

# ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5476

AN ORDINANCE amending the Bellevue Land Use Code to eliminate references to the East Bellevue Community Council and adopt previously rejected ordinances within the service area of the East Bellevue Community Council; amending Section 20.10.440, Residential Use Chart of the Bellevue Land Use Code; and establishing an effective date.

WHEREAS, after public hearing and due consideration, the East Bellevue Community Council disapproved Ordinance Number 5234; and

WHEREAS, as a result of such disapproval, the provisions of Ordinance 5234 are not effective within the East Bellevue Community Council's jurisdiction; and

WHEREAS, provisions of the Crossroads Subarea Plan support certain of the amendments contained in Ordinance Number 5234 and the East Bellevue Community Council has agreed to reconsider certain provisions of such ordinance; and

WHEREAS, the Planning Commission held a public hearing on July 16, 2003 with regard to such proposed Land Use Code amendment; and

WHEREAS, the Planning Commission recommends that the City Council approve such proposed amendment; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, BCC 22.02; now, therefore,

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

Section 1. Section 20.10.440, Residential Use Chart of the Land Use Code is hereby amended to read as follows:

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**20.10.440 Land use charts.**

**Chart 20.10.440**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – Residential Districts										
		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 and Excluding Secure Community Transition Facilities								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

**Uses in land use districts**

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

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

*\* Not effective within the jurisdiction of the East Bellevue 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

20.10.440

Chart 20.10.440

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – Nonresidential Districts									
		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
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
1	Residential										
	Single-Family Dwelling (3)	P 15	P 1	S	S	S	P 8	S	S	S	S
	Two to Four Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P
	Five or More Dwelling Units Per Structure (6)		P 1	P			P 8	P 6	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities							C	C		
	Senior Citizen Dwellings (4,7)	P	P	P			P 8	P	P	P	P
13 15	Hotels and Motels			P				C	C	P	P
	Congregate Care Senior Housing (4,7)	P	P	P			P	P	P	P	P
6516	Nursing Home (7*)	C	P	P			C	P	P	P	P
	Assisted Living (4,7)	C	P	C			C	P	P	C	C
	Accessory Dwelling Unit (9)	S	S	S	S	S	S	S	S	S	S

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**Chart 20.10.440**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – Downtown Districts					
		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
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
1	Residential						
	Single-Family Dwelling (3)	P	P	P	P	P	
	Two to Four Dwelling Units Per Structure (6)	P	P	P	P	P	
	Five or More Dwelling Units Per Structure (6)	P	P	P	P	P	
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	
	Senior Citizen Dwellings (4,7)	P	P	P	P	P	
13 15	Hotels and Motels	P	P	P	P	P	P
	Congregate Care Senior Housing (4,7)	P	P	P	P	P	
6516	Nursing Home (7*)			P	P	P	
	Assisted Living (4,7)			P	P	P	
	Accessory Dwelling Unit (9)			S	S	S	

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**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.

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Section 2. This ordinance shall take effect and be in force five (5) days after adoption and legal publication.

PASSED by the City Council this 20th day of October, 2003, and signed in authentication of its passage this 20th day of October, 2003.

(SEAL)

Connie B. Marshall  
Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan  
Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich  
Myrna L. Basich, City Clerk

Published October 24, 2003