P	P
62			S	P	P2	P	P	P	P	P	S	S
6241	C	C	C								C	C
6262	C	C	C		C	C	C		C	C	C	C
629												
624410	P	P	P		P	P	P		P	P	P	P

624410	Child Day Care Center <u>3.4</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
634	Building Maintenance and Pest Control Services																		
637	Warehousing and Storage Services, Excluding Stockyards																		
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools																		
641	Auto Repair and Washing Services (26)																		
649	Repair Services: Watch, TV, Electrical, Upholstery																		
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Professional Services: Other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Pet Grooming and Pet Daycare (28)																		
6513	Hospitals	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

681	Transition Facility (23,24)	A	A	A	A	A	A	A	A	A	A	A	A				A	
682	Education: Primary and Secondary (25) (27)	P	P	P	P	C	<u>P</u>	<u>P</u>	<u>P</u>								P	
683	Universities and Colleges (27)	P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>								P	
691	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P		<u>P</u>										P	
692 (A)	Religious Activities (27)	P	P	P	P	C	<u>P</u>	<u>P</u>	<u>P</u>								P	
692 (B)	Professional and Labor Organizations Fraternal Lodge	C	C	C	C		<u>P</u>	<u>P</u>	<u>P</u>								P	
	Social Service Providers	C	C	C	C		<u>P</u>	<u>P</u>	<u>P</u>								P	
	Administrative Office – General	P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>								P	
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>								P	
	Research, Development and Testing Services	P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>								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.

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.
- (12) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.
- (13) Drive-in facilities may be permitted through Design Review, Part 20.30F LUC, at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:
 - (a) On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.
 - (b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
 - (c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
 - (d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.
 - (e) Walk-up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.
- (14) These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.

- (a) In the review of the proposed use or uses under the Administrative Conditional Use Permit application, Part 20.30E LUC, the following criteria shall be considered:
- (i) Consistency of the proposal with the goals and policies of the Comprehensive Plan.
 - (ii) Extent to which the physical environment will be modified by the proposal.
 - (iii) Ability to provide on-site parking facilities to accommodate intended uses under the proposal.
 - (iv) Extent of additional demand on public utilities and public services resulting from the proposal.
 - (v) Noise impacts of the proposal.
 - (vi) Traffic volumes and street classifications in the area of the proposal.
 - (vii) Compatibility of the proposal with surrounding land uses.
 - (viii) Impact of the proposal on the visual and aesthetic character of the neighborhood.
- In addition, the proposed use or uses shall not be more intensive than if the school were being used as a school.
- (b) A master Conditional Use Permit listing a range of permissible uses from those permitted in the land use district as listed in LUC [20.10.440](#) can be obtained for the entire school by using the conditional use process, Part 20.30B or Part 20.30C LUC. Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a Conditional Use Permit.
- (15) Permitted in inactive elementary school facilities. The following criteria shall be considered:
- (a) 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:
- (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.

(28) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care provided that the criteria of LUC 20.20.130 are met.

(29) Stand-alone emergency rooms shall not be permitted.

(30) Outdoor storage of materials is prohibited.

(31) Only car washing and detailing within a garage is allowed. No auto repair is allowed in the TOD district.

(32) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.

Chart 20.10.440

Uses in land use districts

Transportation and Utilities – Residential Districts

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Chart 20.10.440

Uses in land use districts

STD LAN D USE CO DE REF	Transportation and Utilities – Nonresidential Districts											
	Profes- sional Office	Office	Office/ Limite d Busi- ness	Office/ Limite d Busi- ness ss 2	Light Indus try	Gener al Com- mer- cial	Neigh- bor- hood Busi- ness	Neigh- bor- hood Mixed Use	Com- munity Busi- ness	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
LAND USE CLASSIFICATION	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
4	Transportation, Communications and Utilities											
41	Rail Transportation: Right- of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C

