



City of Bellevue

450 110th Avenue NE
Bellevue, WA 98004

Meeting Agenda Planning Commission

Wednesday, May 13, 2026

6:30 PM

Room 1E-113

The Planning Commission meetings are conducted in a hybrid manner with both in-person and virtual options. To speak at the meeting, you may attend:

- In-person
- By calling (253) 215-8782 and entering Webinar ID: 860 6256 3586
- [www.zoom.us](https://www.zoom.us/j/86062563586) and entering Webinar ID: 860 6256 3586, Passcode: 983801

<https://cityofbellevue.zoom.us/j/86062563586>

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Reports of City Council, Boards and Commissions
5. Staff Reports
 - a) [26-334](#) Planning Commission Meeting Schedule

6. Written and Oral Communications

The total time for oral communications is 30 minutes. Speakers will be allowed up to three minutes to speak. Additional time shall only be allowed if the Chair or a majority of the Commission determines additional time to be allowed.

The form to sign-up to speak during Oral Communications will be available 12.00 p.m. to 6:00 p.m. on the date of the Planning Commission meeting. To be added to the speaker list for oral communications, you may sign-up in person using the QR code posted inside Room 1E-113 or online using this link:

www.Bellevuewa.gov/planning-oral-comms

- a) [26-335](#) Written Communications

- b) [26-336](#) Oral Communication

7. Public Hearing

Public testimony relating to topics scheduled for a public hearing will only be taken during the public hearing portion of the agenda. Speakers will be allowed up to three minutes to speak. Additional time shall only be allowed if the Chair or a majority of the Commission determines additional time be allowed. The form to sign-up to speak during Public Hearing oral communications will be available 12:00 p.m. to 6:00 p.m. on the date of the Planning Commission meeting. To be added to the speaker list for Public Hearing oral communications, you may sign-up in person using the QR code posted inside Room 1E-113 or online using this link:

www.bellevuewa.gov/planning-public-hearing

- a) [26-337](#) 2026 Omnibus LUCA

8. Study Session

9. Other Business

10. Approval of Minutes

- a) [26-338](#) Minutes of April 8, 2026

11. Executive Session

12. Adjournment

For alternate formats, interpreters, or reasonable modification requests please phone at least 48 hours in advance 425-452-4174 (voice) or email kgulledge@bellevuewa.gov. For complaints regarding modifications, contact the City of Bellevue ADA, Title VI, and Equal Opportunity Officer at ADATitleVI@bellevuewa.gov.

Rules of decorum for public communication and conduct at meetings were adopted by the City Council in Ordinance 6752. Copies of this ordinance can be found on the city's website, and are also available from the City Clerk's Office.

Tentative 2026 Planning Commission Meeting Calendar

<u>Mtg</u>	<u>Date</u> <u>Agenda Topic</u>	<u>Priority</u>	<u>Agenda Type</u>	<u>Location</u>
26-9	May 27, 2026			1E-113/ Hybrid
	BelRed LUCA: Request to set Public Hearing	1	Study Session	
	Downtown Livability 2.0: Introduction	2	Study Session	
26-10	June 10, 2026			1E-113/ Hybrid
	2026 CPAs: Request to Set Public Hearing	1	Study Session	
	High Density Residential LUCA: Introduction	2	Study Session	
26-11	June 24, 2026			1E-113/ Hybrid
	Parking Reform LUCA: Request to Set Public Hearing	1	Study Session	
	Great Neighborhoods: Factoria Update & Request to Set Public Hearing	2	Study Session	
26-12	July 8, 2026			1E-113/ Hybrid
	BelRed LUCA: Public Hearing	1	Public Hearing & Recommendation	
	Great Neighborhoods: Eastgate Update & Request to Set Public Hearing	1	Study Session	
26-13	July 22, 2026			1E-113/ Hybrid
	2026 CPAs: Evans Plaza Public Hearing	1	Public Hearing & Recommendation	
	2026 CPAs: Transportation Conformance Public Hearing	1	Public Hearing & Recommendation	
	Parking Reform LUCA: Public Hearing	1	Public Hearing & Recommendation	

Priority: 1. Related to specific mandate and may require action this meeting. 2. Related to a specific mandate leading up to an action sometime in the future. 3. Not related to a mandate, may require action or may be information only.

Nesse, Katherine

From: Joe A. Kunzler <growlernoise@gmail.com>
Sent: Wednesday, April 15, 2026 11:42 PM
To: PlanningCommission
Cc: Nesse, Katherine; negin.khanloo@northwestu.edu; Khanloo, Negin; ServiceFirst
Subject: Fwd: Tsimerman at Planning Commission - Formal JAK Protest

You don't often get email from growlernoise@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

15 April 2026

Dear Bellevue Planning Commission;

I sincerely apologize that the below was not sent to this e-mail address to advise you of the ongoing crisis situation in your Commission. I hope the Commission will be clear with your Chair that Tsimerman needs to be no-trespassed from the Planning Commission for six months - if not Bellevue City Hall for a year.

Mayor Mo Malakoutlan deserves better than to be smeared for being Iranian-American. If this Mayor wanted to help the evil IRGC, he's had his chances... it's incumbent on the Chair of the Planning Commission to support her Mayor and stop these *unpatriotic* attacks on immigrants or resign in disgrace. Frankly Alex Tsimerman is worse than someone burning the American flag at this point, and appeasement is dangerous.

I quote Neville Chamberlain who thought after Munich 1938 and the partition of Czechoslovakia that, "Hitler has realised that he has now touched the limit and has decided to put the best face on it." Our damnable antisemite Hitler-wanna-be in our midst in Alex Tsimerman will never realize he's touched the limit until *the limit* is placed on him.

There you go.

Thoughtfully;

JOE A. KUNZLER
growlernoise@gmail.com

----- Forwarded message -----

From: **Joe A. Kunzler** <growlernoise@gmail.com>
Date: Thu, Apr 9, 2026 at 11:56 AM

Subject: Tsimerman at Planning Commission - Formal JAK Protest

To: <NKhanloo@bellevuewa.gov>

Cc: Tanus, Trisna <ttanus@bellevuewa.gov>, <mmcfarland@bellevuewa.gov>, <MChin@bellevuewa.gov>, <mmalakoutian@bellevuewa.gov>, Nesse, Katherine <knesse@bellevuewa.gov>, Robinson, Lynne <lrobinson@bellevuewa.gov>

9 April 2026

Dear Bellevue Leaders;

I would like to file a formal protest against Avrum (Alex) Tsimerman not speaking about planning commission items and hurling hate + mistruths at your Mayor. I hope soon the Bellevue Planning Commission will please exclude Avrum (Alex) Tsimerman for six months for failing repeatedly to speak on topic and disrupting Planning Commission meetings. It is worth noting that last fall after Redmond with the *Jewish* President at the time threw Tsimerman out for six months, a new dawn broke to show what is possible in the Middle Eastside, and Bellevue under Mayor Robinson found the hope and courage to follow to effect a rescue from some of Tsimerman's hate.

But has Bellevue lost her courage and will to fight so soon? Fair question.

If the Chair of the Planning Commission has forgotten how to wage the Tsimerman Wars and cannot file an exclusion - perhaps because of all the public records blacked out - then this Chair needs to tender her resignation with immediate effect. In any event: Appeasement will only make Tsimerman worse.

I quote Neville Chamberlain who thought after Munich 1938 and the partition of Czechoslovakia that, "Hitler has realised that he has now touched the limit and has decided to put the best face on it.". Our damnable antisemite Hitler-wanna-be in our midst in Alex Tsimerman will never realize he's touched the limit until *the limit* is placed on him.

The best solution here is to kick Tsimerman out from Bellevue City Hall again and keep Tsimerman out for a year at a time. Tsimerman knows the rules. Tsimerman keeps maliciously violating them not just in Bellevue but at Redmond, King County Housing Authority, Sound Transit, Puget Sound Regional Council, and other places.

Never again *means* never again. Keep the faith. *All of you.*

Very strategically;

Joe A. Kunzler
growlernoise@gmail.com

Nesse, Katherine

From: Charlie Bauman <charlie@gtcptl.com>
Sent: Friday, April 17, 2026 2:23 PM
To: PlanningCommission
Subject: April 22nd Planning Commission Meeting - Bel-Red LUCA
Attachments: April 22 - PC Comment Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Planning Commissioners,

I am providing these comments in advance of the April 22nd meeting focused on the Bel-Red street grid, as I regretfully cannot attend in person. I will, however, be present at both future Bel-Red LUCA PC meetings. I also understand that affordable housing and incentive systems will be discussed at the May meeting, so I will reserve my comments on those topics until then.

Attached is a detailed narrative regarding the remaining street grid issues. Because I know your time is valuable, I have included a brief executive summary of my key points below.

Summary:

- **A Commendable Start:** The current Bel-Red LUCA draft takes excellent steps toward removing historical barriers to housing, most notably by heavily reducing the prescriptive 2009 street grid map.
- **Mandatory Streets are Unnecessary:** Recent traffic studies confirm the existing arterial network can handle full sub-area build-out. The justifications for the remaining mapped streets (breaking up large blocks, preventing landlocked parcels, and managing intersections) can be fully addressed without burdening projects with expensive, feasibility-killing vehicular roads.
- **Alternative Solutions:** Relying on the new 1,200-foot maximum block lengths, standard neighbor access easements, and basic curb-cut design rules will achieve the city's goal of a hyper-connected, porous neighborhood while keeping development viable.

Proposed Actions:

- **Primary Request:** Eliminate the prescriptive local street map entirely to maximize housing delivery. Trust the proposed block length and design standards to foster an organic, active transportation network.
- **Alternative Request:** If mapped streets must remain, the code must include a straightforward, highly flexible "Local Street Waiver." This would allow developers to bypass mandatory alignments if they hinder project feasibility, disrupt cohesive site design, or are redundant for traffic capacity, provided the development still satisfies basic performance goals for pedestrian connectivity, safe site circulation, and emergency access.

Overall, this draft is a very good step forward and already solves many of the impediments to housing that have plagued Bel-Red for nearly 20 years. But we should not stop at a "good" code when we are so close to a "great" code!

For more detail on my specific suggestions and the context behind them, please reference the attached letter.

Thank you to this Planning Commission for your continuing dedication to bringing housing to Bel-Red!

Regards,

Charlie Bauman

GT Capital

charlie@gtcptl.com

(425) 802-3352

www.gtcptl.com

April 17, 2026

To: Bellevue Planning Commission

Re: April 22nd PC Meeting: Bel-Red LUCA + Street Grid

Dear Planning Commissioners,

The current draft of the Bel-Red LUCA makes very good progress on fixing the major code issues which have been a significant constraint for the past 17 years. Simplifying the zoning designations, increasing base FAR, and improving numerous development standards will all go a very long way toward helping Bel-Red deliver housing. The ultimate affordable housing requirements and incentive systems are perhaps the largest and most impactful requirements left to discuss, but I will save my comments for the May meeting when that will be the central topic.

For this meeting, the street grid is the primary focus. As a very short recap, the prescriptive street grid map established in 2009, while well-intentioned, proved to be one of the largest impediments to housing development in the neighborhood. The fixed street locations, inflexible street typologies, numerous conflicts with parcel lines, huge costs, elimination of developable land, and unpredictable permitting processes combined to prevent thousands of housing units from being built.

Luckily, this unintended consequence of the old street grid is now well known and acknowledged, and Staff has embraced this issue and is taking admirable steps to fix it.

Steps taken in the current draft will be very impactful. Most important is the revised and greatly reduced “street grid map,” which eliminates over half of the previously required local streets, streets that just didn’t make sense. The addition of multiple new street typologies provides options for developments to comply with the block length requirements, offering ample discretion to break down blocks in a manner that works for the project. All of the current proposed street typologies should be supported.

The main issue left to discuss is the revised map: whether the mapped local streets are needed, and if so, under what conditions a development can apply to eliminate a mapped street, relocate it, or alter it into a different typology.

Are the local streets needed? It is still a bit unclear why the remaining mapped streets are needed. The TENW study that was circulated last summer shows that the local streets are not needed for vehicular capacity, as the existing arterial network is sufficient even assuming full projected Bel-Red build-out. The Transportation department has acknowledged this.

Given this, we have heard several reasons from Staff why the mapped streets are still required:

1. They are needed to break down the largest blocks and ensure the 2009 vision of the “grid” is fulfilled.
2. They are needed to ensure any “trapped” or “landlocked” parcels have access out to arterials.
3. They are needed to establish intersection alignment and safety per Transportation standards.

To respond to each of these in turn:

1. **Breaking Down Blocks:** The implementation of the block length standards (maximum 1,200 feet) accomplishes the breaking down of blocks and will fulfill the 2009 goal of a hyperconnected neighborhood. Rather than continuing to require vehicular-oriented streets that will make many parcels more difficult to develop (especially when the streets aren’t needed for vehicular capacity), simply eliminating the map and relying on the 1,200-foot block lengths and numerous street typologies will create an even more porous, organic, pedestrian friendly neighborhood, while allowing developments the flexibility they need.
2. **Trapped Parcels:** Trapped parcels should not be a guiding reason for maintaining mapped streets for several reasons:
 - The vast majority of “trapped” parcels already have access agreements in place with their neighbors, ensuring access is maintained even during redevelopment.
 - If there are any “trapped” parcels without easements (which is very unlikely), Staff would simply need to require that any development applications demonstrate they have access easements in place with their neighbors if a trapped condition could exist, making it a condition of approval.
 - The International Fire Code already has requirements for fire access easements to “trapped” parcels, which require a 20-foot lane. Another option would be to simply piggy-back on this requirement if a “trapped” parcel condition exists, rather than requiring a mapped street “just in case.”
3. **Intersection Alignments:** Any concerns from Transportation regarding the need for these mapped streets should be clearly articulated on a street-by-street basis. Any intersection alignment concerns can simply be managed via design rules, not prescribed locations. Safe intersections can be achieved without full street alignments by enforcing Right-In/Right-Out (RIRO) vehicular access and establishing minimum curb-cut spacing. These are basic design

standards that all new developments need to comply with, but they can do so in a manner that works for the site and doesn't hurt feasibility.

If, for whatever reason, any of these mapped local streets remain, there should be clear criteria for how a development can deviate from the map. Staff's proposed new section 20.25B.020.B.4 "Substituting Local Streets" is a good place to clearly outline how and when a local street can be eliminated or altered, both in location and typology. Suggested criteria should be broad, easy to demonstrate, and flexible. Possible criteria could be:

Application Criteria.

To be eligible to apply for a Local Street Waiver, the applicant must demonstrate that strictly adhering to the prescribed Local Street map meets at least one of the following conditions:

- **Project Feasibility & Yield:** Accommodating the full public right-of-way would reduce the site's developable footprint, negatively impact the financial feasibility of the project, or hinder the ability to achieve the zoning code's intended FAR and housing density.
- **Design Flexibility:** The fixed street alignment bisects the parcel in a manner that prevents a cohesive site design, such as disrupting an efficient parking layout, limiting open space, or creating illogical remnant lots.
- **Site Constraints:** The alignment conflicts with existing topography, critical areas, legacy utility infrastructure, or terminates at a physical barrier offering no logical future vehicular connection.
- **Multiple Parcel Coordination:** The full build out of the local street will require the long-term coordination and redevelopment of numerous parcel owners, making it highly unlikely that the street will be built out for decades.

Waiver Approval Criteria.

An application shall be approved when the applicant demonstrates that the proposed alternative design satisfies the following basic performance goals:

- **Pedestrian Connectivity & Block Length:** The alternative design successfully breaks up the development into walkable segments, utilizing other allowed typologies such as flexible access corridors, active transportation access or shared -use paths to ensure block lengths do not exceed 1,200 feet.
- **Site Access & Circulation:** Vehicular demand is safely managed on-site via private driveways or consolidated entrances without degrading the surrounding arterial network.

Where necessary, new arterial connections use standard access controls like minimum curb-cut spacing or Right-In/Right-Out (RIRO) channelization.

- **Prevention of Trapped Parcels:** The site layout does not intentionally landlock adjacent parcels. If a neighboring parcel requires access to the arterial network through the subject site, the applicant agrees to provide a standard Access Easement.
- **Emergency Access:** The project maintains adequate emergency vehicle access through adjacent arterials, private driveways, or fire lanes, satisfying the International Fire Code without requiring a dedicated public local street.

Conclusion.

Overall, this draft is very positive despite the logic for the remaining mapped local streets still being unclear. Unless there is a very valid rationale to keep a mapped street, the elimination of the map altogether should be the goal. Simply relying on the block length and design standards will accomplish the intended pedestrian focused, hyper-connectivity in Bel-Red. Short of this, a very clear, flexible waiver process needs to accompany the remaining mapped local streets.

Thank you for considering these comments and for recognizing that Bel-Red offers the greatest potential for transit-oriented housing development anywhere in the State.

Sincerely,



Charlie Bauman

Nesse, Katherine

From: Ben Mickle <benmickle@gmail.com>
Sent: Sunday, April 19, 2026 8:06 PM
To: PlanningCommission
Subject: BelRed!

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Bellevue Planning Commission and Staff,

This BelRed LUCA is very exciting! Unfortunately, I cannot attend your Wednesday meeting, but I've made a list of my thoughts about the latest draft that I hope you will find useful.

20.10.445.B.5.b.ii.1 on page 8: "Outdoor storage or display of automobiles or motorcycles is prohibited between the building and any public right-of-way."

"Public right-of-way" does not include flexible access corridors, which may constitute many of the streets in BelRed (and Wilburton). I suggest following the example of section 20.25B.040.C.5.a.ii, which uses the language "public right-of-way or flexible access."

20.25B.020.B.2.f on page 32: "Unobstructed Travel Path. Within the width of a sidewalk, at least six feet of unobstructed travel path shall be maintained for safe pedestrian access in new development."

Why is this rule restricted to "new development"? Once a development reaches some unspecified age, its sidewalks suddenly become obstructable? Also, this rule should include examples of common obstructions, including signs, tables, and chairs.

20.25B.030.C.2.e on page 36: The Green score. I'm surprised this table doesn't include any points for daylighting streams or preserving streams.

20.25C.020.C.2 on page 62: Eastrail Access. A large section of Eastrail runs through the BelRed Overlay, and I think these requirements about Eastrail access should be lifted into the common 20.25B section. Either that, or copy them into 20.25D. Also, in part d, concerning prohibiting new vehicular travel lanes crossing Eastrail, a similar rule should apply in the BelRed Overlay between NE 12th St and SR 520.

20.25D.020.B.1 on page 94: the BelRed street map. I have a few things to say about this map:

- The street labeled 128 PL NE appears to cross the light rail tracks. I understand this crossing is part of the City's Spring Boulevard plans. But Spring Boulevard isn't a local street. It's an arterial. It shouldn't be on the local street map. A complex light rail crossing should not be a cost imposed on housing developers.
- The map applies block limits to Sound Transit's light rail Operations and Maintenance Facility. What is the purpose of making the OMF a non-conforming property?

- The map fails to require any streets, or even block limits, in a large street-free area being upzoned, adjacently west of 148th Ave, between NE 20th St and NE 24th St.
- Similarly, block limits should apply between 136th PL NE and 148th Ave, between BelRed Rd and NE 20th St.
- The area around the BelRed Link Station needs a circulation plan. Which streets are meant for through-traffic? Which streets are meant for local access only? And how will you keep cut-through traffic off the local access streets? The proposed layout is inviting tons of unwanted cut-through traffic through this neighborhood, imposing an unnecessary burden of pollution, noise, and unsafe streets. I cannot support the proposed street locations, when they appear to be designed to facilitate vehicle cut-through traffic at the expense of neighborhood livability.
- Where's the plan for protected bike routes through the neighborhood? That's a top community priority. How will bikes get safely to and from the bike facilities on Eastrail, Spring Blvd, and 130th Ave?

20.25D.020.B.3.a on page 96: Local streets. Please make the sidewalks 10 ft, in compliance with NACTO standards. Section ii refers to Subsection C about on-street parking, but Subsection C simply says that on-street parking is always required for local streets. Just put the requirement here. And you need to specify if parking is required on both sides of the street, or just one side. It's misleading to say the width is 47 ft, when it's really more with the always-required parking.

20.25D.020.B.3.b on page 96: Green streets. It says these are important streets for bicyclists, but there's nothing in these streets to accommodate bicyclists. If you don't have curbs, you need bollards to keep cars off the sidewalks. Please consider making these streets 10 mph Shared Streets (established by [SB 5595](#) last year) so that they will actually accommodate bikes.

20.25D.020.B.3.c on page 97: Flexible Access. It says the travel lanes will serve "active transportation modes." How? You can't just pretend that your car lanes are for bikes, and pat yourself on the back for it! This language is a cruel joke.

20.25D.020.B.3.d on page 97: Active Transportation Access. You should require the amenity zone to be split into two zones, with at least 2 ft unobstructed buffers on each side of the path, in accordance with [NACTO guidelines](#). The requirement for lighting is redundant with 20.25B.030.D.3.c on page 40. You should also separate bikes and pedestrians. According to [NACTO](#), "Separation is typically preferred in urban contexts, as this provides the best user experience for everyone." And, "To separate bike riders from pedestrians, create a detectable edge that contrasts visually with the surface treatment of the path. Separation can be achieved with a tactile warning delineator, curb, raised median, or planted area."

20.25D.020.B.3.e on page 98: Enhanced Shared-Use Paths. Ditto my comments above on buffers, separation, and lighting. You should also allow the amenity zones to be smaller than 12 ft, as long as the total width is at least 26 feet.

20.25D.020.C.1 on page 99: Spring Boulevard. You need to specify a minimum width for sidewalks and amenity zones here. Please make it 10 ft for sidewalks. The map in this section is just wrong. On the eastern-most section, the line on the map follows 136th PL NE, not Spring Boulevard (which continues along its east-west alignment to intersect with BelRed Rd). You should probably rename the section to "Spring Boulevard and 136th PL NE."

20.25D.020.C.4 on page 102: Arterials. The list of arterials in section a is missing 124th Ave, 132nd Ave, 140th Ave, Northup Way, NE 20th St, NE 24 St, and BelRed Rd west of 124th Ave. You should either include these in the list, or specify their requirements elsewhere. In subsection b.iii, these requirements are already specified in 20.25B.030.C.4.a on page 33.

20.25D.020.C.5 on page 103: On-street parking. This section is ambiguous about whether parking is required on both sides of the street, or just one side.

20.25D.020.C.6 on page 103: Restricted driveways. I like the idea here, but "restricted" doesn't mean "prohibited." Section a uses the term "generally prohibited," which I interpret to mean "not quite prohibited." The wording hints that driveways can be allowed, but it doesn't say under what circumstances they're allowed. It needs to be clarified. It would also be nice if the restrictions would extend to parts of BelRed Rd (because driveways would mess up the nice 20-ft amenity zones). Also, this section mistakes 136th PL NE for Spring Blvd again.

20.25D.050.B.4.a.vii.(2) on page 113: Linear Event Plaza. There should be a requirement to protect the plaza from the Green Street with retractable bollards (if you don't add the bollard requirement for Green Streets generally).

20.25D.060.B.1.b on page 121: Natural environment standards. The language here is really vague. What does it mean to "orient a gathering place"? What does it mean for buildings to "turn their back on open space amenities"? Are we talking about fancy entrances? Lighting? Signage? This needs to be clarified. (This section also supports my feedback about requiring Eastrail access)

20.25D.060.B.3 on page 122: Gateways. I like this idea, and I think it would be useful street safety, too. When a driver turns off an arterial, and onto a Local/Green Street, they should have a sense of "entering" a slow-speed community area. You should consider having these streets paved with different materials, and consider requiring raised crosswalks at unsignaled intersections between arterials and non-arterials.

That's all I have for now! You guys are doing some great work here! I hope you have a productive meeting.

Ben Mickle
(Downtown Bellevue resident)

Nesse, Katherine

From: Derek Bottles <derekbottles@gmail.com>
Sent: Tuesday, April 21, 2026 3:56 PM
To: PlanningCommission; Kim Bottles; Dawn & Tom Ambrey; Jessica Clawson
Subject: Study Session on BelRed Look Forward LUCA April 22, 2026 Memo
Attachments: 26-701_260323_Proposed Site Impact Analysis-FINAL.pdf

You don't often get email from derekbottles@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Hello,

I am writing on behalf of my parents and their partners who are the owners of the Evergreen Building at 1721 132nd Ave NE Bellevue, WA 98005. We reviewed the memo for the April 22nd meeting and we met with Mr. Whipple and Ms. Gallant about two weeks ago. We appreciate the effort that has gone into the LUCA and the attempts to balance complicated issues.

The April 22nd Memo, starting on page 6, does a good job of identifying some of the issues around developing a new street grid on the existing properties layout. The fragmented ownership, different redevelopment timelines, and differing grades (elevations) in the proposed street alignments are brought up. However a workable and predictable solution to these problems was not presented. In addition to the issues in the memo we think more work is needed to consider fire lanes and in our case the significant percentage of developable land that will be impacted by proposed streets.

We encourage the commission to carefully consider how fire access will function as the sites are redeveloped and to ensure it is compatible with the street grid.

We also ask the commission to consider if any street is needed N-S across our site. Both our site and the site to the west are small sites that will lose significant developable area to any street alignment. In our site's case the area available for redevelopment is being cut down to half or less of the total site area, squeezed between the proposed street and the critical areas associated with Golf Creek. This makes it unlikely market driven redevelopment of our building and site will occur as the existing structure will retain a higher value as is even under the new code.

See the attached study, showing the 50,528 SF site may only retain 11,300 to 24,500 SF of usable area before addressing fire access.

In short, we think the plan for the proposed 131st Street needs to be developed in much more detail so that is feasible from an engineering

standpoint and economically possible. One option to consider is having 131st terminate to the south of our site.

Staff have made progress on this issue but more work needs to be done. We wish we could provide the answer to these problems but it is a complicated problem for the reasons outlined in the memo and this letter. That said we will continue to work with staff to find a way forward.

Thank you,

Derek Bottles
Evergreen Building LLC.

