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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4422

AN ORDINANCE relating to the Neighborhood Business Zoning district provisions of the Land Use Code; amending Sections 20.10.340, 20.10.440, 20.20.010, 20.25B.040.A.2, and 20.25I.020 of the Bellevue Land Use Code.

WHEREAS, the Planning Commission conducted a planning study of the neighborhood business zoning district; and

WHEREAS, the amendments to the Bellevue Land Use Code, adopted pursuant to this ordinance, are consistent with the policy changes to the Comprehensive Plan adopted pursuant to Resolution 5572; 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. Section 20.10.340 of the Bellevue City Code (Land Use Code) is amended to read as follows:

20.10.340 NEIGHBORHOOD BUSINESS DISTRICT (NB)

Neighborhood Business Districts are small scale, mixed use commercial areas that provide housing opportunities and retail and service businesses for the surrounding residential community. NB districts front on designated primary or minor arterials and are generally 1,000 feet or more apart along the arterials. It is the intent of the City that any such district be located adjacent to existing or proposed residential areas. The maximum size of an NB district, composed of contiguous properties and located on one side of a street, is 4.5 acres. The maximum size is expanded to 6 acres for NB sites separated by a street. (21 B.005, B.010, B.030, F.150, F.165(a)(b) and F.196). (Ord. 3145, 9-27-82, Section 16)

Section 2. Section 20.10.440 (Use Charts and Notes) of the Bellevue City Code (Land Use Code) is amended to read as follows:

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NOTES: USES IN LAND USE USE DISTRICTS—RESIDENTIAL

1. No more than 50% of the gross floor area of the structure shall be devoted to residential uses in O districts, unless Conditional Use permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses. (Ord. 4255, 6-3-91, Section 1)
2. A Group Home except for Class 1-A, or Detoxification Center may not be located within 1,000 feet in any direction of any other Group Home or Detoxification Center. (Ord. 4255, 6-3-91, Section 1; Ord. 2945, 2-2-81, Section 5)
3. A boardinghouse or bed and breakfast is permitted in a single family dwelling provided the requirements of 20.20.140 are met. (Ord. 4028, 7-17-89, Section 1)
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. (Ord. 4065, 10-23-89, Section 1)
5. Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities. (Ord. 4065, 10-23-89, Section 1)
6. 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. (Ord. 4065, 10-23-89, Section 1)
7. 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. (Ord. 4065, 10-23-89, Section 1)
8. These residential uses are permitted in NB districts only if located on the second floor and above the permitted ground floor non-residential uses.

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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, 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 Section 20.20.135. (Ord. 4176, 11-26-90, Section 3)
5. Each individual wholesale and retail use in NB districts, except retail food stores and miscellaneous retail trade, is limited to 5000 square feet. Wholesale and retail uses intending to operate between the hours of 12 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 LUC Chapter 20.30E, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, BCC Chapter 9.18; 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 this ordinance are exempt from the ACUP requirements.
7. Motorcycle (Retail) requires administrative conditional use approval in LI districts. (Ord. 4176, 11-26-90, Section 3)
8. Boats (Retail) are permitted subject to Planned Unit Development and only as a subordinate use in waterfront areas of the OU district.
9. Automotive & Marine Accessories (Retail) are permitted only as a subordinate use to a permitted or special use and only if it is marine-related in OU districts.
10. Gasoline Service Stations are permitted only as a subordinate use to a permitted or special use and only if it is marine-related in OU districts.

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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. (Ord. 4176, 11-26-90, Section 3)
13. Eating and Drinking establishments are excluded in Transition Areas in O districts.
14. Eating and Drinking establishments are permitted in OLB and CBD-OLB 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 hospital or public assembly (indoor).
 - b. Such uses do not exceed 20% 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. Drive-in windows are not permitted.
17. Other Retail Trade is limited to drugstores only in O districts.
18. Miscellaneous retail trade is limited to specialty sporting goods in GC district. (Ord. 4176, 11-26-90, Section 3)
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.