42	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters										P						
429 1	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	<u>C 12</u>	C 12	C 12	C 11				C 12	C 12	C 12	C 12			C 12
46	Accessory Parking (6)(24) Auto Parking: Commercial Lots and Garages (24)	P	P	<u>P</u>	P	C					P	C	P	C			P
475	Park and Ride (5) (24) Radio and Television Broadcasting Studios	C	P	<u>C</u>	C	P	C	<u>P</u>			C	P	P	C			P
485	Solid Waste Disposal (19) Highway and Street Right- of-Way (24)	P	P	<u>P</u>	P	C					P	P	P	P			P
	Utility Facility	C	C	<u>C</u>	C	C					C	C	C	C			C
	Local Utility System	P	P	<u>P</u>	P	P					P	P	P	P			P
	Regional Utility System	C	C	<u>C</u>	C	C					C	C	C	C			C
	On-Site Hazardous Waste Treatment and Storage Facility (7)	A	A	A	A	A					A	A	A	A			A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)				C												
	Essential Public Facility (20)	C	C	<u>C</u>	C	C					C	C	C	C			C
	Regional Light Rail Transit Systems and Facilities (25)	C/P	C/P	<u>C/P</u>	C/P	C/P					C/P	C/P	C/P	C/P			C/P
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	<u>14,16,</u> <u>21</u>	14, 16, 21	14, 16, 21	14, 16, 21	<u>14,16,</u> <u>21</u>			14, 16, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21			14, 16, 14, 16, 21
	Communication, Broadcast and Relay Towers Including	14, 16	14, 16	<u>14, 16</u>	14, 16	14, 16	14, 16	<u>14, 16</u>			14, 16	14, 16	14, 16	14, 16			14, 16

- (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 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.
- (26) Auto parking, commercial lots and garages are only allowed in the OLB 2 District if they are west of 142nd Avenue SE.

Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Residential Districts

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Chart 20.10.440

Uses in land use districts

STD LAN D USE COD E REF	Wholesale and Retail – Residential Districts						Office/ Limited Business	Office/ Business	Office	Professional Office	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business (36*)	Factor ia Land Use District 1	Factor ia Land Use District 2	Factor ia Land Use District 3
	Office/ Limited Business	Office/ Business	Office	Professional Office	Light Industry	General Commercial												
5																		
51																		

	Boats (Retail)																	
552	Automotive and Marine Accessories (Retail)														P			
553	Gasoline Service Stations (40)(34)		A 34		A			P							P			A 34
56	Apparel and Accessories (Retail)		S		P										P			S
57	Furniture, Home Furnishing (Retail)				P										P			
58	Eating and Drinking Establishments (37)		P 13	P 14	P 28		P 16, 28								P			P 14
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			S
	Adult Retail Establishments (31)														P			S
59	Marijuana Retail Outlet																	
596	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)																	
596	Retail Fuel Yards																	
599	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools																	
599	Pet Shop (Retail and Grooming)																	
	Computers and Electronics (Retail)																	

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

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

Permitted uses in the Medical 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.

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.
- (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.
- (20) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB, F1 and Downtown-MU Districts.
- (21) Limited to a maximum of 1,500 gross square feet per establishment.
- (22) Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.
- (23) Nonresidential uses are permitted in Downtown-R 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) Only retail sales of motorcycles is a permitted use and outdoor storage is prohibited.
- (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:
 - (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.

(42) In the OLB 2 District, retail auto, truck, RV and boat showrooms may be allowed through a development agreement. No outdoor storage of autos, trucks, boats and RVs is allowed.