Site Impact Analysis; ECA and Proposed Roadways

Site Area 50,560 SF / 1.16 Ac

ECA Impacts:

Goff Creek Buffer at 50' 17,500 SF (35% of site area)

50' buffer incl. unusable NE corner 22,335 SF (44% of Site Area)

Goff Creek Buffer @ 100' 31,900 SF (63% of Site Area)

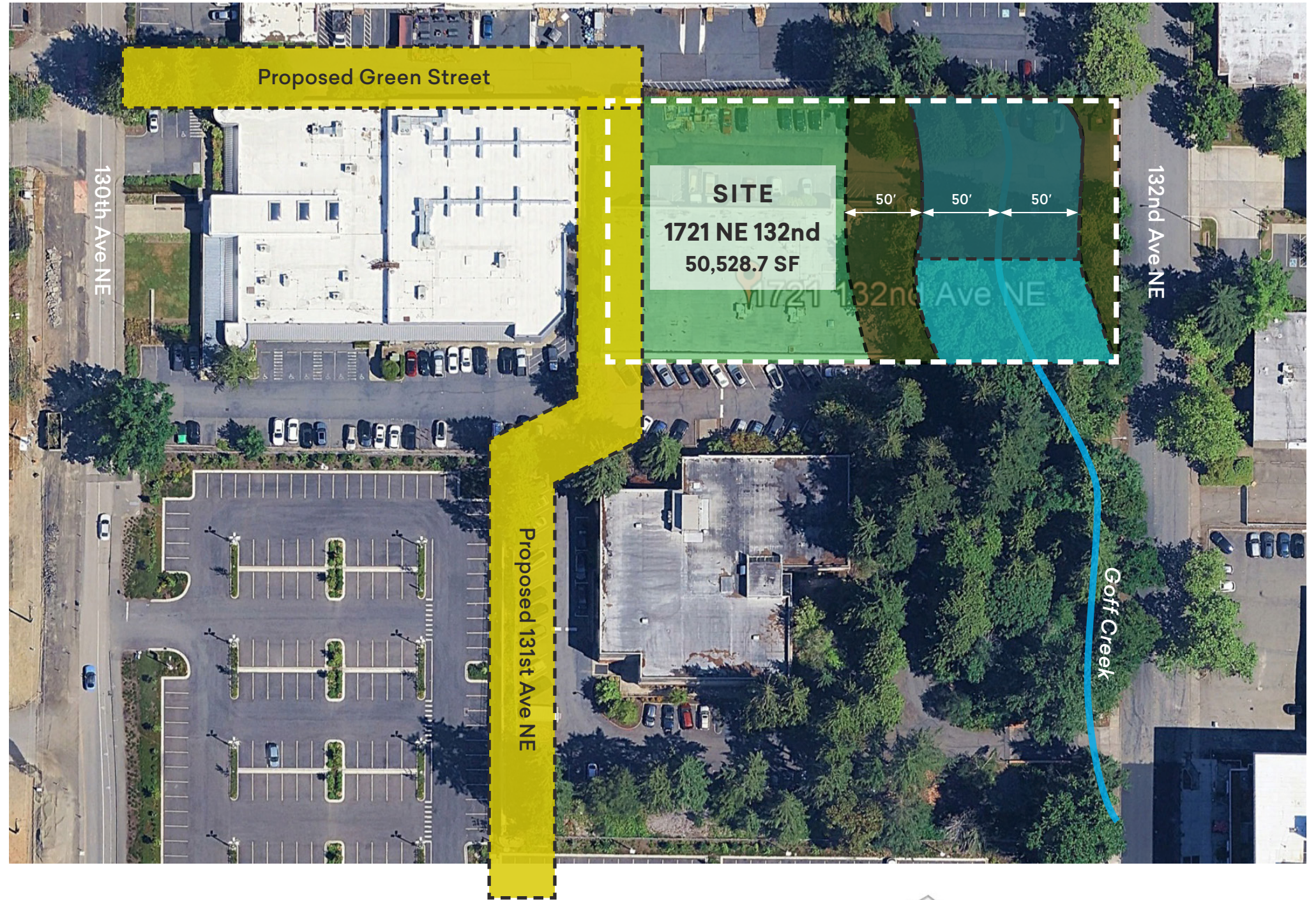
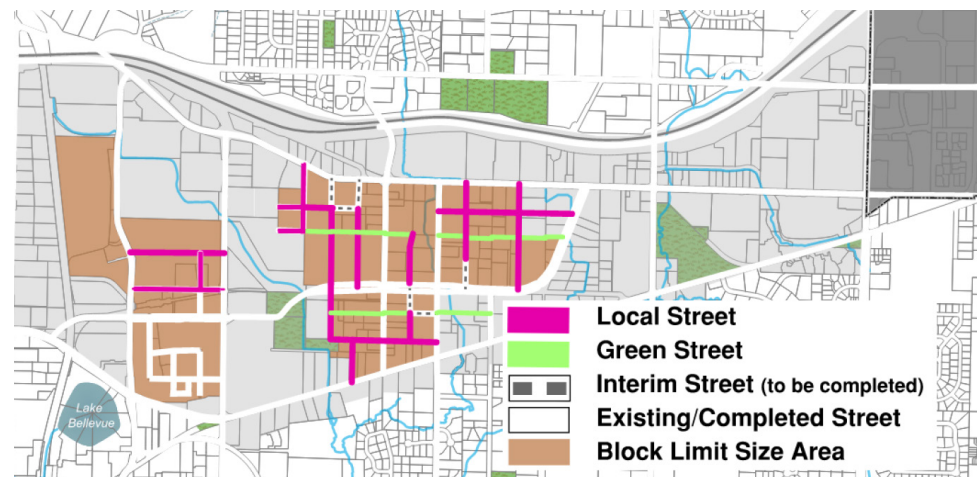
Roadway Impacts:

46' Local Street (50% on site)..... 3,680 SF (7.3% of site area)

Combined impacts Up to 70% of developable area lost

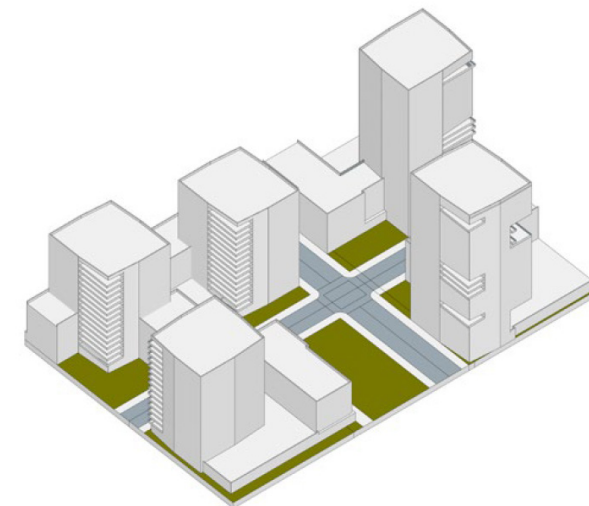
Remaining Developable Area: Approximately 11,300 SF to 24,545 SF

BelRed Street Network Map



Highrise Residential Mixed Use

The purpose is to provide primarily housing with a mix of retail, service, office and uses that complement with a focus on housing at a high scale and density.



Nesse, Katherine

From: Brady Nordstrom <brady@housingconsortium.org>
Sent: Tuesday, April 21, 2026 5:54 PM
To: PlanningCommission
Cc: Chris Buchanan; Allen Dauterman; Patience Malaba; Jesse Simpson; Whipple, Nicholas; Gallant, Kristina
Subject: EAHC and HDC Comment On BelRed (4/22 Study Session)
Attachments: HDC&EAHC_BelRed_4-22-2026.pdf

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Bellevue Planning Commission,

I am writing to share written comment from the Housing Development Consortium (HDC) and the Eastside Affordable Housing Coalition (EAHC) in advance of your April 22nd Study Session focused on BelRed land use districts, mixed-use land use district standards, and street network.

Please see the attached document as our full comment. We look forward to working with you and staff as the BelRed Look Forward LUCA advances.

Best Regards,
Brady Nordstrom

--

Brady Nordstrom (*he/him*)

Associate Director of Government Relations and Policy

[Housing Development Consortium of Seattle-King County](#)

1326 5th Avenue, Suite 230 | Seattle, WA 98101

C: (253) 886-2099



HOUSING
DEVELOPMENT
consortium



April 22, 2026
Bellevue Planning Commission
450 110th Avenue NE
Bellevue, WA 98004

Subject: Comment on BelRed Look Forward LUCA for April 22, 2026 study session pertaining to land use districts, mixed-use land use district standards, and street network

Dear Bellevue Planning Commission,

The Housing Development Consortium (HDC) and the Eastside Affordable Housing Coalition (EAHC) are grateful for the opportunity to comment on the BelRed land use code amendment being discussed at your April 22, 2026 study session. We thank the Planning Commission for your early engagement and discussions about BelRed. We also thank city staff for their thorough engagement with affordable housing and advocate stakeholders through both Phase 1 and Phase 2 of the BelRed outreach process. Our group submitted nearly 11 pages of code comments based on the initial BelRed code draft released on December 31, 2025. **We look forward to additional engagement and partnership through this next phase of work to help realize the neighborhood vision for BelRed, which includes affordable housing.**

The BelRed Look Forward represents a major housing opportunity for Bellevue and the entire Eastside region. BelRed is expected to meet around 23% of Bellevue's total residential growth targets through 2044. By extension, this neighborhood represents a significant opportunity for Bellevue to meet its updated Affordable Housing Strategy goal to create or preserve 5,700 new units of affordable housing by 2036. **We continue to urge staff and Planning Commissioners to keep affordable housing in focus as a core neighborhood goal and central to the future neighborhood's success.**

Central to the vision of BelRed is a thriving arts and creative community in the BelRed Arts District near light rail. The goal of supporting a vibrant arts district is intrinsically linked to the need for affordable housing. This includes affordable artist housing (i.e. housing designed large and flexible enough for both living and creating) and general affordable housing near art studios and commercial workspaces. According to the Artspace Consultant "[Creative Space Needs Survey](#)" report from Bellevue in 2022, 68% of respondents qualify for 60% AMI housing and 81% qualify for 80% AMI housing. This shows a deep overlap between those interested in creative/arts space and the need for affordable housing. Additionally, many who currently participate in the BelRed arts community don't live in Bellevue. Of the survey responses, only 27% currently live in Bellevue and only 19% live in BelRed. Of respondents who currently live in Bellevue and are also interested in artist housing, 91% have considered leaving Bellevue. "Housing cost" is the most cited reason for those who have considered leaving Bellevue. **The BelRed Look Forward is a chance for Bellevue to shift**

Housing Development Consortium
of Seattle-King County

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these patterns by creating an environment for affordable housing to scale, both through an expanded mandatory affordable housing requirement and other code incentives and benefits that remove barriers to development.

Below, we will share our comments on BelRed land use districts, mixed-use land use district standards, and street network which are specific to the April 22nd Planning Commission Study Session:

- We greatly appreciate aspects of the Wilburton code being brought into BelRed to create greater consistency across land use districts. We specifically thank staff for:
 - **Allowing mid-rise typologies to go up to 100’.** This avoids inadvertent height restrictions to mid-rise construction which is most commonly used to support income-restricted affordable housing projects.
 - **Removing floorplate restrictions for buildings less than 100’ tall.** This avoids structural constraints on mid-rise construction that can increase per-unit construction costs by unnecessarily reducing the developable area.
- We also thank you for supporting:
 - **Street grid changes** that support residential development and pedestrian/bike transit. We look forward to additional discussion in this area.
 - **Including exemptions from façade modulation requirements for affordable housing, modular construction, and passive house construction.**
 - **Uses being permitted unless specifically prohibited or conditioned** (expanded from [HOMA code](#))
 - **Broader allowances for departures compared to the existing BelRed code.**
 - **Please consider further reductions to parking standards or removing parking requirements altogether,** even in advance of state-mandated parking reforms. Parking adds significant costs to development and sites will provide parking based on site-specific parking analysis regardless of what the city requires.

Thank you for centering affordable housing in this discussion. We look forward to ongoing engagement with you over the coming weeks and months.

Sincerely,
Eastside Affordable Housing Coalition & HDC

Nesse, Katherine

From: Diana Leo <diana@bellevuechamber.org>
Sent: Tuesday, April 21, 2026 8:35 PM
To: Villaveces, Andres; Ferris,Carolynn; Goeppelle, Craighton; Khanloo, Negin; Lu, Jonny; Kennedy, Mariah; Nilchian, Arshia; PlanningCommission
Cc: Joe Fain; Jessica Clawson; Nikki Stuck
Subject: BelRed Street Grid Concerns

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from diana@bellevuechamber.org. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Planning Commission Chair Khanloo and Members:

On behalf of the Bellevue Chamber's PLUSH Committee, please find our comments on the proposed BelRed subarea code update linked [here](#). We appreciate the collaborative process with City staff to date and wanted to offer recommendations focused on transportation, street grid standards, and development feasibility. Our PLUSH Committee remains committed to working constructively with the City as this effort moves forward.

Thank you for your consideration, and please don't hesitate to reach out with any questions.

Sincerely,
Diana

Diana Leo | VP of Government Affairs
Bellevue Chamber of Commerce
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PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

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April 22, 2026

Bellevue Planning Commission
City of Bellevue
450 110th Ave NE
Bellevue, WA 98004

Re: Bel-Red Subarea Code Update — Transportation and Street Grid Concerns

Dear Chair Khanloo and Members of the Bellevue Planning Commission,

The Planning, Land Use, and Sustainable Housing (PLUSH) Committee of the Bellevue Chamber of Commerce respectfully submits these comments ahead of the Commission's April 23 work session on the Bel-Red subarea code update. We thank City staff for their responsiveness throughout this process and for publishing a comment tracker. We do, however, have significant concerns about the proposed street grid, "green street" typologies, and enhanced shared use path requirements — elements that together risk rendering portions of the Bel-Red TOD area undevelopable and undermining the code's connectivity and housing goals.

1. The Street Grid Is Not Necessary to Achieve Connectivity in a TOD Area

Bel-Red is a transit-oriented development area served by light rail. As the Commission is aware, the City's own transportation staff have testified that the proposed street grid is not required to meet transportation needs. Yet the current draft perpetuates a rigid street grid first conceived in 2009 — a grid that, in the intervening years, has produced minimal development precisely because of the burdens it imposes. It is important to remember that the City is asking private property owners to construct large roads that the City itself states are unnecessary—these roads are expensive to construct and eat away at land that could be utilized for office or housing—much better uses than roads that are unneeded.

We urge the Commission to ask staff directly: what specific transportation purpose does the street grid serve that cannot be achieved through pedestrian and bicycle connectivity alone? In a TOD context, connectivity goals are far better served by flexible pedestrian access standards — the same approach already applied in the Wilburton subarea — than by a mandatory network of 50- to 60-foot roadways. If the answer from staff is that the grid is primarily about walkability and block-breaking, then the code should say so explicitly, and the tools used should be scaled accordingly. 26- or 30-foot-wide walkways are not necessary to accommodate pedestrians and bikes.

Moreover, to the extent the City believes curb cut restrictions along NE 130th Street necessitate a secondary street network to serve adjacent properties, we would note that this concern is largely self-

created. Very few Bel-Red properties are genuinely landlocked. Requiring an elaborate grid to solve a problem created by another policy decision is not sound planning.

We also call the Commission's attention to specific locations where the street grid alignment as currently mapped would run through environmentally constrained areas (steep slopes, streams, critical areas), are not feasible due to existing access easements, or would bisect small parcels to the point of making them entirely undevelopable. Requiring property owners to build roads that physically cannot be constructed — or that terminate directly into a light rail station — is not a reasonable standard. These examples were previously presented to the City; they remain unresolved in the current draft. We have attached the map showing locations where these constraints are present.

2. Align Standards with Wilburton

Bel-Red and Wilburton share the same fundamental characteristics: both are TOD subareas near light rail stations, both are targeted for high-density mixed-use development, and both have relied on the same general planning framework. Wilburton is a higher density zone than is Bel-Red's, with taller buildings and higher FARs. Wilburton's code — developed through extensive stakeholder engagement — reflects a workable balance that has led to active development interest. We ask: why should Bel-Red be held to a more burdensome standard by requiring the street grid and wider road widths?

We request that the Commission direct staff to identify every material difference between the Bel-Red draft and the Wilburton code and provide a policy justification for each divergence. Absent a compelling reason for differentiation, the Bel-Red standards should be aligned with Wilburton.

3. The Enhanced Shared Use Path Width Is Excessive and Creates Perverse Incentives

We were encouraged that the City added the enhanced shared use path to the access corridor typology list. However, the proposed standard — a 14-foot path flanked by 12-foot amenity strips, totaling 26 feet of required corridor width with no ability to build over it — is significantly more burdensome than the 14-foot shared use path standard established in Wilburton.

The amenity strip requirement is particularly difficult to justify in a pedestrian environment free of vehicle traffic. Where there are no vehicles to buffer pedestrians from, a mandatory 12-foot landscaping strip adds cost and consumes land without a commensurate benefit. We recommend aligning the enhanced shared use path width with the Wilburton standard of 14 feet.

We also note a significant structural problem: as currently drafted, the enhanced shared use path cannot be used for emergency vehicle access, which pushes property owners toward the "flexible access corridor" or the 20-foot service/alley typology instead. The practical effect is that the enhanced shared use path — a typology intended to promote active transportation — is more expensive and less flexible than an alley. This is precisely the wrong incentive structure for a TOD area. The code should be revised to allow a shared use path of adequate width to also qualify as an emergency access route, at the property owner's discretion.

4. "Green Streets": Width Reduction and Elimination of On-Street Parking

The two proposed “green streets” remain nearly as wide in the current draft (60 feet) as in the prior version (61 feet). We urge the Commission to reconsider both the width and the continued inclusion of on-street parking on these corridors.

As the Commission may be aware, a “green street” in established planning practice refers to an existing street retrofitted with additional landscaping and stormwater features to improve the pedestrian experience — not a newly required 60-foot road with a parking lane. The proposed green streets, as mapped, are not continuous (one is interrupted by a stream corridor and does not pass through certain properties), which further undermines any argument for their utility as major pedestrian or commercial corridors.

On-street parking in a transit-served TOD area is inconsistent with the policy goals of reducing vehicle dependence. If the goal is to support a vibrant ground-floor retail environment, the evidence from comparable transit corridors suggests that walkability and density — not curb-side parking — drive retail success. We ask the Commission to direct staff to eliminate the on-street parking lane requirement from the green street cross-sections and to reduce the overall width to a standard more appropriate for a pedestrian-priority corridor.

5. Development Cost and Feasibility Impacts

The Commission should understand that the street grid requirements impose costs on property owners that go well beyond construction of the road surface itself. Grade changes required to construct new roads through sloped terrain have already proven extraordinarily expensive for the first movers in Bel-Red. Perpetuating a mandatory grid will make additional parcels either more costly to develop or, in some cases, infeasible to develop at all. This is the opposite of what an upzoned TOD area should accomplish.

The Council’s own prior direction on this subarea was clear: the goal was walkable connectivity, not a conventional street network with two-lane roads and parking lanes. We respectfully ask the Commission to hold the code to that standard and provide staff with direction to simplify and narrow the transportation requirements accordingly.

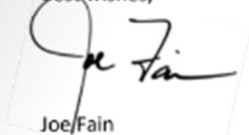
Conclusion and Requested Direction

We respectfully request the Planning Commission provide direction to staff on the following:

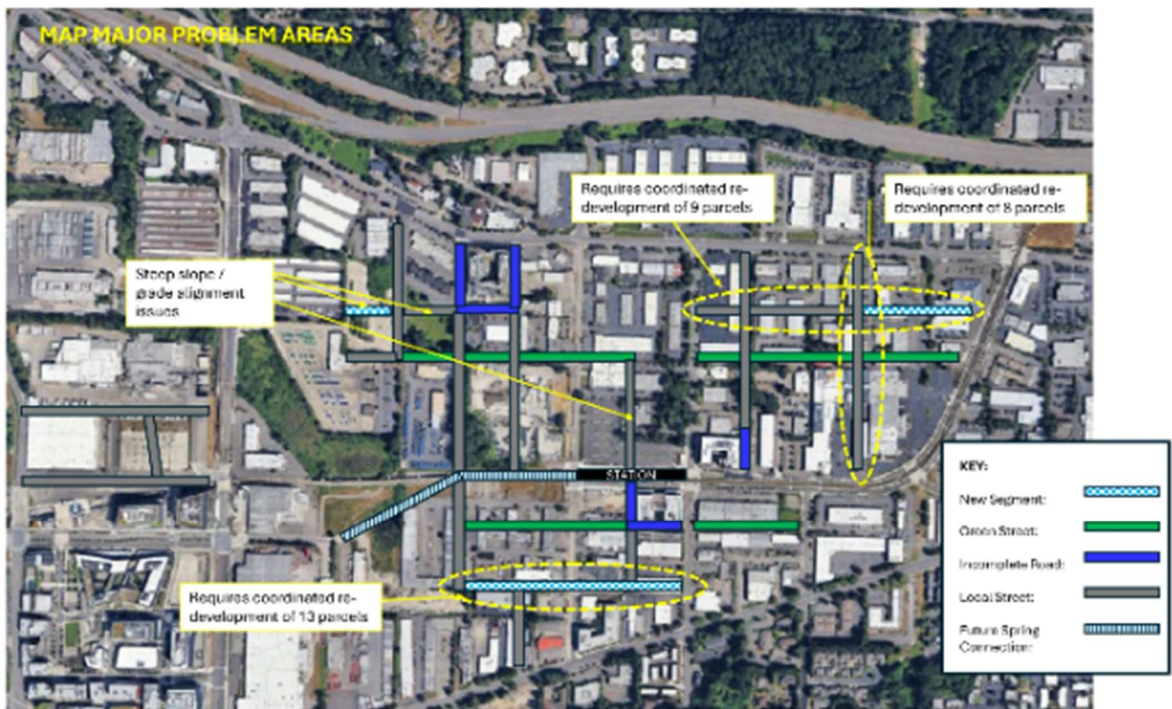
- Eliminate or substantially reduce the mandatory street grid and replace it with a flexible pedestrian and bicycle connectivity standard consistent with Wilburton.
- Align the enhanced shared use path width with the Wilburton standard (14 feet) and allow it to serve as an emergency access route where width is sufficient.
- Reduce green street widths and remove the on-street parking lane requirement.
- Direct staff to identify and justify all material differences between the Bel-Red draft and the Wilburton code.
- Address the specific locations where the street grid as mapped would render parcels undevelopable due to physical or environmental constraints.

We appreciate the Commission's time and attention to these issues. The Bel-Red subarea has tremendous potential as a transit-oriented community, and we remain committed to working constructively with the City to achieve a code that enables that vision. We look forward to the discussion on Wednesday.

Best wishes,

A handwritten signature in black ink, appearing to read "Joe Fain", is written over a light blue rectangular background.

Joe Fain
President & CEO
Bellevue Chamber of Commerce
On behalf of the PLUSH Committee



The examples above illustrate just a few of the locations where the proposed street grid creates significant feasibility challenges, driven by extreme grade changes, parcel size, and configuration



Bellevue Planning Commission

May 13, 2026

PLANNING COMMISSION PUBLIC HEARING ITEM

SUBJECT

Public Hearing on the 2026 Omnibus LUCA.

STAFF CONTACT(S)

Nick Whipple, Code and Policy Director, 452-4578
Kristina Gallant, Code and Policy Manager, 452-6196
Development Services Department

POLICY ISSUES

The scope of this LUCA includes clean-up amendments, amendments required for compliance with state law, and minor amendments which require limited policy consideration and clearly advance established priorities. Because of the nature of these recommended amendments, there are no significant policy considerations associated with the LUCA.

DIRECTION NEEDED FROM THE PLANNING COMMISSION

ACTION



DIRECTION



INFORMATION ONLY



Following discussion on the proposed LUCA on April 8 the Planning Commission directed staff to schedule a public hearing. Tonight, the Commission will be asked to hold the public hearing on the proposed LUCA, included as attachment A, B, C, and D, and following the Public Hearing, make a recommendation on the proposed LUCA. Planning Commission retains the option to direct staff to schedule a subsequent meeting during which a recommendation will be made, however this would likely delay the project enough to not meet the July 2026 deadline for some of the state bills we are required to comply with.

BACKGROUND/ANALYSIS

Staff continually collect and document suggestions for potential clean-up items in the Land Use Code (LUC) and periodically process these items through clean-up LUCAs. Historically, clean-up LUCAs have been limited to spelling corrections, outdated cross-references, scrivener's errors, and small adjustments to clarify the intent of the code. The city last conducted a clean-up LUCA in 2022.

The approach proposed for this cycle is to expand the scope to also include amendments needed to comply with state law where minimum compliance is proposed, as well as small-scale edits to the code that require limited policy direction but are not anticipated to be controversial. These edits are also limited to subjects which are not within the scope of another ongoing or upcoming project. City Council affirmed this approach when the project was initiated on February 10. Strike drafts including all clean-up amendments are provided as Attachment A, and other amendments, provided as Attachments B through E.

These proposed changes are referred to as "omnibus" amendments because Development Services packages a collection of relatively small, discrete amendments into a single amendment process for

administrative efficiency. The omnibus package will include both LUCAs, which are processed by the Planning Commission, and related Bellevue City Code Amendments (BCCAs) that affect development.

The proposed approach is for the Planning Commission to review the LUCA portion of the omnibus package and provide a recommendation. That recommendation, along with the related BCCAs, will then be brought forward to City Council for review. Final action on both the LUCA and BCCA items will be scheduled together when City Council directs the omnibus amendments to return for final action.

LUCA Priorities

The overarching goal for this project is to address as many clean-up items as possible to support smooth review and application of the code by improving clarity and usability, while also taking the opportunity to incorporate minor code amendments that more clearly advance established policy but do not necessarily warrant a separate standalone workplan item. Additionally, this project will ensure that the City remains in compliance with state law.

