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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4235

AN ORDINANCE relating to lot coverage, step back and Perimeter District setback requirements for the Central Business District; amending Sections 20.25A.020.A.2, 20.25A.090.E.3 and 20.25A.090.E.6 of the Bellevue City Code (Land Use Code).

WHEREAS, the Downtown Housing Study Group convened in August 1990 to explore options and opportunities for encouraging the development of housing in the Downtown; and

WHEREAS, The study group presented their recommendations to the City Council Housing Committee in October 1990 who urged that the regulatory recommendations move forward for Planning Commission review; and

WHEREAS, the proposed Land Use Code regulations support the housing policy adopted by City Council in June 1990; and

WHEREAS, the City of Bellevue has complied with the State Environmental Procedure 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 20.25A.020.A.2 is amended as follows:

SECTION 20.25A.020.A.2

ORIGINAL

**DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS**

LAND USE DISTRICT	BUILDING TYPE (7)	MINIMUM SETBACK: (3) (9)			MINIMUM LOT AREA	MINIMUM LOT DIMENSION	MAXIMUM BUILDING FLR AREA PER FLR ABOVE 40' (18)(5)(11)	MAXIMUM LOT COVERAGE	BUILDING HEIGHT (6)(17)		FLOOR AREA RATIO (16)	
		FRONT(1) (15)	REAR	SIDE					BASIC	MAX.	BASIC (10)	MAX.
CBD-O-1	NON-RESIDENTIAL	0 (2)	0	0	None	None	20,000 gsf	100%	200'	300'(13)	5.0	8.0(12)
	RESIDENTIAL	0 (2)	0	0	None	None	<del>((12,000 gsf))</del> 20,000 gsf	100%	200'(14)	None(14)	5.0(14)	None(14)
	PARKING	0 (2)	0	0	None	None	20,000 gsf	100%	100'	100'	N/A	N/A
CBD-O-2	NON-RESIDENTIAL	0 (2)	0	0	None	None	20,000 gsf	100%	150'	250'	4.0	6.0
	RESIDENTIAL	0 (2)	0	0	None	None	<del>((12,000 gsf))</del> 20,000 gsf	100%	150'(14)	250'(14)	4.0(14)	6.0(14)
	PARKING	0 (2)	0	0	None	None	20,000 gsf	100%	100'	100'	N/A	N/A
CBD-MU	NON-RESIDENTIAL	0	0	0	None	None	20,000 gsf	75%	60'	100'(13)	0.5	3.0(12)
	RESIDENTIAL	0	0	0	None	None	<del>((12,000 gsf))</del> 20,000 gsf	<del>((75%))</del> 100%	150'(14)	200'(13)	2.0(14)	5.0(12)
	PARKING	0	0	0	None	None	20,000 gsf	75%	60'	60'(14)	N/A	N/A
CBD-R	NON-RESIDENTIAL	0	0	0		20' Lot Frontage	12,000 gsf	75%	60'	60'	0.5	0.5
	RESIDENTIAL	0	0	0	3,000 sf	75' Lot Depth	<del>((12,000 gsf))</del> 20,000 gsf	<del>((75%))</del> 100%	150'(14)	200'(14)	2.0(14)	5.0(14)
	PARKING	0	10'	5'	N/A	N/A	N/A	N/A	40'	40'	N/A	N/A
CBD-OB	NON-RESIDENTIAL	0 (4)	0	0	None	None	12,000 gsf	100%	60'(7)	100'(7)	0.5	1.0
	RESIDENTIAL	0 (4)	0	0	None	None	<del>((12,000 gsf))</del> 20,000 gsf	<del>((75%))</del> 100%	150'(14)	200'(14)	2.0(14)	5.0(14)
	PARKING	0	10'	5'	None	None	N/A	75%	40'(7)	40'(7)	N/A	N/A
CBD-OLB	NON-RESIDENTIAL	50'	50'	30'	2 Acres	200'	20,000 gsf	35%	45'	75'	0.5	3.0
	RESIDENTIAL <u>N/A</u>	<del>((50'))</del>	<del>((50'))</del>	<del>((30'))</del>	<del>((2-Acres))</del>		<del>((12,000 gsf))</del>	<del>((75%))</del>	<del>((N/A))</del>	<del>((N/A))</del>	<del>((N/A))</del>	<del>((N/A))</del>
	PARKING	50'	50'	30'	2 Acres		20,000 gsf	75%	45'	45'	N/A	N/A

gsf = GROSS SQUARE FEET

These dimensions are different for property located in the Perimeter Design District. If your property is within 1,200' of the north, south or west boundary of the CBD, you may be in this District. See Sec. 20.25A.090.

