

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5385

AN ORDINANCE adopting and amending zoning and development regulations applicable to Factoria Land Use Districts F1, F2, and F3; repealing Sections 1, 2 and 3 of Ordinance 4605; amending Sections 20.10.020, 20.10.100, 20.10.440, 20.20.010, 20.25B.020, 20.25B.040, and 20.50.020 of the Bellevue Land Use Code; creating a new Section 20.10.395 of the Bellevue Land Use Code; creating a new Part 20.25K of the Bellevue Land Use Code; amending Section 22B.10.055 of the Bellevue City Code and establishing an effective date.

WHEREAS, Ordinance No. 4605 was adopted on December 6, 1993 to establish pre-annexation zoning regulations for Factoria Land Use Districts F1, F2 and F3, pursuant to RCW 35A.14.330; and

WHEREAS, three pre-annexation agreements for Factoria Land Use Districts F1, F2 and F3 were entered into in December 1993 that provided that zoning on said parcels would not change for seven (7) years; and

WHEREAS, said pre-annexation zoning agreements expired in December, 2000, making it necessary and advisable to revise and update the zoning and development regulations applicable to the F1, F2 and F3 districts; and

WHEREAS, substantial changes in land use patterns, increasing urban densities, population forecasts, housing needs, and other land use factors have occurred in the City of Bellevue, the Eastside, and the local Puget Sound region in the intervening seven (7) years, limiting the effectiveness and suitability of the existing zoning and development regulations for Factoria Land Use Districts F1, F2 and F3; and

WHEREAS, the City has established transportation levels of service throughout the City in the Comprehensive Plan and set standards in the Traffic Standards Code to regulate development impacts of additional traffic in the area, and the Level of Service has been set at 0.95 for the Factoria Mobility Management Area; and

WHEREAS, the City is authorized under RCW 36.70A.130 to adopt legislative changes to land use districts to respond to demographic and other changes; and

WHEREAS, the zoning and development regulations adopted in this ordinance for Factoria Land Use Districts F1, F2 and F3 will enable those Districts to redevelop in a manner consistent with the Bellevue Comprehensive Plan, the Growth Management Act, and the land use goals of the City; and

WHEREAS, redevelopment of Factoria Land Use Districts F1, F2 and F3 will likely require a period of many years to complete due to the size of the properties involved and the costs of redevelopment; and

WHEREAS, to ensure that redevelopment of the F1 District occurs in a unified and coordinated fashion, it is the intent of the City Council to require the development of the F1 district consistent with design guidelines attached to this ordinance; and

WHEREAS, the zoning and development regulations adopted in this ordinance are deemed necessary by the City Council and are further deemed to be in the best interests of the public health, safety, and general welfare of the City and its residents; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act, RCW Chapter 43.21C, and the City Environmental Procedures Code, BCC Chapter 22.02 as to the zoning and development regulations applicable to Factoria Land Use Districts F1, F2 and F3; now, therefore

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

Section 1. Sections 1, 2, and 3, of Ordinance 4605 are hereby repealed.

Section 2. Section 20.10.020 of the Land Use Code is amended to read as follows:

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

District	Designation
Single-family Residential Estate	R-1R-1.8
Single-family Residential	R-2.5R-3.5
	R-4
	R-5
	R-7.5*
Multifamily Residential	R-10R-15
	R-20
	R-30
Professional Office	PO
Office	O
Office and Limited Business	OLB
Light Industrial	LI
General Commercial	GC
Neighborhood Business	NB
Community Business	CB
Downtown	
Office District 1	DNTN-O-1
Office District 2	DNTN-O-2

Multiple Use District	DNTN-MU
Residential District	DNTN-R
Old Bellevue District	DNTN-OB
Office and Limited Business District	DNTN-OLB
Evergreen Highlands Design District	EH
Performance Area A	EH-A
Performance Area B	EH-B
Performance Area C	EH-C
Performance Area D	EH-D
Factoria Land Use District 1	F1
Factoria Land Use District 2	F2
Factoria Land Use District 3	F3

Section 3. Section 20.10.100 of the Land Use Code is hereby amended to read as follows:

20.10.100 District Descriptions.

LUC Sections 20.10.180 through 20.10.395 describe the purpose and scope of the City’s land use districts. These sections may be used to guide the interpretation of the regulations associated with each district.

Section 4. A new Section 20.10.395 is added to the Land Use Code as follows:

20.10.395 Factoria Land Use Districts (F).

A. Factoria Land Use District 1 (F1). Factoria, F1 District is a mixed-use residential and regional retail center located adjacent to freeway corridors. It is to be developed as an aesthetically attractive urban village center to serve the Factoria community as well as shoppers attracted to the retail stores. Specific development areas and design guidelines apply within the district. Total size of the district is approximately 40 acres

B. Factoria Land Use District 2 (F2). Factoria, F2 District provides for intensive office, movie theater, and service uses adjacent to freeway corridors in the Factoria area.

C. Factoria Land Use District 3 (F3). Factoria, F3 District provides for highly intensive office use in an integrated complex adjacent to freeway corridors in the Factoria area. This is the most intensive office district outside the Downtown.

Section 5. Section 20.10.440 of the Land Use Code is amended as follows:
(See following pages)

20.10.440 Land use charts.

Chart 20.10.440

Uses in land use districts

Residential

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
1	Residential											
	Single-Family Dwelling 3	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units Per Structure ⁶ *	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
	Five or More Dwelling Units Per Structure ⁶ *	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions								C	P	P	P
	Senior Citizen Dwellings 4,7	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	PD 5	P	P	P	P
13 15	Hotels and Motels											
	Congregate Care Senior Housing 4,7								P	P	P	P
6516	Nursing Home ⁷ *								C	P	P	P
	Assisted Living 4,7								C	P	P	P
	Accessory Dwelling Unit 9	S	S	S	S	S	S	S	S	S	S	S

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Residential

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
1	Residential																
	Single-Family Dwelling 3	P15	P 1	S	S	S	P 8	S	S	S	S	P	P	P	P	P	
	Two to Four Dwelling Units Per Structure 6*		P 1	P			P 8	P 6	P	P	P	P	P	P	P	P	
	Five or More Dwelling Units Per Structure 6*		P 1	P			P 8	P 6	P	P	P	P	P	P	P	P	
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions								C				P	P	P	P	
	Senior Citizen Dwellings 4,7	P	P	P			P 8	P	P	P	P	P	P	P	P	P	
13 15	Hotels and Motels			P				C	C	P	P	P	P	P	P	P	P
	Congregate Care Senior Housing 4,7	P	P	P			P	P	P	P	P	P	P	P	P	P	
6516	Nursing Home 7*	C	P	P			C	P	P	P	P			P	P	P	
	Assisted Living 4,7	C	P	C			C	P	P	C	C			P	P	P	
	Accessory Dwelling Unit 9	S	S	S	S	S	S	S	S	S	S			S	S	S	

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

* Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.