Overview of Proposed Amendments

The proposed LUCA includes three categories of amendments: technical clean-ups and process improvements; updates to ensure compliance with state law; and low-controversy amendments intended to better implement and advance established policy direction.

Clean-up and Process Improvements

Examples of proposed amendments included in this category:

- Correcting cross-references between code sections and to other documents
- Adding or amending definitions for clarity
- Consolidating duplicate process-related code into a single location
- Resolving inconsistent formatting
- Clean-up of extended vesting language to ensure current policy and practice is clearly laid out in the code
- Remove Comprehensive Plan compliance from decision criteria where it is not required by state law
- Other changes that improve the clarity of the code and do not require policy direction

State Law Compliance

The proposed amendments include changes necessary for minimum legal compliance with recent changes to state law. These amendments address the following legislation:

- SB 5611 – Streamlining/clarifying Land Use Permitting, due July 27, 2025
- SB 5571 – Building Cladding, due July 27, 2025
- HB 1757 – Residential Redevelopment, due June 30, 2026
- HB 1576 – Historic Preservation Reform, due July 26, 2026
- SB 5509 – Childcare Reform, due July 27, 2027
- SB 5559 – Unit Lot Subdivision, due July 27, 2027
- HB 1096 – Lot Splitting, due July 27, 2027
- HB 1183 – Building Code and Development Regulation Reform, due June 30, 2029

Low-Controversy Updates

The following criteria were used to evaluate additional amendments which have been included in the draft LUCA:

- Changes are anticipated to be limited in any perceived negative impact on Bellevue stakeholders, controversy is low;
- Changes are consistent with established City priorities, such as City Council priorities, Comprehensive Plan policy, or functional plan policies;
- Changes are clear, and would not benefit from extensive outreach and/or analysis to develop alternative solutions; and
- Changes do not align well with the scope of any ongoing or upcoming code amendment projects

This category of amendments also includes adjustments to recently implemented code to confirm intended outcomes, such as those related to Wilburton and Middle Housing.

A few of the key recommended changes include:

- Tree code clean-up
 - Allow property line trees to count as 0.5 credit
 - Align Suburban Residential 1 (SR-1) Land Use District retention requirements with other SR districts
- Process consolidation and clarification
 - Move the majority of process and requirements for Master Development Plans, Administrative Design Reviews, Departures, and Process Mergers into consolidated citywide section and streamline overlay sections.
- Remove single-family as a permitted use in:
 - Highest density residential zones (10 DU/AC through 30 DU/AC), but continue to permit ADUs when developed with middle housing
 - All other mixed-use zones

The adjustments to the tree code were made based on feedback received over time since the new code was adopted. The additional credit helps to give property owners more flexibility in deciding which trees to retain, providing encouragement for retention of property line trees. Given that the lot sizes in the SR-1 district better align with the other SR districts (SR 2, 3, and 4), it was logical to bring tree retention requirements for SR-1 in-line with these other SR districts. The process changes are intended to make it easier to understand what permitting requirements apply to a given property, and also to clarify what the review process is and what submittal items are needed.

The removal of single-family as a permitted use in our highest density zones that allow for residential development is intended to help better align with the future land uses for those areas and help to support meeting our zoned capacity and reach our growth targets.

April 8 Study Session

During the April 8 study session, the discussion primarily centered on some of the proposed adjustments to the tree code, the removal of single-family as an allowed use in higher density residential and mixed-use residential land use districts, and an amendment proposed during the public comment period to expand the allowance for fee in-lieu for affordable housing in the East Main Transit Oriented Development (EM-TOD) District to also include residential projects. While directing staff to schedule the public hearing, there was a motion to include the revision to the EM-TOD district and the strike draft has been updated to reflect this change.

Decision Criteria

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of these proposed amendments to them, are discussed below:

A. The amendment is consistent with the Comprehensive Plan; and

Finding: The proposed LUCA is consistent with the Comprehensive Plan. Components of these amendments serve to help streamline the development and permitting process and encourage additional housing growth.

LU-7: Accommodate adopted growth targets of 35,000 additional housing units and 70,000 additional jobs for the 2019-2044 period and plan for the additional growth anticipated by 2044.

LU-8: Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.

HO-15: Streamline permitting processes and create objective development regulations that encourage housing development throughout the city.

HO-18: Promote housing density, choice and affordability in areas served by the frequent transit network, businesses serving the community's day-to-day needs and significant nodes of employment.

B. The amendment enhances the public health, safety or welfare; and

Finding: These amendments will enhance public health, safety, and welfare by helping to clarify and improve usability of the code, and also help to encourage additional housing growth.

C. The amendment is not contrary to the best interests of the citizens and property owners of the City of Bellevue.

Finding: These amendments are not contrary to the best interests of the citizens and property owners of the City of Bellevue. These amendments serve the best interests of Bellevue's citizens and property owners by confirming compliance with state law requirements, providing better clarity and usability of the code, and also providing amendments to better align with policy intent as established by City Council

Public Engagement

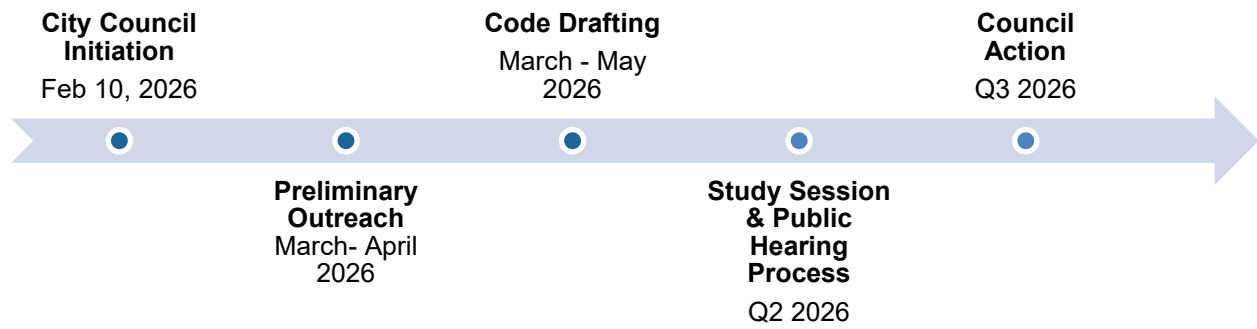
Staff has developed a public engagement plan with three modes of outreach to ensure the public, stakeholders, and interested parties have the opportunity to be informed on the amendments and to provide comments.

- Process IV Requirements. Consistent with Chapter 20.35 LUC procedural requirements, public input will be solicited by a notice of application, notice of public hearing and the required public hearing.
- Direct Engagement and Feedback. Direct engagement with the development community and residents, including through Bellevue Development Committee (BDC) meetings.
- Online Presence. City webpage to provide the public information about the project, who to direct questions to, and how to submit comments.

LUCA Schedule

The Omnibus Amendments launched at Council initiation on February 10. The Planning Commission Public Hearing is scheduled for May 13 in order to begin the Council review process in June with the goal

of Council action in July. This timeline is intended to ensure compliance with several state law changes that must be implemented by the summer 2026 statutory deadline.



ATTACHMENT(S)

- A. Clean-Up Amendments Strike Draft
- B. Development Regulations Strike Draft
- C. Trees, Landscaping, and Environment Strike Draft
- D. Process Changes Strike Draft
- E. Resolution

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Title 20 Land Use Code

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Chapter 20.10 Land Use Districts

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20.10.400 Use chart described – Interpretation.

A. In Chart 20.10.440, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

...

...

6. If the symbol “S” appears in the box at the intersection of the column and the row, then the use is permitted only as a subordinate use to a permitted or special use. Subordinate uses are governed pursuant to LUC 20.20.840, except that accessory dwelling units are governed pursuant to LUC 20.20.120.

7. If a number appears in the box at the intersection of the column and the row, then the use is also subject to the special limitation or allowance indicated in the corresponding note.

...

20.10.440 Land use charts.

...

Chart 20.10.440
Uses in land use districts
 Services – Residential Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-1	LDR-2	LDR-3	MDR- 1	MDR- 2
6	Services											
...												
629	Child Care <u>Services-Center</u> (3,4)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

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	Family Child Care Home-in Residence	P	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center									C	C	P	P
...													

...

Chart 20.10.440
 Uses in land use districts

Services – Commercial and Mixed-Use Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed-Use: 8 Stories	Neighborhood Mixed Use	Community Business	Mixed-Use: 16 Stories	Factoria Land Use District 1	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU (16)	CB	MU16	F1	F3
6	Services													
...														
629	Child Care Services Center (3,4)	P	P	P	P	P	P	P	P	P	P	P	P	P
	Family Child Care Home-in Residence (3)	P	P	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center (3,4)	P	P	P	P	P	P	P	P	P	P	P	P	P
...														

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...
Notes: Uses in land use districts – Services:

- ...
(3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center. ~~Intentionally Deleted.~~
(4) A child care [service center](#) may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.

Chart 20.10.440
Uses in land use districts
Transportation and Utilities – Residential Land Use Districts

...
Notes: Uses in land use districts – Transportation and Utilities:

- ...
(22) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-~~6.5a~~ of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT-6, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.
...
(24) Electric vehicle infrastructure, excluding battery exchange stations, ~~is where~~ ancillary to motor vehicle parking and highways and rights-of-way ~~and not a standalone vehicle charging station, and~~ is permitted through the applicable review process as a component of that use.

Chart 20.10.440
Uses in land use districts
Wholesale and Retail – Residential Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR- 1	LDR- 2	LDR- 3	MD R-1	MD R-2
5	Trade (Wholesale and Retail) (39)											
...												
553	Gasoline Service Vehicle Fueling and Charging Stations (40)											

...

Chart 20.10.440
 Uses in land use districts

Wholesale and Retail – Commercial and Mixed-Use Land Use Districts

STD LAN D USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU 8	NM U	CB (36)	MU1 6	F1	F3
5	Trade (Wholesale and Retail) (39)													
553	Gasoline Service Vehicle Fueling and Charging Stations (34, 40)			A 34	A	P 34 , 35	P	P	A	A	P	A	P	A 34

Notes: Uses in land use districts – Wholesale and Retail:

...

(34) Gasoline service vehicle fueling and charging stations may include subordinate convenience stores.

...

(39) ~~Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW~~

Commented [KM1]: All shopping cart regulations moved to new citywide section 20.20.790 that applies to any use proposing shopping carts

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7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

(40) Battery exchange stations are ancillary to [vehicle fueling and charging/gasoline service](#) stations, and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

...

Chapter 20.20 General Development Requirements

...

20.20.010 Dimensional requirements.

Chart 20.20.010

Dimensional Requirements in Land Use Districts

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Dimensional Requirements – Commercial and Mixed-Use land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NM U	CB	MU1 6	F3
	DIMENSIONS	(21,	(21, 52, 54)	(21, 52, 54)	(21, 52, 54)	(21,	(21,	(21, 52, 54)	(21, 52, 54)	(21, 54)	(21, 52, 54)	(21, 52, 55)	(21, 52, 56)
...													

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Rear Yard (18) (20)	25 (17)	0	0	0	(2) 17	(2) 17	0 (25)	0	0	0	0	0	0
Side Yard (18) (20)	20 (17)	0	0	0	(25) 17	(25) 17	0 (25)	0	0	0	0	0	0
2 Side Yards (18) (20)	40 (17)	0	0	0	(25) 17	(25) 17	0 (25)	0	0	0	0	0	0
Floor Area Ratio	(8)	1 (50)	1	2	(8)	(8)	2	3	4	2.5	5	4	
...													
Maximum Lot Coverage by Structures (percent)	35(24)				50								
...													

...

Notes: Dimensional requirements – Residential, Commercial, and Mixed-Use Land Use Districts:

...

(2) The permitted number of dwelling units shall be either the units calculated in LUC 20.20.538 for middle housing projects or dwelling units per acre, whichever is larger. ~~For sites located within the Critical Areas Overlay, dwelling units per acre shall be calculated pursuant to LUC 20.25H.045.~~

...

(5) ~~Intentionally deleted. All rear and side yards shall contain landscaping as required by LUC 20.20.520.~~

...

(8) ~~Any office building or any office portion of a building in the PO, LI, or GC 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~~

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~~(ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.~~

~~This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.~~

...

20.20.025 Intrusions into required setbacks.

...

D. Rockeries and Retaining Walls.

On a lot of less than 30,000 gross square feet or on any single-family lot, rockeries and retaining walls 30 inches or greater in height may extend into setbacks established by LUC 20.20.010; provided, that the existing grade change is such that no feasible alternative to location or height exists. Rockerries and retaining walls are measured from existing grade. In any event, the critical area buffer and structure setbacks of LUC 20.25H.035 apply.

...

20.20.070 Lots nonconforming as to area, street frontage, width, or depth – Status.

...

~~B. Development of an individual lot failing to meet 70 percent of the area, width or depth requirements of the land use district in which it is located is restricted to a maximum building height computed by the following formula (see Example A at the end of this section). The maximum building height resulting from the following formula may be modified up to the maximum height allowed in the underlying land use district through a variance pursuant to Part 20.30G LUC or Part 20.30H LUC:~~

~~Building Height = $2 \times C \times H$~~

~~C = The ratio of potentially buildable area (lot area less the area of the lot's minimum setback requirements) to total lot area.~~

~~H = The general building height requirement otherwise applicable to the lot.~~

~~(Calculation of building height is in no way intended to suggest a waiver of lot coverage requirements imposed elsewhere in the Code. Similarly, calculations are based on basic Code requirements; any variances to setbacks of the property do not affect building height calculation.)~~

~~Provided, that in no event shall building height exceed the building height requirement otherwise applicable to the lot; and provided, that in no event shall a building height requirement be imposed less than 15 feet.~~

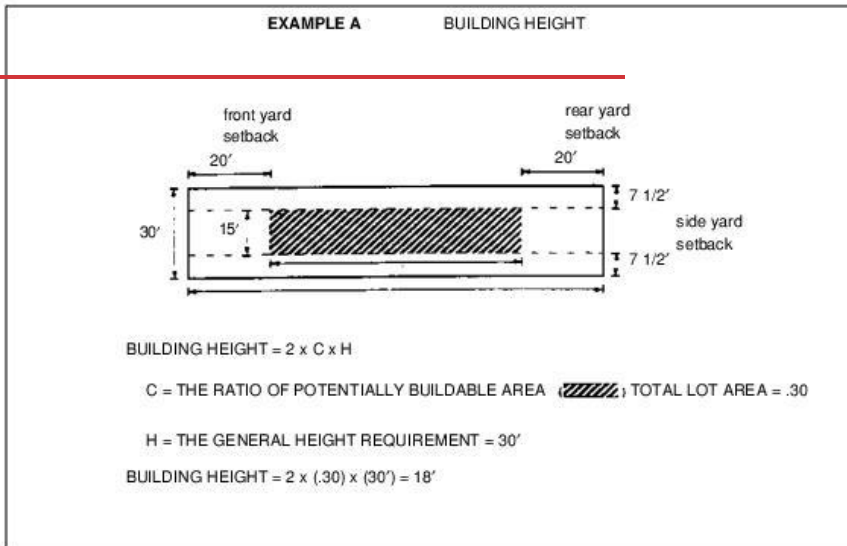
~~B.~~ Notwithstanding subsection A of this section, a nonconforming lot in a Residential Land Use District failing to meet or exceed 70 percent of minimum area, width, and depth requirements of the district in which it is located may not be used for a building site if at any time since the effective date of the ordinance which first established a minimum lot area, width, depth, or street frontage requirement larger than the lot contains or annexation, whichever was later, has a person, partnership,

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corporation or marital community owning said lot simultaneously owning additional contiguous property. Such lots must be combined with additional contiguous property sufficient that the area, width and depth of the combined property each meets or exceeds 70 percent of the minimum requirements of the land use district in which the property is located. This subsection does not constitute a waiver of any of the requirements of boundary line adjustment procedure.

D.C. Any nonconforming lot used for a building site must meet the nonconforming site provisions of LUC 20.20.561, ~~the building height requirements of subsection B of this section,~~ and the applicable dimensional requirements of LUC 20.20.010 for the district in which it is located, unless a variance has been granted pursuant to Part 20.30G ~~or 20.30H LUC~~ or modification has been granted pursuant to LUC 20.25H.040-B.

D.D. This section is not applicable in the BelRed Land Use Districts. Refer to LUC 20.25D.060 for regulations relating to existing conditions.



...

20.20.125 Accessory structures in residential districts – Detached.

...

B. Applicability.

This section applies to detached accessory structures located on lots less than 20,000 square feet within any residential land use district. This section is not applicable to detached accessory dwelling units regulated pursuant to LUC 20.20.120. This section is not applicable to structures exempt from regulation under the International Building Code, as adopted and amended by the City of Bellevue; however, exempt structures (e.g., swimming pools, greenhouses, and similar structures) and parked

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or stored recreational vehicles, watercraft, and utility trailers (regulated pursuant to LUC 20.20.720 ~~or 20.20.890~~) may intrude into side or rear yard setbacks pursuant to the process contained in subsection E.3 of this section.

...

20.20.127 Adult entertainment uses.

A. Adult entertainment uses are prohibited within 660 feet of any Residential Land Use District, single or multiple-family residence, public or private school (preschool – twelfth grade), religious facility, public park, ~~child care service,~~ child day care center, public library, community youth center, massage parlor, or other adult entertainment use.

...

C. The 660-foot distance shall be a straight, horizontal line, measured from the nearest point of that portion of a lot proposed to be used for an adult entertainment use (generally, the enclosed building or indoor leased space, excluding, for example, parking areas, landscaping or tenant common areas) to the nearest point of:

...

2. A lot owned or leased, or that portion of a lot leased (excluding common areas), for a residence, public or private school (preschool – twelfth grade), religious facility, public park, ~~child care service,~~ child day care center, public library, or community youth center; or

...

20.20.130 Animal keeping and services.

...

B. Minimum Requirements.

The following chart, entitled “Animal Regulations,” sets forth the minimum requirements for certain types of animal keeping.

Animal Regulations

Type of Animal/Use	Maximum Number (1)	Minimum Lot Size	Minimum Setback (5)
...			
2. Small Domestic Animals or Hobby Kennel (6)	10: 20,000 sq. ft. and an additional 1,500 sq. ft. for each animal; 6: 10,000 sq. ft. and an additional 1,500 sq. ft. for each animal over 6	20,000 sq. ft. or 10,000 sq. ft.	May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a small domestic animal within the following areas, provided it must be allowed to roam freely therein:

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			<p>1) A lot which is fenced along all lot lines so as to enclose the entire lot, or</p> <p>2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or primary structure as one side of the enclosure and which may include all or a portion of either or both side yards.</p> <p>3) No structure to house the household pets<u>small domestic animal(s) or animals associated with a hobby kennel</u> may be within 25 feet of a property line.</p>
--	--	--	--

...

20.20.170 Child care ~~center~~service use.

A. Purpose.

Encourage the convenient location of child care ~~service centers~~uses throughout the City where compatible with surrounding land uses and development.

B. Applicability.

This section applies to each child care ~~service use center~~ within the City. The requirements of this section shall be imposed at the initiation of any child care ~~service use center~~, or upon any addition or modification to a child care ~~service use center~~ or structure housing that use.

~~C. Family Child Care Home in a Residence.~~

~~Family child care providers must obtain an operating license from the Department of Children, Youth, and Families (DCYF). Family child care providers also must comply with all applicable City codes, including but not limited to the Tax Administrative Code, Chapter 4.03 BCC; Building and Fire Codes, Sign Code, Chapter 22B.10 BCC; and LUC provisions governing lot size, building dimensions, setbacks, and lot coverage requirements for the zone in which they are located.~~

~~D. Child Day-Care Center.~~

1. General. The requirements of subsection ~~D-C~~ of this section apply to each child ~~day~~ care center unless located in a ~~private residence or a~~ community facility. For the requirements for a child care ~~service use center~~ in a ~~residence or~~ community facility, see subsections ~~C and E-D~~ of this section, ~~respectively~~.

2. Review or Registration Required.

~~a. If located in an LDR 2 or LDR 3 Land Use District, a child day care center requires a Conditional Use Permit prior to the initiation of the use.~~

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~~ba. If located in a land use district in which the use is a permitted use, e~~Each operator of a child day-care center must register with the ~~Bellevue~~ Development Services Department by filing a signed Child Care Registration Form as provided by the ~~Department Director~~ prior to the initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration Form.

3. Use Requirements. The following requirements apply to each child ~~day~~ care center.
 - a. An on-site vehicle turnaround or separate entrance and exit points, and passenger loading area must be provided. The City shall specifically consider the location and appearance of the proposed turnaround or access in determining compatibility with surrounding uses.
 - b. The child ~~day~~ care center use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.
 - c. The child ~~day~~ care center use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
 - d. The operator must have granted the City of ~~Bellevue~~ permission to enter the property, and to inspect the child day care center use for compliance with the requirements of the Land Use Code, and other applicable City ordinances.

~~e. The operator must have obtained a Registration Certificate as required by Chapter 4.02 BCC (Tax Administration Code).~~

~~f. If located in an R-10, R-15, R-20, or R-30 Land Use District:~~

- ~~i. A solid fence at least six feet high compatible with neighborhood character must be installed along each side and rear lot line.~~
- ~~ii. One sign, not exceeding four square feet and five feet in height, is permitted to identify the use notwithstanding the provisions of Chapter 22B.10 BCC. The sign may not be lighted. The City shall review the color, materials, design, location and character of the sign in determining compatibility with surrounding uses.~~

...

4. Conditions.

- ~~a. The City Director may impose conditions to protect the public health, safety, and welfare, to mitigate any potential adverse impact on surrounding uses.~~
- ~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~
- ~~c. The City shall establish the maximum number of children permitted in the child care service use at any one time.~~

ED. Child Care Service Center Use Located in a Community Facility.

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1. General. The requirements of this subsection apply to each child ~~day~~-care center ~~use~~ located in a community facility.
2. Review or Registration Required. Each operator of a child ~~day~~-care center housed in a community facility must register with the ~~Bellevue~~-Development Services Department by filing a signed Child Care Registration Form as provided by the ~~Department Director~~ prior to initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration form.
3. Use Requirements. The following requirements apply to each child ~~day~~-care center ~~use~~ located in a community facility:
 - a. The child ~~day~~-care center ~~use~~ must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.
 - b. The child ~~day~~-care center ~~use~~ must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
 - c. The operator must have granted the City of ~~Bellevue~~ permission to enter the property, and to inspect the child ~~day~~-care center ~~use~~ for compliance with the requirements of the Land Use Code, and other applicable City ordinances.
 - ~~d. The operator must have obtained a Registration Certificate as required by Chapter 4.02 BCC (Tax Administration Code).~~
 - ~~e. The child day care center use may not display any sign in excess of the maximum number of signs and the maximum sign area allowed for the community facility in which the child care service use is housed.~~
4. Conditions.
 - a. The ~~City Director~~ may impose conditions to protect the public health, safety, and welfare. to mitigate any potential adverse impact on surrounding uses.
 - ~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~

...

20.20.195 Communication, broadcast, and relay facilities.

...

E. Development Requirements for Wireless Communications Facilities.

1. General. All WCFs except EFRs shall comply with the following requirements:

...

- b. Height Limits.

...

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- i. The height of a non-EFR collocated WCF shall not exceed the greatest of:

...

- (2) The height of a building or utility support structure to which the WCF is attached, or if present, including the height of any existing mechanical equipment located on the roof of a building; or
- (3) The minimum height necessary for effective functioning of the WCF, as certified by a qualified radio frequency engineer, not to exceed:
 - (a) Twenty-one feet above the height of the existing utility support structure to which the WCF will be attached; or
 - (b) Fifteen feet above the height of the existing building to which the WCF will be attached, or if present, including fifteen feet above any existing mechanical equipment located on the roof.

...

20.20.255 Electrical utility facilities.

...

D. Alternative Siting Analysis.

In addition to the requirements set forth in Part 20.30B LUC, and the decision criteria and design standards set forth in this section, the applicant shall identify alternative sites, provide required content showing analysis relating to identified sites, describe technologies considered, and describe community outreach conducted for proposals relating to new or expanding electrical utility facilities on sensitive sites as described in this section.

...

- 2. Content of Alternative Siting Analysis. Upon submittal of the Conditional Use Permit application required pursuant to subsection C of this section, the applicant shall submit results of the siting analysis which:

...

- d. Identify a preferred site from the alternative locations considered for the proposed new or expanding electrical utility facility. The following location selection hierarchy shall be considered during identification of the preferred site alternative: (i) nonresidential land use districts, (ii) the BelRed Office/Residential Transition (BR-ORT), and (iii) residential areas. The applicant may identify a preferred site alternative in a Residential Land Use District or the BelRed Office/Residential Transition (BR-ORT) upon demonstration that the location has fewer site compatibility impacts than a nonresidential location in a land use district that does not permit residential uses location.

...

E. Decision Criteria.

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In addition to the requirements set forth in Part 20.30B LUC, Part 20.30E LUC, and other applicable provisions of this section, all proposals to locate or expand electrical utility facilities shall comply with the following:

...

5. For proposals located on sensitive sites as referenced in Figure UT.5a-6 of the Utility Element of the Comprehensive Plan, the applicant shall demonstrate:

...

- b. Where feasible, the preferred site alternative identified in subsection D.2.d of this section is located within the land use district requiring additional service and residential land use districts are avoided when the proposed new or expanded electrical utility facility serves a ~~nonresidential~~ commercial and mixed-use land use district;

...

20.20.425 Hard surface.

...

C. Exemptions.

The following are exempted from determining maximum hard surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

...

4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not cemented or held together with an impervious material, ~~and organic mulch~~ shall be exempt from the maximum ~~impervious hard~~ surface limits.

...

20.20.455 Homeless services uses.

...

C. Definitions.

1. Use Definitions.

- a. Homeless Services Use. Refers to the collection of service uses defined in this subsection and established for the purpose of providing ongoing services to people experiencing homelessness. "Homeless Services Use" includes Emergency Shelter under RCW 36.70A.030 ~~(10)~~, now or as hereafter amended, but does not include Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038.

