

2173
3-12-75

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2173

AN ORDINANCE relating to Conditional Use procedures, amending Bellevue Zoning Code Sections 18.05.025, Ordinance 68, 18.05.040, 18.08.087, 18.08.161, 18.08.163, 18.08.162, 18.08.131, 18.08.164, 18.11.161, 18.11.162, 18.11.162A, 18.11.163, 18.11.165, 18.11.166, 18.11.164, 18.14.161, 18.14.162, 18.14.166, 18.14.163, 18.14.165, 18.14.164, 18.17.161, 18.17.165, 18.17.162, 18.23.161, 18.23.162, 18.29.161, 18.32.161, 18.32.162, 18.35.121, 18.35.122 and 18.56.021; recodifying Bellevue Zoning Code Sections 18.08.087, 18.08.163, 18.08.162, 18.08.131, 18.08.164, 18.11.161, 18.11.162, 18.11.162A, 18.11.163, 18.11.165, 18.11.166, 18.11.164, 18.14.161, 18.14.162, 18.14.166, 18.14.164, 18.17.162, 18.23.162, 18.32.162 and 18.35.122; and adding the following new sections to the Bellevue Zoning Code 18.08.165, 18.08.167, 18.08.169, 18.11.167, 18.11.169, 18.11.171, 18.11.173, 18.17.167 and adding a new chapter to the Bellevue Zoning Code, Chapter 18.57 and repealing Sections 18.08.131 and Section 18.56.022.

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

Section 1. Bellevue Zoning Code Section 18.05.025 and Ordinance 68, as amended, are each hereby amended to read as follows:

18.05.025 ADDITIONAL DEFINITIONS:

CLUB. An incorporated or unincorporated association of persons organized for a social, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the regulations governing public buildings and places.

2173
3-12-75

CONDITIONAL USE. A use so designated in the Bellevue Zoning Code.

COOPERATIVE OR GROUP HOUSE. A building occupied and maintained as a housekeeping unit by eight or more unrelated persons.

COURT. An unoccupied open space bounded on three or more sides by buildings or lot lines on which walls are permitted.

COVERAGE. The percentage of the area of a lot which is built upon or used for a business or commercial purpose.

COVERED MOORAGE BUILDING AREA. Shall be deemed to be the area of water lying directly beneath that portion of a structure covered by a roof.

DETACHED BUILDING. A building surrounded on all sides by open space.

DOCK. An artificial basin for moorage of boats, including a basin formed by dredging into the bank of a lake or stream or formed between the extension of two piers or the area between a bank or quay and a pier. Docking facilities may include wharves, moorage or docks or any place or structure connected with the shore or upon shorelands provided for the securing of a boat or vessel.

Section 2. Bellevue Zoning Code Section 18.05.040 and Ordinance 68, as amended, are each hereby amended to read as follows:

18.05.040 ADDITIONAL DEFINITIONS:

GAS STATION. Any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories and which may or may not include washing, lubricating, and other minor servicing but no painting operation.

HEARING BODY. Planning Commission and/or Hearing Examiner.

2173
3-12-75

HOGS, COMMERCIAL. More than one sow, one boar and their one-year old litter.

HOME OCCUPATION. An occupation or profession which is customarily incident to or carried on in a dwelling place and not one in which the use of the premises as a dwelling place is largely incidental to the occupation carried on, and which occupation is carried on by a member of the family residing within the dwelling place.

HOSPITAL. A building designed and used for the medical and surgical diagnosis, treatment and housing of persons under the care of doctors and nurses. Rest homes, nursing homes, convalescent homes and clinics are not included.

HOTEL. A building or portion thereof designed or used for the transient rental of five or more units for sleeping purposes. A central kitchen and dining room and accessory shops and services catering to the general public can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.

Section 3. Bellevue Zoning Code Section 18.08.161 is hereby amended to read as follows:

18.08.161. PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.44.019 through 18.44.023 and 18.47.360 if applicable, and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57.

