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## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4065

AN ORDINANCE relating to Senior Housing; amending Sections 20.10.440, 20.20.010, 20.20.590.F.1.p, 20.25A.050.B.p., 20.30D.165.A, 20.50.010, 20.50.014, 20.50.044 and 20.50.046 of the Bellevue City Code (Land Use Code).

WHEREAS, housing for Senior citizens is considered a desirable use in all districts of the City; and

WHEREAS, senior housing, if sensitively designed, is compatible with residential and commercial uses in the City; and

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

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

Section 1. Bellevue City Code (Land Use Code) Section 20.10.440, Residential Chart and Notes, is amended as follows:

20.10.440  
USES IN LAND USE DISTRICTS

RESIDENTIAL

STD LAND USE CODE REF	LAND USE CLASSIFICATION	RESIDENTIAL														COMMERCIAL												
		G	A	OU	R-1	R-1B	R-25	R-35	R-4	R-5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB	CBD O-1	CBD O-2	CBD MU	CBD R	CBD OB	CBD OLB	
1	RESIDENTIAL																											
	SINGLE FAMILY DWELLING	P	P <sub>1</sub>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P	P	P
	TWO TO FOUR DWELLING UNITS PER STRUCTURE			PD	PD	PD	PD	PD	PD	P	P	P	P		P	C				C		P	P	P	P	P	P	
	FIVE OR MORE DWELLING UNITS PER STRUCTURE			PD	PD	PD	PD	PD	PD	C	P	P	P		P	C				C		P	P	P	P	P	P	
NOT CODED IN LAND USE CODE	GROUP HOME CLASS I-A 3	P	P <sub>4</sub>	P	P	P	P	P	P	P	P	P	P									P	P	P	P	P	P	
	GROUP HOME CLASS I-B 3									P	P	P	P			C				C		P	P	P	P	P	P	
	GROUP HOME CLASS I-C 3									C	C	C	C			C				C		P	P	P	P	P	P	
	GROUP HOME CLASS II-A 3	C	C <sub>5</sub>	C	C	C	C	C	C	C	P	P	P	P			C			C		P	P	P	P	P	P	
	GROUP HOME CLASS II-B 3										C	C	C	C			C			C		P	P	P	P	P	P	
	GROUP HOME CLASS II-C 3										C	C	C	C			C			C		P	P	P	P	P	P	
	DETOXIFICATION CENTER 3										C	C	C	C			C	C	C	C	C		P	P	P	P	P	P
12	GROUP QUARTERS, DORMITORIES, (( <del>RETIREMENT HOMES</del> )) FRATERNAL HOUSES, EXCLUDING MILITARY AND CORRECTIONAL INSTITUTIONS			PD						C	P	P	P							C		P	P	P	P	P	P	
	(( <del>RETIREMENT APARTMENTS</del> )) SENIOR CITIZEN (( <del>APTS</del> )) DWELLINGS 8, 10 Z			C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>	C <sub>9</sub>				P	P	P	P	P	P	P	
13 15	HOTELS AND MOTELS															P				C		P	P	A	C	A	P	
	CONGREGATE CARE SENIOR HOUSING 10 7			PD						P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	
	NURSING HOMES			C						C	P	P	P	C	P	C			C	P			P	P	P	P	P	
	ASSISTED LIVING 10 7			C						C	P	P	P	C	P	C			C	P			P	P	P	P	P	

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

(Ordinance 3530, 8-12-85, Section 7)

**Key**

P - PERMITTED USE

C - CONDITIONAL USE (see Part 20.30B. or Part 20.30C.)

PD - PERMITTED subject to planned unit development only. (see Part 20.30D.)

A - ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E.)

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NOTES: USES IN LAND USE DISTRICTS--RESIDENTIAL

1. Single-Family Dwelling is permitted only as a subordinate use to a permitted or special use in OLB, LI, GC, CB and CBD-MU districts.
2. No more than 50% of the gross floor area of the structure shall be devoted to residential uses in O districts, except as permitted by 20.20.010 for senior housing.
3. A Group Home or Detoxification Center may not be located within 1,000 feet in any direction of any other Group Home or Detoxification Center.
4. A Group Home Class 1-A is permitted only as a subordinate use to a permitted or special use in A districts.
5. A Group Home Class 11-A is permitted only as a subordinate use to a permitted or special use in A districts.
6. A boardinghouse or bed and breakfast is permitted in a single-family dwelling provided the requirements of 20.20.140 are met.
7. 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.
8. Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.
9. Senior citizen dwellings are appropriate only on single family parcels which directly abut higher intensity zoning or on parcels that are not surrounded by established neighborhoods or single family housing.
10. In areas where the Comprehensive Plan policies specifically state that multifamily development is not appropriate, senior housing shall be permitted only through the conditional use permit process.

