

**ORIGINAL**

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6108

AN ORDINANCE amending the City of Bellevue Land Use Code relating to Retail Auto Sales in the Office/Limited Business (OLB) District in Eastgate; specifically amending Section 20.10.440 (Land Use Charts) Wholesale and Retail, footnote (6) of the Land Use Code; providing for severability; and establishing an effective date.

WHEREAS, the Bellevue Land Use Code (Title 20 BMC) (LUC) identifies Retail Auto Sales as a permitted use in the OLB District; and

WHEREAS, LUC 20.10.440, Wholesale and Retail Land Use Charts, is clarified by note (6) to limit Retail Auto Sales in the OLB District to two geographic areas, one located in Wilburton and the other in Factoria; and

WHEREAS, a site suitable and desirable for Retail Auto Sales has been identified in the Eastgate area, which area lies in the OLB District; and

WHEREAS, this Land Use Code amendment will allow the repurpose of existing vacant buildings in a manner that promotes economic development; and

WHEREAS, to ensure compatibility with existing and future surrounding uses, Retail Auto Sales in the area affected by this amendment shall be subject to Design Review and shall predominantly locate associated vehicle inventory storage within a building or buildings; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2013 to consider the 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 requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the Environmental Procedures Code (Chapter 22.02 BMC); now, therefore,

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

Section 1. Section 20.10.440 – Wholesale and Retail Use Chart, note (6) of the Bellevue Land Use Code is hereby amended to read:

- (6) Retail auto sales are permitted only in the following locations:
- a. The west side of 116<sup>th</sup> Avenue NE between NE 8<sup>th</sup> Street and the SE 8<sup>th</sup> Street off-ramp from northbound I-405;
  - b. Along SE 36<sup>th</sup> Street west of the ravine located at the approximate alignment of 133<sup>rd</sup> Avenue SE and east of 132<sup>nd</sup> Avenue SE; and
  - c. West of 148<sup>th</sup> Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148<sup>th</sup> Avenue SE. Retail auto sales located in this area shall be subject to Design Review per Part 20.30F LUC, which shall in particular address and control spillover lighting, and associated vehicle inventory storage shall predominantly occur within a building or buildings. Transition Area landscape buffers consistent with LUC 20.25B.040.C shall be provided along interior property lines that abut properties located within OLB and LI land use districts.


Section 2. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

**ORIGINAL**

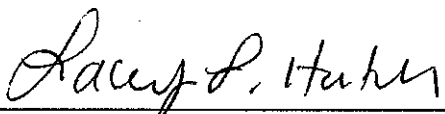
Passed by the City Council this 15<sup>th</sup> day of April, 2013  
and signed in authentication of its passage this 15<sup>th</sup> day of April,  
2013.

(SEAL)

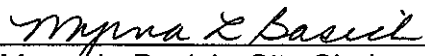
  
Conrad Lee, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
Lacey Hatch, Assistant City Attorney

Attest:

  
Myrna L. Basich, City Clerk

Published April 18, 2013