

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 252

AN ORDINANCE relating to land use; adding Sections 4.8a, 4.8.58, 4.8.60, 4.8.61, 4.10.60 and 4.10.61 to Ordinance No. 68; amending Section 4.7.32 thereof; amending Section 4.10.55 thereof, as amended by Ordinance No. 170; adding R-3L Limited Multifamily District; adding parking area regulations and property line conditions in R-3 and R-S Districts; amending maximum building height in R-S District; and regulating home occupations in R-2 District.

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Chapter 4 of Ordinance No. 68 passed on the 28th day of September, 1954 is amended by adding thereto Section 4.8a which will provide as follows:

"Section 4.8a R-3L LIMITED MULTIFAMILY DISTRICT. The minimum lot area in this district shall be as required by the adjacent single family zoning district, except as permitted by Paragraph 5.1.30.

4.8a.10 ESSENTIAL USES:

4.8a.11 A single family dwelling, subject to the area and dimensional regulations of the adjacent single family zoning district.

4.8a.12 A two-family dwelling, subject to the area and dimensional regulations of the adjacent single family zoning district.

4.8a.13 A multifamily dwelling provided:

A. There are not more than six apartment units in a single building.

B. Each apartment unit has one or more bedrooms.

C. Side yards are not less than 10'.

D. There is not less than 20' between each multifamily building or any other adjacent existing building used for residential purposes. (This does not include a garage or carport attached to a residence building.)

E. Group parking provided in a rear or side yard location is sight screened from view from the street and from adjoining properties by fencing and/or landscaping. Such parking and screening shall observe the front

yard setback requirements of buildings on street frontage. Landscaping for such screening purpose shall be of evergreen material and shall constitute a solid planting within two years.

F. No group parking is provided in the front (street frontage) yard.

G. The parking and circulation plan complies with the requirements of Section 4.13.

H. The multifamily development is designed by a licensed architect or engineer as required by Section 301 (e) of Ordinance No. 166 (Uniform Building Code).

*** 4.8a.20 PRIMARY PERMITTED USES:**

4.8a.21 Churches, community clubhouses, non-commercial art galleries, library or museum, schools, colleges, parks, provided the site is of sufficient size to permit compliance with the requirements of Paragraphs 5.1.40, 5.1.50, and Section 4.13.

4.8a.22 Buildings or developments necessary for the operation of a public utility, provided the installation complies with the requirements of Paragraph 5.2.80 and Section 4.13.

4.8a.30 SECONDARY PERMITTED USES:

4.8a.31 Playgrounds when developed in connection with a school, college, park or community clubhouse provided there is compliance with the requirements of Paragraph 5.1.40.

**** 4.8a.32 Home occupations as defined in Chapter 3 and subject to the following conditions:** (1) that the occupation or profession shall be carried on wholly within the principal building or within a 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. 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 limited to a

single pupil at a time. 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. The provisions of this paragraph are not applicable in duplex and multifamily dwellings.

4.8a.33 Rooms in a single family dwelling may be rented to not more than four persons other than the family occupying the dwelling, provided there is compliance with health and building code requirements. The owner of the rooms to be rented must obtain an annual license from the City of Bellevue.

4.8a.34 Accessory buildings and structures as defined in Chapter 3 and described in Paragraph 5.1.60.

For single family dwellings, accessory buildings for the housing of animals shall be as required in the adjacent single family zoning district.

4.8a.35 There shall be provided and maintained at least one parking space or garage for each of the cars used by the owners or residents of a dwelling unit erected on a lot, or within 100' of such dwelling unit provided it is on a lot owned by the owner of the dwelling. Such parking space need not be separately zoned. The driveway in the front yard may be used as only parking space. For multifamily dwellings there shall be provided one parking space or garage for each dwelling unit in the building and these spaces shall be located on the building lot and shall be designated B-P. (See requirements in Section 4.13).

4.8a.36 Non-commercial cultivation of plants, trees, and gardens. A compost heap shall not be located closer than 25' to the nearest property line unless annually a waiver from the adjoining affected property owner is recorded with the City Clerk.

4.8a.40 SPECIAL PERMITTED USES:

4.8a.41 Public transportation shelter stations located on public rights of way provided the City Engineer determines that the location and the structure is safe and will best serve the need for a shelter station

in the area. A permit for the shelter must be obtained from the City Engineer.

4.8a.50 AREA & DIMENSIONAL REGULATIONS:

4.8a.51 Minimum lot area: As required by the adjacent single family zoning district. For a multi-family dwelling the required land area shall be computed as follows: The first two units of any size require the minimum lot area. For each additional unit over two add:

Living room, kitchen, bath and 1 Br. apt., 1500 sq. ft./unit.