Section 2. Bellevue City Code (Land Use Code) Section 20.10.440 Services Chart, is amended as follows:

USES IN LAND USE DISTRICTS

SERVICES

ORIGINAL

STD LAND USE CODE REF	LAND USE CLASSIFICATION	SERVICES																											
		GENERAL	AGRICULTURE	OPEN USE	RESIDENTIAL ESTATE			SUBURBAN RESIDENTIAL			URBAN RESIDENTIAL			PROFESSIONAL OFFICE		OFFICE	OFFICE/LIMITED BUSINESS	LIGHT INDUSTRY	GENERAL COMMERCIAL	NEIGHBORHOOD COMMERCIAL	COMMUNITY BUSINESS	CENTRAL BUSINESS	OFFICE BUSINESS DISTRICT	OFFICE DISTRICT 1	OFFICE DISTRICT 2	RESIDENTIAL DISTRICT	OLD BELLEVUE DISTRICT	OFFICE AND LIMITED BUSINESS DISTRICT	
		G	A	OU	R-1	R-18	R-25	R-35	R-4	R-5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB		CBD O-1	CBD O-2	CBD MU	CBD R	CBD OB	CBD OLB	
6	SERVICES																												
61	FINANCE, INSURANCE, REAL ESTATE SERVICES															P	P	P	P	P		P		P	P	P	P	P	P
62	PERSONAL SERVICES: LAUNDRY, DRY CLEANING, BARBER & BEAUTY PHOTOGRAPHY STUDIO AND SHOE REPAIR																P	P	P	P	P		P	P	P	P	P	P	
6241	FUNERAL & CREMATORY SERVICES															C	C	C											
6242	CEMETERIES	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							
	CHILD CARE SERVICES Number of Children																												
	1 to 6      4.5			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	
	7 to 12      4.5			A	A	A	A	A	A	A	A	A	A	P	P	P	P	P	P	P	P		P	P	P	P	P	P	
	13 or more      4.5											C	C	P	P	P	P	P	P	P	P		P	P	P	P	P	P	
629	DAY CARE CENTERS			C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P	P	P	P	P	P	
63	BUSINESS SERVICES, DUPLICATING & BLUEPRINTING, STENO, ADVERTISING (EXCEPT OUTDOOR) & EMPLOYMENT														P	P	P	P	P		P		P	P	P	P	P	P	
634	BUILDING MAINTENANCE																	P	P		P								
637	WAREHOUSING & STORAGE SERVICES, EXCLUDING STOCKYARDS																	P	P		P								
639	RENTAL SERVICES: CARS, TRUCKS, TRAILERS, FURNITURE & TOOLS																P	P	P	P					P			P	
641	AUTO REPAIR & WASHING SERVICES																	P	P		P					P			
649	REPAIR SERVICES: WATCH, T.V., ELECTRICAL, UPHOLSTERY																	P	P		P				P	P	P	P	
	PROFESSIONAL SERVICES: MEDICAL CLINICS AND OTHER HEALTH CARE RELATED SERVICES			C											P	P	P	P	P		P		P	P	P	P	P	P	
	PROFESSIONAL SERVICES: OTHER			C											P	P	P	P	P		P		P	P	P	P	P	P	
6513	HOSPITALS														C	C	C	C	C		C					C	C		
((6516))	((CONVALESCENT AND NURSING HOMES))			C								P	P	P											P	P	P		
66	CONTRACT CONSTRUCTION SERVICES: BUILDING CONSTRUCTION, PLUMBING, PAVING & LANDSCAPE																	P	P										
671	GOVERNMENTAL SERVICES: EXECUTIVE, LEGISLATIVE & JUDICIAL FUNCTIONS			C					C						C	C	C				C		P	P	P	P	P	A	
672	GOVERNMENTAL SERVICES: PROTECTIVE FUNCTIONS & RELATED ACTIVITIES EXCLUDING MAINTENANCE SHOPS	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C					P	C	C	A
674	MILITARY & CORRECTIONAL INSTITUTIONS	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C								
681	EDUCATION: ELEMENTARY, PRIMARY, AND SECONDARY	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		A	A	A	C	C	A	
682	UNIVERSITIES & COLLEGES	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		P	P	P				
683	SPECIAL SCHOOLS: VOCATIONAL, TRADE BUSINESS, ART, MUSIC, DANCE, DRIVING, BARBER AND BEAUTY SCHOOLS															P	P	P	P	P					P	P	P	P	
691	RELIGIOUS ACTIVITIES				C	C	C	C	C	C	C	C	C	C	P	P	P		P		P		P	P	P	C	C	P	
692 (A)	PROFESSIONAL & LABOR ORGANIZATIONS FRATERNAL LODGE			C											C	C	P		P		P		P	P	P	C	C	P	
692 (B)	CHARITABLE & SOCIAL SERVICE ORGANIZATIONS			C	C	C	C	C	C	C	C	C	C	C	C	C	P		P		P		P	P	P	C	C	P	
	OFFICE-GENERAL																	P	P				P	P	P	P	P	P	