...

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20.20.540 Multifamily play areas.

- A. New multifamily developments of 10 units or more shall be required, as a condition of Building Permit approval, to provide a minimum of 800 square feet of contiguous, unpaved, usable open space with lawn or other soft surface for an outdoor children’s play area, plus an additional 50 square feet of usable open space for each additional unit beyond the initial 10 units, up to a maximum of 10,000 square feet. This requirement does not apply to:

...

20.20.790 Shopping carts.

A. Applicability.

This section applies to any wholesale or retail use that includes the provision of shopping carts to customers.

B. Standards.

All wholesale and retail uses, which offer shopping carts to customers, shall:

1. Designate a shopping cart containment area as defined in BCC 9.10.010;
2. Display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and
3. Display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

...

20.20.900 Tree retention and replacement.

...

E. Minimum Tree Density.

...

- 5. Dimensional Standard Modification for Tree Retention.

...

- c. Building Height. Except ~~in transition areas and~~ for proposals of 1 dwelling unit per lot, the maximum building height may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line in the following circumstances:

...

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6. Planted Trees.

...

h. Locations. Planted trees providing credit toward the required minimum tree density shall be planted within the Tree Canopy Site Area in locations suitable for the planted trees to reach maturity, in the following order of priority:

i. Within required setbacks ~~and transition areas.~~

...

Chapter 20.25 Special and Overlay Districts

...

Part 20.25A

20.25A.050 Downtown Land Use Charts.

...

D. Use Charts.

The following charts apply to Downtown. The use charts contained in LUC 20.10.440 do not apply within the Downtown Land Use Districts.

**Chart 20.25A.050.D
Uses in Downtown Land Use Districts**

...

Services – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
	Family Child Care Home in Residence (1)	P	P	P	P	P	P
629	Child Day Care Center (1) (2)	P	P	P	P	P	P

...

Notes: Uses in Downtown Land Use Districts – Services:

(1) Refer to Chapter 20.50 LUC for the definitions of child care service, family child care home, and child day care center. Intentionally Deleted.

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~~(2) A child care service center may be located in a community facility in any Land Use District pursuant to LUC 20.20.170.FD. Intentionally Deleted.~~

...

Transportation and Utilities – Downtown Land Use Districts

...

Notes: Uses in Downtown Land Use Districts – Transportation and Utilities:

...

(11) For the definition of an electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Map UT-67 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-67, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

(12) Electric vehicle infrastructure, excluding battery exchange stations, ~~where~~ is ancillary to motor vehicle parking and highways and rights-of-way and not a standalone vehicle charging station, ~~and~~ is permitted through the applicable review process as a component of that use.

...

Wholesale and Retail – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1 DT-O-1	Downtown Office 2 DT-O-2	Downtown Mixed Use DT-MU	Downtown Residential DT-R	Downtown Old Bellevue DT-OB	Downtown Office and Limited Business DT-OLB
553	Gasoline Service Vehicle Fueling and Charging Stations (8)-(9)	P	P	P			P

Notes: Uses in Downtown Land Use Districts – Wholesale and Retail:

...

~~(8) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice~~

Commented [KM2]: Consolidating shopping cart requirements into a new section in 20.20.790 that will blanketly apply to any proposed use that will include shopping carts.

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that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

(9) Battery exchange stations are ancillary to [gasoline service vehicle fueling and charging](#) stations and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations shall comply with federal and state law regulating the handling, storage, and disposal of batteries.

...

Part 20.25D BelRed

...

20.25D.070 Land use Charts.

The following charts apply to BelRed. The use charts contained in LUC 20.10.440 do not apply within the BelRed land use districts.

...

Notes: Uses in land use districts – Residential:

...

(4) Accessory dwelling units [are permitted on each lot located in a land use district that allows a single-family dwelling or middle housing to be located on that lot, may be established in existing or permitted \(P\) single family structures](#) subject to the performance criteria of LUC 20.20.120.

...

**Chart 20.25D.070
Transportation and Utilities Uses in BelRed Land Use Districts**

...

Notes: Uses in land use districts – Transportation and Utilities:

...

(14) For the definition of Electrical Utility Facility see LUC 20.50.018 and for reference to applicable development regulations relating to electrical utility facilities see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-~~6-5a~~ of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For

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expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT-6-5a, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

...

(17) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, ~~is where~~ ancillary to motor vehicle parking and highways and rights-of-way and not a standalone vehicle charging station, ~~and~~ is permitted through the applicable review process as a component of that use

...

Chart 20.25D.070
Wholesale and Retail Uses in BelRed Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR-MO/MO-1	BR-OR/OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
5	Trade (Wholesale and Retail) (1, 7-15)							
...								
553	<u>Vehicle Fueling and Charging Gasoline Service Stations</u> (8, 16)		P/			P	P	

...

Notes: Uses in land use districts – Wholesale and Retail:

...

(8) ~~Gasoline service~~Vehicle Fueling and Charging stations may include convenience stores.

...

(15) ~~Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around~~

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shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

(16) Battery Exchange Stations are ancillary to Gasoline Service Vehicle Fueling and Charging Stations, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

...

Commented [KM3]: Note that we are consolidating shopping cart requirements into a new section in 20.20.790 which will apply to any new proposal that includes provision of shopping carts.

Chart 20.25D.070

Services Uses in BelRed Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR-MO/MO-1	BR-OR/OR-1 OR-2	BR-RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
629	Child Care Services Center (2, 3)	P/P	P/P	P	P	P	P	P
	Family Child Care Home in Single Family Residence	P/			P	P	P	P
	Child Day Care Center	P/P	P/P	P	A1	P	P	

...

Notes: Uses in land use districts – Services:

...

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~~(2) Refer to Chapter 20.50 LUC for the definitions of child care service, family child care home, and child day care center. Intentionally Deleted.~~

~~(3) A child care center service may be located in a community facility in any land use district pursuant to LUC 20.20.170-ED. Intentionally Deleted.~~

...

20.25D.080 Dimensional Requirements.

...

Notes: Chart 20.25D.080A Dimensional Requirements in BelRed Districts:

...

~~(10) Intentionally deleted. Certain non-critical area setbacks on sites in the Critical Areas Overlay District may be modified pursuant to LUC 20.25H.040.~~

...

20.25D.130 BelRed development standards.

...

D. Required Transition Edge Development.

...

4. Applicable Standards for Building Design.

...

~~c. A primary structure shall be a minimum of 20 feet from another primary structure, provided this dimension may be modified pursuant to LUC 20.25H.040 on sites in the Critical Areas Overlay District.~~

~~d. The maximum building height of 45 feet above average existing grade may be reached only when incorporating pitched or stepped roof forms, except that the maximum building height may exceed 45 feet by 48 inches to accommodate a roof-mounted solar energy panel.~~

~~e. Communication dishes greater than 1 meter (3.28 feet) in diameter shall not be visible from adjacent residential districts.~~

~~f. Natural materials and neutral colors shall be used.~~

...

Part 20.25I Community Mixed-Use Design District

...

20.25I.070 Transition Standards

...

Commented [KM4]: Modification to reflect that we removed this provision outside of the residential districts because the language in 20.25H.040.C speaks specifically to transition districts

Commented [KM5]: Cannot regulate building cladding materials

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C. Standards.

1. Where side or rear property lines directly abut properties in a residential land use district the following shall be required:

...

- b. Beginning at 25 feet from any property line abutting a residential land use district and 60 feet above [average finished](#) grade, a 45-degree daylight plane shall apply to all structures.

...

Part 20.25J Medical Institution District

...

20.25J.020 Permitted uses.

The following chart indicates the permitted land uses within the MI Land Use District and the required review process for each use within each development area.

Medical District Land Use Chart

...

Footnotes:

...

(10) For the definition of electrical utility facility, see LUC 20.50.018 and for reference to applicable development regulations relating to electrical utility facilities see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-~~5a-6~~ of the Utilities Element of the Comprehensive Plan, the applicant shall obtain conditional use permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D, and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT-~~5a-6~~, the applicant shall obtain administrative conditional use permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

...

20.25J.030 Dimensional requirements.

...

Footnotes:

...

(14) ~~Intentionally deleted. Intrusions into required setback: A rockery or retaining wall may intrude into the required setback subject to the following conditions:~~

- ~~(a) The finished height of the rockery or retaining wall (excluding required railings) shall not exceed 30 inches in height as measured from existing or finished grade, whichever is lower, located at the MI District Boundary;~~

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~~(b) The 30 inch height limit must be met at all points along the length of the rockery or retaining wall; and~~

~~(c) This Note cannot be used to develop a rockery or retaining wall which intrudes into critical areas, critical area buffers, or critical area structure setbacks unless permitted pursuant to Part 20.25H LUC.~~

(15) The maximum building height of a hospital or ambulatory health care center is 100 feet as measured from average existing grade.

...

Part 20.25L Office and Limited Business – Open Space (OLB-OS) District

...

20.25L.020 Permitted land uses.

The following chart indicates the permitted land uses within the OLB-OS Land Use District.

Land Use	Process
...	
Vehicle Fueling and Charging Gasoline Service Stations (8)	A
...	
Child Day-Care Center	P

...

(8) Vehicle fueling and charging Gasoline service stations may include subordinate convenience stores.

...

Part 20.25P Eastgate Transit Oriented Development Land Use District

...

20.25P.050 Land Use Chart.

...

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Services – Eastgate Transit Oriented Development Land Use District ⁽⁹⁾	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
6262	Cemeteries	
624410	Family Child-Care Home-in-Residence	P

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STD LAND USE CODE REF	Services – Eastgate Transit Oriented Development Land Use District ⁽⁹⁾	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
624410	Child Day -Care Center	P 1 ²
...		

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Services.

- (1) Refer to Chapter 20.50 LUC for the definitions of child care service, family child care home, and child day care center. ~~Intentionally deleted.~~
- (2) A child care service center may be located in a community facility in any land use district pursuant to LUC 20.20.170-ED. ~~Intentionally deleted.~~

...

Chart 20.25P.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

...

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Transportation and Utilities

...

(9) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-~~5a-6~~ of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT-~~5a-6~~, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

(10) Electric vehicle infrastructure, excluding battery exchange stations, ~~is where~~ ancillary to motor vehicle parking and highways and rights-of-way and not a standalone vehicle charging station, ~~and~~ is permitted through the applicable review process as a component of that use.

...

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit oriented Development land use District

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STD LAND USE CODE REF	Wholesale and Retail – Eastgate Transit Oriented Development Land Use District (4)	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
	...	
553	Vehicle Fueling and Charging Gasoline Service Stations	
	...	

Notes: Uses in EG-TOD – Wholesale and Retail

~~(1) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.~~

...

Part 20.25Q East Main Transit Oriented Development Land Use District

...

20.25Q.020 Definitions specific to East Main.

...

EM – Ground Floor Uses: Ground Floor Uses in the EM-TOD-H and EM-TOD-L Districts are intended to promote an active pedestrian environment while providing for a range of neighborhood-serving retail, service, and residential uses along Street Frontages. “Ground Floor Uses” include, but are not limited to, restaurants, breweries, retail, recreation activities (skating, bowling, gymnasiums, Athletic Clubs, Health Clubs, recreational instruction, fitness studio), art galleries, movie theaters, residential lobbies, residential units (with entry and stoop or private patio), private indoor amenity space (bike storage, gym, community room, or similar indoor amenity), travel agencies, banks, personal services (laundry, dry cleaning, barber and beauty, photography studio and shoe Repair), Child Care [ServiceCenters](#), pet grooming and Pet Day Care, office (including office lobby), special Schools, live/work space, major institutions, and community centers. Ground Floor Uses shall meet the standards and guidelines in LUC 20.25Q.150.B.

...

20.25Q.050 Permitted uses.

...

D. Use Chart.

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The following use chart applies to the East Main Transit Oriented Development Districts:

Chart 20.25Q.050.D
Uses in East Main Transit Oriented Development Districts

Std Land Use Code Ref	Land Use Classification	TOD-H	TOD-L
	...		
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P
	Family Child Care Home in Residence (5)	P	P
629	Child Day Care Center (5) (6)	P	P
	...		
5251	Hardware, Paint, Tile and Wallpaper (Retail) (22) (23)	P	P
54	Food and Convenience Store (Retail) (23) (24)	P	P
	...		
553	Vehicle Fueling and Charging Gasoline Service Stations (26)	P	P
56	Apparel and Accessories (Retail) (22) (23)	P	P
57	Furniture, Home Furnishing (Retail) (22) (23)		
	...		
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (22) (23) (29)	P	P
	Handcrafted Products (Retail) (22) (23) (30) (31)	P	P
	...		
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (22) (23) (33)	P	P
5999	Pet Shop (Retail) (22) (23)	P	P
	Computers and Electronics (Retail) (22) (23)	P	P
	...		

Notes: Uses in East Main Land Use Districts:

...

(5) Refer to Chapter 20.50 LUC for the definitions of Child Care Service, Family Child Care Home, and Child Day Care Center. Intentionally deleted.

(6) A child care service center may be located in a Community Facility in any Land Use district pursuant to LUC 20.20.170.E.D. Intentionally deleted.

...

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(13) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, ~~is where~~ ancillary to motor Vehicle parking and highways and rights-of-way ~~and not a standalone vehicle charging station, and~~ is permitted through the applicable review process as a component of that use.

...

(20) For the definition of an Electrical Utility Facility, see LUC 20.50.018, and for reference to applicable Development regulations relating to Electrical Utility Facilities, see LUC 20.20.255. For new or expanding Electrical Utility Facilities proposed on sensitive Sites as described by Map UT-67 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative Siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For Expansions of Electrical Utility Facilities not proposed on sensitive Sites as described by Map UT-67, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

...

~~(23) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.~~

...

(26) Battery Exchange Stations are ancillary to ~~vehicle fueling and charging~~ gasoline service stations and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations shall comply with federal and State law regulating the handling, storage, and disposal of batteries.

...

20.25Q.070 FAR and the amenity incentive system.

...

D. Amenity Incentive Program.

...

2. Development within a Project Limit may only exceed its base FAR or base Building Height by providing amenities as described in Chart 20.25Q.070.D.4 and this subsection.

...

Commented [KM6]: Regulatory language moved to new section 20.20.790 on shopping carts, applicable to any use that will involve using shopping carts

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b. Allocation of Amenities. For residential Development, the Amenity Incentive System has a focus on Affordable Housing. A residential Development or a residential portion of a Development shall earn 80 percent or more of the project’s amenity points from the Affordable Housing amenity, as described in Chart 20.25Q.070.D.4. The remaining 20 percent of a project’s required amenity points may be earned from any other amenity on the amenity list.

For nonresidential Development, the focus is on Child Care [ServiceCenter](#), Potential Streets, Open Space, Affordable Housing, Pedestrian Bridge, and performing arts space. A nonresidential Development or a nonresidential portion of a Development shall earn 75 percent or more of the project’s amenity points from the Child Care [ServiceCenter](#), Potential Street, Open Space, Affordable Housing, Pedestrian Bridge, or performing arts space amenities, as described in Chart 20.25Q.070.D.4. The remaining 25 percent of a project’s required amenity points may be earned from any other amenity on the amenity list.

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

List of Bonusable Amenities	Applicable Land Use Districts and Bonus Ratios			
	East Main Transit-Oriented District Higher Density (EM-TOD-H)		East Main Transit-Oriented District Lower Density (EM-TOD-L)	
	Nonresidential	Residential	Nonresidential	Residential
Child Care ServiceCenters	8.9:1	7.4:1	8.9:1	7.4:1
	Criteria:			
	1. Up to 15,000 square feet per project is eligible for this bonus, any floor area beyond that limit shall not be eligible for amenity bonus points.			
	2. The floor area delineated for Child Care ServiceCenters shall be required to remain dedicated to Child Care ServiceCenters for the life of the project.			
	3. No other uses shall be approved for future tenancy in those spaces dedicated for Child Care ServiceCenters .			
	4. Spaces shall provide visual access from the street.			

Chapter 20.30 Permits and Decisions

Part 20.30J Amendments to the Text of the Land Use Code

20.30J.135 Decision criteria.

The City may approve or approve with modifications a proposal to amend the text of the Land Use Code if:

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- A. The amendment is consistent with the Comprehensive Plan; and
- B. The amendment enhances the public health, safety or welfare; and
- C. The amendment is not contrary to the best interest of the ~~citizens and property owners of the City of Bellevue public.~~

...

Part 20.30N Home Occupation Permit

...

20.30N.115 Applicability.

A Home Occupation Permit is required for any occupation or profession carried on in a dwelling unit, subject to the following exceptions. The requirements of this section are not applicable to: 1) businesses which have no external indication of commercial activity, including no nonresident employees, no client visits, no business-related deliveries, and no vehicle signage; and 2) ~~family~~ child care ~~centers~~ ~~homes located in a residence (see LUC 20.20.170.C).~~

20.30N.120 Purpose.

A Home Occupation Permit is a mechanism by which the City may permit a business to be conducted in a dwelling by a resident of that dwelling. The business must be largely incidental to use of the premises as a dwelling. In a ~~nonresidential-commercial or mixed-use~~ land use district, either a Home Occupation Permit must be obtained or all commercial development standards must be met.

...

20.30N.140 Decision criteria.

- A. The Director of the Development Services Department may approve or modify and approve a Home Occupation Permit if the following decision criteria are met:

...

- 4. There is no exterior display, exterior alteration of the property, including expansion of parking or the addition or expansion of exterior mechanical equipment, ~~no exterior sign other than business signage on the applicant's vehicle~~ signs shall meet the requirements of Chapter 22.10 BCC, no exterior storage of materials or other exterior indication of the business; and

...

Part 20.30U Temporary Encampment Permit

...

20.30U.122 Applicable procedures.

...

B. Additional Mailed Notice.

The requirements for mailed notice of the application set forth in LUC 20.35.510 shall be expanded to include owners of real property within 600 feet of the project Site. Prior to the decision of the Director

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on a Temporary Encampment Permit, the Encampment Host, Encampment Sponsor, or Encampment Manager shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within 600 feet of the boundaries of the proposed Temporary Encampment Site, and shall meet and confer with the operators of any known Child Care [Service Center](#) within 600 feet of the boundaries of the proposed Temporary Encampment Site. The Encampment Host and the School administration and/or Child Care [Service Center](#) operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address School and/or child care concerns regarding the location of a Temporary Encampment within 600 feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the Director for consideration for inclusion within the Temporary Encampment Permit. In the event the parties fail to agree on any conditions, either party may provide the Director with a written summary of the parties' discussions, which the Director may consider in evaluating whether the criteria for the Temporary Encampment Permit are met, or the need for additional conditions upon the Temporary Encampment Permit based on the applicable decision criteria.

...

Chapter 20.35 Review and Appeal Procedures

...

20.35.010 Purpose and scope.

A. The purpose of this chapter is to establish standard procedures for all land use and related decisions made by the City of Bellevue. The procedures are designed to promote timely and informed public participation, eliminate redundancy in the application, permit review, and appeal processes, minimize delay and expense, and result in development approvals that further City goals as set forth in the Comprehensive Plan.

B. As required by [Chapter 36.70B RCW](#) ~~RCW 36.70B.060~~, these procedures provide for an integrated and consolidated land use permit process. The procedures integrate the environmental review process with the procedures for review of land use decisions and provide for the consolidation of appeal processes for land use decisions.

C. To the extent that the requirements of this chapter differ from the requirements of RCW 36.70B.060, RCW 36.70B.070, RCW 36.70B.080, RCW 36.70B.110, RCW 36.70B.120, or RCW 36.70B.130, the difference is based on a determination by the City Council that special circumstances exist that warrant a different review process or time period for approval.

20.35.015 Framework for decisions.

...

C. Process II decisions are administrative land use decisions made by the Director. Threshold determinations under the State Environmental Policy Act (SEPA) made by the Environmental Coordinator ~~and Sign Code variances~~ are also Process II decisions. (See the Environmental Procedures Code, BCC 22.02.034, ~~and Sign Code, BCC 22B.10.180.~~) The following types of applications require a Process II decision:

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...

10. Design and Mitigation Permits required pursuant to Part 20.25M LUC, Light Rail Overlay District;
~~and~~

11. Review under State Environment Policy Act (SEPA) when not consolidated with another permit;
~~and-~~

12. Lot splits.

D. Process III decisions are quasi-judicial decisions made by the City Council. The following types of applications require a Process III decision:

1. Site-specific or project-specific rezone;~~and~~

~~2. A rezone of any property to the OLB-OS Land Use District designation.~~

...

20.35.030 Applications.

A. Who May Apply.

...

3. The City Council,~~or~~ the Director of the Development Services Department~~or the Planning Director~~ may apply for a project-specific or site-specific rezone or for an areawide (Process IV) rezone.

...

20.35.080 ~~Merger of certain decisions~~Consolidated review of applications for Process I decisions, Process II decisions, Process III decisions, and other administrative decisions.

A. Purpose. The purpose of this section is to offer a consolidated process that may, at the applicant's option, be used when a proposed development or use of land will require multiple Process I decisions, Process II decisions, Process III decisions, or other administrative decisions.

B. When a single project includes multiple Process II decisions or other types of land use applications and decisions made by the Director, then any combination of such applications may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250.

CA, Process I and III and Process II, including SEPA Threshold Determinations.When a single project includes a combination of Process I, Process II, including the SEPA threshold determination associated with the Process I or III action, or Process III land use applications, review of the project may combine review of the Process I, Process II, and Process III components. A consolidated report setting forth the Process I or Process III recommendation of the Director and the Process II decisions will be issued. A final decision on each individual application consolidated under this section must still be made by the decision maker specified in this chapter for that type of decision.

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~~B.—SEPA Threshold Determination with Process IV or Process V Decisions.~~

~~The SEPA threshold determination associated with a Process IV or Process V action shall be merged with the Process IV and Process V action, and processed according to the notice, decision, appeal and other procedures set forth in LUC 20.35.400 through 20.35.440 (Process IV) or LUC 20.35.500 through 20.35.540 (Process V).~~

20.35.120 Notice of application

...

B. The Director shall provide notice of the application as follows:

...

3. Mailed notice of the application including at least the information required in subsection B.1 of this section to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, or other ~~citizens'~~ **community** groups who have requested regular notice of land use actions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.127 Public meetings.

A public meeting is required for all Process I applications. The Director may require the applicant to participate in the meeting to inform ~~citizens~~ **the public** about the proposal. Public meetings shall be held as early in the review process as possible for Process I applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible.

...

20.35.135 Public notice of Director's recommendation.

A. Notice of Recommendation, SEPA Determination, and Hearing Examiner Hearing.

...

4. The Director shall mail notice to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, or other ~~citizens'~~ **community** groups who have requested regular notice of land use decisions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

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20.35.210 Notice of application.

A. A notice of application shall be provided, as follows, within 14 days of issuance of a determination of completeness for Process II land use decisions:

Application Type	Publish	Mail	Sign
Administrative Conditional Use	X	X	X
Design Review	X	X	X
Home Occupation Permit	X	X	
Interpretation of Land Use Code Under Part 20.30K LUC	X		
Preliminary Short Plat	X	X	X
Variance	X	X	
Critical Areas Land Use Permit	X	X	
SEPA Review (When Not Consolidated With Another Permit)	X		
<u>Master Development Plan</u>	<u>X</u>	<u>X</u>	<u>X</u>

1. For Process II decisions not included in Table 20.35.210.A, notice of application shall be provided by publication and mailing.

...

5. Mailings shall also include mailing notice of the application including at least the information required in subsection A.2 of this section to each person who has requested such notice for the calendar year and paid any fee as established by the Director. This mailing shall also include a representative from each of the neighborhood groups, community clubs, or other ~~citizens'~~ community groups who have requested notice of land use activity. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.227 Public meetings.

The Director may require the applicant to participate in a public meeting to inform ~~citizens~~ the public about a proposal; provided, that a public meeting shall be required for every Design and Mitigation Permit submitted pursuant to Part 20.25M LUC. When required, public meetings shall be held as early in the review process as possible for Process II applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible.

...

20.35.235 Notice of decision.

...

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C. The Director shall mail notice to each person who has requested such notice and paid any fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, and other [citizens'-community](#) groups who have requested regular notice of land use decisions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.250 Appeal of Process II decisions.

A. Process II decisions, except for [lot splits and for](#) SEPA threshold determinations on Process IV actions, may be appealed as follows:

...

20.35.320 Notice of application.

...

B. The Director shall provide notice of the application as follows:

...

3. Mailed notice of the application including at least the information required in subsection B.1 of this section to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, or other [citizens'-community](#) groups who have requested regular notice of land use actions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.327 Public meetings.

A. A public meeting is required for all Process III applications. The Director may require the applicant to participate in the meeting to inform [citizens-the public](#) about the proposal. Public meetings shall be held as early in the review process as possible for Process III applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible.

...

20.35.335 Public notice of Director's recommendation.

...

D. The Director shall mail notice to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood associations, community clubs, or other [citizens'-community](#) groups who have requested notice of land use actions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

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...

20.35.400 Process IV: City Council legislative actions.

LUC 20.35.400 through 20.35.440 contain the procedures the City shall use to make legislative land use decisions (Process IV actions). The process shall include a public hearing, held by either the Planning Commission or City Council, and action by the City Council. Review under the State Environmental Policy Act (SEPA) and the Bellevue Environmental Procedures Code may be required. Any SEPA threshold determination associated with a Process IV action shall be merged with the Process IV action and processed according to the notice, decision, appeal, and other procedures set forth in LUC 20.35.400 through 20.35.440.

...

20.35.415 Notice of application.

A. The Director shall provide notice of the application as follows:

...

3. The Director shall mail notice containing at least the information in subsection A.1 of this section to each person who has requested such notice for the calendar year and paid any applicable fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood associations, community clubs, or other citizens'-community groups who have requested notice of land use actions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.420 Public hearing notice.

...

B. **Provision of Notice.**

...