CHURCHES	LIBRARIES
COMMUNITY CLUB HOUSES	MUSEUMS
SWIMMING POOLS	PARKS
SCHOOLS	PLAYFIELDS AND OTHER
COLLEGES	RECREATIONAL FACILITIES
NONCOMMERCIAL ART GALLERIES	
BUILDINGS OR DEVELOPMENTS NECESSARY FOR THE OPERATION OF A PUBLIC UTILITY	

Section 4. Bellevue Zoning Code Section 18.08.087 is hereby amended to read as follows and is recodified as Bellevue Zoning Code Section 18.08.163:

2173
3-12-75

18.08.163. CONDITIONAL USES IN R-1A AND R-A DISTRICTS. The following are permitted uses in R-1A and R-A districts requiring review and approval by the Planning Commission and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57.

HORSE BOARDING STABLES
RIDING ACADEMIES
KENNELS
VETERINARY SERVICES ATTACHED TO THE ABOVE

Section 5. Bellevue Zoning Code Section 18.08.163 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.08.165:

18.08.165. PERMITTED USES REQUIRING REVIEW AND APPROVAL by both the Hearing Body and City Council:

PLANNED RESIDENTIAL UNIT DEVELOPMENTS (See Chapter 18.42)
CONTINGENT USES (See Sections 18.47.520 through 18.47.561) (Ordinance 1514)

Section 6. Bellevue Zoning Code Section 18.08.162 and 18.08.131 are each hereby amended to read as follows and are each hereby recodified as new Bellevue Zoning Code Section 18.08.167:

18.08.167. PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Board of Adjustment:

HOUSE TRAILERS, CONNECTED TO UTILITIES (See 18.47.402)
HOME OCCUPATION"

Conditions for Home Occupations:

1. That the occupation or profession shall be carried on wholly within the principal building or other structure accessory thereto;
2. That not more than one person outside the family shall be employed in the home occupation;
3. That there shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building and that no offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced as a result thereof.

2173
3-12-75

In particular, a home occupation shall include, but is not limited to, the following: Art studio, dressmaking, professional offices of a dentist, lawyer, physician, engineer, architect, or accountant, musical instruction.

In particular, a home occupation shall not include the following: barber shop, beauty parlor, commercial stables or kennels, real estate office, restaurant.

The establishment of a home occupation shall require an initial permit granted by the Board of Adjustment, revocable by the Board, upon its finding that there have been violations of the above regulations. The right granted by the initial permit must be maintained by an annual license from the City of Bellevue.

Section 7. Bellevue Zoning Code Section 18.08.164 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.08.169:

18.08.169. PERMITTED USES SUBJECT TO REVIEW AND APPROVAL by the City Engineer:

HOUSE TRAILERS, TEMPORARY PARKING (See Sections 18.47.400 and 18.47.401)

Section 8. Bellevue Zoning Code Sections 18.11.161 and 18.11.162 are each hereby amended to read as follows and Section 18.11.162 is recodified as part of Section 18.11.161:

18.11.161 PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.44.019 through 18.44.023 and 18.47.360, as applicable, and compliance with 18.56.021 through 18.56.023 and Chapter 18.57.

CHURCHES
COMMUNITY CLUB HOUSES
YACHT CLUBS
SWIMMING POOLS
SCHOOLS
COLLEGES
NONCOMMERCIAL ART GALLERIES
LIBRARIES
MUSEUMS
PARKS

2173
3-12-75

PLAYFIELDS AND OTHER RECREATIONAL FACILITIES
BUILDINGS OR DEVELOPMENT NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY

PROFESSIONAL OFFICE USES, CLINICS, AND HOSPITALS,
Provided, that such professional office, clinic and
hospital uses meet the requirements of Chapter 18.41
relating to Planned Unit Developments, and:

1. The site has direct access to a local arterial or higher traffic capacity arterial.
2. The building size is equivalent to the building size normal for the essential use in the district.
3. Architectural design of the building shall be comparable to the design characteristics of essential use buildings in the vicinity.
4. Site development and landscaping shall meet all of the requirements pertaining to off street parking and be not less than equal in extent and quality to the existing standard in the vicinity.