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CHART 20.25A.020.A.2

NOTES: DIMENSIONAL REQUIREMENTS IN CBD DISTRICTS

- (1) Measured from inside edge of the required perimeter sidewalk. If existing utilities which cannot reasonably be relocated require the planting of street trees on the property side of a sidewalk as provided for in Section 20.25A.060, 4' is added to the required setback. (Ord. 3747, 1-20-87, Section 6)
- (2) No parking or vehicle access lane is permitted between the required perimeter sidewalk and the main pedestrian entrance to the building.
- (3) Minimum setbacks are subject to required landscape development. See Section 20.25A.040.
- (4) The maximum setback from Main Street in the CBD-OB District is 0'.
- (5) Applicable only to building floors above 40' in height measured from the average finished grade around the building. Building floor area for floors above 40' may be averaged. The maximum building floor area may be increased by not more than 10% through Design Review (Part 20.30F) if the applicant demonstrates that the increase is necessary for reasonable development of the building, and will not have a significant adverse effect on other properties. Each square foot of floor area above the maximum requires a proportionate square footage of amenity in conformance with Section 20.25A.030.C; however, the amenity area provided under this requirement may not be used to exceed the basic floor area ratio. For the purposes of this Note, hotels and motels shall be considered as nonresidential structures. (Ord. 3530, 8-12-85, Section 37)
- (6) The maximum building height may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). ~~((If residential and nonresidential uses occur in one structure, the higher height limit applies and there is no restriction on the location of uses within the structure.))~~ The maximum height identified in this chart may be increased by no more than 10% or 15 feet, whichever is greater, through Design Review (Part 20.30F) if the applicant demonstrates that the increase is necessary for reasonable development of the structure ~~((and will not have a significant adverse effect on other properties))~~ and will be used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other such decorative architectural features. Ord. 3530, 8-12-85, Section 38)
- (7) ~~((Within 45 feet of the centerline of Main Street, the maximum structure height is 35 feet above average finished grade.))~~ A structure is considered residential if more than 50% of the gross square footage is devoted to residential uses.
- (8) The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). If residential and nonresidential uses occur in one structure, the permitted FAR for the structure may not exceed the highest individual FAR permitted for the uses proposed, and in no case may an individual use within that structure exceed the maximum FAR permitted for that use. See Section 20.25A.070.D for FAR requirements in Old Bellevue. (Ord. 3813, 7-20-87, Section 4)
- (9) See Section 20.25A.020.B for exceptions to the minimum setback requirements.
- (10) See Section 20.25A.020.C for amenity requirements regarding the provision of basic floor area.
- (11) In a mixed use building, this requirement will be applied on an individual building floor basis. If uses are mixed on one floor, the maximum floor size will reflect the ratio of those uses.
- (12) Except within the Perimeter Design District, the maximum Floor Area Ratio may be exceeded if the Major Pedestrian Corridor is constructed as required by Paragraph 20.25A.100.E.1. The maximum Floor Area Ratio may only be exceeded by the amount provided for under the Major Pedestrian Corridor amenity bonus, Paragraph 20.25A.030.C.16. (Ord. 3653, 5-19-86, Section 2)
- (13) Except within the Perimeter Design District, the maximum Floor Area Ratio may be exceeded if the Major Pedestrian Corridor is constructed as required by Paragraph 20.25A.100.E.1, and only to the extent required to accommodate the additional Floor Area Ratio provided under Paragraph 20.25A.030.C.16. Heights may be exceeded under this provision only to the extent depicted on the map entitled "Height Limits in the Core Design District" in Paragraph 20.25A.030.E. (Ord. 3653, 5-19-86, Section 2) (Ord. 3901B, 5-16-88, Section 1)
- (14) Notwithstanding the provisions of Note (5), hotels and motels shall be considered as residential structures.
- (15) If the subject property abuts a street classified pursuant to Paragraph 20.25A.115, the maximum setback is 0' unless otherwise approved by the Director of Design and Development. (Ord. 3498, 5-27-85, Section 44)

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- (16) Floor area devoted to retail uses in fulfillment of the requirements of Section 20.25A.115 will not be counted for the purpose of calculating FAR. (Ord. 3553, 10-7-85, Section 3)
- (17) Except within the Perimeter Design District, the maximum building height can be exceeded if right-of-way is dedicated as provided by Paragraph 20.25A.020.D but only to the extent of the floor area earned as a result of the dedication. This provision does not preclude the applicability of footnote 20.25A.020.A.2(6) but in no event may the combined effect of applying that footnote and this footnote be to increase the building height over the maximum building height by more than 10% or 15 ft., whichever is greater (Ord. 3766, 3-23-87, Section 1)
- (18) The maximum building floor area per floor above 80' in residential structures is 12,000 gross square feet.

Section 2. Bellevue City Code (Land Use Code) Section 20.25A.090.E.3 is amended as follows:

3. Perimeter Design District Dimensional Requirements:

Perimeter Subdistrict	Building Type (5)	Minimum Setback from the CBD Boundary (1)(4)	Maximum Lot Coverage	Building Height		Floor Area Ratio	
				Basic	Maximum (2)	Basic	Maximum (3)
Subdistrict A	Nonresidential	20'	75%(7)	30'	40'	.5	1.0 in CBD/MU 1.0 in CBD-OB .5 in CBD-R
	Residential Parking	20'	75%(6)	30'	55'	2.0	3.5
		20'	75%	30'	40'	N/A	N/A
Subdistrict B	Nonresidential	N/A	75%(7)	30'	65'	.5	1.5 in CBD-MU 1.0 in CBD-OB .5 in CBD-R
	Residential Parking	N/A	75%(6)	45'	90'	2.0	5.0
		N/A	75%	40'	40'	N/A	N/A
Subdistrict C	Nonresidential	N/A	75%	45'	90'	.5	2.0
	Residential	N/A	75%	50'	120'	2.0	5.0
	Parking	N/A	75%	40'	40'	N/A	N/A
Subdistrict D	Nonresidential	N/A	75%	50'	100'	.5	2.5
	Residential	N/A	75%	60'	135'	2.0	5.0
	Parking	N/A	75%	40'	40'	N/A	N/A