4. The Director shall mail notice to each person who has requested such notice and paid any fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, and other citizens'-community groups who have requested regular notice of land use actions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.20.455 Homeless services uses.

...

C. **Definitions.**

1. Use Definitions.

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- a. Homeless Services Use. Refers to the collection of service uses defined in this subsection and established for the purpose of providing ongoing services to people experiencing homelessness. “Homeless Services Use” includes Emergency Shelter under RCW 36.70A.030(10), now or as hereafter amended, but does not include Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038.

...

20.35.510 Notice of application.

...

- B. The Director shall provide notice of the application as follows:

...

- 3. Mailed notice of the application including at least the information required in subsection B.1 of this section to each person who has requested such notice for the calendar year and paid any fee as established by the Director. This mailing shall also include a representative from each of the neighborhood groups, community clubs, or other citizens’ community groups who have requested notice of land use activity. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

20.35.525 Public meetings.

The Director may require the applicant to participate in a public meeting to inform citizens-the public about a proposal. When required, public meetings shall be held as early in the review process as possible for Process V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible.

...

20.35.535 Notice of decision.

...

- C. The Director shall mail notice to each person who has requested such notice and paid any fee as established by the Director. Included in this mailing shall be a representative from each of the neighborhood groups, community clubs, and other citizens’ community groups who have requested regular notice of land use decisions. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

...

Chapter 20.50 Definitions

...

20.50.012 B definitions.

...

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Bay Window. A window feature comprised of at least three wall planes that project beyond a structure façade.

...

Building Height. The vertical distance measured from the average elevation of the average finished grade around the building or building segment to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. Specifically excluded from this definition and from the regulation of maximum building height are structural elements not intended for habitation and not exceeding 15 feet above the maximum building height, including penthouses for mechanical and elevator equipment, chimneys, wireless communication facility antenna arrays, smoke and ventilation stacks, flagpoles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment. This definition does not apply to projects located within the Shoreline Overlay District (refer to LUC 20.25E.280 – “Height”). ~~This definition also does not apply to residential structures constituting either single-family dwellings or middle housing, and structures accessory to either, located in a residential land use district, Land Use Districts LL 1 through LDR 1 (refer to the definition of “Building Height – Residential Land Use Districts” contained in this section; see also LUC 20.10.440, Note (16), and to the F1 Land Use District (refer to LUC 20.25F1.040, Footnote (6)).~~

...

20.50.014 C Definitions

...

~~**Child Care Service.** A use providing regular care and training for children, generally for less than 24 hours, outside of the immediate family, or K through 12 education system. This use includes family child care homes and child day care centers. Also included are preschool and nursery school facilities which are not part of the K through 12 education program. Not included are uses solely for religious purposes.~~

~~**Child Day Care Center.** Has the same meaning as provided in RCW 43.216.010, except that the term, as used in the Land Use Code, includes the following: all preschools and nursery schools which are not part of a school. A child care service use providing regularly scheduled care for a period less than 24 hours. A child care service use meeting the definition of family child care home does not fall within the scope of this definition.~~

...

20.50.016 D Definitions.

Daylight Plane. A daylight plane is an inclined plane, beginning at average finished grade or a stated height above average finished grade at a specified property line, and extending into the site at a stated upward angle to the horizontal, which may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit applicable at such point on the site.

...

Dwelling, Single-Family. A building ~~containing but one kitchen,~~ designed for and occupied exclusively by one family, except where ~~a valid~~ accessory dwelling units ~~registration has have~~ been approved.

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...

Dwelling Unit. Houses, apartments, condominiums, groups of rooms, or single rooms, which are occupied, or vacant, but intended for occupancy, as separate living quarters. Specifically, there is a dwelling unit when the occupants live and eat separately from any other persons in the structure and there is either (1) direct access to the unit from the outside or through a common hall, or (2) complete kitchen facilities for the occupants’ exclusive use. A single unit providing complete, independent living facilities for one or more persons including permanent provisions of living, sleeping, eating, cooking, and sanitation. For the purposes of Chapter 20.15 LUC ~~LUC 20.20.128~~, a co-living unit is considered a dwelling unit.

20.50.018 E definitions.

...

Eave. The lower border of a roof which projects over the wall of a building.

...

Enclosed Plaza. A publicly accessible continuous open space area located within a building and covered to provide overhead weather protection while emitting substantial amounts of natural daylight (atrium or galleria).

...

Existing Grade. The existing elevation of land prior to any cuts and fills or other disturbances, which may, at the discretion of the Director, be determined by a topographic survey or soil sampling.

Commented [KM7]: Moving this into G Definitions as “Grade, Existing.”

...

20.50.020 F Definitions

...

Family Child Care Home. A child care service use located in the family residence, which provides regularly scheduled care for 12 or fewer children or as licensed or approved by the Washington State Department of Children, Youth, and Families per Chapter 43.216 RCW and Chapter 110-300 WAC, now or as hereafter amended. For the purposes of this definition, family residence means the dwelling unit occupied for living purposes by the child care provider which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

...

20.50.022 G definitions.

...

Grade. Average ground level around a building; for the purposes of measuring building height, “Grade” is defined as the average elevation of the finished surface of the ground or paving where it touches the building.

...

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Grade, Average Finished. The average elevation of the finished surface of the ground or paving where it touches the building.~~Proposed grade following development.~~

Grade, Existing. The existing elevation of land prior to any cuts and fills or other disturbances, which may, at the discretion of the Director, be determined by a topographic survey.

...

20.50.026 I definitions.

Impervious Surface. Any structure or other nonvegetated surface affixed to the ground that prevents or retards the entry of water into the soil layer, or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow rate prior to addition of such surface.

“Impervious Surfaces” include, without limitation: structures, including eaves; vehicular, bicycle, pedestrian or other circulation facilities constructed of solid surfaces, including pavement, gravel, concrete, u grouted brick or stone; solid decks, patios, sport courts, swimming pools, hot tubs and similar recreation facilities; and landscape features, including sheds, arbors, and play structures.

...

20.50.032 L definitions.

...

Lot, Parent. A lot that is subdivided into unit lots through the unit lot subdivision process, ~~or~~ the unit lot short subdivision process, or the administrative lot split process.

...

Lot Split. The administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership subject to the applicability and regulations applicable to administrative lot splits.

Lot Split Survey. The final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split.

...

20.50.034 M definitions.

...

Modular Construction. A multistory residential or commercial building constructed from standardized components that are produced off-site, then transported and assembled at the development site.

...

20.50.037 O definitions.

...

Owner Occupancy. A property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year, ~~and at no time receives rent for the owner-occupied unit.~~

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...

20.50.040 P definitions.

...

Passive House. A voluntary standard for developing or retrofitting buildings for energy efficiency to reduce or eliminate the need to use energy for heating and cooling. Passive house requirements are the requirements needed to gain certification by Phius or the international passive house institute

...

Planning Director. The Director of the Development Services Department for the City of Bellevue, the Director's authorized representative or any representative authorized by the City Manager.

...

20.50.048 T definitions.

...

Transient Lodging. Lodging provided for a fee or charge in a hotel, motel, boarding house, bed and breakfast, short term stay use or other granting of any similar through a license to use real property for a period of less than thirty (30) days.

...

20.50.046 S definitions.

...

Satellite Dish Antenna, Large. Any satellite dish that has a diameter greater than one meter (3.28 feet) located in any residential land use district or greater than two meters (6.58 feet) located in any nonresidential-commercial and mixed-use land use district.

Satellite Dish Antenna, Small. Any satellite dish antenna that has a diameter of less than or equal to one meter (3.28 feet) located in any residential land use district or two meters (6.58 feet) located in any nonresidential-commercial and mixed-use land use district.

...

20.50.048 T definitions.

...

Technical Committee. A decisionmaking body composed of the Planning Director, the Director of the Development Services Department, the Public Works Director, and the Storm Drainage Utility Director, or the directors of departments that succeed to the duties of any of the above departments.

...

20.50.052 V definitions.

...

Vehicle. A motorized conveyance that includes, but is not limited to an automobile, car, motorcycle, small watercraft, jet ski or snowmobile in operable condition. This definition does not include inoperable

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vehicles as defined in LUC 20.20.470 or conveyances regulated pursuant to LUC 20.20.720 (Recreational vehicles, watercraft and utility trailers) ~~or 20.20.890 (Trailers, boats and large vehicles).~~

...

DRAFT

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Title 20 Land Use Code

...

Chapter 20.10 Land Use Districts

...

20.10.440 Land use charts

...

Chart 20.10.440
Uses in land use districts

Residential – Residential Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR- 1	LDR- 2	LDR- 3	MD R-1	MD R-2
1	Residential											
	One to Four Dwelling Units per Lot(3)	P	P	P	P	P	P	P	P (6)	P (6)	P (6)	P (6)
...												
	Accessory Dwelling Unit (9)	P	P	P	P	P	P	P	P	P	P	P
...												

...

Chart 20.10.440
Uses in land use districts

Residential – Commercial and Mixed-Use Land Use Districts

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STANDARD USE CODE	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU	CB	MU16	F1	F3
1	Residential													
	Single-Family Dwelling (3)	R	R	S		S	S	S			S		S	S

Notes: Uses in land use districts – Residential:

(6) ~~intentionally deleted. If a lot located in the LDR-2, LDR-3, MDR-1, or MDR-2 land use district contains a residential use, then that lot must contain at least two dwelling units, excluding any accessory dwelling units. This requirement does not apply to unit lots located in the LDR-2, LDR-3, MDR-1, or MDR-2 land use districts.~~

20.10.445 Land uses in Mixed-Use Land Use Districts.

C. Prohibited Uses.

The following land uses are prohibited as both principal and subordinate uses, except as otherwise noted:

10. Single-family residential.

~~119.~~ Any land use prohibited under LUC 20.10.410.

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Chapter 20.15 Affordable Housing

...

20.15.030 Administration

...

B. Annual Adjustments for Inflation. The Director is both authorized and directed to annually increase or decrease the fees listed below by an adjustment necessary to reflect the then-current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers:

...

2. The in-lieu fee ~~for nonresidential development~~ contained in Chart 20.25Q.070.D.4; and

...

20.15.050 Modification of Certain Requirements.

...

G. Mixed-Use Land Use Districts (Part 20.25R LUC).

1. Refer to LUC 20.25R.050 for FAR exemptions and incentives applicable to affordable housing in Mixed-Use Land Use Districts.
2. Refer to LUC 20.25R.060 for Catalyst Programs in Mixed-Use Land Use Districts. The provisions of the Catalyst Programs may modify the requirements of this chapter for certain development within Mixed-Use Land Use Districts subject to Part 20.25R LUC.

H. Generally Applicable.

1. In any land use district, the following development shall not be required to provide facade modulation or upper-level setbacks in the building design:

a. New development consisting entirely of affordable housing, as defined in LUC 20.15.020.A;

or

b. Conversions of existing buildings into development consisting entirely of affordable housing, as defined in LUC 20.15.020.A.

...

20.15.120 Affordable Housing Program – Performance Option – Residential

...

B. Onsite Performance. Multifamily or mixed-use development complying with LUC 20.15.110 through the residential performance option shall provide affordable housing in an amount indicated below:

...

3. If the operation of this section would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of dwelling units of affordable housing required at the applicable area median income shall be equal to the next higher whole number. If that fraction is less than

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0.5, then the number of dwelling units of affordable housing required at the applicable area median income shall be rounded down to the next lower whole number. If that fraction is less than 0.5, and would round down to 0, then the applicant may either provide 1 affordable housing dwelling unit at the applicable area median income or use the payment option.

...

20.15.130 Affordable Housing Program – Performance Option – Nonresidential

...

B. On-site Performance. Nonresidential development complying with LUC 20.15.110 through the nonresidential performance option shall provide affordable housing in an amount indicated below:

...

3. If the operation of this section would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of dwelling units of affordable housing required at the applicable area median income shall be equal to the next higher whole number. If that fraction is less than 0.5, then the number of dwelling units of affordable housing required at the applicable area median income shall be rounded down to the next lower whole number. If that fraction is less than 0.5, and would round down to 0, then the applicant may either provide 1 affordable housing dwelling unit at the applicable area median income or use the payment option.

...

Chapter 20.20 General Development Requirements

...

20.20.010 Dimensional requirements.

**Chart 20.20.010
Dimensional Requirements in Land Use Districts**

LAND USE CLASSIFICATION	Residential										
	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-1	LDR-2	LDR-3	MDR-1	MDR-2
DIMENSIONS	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)	(43, 52)
	...										
Rear Yard Minimum Setback of Structures (feet) (11) (17) (18) (20) (38) (39)	25	25	25	25	20	20	20	20	20	20	20
Side Yard Minimum Setback of Structures (feet) (7) (11) (17) (18) (20) (38) (39)	5	5	5	5	5	5	5	5	5	5	5

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2 Side Yards Minimum Setback of Structures (feet) (7) (17) (18) (20) (38) (39)	20	15	15	15	15	15	10	10	10	10	10
---	----	----	----	----	----	----	----	----	----	----	----

Dimensional Requirements – Commercial and Mixed-Use Land Use Districts

STD LAN D USE COD E REF	LAND USE CLASSIFICATIO N	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 3
		PO	O	OL B	OL B 2	LI	GC	NB	MU 8	NM U	CB	MU1 6	F3
	DIMENSIONS	(21)	(21 , 52, 54)	(21, 52, 54)	(21, 52, 54)	(21)	(21)	(21 , 52, 54)	(21, 52, 54)	(21, 54)	(21 , 52, 54)	(21, 52, 55)	(21 , 52, 56)
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	30	0	0	0	15	15	0	0	0	0	0	0
	Rear Yard (18) (20)	25 (17))	0/	0	0	(2 (17)	(2, (17)	0 (2)	0	0	0	0	0
	Side Yard (18) (20)	20 (17))	0	0	0	(2, (17)	(2, (17)	0(2)	0	0	0	0	0

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2 Side Yards (18) (20)	40 17 }	0	0	0	(2, 17)	(2, 17)	0(2)	0	0	0	0	0
...												

...

Notes: Uses in land use districts – Dimensional requirements:

...

(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.~~ Intentionally deleted.

...

(43) See LUC 20.20.390 for FAR requirements for single-family and middle housing developments. LUC 20.20.390 is not applicable to attached or detached multifamily dwellings located in the LDR-2, LDR-3, MDR-1, or MDR-2 land use districts.

...

20.20.120 Accessory dwelling units.

...

C. Standards – Generally Applicable to Both Attached and Detached Accessory Dwelling Units.

- Up to two accessory dwelling units are permitted on each lot located in a land use district that allows a single-family dwelling or middle housing to be located on that lot; provided, that all applicable requirements of this section are met.

...

20.20.390 Floor area ratio, single-family and middle housing.

A. Applicability.

The requirements of this section apply to the following:

...

- Additions to an existing detached single-family dwelling that result in a 20 percent or greater increase in gross square feet as permitted under the original approval.

...

20.20.525 Mechanical equipment.

...

Commented [A1]: Allows for ongoing ad-hoc additions ad infinitum. Consider revision to make this increase tied to the originally permitted square footage

D. Allowable Projections Above Maximum Height for Solar Energy Panels. Any building may exceed the maximum height by at least 48 inches and up to the maximum amount necessary to accommodate roof-mounted solar energy panels.

Commented [A2]: Included to accommodate requirement in HB 1183

...

20.20.536 Mass timber, modular construction, and passive house

A. Applicability

This section applies to any project, both new construction and retrofits of buildings to meet passive house requirements, or any development proposing mass timber or modular construction.

B. General Requirements.

Any development meeting the applicability requirements of subsection A of this section are not required to comply with the following:

1. Façade modulation;
2. Upper-level setbacks; and
3. Off-street parking.

C. Passive House.

In addition to the regulation exemptions in subsection B of this section, new construction and the retrofit of buildings meeting passive house requirements are also subject to the following:

1. Any required setback shall be measured from the outside face of the foundation;
2. The portion of the exterior wall assemblies that include insulation shall be allowed to project to project up to eight inches into any setback;
3. The building may exceed the maximum allowable roof height by eight inches only where required to accommodate additional insulation; and
4. For the purposes of this subsection, gross floor area shall be measured from the interior face of the exterior walls, including drywall.

...

20.20.538 Middle Housing.

...

C. Standards.

1. Middle Housing Development Requirements. Middle housing developments are subject to the development requirements in Table 20.20.538.C.1.

LAND USE CLASSIFICATION	Middle Housing											
	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-1	LDR-2	LDR-3	MDR-1	MDR-2	
DIMENSIONS	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

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Dwelling Units per Lot (2)(3)(4)(5)(6)(11)	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6 (7)	4/6 (7)	4/6 (7)
...											
Maximum Impervious Surface (percent)	50	50	50	50	50	60	60	65	65	65	65
Alternative Maximum Impervious Surface (percent)	50-55	50-55	50-55	50-55	50-55	55-60	55-65	80	80	80	80

Commented [A3]: Proposed revisions just match the methodology from 20.20.010 to allow an additional 5% as an alternative maximum for LL-1 through SR-3, and SR-4 and LDR-1 have the same alt max as the regular max.

...

(11) Lots created through the lot splitting process are subject to the density limits in LUC 20.45B.270.

...

20.20.727 Redevelopment of existing buildings.

A. Except as provided in subsection C of this section, this section applies to all development applications that both add dwelling units within an existing building and meet all of the following criteria:

...

2. The existing building is located in a nonresidential land use district where multifamily dwellings are either a permitted use, an administrative conditional use, or a conditional use. For the purposes of this section, a “nonresidential land use district” means any land use district except for the following: R 1, R 1.8, R 2.5, R 3.5, R 4, R 5, R 7.5, R 10, R 15, R 20, and R 30. The existing building is located on a site in a land use district where residential uses are a permitted use, an administrative conditional use, or a conditional use.

...

B. For development applications meeting all of the requirements of subsection A of this section, the normal requirements of this Code shall apply during the land use or building permit review required for the application except as such requirements are modified below by this subsection:

1. Parking. Existing parking shall be retained to meet the minimum parking requirements for the Land Use District where the building is located. If the existing parking does not meet the minimum parking requirement for residential uses, no additional parking shall be required. Additional parking may be required for nonresidential uses that do not meet the minimum parking requirements.

...

3. Dimensional Requirements.

a. If the existing building is located on a site in a land use district where attached or detached multifamily dwellings are a permitted use by right for all development, then the eligible residential development is exempt from all applicable dimensional requirements.

b. If the existing building is located on a site in a land use district where attached or detached multifamily dwellings are not a permitted use by right for all development, then the eligible

residential development is exempt from all applicable dimensional requirements except for the applicable dwelling units per acre under LUC 20.20.010 or the applicable dwelling units per lot under LUC 20.20.538, whichever provides for the greater density of dwelling units.

...

C. Exceptions.

1. The redevelopment ~~for multifamily residential use~~ of any existing building located within the Shoreline Overlay District jurisdiction described in LUC 20.25E.010 is subject to the requirements of Part 20.25E LUC. To the extent that any provision of this section conflicts with any requirement contained in Part 20.25E LUC, Part 20.25E LUC shall control.
2. The redevelopment ~~for multifamily residential use~~ of any existing building located fully or partially within a critical area, critical area structure setback, or critical area buffer designated or established under Part 20.25H LUC is subject to the requirements of Part 20.25H LUC. To the extent that any provision of this section conflicts with any requirement contained in Part 20.25H LUC, Part 20.25H LUC shall control.
3. The redevelopment of any existing building for supportive housing, as defined by LUC 20.20.845, is subject to the requirements of LUC 20.20.845. To the extent that any provision of this section conflicts with any requirement contained in LUC 20.20.845, LUC 20.20.845 shall control.
4. The redevelopment of any existing building for a homeless services use, as defined by LUC 20.20.455, is subject to the requirements of LUC 20.20.455. To the extent that any provision of this section conflicts with any requirement contained in LUC 20.20.455, LUC 20.20.455 shall control.
5. This section does not apply to the development of accessory dwelling units, which are governed by LUC 20.20.120.

...

Part 20.25A Downtown

...

20.25A.170 Streetscape and public realm.

A. Streetscapes.

1. The Pedestrian Environment.

...

b. Standards.

- i. Windows shall be transparent at the street level;
- ~~ii. Walls shall utilize a variety of colors and compatible cladding materials;~~
- iii. Facades shall include bays, columns, pilasters, or other articulation at the street level;
and

iiiv. Weather protection, where required, shall define the pedestrian realm

...

20.25A.180 Building design (base, middle, and top).

...

B. ~~Overall Building Design~~Building Massing.

~~1. High Quality Materials.~~

~~a. Intent. Create a sense of permanence in Downtown using high-quality building materials. Quality façade materials can provide a sense of permanence and bring life and warmth to a neighborhood. Façade and building materials shall enhance the street environment while complementing the aesthetic quality of adjacent buildings.~~

~~b. Standards.~~

~~i. Façade articulation shall incorporate durable materials that demonstrate depth, and provide a varied void-to-solid ratio; and~~

~~ii. Use high-quality and durable materials such as glass, aluminum, steel, brick, finished concrete, stone, terra cotta, cement stucco, and wood in natural or subdued building colors.~~

...

~~2. Building Massing.~~

~~a. Intent. Use scale-defining articulation and other techniques to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure and human scale by establishing a dynamic, continuous street edge.~~

~~b. Standards.~~

~~ia. The length and breadth of a building shall be pedestrian-scaled. Portions of a large building mass shall be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and recesses; and~~

~~ib. Buildings shall exhibit a vertically articulated tripartite façade division – base, middle, and top through material and scale.~~

...

Part 20.25D BelRed Overlay

...

20.25D.070 Land Use Charts.

The following charts apply to BelRed. The use charts contained in LUC 20.10.440 do not apply within the BelRed land use districts.

Chart 20.25D.070 Residential Uses in BelRed Land Use Districts

		Residential - BelRed Districts						
STD LAND USE CODE REF	LAND USE CLASSIFICATION	BelRed Medical Office/Node	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR-MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR- ORT
1	Residential (1)							
	Single-Family Dwelling		P-2		P-2	3	P-2	P
...								

...
20.25D.105 Operations and Maintenance Satellite Facility Development Requirements
...

D. Applicable Land Use Code Provisions.

1. Applicable BelRed Land Use District Sections Incorporated by Reference. Predictability and certainty with respect to substantive Land Use Code requirements ensures that an OMSF design is sensitive to the context of the underlying land use district, and that temporary and permanent impacts are appropriately mitigated. The following BelRed Land Use District sections of the Land Use Code are expressly incorporated into the provisions of this section and made applicable to an OMSF within that land use district:

- ...
- ~~i. LUC 20.25D.130.E – Building Materials;~~
 - ij. LUC 20.25D.150 – Design Guidelines.

...

20.25D.130 BelRed development standards.

...

D. Required Transition Edge Development.

...

4. Applicable Standards for Building Design.

...

~~c. A primary structure shall be a minimum of 20 feet from another primary structure, provided this dimension may be modified pursuant to LUC 20.25H.040 on sites in the Critical Areas Overlay District.~~

dc. The maximum building height of 45 feet above average existing grade may be reached only when incorporating pitched or stepped roof forms, except that the maximum building height may exceed 45 feet by 48 inches to accommodate a roof-mounted solar energy panel.

ed. Communication dishes greater than 1 meter (3.28 feet) in diameter shall not be visible from adjacent residential districts.

~~f. Natural materials and neutral colors shall be used.~~

...

E. Building Materials.

To ensure the BelRed District contains high quality buildings of durable and sustainable materials, the following materials are not recommended on facades visible from the public right-of-way within the BelRed District unless expressly approved through design review:

- ~~1. Synthetic stucco;~~
- ~~2. Unfinished metal or plastic storefront window systems;~~
- ~~3. Unfinished concrete or cinder block;~~
- ~~4. Aluminum, plastic, or vinyl siding;~~
- ~~5. Simulated materials such as river rock or other faux cladding;~~
- ~~6. Clapboard, lap and shingle, or other types of residential siding;~~
- ~~7. Architectural foam detailing; and~~
- ~~8. Applied simulated divided light window systems.~~

~~These building materials limitations are not applicable in the BelRed General Commercial (BR-GC) Land Use District.~~

Commented [A4]: Language added for compliance with HB 1183

...

20.25D.150 Design standards.

...

C. Pedestrian Emphasis Standards.

Purpose. The pedestrian emphasis standards promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and gathering places.

1. The Pedestrian Environment

...

b. Standards.

- i. Windows shall be transparent at the street level;
- ~~ii. Walls shall utilize a variety of forms, colors, and compatible cladding materials;~~
- iii. Facades shall include bays, columns, pilasters, or other articulation at the street level;
- ~~iiiv.~~ iv. Lighting at the ground level shall be human scale;
- v. Walls that face the pedestrian right of way shall not be blank, flat, or nondescript; and
- vi. The entire block face shall not be treated uniformly.

...

D. Architectural Standards.

Purpose. The architecture standards promote high quality development while reinforcing the area's sense of place and Northwest provenance by promoting innovative design, construction techniques and materials that reflect the industrial roots of the area while emphasizing the emerging urban character of BelRed.

~~1. High Quality Materials.~~

- ~~a. Intent. Quality wall materials can provide a sense of permanence and bring life and warmth to a neighborhood. Wall and building materials must enhance the street environment while maintaining compatibility with adjoining buildings. Articulation of wall materials should be bold, with materials that show depth, quality, and durability. It should be apparent that the materials have substance and mass, and are not artificial, thin "stage sets" applied only to the building's surface.~~
- ~~b. Standards.~~
 - ~~i. Use high quality and durable materials such as glass, aluminum, steel, brick, finished concrete, stone, terra cotta, cement stucco, and wood; and~~
 - ~~ii. Use natural or subdued building colors and limited use of bright accent trims.~~

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12. Building Massing.

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32. Rooftops

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43. Residential Entries.

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54. Retail and Commercial Entries.

...

65. Ground Floor Retail and Commercial Windows.

...

76. Parking Structures.

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Part 20.25P Eastgate Transit Oriented Development Land Use District

...

20.25P.050 Land Use Chart.