Living room, kitchen, bath and 2 Br. apt., 2000 sq. ft./unit.

Living room, kitchen, bath and 3 or more Br. apt., 2500 sq. ft./unit.

4.8a.52 Minimum lot dimensions: 70' in width at the front building line. 30' minimum width at the street line. 80' minimum mean depth.

4.8a.53 Minimum setback requirements:

A. Front yard: As required by adjacent single family zoning district.

B. Side yard: One side yard 5'. The total of two side yards shall be 15' - except as required by 4.8a.13 C & D.

C. Rear yard: 25'. Where a lot abuts an alley the required rear yard space can be measured from the center line of the alley.

4.8a.54 Maximum land coverage by buildings.

A. Interior lot: 35%.

B. Corner lot: 40%.

4.8a.55 Maximum building height: two stories.

4.8a.56 Interior courts in multifamily dwelling buildings shall have a minimum dimension of 30' in one-story buildings, 40' in two-story buildings.

4.8a.57 In a multifamily dwelling, development of usable outdoor space above ground such as roof terraces,

roof decks, or balconies, may be considered an addition to the area of the site. Such terraces, decks, or balconies, in order to qualify, must adjoin and be accessible from the dwelling units. The minimum dimension of such balcony, terrace or deck shall be 6' and the minimum area 60 sq. ft. Such roof terraces, decks or balconies may in turn be roofed and may have two solid walls. Such terraces, decks or balconies shall be surfaced for use, but shall not be usable by vehicles. Measurements shall be taken from inside of walls or railings. The area of such terrace, deck or balcony added to the lot area, shall not exceed the area of the dwelling unit or units having access to such usable outdoor space, and such area credit shall not permit the addition (to the total number of units) of more than one apartment unit per building.

* An application for designation of B-P for use in conjunction with uses permitted by Paragraph 4.8a.20 and Paragraph 4.8a.35 shall be presented to the City Engineering and City Planning Department for their approval.

** An application for a permit for a home occupation shall be presented to the Board of Adjustment, and if upon investigation the Board finds the intended use is a permitted use and complies with the requirements of 4.8a.32 such application shall be granted."

Section 2. Chapter 4 of Ordinance No. 68 is amended by adding thereto Sections 4.8.58, 4.8.60, 4.8.61, 4.10.60 and 4.10.61 which will provide as follows:

"4.8.58 Automobile parking for multifamily dwellings provided under the floors of or on the roof of habitable parts of the building may consider such area as being put to 'double use', and may add to the area of the site two square feet for every one square foot of such parking area.

4.8.60 SPECIAL CONDITIONS.

4.8.61 Where an R-3 district adjoins a B-1 district an R-3 use may be built on the common R-3 - B-1 property line provided:

A. The building wall on the property line is a four hour wall with no openings.

B. The building height on the property line is not more than two stories - additional stories observing the normal rear yard (4.8.53 C).

4.10.60 SPECIAL CONDITIONS.

4.10.61 Where an R-S district adjoins a B-1 district an R-S use may be built on the common R-S - B-1 property line provided:

A. The building wall on the property line is a four hour wall with no openings.

B. The building height on the property line is not more than two stories - additional stories observing the normal rear yard (4.10.53 C)."

Section 3. Section 4.10.55 of Ordinance No. 68, as amended by Ordinance No. 170, is amended to read as follows:

"4.10.55 Maximum Building Height: Non-residence buildings - two stories, but not more than 30'. Multi-family dwellings or combined non-residence with multi-family dwellings on the upper floors - four stories, but not more than 40'."

Section 4. Section 4.7.32 of Ordinance No. 68 is amended to read as follows:

"** 4.7.32 Home occupations as defined in Chapter 3 and subject to the following conditions. (1) that the occupation or profession shall be carried on wholly within the principal building or within a 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. 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 limited to a single pupil at a time. 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. The provisions of this paragraph are not applicable in duplex dwellings."

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

PASSED by the City Council on this 22 day of July, 1958, and signed in authentication of its passage this 22 day of July, 1958.

Kenneth O. Cole
Mayor

Approved as to Form:

Joseph Miller
City Attorney

(SEAL)

Attest:

FILED

CITY OF BELLEVUE

DATE July 23, 1958

Dep. CITY CLERK *Hazel G. Humphreys*

Hazel G. Humphreys
Dep. City Clerk

Published July 31, 1958.