FRATERNAL LODGES

MEMORIAL BUILDINGS

CLUB OR FRATERNAL SOCIETIES, EXCEPT THOSE OF WHICH A
SERVICE IS CUSTOMARILY CONDUCTED AS A BUSINESS

SANATORIUMS OR INSTITUTIONS OR PHILANTHROPIC AND ELEE-
MOSYNARY USES EXCEPT THOSE OF A CORRECTIONAL NATURE

REST HOMES OR CONVALESCENT HOMES IN WHICH THE RESIDENTS
ARE NOT CONFINED AND THE BUILDING CHARACTER IS SIMILAR
TO THAT OF A MULTIFAMILY BUILDING

MUNICIPAL BUILDINGS

POLICE STATIONS

FIRE STATIONS

BUILDINGS FOR GOVERNMENT OR SPECIAL DISTRICT USE

PUBLIC TRANSPORTATION SYSTEM TERMINALS

PUBLIC BOAT MOORAGE

Section 9. Bellevue Zoning Code Section 18.11.162A is hereby amended to read as follows and is recodified as Bellevue Zoning Code Section 18.11.165:

18.11.165. PERMITTED USES IN THE MR-3L DISTRICT requiring approval by the Planning Commission and compliance with Sections 18.44.023 and 18.56.021 through 18.56.023 and Chapter 18.57.

2173
3-12-75

FIRE STATIONS (Ordinance No. 2015)

Section 10. Bellevue Zoning Code Section 18.11.163 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.11.167:

18.11.167. PERMITTED USES IN THE MR-3 DISTRICT requiring approval by the Planning Commission and compliance with Section 18.47.440 through 18.47.448, 18.56.021 through 18.56.023 and Chapter 18.57.

POST OFFICE BUILDINGS

Section 11. Bellevue Zoning Code Section 18.11.165 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code 18.11.169:

18.11.169. PERMITTED USES requiring review and approval by both the Hearing Body and City Council:

PLANNED RESIDENTIAL UNIT DEVELOPMENTS (See Chapter 18.42)
CONTINGENT USES (See Sections 18.47.520 through 18.47.561)

Section 12. Bellevue Zoning Code Section 18.11.166 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.11.171:

18.11.171. PERMITTED USES subject to review and approval of the Planning Department and compliance with Sections 18.47.240 through 18.47.247 and the Bellevue Shoreline Master Program.

PRIVATE BOAT MOORAGE

Section 13. Bellevue Zoning Code Section 18.11.164 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.11.173:

18.11.173. PERMITTED USES requiring review and approval by the Board of Adjustment and compliance with Section 18.08.167:

HOME OCCUPATIONS

Section 14. Bellevue Zoning Code Sections 18.14.161, 18.14.162, and 18.14.166 are each hereby amended and Sections 18.14.162, and 18.14.166 are recodified as part of Bellevue Zoning Code Section 18.14.161:

2173
3-12-75

18.14.161. PERMITTED USES requiring review and approval by the Planning Commission and compliance with Chapter 18.38 as applicable and Sections 18.44.019 through 18.44.023 and 18.47.360 and 18.47.440 through 18.47.448 as applicable, and compliance with 18.56.021 through 18.56.023 and Chapter 18.57:

CHURCHES
COMMUNITY CLUBHOUSES
YACHT CLUBS
SWIMMING POOLS
SCHOOLS
COLLEGES
NONCOMMERCIAL ART GALLERIES
LIBRARIES
MUSEUMS
PARKS
PLAYFIELDS AND OTHER RECREATIONAL FACILITIES
BUILDINGS OR DEVELOPMENT NECESSARY FOR THE OPERATION OF A PUBLIC UTILITY
CLINICS AND HOSPITALS, Provided, that such clinic and hospital uses meet the requirements of Chapter 18.41 relating to Planned Unit Developments, and:

1. The building size is equivalent to the building size normal in the immediate vicinity for the essential use in the district.
2. In O-L districts such developments adjoining developed single or multiple family districts shall be residential in design to accomplish the objective of transition.