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20. Garden Supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB and CBD-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. (Ord. 4117, 1-16-90, Section 1)
23. Nonresidential uses are permitted in CBD-R only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses. (Ord. 4117, 1-16-90, Section 1)
24. No onsite outdoor display or inventory storage.
25. Motorcycles only.
26. Only pet grooming is permitted in the LI and GC districts. (Ord. 4176, 11-26-90, Section 3)
27. Food and convenience stores (Retail) must contain at least 75% square footage of retail food sales not for consumption on premises. (Ord. 4028, 7-17-89, Section 1)
28. Drive-in windows are not permitted.
29. No more than one eating and drinking establishment is permitted in any building. (Ord. 2966, 1-18-82, Section 2)
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. (Ord. 3813, 7-20-87, Section 1)
31. Adult Retail Establishments are subject to the regulations for Adult Entertainment Uses in Section 20.20.127. (Ord. 3884, 2-16-88, Section 1)
32. Firework stands do not require temporary use approval but must comply with Bellevue City Code Section 23.10.1461. Adequate access to the stand and off-street parking must be provided. (Ord. 4028, 7-17-89, Section 1)

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33. Horticultural nurseries are permitted without conditional use approval in OU Districts. (Ord. 4028, 7-17-89, Section 1)
34. Gasoline Service Stations may include subordinate convenience stores. (Ord. 4028, 7-17-89, Section 1)

CHART 20.10.440
USES IN LAND USE DISTRICTS

SERVICES

STD LAND USE CODE REF	LAND USE CLASSIFICATION	RESIDENTIAL														PROFESSIONAL OFFICE												
		G	A	OU	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-15	R-20	R-30	PO	O	OLB	LI	OC	NB 16	CB	CBD 0-1	CBD 0-2	CBD MU	CBD R	CBD CB	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																S	P	P	P		P	P	P	P	P	S	
6241	FUNERAL & CREMATORY SERVICES														C	C	C											
6262	CEMETERIES	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							
629	CHILD CARE SERVICES 3,4																											
	Family Day Care Home				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
	Mini Day Care Center			A										A	A	P	P	P	P	P	P		P	P	P	P	P	
	Day Care Center			C										C	C	P	P	P	P	P	P		P	P	P	P	P	
63	BUSINESS SERVICES, DUPLICATING & BLUE PRINTING, STENO, ADVERTISING (EXCEPT OUT-DOOR), TRAVEL AGENCIES & EMPLOYMENT															P	P	P	P	P	P		P	P	P	P	P	
634	BUILDING MAINTENANCE & PEST CONTROL SERVICES																	P	P		P							
637	WAREHOUSING & STORAGE SERVICES, EXCLUDING STOCKYARDS																	P	P		S							
639	RENTAL & LEASING SERVICES CARS, TRUCKS, TRAILERS, FURNITURE & TOOLS																S	P	P	A	P			P			S	
641	AUTO REPAIR & WASHING SERVICES																	P	P	A	P			P				
649	REPAIR SERVICES: WATCH, T.V., ELECTRICAL, UPHOLSTERY																	P	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	
	PROFESSIONAL SERVICES: OTHER			C												P	P	P	P	P	P		P	P	P	P	P	
6513	HOSPITALS														C	C	C	C	C		C			C	C			
66	CONTRACT CONSTRUCTION SERVICES: BUILDING CONSTRUCTION, PLUMBING, PAVING & LANDSCAPE																	P	P									
671	GOVERNMENTAL SERVICES: EXECUTIVE, LEGISLATIVE, ADMINISTRATIVE & JUDICIAL FUNCTIONS			C											C	C	C				C		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	
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: 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	
682	UNIVERSITIES & COLLEGES	C	C		C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	C	P		P	P	P		
683	SPECIAL SCHOOLS: VOCATIONAL, TRADE, ART, MUSIC, 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	C	C	P	P	P	P	P	C	P		P	P	P	C	
692 (A)	PROFESSIONAL & LABOR ORGANIZATIONS FRATERNAL LODGE			C												C	C	P		P			P	P	P	C		
692 (B)	SOCIAL SERVICE PROVIDERS			C	A	A	A	A	A	A	A	A	A	A	A	C	C	P	P	P	P		P	P	P	C		
	ADMINISTRATIVE OFFICE - GENERAL			C												P	P	P	P	P		P	P	P	P	P		
	COMPUTER PROGRAM, DATA PROCESSING & OTHER COMPUTER RELATED SERVICES			C												P	P	P	P	P		P	P	P	P	P		
	RESEARCH, DEVELOPMENT & TESTING SERVICES			C												P	P	P	P	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.