(43) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space

20.20.010 Uses in land use districts dimensional requirements.
Chart 20.20.010

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Uses in land use districts Dimensional Requirements

SEB LAND USE CODE REF	Professional Office	Office	Office/ Limited Business	Office Limited Business 2	Light Industry	General Commercial	Neighbor- hood Business	Neighbor- hood Mixed Use	Com- munity Business	Factoria Land Use District 1	Factoria Land Use District 2	Fac- toria Land Use District 3	Down- town Office Dist- ct-1	Down- town Office Dist- ct-2	Down- town Mixed Use Dist- ct	Down- town Resid- ential Dist- ct	Down- town Old Bellev- ue Dist- ct	Down- town Office- and Limited- Business- District
LAND USE CLASSIFICATION	PO	O	OLB	OLB2	LI	GC	NB	NMU	CB	F1	F2	F3	DNF N O-1	DNF N O-2	DNF N MU R	DNF N OB	DNF N OB	DNF N OLB
DIMENSIONS	(8; 21) 30	(8; 21) 30	(8; 21) 50	(21) 0	(8; 21) 15	(8; 21) 15	(8; 21)	(21) 0	(8; 21)	(28)	(21, 31) 50	(21, 32) 20	(7)	(7)	(7)	(7)	(7)	(7)
Minimum Setbacks of Structures (feet)																		
Front Yard (18) (20)																		
Rear Yard (17) (18) (20)	25	25	50	0	(2)	(2)	(2)	0	(2)		30	5						
Side Yard (17) (18) (20)	20	20	30	0	(2)	(2)	(2)	0	(2)		30	5						
2 Side Yards (17) (18) (20)	40	40	60	0	(2)	(2)	(2)		(2)		60	10						
Floor Area Ratio	(8) (8)	(48) (8)	(8)	1	(8)	(8)	(8)	1(47)	(8)		.75							
Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)			2A								2A	2A						
Dwelling Units per Acre (15) (22)	10 (23)	20 (23)	30 (23)				15 (23)		30 (23)		30 (23)	30 (23)						
Minimum Dimensions (feet) Width of Street Frontage			200								200	200						
Width Required in Lot (4)			200								200	200						
Depth Required in Lot (4)																		
Maximum in Building Height (feet) (10)	20	30	45 (6)	75	45 (9)	30	20 (25)	75	45 (46)		75	75/135 (33, 34)						
Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35 (24)	35 (24)	35 (24)	40	50		35 (24)	40			35 (24)	40 (24)						
Maximum Impervious Surface (percent) (35) (37)	80	80	80	80	85	85	80	80	85		80	80						

NOTE: Dimensional Requirements for Downtown Districts are found in Part 20.25A LUC.

Attachment A.4

Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part 20.25F LUC.

Dimensional Requirements for Office and Limited Business – Open Space (OLB-OS) are found in Part 20.25L LUC.

Dimensional Requirements for Medical Institution District (MI) are found in Part 20.25J LUC.

Dimensional Requirements for Bel-Red Land Use Districts are found in Part 20.25D LUC.

Notes: Uses in land use districts – Dimensional requirements

- (1) Side yard setback in R-30 Districts increases to 20 feet on any side yard where structure exceeds 30 feet above finished grade.
 - (2) All rear and side yards shall contain landscaping as required by LUC 20.20.520.
 - (3) See LUC 20.20.012.
 - (4) See LUC 20.20.015.
 - (5) Except in Transition Areas, the maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.
 - (6) The maximum allowable building height is 75 feet on any property designated OLB which lies within 475 feet of the right-of-way of I-405, between I-90 and SR-520.
 - ~~(7) Dimensional requirements for Downtown Land Use Districts are listed in LUC 20.25A.020. Intentionally deleted.~~
 - (8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 Districts shall comply with the following limitations on Floor Area Ratio:
 - (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
 - (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:
 - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
 - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
 - (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.
- This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.
- (9) The maximum building height may be exceeded upon approval of the Director of the Development Services Department. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E LUC. Before granting any such approval, the Director of the Development Services Department must find that:
 - (a) The height increase is only to accommodate equipment, structures or buildings that contain special equipment primarily related to light manufacturing, wholesale, trade and distribution use, and is not for office or bulk retail use; and
 - (b) There is functional need for a height increase; and
 - (c) The overall site development will minimize adverse impacts caused by the height increase. Notwithstanding the provisions of this note, no height increase is permitted within a Transition Area as defined in Part 20.25B LUC.
 - (10) Except in Transition Areas, the allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by one story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.
 - (11) The LUC contains enhanced setback requirements for churches, clubs, and institutions (refer to LUC 20.20.190) and schools (refer to LUC 20.20.740) located in residential land use districts.
 - (12) For each square foot of lot area devoted to open space in excess of 30 percent of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
 - (13) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided, that coal mine hazards (20.25H.130) and habitat associated with species of local importance (20.25H.150) shall not be subtracted.
 - (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
 - (15) Except for sites in the Critical Areas Overlay District, if there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045
 - (16) Exceptions to Lot Coverage. Although not considered structures for purposes of calculating lot coverage, the following may be considered impervious surfaces subject to the impervious surface limits. See LUC 20.20.460 and 20.50.026.
 - (a) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.