Notes: Perimeter Design District Dimensional Requirements

- (1) Measured from inside edge of required perimeter sidewalk, if applicable. If existing utilities which cannot reasonably be relocated result in the planting of street trees on the property side of a sidewalk as provided for in Section 20.25A.060, 4' is added to the required setback. (Ord. 3747, 1-20-87, Section 12)

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- (2) The maximum building height may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). ~~((If residential and nonresidential uses occur in one structure, the higher height limit applies and there is no restriction on the location of uses within the structure.))~~ Except in Subdistrict A, the maximum height may be exceeded by no more than 10% or 10 feet, whichever is less, and only if the additional height is used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other such decorative architectural features.
- (3) The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System (Section 20.25A.030). If residential and nonresidential uses occur in one structure, the permitted FAR for the structure may not exceed the highest individual FAR permitted for the uses proposed, and in no case may an individual use within that structure exceed the maximum FAR permitted for that use.
- (4) See Section 20.25A.020.B for exceptions to minimum setback requirements.
- (5) Hotels and Motels shall be considered as non-residential structures.
- (6) The maximum lot coverage in CBD-OB is 100%. (Ord. 3813, 7-20-87, Section 8)
- (7) If a non-residential structure in CBD-OB includes residential, the lot coverage may exceed 75%. (Ord. 3813, 7-20-87, Section 8)

Section 3. Bellevue City Code (Land Use Code) Section 20.25A.090.E.6 is amended as follows:

6. Special Design Standards: The following design standards apply to all development within the Perimeter Design District:

a. Upper Level Setback: ~~((Each))~~ A building facade facing any of the following streets ((a street)) must incorporate a 15-foot deep setback in that facade at a height no more than 40' above average finished grade.

i. The south side of N.E. 12th Street between 102nd Avenue N.E. and 112th Avenue N.E.; and

ii. Both sides of Main Street between 100th Avenue N.E. and Bellevue Way N.E.; and

iii. The north side of Main Street between 108th Avenue N.E. and 112th Avenue N.E.; and

iv. The east side of 100th Avenue N.E. between the southwest corner and northwest corner of the CBD boundary.

v. Both sides of 102nd Avenue N.E. between Main Street and N.E. 1st Street.

b. Lighting fixtures shall incorporate cutoff shields to minimize offsite impacts.

c. Signs: Signs within the Perimeter Design District must comply with the requirements of Section 22B.10.060 (Bellevue Sign Code).

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d. Traffic Mitigation:

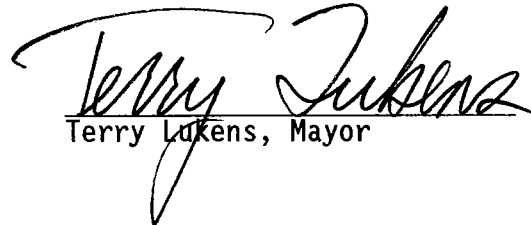
i. The Director of the Design and Development and the Director of Public Works may require mitigation measures relating to traffic impacts resulting from the project in the Perimeter Design District. Mitigation measures may include, but are not limited to, traffic diverters in adjacent neighborhood area, installation of medians, installation of left turn barriers or neighborhood street parking enforcement.

ii. The City may require the property owner to participate in the funding of mitigation measures required as a result of traffic impacts associated with development on the property.

Section 4. This ordinance shall take force and be in effect five days after passage and legal publication.

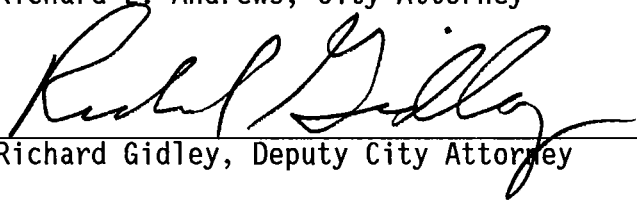
PASSED by the City Council this 1<sup>st</sup> day of April, 1991, and signed in authentication of its passage this 1<sup>st</sup> day of April, 1991.

(SEAL)

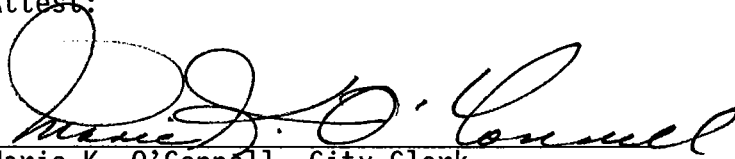
  
Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard L. Andrews, City Attorney

Attest:

  
Marie K. O'Connell, City Clerk

Published April 5, 1991