Notes: Uses in land use districts – Residential

- (1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.
- (2) (Deleted by Ord. 4999).
- (3) A boardinghouse or bed and breakfast is permitted in a single-family dwelling provided the requirements of LUC 20.20.140 are met.
- (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.
- (5) Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.
- (6) Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street is not allowed. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.*
- (7) In Planning Districts A and B of the Crossroads Subarea and in Planning District E of the Crossroads Subarea north of NE 8th Street, existing legal nonconforming multifamily uses can be converted to senior citizen housing, congregate care senior housing, assisted living or nursing homes. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.*
- (8) These residential uses are permitted in NB Districts only if located on the second floor and above the permitted ground floor nonresidential uses.
- (9) Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.
- (10) (Deleted by Ord. 4999).
- (11) (Deleted by Ord. 4999).
- (12) (Deleted by Ord. 4999).
- (13) (Deleted by Ord. 4999).
- (14) (Deleted by Ord. 4999).
- (15) One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District.

**Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

Chart 20.10.440

Uses in land use districts

Manufacturing

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
2 and 3	Manufacturing 1,4											
21	Food and Beverage Products Mfg.											
22	Textile Products Mfg.											
23	Apparel, Fabric, Accessories and Leather Goods Mfg.											
24	Lumber and Wood Products Mfg.											
25	Furniture and Fixtures Mfg.											
26	Paper Products Mfg.											
27	Printing, Publishing and Allied Industries											
28	Chemicals and Related Products Mfg.											
31	Rubber Products Mfg.											
314	Misc. Plastic Products Mfg.											
321	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving											
322												
324												
325												
327												

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Manufacturing

STD
LAND
USE
CODE
REF

LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District	
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB	
2 and 3	Manufacturing ^{1,4}																	
21	Food and Beverage Products Mfg.				P 5	S 5	S	S	S									
22	Textile Products Mfg.				P													
23	Apparel, Fabric, Accessories and Leather Goods Mfg.				P	S		S	S									
24	Lumber and Wood Products Mfg.				S	S		S	S									
25	Furniture and Fixtures Mfg.				P	S		S	S									
26	Paper Products Mfg.				S 2													
27	Printing, Publishing and Allied Industries				P	P		S	S			S	S	S				
28	Chemicals and Related Products Mfg.				S 3													
31	Rubber Products Mfg.				C													
314	Misc. Plastic Products Mfg.				P	P		S	S									
321	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving								S									
322																		
324					P	P		S										
325																		
327																		

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

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Chart 20.10.440

Uses in land use districts

Manufacturing

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
329	Handcrafted Products Mfg.											
3427	Computers, Office Machines and Equipment Mfg.											
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting, Radio, TV Communications, Equipment and Component Parts											
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating											
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software											
3997	Signs and Advertising Display Mfg.											
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified											

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

KEY

<p>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</p>
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Chart 20.10.440

Uses in land use districts

Manufacturing

STD
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REF

LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
329	Handcrafted Products Mfg.				P	P		P	P			S	S	S	S	S	S
3427	Computers, Office Machines and Equipment Mfg.				P	P											
3433	Electrical Equipment Mfg.;																
3434	Appliances, Lighting, Radio, TV																
3435	Communications, Equipment and				P	S		S	S								
3436	Component Parts																
3437																	
3491	Fabricated Metal Products Mfg.;																
3492	Containers, Hand Tools, Heating																
3493	Equipment, Screw Products,				P	S		S	S								
3495	Coating and Plating																
3497																	
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software	P	P	P	P	S		S	S	P	P						
3997	Signs and Advertising Display Mfg.				P	S		S	S								
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified				P	S		S	S								

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

Notes: Uses in land use districts – Manufacturing

- (1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.
- (2) Paper Products Mfg. excludes paper and pulp manufacturing in LI Districts.
- (3) Manufacture of flammable, dangerous or explosive materials is excluded in LI Districts.
- (4) An office is permitted if accessory and subordinate to a manufacturing use.
- (5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.

Chart 20.10.440

Uses in land use districts

Transportation and Utilities

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
4	Transportation, Communications and Utilities											
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters											
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services											
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C11	C 11	C 11	C 11	C11	C11	C 11	C11	C11	C11	C11
	Accessory Parking 6	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3
46	Auto Parking: Commercial Lots and Garages											
	Park and Ride 5	C	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios											
	Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility 7											
	Off-Site Hazardous Waste Treatment and Storage Facility 8											
	Wireless Communication Facility (WCF): Attached 15, 16	P/A 14	P/A 14	P/A 14	P/A 14	P/A 14	P/A 14	P/A 14	P/A 14	P/A 14	P/A	P/A
	Communication, Broadcast and Relay Towers Including WCF with Support Structures (Freestanding) 16	C 14	C 14	C 14	C 14	C 14	C 14	C 14	C 14	C 14	C	C
	Satellite Dishes 18	P	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 LUC 20.25F.010.

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Transportation and Utilities

STD
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LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
4	Transportation, Communications and Utilities																
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters				P	P		P	P			A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services				P	C						S	S	S			S
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C	C	C	C	C 11	C	C	C	C	C A 2,12	C A 2,12	C A 12			C A 2,12
	Accessory Parking 6	P	P	P	P	P	P	P	P	P	P	P 4	P 4	P 4	P 4	P 4	P 4
46	Auto Parking Commercial Lots and Garages			C	C	C		C	C	C	C	P13	P13	P13	A	P13	P13
	Park and Ride 5	C	C	C	C	C	C	C	C	C				A			A
475	Radio and Television Broadcasting Studios	P	P	P	P 10	P 10		P	P	P	P	P	P	P		P	P
	Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility 7			A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility 8				C												
	Wireless Communication Facility (WCF): Attached 15, 16	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A			P/A	P/A	P/A	P/A
	Communication, Broadcast and Relay Towers Including WCF with Support Structures (Freestanding) 16, 17	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/ C	A/C	A/C	A/C	A/C	A/C	A/C
	Satellite Dishes 18	P	P	P	P	P	P	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 LUC 20.25F.010.

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

Notes: Uses in land use district – Transportation and Utilities

- (1) (Deleted by Ord. 5086).
- (2) Aircraft transportation is limited to only heliports in Downtown-O-1, Downtown-O-2 and Downtown-OLB Districts.
- (3) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.
- (4) The location of an off-site parking facility must be approved by the Director of Planning and Community Development. See LUC 20.25A.050H.
- (5) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.
- (6) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.10.440.
- (7) On-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 are only permitted as administrative conditional use approvals as a subordinate use to a permitted or special use. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (8) Off-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (9) (Deleted by Ord. 5086).
- (10) These uses are permitted only if located in a multiple function building or complex.
- (11) Aircraft transportation is limited in these districts to government heliports used only for emergency purposes.
- (12) A roof top helicopter landing area which is utilized for life threatening emergencies only does not require conditional use approval.
- (13) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.
- (14) Wireless communication facilities (WCFs) are not permitted to be located on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. This note does not prohibit locating WCF: a) in R-20 or R-30 Land Use Districts; or b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district. Public facility structures are defined in LUC 20.20.195A.1.b.i.
- (15) Attached WCFs meeting the requirements of LUC 20.20.195A and B are permitted in all land use districts (subject to the limitations contained in Note 14 above); provided, that attached WCFs which require greater height than that allowed by the underlying land use district require administrative conditional use approval. The 15-foot building height increase permitted for some nonhabitable structural elements does not apply in single-family land use districts; therefore, attached WCFs located in single-family residential land use districts require administrative conditional use approval to exceed the maximum building height limit contained in LUC 20.20.010.
- (16) Refer to LUC 20.20.195 for general requirements applicable to wireless communication, broadcast and relay facilities.
- (17) Wireless communication facilities (WCFs) with freestanding support structures require administrative conditional use approval in all nonresidential land use districts; provided, that when located in a transition area, WCFs with freestanding support structures require conditional use approval.
- (18) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.