Existing for Community Councils Only. Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C AND EH-D) are listed in Section 20.25F.010. (Ordinance 3530, 8-12-85, Section 7)

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Section 3. Bellevue City Code (Land Use Code) Section 20.20.010,  
Dimensional Chart and Notes, is amended as follows:

SECTION 20.20.010

USES IN LAND USE DISTRICTS DIMENSIONAL REQUIREMENTS

LAND USE CLASSIFICATION	RESIDENTIAL																		COMMERCIAL										
	G	OU	R-1	R-1B	R-2.5	R-3.5	R-4	R-5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB										
DIMENSIONS	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(9)	(8)	(8)	(8)	(8)	(8)	(8)			
MINIMUM SETBACKS OF STRUCTURES (IN FEET)																													
FRONT YARD (1) (19)(21)	35	35 (12)	35	30	20	20	20	20	20	20	20	20	30	30	50	15	15	30	15										
REAR YARD (1)(18)(19)(21)	25	25 (12)	25	25	25	25	20	20	25	25	25	25	25	25	50	(3)	(3)	30	(3)										
SIDE YARD (1)(18)(19)(21)	10	10 (12)	5	5	5	5	5	5	5	5	5	5	20	20	30	(3)	(3)	30	(3)										
2 SIDE YARDS (TOTAL) (1)(21)	20	20 (12)	20	15	15	15	15	15	15	15	15	15	40	40	60	(3)	(3)	60	(3)										
MINIMUM LOT AREA ACRES (A) OR THOUSANDS OF SQ. FT.(4)	1A	1A	35	20	13.5	10	8.5	7.2	8.5	8.5	8.5	8.5			2A														
DWELLING UNITS PER ACRE (16) (23)		(22)	1	1.8	2.5	3.5	4	5	10	15	20	30	10 (24)	20 (24)	30 (24)			10 (24)	30 (24)										
MINIMUM DIMENSIONS (IN FEET)																													
WIDTH OF STREET FRONTAGE	30	30	30	30	30	30	30	30	30	30	30	30			200														
WIDTH REQUIRED IN LOT (5)	150	60	100	90	80	70	65	60	70	70	70	70			200														
DEPTH REQUIRED IN LOT (5)	150	80	150	80	80	80	80	80	80	80	80	80																	
MAXIMUM BUILDING HEIGHT (FEET) (11) (20)	30	30	30	30	30	30	30	30	30	30	30	30	40	20	30	45 (7)	45 (10)	30	20	45									
MAXIMUM LOT COVERAGE BY STRUCTURES (PERCENT) (14)(15)	35	35	35	35	35	35	35	40	35	35	35	35	35 (25)	35 (25)	35 (25)	50		35 (25)											

Ordinance 3690, 8-4-86, Section 2  
Ordinance 3747, 1-20-86, Section 2  
Ordinance 3775, 5-26-87, Section 6  
Ordinance 3780, 5-26-87, Section 1

NOTE: Dimensional Requirements for Central Business District are found in Part 20.25A  
Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part 20.25F

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NOTES: Uses in Land Use Districts--dimensional Requirements