...

Chart 20.25P.050

Residential Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
1	Residential	
	<u>Single-Family Dwelling</u>	
	...	

...

20.25P.100 Design standards.

...

C. Pedestrian Emphasis Standards.

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Purpose. The pedestrian emphasis standards promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and creation of desirable gathering places.

1. The Pedestrian Environment.

...

b. Standards.

...

ii. Buildings and streetscapes shall incorporate the following elements to better define the pedestrian environment:

(1) Continuous buildings along a street front that frame the pedestrian portion of the right-of-way.

~~(2) Walls that use a variety of forms, colors and compatible cladding materials to avoid uniform treatment of the entire block face.~~

(23) Façades that provide articulation at the street level by using bays, columns, pilasters or treatments.

(34) Signs and lighting at the ground level that complement the human scale.

...

Part 20.25Q East Main Transit Oriented Development Land Use District

...

20.25Q.070 FAR and the amenity incentive system.

...

D. Amenity Incentive Program.

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

List of Bonusable Amenities	Applicable Land Use Districts and Bonus Ratios			
	East Main Transit-Oriented District Higher Density (EM-TOD-H)		East Main Transit-Oriented District Lower Density (EM-TOD-L)	
	Nonresidential	Residential	Nonresidential	Residential
		3.2:1		3.2:1
Affordable Housing	Criteria:			
	1. Threshold bonus for residential/Mixed-Use Development at up to 80 percent area median income (AMI) level for rental and up to 80 percent AMI level for ownership.			

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	<p>2. The remaining 20 percent of a project’s required amenity points as provided in LUC 20.25Q.070.D.2.b may be earned through Affordable Housing at 100 percent AMI for ownership.</p> <p>3. Affordable Housing units shall be dispersed throughout any residential project that combines affordable and market rate units.</p> <p>4. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units.</p> <p>5. Fee-in-lieu for nonresidential is \$4038.00/80 per sf bonus area.</p>
--	--

Commented [A5]: Per PC direction, restriction on fee in-lieu to only nonresidential projects has been removed.

Commented [A6]: Adjusted rate for 2026 to account for inflation since adoption of this code.

...

20.25Q.150 Streetscape and public realm.

A. Streetscapes.

1. The Pedestrian Environment.

...

b. Standards.

- i. Windows shall be transparent at the street level;
- ~~ii. Walls shall utilize a variety of colors and compatible cladding materials;~~
- iii. Façades shall include bays, columns, pilasters, or other articulation at the street level; and
- ~~iiiv.~~ iv. Signs and lighting at the ground level shall be Pedestrian Scale.

...

20.25Q.160 Building design (base, middle, and top).

...

B. Overall Building Design.

~~1. High Quality Materials.~~

~~a. Intent. Create a sense of permanence in East Main using high quality Building materials. Quality façade materials can provide a sense of permanence and bring life and warmth to a neighborhood. Façade and Building materials shall enhance the street environment while complementing the aesthetic quality of adjacent Buildings.~~

~~b. Standards.~~

- ~~i. Façade articulation shall incorporate durable materials that demonstrate depth, and provide a varied void-to-solid ratio; and~~

~~ii. Use high quality and durable materials such as glass, aluminum, steel, brick, finished concrete, stone, terra cotta, cement stucco, and wood in natural or subdued Building colors.~~

...

~~21.~~ Building Massing.

- a. Intent. Use scale-defining articulation and other techniques to break up the longitudinal dimensions of Buildings, creating a comfortable sense of enclosure and human scale by establishing a dynamic, continuous street edge.
- b. Standards.
 - i. The length and breadth of a Building shall be Pedestrian-Scaled. Portions of a large Building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and recesses; and
 - ii. Buildings shall exhibit a vertically articulated tripartite façade division – base, middle, and top through material and scale.

...

Part 20.25R Mixed-Use Land Use Districts

...

20.25R.030 Site organization and public realm.

...

C. Open Space.

...

- 9. Landscaping. Landscaping shall be required as provided in this subsection and may contribute to the open space required under subsection C.2 of this section, subject to the following requirements:

...

- b. A landscape buffer with type III landscaping, as described in LUC 20.20.520, shall be provided as follows:
 - i. Where surface parking is adjacent to an access corridor and also located within the project limit, a landscape buffer of at least eight feet in width shall be provided.
 - ii. Where surface parking is adjacent to the rear or side yard of a lot and also located within the project limit, a landscape buffer of at least five feet in width shall be provided.
- c. Plantings in landscape area shall be installed as follows:
 - i. Deciduous and evergreen trees shall be planted in natural groupings, with an minimum average of 1 tree every 20 lineal feet of landscape area.

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- (1) Deciduous trees shall have a minimum caliper of two inches measured four and one-half feet above the soil surface.
 - (2) Evergreen trees shall be minimum height of six feet.
 - (3) Small and medium shrubs, planted in groupings, shall provide coverage that equals 75 percent of the planting area within 3 years of planting.
 - (4) Ground cover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90 percent coverage within 3 years of planting.
- d. An alternative landscaping option may be approved by the Director as provided in LUC 20.20.520.

D. Green and Sustainability Factor.

- 2. All new development shall provide a combination of landscape elements described in Table 20.25R.030.D.2.e to meet a minimum Green and Sustainability Factor score. All new development shall achieve a minimum score of 0.3, except that development on a small site shall achieve a minimum score of 0.25. All landscape elements must meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of each landscape element. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth of soil, and the use of drought-tolerant plants. The Green and Sustainability Factor score shall be calculated as follows:

- b. Multiply the square feet, or equivalent unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Table 20.25R.030.D.2.e according to the following provisions:
 - ii. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted, except for landscaping strips proposed between back of sidewalk and the base of building facades.

E. Public Realm.

- 4. Weather Protection.

g. Weather protection shall not be located above landscaping adjacent to the base of the building.

...

20.25R.040 Building design.

...

D. Building Base (Podium).

1. Intent. Enhance pedestrian experience by clearly articulating the parking structures and the building base/podium from the tower portion of all buildings with materials and details that reinforce human scale and better define the streetscape as public realm.
2. At least 10 percent of the exterior area above a building podium shall contain a green roof, consistent with the minimum requirements for green roofs in Table 20.25R.030.D.2.e.

...

20.25R.050 Amenity incentive system.

...

C. FAR Exemptions.

The gross floor area reserved for the following amenities shall be exempt from a development's total FAR calculation, provided all applicable Land Use Code requirements are satisfied:

1. Active Use Spaces. Except for market-rate residential units, which otherwise meet the definition of active use per LUC 20.50.010 and where otherwise provided by the terms of this Code, an exemption from calculation of the maximum floor area of up to 1.0 FAR is allowed for each square foot of active use space that complies with the following design requirements:

...

D. Amenity Incentive Program.

...

2. Bonus Points. The following amenities qualify for bonus points as described below:

...

I. Child Care ServiceCenters.

- i. Eight bonus points for every 1 square foot of Child Care Service-Center up to a maximum of 15,000 square feet, including outdoor areas dedicated exclusively for use by the Child Care ServiceCenter.
- ii. The floor area, including outdoor area, delineated for Child Care Service-Centers shall be required to remain dedicated to Child Care Service-Center for the life of the project.
- iii. No other uses shall be approved for future tenancy in those spaces dedicated for Child Care ServiceCenters.

...

Chapter 20.45A Platting and Subdivisions

...

20.45A.065 Special requirements for unit lot subdivisions

...

B. General Requirements.

...

2. Development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area, minimum density, or dimensional requirements; ~~provided, however, that any structure located upon a unit lot shall comply with the maximum building height requirements, and, where applicable, shall comply with the FAR requirements.~~ Provided that the overall development of the parent lot shall must meet the development regulations and design standards ~~of applicable in~~ the underlying land use district.

...

C. Notes on Plat.

Notes shall be placed on the plat recorded with the King County Recorder's Office to state the following:

1. The title of the plat shall include the phrase "Unit Lot Subdivision."
2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot, including the applicable permit or file number for the development.
4. Subsequent platting actions, additions, or modifications to any buildings or structures may not create a nonconformity of the parent lot.
5. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
6. If a structure or a portion of a structure on a unit lot is damaged or destroyed, then any repair, reconstruction, or replacement of the structure shall conform to one of the following:
 - a. The approved unit lot subdivision; or
 - b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

...

Chapter 20.45B Short Plats and Short Subdivisions

...

20.45B.057 Special requirements for unit lot short subdivisions.

...

B. General Requirements.

...

2. Development on individual unit lots within the unit lot short subdivision need not conform to the minimum lot area, minimum density, or dimensional requirements; ~~provided, however, that any structure located upon a unit lot shall comply with the maximum building height requirements, and, where applicable, shall comply with the FAR requirements; provided that,~~ ~~the overall development of the parent lot must meet~~ the development regulations and design standards ~~of applicable in~~ the underlying land use district.

...

C. Notes on Short Plat.

Notes shall be placed on the short plat recorded with the King County Recorder's Office to state the following:

1. The title of the short plat shall include the phrase "Unit Lot Short Subdivision."
2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot, including the applicable permit or file number for the development.
4. Subsequent platting actions, additions, or modifications to any buildings or structures may not create a nonconformity of the parent lot.
5. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
6. If a structure or a portion of a structure on a unit lot is damaged or destroyed, then any repair, reconstruction, or replacement of the structure shall conform to one of the following:
 - a. The approved unit lot short subdivision; or
 - b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

...

Commented [A7]: Amendment to remove regulations specific to each unit lot, which would be reviewed at the building permit phase.

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20.45B.260 Boundary line adjustment.

Pursuant to RCW 58.17.040, boundary line adjustments are exempt from requirements of this chapter except as provided for in this section.

- A. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would allow a nonconforming dimension as specified in LUC 20.20.010 to become more nonconforming unless the adjustment equalizes more than one adjacent nonconforming lot.
- B. No lot line adjustment may be approved when such action would violate an applicable requirement or condition of a previous land use action, subdivision, or short plat approval.
- C. All lots modified by the boundary line adjustment procedure shall have legal access meeting the standards of the Transportation Department, the Utilities Department, and any other applicable department.
- D. The processing of boundary line adjustments shall be the same as for final short plats as provided in the applicable provisions of LUC 20.45B.210 through 20.45B.230.
- E. All boundary line adjustments shall be recorded surveys consistent with Chapter 58.09 RCW. All boundary lines being adjusted shall be surveyed, and newly established lot corners shall be staked.
- F. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would create a nonconformity with respect to the requirements of this Code.

20.45B.270 Lot splits.

Pursuant to RCW 58.17.145, administrative lot splits are exempt from the requirements of this chapter except as provided for in this section:

A. Applicability.

- 1. An administrative lot split shall only create one additional lot, and newly created lots shall not be large enough to further subdivide;
- 2. The parent lot shall not be located in a land use district that does not allow residential uses;

B. General Requirements.

- 1. The newly created lots must meet the minimum lot size requirements for the underlying land use district, if applicable;
- 2. Certificates of availability for sewer and water shall be provided prior to approval;
- 3. If the administrative lot split requires demolition or alternation of an existing dwelling that would displace a renter, the applicant shall provide a displacement mitigation strategy or plan; and
- 4. Administrative lot splits are not subject to administrative appeal, as provided for in LUC 20.35.250, if they comply with the applicable development standards herein. Instead, administrative lot splits may be appealed in accordance with LUC 20.35.070.

5. The parent lot must not have been created through an administrative lot split authorized by this section.
6. The parent lot and the newly created lot cannot collectively contain a number of dwelling units that would exceed the number of dwelling units that would have been allowed on the parent lot prior to the administrative lot split.

C. Notes on Lot Split Survey.

The lot split survey must be recorded with the King County Recorder's Office and shall include the following notes, as applicable.

1. Further administrative lot splits are not permitted on the resulting lots;
2. The city is immune from any liability, loss, or other damage suffered by another that is related to the city's approval of the lot split, including if the lot split creates a lot that is later determined unbuildable, RCW 58.17.145;
3. The total number of dwelling units shall not exceed the number of dwelling units allowed on the parent lot prior to the lot split, and the total number of dwelling units for the newly created lot shall be limited to a maximum of one unit less than the total allowable number of dwelling units for the parent lot prior to the lot split;
4. If applicable, indicate whether future development will require frontage improvements;
5. If applicable, indicate whether dedication of right-of-way is required and note the location of the right-of-way to be dedicated; and
6. If applicable, note the location of all required access and utility rights granted or conveyed.

...

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Title 20 Land Use Code

...

Chapter 20.20 General Development Requirements

...

20.20.520 Landscape development.

...

H. Limitation of Landscaping Requirements.

1. The total buildable required landscape area within the project limit of the development of the subject property which is required to be landscaped is limited as follows shall not exceed the applicable maximums provided below. The location of this landscaping within the buildable area must meet the purpose and intent of subsections A, F.1 and G of this section.
 - a. Twenty percent of the buildable area in an NB, PO, O, or OLB or OLB 2 Land Use District;
 - b. Fifteen percent of the buildable area in an F1, EG-TOD, MU8, MU16, LI, GC, NMU, or CB, or OLB 2 Land Use District;
 - c. Twenty percent of the buildable area of the development area in an OLB-OS Land Use District.
2. If the normal application of LUC 20.20.520 would result in a required landscape area that exceeds the applicable maximum listed above, then the Director shall reduce the required landscape area to the applicable maximum. In making such reductions, the Director shall be guided by the purpose and intent of subsections A, F.1, and G of this section.
3. Nothing in this subsection H prohibits an applicant from voluntarily providing a landscape area that would exceed the applicable maximum listed above.

...

20.20.900 Tree retention and replacement.

...

C. Definitions.

The following definitions are specific to this section. Where a term defined below is used in this section its meaning shall be as defined below.

...

1. "Development Activity" means the following:
 - b. Any alteration or development regulated by the Bellevue City Code or Land Use Code proposed to occur through one or more of the following:

...

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- i. Any application that proposes changes in lot coverage that exceed 20 percent of the existing lot coverage; or
- ~~ii. Any application that proposes changes in the area devoted to parking and circulation; or~~
- iii. Any application that proposes additions to impervious surface areas that exceed 20 percent of existing impervious surface areas.

...

3. "Hazardous Tree" means a tree that, in the written opinion of a Qualified Tree Professional who also has the International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ), meets all of the following criteria:

- a. The tree has a combination of structural defects, disease, or both structural defects and disease that makes ~~it subject to a high probability of the risk of failure~~ probable or imminent;

...

E. Minimum Tree Density.

...

2. Minimum Tree Credits by Land Use District. Minimum tree credits are determined based on the Land Use District, Land Use, and Tree Canopy Site Area. The minimum tree credits required are calculated by dividing the Tree Canopy Site Area, measured in square feet, by 1,000 then multiplying by the applicable rate identified in Table 20.20.900.E.1. If this calculation would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of required tree credits shall be equal to the next higher whole number. If that fraction is less than 0.5, then the number of required tree credits shall be equal to the next lower whole number.

**Table 20.20.900.E.1.
Minimum Tree Credits per 1,000 Square Feet of Tree Canopy Site Area**

Land Use District	One Dwelling Unit per Lot	Two or More Dwelling Units per Lot	Mixed Use, Commercial, Office, Light Industrial, and All Other Nonresidential Land uses
LL-1 LL-2 SR-1	5	4	1
SR-1 SR-2 SR-3 SR-4	2	1.5	0.75
All Other Land Use Districts	1	0.75	0.5

Commented [A1]: Change proposed given the greater similarity of minimum lot size that SR-1 has to the other SR districts rather than the LL districts.

...

4. Retained Trees.

...

b. Tree Credits for Retained Trees. Each retained Significant Tree provides a tree credit value determined by its d.b.h. or Landmark Tree classification, as identified in Table 20.20.900.E.2. When determining tree credits for a Significant Tree that is an alder or cottonwood, or located wholly or partially on a property line the applicable tree credit value identified in Table 20.20.900.E.2 shall be reduced by 50 percent.

...

c. Exceptions. The following shall not provide any tree credits if retained:

...

~~iv. Trees located wholly or partially on a property line.~~

...

6. Planted Trees.

...

g. Trees planted in a hedge or hedgerow with narrow crown species, cultivars, or varieties or where at or before maturity the tree crowns will touch or overlap to form a clipped or sheared hedge shall not provide any tree credits if planted.

...

Part 20.25H Critical Areas Overlay District

...

20.25H.035 Critical area buffers and structure setbacks.

A. Critical Area Buffer.

The following critical area buffers and structure setbacks are established for each critical area set forth below. For information about modifying required critical area buffers and structure setbacks, see the referenced sections noted in the table.

Critical Area Category or Type	Critical Area Buffer Width	Structure Setback
...		
Wetlands		
Category I		LUC 20.25H.095

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Natural heritage wetlands and bogs – habitat score 8 – 9	225 ft	LUC 20.25H.230
Natural heritage wetland and bogs – all others	190 ft	
Forested wetland	Based on score for habitat	
Habitat score of 8 – 9	225 ft	
Habitat score of 6 – 7	110 ft	
<u>Water qualityHabitat</u> score of 3 – 5	75 ft	
Category II		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	LUC 20.25H.230
Habitat score of 6 – 7	110 ft	
<u>Water qualityHabitat</u> score of 3 – 5	75 ft	
Category III		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	LUC 20.25H.230
Habitat score of 6 – 7	110 ft	
<u>Water qualityHabitat</u> score of 3 – 5	60 ft	
...		

20.25H.075 Designation of critical area and buffers.

B. Designation of Streams.

The following streams are classified according to the Washington Department of Natural Resources water typing system per WAC 222-16-030 and hereby designated as critical areas subject to the regulations of this part:

1. "Type S water" means all waters, within their bankfull width, as inventoried as "shorelines of the state" under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW including periodically inundated areas of their associated wetlands. As of May 21, 2018, the only known Type S waters are Lower Kelsey Creek and Mercer Slough.
2. "Type F water" means all segments of water courses that are not type S waters, and that contain fish or fish habitat as described in WAC 222-16-~~034~~030, including waters diverted for use by a federal, state, or tribal fish hatchery from the point of diversion for 1,500 feet or the entire tributary if the tributary is highly significant for protection of downstream water quality.
3. "Type Np water" means all segments of water courses that are not type S or type F waters, which are perennial during a period of normal rainfall and do not have the potential to support fish habitat. Type Np waters maintain surface-water connectivity to downstream waters, including connections conveyed through pipes, culverts, or other engineered conveyances.~~and~~

Commented [A2]: Note to review other suggested code language from Nell against currently recommended edits

~~that are physically connected to a type S or F waters by an above-ground channel system, stream, or wetland.~~

4. "Type Ns water" means all segments of water~~courses~~ that are not type S, F, or Np waters-~~They~~which are intermittent, are not used by fish, and do not have the potential to provide fish habitat. Type Ns ~~streams-waters~~ must maintain a continuous surface-water connection to a Type S, Type F, or Type Np water, which may occur through natural channels, wetlands, or engineered conveyances.~~have a free and open surface-water connection to a type S, F, or Np.~~

...

C. Designation of Stream Critical Area Buffers.

...

2. Buffer Modification. Modifications to the stream critical area buffer may be approved pursuant to this section:

...

- b. Interrupted Buffer. Where a legally established right-of-way, railroad right-of-way, other similar infrastructure, or significant development such as homes or commercial structures blocks the protective measures provided by a buffer, then the edge of the significant development or infrastructure shall be the extent of the buffer, provided:
 - i. The part of the critical area buffer on the other side of the significant development or infrastructure provides insignificant biological or hydrological function as determined through a critical area report in relation to the portion of the buffer adjacent to the stream; and
 - ii. Vegetative buffer standards under subsection C.1.a.ii of this section are met,as determined by the Director, for portions of the remaining buffer on-site.

...

20.25H.095 Designation of critical area and buffers.

...

D. Designation of Wetland Critical Area Buffer.

The following critical area buffers are hereby established:

...

3. Buffer Modification. Modifications to the wetland critical area buffer may be approved pursuant to this section.

...

- b. Interrupted Buffer. Where a legally established right-of-way, railroad right-of-way, other similar infrastructure or significant development such as homes or commercial structures

blocks the protective measures provided by a buffer, the edge of the significant development shall be the extent of the buffer, provided:

- i. The part of the critical area buffer on the other side of the significant development provides insignificant biological or hydrological function as determined through a critical area report in relation to the portion of the buffer adjacent to the wetland; and
- ii. Vegetative buffer standards under LUC 20.25H.095.D.1.a.ii are met, as determined by the Director, for portions of the remaining buffer on-site.

Commented [A3]: Clarifying language that either existing conditions or planting plan can satisfy the requirements of the vegetated buffer standards for only portions of the interrupted buffer that remain on the development site

...

20.25H.130 Performance standards – Coal mine hazard area.

...

D. Application/Pre-Permit Issuance Requirements.

...

- 3. ~~OMS-CMS~~ Zone 2. Applicants shall:

...

20.25H.200 Reasonable use exception – Applicability.

...

C. When Allowed.

...

- 2. Maximum Disturbance limits. For purposes of this section, “site” means the area of disturbance on the subject property, on abutting lots, and/or within the right-of-way. Unless the applicant can demonstrate unique circumstances related to the subject property, the amount of site area that will be disturbed by structure placement and all land alteration associated with the proposed development, including but not limited to land surface modification, utility installation, decks, driveways, paving, and landscaping, shall not exceed the following limits:

...

- c. For properties containing 30,000 square feet or more, the maximum allowable site disturbance shall be between 4,000 square feet ~~and or~~ ten percent (10%) of the lot area, whichever is less.

...

Chapter 20.45A Platting and Subdivisions

...

20.45A.060 Special requirements for plats with critical areas or critical area buffers.

...

B. Conservation Subdivision.

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1. When Required. Proposals for residential subdivision within the Critical Areas Overlay District shall be processed as a conservation subdivision pursuant to this subsection B in the following cases:
 - a. The amount of critical area and critical area buffer on the site totals at least one acre; or
 - b. The site abuts a ~~known salmon-bearing~~type F stream; or

...

Chapter 20.45B Short Plats and Short Subdivisions

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20.45B.055 Special requirements for short plats with critical areas or critical area buffers.

...

B. Conservation Short Subdivision.

1. When Required. Proposals for residential short subdivision within the Critical Areas Overlay District shall be processed as a conservation short subdivision pursuant to this subsection B in the following cases:
 - a. The amount of critical area and critical area buffer on the site totals at least one acre; or
 - b. The site abuts a ~~known salmon-bearing~~type F stream; or
3. Dimensional Standards Modification. The dimensional standards set forth in LUC 20.20.010 are modified as follows for sites processed through the conservation short subdivision process. All other dimensional standards and requirements of LUC 20.20.010 shall apply, including applicable footnotes:

...

...

Notes:

...

(3) ~~Where there is a conflict between this subsection B.3 and the requirements of the Transition Area Overlay District, the provisions of the Transition Area Overlay District shall prevail.~~Intentionally deleted.

...

2026 Omnibus Process Changes
May 13, 2026 Draft

Title 20 Land Use Code

...

Chapter 20.25 Special and Overlay Districts

...

Part 20.25A Downtown

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20.25A.030 Review required.

A. Applicable Review.

~~1. Review Required.~~ All development in Downtown shall be reviewed by the Director for consistency with the terms of this Part 20.25A LUC and all other applicable development regulations through the administration of Part 20.30V LUC (Master Development Plan), and Part 20.30F LUC (Design Review) using the applicable procedures of Chapter 20.35 LUC. A Master Development Plan is required where there is more than one building or where the development of a project is proposed to be phased. Design Review is required for all Downtown projects.

~~2. Effect of Approval.~~ Approval of the Design Review, and the Master Development Plan and any Development Agreement where required, shall constitute the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for in this Part 20.25A LUC.

B. Master Development Plan.

~~1. Scope of Approval.~~ Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable development standards and guidelines. Design, character, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following development requirements, standards, and guidelines:

~~a. Dimensional requirements pursuant to LUC 20.25A.060 as listed below:~~

~~i. Setbacks;~~

~~ii. Lot coverage;~~

~~iii. Building height for each building identified in subsection B.1 of this section;~~

- ~~iv. Floor area ratio for each building; and~~
- ~~v. Outdoor plaza space required to achieve maximum building heights above the trigger for additional height identified in LUC 20.25A.075.A, or the variable heights allowed by LUC 20.25A.060.A Note 12.~~
- ~~b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the right of way as required pursuant to LUC 20.25A.090.~~
- ~~c. Areas identified to accommodate street and pedestrian circulation pursuant to LUC 20.25A.090, including the anticipated location of any Grand Connection construction pursuant to LUC 20.25A.175, and pedestrian bridges pursuant to LUC 20.25A.100.~~
- ~~d. Areas identified to accommodate Major Public Open Spaces pursuant to LUC 20.25A.175 and Minor Publicly Accessible Spaces pursuant to LUC 20.25A.090.~~
- ~~e. Areas identified to accommodate landscape development pursuant to LUC 20.25A.110.~~
- ~~2. When Required. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

B. Master Development Plan.

~~3. For the purposes of this section Part 20.25A LUC and Part 20.30V LUC, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:~~

- ~~1a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the project limit;~~
- ~~2b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;~~
- ~~3. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and~~
- ~~4. Only a right-of-way meeting the requirements of LUC 20.25A.070.C.2 may be included in the land area located within the project limit for the purpose of computing maximum FAR.~~

C. Design Review.

- ~~1. When Required. A Design Review is required for all Downtown projects. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.~~

D. Departures.

1. ~~Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the Downtown livability outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in a Downtown development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Downtown Subarea Plan.~~
 - a. ~~Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25A.090, 20.25A.110 and 20.25A.140 through 20.25A.180, or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this subsection. For example, specific Administrative Departures are allowed from the dimensional requirements pursuant to the terms of LUC 20.25A.060.B that describe a range of exceptions and intrusions that can be approved as part of a permit review process.~~
 - b. ~~Decision Criteria. The Director may approve or approve with conditions an Administrative Departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:~~
 - i. ~~The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of the Land Use Code; and~~
 - ii. ~~The resulting design will be more consistent with the purpose and intent of the Land Use Code; and~~
 - iii. ~~The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or Land Use Code intent; and~~
 - iv. ~~Any Administrative Departure criteria required by the specific terms of the Land Use Code have been met; or~~
 - v. ~~The modification is reasonably necessary to implement or ensure consistency with a departure allowed through a Development Agreement approved pursuant to Part 20.30C LUC.~~
 - c. ~~Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a variance granted under the terms of Part 20.30G LUC.~~

~~E.—Procedural Merger.~~

~~Within a Downtown Land Use District, any administrative decision required by this Part 20.25A LUC or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

- ~~1. Master Development Plan, Part 20.30V LUC;~~
- ~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~
- ~~3. Design Review, Part 20.30F LUC; and~~
- ~~4. Variance, Part 20.30G LUC.~~

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Part 20.25D BelRed

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20.25D.030 Review required.