Chart 20.10.440

Uses in land use districts

Wholesale and Retail

STD	LAND	USE	CODE	REF	LAND USE CLASSIFICATION	Residential																
						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						
5					Trade (Wholesale and Retail)																	
51					Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:1																	
5111					Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum 2																	
5156																						
5157																						
5191																						
5192																						
5193					Scrap Waste Materials, Livestock																	
					Recycling Centers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
521					Lumber and Other Bulky Building Materials Including Preassembled Products 3																	
522																						
523																						
524																						
5251					Hardware Paint, Tile and Wallpaper (Retail)																	
5252					Farm Equipment																	
53					General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)																	
54					Food and Convenience Store (Retail) 27																	
5511					Autos (Retail)																	
					Trucks, Motorcycles, Recreational Vehicles (Retail)																	
					Boats (Retail)																	

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Wholesale and Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 5	CB 36*	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
5	Trade (Wholesale and Retail)																
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: 1				P	P											
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum 2				P	C											
5193	Scrap Waste Materials, Livestock																
	Recycling Centers				P	P	P	P	P			P	P	P	C	C	
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products 3				P 35	P		P	P								
5251	Hardware Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P			P	P	P	P 21, 23	P 30	
5252	Farm Equipment				P 35												
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)							P	P			P	P	P	P 22, 23	P 30	
54	Food and Convenience Store (Retail) 27					P	P	P	P			P	P	P	P 22, 23	P 30	P38
5511	Autos (Retail)			P6	A 4, 35	P		C				P 24	P 24	P			
	Trucks, Motorcycles, Recreational Vehicles (Retail)				P 7, 35	P						P 24, 25	P 24, 25	P			
	Boats (Retail)				P 35	P						P 24	P 24	P			

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

*Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.

Chart 20.10.440

Uses in land use districts

Wholesale and Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
552	Automotive and Marine Accessories (Retail)											
553	Gasoline Service Stations											
56	Apparel and Accessories (Retail)											
57	Furniture, Home Furnishing (Retail)											
58	Eating and Drinking Establishments ³⁷											
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies											
	Adult Retail Establishments ³¹											
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)											
596	Retail Fuel Yards											
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools											
5999	Pet Shop (Retail and Grooming)											
	Computers and Electronics (Retail)											

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Wholesale and Retail

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 5	CB 36*	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
552	Automotive and Marine Accessories (Retail)				P 35	P		P	P					P			
553	Gasoline Service Stations			A 34	P 34, 35	P	P	P	P	A 34	A 34	A, S	A, S	P			A 34 S 38
56	Apparel and Accessories (Retail)			S				P	P	S	S	P	P	P	P 21, 23	P 30	P38
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P			P	P	P	P 21, 23	P 30	
58	Eating and Drinking Establishments ³⁷		P 13	P 14	P 15, 29, 35	P	P 16	P	P	P 14	P 14	P 28	P 28	P 28	P 23, 28	P 28	P28, 38
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P 17	S		P 18	P 19	P	P	S	S	P	P	P	P 21, 23	P 30	P38
	Adult Retail Establishments 31			S				P	P	S	S	P	P	P		P	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)				P 35	P											
596	Retail Fuel Yards				P 35	P											
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools				P 35	P	P 20	P 20	P 20					P 20			
5999	Pet Shop (Retail and Grooming)				P 26, 35	P 26	P	P	P			P	P	P	P 21, 23	P 30	P38
	Computers and Electronics (Retail)				P 12, 35	P 12		P	P			P	P	P	P 21, 23	P 30	

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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 LUC 20.20.135.
- (5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 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 Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; 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 the ordinance codified in this chapter are exempt from the ACUP requirements.
- (6) Retail auto sales are permitted on the west side of 116th Avenue NE between NE 8th Street and Main Street only.
- (7) Motorcycle (Retail) requires administrative conditional use approval in LI Districts.
- (8) (Deleted by Ord. 5089).
- (9) (Deleted by Ord. 5089).
- (10) (Deleted by Ord. 5089).
- (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.
- (13) Eating and Drinking Establishments are excluded in transition areas in O Districts.
- (14) Eating and Drinking Establishments are permitted in the OLB, F2 and F3 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 percent 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 Districts.
- (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.
- (20) Garden Supplies excludes items such as large trees, rock and bulk supplies which require special

handling equipment in NB, CB, F1 and Downtown-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.
- (23) Nonresidential uses are permitted in Downtown-R only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.
- (24) No on-site outdoor display or inventory storage.
- (25) Motorcycles only.
- (26) Only pet grooming is permitted in the LI and GC Districts.
- (27) Food and Convenience Stores (Retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (28) Drive-in windows are not permitted.
- (29) No more than one eating and drinking establishment is permitted in any building.
- (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.
- (31) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (32) (Reserved).
- (33) (Deleted by Ord. 5089).
- (34) Gasoline service stations may include subordinate convenience stores.
- (35) Any business which combines two or more permitted retail sales uses and also includes subordinate retail sales uses shall be limited in size to 50,000 square feet.
- *(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, Wilburton.
- (37) Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.
- (38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District provided the following criteria are met:
 - (a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.
 - (b) The uses do not exceed 30 percent of the total floor area of the building or complex.
 - (c) Each individual retail use is limited to 15,000 gross square feet in area.
 - (d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish County Council.*

Chart 20.10.440

Uses in land use districts

Services

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
6	Services											
61	Finance, Insurance, Real Estate Services											
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair											
6241	Funeral and Crematory Services											
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C	C
629	Child Care Services 3,4											
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center								C	C	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment											
634	Building Maintenance and Pest Control Services											
637	Warehousing and Storage Services, Excluding Stockyards											
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools											
641	Auto Repair and Washing Services											
649	Repair Services: Watch, TV, Electrical, Upholstery											
	Professional Services: Medical Clinics and Other Health Care Related Services											
	Professional Services: Other											
6513	Hospitals											
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape											

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Services

STD
LAND
USE
CODE
REF

LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 16	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
6	Services																
61	Finance, Insurance, Real Estate Services	P	P	P	P 1	P	P	P	P	P	P	P 13	P 13	P	P 11, 12	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair			S	P 2	P	P	P	P	S	S	P	P	P	P 11, 12	P	P 11, 20
6241	Funeral and Crematory Services	C	C	C					C	C							
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C						
629	Child Care Services 3,4																
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 5	P	P 17	P	P	P	P	P	P	P	P 11, 12	P	P
634	Building Maintenance and Pest Control Services				P	P		P	P								
637	Warehousing and Storage Services, Excluding Stockyards				P	P		S	S								
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S	P 6	P	A 18	P 7	P 7	S	S			P			S
641	Auto Repair and Washing Services				P	P	A 19	P	P					P 8			
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P			P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P		P	P	P	P	P	P	P	P	P	P 11, 12	P 11	P
	Professional Services: Other	P	P	P	P 9	P		P	P	P	P	P	P	P	P 11, 12	P 11	P
6513	Hospitals	C	C	C	C	C		C	C	C	C			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape				P	P											