- (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
- (i) The 30-inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
 - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520.G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.
- (17) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.
 - (18) See LUC 20.20.030 for designation and measurement of setbacks.
 - (20) See LUC 20.25H.035 for additional critical area setbacks.
 - (21) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.
 - (22) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as one-half unit and units 600 square feet or greater count as one unit.
 - (23) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing.
 - (24) Lot coverage may be increased to 50 percent if congregate care senior housing, senior citizen dwellings, assisted living or nursing homes are constructed on site; provided, however, that coverage for the nonresidential portions of the development cannot exceed the maximum limits indicated. Lot coverage within NB Districts may be increased to 50 percent for mixed use development which includes residential uses comprising at least one-half the square footage of the building footprint. Underground parking in excess of 50 percent of the site area shall not be included in lot coverage calculations.
 - (25) The maximum building height for structures is increased to 30 feet only if residential uses or administrative office uses are provided on the second floor, and provided the structure does not exceed two stories. For purposes of this note, a story is defined pursuant to the International Building Code, Section 202, as adopted and amended by the City of Bellevue.
 - (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
 - (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).
 - (28) Dimensional requirements for the F1 Land Use District are listed in LUC 20.25F1.040.
 - (29) (Repealed by Ord. 5726).
 - (30) (Repealed by Ord. 5726).
 - (31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of 0.75 FAR.
 - (32) The maximum FAR for the combined properties in the F3 Land Use District, regardless of use, shall be 1.26 FAR; provided, that individual parcels or portions of property lying within the F3 Land Use District may have FAR for those individual parcels or portions which exceed an FAR of 1.26; provided, that the FAR calculated for the entire aggregated property within the F3 Land Use District shall not exceed 1.26. The maximum FAR permitted herein is based on a maximum total development, including existing and new development of 950,000 square feet, calculated in the same manner as provided for in the calculation of FAR. In the event of an inconsistency between the FAR maximum of 1.26 and the maximum total development amount of 950,000 square feet, the latter shall control.
 - (33) In no event shall building height exceed 324 feet above sea level, based on North American Vertical Datum, 1988 (NAVD – 88).
 - (34) Maximum building height south of the F3 Land Use District Separation Line shall be 135 feet, with structural elements not intended for habitation above 135 feet, so long as structural elements do not exceed 275 feet above sea level based on NAVD – 88.
 - (35) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.
 - (36) Impervious surface limits for legally established nonconforming nonresidential uses and for new allowed nonresidential uses in these residential land use districts shall be 80 percent.
 - (37) Maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are exempted under LUC 20.20.460.
 - (38) Certain non-critical area setbacks on sites in the Critical Areas Overlay District may be modified pursuant to LUC 20.25H.040.