MEMORIAL BUILDINGS
CLUB OR FRATERNAL SOCIETIES, EXCEPT THOSE OF WHICH A SERVICE IS CUSTOMARILY CONDUCTED AS A BUSINESS
SANATORIUMS OR INSTITUTIONS OR PHILANTHROPIC AND ELEMOSYNARY USES EXCEPT THOSE OF A CORRECTIONAL NATURE
REST HOMES OR CONVALESCENT HOMES IN WHICH THE RESIDENTS ARE NOT CONFINED AND THE BUILDING CHARACTER AND OPERATION IS SIMILAR TO THAT OF A MULTIFAMILY BUILDING
MUNICIPAL BUILDINGS
POLICE STATIONS
FIRE STATIONS
BUILDINGS FOR GOVERNMENT OR SPECIAL DISTRICT USE
PUBLIC TRANSPORTATION SYSTEM TERMINALS
PUBLIC BOAT MOORAGE

2173
3-12-75

UNDERTAKING ESTABLISHMENTS. Provided the off-street parking area is so arranged that a funeral procession of 20 cars can be accommodated in procession formation within the parking area. Parking areas and service yards must be sight-screened from adjoining residential properties and meet the requirements of Chapter 18.38.

Section 15. Bellevue Zoning Code Section 18.14.163 is hereby amended to read as follows.

18.14.163 PERMITTED USES IN THE O DISTRICT requiring review and approval by the Planning Commission and compliance with Section 18.47.440 through 18.47.448, 18.56.021 through 18.56.023 and Chapter 18.57:

POST OFFICE BUILDINGS

Section 16. Bellevue Zoning Code Section 18.14.165 is amended to read as follows:

18.14.165. PERMITTED USES REQUIRING REVIEW and approval by both the Hearing Body and City Council:

PLANNED RESIDENTIAL UNIT DEVELOPMENTS (See Chapter 18.42)

CONTINGENT USES (See Sections 18.47.520 through 18.47.561) (Ordinance No. 1514)

Section 17. Bellevue Zoning Code Section 18.14.164 is hereby amended to read as follows and is recodified as Bellevue Zoning Code Section 18.14.167:

18.14.167. PERMITTED USES REQUIRING REVIEW and approval by the Board of Adjustment and compliance with Section 18.08.167:

HOME OCCUPATIONS

Section 18. Bellevue Zoning Code Section 18.17.161 is hereby amended to read as follows:

18.17.161. PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57.

2173
3-12-75

MUNICIPAL BUILDINGS

POLICE STATIONS

FIRE STATIONS

BUILDINGS FOR COUNTY, STATE, FEDERAL GOVERNMENT OR
SPECIAL DISTRICT USE

BUILDINGS OR DEVELOPMENT NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY, PROVIDED THE INSTALLATION COM-
PLIES WITH THE REQUIREMENTS OF SECTION 18.47.360 AND
CHAPTER 18.38

USES REQUIRING REVIEW AND APPROVAL OF SPECIFIC DEVELOP-
MENT PLANS by the Planning Commission, such as:

BUSINESS MACHINE AGENCIES, PHARMACEUTICAL AGENCIES,
INSTRUMENT OR ELECTRONIC COMPONENT MANUFACTURE, SALES
OR DISTRIBUTION, OR HOSPITAL EQUIPMENT RENTAL OR SALES,
provided:

1. All of the design criteria - architectural quality of buildings, site development and maintenance requirements - of this chapter are fully met.
2. The external architectural expression of internal uses such as sales, maintenance or storage, shall be predominatly office in character.
3. The potential conversion of the building shall favor the essential uses of the district (18.17.040).
4. Heavy trucking operation - the trucks, doors, loading platforms - shall be effectively camouflaged.

NEW-CAR AUTOMOBILE AGENCIES, provided:

1. All of the design criteria - architectural quality of buildings, site development and maintenance requirements - of this chapter are fully met.
2. New cars displayed for customer viewing outside of the building shall not exceed the number of new cars displayed for customer viewing inside of the building.
3. Outdoor new-car display areas shall be designed for that purpose - liberal spacing of cars, separation of display area from other uses, landscaping to define the area, lighting to dramatize the area.

2173
3-12-75

4. Used-car display areas shall be arranged, spaced, striped, landscaped in the same manner as any required parking area.
5. Storage areas for new or used cars shall be screened from view from adjacent streets.
6. Entrances to maintenance and repair shops shall be oriented to the side or rear.
7. Areas for customer parking shall be designed and used for that purpose only.
8. Damaged cars shall be housed in a closed building.
9. The potential conversion of the building shall favor the essential uses of the district (18.17.040).