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

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Chart 20.10.440

Uses in land use districts

Services

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions					C 15						
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
	Limited Governmental Services: Protective Functions ²¹								P	P	P	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions ²²											
674 675	Military and Correctional Institutions	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
682	Universities and Colleges	C	C	C	C	C	C	C	C	C	C	C
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools											
691	Religious Activities	C	C	C	C	C	C	C	C	C	C	C
692 (A)	Professional and Labor Organizations Fraternal Lodge											
692 (B)	Social Service Providers	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14	A 14
	Administrative Office General											
	Computer Program, Data Processing and Other Computer Related Services											
	Research, Development and Testing Services											

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

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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

Chart 20.10.440

Uses in land use districts

Services

STD
LAND
USE
CODE
REF

LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB 16	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	C	C	C				C	C	C		P	P	P	P 11, 12	P 11	A
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C	C	C				P	C	C	A
	Limited Governmental Services: Protective Functions ²¹																
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions ²²	P	P	P		P	P	P	P	P		P	P	P	P 12	P	P
674 675	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C							
681	Education: Primary and Secondary	C	A	A	A	A	C	A	A	A	A	A	A	A	C	A	A
682	Universities and Colleges	P	P	P	P	P	C	P	P	P	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			P	P 11, 12	P 11	P
691	Religious Activities	P	P	P	P	P	C	P	P	P	P	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P	P	P	P	C	C	P
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P	P	P	P	C	C	P
	Administrative Office General	P	P	P	P 5	P		P	P	P	P	P	P	P	P 11, 12	P	P
	Computer Program, Data Processing and Other Computer Related Services	P	P	P	P 5	P				P	P	P	P	P	P 11, 12	P	P
	Research, Development and Testing Services	P	P	P	P 5	P				P	P	P	P	P	P 11, 12	P	P

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

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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) Personal Services are permitted in LI Districts only if located in a multiple function building or complex.
- (3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.
- (4) A child care service may be located in a community facility in any land use district pursuant to LUC 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 LUC 20.20.135.
- (7) Rental Services are restricted to autos and furniture in CB and F1 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 Downtown-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 Downtown-R only if developed in a building which contains residential uses.
- (13) Drive-in facilities may be permitted through Design Review Part 20.30F LUC at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-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 LUC 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.
- (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 LUC, 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.

- (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 LUC 20.10.440 can be obtained for the entire school by using the conditional use process, Part 20.30B or Part 20.30C LUC. Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a Conditional Use Permit.

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

- (a) Criteria a.i-viii, Note 14 – Uses in land use districts – Services.
- (b) Hours of operation.
- (c) Proposed signing.

- (16) Each individual service use in NB Districts is limited to 5,000 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 Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; 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 City of Bellevue Ordinance No. 4422 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.

- (20) Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility.

- (21) Uses are limited to neighborhood community police stations of 1,000 square feet or less.

- (22) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.

Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF LAND USE CLASSIFICATION		Residential										
		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
7	Cultural Entertainment and Recreation											
711	Library, Museum			C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1	C 1
7113	Art Gallery			C	C	C	C	C	C	C	C	C
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos											
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities											
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs											
7213	Drive-In Theaters											
	Adult Theaters 7											
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks											
73	Commercial Amusements: Video Arcades, Electronic Games											

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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	

Chart 20.10.440

Uses in land use districts

Recreation

STD
LAND
USE
CODE
REF

LAND USE CLASSIFICATION		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
7	Cultural Entertainment and Recreation																
711	Library, Museum	P	P	P				P	P	P	P	P	P	P	A	A	P
7113	Art Gallery	P	P	P				P	P	P	P	P	P	P	P 4, 5	P	P
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos	C	C	C	C	C		C	C	C	C	P 6	P 6	P 6			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but excluding School Facilities			P				P	P	P		P	P	P	A 5	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs			P				P	P	P		P	P	P	A 5	A	P
7213	Drive-In Theaters				C	C		C	C								
	Adult Theaters 7			P				P	P	P	P	P	P	P		P	P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks					C		C	C								
73	Commercial Amusements: Video Arcades, Electronic Games					A		A	A			P	P	P			

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential										
		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
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	P	P	P
744	Marinas, Yacht Clubs	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, Recreation Instruction											
7491 7515	Camping Sites and Hunting Clubs	C	C	C	C	C	C	C	C	C	C	C
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	C	C	C	C	C	C	C	C	P	P	P
	Public/Private Park	C	C	C	C	C	C	C	C	P	P	P
	Stables and Riding Academies	C										
	Boarding or Commercial Kennels	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

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

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Recreation

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District	
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB	
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					P	A	A
744	Marinas, Yacht Clubs																	
7414 7415 7417 7425 7413	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction		C 3	C	P 3	P 3	A 9	P	P	C	C		A 8	A 8	P	A 5	A 8	A 8
7491 7515	Camping Sites and Hunting Clubs	C	C	C	C	C	C	C	C	C	C							
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
	Public/Private Park	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
	Stables and Riding Academies																	
	Boarding or Commercial Kennels																	
	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

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

**Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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 LUC 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 Downtown-R only when developed in a building which contains residential uses.
- (6) Excludes zoos.
- (7) Adult Theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.
- (9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site.
- *(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. Nonrecreation uses in city parks in all zones outside the Downtown require conditional use approval. For purposes of this requirement, “nonrecreation use” means a commercial, social service or residential use located on park property but not functionally related to city park programs and activities.

**Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

Chart 20.10.440

Uses in land use districts

Resources

STD LAND USE CODE REF		Residential										
		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
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)											
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs	P	P	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1
821	Agricultural Processing											
8221	Veterinary Clinic and Hospital											
8222	Poultry Hatcheries											
83	Forestry, Tree Farms and Timber Production	P	P	C	C	C	C	C	C	C	C	C
8421	Fish Hatcheries											
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	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 LUC 20.25F.010.

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Chart 20.10.440

Uses in land use districts

Resources

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)																
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1						
821	Agricultural Processing				P 2												
8221	Veterinary Clinic and Hospital	P	P		P	P	P 3	P	P					P			
8222	Poultry Hatcheries				P	P											
83	Forestry, Tree Farms and Timber Production	C	C	C	C	C	C	C	C	C	C						
8421	Fish Hatcheries				P												
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction	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 LUC 20.25F.010.

** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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, NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.
- (2) Agriculture Processing excludes grain mill products manufacturing and slaughtering in LI Districts.
- (3) Veterinary Clinics and Hospitals are limited to 5,000 square feet per use in NB Districts.