Finance 3530, 8-12-95, Section 7)

KEY

- PERMITTED USE
- CONDITIONAL USE (see Part 20.30B, or Part 20.30C.)
- D - PERMITTED subject to planned unit development only. (see Part 20.30D.)
- A - ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E.)
- S - Permitted only as a subordinate use to a permitted or special use.

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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. Personnel Services are permitted in LI districts only if located in a multiple function building or complex.
3. For day care in private residences, see Home Occupation Section 20.30N. For definitions of family daycare home, mini day care center and day care center, see child care service definition in Section 20.50.015. (Ord. 4026, 11-27-89, Section 1)
4. A child care service may be located in a community facility in any Land Use District pursuant to Paragraph 20.20.170.E.
5. These uses are permitted in LI 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 Section 20.20.135. (Ord. 4176, 11-26-90, Section 3)
7. Rental Services are restricted to autos and furniture in CB 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 CBD-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 CBD-R only if developed in a building which contains residential uses.
13. Drive-in facilities may be permitted through Design Review Part 20.30F. at any location in the CBD-O-2 District, or within 200

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feet of N.E. 4th Street or N.E. 8th Street in the CBD-0-1 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 Section 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. (Ord. 3530, 8-12-85, Section 8)
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), 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.

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- 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 Section 20.10.440 can be obtained for the entire school by using the conditional use process (Part 20.30B or Part 20.30C). Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a conditional use permit. (Ord. 3530, 8-12-85, Section 9)

15. Permitted in inactive elementary school facilities. The following criteria shall be considered:

- a. Criteria b.i-viii, Note 19 Uses in Land Use Districts Services.
- b. Hours of operation.
- c. Proposed signing.

(Ord. 3095, 5-24-82, Section 2)

16. Each individual service use in NB districts is limited to 5000 square feet. 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 LUC Chapter 20.30E, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, BCC Chapter 9.18;

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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 this ordinance are exempt from the ACUP requirements.

17. Only travel agencies are permitted in NB district.
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.

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NOTES: USES IN LAND USE DISTRICTS-RECREATION

1. Cultural Activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 districts.
2. For Carnivals, see 20.20.160.
3. Recreation Activities do not include athletic clubs in O, LI and GC districts.
4. Limited to a maximum of 2,000 gross square feet per establishment.
5. Nonresidential uses are permitted in CBD-R only when developed in a building which contains residential uses.
6. Excludes zoos.
(Ord. 2945, 2-2-81, Section 5)
7. Adult Theatres are subject to the regulations for Adult Entertainment Uses in Section 20.20.127. (Ord. 3884, 2-16-88, Section 1)
8. Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use. (Ord. 4028, 7-17-89, Section 1)
9. Recreation activities are restricted to health clubs and gymnasiums in NB districts and are limited to one use per NB site and to a maximum of 5000 square feet.