- (39) These dimensional standards may be modified through an approved conservation subdivision, LUC 20.45A.060 or conservation short subdivision, LUC 20.45B.055.
- (40) The greenscape requirements of this section shall be imposed any time a permit, approval, or review, including land alteration or land development for Single-Family Land Use Districts, is required by the Bellevue City Code or Land Use Code. Existing single-family yard setbacks legally established on a site prior to January 1, 2008, which do not meet the minimum greenscape requirements set forth in Chart 20.20.010 shall not be considered nonconforming. The City shall not, however, approve proposals to decrease the greenscape percentage set forth in Chart 20.20.010 where a site already falls below the minimum greenscape requirements. Where an existing site falls below the minimum requirements set forth in Chart 20.20.010, the removal of greenscape shall not be approved unless an equal amount of existing impervious surface, pervious surface, or hardscape is removed, such that the net amount of greenscape is unchanged. The Director may modify the requirements of Chart 20.20.010 for nonconforming lots, corner lots, or lots with unique sizes and shapes. See LUC 20.50.022 for the definition of greenscape.
- (41) See LUC 20.20.900.F for significant tree retention requirements relating to Single-Family Districts excluding, however, the R-1 Land Use District in the Bridle Trails Subarea which is otherwise governed by LUC 20.20.900.E.
- (42) Dimensional requirements for the Bel-Red Land Use Districts are found at LUC 20.25D.080.
- (43) Floor Area Ratio (FAR) Threshold: Development which exceeds a gross Floor Area Ratio (FAR) threshold of 0.5 shall comply with the following requirements:
- (a) Applicability: FAR threshold requirements are applicable to new single-family homes and additions to existing homes that result in a 20 percent or greater increase in gross square feet.
 - (b) Maintain a minimum structure setback of 7.5 feet for each side yard; and, incorporate either daylight plane standards or a second story setback of not less than 5 feet on each side of the building facing a side yard property line.
 - (c) Exemptions: New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are not subject to FAR threshold requirements. The Director may modify the FAR threshold requirements on either side of the structure where it can be demonstrated that the adjacent structure has been constructed at an FAR that exceeds the 0.5 threshold and the adjacent structure is built to dimensions which exceed the requirements noted in subsection (b) of this note.
- (44) Maximum building height for single-family uses in single-family residential land use districts is 30 feet measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or 35 feet to the ridge of a pitched roof. Refer to LUC 20.50.012 for definition of Building Height – Single-Family Uses in Single-Family Land Use Districts.
- (45) For new single-family residential homes and additions in single-family land use districts, the maximum height of any individual building facade is 40 feet measured from the existing grade at the building wall to the ridge of a pitched roof or top of a flat roof. New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are exempt from this requirement.
- (46) Maximum building height in CB districts of the Wilburton Subarea that are located between 116th Ave NE and the BNSF Corridor is 75 feet.
- (47) Up to 1 FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project, provided that:
- (a) The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary;
 - (b) An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.
- (48) Office-designated properties in the Eastgate Subarea annexed into the City with the Eastgate annexation (May 2012) shall not be considered nonconforming with respect to FAR if the development thereon was legally established prior to the date of annexation

Eastgate Conformance Amendments

20.20.005 Chart of dimensional requirements described.

Chart 20.20.010 sets forth the dimensional requirements for each land use district except: the Downtown Land Use Districts, the Evergreen Highlands Design District, the Evergreen Highlands Subarea Transportation Improvement Overlay District, the Medical Institution District, the OLB-OS Land Use District, and the Bel-Red Land Use Districts. All structures and activities in the City not located in the above districts shall conform to the dimensional requirements in Chart 20.20.010. Dimensional requirements for the Downtown Land Use Districts are found in LUC [20.25A.020](#). Dimensional requirements for the Evergreen Highlands Design District are found in Part [20.25F](#) LUC. Dimensional requirements for the Evergreen Highlands Subarea Transportation Improvement Overlay District are found in Part [20.25G](#) LUC. Dimensional requirements for the Medical Institution District are found in Part [20.25J](#) LUC. Dimensional requirements for the OLB-OS Land Use District are found in LUC [20.25L.030](#). Dimensional requirements for the Bel-Red Land Use Districts are found in LUC [20.25D.080](#). Dimensional requirements for the Eastgate Transit Oriented Development Land Use District are found in 20.25O.080A. Additional special dimensional requirements for designated areas of the City are contained in other parts of the Code as follows:

- A. Part [20.25B](#) LUC – Transition Areas;
- B. Part [20.25C](#) LUC – OLB Districts;
- C. Part [20.25E](#) LUC – Shoreline Overlay District;
- D. Part [20.25H](#) LUC – Critical Areas Overlay District;
- E. Part [20.45A](#) LUC – Platting and Subdivisions;
- F. Part [20.45B](#) LUC – Short Plats and Short Subdivisions.

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts Dimensional Requirements

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NOTE: Dimensional Requirements for Downtown are found in Part [20.25A](#) LUC.

Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part [20.25F](#) LUC.

Dimensional Requirements for Office and Limited Business – Open Space (OLB-OS) are found in Part [20.25L](#) LUC.

Dimensional Requirements for Medical Institution District (MI) are found in Part [20.25J](#) LUC.

Dimensional Requirements for Bel-Red Land Use Districts are found in Part [20.25D](#) LUC.

Dimensional Requirements for Eastgate Transit Oriented Development District are found in Part 20.25O LUC.

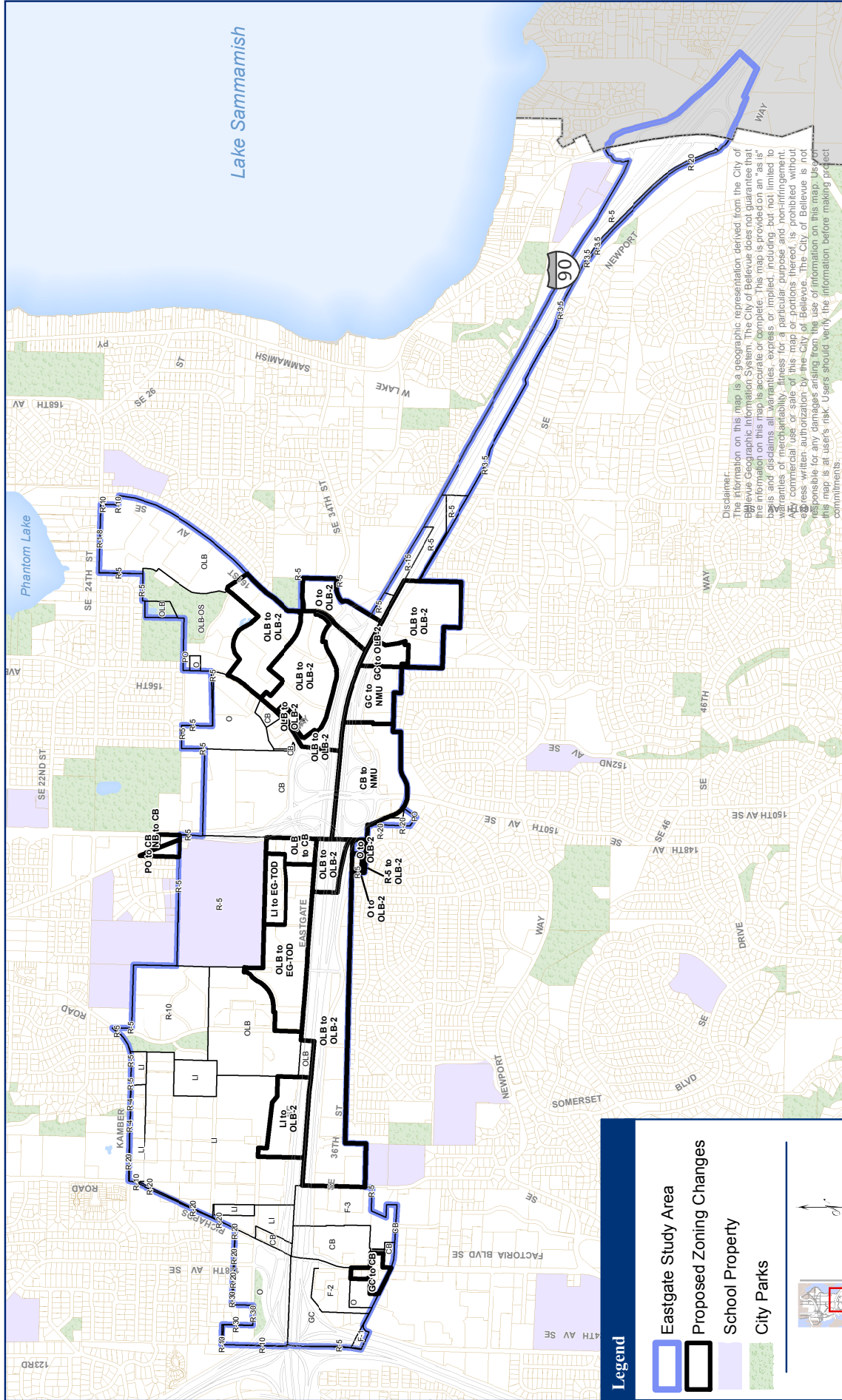
...