0514-ORD
07/25/02

Section 6. Section 20.20.010 of the Land Use Code is amended to read as follows: (See following pages)

Chart 20.20.010

Uses in land use districts

Dimensional Requirements

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	DIMENSIONS	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(21, 31)	(21, 32)	(7)	(7)	(7)	(7)	(7)	(7)
	Minimum Setbacks of Structures (feet)	30	30	50	15	15	(2)	(2)	(2, 28)	50	20						
	Front Yard (18) (20)																
	Rear Yard (17) (18) (20)	25	25	50	(2)	(2)	(2)	(2)	(2, 28)	30	5						
	Side Yard (17) (18) (20)	20	20	30	(2)	(2)	(2)	(2)	(2, 28)	30	5						
	2 Side Yards (17) (18) (20)	40	40	60	(2)	(2)	(2)	(2)	(2, 28)	60	10						
	Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)			2A						2A	2A						
	Dwelling Units per Acre (15) (22)	10(23)	20(23)	30(23)			15(23)	30(23)	30(23)	30(23)							
	Minimum Dimensions (feet)																
	Width of Street Frontage			200						200	200						
	Width Required in Lot (4)			200						200	200						
	Depth Required in Lot (4)																
	Maximum in Building Height (feet) (10) (19)	20	30	45(6)	45(9)	30	20(25)	45	45/60 (29, 30)	75	75/1 35 (33, 34)						
	Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35(24)	35(24)	35(24)	50		35(24)			35(24)							
											35(24)						

**Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council.*

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

Notes: Uses in land use districts – Dimensional requirements

- (1) Side yard setback in R-30 Districts increases to 20 feet on any side yard where structure exceeds 30 feet above finished grade.
- (2) All rear and side yards shall contain landscaping as required by LUC 20.20.520.
- (3) See LUC 20.20.012.
- (4) See LUC 20.20.015.
- (5) Except in transition areas, the maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.
- (6) 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.
- (7) Dimensional requirements for Downtown Land Use Districts are listed in LUC 20.25A.020.
- (8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 districts shall comply with the following limitations on Floor Area Ratio:
 - (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
 - (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area the following sliding scale shall be observed as interpolated and extrapolated below:
 - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
 - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
- *(9) The maximum building height may be exceeded upon approval of the Director of Planning and Community Development. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E LUC. Before granting any such approval, the Director of Planning and Community 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.

Notwithstanding the provisions of this note, no height increase is permitted within a Transition Area as defined in Part 20.25B LUC.

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

- *(10) Except in transition areas, the allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by one story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.

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

- (11) The LUC contains enhanced setback requirements for churches, clubs, and institutions (refer to LUC 20.20.190) and schools (refer to LUC 20.20.740) located in residential land use districts.
 - (12) For each square foot of lot area devoted to open space in excess of 30 percent of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
 - (13) Lot coverage is calculated after subtracting all Protected Areas defined by LUC 20.25H.070.
 - (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
 - (15) If there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls.
 - (16) Exceptions to Lot Coverage.
 - (a) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.
 - (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
 - (i) The 30-inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
 - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.
 - (17) 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.
 - (18) See LUC 20.20.030 for designation and measurement of setbacks.
 - *(19) Notwithstanding any other provision of this Code, except Part 20.25B LUC or LUC 20.20.900 through 20.20.910, as applicable, the allowable building height of an office building may be increased by one story, not to exceed 15 feet, if a minimum of 75 percent of the ground floor of that building is devoted to parking for that building.
- *Effective only within Community Council jurisdiction.*
- (20) See LUC 20.25H.090 for additional sensitive area setbacks.
 - (21) See LUC 20.25H.100 for additional sensitive are density/intensity limitations.
 - (22) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as 0.5 unit and units 600 square feet or greater count as one unit.
 - (23) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing.
 - (24) Lot coverage may be increased to 50 percent if congregate care senior housing, senior citizen

dwellings, assisted living or nursing homes are constructed on-site; provided, however, that coverage for the nonresidential portions of the development cannot exceed the maximum limits indicated. Lot coverage within NB Districts may be increased to 50 percent 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 percent of the site area shall not be included in lot coverage calculations.

- (25) 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.
- (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
- (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).
- (28) A 15 foot setback from the right of way line of Factoria Boulevard is required for development in the F1 Land Use District. A 15 foot setback from the right of way line of SE 38th Street between Factoria Boulevard and 126th Avenue SE is required for development in the F1 Land Use District.
- (29) Maximum building height in the F1 Land Use District shall be measured from average existing grade. Maximum building height in Area II and Area III of the F1 Land Use District is 60 feet, measured from average existing grade.
- (30) The allowable maximum building height of any building located in the F1 Land Use District may be increased by one story, not to exceed 15 feet, if a minimum of 75 percent of the ground floor of that building is devoted to parking. In no event shall a building in Area II or Area III of the F1 District exceed 75 feet, as measured to the highest point of the structure from average existing grade, including pitched roof areas and penthouse equipment screening.
- (31) Any office building or any office portion of a building in the F2 district may not exceed a Floor Area Ratio of 0.6 FAR,
- (32) The maximum FAR for the combined properties in the F3 Land Use District, regardless of use, shall be 1.26 FAR; provided that individual parcels or portions of property lying within the F3 Land Use District may have FAR for those individual parcels or portions which exceed an FAR of 1.26 provided that the FAR calculated for the entire aggregated property within the F3 Land Use District shall not exceed 1.26. The maximum FAR permitted herein is based on a maximum total development, including existing and new development of 950,000 square feet, calculated in the same manner as provided for in the calculation of FAR. In the event of an inconsistency between the FAR maximum of 1.26 and the maximum total development amount of 950,000 square feet, the latter shall control.
- (33) In no event shall building height exceed 324 feet above sea level, based on North American Vertical Datum, 1988 (NAVD – 88).
- (34) Maximum building height south of the F3 Land Use District Separation Line shall be 135 feet, with structural elements not intended for habitation above 135 feet, so long as structural elements do not exceed 275 feet above sea level based on NAVD – 88.

Section 7. Section 20.25B.020 of the Land Use Code is amended to read as follows:

20.25B.020 Applicability.

A. General.

This chapter applies to any portion of property located in a district designated on the chart below as “Districts providing transition” which is located within 300 feet of property located in a district designated on the chart as “Single-family districts receiving transition” or within 150 feet of property located in a district designated on the chart as “Multifamily districts receiving transition.”

B. Limitations.

1. Where a transition area abuts a portion of I-90, I-405, SR 520, Burlington Northern Railroad right-of-way, or power transmission line, which is located in a single-family or multifamily district, the City shall include that portion as part of the required width of the transition area.
2. If the applicant establishes that a minimum 150 feet width greenbelt or native growth protection easement is permanently dedicated for nonbuildable purposes and is located in a single-family or multifamily district, the City shall include that portion as part of required width of the transition area.
3. Development within any Downtown Land Use District is not subject to Transition Area Design District requirements (refer to LUC 20.25A.090, Perimeter Design District).
4. Development within the F1 Land Use District is not subject to Transition Area Design District requirements.

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CHART – DISTRICTS RECEIVING TRANSITION

Districts Providing Transition	Districts Receiving Transition																	SINGLE FAMILY LUC OC*	MULTIFAMILY LUC OC**
	SINGLE FAMILY							MULTIFAMILY											
	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	*** R-7.5	R-10	R-20	R-30	PO	O	OLB	U	GC	NB	CB		
R-10	▲	▲	▲	▲	▲	▲	▲											▲	
R-15	▲	▲	▲	▲	▲	▲	▲											▲	
R-20	▲	▲	▲	▲	▲	▲	▲											▲	
R-30	▲	▲	▲	▲	▲	▲	▲											▲	
PO	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
O	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
OLB	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
LI	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
GC	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
NB	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
CB	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
F2	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲
F3	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲								▲	▲

* A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

** A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

*** Not effective within the jurisdiction of the East Bellevue Community Council and Sammamish Community Council

▲ Areas of transition

Section 8. Section 20.25B.040A of the Land Use Code is amended to read as follows:

20.25B.040 Development standards.