HART 20.10.440
SES IN LAND USE DISTRICTS

RESOURCES

STD LAND USE CODE REF	LAND USE CLASSIFICATION	RESIDENTIAL																				COMMERCIAL							
		GENERAL	AGRICULTURE	OPEN USE	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB	CBD 0-1	CBD 0-2	CBD MU	CBD R	CBD OB	CBD OLB	
8	RESOURCE PRODUCTION (MINERALS, PLANTS, ANIMALS INCLUDING PETS & RELATED SERVICES)																												
81	AGRICULTURE, PRODUCTION OF FOOD & FIBER CROPS, DAIRIES, LIVESTOCK & FOWL, EXCLUDING HOGS	P	P	P ₁	P	P	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁	P ₁								
821	AGRICULTURAL PROCESSING	C	C															P ₂											
8221	VETERINARY CLINIC & HOSPITAL		P													P	P	P	P ₃	P					P				
8222	POULTRY HATCHERIES		C															P	P										
83	FORESTRY, TREE FARMS & TIMBER PRODUCTION	P	P	P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C								
8421	FISH HATCHERIES		C	C															P										
85	MINING, QUARRYING (INCLUDING SAND AND GRAVEL) OIL & GAS EXTRACTION	C	C		C	C	C	C	C	C	C	C	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 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.)
 S - Permitted only as a subordinate use to a permitted or special use.

* NOT EFFECTIVE WITHIN THE JURISDICTION OF THE EAST BELLEVUE COMMUNITY COUNCIL AND SAMAMISH COMMUNITY COUNCIL

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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, OU, NB, PO, O, OLB, LI, GC and CB districts agriculture is limited to the production of food and fiber crops.

2. Agricultural processing excludes grain mill products manufacturing and slaughtering in LI districts.

(Ord. 2945, 2-2-81, Section 5)

3. Veterinary clinics and hospitals are limited to 5000 square feet per use in NB districts.

Section 3. Section 20.20.010 (Dimensional Charts and Notes) of the Bellevue City Code (Land Use Code) is amended to read as follows:

**HART 20.20.010
USES IN LAND USE DISTRICTS**

DIMENSIONAL REQUIREMENTS

STD LAND USE CODE REF	LAND USE CLASSIFICATION	RESIDENTIAL																			COMMERCIAL									
		GENERAL OPEN USE	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5 ¹	R-10	R-15	R-20	R-30	PO	O	OLB	LI	GC	NB	CB	CBD 0-1	CBD 0-2	CBD MU	CBD R	CBD OB	CBD OLB				
	DIMENSIONS	(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)	35	35	30	20	20	20	20	20	20	20	20	30	30	50	15	15	(3) -36	(3) -18											
	FRONT YARD (1) (18) (19) (21)	35	35	30	20	20	20	20	20	20	20	20	30	30	50	15	15	(3) -36	(3) -18											
	REAR YARD (1) (18) (19) (21)	25	25	25	25	20	20	20	25	25	25	25	25	25	50	(3)	(3)	(3) -36	(3)											
	SIDE YARD (1) (18) (19) (21)	10	5	5	5	5	5	5	5	5	5	5	20	20	30	(3)	(3)	(3) -36	(3)											
	2 SIDE YARDS (1) (18) (19) (21)	20	20	15	15	15	15	10	15	15	15	15	40	40	60	(3)	(3)	(3) -36	(3)											
	MINIMUM LOT AREA ACRES (A) OR THOUSANDS OF SQ. FT. (4)	1A	1A	35	20	13.5	10	8.5	7.2	4.7	8.5	8.5			2A															
	DWELLING UNITS PER ACRE (16) (23)		(22)	1	1.8	2.5	3.5	4	5	7.5	10	15	20	30																
	MINIMUM DIMENSIONS (IN FEET)	30	30	30	30	30	30	30	30	30	30	30			200															
	WIDTH OF STREET FRONTAGE	150	60	100	90	80	70	65	60	50	70	70			200															
	WIDTH REQUIRED IN LOT (5)	150	60	100	90	80	70	65	60	50	70	70			200															
	DEPTH REQUIRED IN LOT (5)	150	80	150	80	80	80	80	80	80	80	80																		
	MAXIMUM BUILDING HEIGHT (FEET) (1) (20)	30	30	30	30	30	30	30	30	30	30	30	40	20	30	45	45	30	20	45										
	MAXIMUM LOT COVERAGE BY STRUCTURES (PERCENT) (14) (15)	35	35	35	35	35	35	40	40	35	35	35	35	35	35	35	35	50	35											