THEATERS, provided:

1. All of the design criteria - architectural quality of buildings, site development and maintenance requirements - of this chapter are fully met.
2. A theater building should clearly express the function of the internal uses.

COMBINATION OF USES, provided:

1. All of the design criteria - architectural quality of buildings, site development and maintenance requirements - of this chapter are fully met.
2. Buildings for combinations of uses such as offices, apartments, restaurant, shops, etc., shall be of such architectural design that the external expression and the internal potential for use is office in nature.

Section 19. Bellevue Zoning Code Section 18.17.165 is hereby amended to read as follows:

18.17.165 PERMITTED USE REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Section 18.56.021 through 18.56.023 and Chapter 18.57.

2173
3-12-75

UNDERTAKING ESTABLISHMENTS, provided the off-street parking area is so arranged that a funeral procession of 20 cars can be accommodated in procession formation within the parking area. Parking areas and service yards must be sight-screened from adjoining residential properties and meet the applicable requirements of Chapter 18.38.

Section 20. Bellevue Zoning Code Section 18.17.162 is hereby amended to read as follows and is recodified as new Bellevue Zoning Code Section 18.17.167:

18.17.167. USES PERMITTED BY REVIEW AND APPROVAL of the Public Works Department:

PUBLIC TRANSPORTATION SHELTER STATIONS

Section 21. Bellevue Zoning Code Sections 18.23.161 and 18.23.162 are each hereby amended to read as follows and Section 18.23.162 is recodified as part of Bellevue Zoning Code Section 18.23.161:

18.23.161. PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.44.023, as applicable, and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57:

CHURCHES
COMMUNITY CLUBHOUSES
SWIMMING POOLS
SCHOOLS
COLLEGES
ART GALLERIES
LIBRARIES
MUSEUMS
CLUBS OR FRATERNAL SOCIETIES
MEMORIAL BUILDINGS
PLAYFIELDS AND OTHER RECREATIONAL FACILITIES
BUILDINGS OR DEVELOPMENTS NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY
HOSPITALS
MUNICIPAL BUILDINGS
POLICE STATIONS
FIRE STATIONS
BUILDINGS FOR COUNTY, STATE, FEDERAL GOVERNMENT OR
SPECIAL DISTRICT USE

Section 22. Bellevue Zoning Code Section 18.29.161 is hereby amended to read as follows:

2173
3-12-75

18.29.161. USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57:

MUNICIPAL BUILDINGS
POLICE STATIONS
FIRE STATIONS
BUILDINGS FOR COUNTY, STATE, FEDERAL GOVERNMENT OR
SPECIAL DISTRICT USE
BUILDINGS OR DEVELOPMENTS NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY
HOSPITALS

Section 23. Bellevue Zoning Code Sections 18.32.161 and 18.32.162 are each hereby amended to read as follows and Section 18.32.162 is recodified as part of Bellevue Zoning Code Section 18.32.161:

18.32.161. USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Section 18.44.023, if applicable, and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57:

CHURCHES
SWIMMING POOLS
COMMUNITY CLUB HOUSES
SCHOOLS AND COLLEGES
PLAYFIELDS AND OTHER RECREATIONAL FACILITIES
BUILDINGS OR DEVELOPMENT NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY
MUNICIPAL BUILDINGS
POLICE STATIONS
FIRE STATIONS
BUILDINGS FOR COUNTY, STATE, FEDERAL GOVERNMENT OR
SPECIAL DISTRICT USE
HOSPITALS

Section 24. Bellevue Zoning Code Sections 18.35.121 and 18.35.122 are each hereby amended to read as follows and Section 18.35.122 is recodified as Bellevue Zoning Code Section 18.35.121:

18.35.121. USES REQUIRING REVIEW AND APPROVAL by the Planning Commission and compliance with Sections 18.44.023, if applicable, and compliance with Sections 18.56.021 through 18.56.023 and Chapter 18.57:

2173
3-12-75

CLUBS OR FRATERNAL SOCIETIES
LIBRARIES
NONCOMMERCIAL ART GALLERIES
MUSEUMS
CHURCHES
COMMUNITY CLUBHOUSES
YACHT CLUBS
SWIMMING POOLS
SCHOOLS AND COLLEGES
PLAYFIELDS AND OTHER RECREATIONAL FACILITIES
BUILDINGS OR DEVELOPMENT NECESSARY FOR THE OPERATION
OF A PUBLIC UTILITY
MUNICIPAL BUILDINGS
POLICE STATIONS
FIRE STATIONS
BUILDINGS FOR COUNTY, STATE, FEDERAL GOVERNMENT OR
SPECIAL DISTRICT USE
HOSPITALS AND CLINICS, PROVIDED THE SITE REQUIREMENTS
ARE FULLY MET

Section 25. Bellevue Zoning Code Section 18.56.021 is hereby amended to read as follows:

18.56.021. REVIEW BY THE Hearing Body. The uses which require review by the Hearing Body may be presented to the Hearing Body for preliminary discussion and tentative rejection or acceptance. Final approval by the Hearing Body will require delineation of the proposal in sufficient detail-site plan, building plan, perspective and similar data which may be required by the Hearing Body in order that the project is clearly defined. The Hearing Body in reviewing and judging the merit of a proposal shall find that the following conditions are met:

1. The proposal will further and be in keeping with and not contrary to the objectives of the Comprehensive Plan.
2. The effect of the proposal on the immediate vicinity will not be materially detrimental.
3. There is merit and value in the proposal for the community as a whole.
4. Sufficient consideration has been exercised by the developer in adapting the proposal to the existing environment.

2173
3-12-75

5. The proposal on its face is in compliance with applicable state, federal and local laws, statutes and ordinances.

Section 26. There is hereby added to the Bellevue Zoning Code a new chapter to read as follows:

Chapter 18.57

CONDITIONAL USES

18.57.010. AUTHORITY AND PURPOSE. The purposes of a conditional use permit shall be to assure, by means of imposing special conditions and requirements on developments that the compatibility of uses, and the purpose of this ordinance shall be maintained. Consideration shall be given to the existing and potential uses within the general area of the proposed use, and the existing conditions on the site.

The appropriate Hearing Body defined in Section 18.05.040 shall have the authority subject to the provisions of this chapter to grant conditional use permits.

The conditions imposed shall be those which will reasonably assure that nuisance or hazard to life or property will not develop, and that the living and working environment of neighboring properties will not be degraded.

No conditions shall be imposed which are contrary to codes, ordinances, laws and regulations of the City, State and Federal Government.

18.57.020. APPLICATION FOR CONDITIONAL USE PERMIT.

1. The application for a conditional use or for additions, modifications or changes thereto shall be in writing on forms provided by and filed with the Planning Department. Accompanying such application shall be the following data as determined necessary by the Planning Director:
 - A. Site Plan of all structures on the subject property and on adjoining properties to show relationship of proposed use to existing development.

- B. Landscape Plan to indicate all areas to be landscaped and fenced and materials to be used.
 - C. Design of ingress and egress.
 - D. Off-street parking and loading facilities.
 - E. Drawings or sketches of the exterior elevations, and/or perspective drawings of the building or structures under consideration.
 - F. Additional maps and drawings as deemed necessary by the Planning Department.
2. All applications shall include payment of the filing fee as designated in the Filing Fee Schedule.
 3. Upon receipt of the completed application, the Planning Director shall determine the necessity for Hearing Body review, following the criteria of 18.57.040. This decision by the Planning Director is not subject to review by the Hearing Body.
 4. If a hearing is unnecessary, the application shall be reviewed by the appropriate City departments and the Planning Director. The Planning Director shall approve the application as submitted, approve the application with conditions, or disapprove the application based upon the criteria of 18.57.030 and 18.57.040. The applicant and adjacent property owners shall be notified and public notice given of an action to be taken at least 10 days prior to the Planning Director reviewing and acting upon the application. Written and oral public input will be received during this period but no public hearing is required. Following the decision of the Planning Director, the applicant and parties of record will be notified of the action taken, written findings, and the appeal procedure.
 5. If the Planning Director determines that a public hearing is required, the Planning Director and the appropriate City Departments shall review the application and forward a recommendation to the Hearing Body prior to the hearing. At the hearing the application will be approved, approved with conditions or denied based upon the findings

2173
3-12-75

of the Hearing Body in accordance with 18.57.030 and 18.56.021. The applicant, adjacent property owners, and parties of record shall be notified of the action taken and written findings.