Pursuant to LUC 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, wireless communication facility antenna arrays, and satellite dish antennas are included in building height calculations, except that mechanical equipment and wireless communication facility antenna arrays may extend into the upper one-half of a pitched roof form not to exceed 10 feet 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, omni-directional antennas, and flagpoles. This definition supersedes the building height definition in LUC 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 A.3 of this section:

Zone	Height Limitation (Underlying Zone)	Maximum Height w/Bonuses Limitation
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' ¹	35' ²
CB	30'	45'
F2	75'	75'
F3	75'/135' ³	75'/135' ³

- (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 (25).
 - (2) The 35-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note (25) and achieves a five-foot height bonus as indicated in paragraph A.3 of this section.
 - (3) In the F3 District, the 135' height limit may be achieved only on properties south of the F3 Land Use District Separation Line and when the development is in compliance with LUC 20.20.010, Note 34.
3. Allowable Height Increase. Except in an R-10 or R-15 District, the height limitation may be increased up to maximum height with bonuses limitation indicated in paragraph A.2 of this section only if one or more of the following items is provided, the decision criteria for Administrative Design Review are met, and the intent of the Transition Area Design District is maintained.

Item	Increase Allowed
a. Underbuilding parking:	5-foot increase
b. Basement parking:	10-foot increase
c. Pitched roof:	5-foot increase
d. Top floor stepback on all sides of at least 10 feet:	5-foot increase
e. No mechanical equipment on the roof:	5-foot increase
f. Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition:	5-foot increase

4. Modification to Height. The maximum building height allowed in paragraph A.2 of this section may be modified through the Administrative Design Review process only if the following conditions are met:
- a. When the location of the building pad is at least 20 feet below the existing grade at the property line of the property receiving transition; and
 - b. The modified building height does not exceed the maximum height permitted by the underlying land use district for properties outside transition areas; and
 - c. The project, with the height modification, will provide the same or better transition to the property receiving transition as with the maximum height permitted in paragraph A.2 of this section.

Section 9. A new Chapter 20.25K is added to the Land Use Code as follows:

20.25K.010 General.

A. This Part 20.25K, Factoria, contains information which applies to development and activity within the Factoria Land Use Districts. Except to the extent expressly provided otherwise in this Part 20.25K LUC, the provisions of the Land Use Code, other City Development Codes, the City's Development Standards, and other applicable codes and ordinances apply to development in the Factoria Land Use Districts. Where there is a conflict between the regulations of the Factoria Land Use Districts and the Land Use Code and other City ordinances, the Factoria Land Use District regulations govern. Where the requirements of the Factoria Land Use District exceed those of the Land Use Code and other City ordinances, the Factoria Land Use District regulations govern. Specific sections of this Part 20.25K LUC also apply to limited areas within the Factoria Land Use Districts as noted.

20.25K.020 Parking.

Requirements for parking in the Factoria Land Use Districts shall be as required in LUC 20.20.590, except as follows:

A. F1 Land Use District.

LUC 20.20.590F shall not apply to determine minimum or maximum parking requirements in the F1 Land Use District. Minimum parking requirements in the F1 Land Use District shall be determined using the Shared Parking manual published by the Urban Land Institute (1983) now or as hereafter amended pursuant to the provisions of that document, averaged across the entire F1 District using an 18 hour parking demand analysis and an 85% practical capacity factor. The maximum number of parking spaces shall not exceed 150% of the minimum number established pursuant to this section.

B. F2 Land Use District.

LUC 20.20.590F shall not apply to determine minimum or maximum parking requirements in the F2 Land Use District. Minimum parking requirements in the F2 Land Use District shall be determined using the Shared Parking manual published by the Urban Land Institute (1983) now or as hereafter amended pursuant to the provisions of that document, averaged across the entire F2 District using an 18 hour parking demand analysis and an 85% practical capacity factor. The maximum number of parking spaces shall not exceed 150% of the minimum number established pursuant to this section.

C. F3 Land Use District.

LUC 20.20.590F shall not apply to determine minimum or maximum parking requirements in the F3 Land Use District. The minimum number of parking

spaces, regardless of use, shall be 4 spaces for each 1000 net square feet (See LUC 20.50.036). There shall be no maximum number of parking spaces.

D. Director's Authority to Require Parking Exceeding Maximum.

In the Factoria Land Use Districts, the Director of Planning and Community Development may require the installation of more than the maximum number of parking stalls, for other than office uses, if the Director determines that:

1. Such additional parking is necessary to meet the parking demand for a specified use; and
2. Shared or off-site parking is not available or adequate to meet demand; and
3. Any required Transportation Management Program will remain effective.

20.25K.030 F1 Land Use District

A. Design Guidelines Adopted.

Each development within the F1 Land Use District must comply with the applicable provisions of that document entitled "F1 Development Area Plan and Factoria TownSquare Design Guidelines" now or as hereafter amended. In the event that requirements of the F1 Development Area Plan and Factoria TownSquare Design Guidelines conflict with the generally applicable requirements of the Land Use Code, the F1 Development Area Plan and Factoria TownSquare Design Guidelines shall control.

B. Procedural Merger.

Within the F1 Land Use District, any administrative decision required by this Part 20.25K or by the Land Use Code, including but not limited to the following, may be applied for and processed through a single Design Review, Part 20.30F LUC:

1. Administrative Condition Use Permit, Part 20.30E LUC;
2. Design Review, Part 20.30F LUC;
3. Variance, Part 20.30G LUC.

C. Design Review Required.

The Director of the Department of Planning and Community Development through Design Review, Part 20.30F.LUC, must review all development within the F1 Land Use District.

D. Design Review Criteria.

The Director of the Department of Planning and Community Development shall

use the F1 Development Area Plan and Factoria TownSquare Design Guidelines, LUC 20.25K.050(A); and the provisions of this Part 20.25K in reviewing an application for development in the F1 Land Use District. The Director may, through the design review process, approve a proposal that varies from the specific dimensional requirements set forth in the F1 Development Area Plan and Factoria TownSquare Design Guidelines if the applicant demonstrates that the proposed modification is necessary for the proposal to best achieve the overall intent of the Design Guidelines as a whole and for the F1 Land Use District Area in which the proposal is located and that the modification is the minimum necessary to achieve compliance with such provisions.