20.20.070 Lots nonconforming as to area, street frontage, width or depth – Status

A. An individual nonconforming lot legally created pursuant to LUC [20.20.060](#) may be used for a building site if:

...

E. This section is not applicable in the Bel-Red Land Use Districts or in the Eastgate Transit Oriented Development Land Use District. Refer to LUC [20.25D.060](#) and LUC [20.25O.030](#) respectively for regulations relating to existing conditions.



Disclaimer:
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Proposed Rezones - Eastgate Changes

February 2016

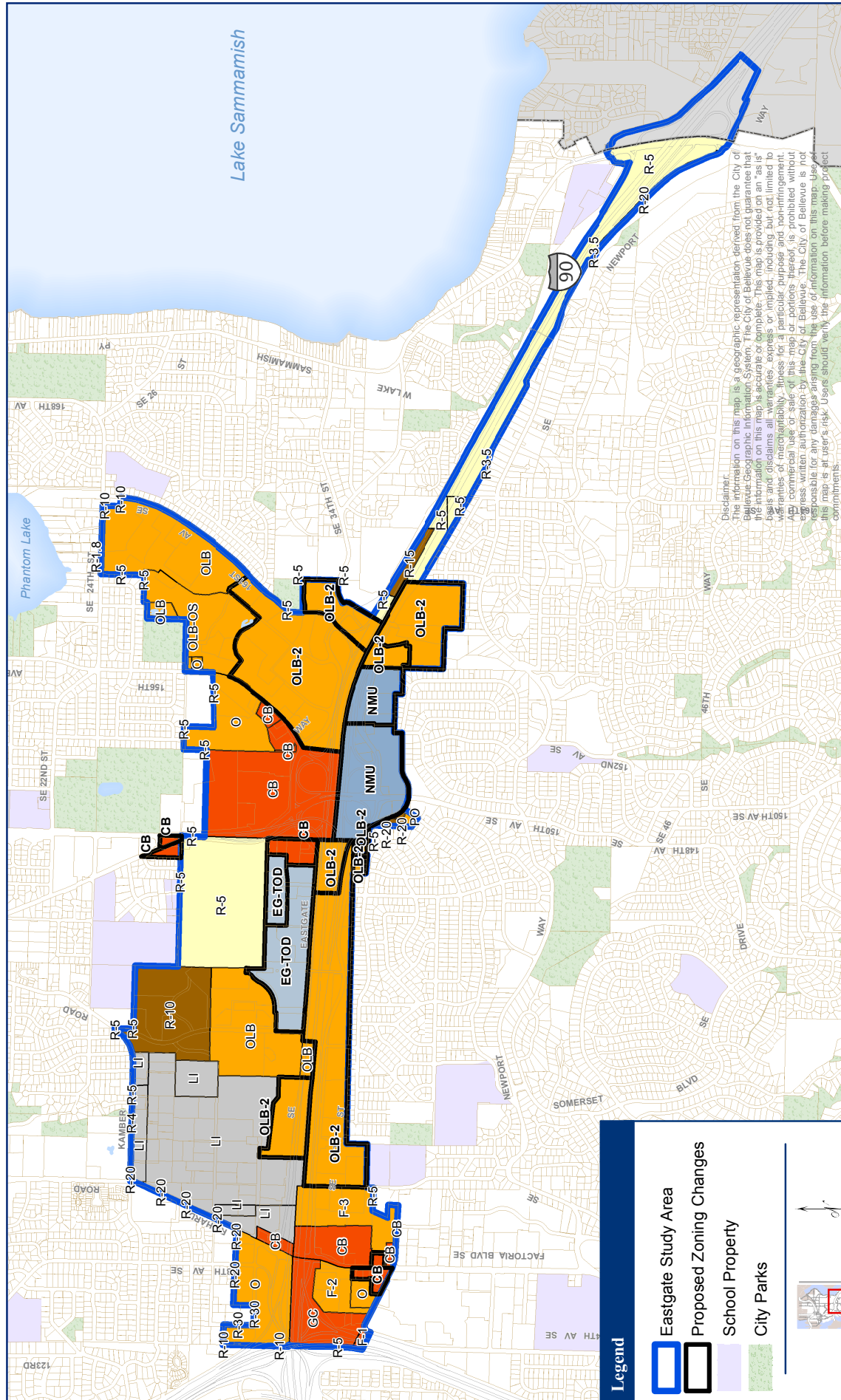


Legend

- Eastgate Study Area
- Proposed Zoning Changes
- School Property
- City Parks

Sources:
City of Bellevue

File Name: V:\GIS\Projects\Eastgate\Plan_2016\Zoning\Map\Eastgate_LU_ProposedRezoning_Feb2016_17x11.mxd



Proposed Eastgate Zoning

February 2016



Disclaimer:
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Legend

- Eastgate Study Area
- Proposed Zoning Changes
- School Property
- City Parks

Sources:
 City of Bellevue

0 425 850 1,700 2,550 Feet
 0 0.15 0.3 0.45 0.6 Miles



Upcoming Meeting Schedule

Wednesday, May 25, 2016

