

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4511

AN ORDINANCE relating to eliminating the conditional use permit requirement for certain city park projects; amending section 20.10.440 (Recreation Chart) and adding a new footnote to that section; and amending sections 20.25H.080 (Protected Area Uses) and 20.50.040 (Additional Definitions) of the Bellevue Land Use Code.

WHEREAS, the Bellevue City Council and the Bellevue Park Board use a public Master Plan process for reviewing and approving city park projects to be developed by the City of Bellevue; and

WHEREAS, the Master Plan process provides significant opportunities for public review and input; and

WHEREAS, city park projects, after review by the Park Board, are subject to review and approval by the City Council; and

WHEREAS, the requirement of obtaining a conditional use permit for park projects which have already been approved by the Park Board and the City Council often outweighs the benefits associated with that process for city parks and facilities with low impacts to the surrounding neighborhood; 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 (Recreation Chart) is amended as follows:

ORIGINAL

CHART 20.10.440
USES IN LAND USE DISTRICTS

RECREATION

STD LAND USE CODE REF	LAND USE CLASSIFICATION	GENERAL	AGRICULTURE	OPEN USE	RESIDENTIAL										PROFESSIONAL OFFICE	OFFICE	OFFICE/LIMITED BUSINESS	LIGHT INDUSTRY	GENERAL COMMERCIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	CENTRAL BUSINESS DISTRICT	OFFICE DISTRICT 1	OFFICE DISTRICT 2	MIXED USE DISTRICT	RESIDENTIAL DISTRICT	OLD BELLEVUE DISTRICT	OFFICE AND LIMITED BUSINESS DISTRICT		
		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	GC	NB	CB		CBD 0-1	CBD 0-2	CBD MU	CBD R	CBD OB	CBD OLB	
7	CULTURAL ENTERTAINMENT AND RECREATION																													
711	LIBRARY, MUSEUM			C			C1	C1	C1	C1	C1	C1	C1	C1	C1	P	P	P				P		P	P	P	A	A	P	
7113	ART GALLERY			C			C	C	C	C	C	C	C	C	C	P	P	P				P		P	P	P	P	4 5	P	
712	NATURE EXHIBITIONS: AQUARIUMS, BOTANICAL GARDENS AND ZOOS	C	C	C												C	C	C	C	C			P	P	P	6				
7212 7214 7222 7231 7232	PUBLIC ASSEMBLY (INDOOR): SPORTS, ARENAS, AUDITORIUMS & EXHIBITION HALLS BUT EXCLUDING SCHOOL FACILITIES																P						P	P	P	P	A	A	P	
7212 7214 7218	MOTION PICTURE, THEATERS, NIGHT CLUBS, DANCE HALLS & TEEN CLUBS																P						P	P	P	P	A	A	P	
7213	DRIVE-IN THEATERS																	C	C											
	ADULT THEATERS 7																P						P	P	P		P	P		
7223 73	PUBLIC ASSEMBLY (OUTDOOR): FAIRGROUNDS & AMUSEMENT PARKS, MINIATURE GOLF, GOLF DRIVING RANGES, GO-CART TRACKS, BMX TRACKS & SKATEBOARD TRACKS																		C			C								
73	COMMERCIAL AMUSEMENTS: PENNY & VIDEO ARCADES																			C		C								
7411 7413 7422 7423 7424 7441 7449	RECREATION ACTIVITIES: GOLF COURSES, TENNIS COURTS, COMMUNITY CLUBS, ATHLETIC FIELDS, PLAY FIELDS, RECREATION CENTERS, SWIMMING BEACHES AND POOLS 2	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C					P	A	A	
744	MARINAS, YACHT CLUBS	C		C	C	C	C	C	C	C	C	C	C	C	C															
7414 7415 7417 7425 7413	RECREATION ACTIVITIES: SKATING, BOWLING, GYMNASIUMS, ATHLETIC CLUBS, HEALTH CLUBS, DANCE SCHOOLS, KARATE SCHOOLS															C	C	P	P	A	P		A	A	P	A	A	A	A	
7491 7515	CAMPING SITES & HUNTING CLUBS	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C									
76	PRIVATE LEISURE & OPEN SPACE AREAS EXCLUDING RECREATION ACTIVITIES ABOVE	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		P	P	P	P	P	P	P	
	PUBLIC/PRIVATE PARK	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		P	P	P	P	P	P	P	
	STABLES & RIDING ACADEMIES	C	C	C	C																									
	BOARDING OR COMMERCIAL KENNELS	C	C	C	C																									
	City Park 10	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C		P/C	P/C	P/C	P/C	P/C	P/C	P/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 4422, 9-28-92, Section 2; Ordinance 3530, 8-12-85, Section 7)
*NOT EFFECTIVE WITHIN THE JURSDICTION OF THE EAST BELLEVUE COMMUNITY COUNCIL AND SAMMAMISH COMMUNITY COUNCIL