- (1) These setbacks control except where street classification in Section 20.20.020 indicates a greater setback.
- (2) Side yard setback in R-30 districts increases to 20 ft. on any side yard where structure exceeds 30 ft. above finished grade.
- (3) All rear and side yards shall contain landscaping as required by Section 20.20.520.
- (4) See Section 20.20.012.
- (5) See Section 20.20.015.
- (6) The maximum allowable building height in R-20 districts is 40 feet if the ground floor of such building is devoted to parking.
- (7) 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, subject to obtaining a Conditional Use Permit (Part 20.30B or Part 20.30C). (Ord. 3530, 8-12-85, Section 10)
- (8) Dimensional requirements for CBD Land Use Districts are listed in Section 20.25A.020.
- (9) Any office building or any office portion of a building shall comply with the definition of "low intensity." See Section 20.50.032. (Ord. 3780, 5-26-87, Section 1)
- \*(10) The maximum building height may be exceeded upon approval of the Director of Design and Development. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E. Before granting any such approval, the Director of Design and Development 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.

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Notwithstanding the provisions of this Note, no height increase is permitted within a Transition Area as defined in Part 20.25B. (Ord. 3530, 8-12-85, Section 11)

\* Not effective within the jurisdiction of the East Bellevue and Sammamish Community Councils. The maximum building height in LI Districts shall remain 30 feet.

- \*(11) Except in transition areas, the allowable building height of any office building located in a PO, O, OLB, GC, NB, CB or OU district may be increased by one story, but not to exceed 15 feet, if the ground floor of that building is devoted to parking for that building.

\* Not effective within the jurisdiction of the East Bellevue and Sammamish Community Councils. The maximum building height in LI Districts shall remain 30 feet.

- (12) See 20.25H.090 for additional Sensitive Area Setbacks. (Ord. 3775, 5-26-87, Section 6)
- (13) For each square foot of lot area devoted to open space in excess of 30% of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
- (14) Lot coverage is calculated after subtracting all Protected Areas defined by Section 20.25H.070 and all areas of slope equal to or exceeding 40%. (Ord. 3775, 5-26-87, Section 6)
- (15) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
- (16) If there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls.
- (17) Dwelling units per acre is determined pursuant to Section 20.30D.
- (18) 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. (Ord. 3498, 5-28-85, Section 2)
- (19) See 20.20.030 for designation and measurement of setbacks. (Ord. 3690, 8-4-86, Section 2)
- \*(20) Notwithstanding any other provision of this Code, except Part 20.25B or Section 20.20.900-910, as applicable, the allowable



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building height of an office building may be increased by one story, not to exceed 15 feet, if the ground floor of that building is devoted to parking for that building.  
(Ord. 3747, 1-20-87, Section 2)

\* Effective only within Community Council jurisdiction.

- (21) See Section 20.25H.090 for additional Sensitive Area Setbacks. (Ord. 3775, 5-26-87, Section 6)
- (22) Dwelling units per acre is determined pursuant to Section 20.30D.155. (Ord. 3936, 7-18-88, Section 2)
- (23) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as .5 unit and units 600 square feet or greater count as 1 unit.
- (24) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing.
- (25) Lot coverage may be increased to 50% if congregate care senior housing, senior citizen dwellings, assisted living or nursing homes are constructed on site; provided, however, that coverage for the non-residential portions of the development cannot exceed the maximum limits indicated.

Section 4. Bellevue City Code (Land Use Code) Section 20.20.590.F.1.p is amended as follow:

F. Minimum/Maximum Parking Requirement by Use:

- 1. Specified Uses: Subject to Paragraphs 20.20.590.G and 20.20.590.H, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>	<u>Maximum Number of Parking Spaces Allowed</u>
p. Senior Housing: Nursing Home	.33:bed	1:bed
Congregate Care Senior Housing	0.5:unit	1.5:unit
Senior Citizen Dwelling	0.8:unit	1.5:unit

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Section 5. Bellevue City Code (Land Use Code) Section 20.25A.050.B.p. is amended as follows:

B. Minimum/Maximum Parking Requirement by Use:

LAND USE	UNIT OF MEASURE	Zones			
		CBD-0-1		CBD-R, CBD-MU	
		CBD-0-2		CBD-OB, CBD-OLB	
		Minimum	Maximum	Minimum	Maximum
p. Senior Housing: Nursing Home	per patient bed	0.4	0.8	0.4	0.8
Senior Citizen Dwelling or Congregate Care	per living unit	0	1.0	0.33	1.0