18.57.030. CRITERIA APPLICABLE TO CONDITIONAL USES

In addition to the findings in Section 18.56.021, the Hearing Body or Planning Director shall find that the following conditions are met:

1. All conditional uses must comply with requirements of the underlying use districts.
2. All conditional uses shall be designed to be constructed, operated, and maintained so as to be harmonious and appropriate in design, character, and appearance with the existing or intended character of the general vicinity.
3. Conditional Uses shall be served by existing public facilities such as streets, fire protection, water, storm and sanitary sewers, and other essential utilities.

18.57.040. ADDITIONS, MODIFICATIONS OR CHANGES TO THE BUILDING AUTHORITY

1. The Planning Director may administratively consider, approve or disapprove one-time, non-accumulative additions, modifications or changes to approved conditional uses when such additions, modifications or changes meet the following criteria:
 - A. The additions, modifications or changes to the building shall constitute less than (25) twenty-five percent of the total floor area originally approved.
 - B. The additions, modifications or changes are determined by the Planning Director not to have a significant impact beyond the site.
2. Any additions, modifications, or changes which do not meet the above criteria shall require approval by the Hearing Body.

18.57.050. EXPIRATION, RENEWAL AND REVOCATION OF PERMITS

1. Whenever a conditional use permit or permit for additions, modifications and changes has been granted, they shall become void unless a building permit conforming to the approved application is filed with the City within six (6) months and substantial construction is completed within one (1) year from the date the building permit is issued unless an extension is granted or unless the approved application specifically provides for a greater period.

An approved application for a conditional use permit may be extended by the Planning Director or Hearing Body, whichever approved the application, for one (1) year. No more than one extension may be issued for any conditional use permit.

2. The Hearing Body, may, upon its own motion, or upon the recommendation of the Planning Director, revoke or modify any conditional use permit. Such revocation or modification shall be made at a public hearing and upon findings of any one or more of the following:
 - A. That approval was obtained by fraud; or
 - B. That the use for which such approval was granted has ceased, has been abandoned, or there has been an addition, modification or change without approval; or
 - C. That the permit granted is being exercised contrary to the terms or conditions of such approval; or
 - D. That the use for which the approval was granted was so exercised as to constitute a nuisance.

18.57.060. APPEALS

Except as provided in 18.57.020(3) decisions by the Planning Director are final unless appealed to the Hearing Body within ten (10) days after notification by mail by the Planning Director. The Hearing Body shall either concur with the previous decision of the Planning Director, direct that approval be granted subject to

named conditions, or require reconsideration by the Planning Director. Decisions of the Hearing Body are final unless appealed to the Superior Court within ten (10) days after notification by the Hearing Body.

18.57.070. PERFORMANCE BOND AND RESUBMITTAL

1. As a condition for granting a conditional use permit or permit for additions, modifications and changes pursuant to the applicable provisions herein, the applicant may be required to post a performance bond in an amount sufficient to ensure compliance with the conditional use permit.
2. An application which has been disapproved or an application which is essentially the same as the one disapproved cannot be resubmitted within six (6) months of the date of disapproval.

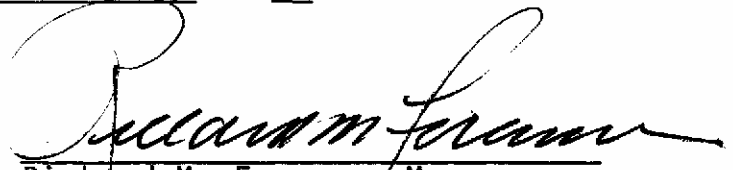
Section 27. Bellevue Zoning Code Section 18.56.022 is hereby repealed.

Section 28. Severability. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 29. This ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council this 17 day of March, 1975, and signed in authentication of its passage this 17 day of March, 1975.

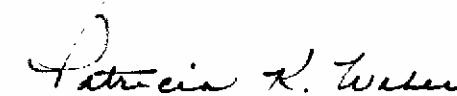
(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published March 27, 1975