KEY

P - PERMITTED USE
 C - CONDITONAL 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.

Section 2. Bellevue City Code (Land Use Code) Section 20.10.440 (Recreation Chart) is amended with the addition of a new footnote number 10 as follows:

10. City parks are generally permitted in all zones. However, the following types of uses or facilities in city parks in single family or R-10 zones require Conditional Use approval: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Non-recreation uses in city parks in all zones outside the Central Business District require conditional use approval. For purposes of this requirement, "non-recreation use" means a commercial, social service or residential use located on park property but not functionally related to city park programs and activities.

Section 3. Bellevue City Code (Land Use Code) Section 20.25.080.B (Protected Area Uses) is amended as follows:

- B. Protected Area Uses: Only the following uses may be located within a Protected Area designated by Section 20.25H.070 or Protected Area setback required by Section 20.25H.090, regardless of the provisions of Section 20.10.440. Each use is subject to the applicable performance standards of Section 20.25H.110 and the specified permit requirements of this Paragraph:

- | | |
|------------------------------------------------------|--------|
| 1. Communication Broadcast and Relay Tower/Microwave | C |
| 2. Botanical gardens | C |
| 3. Camping sites/day camp | A |
| 4. Parks, public | C |
| private | C |
| city | P/C(4) |
| 5. Agriculture | P(2) |
| 6. Horticulture | P |
| 7. Tree Farm | C |
| 8. Fish hatchery, aquaculture | C |
| 9. Accessory sales of items produced on site | P |
| 10. City of Bellevue Utility Facility | C(1) |
| 11. Any other Utility Facility | C(1) |
| 12. Local Utility System | P(1) |
| 13. Regional Utility System | C(1) |
| 14. Right-of-Way | P(1) |
| 15. Pedestrian facilities | P(3) |

P = Permitted Use

A = Administrative Conditional Use. See Part 20.30E.

C = Conditional Use. See Parts 20.30B/20.30C.

- (1) Must constitute an Essential Public Utility defined by Section 20.50.018.
- (2) Forested lands may not be converted to agricultural uses.
- (3) These include pedestrian trails and bridges which serve parks, commercial developments, or more than one single family lot.

- (4) See footnote 10 to section 20.10.440 (Recreation Chart) for listing of types of park or facility requiring Conditional Use approval.

Section 4. Bellevue City Code (Land Use Code) Section 20.50.040 (Additional Definitions) is amended as follows:

PARK, CITY. A recreational facility and/or open space operated by the City under the direction of the City Manager or his or her designee for the use and benefit of the general public.


PARK, PRIVATE. A facility under private ownership which provides passive recreation activities such as beaches, trails, camping sites, horticultural exhibits or interpretive centers.

PARK, PUBLIC. A recreational facility and/or open space operated by King County, the State of Washington, or other governmental agency for the use and benefit of the general public, but not including a city park.

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


PASSED by the City Council this 5th day of April, 1993, and signed in authentication of its passage this 6th day of April, 1993.

(SEAL)


Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Gidley, Deputy City Attorney

Attest:


Myrna L. Basich, City Clerk

Published April 9, 1993