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
 Ordinance 4065, 10-23-89, Section 3
 Ordinance 4270, 7-8-91, Section 6

* NOT EFFECTIVE WITHIN THE JURISDICTION OF THE EAST BELLEVUE COMMUNITY COUNCIL AND SAMMISH COMMUNITY COUNCIL

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

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- 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.

(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.
- (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.

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- (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 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. (Ord. 4065, 10-23-89, Section 3)
- (24) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing. (Ord. 4065, 10-23-89, Section 3)
- (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. Lot coverage within NB districts may be increased to 50% 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% of the site area shall not be included in lot coverage calculations. (Ord. 4065, 10-23-89, Section 3)

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- (26) The maximum building height for structures is increased to 30 feet only if residential 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 Uniform Building Code, Section 420 as amended.

Section 4. Section 20.25B.040.A.2 of the Bellevue City Code (Land Use Code) is amended to read as follows:

20.25B.040 Development Standards: Pursuant to 20.25B.030, all development activity within a transition area must comply with the following:

A. Building Height:

1. Definition:

For purposes of this Chapter, building height shall be measured from average existing grade around the building to the highest point of a flat roof or parapet or to the mean height between the eaves and ridge of a pitched roof. Mechanical equipment and satellite dish antennas are included in building height calculations, except that mechanical equipment may extend into the upper one-half of a pitched roof form not to exceed 10' above maximum building height. This additional 10 feet is for equipment or screening purposes only and not to obtain additional habitable space.

Specifically excluded from this definition are slender structural elements not intended for human habitation and not exceeding 10 feet above the maximum building height including chimneys, smoke ventilation stacks, antennas, and flagpoles. This definition supersedes the building height definition in Section 20.50.012 for purposes of this Chapter only.

2. Maximum Height.

The following chart sets forth the height limitation of any building within a transition area and the maximum height which may be achieved through bonuses as indicated in paragraph 3:

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<u>Zone</u>	<u>Height Limitation (Underlying Zone)</u>	<u>Maximum Height w/ Bonuses Limitation</u>
OU	30'	40'
R-10	30'	30'
R-15	30'	30'
R-20	30'	40'
R-30	30'	40'
PO	20'	30'
O	30'	40'
OLB	30'	45'
LI	30'	45'
GC	30'	40'
NB	20'/30' Note 1.	35' Note 2.
CB	30'	45'

Note 1. In the NB District, the 30-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note 26.

Note 2. The 35 foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note 26 and achieves a 5-foot height bonus as indicated in paragraph 3.

Section 5. Section 20.25I.020 of the Bellevue City Code (Land Use Code) is amended to read as follows:

20.25I.020 Community Retail Design District Defined: The Community Retail Design District includes all properties located within Community Business Districts and all properties within Neighborhood Business Districts.


Section 6. This Ordinance shall take force and be in effect five days after passage and legal publication.

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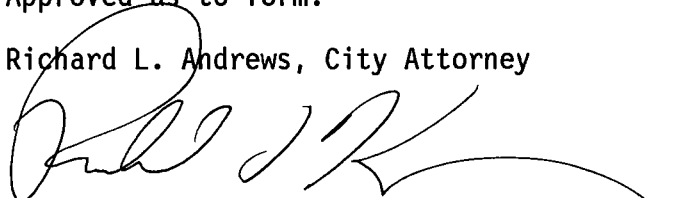
PASSED by the City Council this 28th day of September,
1992, and signed in authentication of its passage this 28th day
of September, 1992.

(SEAL)


Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Kirkby, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published October 2, 1992