

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6319

AN ORDINANCE amending the City of Bellevue Transportation Development Code, Chapter 14.60, to incorporate Low Impact Development Principles by amending Sections 14.60.110 (Street frontage improvements); 14.60.120 (Landscaping in right-of-way, easements and access tracts); and 14.60.170 (Street ends); providing for severability; and establishing an effective date.

WHEREAS, the City of Bellevue (the "City") is subject to the terms of the National Pollutant Discharge Elimination System ("NPDES") and Phase II Western Washington Municipal Stormwater Permit ("Phase II Permit" or "Permit"), issued August 1, 2012, and modified on January 16, 2014, by the State of Washington Department of Ecology ("Ecology") in compliance with the federal Clean Water Act and state law; and

WHEREAS the Permit requires that the City review, revise and make effective development-related codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development ("LID") principles by December 31, 2016; and

WHEREAS, the intent of the revisions under the Permit are to make low impact development the preferred and commonly-used approach to site development; and

WHEREAS, the City initiated the LID Principles Project in order to review its existing development-related codes, rules, standards, or other enforceable documents in September of 2013; and

WHEREAS, the City's review of its documents followed a process similar to that outlined in *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership, 2012), as required under the Permit; and

WHEREAS, in August 2015, following substantial work by the Planning Commission, the City Council adopted updated low impact development policies into the Environmental Element of the Comprehensive Plan; and

WHEREAS, making low impact development the preferred and commonly-used approach to site development to minimize impervious surfaces, native vegetation loss, and stormwater runoff is a goal of the City's Comprehensive Plan; and

WHEREAS, the Transportation Commission held a public hearing on the proposed amendments on July 14, 2016, after providing legally required public notice; and

WHEREAS, the Transportation Commission, after holding the July 14, 2016 public hearing, unanimously recommended that the City Council approve the proposed amendments; and

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

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

Section 1. Section 14.60.110.B of the Bellevue City Code is hereby amended as follows:

A. The installation of street frontage improvements is required for all new development, subdivisions, and short subdivisions as a condition of development approval in order to incorporate transportation improvements that are reasonably necessary to mitigate the direct impacts of the development. Installation of street frontage improvement is also required when necessary for the mitigation of adverse environmental impacts identified pursuant to the State Environmental Policy Act. For additions and remodels to existing buildings see LUC 20.20.560 and 20.25D.060. This requirement shall not apply to single-family dwellings.

B. Complete street frontage improvements shall be installed along the entire street frontage of the property at the sole cost of the developer as directed by the review engineer. Street frontage improvements may include curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, public utility relocation, franchise utility relocation, landscaping strip, street trees and landscaping, irrigation, street pavement widening, bicycle lanes, safety railings, street signs, pavement marking, and channelization. Storm drainage may include bioretention swales or other vegetation-based LID BMPs. For additional requirements regarding franchise utility relocations, see BCC 14.60.230. Beyond the property frontage, the developer shall provide ramps or other appropriate transition from the new sidewalk or walkway to the existing shoulder, and pavement and channelization tapering back to the existing pavement and channelization as needed for safety. The street frontage improvements shall be continued off-site if, and to the extent, deemed necessary by the review engineer in order to provide a safe condition.

Section 2. Section 14.60.120.C.1 of the Bellevue City Code is hereby amended as follows:

A. Applicability. The requirements of this section apply when street frontage improvements are required as part of any development by BCC 14.60.110 or the Land Use Code, as may be hereinafter amended.

B. Required Review. The city shall review proposed street frontage improvements for compliance with this section and other applicable city policies and codes.

C. Preservation of Existing Street Trees and Landscaping.

1. Retention of existing vegetation may be required along city streets. When retention is not feasible, native plant species, or species with a proven ability to survive in an urban environment are preferred for landscaping.

Section 3. Section 14.60.170.C of the Bellevue City Code is hereby amended as follows:

A. All dead-end public streets and private roads greater than 150 feet in length shall be constructed with a turnaround facility per the Transportation Department Design Manual Standard 7 – Street End Designs, as currently adopted or hereafter amended. The street or road may extend up to 150 feet beyond the approved turnaround facility.

B. Streets that temporarily dead-end and will be extended in the future need not have a turnaround facility unless determined necessary by the review engineer and the fire marshal. When no turnaround facility is provided, street-end barricading shall be installed and must conform to the most recent edition of the Manual on Uniform Traffic Control Devices.

C. Where the turnaround facility is a circular turnaround, a landscaped island delineated by curbing shall be provided in the circular turnaround by the developer. Bioretention swales or other vegetation-based LID BMPs may be located in the landscaped island. The landscaping shall be maintained by the homeowners' association or adjacent property owners. The developer shall record an agreement to ensure maintenance of the landscaping, either with the recording of the final plat or as a separate document if the development is occurring outside a plat.


Section 4. 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 5. This Ordinance shall take effect and be in force on December 31, 2016.

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Passed by the City Council this 21st day of November, 2016
and signed in authentication of its passage this 23rd day of November,
2016.


(SEAL)



John Stokes, Mayor


Approved as to form:

Lori M. Riordan, City Attorney



Catherine A. Drews, Assistant City Attorney

Attest:



Kyle Stannert, City Clerk

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