4:30 PM	STUDY SESSION - LOW IMPACT DEVELOPMENT PRINCIPLES STUDY SESSION
6:30 PM	STUDY SESSION - EASTGATE LAND USE CODE AMENDMENTS STUDY SESSION
Both meetings will be held in Room 113E-City Hall.	

Wednesday, June 01, 2016

6:00 PM Room 113E-City Hall	PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT THRESHOLD
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Wednesday, June 08, 2016

4:30 PM – 7:00 PM Concourse-City Hall	OPEN HOUSE – EASTGATE LAND USE & TRANSPORTATION PLAN PROPOSED LAND USE CODE AMENDMENTS
6:30 PM Room 113E-City Hall	STUDY SESSION - DOWNTOWN LIVABILITY

Wednesday, June 22, 2016

4:30 PM – 6:00 PM	STUDY SESSION - LOW IMPACT DEVELOPMENT PRINCIPLES STUDY SESSION
6:30 PM	PUBLIC HEARING – EASTGATE LAND USE & TRANSPORTATION PLAN PROPOSED LAND USE CODE AMENDMENTS
Both meetings will be held at Bellevue Community College, Room N201, Computer Lab, South Entrance, Coal Creek Rd.	

Wednesday, July 13, 2016

6:30 PM Room 113E-City Hall	STUDY SESSION - LOW IMPACT DEVELOPMENT PRINCIPLES STUDY SESSION
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Wednesday, July 27, 2016

6:30 PM

Room 113E, City Hall

STUDY SESSION - DOWNTOWN LIVABILITY

Effective 5/18/16