E. F1 Land Use District Area Development Limitations.

1. Applications for development within all F1 Land Use District Areas shall include an evaluation of pedestrian amenities as shown in F1 Development Area Plan and Factoria TownSquare Design Guidelines and demonstration of the proportion of amenities included with each development proposal, such that major pedestrian amenities are included in each phase of development.
2. Applications for development or redevelopment of property within the F1 Land Use District shall comply with the development limitations of the F1 Land Use District Area within which the property is located. F1 Land Use District Area boundaries are as set forth in Exhibit 1 to the F1 Development Area Plan and Factoria TownSquare Design Guidelines. The development limitations set forth in this Section 20.25K.030E establish the total amount of additional development that may occur in the F1 Land Use District above the amount of development that exists as of the date of adoption of this Ordinance 5385.
 - a. Area I. The total amount of development in Area I is controlled by the limits set forth in Section 20.25K.030E.3.
 - (i) General. Applications for redevelopment or substantial remodeling of existing structures shall be designed to bring those structures into conformance with the principles of the F1 Development Area Plan and Factoria TownSquare Design Guidelines.
 - (ii) Prior to Completion of FATS. New development within Area I shall be limited to additions to existing structures prior to completion of a new Factoria Area Transportation Study ("FATS") which is recommended to be included in the 2003 CIP for completion in 2003-2005. The total aggregate expansion in Area I shall not exceed 15,000 square feet.
 - (iii) Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development within the F1 Land Use District, new retail development, including development of new structures and of structured parking, may be permitted in Area I.

b. Area II. The total amount of development in Area II is controlled by the limits set forth in Section 20.25K.030E.3.

(i) General.

(1) Area II development shall not be permitted without improvements to 127th Avenue SE implementing the transit improvements of the F1 Development Area Plan and Factoria TownSquare Design Guidelines.

(2) Except as to be constructed by the City as part of its capital improvements on Factoria Boulevard, Area II development shall include redevelopment of transit stop waiting areas on Factoria Boulevard SE and new pedestrian walkways connecting the stops to the Area I building entrances as shown in the F1 Development Area Plan and Factoria TownSquare Design Guidelines.

(ii) Prior to Completion of FATS. Development in Area II shall be limited to 285 residential units.

(iii) Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development within the F1 Land Use District, new retail development may be permitted in Area II.

c. Area III. The total amount of development in Area III is controlled by the limits set forth in Section 20.25K.030E.3.

(i) General. No development shall be permitted until all necessary construction contracts for public street improvements planned for both 124th Avenue SE and Factoria Boulevard, known as Capital Improvement Projects R-129 and R-116 in the 2001-2007 Capital Improvement Program Plan adopted pursuant to Ordinance 5266, have been approved by the City Council.

(ii) Prior to Completion of FATS. Development in Area III shall be limited to 400 residential units and retail development of not more than 36,100 square feet.

(iii) Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development within the F1 Land Use District, new retail development may be permitted in Area III.

d. Area IV. The total amount of development in Area IV is controlled by the limits set forth in Section 20.25K.030E.3.

(i). Prior to Completion of FATS. Development and uses within Area IV are limited to surface parking accessory to the uses of Areas I, II, III and V.

(ii) Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development within the F1 Land Use District, new retail development consisting of structured parking surrounded by retail development on the ground floor may be permitted in Area IV.

e. Area V. The total amount of development in Area V is controlled by the limits set forth in Section 20.25K.030E.3.

(i) General. No development shall be permitted until all necessary construction contracts for public street improvements for both 124th Avenue SE and Factoria Boulevard, known as Capital Improvement Projects R-129 and R-116 in 2001-2007 Capital Improvement Program Plan adopted pursuant to Ordinance 5266, have been approved by the City Council.

(ii) Prior to Completion of FATS. New development is limited to expansion of an existing structure by no more than 20% of existing building floor area in that structure.

(iii) Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development within the F1 Land Use District, development of structured parking to support the new retail development in Areas I, II, III or IV, may be permitted in Area V.

3. Development Limitations.

a. Prior to Completion of FATS. The housing units and allowed square footage of retail development set forth in subsections 2(a)(ii), 2(b)(ii) and 2(c)(ii) of this section 20.25K.030E may be allocated across Areas I, II and III in different amounts than set forth above through the design review process, if all other design review criteria are satisfied and provided that the aggregate total of housing units and the aggregate total of square footage of development set forth for Areas I through III above are not exceeded,

b. Following Completion of FATS. If FATS demonstrates that capacity exists for additional retail development, up to 100,000 square feet of additional retail space may be allocated across Areas I, II, III and IV as set forth in subsections 2(a)(iii), 2(b)(iii), 2(c)(iii), and 2(d)(ii) above and in the design guidelines, provided that the aggregate total of additional retail square footage across Areas I, II, III and IV does not exceed 100,000 square feet.

4. Exceptions. Individual tenant improvements or tenant remodels of existing buildings within the F1 Land Use District are not subject to the requirements of subsections 2(b)(i)(1), 2(b)(i)(2), 2(c)(i), and 2(e)(i), and shall be reviewed as received consistent with all applicable provisions of the Land Use Code and other City codes and ordinances.

F. Future F1 Development. Except as specified in Section 20.25K.030E, development or redevelopment within F1 is not permitted until completion of FATS. After completion of the FATS, if capacity for additional development beyond that set forth in 20.25K.030E exists, the owner of substantially all of the property within F1 may submit a request to revise the LUC to allow additional development within F1. The City shall process the LUC amendment request in accordance with procedures set forth in the Land Use Code.

20.25K.040 F2 Land Use District.

The provisions of Chapter 20.25B, Transition Area Design District; the provisions of Chapter 20.25C, Office and Limited Business (OLB) District; and the provisions of this Part 20.25K shall apply to applications for development in the F2 Land Use District.

20.25K.050 F3 Land Use District

A. Sensitive Areas.

Protected Slopes, as defined in Section 20.25H.070(A), located within the F3 Land Use District shall not be considered a Protected Area for purposes of the Land Use Code.

B. Application Review Criteria.

The provisions of Chapter 20.25B, Transition Area Design District; the provisions of Chapter 20.25C, Office and Limited Business (OLB) District; and the provisions of this Part 20.25K shall apply to applications for development in the F3 Land Use District.

Section 10. Section 20.50.020 of the Land Use Code is amended to include the following additional definitions:

20.50.020 F definitions.

Factoria Land Use District 1 (F1). The following described property shall be known as the F1 Land Use District:

That portion of Sections 9 and 16, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the South line of said Section 9 and the LW-Line, as shown on the S.R. 405, Bagley Lane to Wilburton Right of Way Plans, sheet 3 of 7, dated March 31, 1959 and the S.R. 90, East Channel Bridge to Richards Road Right of Way Plans, sheet 5 of 20, dated August 17, 1965; thence Northerly along said LW-Line to the Northwesterly extension of the centerline of S.E. 38th Street; thence Southeasterly along said Northwesterly extension and centerline to the

centerline of 128th Avenue S.E.; thence Southerly along the centerline of 128th Avenue S.E. to the Easterly extension of the Northerly margin of S.E. 41st Street; thence Westerly along said Easterly extension, Northerly margin and the Westerly extension thereof to the Westerly margin of 124th Avenue S.E.; thence Northerly along said Westerly margin to the South line of said Section 9; thence Westerly along said South line to the Point of Beginning.