A. **Applicable Review and Guidelines.**

All development in BelRed shall be reviewed by the Director for consistency with this Part 20.25D LUC and all other applicable development regulations.

The Director shall use this Part 20.25D LUC and the BelRed Subarea design standards (LUC 20.25D.150) in reviewing an application for Master Development Plan or design review approval in the BelRed Land Use Districts. The Community Retail design standards of Part 20.25I LUC and Transition Area design standards of Part 20.25B LUC shall not apply to applications for development in the BelRed Land Use Districts.

3. With the exception of the BelRed General Commercial District (BR-GC), all development within the BelRed Land Use Districts shall be reviewed by the Director through design review (Part 20.30F LUC). An applicant may submit a design review for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the BelRed General Commercial District that includes deviations permitted by subsection C.2 of this section.

B. **Master Development Plan.**

~~1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards. Design, architecture and amenity standards shall be met as a component of the design review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building location(s) within the project limit and demonstrate compliance with the following site development requirements and standards:~~

~~a. Dimensional requirements pursuant to LUC 20.25D.080 as listed below:~~

~~i. Setbacks;~~

~~ii. Maximum impervious/lot coverage;~~

- ~~iii. Building height for each building identified in subsection B.1 of this section;~~
- ~~iv. Floor area ratio for each building identified in subsection B.1 of this section;~~
- ~~(1) At a minimum, residential and nonresidential components of a building shall be identified in order to calculate the amenities required pursuant to LUC 20.25D.090; and~~
- ~~(2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.25D.070;~~
- ~~b. Landscape development pursuant to LUC 20.25D.110;~~
- ~~c. Parking, circulation, and internal walkway requirements pursuant to LUC 20.25D.120;~~
- ~~d. BelRed street development standards pursuant to LUC 20.25D.140; and~~
- ~~e. Site development standards pursuant to LUC 20.25D.150.B.~~
- ~~2. When Required.~~
 - ~~a. Projects located within a node. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. This requirement shall not apply to the placement of additional structures associated with existing conditions regulated pursuant to LUC 20.25D.060. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~
 - ~~b. Projects located outside of a node. An applicant shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~
- ~~3. For the purposes of this section Part 20.25D LUC and Part 20.30V LUC, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:~~
 - a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
 - b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
 - c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
 - d. Only a right-of-way meeting the requirements of LUC 20.25D.080.D may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review Deviations.

- ~~1. When Required. With the exception of the BelRed General Commercial District (BR-GC), all development within the BelRed Land Use Districts shall be reviewed by the Director through design~~

~~review (Part 20.30F LUC). An applicant may submit a design review for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the BelRed General Commercial District that includes deviations permitted by subsection C.2 of this section.~~

~~2.—Design Review Deviations. The Director may, through the design review process, approve a proposal that varies from the specific requirements set forth in LUC 20.25D.130 if the applicant demonstrates that the resulting design will be more consistent with the purpose and intent of the code. Deviation from the following dimensional requirements is not permitted, except pursuant to LUC 20.25D.080.B or C, or unless a variance is obtained under Part 20.30G LUC:~~

- ~~a1. Floor plate maximums;~~
- ~~b2. Minimum setbacks/stepbacks;~~
- ~~c3. Impervious surface/lot coverage percentages; and~~
- ~~d4. Maximum floor area ratio.~~

~~D. Procedural Merger.~~

~~Within a BelRed land use district, any administrative decision required by this Part 20.25D or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

- ~~1. Master Development Plan, Part 20.30V LUC;~~
- ~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~
- ~~3. Design Review, Part 20.30F LUC;~~
- ~~4. Variance, Part 20.30G LUC; and~~
- ~~5. Critical Areas Land Use Permit, Part 20.30P LUC.~~

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Part 20.25E Shoreline Overlay

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20.25E.180 Shoreline Conditional Use Permit

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I. Merger with Binding Site Plan

- 1. If a Master Development Plan is not required for the development, then the applicant may request that the site plan approved with the Shoreline Conditional Use Permit constitute a Binding Site Plan in accordance with Part 20.30R LUC.

~~2. If a Master Development Plan is required for the development, then a Binding Site Plan may only be approved through the Master Development Plan in accordance with Part 20.30R LUC.~~

~~1. General. The applicant may request that the site plan approved with the Shoreline Conditional Use Permit constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~2. Survey and Recording Required. If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections, or its successor entity. No document shall be presented for recording without the signature of each owner of the subject property.~~

~~3. Effect of Binding Site Plan. Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law.~~

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Part 20.25F1 Factoria 1

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20.25F1.020 Review required.

A. ~~Applicable~~ **Criteria and Standards** Review.

All development in the F1 Land Use District shall be reviewed by the Director for consistency with this Part 20.25F1 LUC and all other applicable development regulations.

~~The Director shall use this Part 20.25F1 LUC in reviewing an application for Master Development Plan or Design Review approval for development in the F1 Land Use District. The Community Retail Design Standards of Part 20.25I LUC and Transition Area Design Standards of Part 20.25B LUC shall not apply to applications for development in the F1 Land Use District.~~

~~B. Master Development Plan.~~

~~All development within the F1 Land Use District shall be governed by a Master Development Plan reviewed by the Director of the Development Services Department pursuant to Part 20.30V LUC.~~

~~B.C. Design Review~~ Deviations.

~~1. Process Required. All development within the F1 Land Use District and approved as part of a Master Development Plan must be reviewed by the Director of the Development Services Department through Design Review, Part 20.30F LUC.~~

~~2. Dimensional Deviations. The Director may, through the Design Review process, approve a proposal that varies from the specific dimensional requirements set forth in the applicable criteria and standards if the applicant demonstrates that the resulting design will be more consistent with the Design Review criteria and Design Standards. Minimum required setbacks identified in LUC~~

20.25F1.040 are not permitted to be varied under the terms of this subsection. Intrusions into required setbacks are governed by LUC 20.20.025.

~~D. Procedural Merger.~~

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

- ~~1. Master Development Plan, Part 20.30V LUC;~~
- ~~2. Design Review, Part 20.30F LUC;~~
- ~~3. Administrative Conditional Use Permit, Part 20.30E LUC.~~

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Part 20.25I Community Mixed-Used Design District

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20.25I.030 Review Required.

A. Applicable ~~Criteria and Standards~~ Review.

~~All development in the Community Mixed-Use Design District shall be reviewed by the Director consistent with the terms of this Part 20.25I LUC and all other applicable development regulations.~~

~~The Director shall use this Part 20.25I LUC and all applicable provisions of Chapter 20.10 LUC and Chapter 20.20 LUC in reviewing an application for a Master Development Plan or Design Review approval for development in the Community Mixed-Use Design District.~~

~~B. Master Development Plan.~~

- ~~1. When Required. An applicant for a project with multiple buildings proposed to be constructed at different times within a single project limit shall submit a Master Development Plan for approval by the Director, pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~
- ~~2. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building meet all applicable development standards. Design, architecture, and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B of this section shall identify proposed building placement within the project limit and demonstrate compliance with all applicable dimensional standards and development regulations.~~
- ~~3. An approved Master Development Plan may be modified pursuant to LUC 20.30V.160.~~

~~C.—Design Review. All development activity within the Community Retail Mixed Use Design District must be reviewed by the Director of the Development Services Department using the Design Review process, Part 20.30F LUC.~~

~~D.—Procedural Merger.~~

~~Within the Community Mixed Use Design District, any administrative decision required by this Part 20.25I or by this Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

- ~~1. Master Development Plan, Part 20.30V LUC;~~
- ~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~
- ~~3. Design Review, Part 20.30F LUC;~~
- ~~4. Variance From the Land Use Code, Part 20.30G LUC; and~~
- ~~5. Critical Areas Land Use Permit, Part 20.30P LUC.~~

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Part 20.25J Medical Institution District

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20.25J.015 Review required.

All development within the Medical Institution District shall be reviewed by the Director for consistency with this Part 20.25J LUC and all other applicable development regulations.

A.—Master Development Plan.

~~All multiple building development within a single Medical Institution District Development Area (DA1, DA2 or DA3) shall be governed by Master Development Plans reviewed by the Director pursuant to Part 20.30V LUC. Where single building development is proposed within a Development Area, standards required to be met at the Master Development Plan stage pursuant to this Part 20.25J LUC shall be fulfilled as a component of the Design Review approval. The design guidelines contained in this Part 20.25J LUC apply in addition to the decision criteria of LUC 20.30V.150.~~

B.—Design Review.

~~Each structure located within the Medical Institution District, whether or not approved as part of a Master Development Plan, must be reviewed by the Director through Design Review, Part 20.30F LUC. The design guidelines contained in this Part 20.25J LUC apply in addition to the decision criteria of LUC 20.30F.145.~~

20.25J.040 Development Intensity.

A. Hospital Center and Medical Office Development Areas (DA1 and DA2).

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3. The limitation on development intensity may be exceeded on a temporary basis to accommodate development phasing and tenant relocation identified in a Phasing Plan approved through the Master Development Plan or Design Review where Master Development Plan approval is not required.

...

20.25J.060 Landscape requirements.

- A. The provisions of LUC 20.20.520, except as they conflict with this section, apply to development within the Medical Institution Land Use District. The following landscaping provisions are required:

Street Frontage	Landscaping Requirements (1)
...	
NE 8th Street	Gateway location and conceptual design approval required through the Master Development Plan review process <u>or Design Review where Master Development Plan approval is not required.</u> Gateway design detail approval required through the Design Review process.
NE 10th Street east of East Campus Drive	Gateway location and conceptual design approval required through the Master Development Plan review process. Gateway design detail approval required through the Design Review process.
...	

20.25J.070 Streetscape design standards.

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C. Pedestrian Bridges.

1. Where Permitted. Pedestrian bridges over the public right-of-way may be allowed at the following locations:

...
4. Development Standards for All Pedestrian Bridges (Including Those Utilized for the Transport of Patients). Each proposed pedestrian bridge must be developed in compliance with the following standards:
 - a. The bridge may be unenclosed; however, if the bridge is fully enclosed or partially enclosed, the applicant shall demonstrate that it is necessary for weather protection and that 80 percent of the linear feet of the bridge has windows for visual access for bridge users to the streetscape below;

...

- c. The interior width of the bridge, measured from inside face to inside face, shall be no less than 10 feet and no more than 14 feet unless functional need is demonstrated, other applicable decision criteria are met and departure from the width standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required;
- d. The bridge shall be located at an upper building level, with a minimum clearance of 16 feet above the grade of the public right-of-way and a maximum clearance of 30 feet from the sidewalk grade unless functional need is demonstrated, other applicable decision criteria are met and departure from the clearance standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required; and

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Part 20.25L Office and Limited Business-Open Space (OLB-OS) District

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20.25L.040 Design standards in OLB-OS Districts.

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~~C.—Design Review Required.~~

~~All development activity within Development Area of the OLB-OS District must be reviewed by the Director of the Development Services Department using the Design Review Process, Part 20.30F LUC.~~

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Part 20.25M Light Rail Overlay District

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20.25M.030 Required permits.

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B. RLRT System and Facilities Use.

- 1. Development Agreement – Council Legislative Decision.
 - a. Scope of Approval. An RLRT system or facility use is permitted outright when its alignment location and profile have been included, subsequent to the adoption of this overlay, in a City Council resolution, ordinance, or development agreement authorized pursuant ~~to Chapter 36.70B RCW to Part 20.30C LUC. If a development agreement is adopted, the City Council may also allow necessary modifications to this overlay district and to other applicable provisions of the Bellevue City Code, and set forth other terms consistent with Chapters 36.70A and 36.70B RCW and WAC 365-196-550 in order to approve the siting, construction, operation and mitigation of an RLRT system or facility.~~

b. Applicable Process. A development agreement adopted by the City Council shall be processed under the authority of and pursuant to the procedures set forth in Chapter 36.70B RCW. Any development agreement adopted by the City Council shall be consistent with ~~Part 20.30C LUC, all applicable Comprehensive Plan policies including without limitation those set forth in LUC 20.25M.010.B.7, and all adopted "development standards," as that term is used in RCW 36.70B.170(3), that govern and vest the development for a specified time duration to this overlay district and other applicable City regulations; provided, that a development agreement may not extend the vesting period for longer than 15 years from the effective date. Any appeal of a development agreement shall be directly to superior court.~~

2. Conditional Use Permit – Hearing Examiner Quasi-Judicial Decision.

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b. Scope of Approval. When an RLRT system or facility use has not been permitted outright in a City Council resolution, ordinance, or development agreement, a Conditional Use Permit shall be required to approve the location and profile of the track alignment and major facility elements that are specifically identified in the definition of "regional light rail transit facility" contained in LUC 20.25M.020.D. The Conditional Use Permit is a mechanism for the City to ensure that the RLRT facility use ~~is consistent with the Comprehensive Plan and~~ meets all applicable siting standards. Design, context sensitivity and mitigation standards and design guidelines applicable to specific facility elements shall be met as a component of the Design and Mitigation Review process pursuant to subsection C of this section.

c. Decision Criteria. The City may approve or approve with modifications an application for a Conditional Use Permit if:

~~i. The conditional use is consistent with the Comprehensive Plan including the Light Rail Best Practices as referenced in Comprehensive Plan Policy TR 75.2; and~~

ii. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity of the RLRT facility and system; and

iii. The conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and

~~iiiv.~~ The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the RLRT facility and system; and

iv. The conditional use complies with the applicable requirements of the Land Use Code

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C. Design and Mitigation Review – Decision of the Director.

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2. Scope of Design and Mitigation Approval. Design and Mitigation Review is a mechanism by which the City shall ensure that the design and proposed mitigation for temporary and permanent impacts of an RLRT system and facility is consistent with:
 - ~~a. The Comprehensive Plan including without limitation Light Rail Best Practices; and the policies set forth in LUC 20.25M.010.B.7; and~~
 - ~~b~~a. Any previously approved development agreement or Conditional Use Permit issued pursuant to subsection B.1 or B.2 of this section; and
 - ~~c~~b. All applicable standards and guidelines contained in City Codes including the procedures related to involvement of a CAC as required by LUC 20.25M.035.
3. Decision Criteria. A proposal for an RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:
 - a. The applicant has demonstrated compliance with the CAC Review requirements of LUC 20.25M.035; and
 - ~~b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR 75.2 and the policies set forth in LUC 20.25M.010.B.7; and~~
 - ~~c~~b. The proposal complies with the applicable requirements of this Light Rail Overlay District; and
 - ~~d~~c. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and
 - ~~e~~d. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
 - ~~f~~e. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and
 - ~~g~~f. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and
 - ~~h~~g. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and
 - ~~i~~h. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.
 - ji. When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:

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Part 20.25N Camp and Conference Center District
20.25N.010 Applicability.

~~A. This part, Camp and Conference Center (CCC) District, contains standards and guidelines that apply to development and activity within the CCC District.~~

~~B. This part is subject to Part 20.25H LUC—Critical Areas Overlay District.~~

~~C. This part is not subject to Part 20.25B LUC—Transition Area Design District.~~

20.25N.020 ~~Master Development Plan Review required~~ Review required.

A. ~~Review Required~~ Applicable Review.

All development in the CCC land use district shall be reviewed by the Director for consistency with this Part 20.25N LUC and all other applicable development regulations.

~~A Master Development Plan (MDP) Review under Part 20.30V LUC is the means by which the City shall ensure that site development in a CCC district is consistent with the Comprehensive Plan and the provisions of this part and meets all applicable site development standards and guidelines of the LUC. The applicant shall record the approved MDP with King County in accordance with LUC 20.30V.180 after CCC zoning is established for the site encompassed in the MDP. Per LUC 20.30V.140 the applicant may, but is not required to, request that the MDP constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

B. ~~Standards and Requirements~~ Master Development Plan.

~~All development within a single CCC site shall be governed by MDPs reviewed by the Director pursuant to Part 20.30V LUC.~~

1. ~~At a minimum~~ In addition to the requirements of Part 20.30V LUC, the MDP Master Development Plan for development in the CCC land use district shall depict the following:

- a. Existing conditions, including:
 - i. The proposed continued use, maintenance, and ~~for~~ remodeling of existing conditions, including uses and structures and their current locations, which are permitted in a CCC District.
 - ii. The proposed continuation of existing conditions, including uses and structures and their current locations, which are not permitted in a CCC District.
 - iii. The proposed discontinuation of existing conditions, including uses and structures and their current locations, and general timing, sequencing, or triggering of the same;
- b. The proposed general location or placement of proposed uses, structures, facilities, and site features;
- c. A list of proposed principal and subordinate uses and their general locations;

- d. Conformance with the dimensional requirements of LUC 20.25N.050, based on the total area contained in the Master Development Plan.

~~2. Phasing. An MDP may show site development in geographically defined phases per LUC 20.30V.130.~~

~~3. Modifications to an approved MDP or phased MDP shall be governed by LUC 20.30V.160, except modifications to existing conditions shall be governed by subsection B.1.a.ii of this section.~~

C. Design Review.

Design Review approval is not required for freestanding structures proposed for religious activities, which will be reviewed through the Conditional Use Review process.

20.25N.030 Design Review required.

[Section deleted in its entirety]

~~Design Review pursuant to Part 20.30F LUC shall be required for any proposed development in a CCC District, except for freestanding structures proposed for religious activities which will be reviewed through the Conditional Use Review process. Modifications or additions to an approved Design Review in a CCC District shall be governed by LUC 20.30F.175. The dimensional requirements and development standards of this part shall be ensured through the Design Review process.~~

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Part 20.25P Eastgate Transit Oriented Development Land Use District

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20.25P.020 Review required.

A. Applicable Review ~~and Guidelines.~~

All development in the EG-TOD Land Use District shall be reviewed by the Director for consistency with this Part 20.25P LUC and all other applicable development regulations.

~~The Director shall use this Part 20.25P LUC in reviewing an application for a Master Development Plan or Design Review approval in the EG-TOD.~~

B. Master Development Plans in EG-TOD.

~~1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards. Design, architecture, and amenity standards shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building location(s) within the project limit and demonstrate compliance with the following site development standards:~~

~~1a.~~ Residential Requirement in EG-TOD. The Master Development Plan shall establish a residential phasing requirement for the project limit to ensure that the intended housing emphasis of the EG-TOD area is met. The residential phasing requirements shall provide that no office development in excess of 600,000 square feet may be approved in the EG-TOD until at least 100 residential dwelling units are under construction;

~~b.~~ Dimensional requirements pursuant to LUC 20.25P.060 as listed below:

~~i.~~ Setbacks;

~~ii.~~ Maximum impervious/lot coverage;

~~iii.~~ Building height for each building identified in subsection B.1 of this section;

~~iv.~~ Floor area ratio for each building identified in subsection B.1 of this section:

~~(1) At a minimum square footage excepted from FAR pursuant to 20.25P.060.B shall be identified.~~

~~(2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.25P.050.A;~~

~~c.~~ Landscape development pursuant to LUC 20.25P.070;

~~d.~~ Parking, circulation, and internal walkway requirements pursuant to LUC 20.25P.080;

~~e.~~ EG-TOD street development standards pursuant to LUC 20.25P.090; and

~~f.~~ Site development standards pursuant to LUC 20.25P.100.B.

~~2.~~ When Required.

~~a.~~ A Master Development Plan shall be required when an applicant proposes to develop more than one building under a single ownership.

~~b.~~ A Master Development Plan shall be required where the applicant proposes to build a single building on one parcel that is adjacent to any street depicted on the figure in LUC 20.25P.090.A.3.

~~23.~~ For the purposes of ~~this section~~Part 20.25P LUC and Part 20.30V LUC, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:

a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;

b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;

c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and

- d. Only a right-of-way meeting the requirements of LUC 20.25P.060.B.2.c may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

~~C. Design Review.~~

- ~~1. When Required. All development within the EG TOD shall be reviewed by the Director through Design Review (Part 20.30F LUC).~~

~~D. Procedural Merger.~~

~~Within the EG TOD, any administrative decision required by this Part 20.25P LUC or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

- ~~1. Master Development Plan, Part 20.30V LUC;~~
- ~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~
- ~~3. Design Review, Part 20.30F LUC;~~
- ~~4. Variance, Part 20.30G LUC; and~~
- ~~5. Critical Areas Land Use Permit, Part 20.30P LUC.~~

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Part 20.25Q East Main Transit Oriented Development Land Use District

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20.25Q.030 Review required.

A. Applicable Review.

All development in the EM-TOD Land Use District shall be reviewed by the Director for consistency with this Part 20.25Q LUC and all other applicable development regulations.

~~A. Effect of Approval.~~

~~Approval of the Master Development Plan and/or the Design Review shall constitute the regulations governing Development and operation of an approved Development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable Development standards, the payment of all fees, and the submittal of Assurance Devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for in this Part 20.25Q LUC.~~

B. **Master Development Plan.**

- 1. ~~Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the Site Development components of a multiple Building or phased single Building proposal are consistent with the Comprehensive Plan and meet all applicable Development standards. Design, architecture, and amenity standards shall be met as a~~

~~component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed Building placement within the Project Limit and demonstrate compliance with the following Development requirements and standards:~~

- ~~a. Dimensional requirements pursuant to LUC 20.25Q.060 as listed below:
 - ~~i. Building Height for each Building identified in subsection B.1 of this section;~~
 - ~~ii. Floor Area Ratio for each Building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25Q.070;~~
 - ~~iii. Square footage for each residential and nonresidential component of a Building shall be identified in order to demonstrate compliance with the minimum residential requirement in LUC 20.25Q.060; and~~
 - ~~iv. Open Space required.~~~~
- ~~b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right of Way as required pursuant to LUC 20.25Q.100.~~
- ~~c. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25Q.100.~~
- ~~d. Areas identified to accommodate landscape Development pursuant to LUC 20.25Q.080.~~
- ~~2. When Required. An applicant for a project with multiple Buildings located within a single Project Limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single Building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when Building construction is proposed to be phased.~~
- ~~3. For the purposes of this section Part 20.25Q LUC and Part 20.30V LUC, the Project Limit may be drawn to encompass a vehicular, bicycle, or pedestrian circulation that bisects a Site, provided the Director finds that the following connectivity criteria can be met:
 - a. A system of corner crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting circulation within the Project Limit;
 - b. Pedestrian paths shall be provided to connect all Buildings and circulation crossings located within the proposed Project Limit; and
 - c. Visual connections shall be provided between all Buildings located within the Project Limit by minimizing topographic variation and through use of vegetation and outdoor spaces.~~

~~C. Design Review.~~

- ~~1. When Required. A Design Review is required for all East Main projects. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.~~

~~D.—Departures.~~

- ~~1.— Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the East Main outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in an East Main Development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Southwest Bellevue Subarea Plan.~~
- ~~2.— Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25Q.080, 20.25Q.100 and 20.25Q.130 through 20.25Q.160 or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this subsection.~~
- ~~3.— Decision Criteria. The Director may approve or approve with conditions an Administrative Departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:
 - ~~a.— The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of this Code; and~~
 - ~~b.— The resulting design will be more consistent with the purpose and intent of this Code; and~~
 - ~~c.— The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or this Code’s intent; and~~
 - ~~d.— Any Administrative Departure criteria required by the specific terms of this Code have been met.~~~~
- ~~4.— Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.~~

~~E.—Procedural Merger.~~

~~Within an East Main Land Use District, any administrative decision required by this Part 20.25Q LUC or by this Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

- ~~1.— Master Development Plan, Part 20.30V LUC;~~
- ~~2.— Administrative Conditional Use Permit, Part 20.30E LUC;~~
- ~~3.— Design Review, Part 20.30F LUC;~~
- ~~4.— Variance, Part 20.30G LUC; and~~

~~5. Critical Areas Land Use Permit, Part 20.30P LUC.~~

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Part 20.25R Mixed-Use Land Use Districts
20.25R.010 General.

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D. Applicable Review Required.

All development in mixed-use land use districts subject to Part 20.25R LUC shall be reviewed by the Director for consistency with this Part 20.25R LUC and all other applicable development regulations.