Section 6. Bellevue City Code (Land Use Code) Section 20.30D.165.A is amended as follows:

20.30D.165 Preliminary Development Plan - Modification of Zoning Requirements:

A. Density:

1. General. Except in an OU Land Use District, the applicant may request a bonus in the number of dwelling units permitted by the underlying Land Use District maximum number of units per acre (see Section 20.10.010).
2. Bonus Decision Criteria: The City may approve a bonus in the number of dwelling units allowed by no more than 10%, based on the gross land area of the property excluding either that area utilized for traffic circulation roads or 20%, whichever is less, if --
  - a. The design of the development offsets the impacts of the increase in density; and
  - b. The increase in density is compatible with existing uses in the immediate vicinity of the subject property.
3. Senior Citizen Dwelling: An additional 10% density bonus may be approved for senior citizen dwellings if the criteria in paragraph .165.A.2 is met and if the average dwelling unit size does not exceed 600 square feet.

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Section 7. Bellevue City Code (Land Use Code) Section 20.50.010 is amended by the addition of the following definition:

ASSISTED LIVING

An establishment which provides living quarters and a variety of limited personal care and supportive health care to individuals who are unable to live independently due to infirmity of age, physical or mental handicap, but who do not need the skilled nursing care of a convalescent or nursing home. These facilities may consist of individual dwelling units of a barrier-free design, with separate bathroom facilities, a full-kitchen or no-kitchen. The facility may provide a minimal amount of supportive health care monitoring, such as assistance with medication, but is limited to health care services which do not require state or federal licensing. In addition, these facilities may have a communal dining area, recreational facilities (library, lounge, game room), laundry facilities and open space.

Section 8. Bellevue City Code (Land Use Code) Section 20.50.014 is amended by the addition of the following definition:

CONGREGATE CARE SENIOR HOUSING

A complex of dwellings, exclusively designed for and occupied by households having at least one person 62 years of age or older, which provides common facilities such as but not limited to dining, recreation, and practical nursing care. Some of the dwellings may contain kitchens; some may not. For purposes of this definition, a kitchen is defined as an area containing a refrigerator, range, 220 volt oven and a sink which are permanent to the unit.

Section 9. Bellevue City Code (Land Use Code) Section 20.50.044 is amended by the deletion of the following definition:

Retirement Apartments. Dwellings exclusively designed for and occupied by families of which have at least one person 55 years of age or older.

Section 10. Bellevue City Code (Land Use Code) Section 20.50.046 is amended as follows:

Senior Citizen Dwellings. Dwellings exclusively designed for and occupied by families each of which have at least one person of 62 years of age or older, and limited by the requirements of State or federal programs for housing for senior citizens to include those individuals who are classified as head-of-household and are disabled or handicapped regardless of age.

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Section 11. The Bellevue City Council will reconsider the conditional use permit requirement for senior citizen dwellings in the Professional Office (PO), Office (O), and Office Limited Business (OLB) zoning districts after the Council has considered the Planning Commission's recommendations on affordable housing code amendments or on June 30, 1990, whichever comes first.

Section 12. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

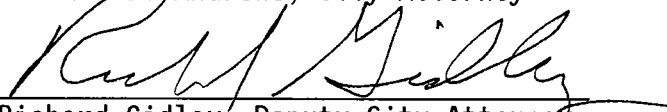
PASSED by the City Council this 23<sup>rd</sup> day of October, 1989, and signed in authentication of its passage this 9<sup>th</sup> day of November, 1989.

(SEAL)

  
Nan Campbell, Mayor

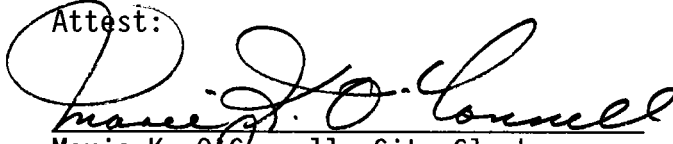
Approved as to form:

Richard L. Andrews, City Attorney

  
Richard L. Andrews, City Attorney

Richard Gidley, Deputy City Attorney

Attest:

  
Marie K. O'Connell, City Clerk  
Published November 13, 1989