Factoria Land Use District 2 (F2). The following described property shall be known as the F2 Land Use District:

That portion of the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northeast corner of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 9; thence North $87^{\circ}22'54''$ West along the North line thereof 82.21 feet; thence North $1^{\circ}13'20''$ East 163.66 feet to the True Point of Beginning; thence South $1^{\circ}13'20''$ West 163.66 feet; thence South $1^{\circ}15'48''$ West to the centerline of S.E. 38th Street; thence Southeasterly along said centerline to the East line of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 9; thence Northerly along said East line to the Southwest corner of Parcel E, King County Lot Line Adjustment No. 8810004; thence Easterly along the Southerly line thereof, the Southerly line of Parcel F of said lot line adjustment and the Easterly extension of said Southerly line to the centerline of 128th Avenue S.E.; thence Northerly along said centerline and Rel. Richards Road Line, as shown on the S.R. 90, East Channel Bridge to Richards Road Right of Way Plans, sheet 5 of 20, dated August 17, 1965 to the Southerly margin and prohibited access line of S.R. 90, as shown on said S.R. 90 Right of Way Plans; thence Westerly along said Southerly margin to a line which bears North $1^{\circ}16'05''$ East from the True Point of Beginning; thence South $1^{\circ}16'05''$ West along said line to the True Point of Beginning.

Factoria Land Use District 3 (F3). The following described property shall be known as the F3 Land Use District:

That portion of the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southeast corner of Lot 2, King County Short Plat No. 278125 Revised, as filed under Recording No. 8112079004; thence Westerly along the Southerly line thereof to the East line of the West 222.00 feet of the Southeast quarter of the Southeast quarter of said

Section 9; thence Southerly along said East line to the North line of the South 12.00 feet of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Westerly along said North line to the centerline of 128th Avenue S.E.; thence Southerly along said centerline to the South line of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Easterly along said South line to the Northwest corner of Parcel B, King County Lot Line Adjustment No. 1085098; thence Southerly along the Westerly line thereof and the Southerly extension of said Westerly line to the South line of the North half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 9; thence Easterly along said South line to the Southeast corner of said Parcel B; thence Northerly along the Easterly line thereof to the South line of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Westerly along said South line to the Southwest corner of Lot A, King County Lot line Adjustment No. 8903018; thence Northerly along the Westerly line thereof to the Northwest corner of said Lot A; thence Easterly along the Northerly line thereof to the East line of the Southeast quarter of said Section 9; thence Northerly along said East line to a line 30.00 feet Southerly of the LL-Line, as shown on the S.R. 90, Richards Road to Lake Sammamish Right of Way and Limited Access Plan, sheet 3 of 25, dated June 12, 1969 and the S.R. 90, East Channel Bridge to Richards Road Right of Way Plans, sheet 5 of 20, dated August 17, 1965 (Bellevue City Limits, established by City of Bellevue Ordinance No. 676); thence Westerly along said line to the Northerly extension of the Easterly line of Lot 2 of said King County Short Plat No. 278125 Revised; thence Southerly along said Northerly extension and the Easterly line thereof to the Point of Beginning.

F3 Land Use District Separation Line. A line, lying within the Southeast quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County Washington, described as follows:

Beginning at the Southwest corner of Lot 4, King County Short Plat No. 487008, as filed under Recording No. 8809220297; thence Easterly along the South line thereof to the Northwest corner of Lot A, King County Lot Line Adjustment No. 8903018 and the Terminus.

Section 11. Section 22B.10.055 of the Bellevue City Code is hereby amended to read as follows:

22B.10.055 FACTORIA AREA – FREESTANDING, AND FREEWAY-ORIENTED SIGNS – MULTIPLE TENANTS – ADDITIONAL SIGNS

- A. This section applies only within the Factoria annexation area, as legally described in Section 1 of Ordinance No. 4620 and to Factoria Land Use Districts F1, F2, and F3 as defined in the Land Use Code.

1. For the purpose of accommodating multiple tenants any existing freestanding sign may be enlarged or altered, but may not exceed the size limits contained in the Sign Code, provided that if the sign is a freeway-oriented sign the enlargement and/or altering of the sign pursuant to this section will be allowed only in exchange for an agreement to amortize the resulting enlarged or altered sign over a reasonable period of time as determined by the Director of the Department of Planning and Community Development. Within the amortization period multiple enlargements and/or alterations to a sign may be made which meet the requirements of this section without establishing a new amortization period. No enlargement or alteration is allowed which would cause the sign to violate Bellevue City Code 22B.10.150, prohibiting signs which rotate or have a part or parts which move or revolve.
 2. If the Director determines that existing freestanding signage cannot be altered to reasonably accommodate the needs of tenants in multiple tenant complexes, the Director may, though is not obligated to, authorize the addition of a maximum of one additional freestanding sign per multiple tenant property. The freestanding sign must be designed such that signage surface area can be expanded within the limits of the Sign Code to accommodate total tenant signage needs of the property.
- B. For purposes of this section a freeway oriented sign is a sign which meets the definition of sign under RCW 47.42.020(B) and for which just compensation would be required to be paid upon removal under RCW 47.42.102.
- C. Except as otherwise set forth in this section, signs in the F1, F2 and F3 Land Use Districts shall be governed by Section 22B.10.030, Business District Signs, by those provisions of Chapter 22B.10 otherwise applicable to Business District signs, and in the F1 Land Use District by the F1 Development Area Plan and Factoria TownSquare Design Guidelines, now or as hereafter amended.

D. Factoria Land Use District 3 (F3).

Notwithstanding any conflicting provisions of this Chapter 22B, the following shall govern the size, type, placement, location and number of signs in the F3 Land Use District:

1. Building-mounted Entrance Signs. Each building is permitted one building mounted entrance sign at the primary entrance to the building. This sign may be located at or above the entrance and shall contain the name of the building or the building's primary user or tenant. The size of the entrance sign shall be proportionate to the building entry facade area.
2. Building-mounted Tenant Signs – Location. In addition the entrance sign permitted in this subsection, each building is permitted to place any number of building-mounted tenant or user signs on a building facade; provided, that the

- total sign area shall not exceed ten percent of the building facade area upon which the sign is mounted; and provided further, that signs shall not extend above or beyond the building facade. The location of such signs shall be in accordance with a sign location plan designed to ensure a coordinated signage image for the building and approved by the City. For each building within the F3 Land Use District north of the F3 Land Use District Separation Line, only the east, north and west facades of the building may be used for building mounted tenant signage; and for each building south of the F3 Land Use District Separation Line only the north, west and south facades of the building may be used for building-mounted tenant signage.
3. Building-mounted Tenant Signs – Sign Design. Building-mounted tenant signs shall be comprised of individual letters, insignia, symbols or logos or a combination thereof; shall be illuminated from the interior only; shall not extend more than two feet perpendicular from the face of the building; shall not be a box sign; shall not contain painted elements on the building face; shall not be a moving, flashing or audible sign; shall not contain any product advertising except as part of the tenant’s or user’s trade name, logo or insignia; shall not be placed on the building roof; and shall not be illuminated from exterior sources. Individual letters, insignia, symbols and logos may be mounted on a raceway instead of mounted individually on the building provided that the raceway color matches the building color.
 4. Retail Signs. The number size, location and type of signs for retail users and retail tenants permitted pursuant to Chapter 22B.10 of the Bellevue City Code shall be in addition to signs permitted by the other provisions of this subsection.
 5. For Sale, Rent, or Lease Signs. For sale, rent or lease signs displayed on the building or property for sale, rent or lease, while the building or property is for sale rent or lease, may not exceed thirty-two square feet in surface area.

Section 12. This ordinance shall take effect and be in force five (5) days after passage by the City Council.

0514-ORD
07/25/02

PASSED by the City Council this 15th day of July, 2002, and signed in authentication of its passage this 15th day of July, 2002.

(SEAL)

Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published July 19, 2002