~~1. Effect of Approval. Master Development Plans vest in accordance with LUC 20.40.500.A and expire in accordance with LUC 20.40.500. Design Reviews vest in accordance with LUC 20.40.500 and expire in accordance with Part 20.30F LUC. An extended vesting period may be granted for Master Development Plans and associated Design Review approvals in accordance with LUC 20.30V.190.~~

~~2. Master Development Plan.~~

~~a. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building are consistent with the Comprehensive Plan and meet all applicable development standards. Design, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection D.2.b of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following development regulations:~~

- ~~i. Dimensional requirements pursuant to LUC 20.20.010 and as listed below:~~
- ~~ii. Building height for each building identified in subsection D.2.a of this section;~~
- ~~iii. Floor area ratio for each building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25R.050;~~
- ~~iv. Open space required in LUC 20.25R.030.C;~~
- ~~v. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right of Way as required pursuant to LUC 20.20.590;~~
- ~~vi. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25R.020; and~~
- ~~vii. Areas identified to accommodate landscape development pursuant to LUC 20.25R.030.~~

~~b. When Required. An applicant for a project with multiple buildings proposed to be constructed at different times within a single project limit shall submit a Master~~

~~Development Plan for approval by the Director, pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

~~c. An approved Master Development Plan may be modified pursuant to LUC 20.30V.160.~~

~~3. Design Review.~~

~~a. When Required. A Design Review is required for all projects in Mixed Use Land Use Districts. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.~~

~~4. Departures.~~

~~a. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Wilburton/N.E. 8th Street Subarea Plan.~~

~~b. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25R.020 through 20.25R.040 or other sections of the Land Use Code that provide for departures, with the exception of numeric standards for the following:~~

- ~~i. Affordable Housing;~~
- ~~ii. Sidewalk width; and~~
- ~~iii. Access Corridor Width.~~

~~c. Decision Criteria. The Director may approve, or approve with conditions, requests for Administrative Departures from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria are met:~~

- ~~i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of this Code; and~~
- ~~ii. The resulting design will be more consistent with the purpose and intent of the Land Use Code standard that is not adequately accommodated by strict application of the Code; and~~
- ~~iii. Proposed modifications to numeric standards are the minimum reasonably necessary to achieve the intent of strict application of the Land Use Code; and~~

~~iv.—Any Administrative Departure criteria required by the specific terms of this Code have been met.~~

~~d.—Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.~~

~~5.——Procedural Merger.~~

~~Within a Mixed-Use Land Use District, any administrative decision required by this Part 20.25R or by this Code, including but not limited to the following, may be applied for and reviewed as a single Process-II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~

~~a.—Master Development Plan, Part 20.30V LUC;~~

~~b.—Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~c.—Design Review, Part 20.30F LUC;~~

~~d.—Variance From the Land Use Code, Part 20.30G LUC; and~~

~~e.—Critical Areas Land Use Permit, Part 20.30P LUC.~~

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Chapter 20.30 Permits and Decisions

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Part 20.30B Conditional Use Permit

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20.30B.140 Decision criteria.

The City may approve or approve with modifications an application for a Conditional Use Permit if:

- A. The conditional use is consistent with the Comprehensive Plan; and
- B. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- C. The conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and
- D. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
- E. The conditional use complies with the applicable requirements of this Code.

...

Commented [A1]: The prior strike-draft proposed removing the requirement that CUP approvals demonstrate consistency with the Comprehensive Plan. This language has since been reinstated to clarify that conditional uses must still meet Comprehensive Plan consistency standards.

20.30B.160 Merger with Binding Site Plan

~~A. General.~~

~~A. If a Master Development Plan is not required for the development, then the applicant may request that the site plan approved with the Conditional Use Permit constitute a Binding Site Plan in accordance with Part 20.30R LUC.~~

~~B. If a Master Development Plan is required for the development, then a Binding Site Plan may only be approved through the Master Development Plan in accordance with Part 20.30R LUC.~~

~~The applicant may request that the site plan approved with the Conditional Use Permit constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~B. Survey and Recording Required.~~

~~If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections. No document shall be presented for recording without the signature of each owner of the subject property.~~

~~C. Effect of Binding Site Plan.~~

~~Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law.~~

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Part 20.30D Planned Unit Development

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20.30D.150 Decision criteria.

~~A. The Planned Unit Development is consistent with the Comprehensive Plan; and~~

~~BA. The Planned Unit Development accomplishes, by the use of permitted flexibility and variation in design, a development that is better than that resulting from traditional development. Net benefit to the City may be demonstrated by one or more of the following:~~

...

~~CB. The Planned Unit Development results in no greater burden on present and projected public utilities and services than would result from traditional development and the Planned Unit Development will be served by adequate public or private facilities, including streets, fire protection, and utilities; and~~

~~DC. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by this Code, LUC 20.20.520 and landscaping requirements applicable to specific districts contained in Chapter 20.25 LUC, and enhances the visual compatibility of the development with the surrounding neighborhood; and~~

- ~~ED.~~ At least one major circulation point is functionally connected to a public right-of-way; and
- ~~FE.~~ Open space, where provided to meet the requirements of LUC 20.30D.160.A.1, within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project; and
- ~~GE.~~ Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- ~~HG.~~ Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and
- ~~HI.~~ Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment.

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20.30D.280 Merger with Binding Site Plan

~~A.—General.~~

~~A. If a Master Development Plan is not required for the development, then the applicant may request that the site plan approved with the Planned Unit Development constitute a Binding Site Plan in accordance with Part 20.30R LUC.~~

~~B. If a Master Development Plan is required for the development, then a Binding Site Plan may only be approved through the Master Development Plan in accordance with Part 20.30R LUC.~~

~~The applicant may request that the site plan approved with the Planned Unit Development constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~B.—Survey and Recording Required.~~

~~If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections. No document shall be presented for recording without the signature of each owner of the subject property.~~

~~C.—Effect of Binding Site Plan.~~

~~Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law.~~

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Part 20.30E Administrative Conditional use Permit

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20.30E.140 Decision criteria.

The Director of the Development Services Department may approve or approve with modifications an application for an Administrative Conditional Use Permit if:

- ~~A. The administrative conditional use is consistent with the Comprehensive Plan; and~~
- ~~BA.~~ The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- ~~CB.~~ The administrative conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and
- ~~CC.~~ The administrative conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
- ~~CD.~~ The administrative conditional use complies with the applicable requirements of this Code.

...

20.30E.160 Merger with Binding Site Plan.

~~A. General.~~

- ~~A. If a Master Development Plan is not required for the development, then the applicant may request that the site plan approved with the Administrative Conditional Use Permit constitute a Binding Site Plan in accordance with Part 20.30R LUC.~~
- ~~B. If a Master Development Plan is required for the development, then a Binding Site Plan may only be approved through the Master Development Plan in accordance with Part 20.30R LUC.~~

~~The applicant may request that the site plan approved with the Administrative Conditional Use Permit constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~B. Survey and Recording Required.~~

~~If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections. No document shall be presented for recording without the signature of each owner of the subject property.~~

~~C. Effect of Binding Site Plan.~~

~~Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law.~~

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Part 20.30F Design Review

20.30F.110 ~~Scope~~Purpose.

This Part 20.30F ~~LUC~~ establishes when Design Review is required and the procedure and criteria that the City will use in making a decision upon an application for Design Review. ~~Design Review is a mechanism by which the City shall ensure that the design, architecture, and amenity components of a proposal meet all applicable standards contained in City Codes.~~

20.30F.115 ~~Applicability.~~

A. General. If development is located in one of the following locations, then Design Review is required except as otherwise provided in subsection B of this section:

1. Downtown;
2. BelRed;
3. A Mixed-Use Land Use District subject to Part 20.25R LUC;
4. The Community Mixed-Use Design District subject to Part 20.25I LUC;
5. The F1 land use district;
6. The MI land use district;
7. The OLB-OS land use district;
8. The CCC land use district;
9. The EG-TOD land use district; and
10. The EM-TOD land use district.

B. Exceptions.

1. All development for which a City Council approval is required and an opportunity for public comment has been provided shall be exempt from the Design Review process, but must still comply with the applicable Design Review criteria and standards contained in applicable development regulations.

~~This Part 20.30F applies to each application for Design Review, except as provided in LUC 20.30F.116.~~

20.30F.116 ~~City Council Design Review.~~

~~[Section deleted in its entirety]~~

~~Notwithstanding any provisions of the Code requiring that Design Review be conducted under this Part 20.30F, all projects for which a City Council approval is required and an opportunity for public comment has been provided shall be exempt from the Design Review process, but must comply with the applicable Design Review criteria and standards of this Code.~~

20.30F.120 ~~Purpose~~ **Scope of approval.**

Design Review is a mechanism by which the City can ensure that site development and structures in specific zoning districts or in specific locations are of high design quality and conform to the requirements of the Land Use Code and the requirements of an applicable concomitant agreement.

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20.30F.165 **Merger with Binding Site Plan**

~~A. General.~~

~~A. If a Master Development Plan is not required for the development, then the applicant may request that the site plan approved with the Design Review constitute a Binding Site Plan in accordance with Part 20.30R LUC.~~

~~B. If a Master Development Plan is required for the development, then a Binding Site Plan may only be approved through the Master Development Plan in accordance with Part 20.30R LUC.~~

~~The applicant may request that the site plan approved with the Design Review constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~B. Survey and Recording Required.~~

~~If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record that site plan and survey with the King County Department of Records and Elections. No document may be recorded without the signature of each owner of the subject property.~~

~~C. Effect of Binding Site Plan.~~

~~Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with that Binding Site Plan and without regard to lot lines internal to the subject property. The applicant may sell or lease parcels subject to the Binding Site Plan.~~

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20.30F.180 **Recording Required.**

Following approval of a Design Review and any subsequent modifications thereto, the applicant shall record the plans and conditions that constitute the approval with the King County ~~Division of Records and Elections or its successor agency~~ **Recorder's Office**. Components of the approval required to be recorded include but are not limited to the applicable conditions of approval, total amount (square footage) of floor area earned through the FAR Amenity Incentive System, or floor area earned through the special dedication of right-of-way, parks, or open space. A copy of the recorded document shall be provided to the city for inclusion in the project file.

20.30F.190 Expiration – Extension.

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C. Other Extensions of Design Review Approval.

An approved Design Review permit approval may be extended pursuant to one or more of the following:

1. LUC 20.30V.190 (~~Extended vesting period for~~Extensions of Master Development Plans and associated Land Use Permit Design Review approvals);
2. A Development Agreement, but only in circumstances where Part 20.30C LUC specifically authorizes the extension, by Development Agreement, of the time period that a Land Use Permit or approval remains in effect ~~or its vested status~~; or

...

~~E. Vested Status of Design Review Approvals.~~

~~1. Where a Design Review approval is issued under LUC 20.30F.145, it shall vest pursuant to LUC 20.40.500.A. Except for Design Review approvals extended under subsection D of this section, the vested status of the Design Review approval shall then expire on the date that the Design Review approval expires by operation of this section.~~

~~2. Whenever a Design Review approval is extended under subsection D of this section, the extended Design Review approval shall vest to the provisions of the Land Use Code in effect on the date that extension was granted. The vested status of the Design Review approval shall then expire on the date that the Design Review approval expires or on the date that a subsequent extension is granted under subsection D of this section, whichever occurs first.~~

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Part 20.30H Departures

20.30H.110 Purpose.

Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the best outcomes. The purpose of this Part 20.30H LUC is to provide an Administrative Departure process to modify provisions of certain chapters and parts of the Land Use Code when the strict application would result in a development that does not fully achieve the purpose and intent of the provision of the Land Use Code at issue.

20.30H.115 Applicability.

Applicability. The Director may, through the Design Review process, approve a proposal that departs from specific numeric standards applicable in the overlay districts indicated below.

A. Part 20.25A LUC — Downtown. A departure from the specific numeric standards contained in the following sections of the Land Use Code applicable to Downtown may be approved:

1. LUC 20.25A.090;
2. LUC 20.25A.110; and
3. LUC 20.25A.140 through 20.25A.180

B. Part 20.25Q LUC – East Main Transit Oriented Development Land Use District. A departure from the specific numeric standards contained in the following sections of the Land Use Code applicable in the East Main Transit Oriented Development Land Use District may be approved:

1. LUC 20.25Q.080;
2. LUC 20.25Q.100; and
3. LUC 20.25Q.130 through 20.25Q.160

C. Part 20.25R LUC – Mixed-Use Land Use Districts. A departure from the specific numeric standards contained in LUC 20.25R.020 through 20.25R.040 or other sections of the Land Use Code that provide for departures in the Mixed-Use Land Use Districts may be approved, with the exception of numeric standards for the following:

1. Affordable Housing;
2. Sidewalk width; and
3. Access Corridor Width.

20.30H.120 Decision Criteria.

Decision Criteria. The Director may approve, or approve with conditions, requests for Administrative Departures from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria are met:

- A. The resulting design will be more consistent with the purpose and intent of the Land Use Code standard that is not adequately accommodated by strict application of the Code; and
- B. Proposed modifications to numeric standards are the minimum reasonably necessary to achieve the intent of strict application of the Land Use Code;
- C. Any Administrative Departure criteria required by the specific terms of this Code have been met; and
- D. The modification is reasonably necessary to implement or ensure consistency with a departure allowed through an approved Development Agreement, if applicable.

20.30H.130 Limitation on authority.

Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.

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Part 20.30R Binding Site Plans

20.30R.110 Purpose.

This Part 20.30R LUC establishes when a Binding Site Plan is available and the procedure and criteria that the City will use in making a decision upon an application for which a Binding Site Plan is an authorized component.

20.30R.115 Applicability.

A. Binding Site Plans are only available for the following:

1. Development located in land use districts that are zoned to permit, or conditionally permit, industrial or commercial uses. For the purposes of this Part 20.30R LUC, “commercial use” means that the property is zoned to permit, or conditionally permit, attached or detached multifamily dwellings; and
2. Divisions of land into lots or tracts as provided for in RCW 58.17.040(7), as that provision read on [insert effective date of this section].

B. Binding Site Plans are not available for divisions of property for lease as provided for in RCW 58.17.040(5), as that provision read on [insert effective date of this section].

20.30R.120 Review Process.

A. If a Master Development Plan is required for the development, then a Binding Site Plan may be approved through the Master Development Plan.

B. If a Master Development Plan is not required for the development, but one or more of the following land use permits or approvals is required, then a Binding Site Plan may be approved through any one of the required land use permit or approvals as provided below:

1. Conditional Use Permit;
2. Planned Unit Development;
3. Administrative Conditional Use Permit; or
4. Design Review.
5. Shoreline Conditional Use Permit.

C. Binding Site Plans must be applied for as a component of one of the land use permits or approvals described above. No standalone application for a Binding Site Plan shall be reviewed or submitted.

20.30R.125 Submittal Requirements.

A. In addition to the submittal requirements for the underlying land use permit or approval through which a Binding Site Plan is included as a component, the applicant shall submit the following:

1. A survey depicting all lots, tracts, and parcels proposed to be created through the Binding Site Plan, including all lot lines, as well as any additional information required by the Director; and
2. Any additional submittal requirements required by the Director pursuant to LUC 20.35.030 for the underlying land use permit or approval when a Binding Site Plan is included as a component.

20.30R.130 Decision Criteria

- A. The final decision on the underlying land use permit or approval by the applicable decision maker specified in Chapter 20.35 LUC for that underlying land use permit or approval shall constitute the final decision on the Binding Site Plan component.
- B. In addition to the decision criteria for the underlying land use permit or approval through which a Binding Site Plan is included as a component, the decision maker specified in Chapter 20.35 LUC for the underlying land use permit or approval must determine whether the Binding Site Plan component meets the following requirements:
1. Appropriate provisions for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, and sanitary waste are provided;
 2. All applicable provisions of the Land Use Code, Title 20 BCC, the Utility Codes, Title 24 BCC, and all applicable Development Standards are satisfied;
 3. The Binding Site Plan component of the underlying land use decision or approval provides for all necessary utilities, streets or access, drainage, and improvements to accommodate the potential use of the entire property.

20.30R.135 Effect of Binding Site Plan

- A. The applicant shall record the Binding Site Plan with the King County Recorder's Office. No document shall be presented for recording without the signature of each owner of the subject property. Once approved and recorded, the Binding Site Plan shall remain in effect in perpetuity unless altered or vacated, regardless of whether the underlying land use permit or approval expires.
- B. If the underlying land use permit or approval is approved, then the applicant may develop the subject property in conformance with the lots, tracts, or parcels created through the approved and recorded Binding Site Plan. All provisions, conditions, and requirements of the Binding Site Plan shall be legally enforceable on the purchaser or any other person acquiring a lease or ownership interest of any lot, parcel, or tract created pursuant to the Binding Site Plan.
- C. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the Binding Site Plan that does not conform to the requirements of the Binding Site Plan, or proceeds without Binding Site Plan approval, shall be considered a violation of the Land Use Code and of Chapter 58.17 RCW and may be enforced, and penalties assessed, as provided in Chapter 58.17 RCW or Chapter 1.18 BCC.

20.30R.140 Alterations and Vacations of Binding Site Plans.

- A. Alterations. Alterations to an approved or recorded Binding Site Plan may be made as follows:
1. If the Binding Site Plan was approved as a component of a Master Development Plan, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30V.160.
 2. If the Binding Site Plan was approved as a component of a Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30B.175.
 3. If the Binding Site Plan was approved as a component of a Planned Unit Development, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30D.285.

4. If the Binding Site Plan was approved as a component of an Administrative Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30E.175.

5. If the Binding Site Plan was approved as a component of a Shoreline Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.25E.180.

B. Vacations. Once approved and recorded, the Binding Site Plan may be vacated through a new application for a Master Development Plan.

Part 20.30V Master Development Plan

20.30V.110 PurposeScope.

This Part 20.30V LUC establishes when a Master Development Plan is required and the procedure and criteria that the City will use in making a decision upon an application for a Master Development Plan.

20.30V.115 Applicability

~~This Part 20.30V LUC applies to each application for a Master Development Plan.~~

A. General. If development meets both of the following criteria, then a Master Development Plan is required:

1. Either the development is constructed in phases or contains multiple buildings located within a single project limit; and

2. The development is located within one of the following locations:

a. Downtown;

b. BelRed;

c. A Mixed-Use Land Use District subject to Part 20.25R LUC;

d. The Community Mixed-Use Design District subject to Part 20.25I LUC;

e. The MI Land Use District;

f. The EG-TOD Land Use District; and

g. The EM-TOD Land Use District.

B. F1 and CCC Land Use Districts. If development is located within the F1 or CCC land use districts, then a Master Development Plan is required, regardless of whether the criteria specified in subsection A of this section is satisfied.

C. LDR-1, LDR-2, LDR-3, MDR-1, and MDR-2 Land Use Districts. If development is both located within an LDR-1, LDR-2, LDR-3, MDR-1, or MDR-2 Land Use District and is seeking a binding site plan, then the Director shall require a Master Development Plan, regardless of whether the criteria specified in subsection A of this section is satisfied.

1. Exception. A Master Development Plan shall not be required under subsection C of this section if the development requires any one or more of the following land use decisions or approvals,

which each allow for a Binding Site Plan to be approved as a component of the underlying land use decision or approval:

- a. Conditional Use Permit;
- b. Shoreline Conditional Use Permit;
- c. Administrative Conditional Use Permit;
- d. Planned Unit Development; or
- e. Design Review.

D. BelRed Land Use Districts. If development is located within BelRed but is not located within a node, then a Master Development Plan is only required if the development is constructed in phases, regardless of whether the criteria specified in subsection A of this section is satisfied.

20.30V.120 Purpose/Scope of approval.

A. Scope.

The Master Development Plan process is a mechanism by which the City can ensure that site development including structure placement, vehicular and pedestrian mobility, and necessary amenities are developed and phased to conform to the terms of the Land Use Code and other applicable City codes and standards/development regulations.

B. General Requirements.

Master Development Plans shall document that the following site plan components and calculations comply with all applicable development regulations:

1. Building placement;
2. The location and size of proposed setbacks;
3. Calculations demonstrating allowable lot coverage;
4. Areas identified to accommodate landscape development;
5. Maximum allowable building heights shall be indicated based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
6. A Floor area ratio calculation for each proposed building shall be provided based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
 - i. If applicable, provide separate calculations for residential and nonresidential components of a building.
7. Indicate and delineate all site components required in order to qualify for an amenity incentive system bonus; and

8. Parking, loading, circulation, and internal walkway and pedestrian requirements.

C. Additional Requirements.

Development located in the following land use districts are subject to additional Master Development Plan requirements:

1. 20.25A.030 – Downtown;
2. 20.25N.020 – Camp and Conference Center District;
3. 20.25P.020 – Eastgate Transit Oriented Development Land Use District;
4. 20.25Q.030 – East Main Transit Oriented Development Land Use District; and
5. 20.25D.030 – BelRed.

20.30V.130 Phasing plan required.

A. A phasing plan is required and must be approved as part of the Master Development Plan.

B. Each building proposed to be constructed shall have its own phase; Provided, that the Director may allow for multiple buildings in a single phase. When making a decision on allowing multiple buildings in a single phase, the Director shall consider the following:

1. Whether the buildings are structurally connected or otherwise dependent on one another;
2. Whether similar site improvements, landscaping, or amenities are necessary to support the construction of the buildings proposed to be included in the same phase;
3. Whether the buildings are proposed to be constructed at the same time; and
4. Whether allowing multiple buildings within a single phase will result in more orderly, or more efficient, development of the project limit.

B. The phasing plan must:

1. ~~including~~ Include a narrative regarding ~~for~~ the installation of site improvements, landscaping, and amenities necessary to support each phase of development ~~must be approved as part of the Master Development Plan.~~
2. ~~Provide for a proportionate installation of required amenities and improvements when each phase of development is constructed; and~~
3. Include any other information that may be reasonably required by the Director.

~~The phasing plan is not intended to prescribe a timeline or sequence for development, but shall provide for proportionate installation of amenities that must be included when each phase of development is constructed. Required amenities and improvements shall be included.~~

20.30V.140 Merger with Binding Site Plan.

~~A. General.~~

~~The applicant may request that the site plan approved with the Master Development Plan constitute a Binding Site Plan in accordance with Part 20.30R LUC.~~

~~The applicant may request that the Master Development Plan constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~**B. Survey and Recording Required.**~~

~~If a Master Development Plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record that Binding Site Plan and survey with the King County Department of Records and Elections. No document may be recorded without the signature of each owner of the subject property.~~

~~**C. Effect of Binding Site Plan.**~~

~~Upon the approval and recording of a Binding Site Plan, the applicant may develop the subject property in conformance with the Binding Site Plan and without regard to lot lines internal to the subject property. The applicant may sell or lease parcels subject to the Binding Site Plan.~~

20.30V.150 Decision criteria and Effect of Approval.

A. Decision Criteria. The Director may approve or approve with modifications an application for a Master Development Plan if:

~~A. The proposed Master Development Plan is consistent with the Comprehensive Plan; and~~

~~**B1.** The Master Development Plan complies with the applicable requirements of the Bellevue City Code; and~~

~~**C2.** The proposed Master Development Plan addresses all applicable standards, guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and~~

~~**D3.** The Master Development Plan depicts features of and relationships and connectivity between required site features for the underlying Land Use District.~~

~~**B. Effect of Approval.** Approval of the Master Development Plan constitutes the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for.~~

20.30V.160 Modification or addition to an approved Master Development Plan.

There are two ways in which to modify or add to an approved Master Development Plan: process as a new Master Development Plan or process as a Land Use Exemption.

A. New Master Development Plan.

Except as provided in subsection B of this section, an amendment to a previously approved Master Development Plan is treated as a new application.

B. Land Use Exemption to an Existing Master Development Plan.

The Director may determine that a modification to a previously approved Master Development Plan is exempt from further review as a new application, provided the following criteria are met:

1. The modification is exempt from SEPA review; and
2. The modification is within the general scope of the purpose and intent of the original approval; and
3. The modification complies with all applicable Land Use Code requirements and all applicable development standards and is compatible with all applicable design criteria; and
4. The modification does not add more than 20 percent of the square footage assigned to any single building in the original Master Development Plan and in no event may the modification process be used to exceed the development intensity limitations for the area that is subject to Master Development Plan approval.

20.30V.170 Land area computation.

A. General.

Land which is dedicated to the City of Bellevue for right-of-way without compensation to the owner in conformance with paragraph B of this section is included in the land area for the purpose of computing maximum FAR notwithstanding LUC 20.50.020, Floor Area Ratio (FAR), and for the purpose of computing allowable dwelling units per acre.

B. Special Dedications.

1. A property owner may make a special dedication by conveying land identified for right-of-way acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council or the Capital Investment Program Plan to the City of Bellevue by an instrument approved by the City Attorney.
2. A property owner may also make a special dedication by conveying land identified by the Director of Transportation as necessary for safety operational improvement projects.

20.30V.180 Recording required.

Following approval of a Master Development Plan and any subsequent modifications thereto, the applicant shall record the plans and conditions that constitute the approval with the ~~King County Division of Records and Elections or its successor agency~~ King County Recorder's Office. Components of the approval required to be recorded include but are not limited to the applicable conditions of approval, total amount (square footage) of floor area earned through an FAR amenity incentive system, or floor area earned through special dedication of right-of-way, parks, or open space. A copy of the recorded document shall be provided to the city for inclusion in the project file.

20.30V.190 ~~Extended vesting period for~~ Extensions of Master Development Plans and ~~A~~ associated ~~Design Review approval~~ Land Use Permits .

~~To the extent not precluded by other sections of this code, an~~ An applicant for a ~~M~~ Master D ~~evelopment~~ Plan may request an ~~an~~ modification-extension to the ~~vesting and~~ expiration provisions of LUC 20.40.500.

LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, allowing for vesting of the issued land use permits and approvals that are associated with that Master Development Plan to remain in effect for a period of up to 10 years from the date of issuance of the Master Development Plan. In no event shall the Master Development Plan, or any associated and issued land use permit or approval, remain in effect for more than 10 years from the date of issuance of the Master Development Plan approval pursuant to LUC 20.30V.150 except where a complete building permit application has been submitted for each approved phase of the development.

A. Timing of Request for Modification and Extension.

1. The request for modification may be submitted with the application for land use review or at any time prior to expiration of a previously approved land use permit or approval pursuant to LUC 20.40.500. The request for an extension may be submitted as follows:
 - a. At any time between when a complete application for the Master Development Plan has been submitted and issuance of a final land use decision on the Master Development Plan; or
 - b. At any time between when a final land use decision on the Master Development Plan has been issued and expiration of the Master Development Plan, as may have been separately extended pursuant to this section.
2. If submitted at the time of application for the land use review between when a complete application for a Master Development Plan has been submitted and issuance of a final land use decision on the Master Development Plan, the decision on the request for modification extension shall be merged with the decision on the underlying land use permit Master Development Plan.
3. If submitted after the land use permit or approval has been issued between when a final land use decision on the Master Development Plan has been issued and expiration of the Master Development Plan, the request for modification extension shall be processed as a Land Use Exemption to the existing Master Development Plan pursuant to LUC 20.30F.175 or LUC 20.30V.160.B. In no event shall the vesting period for a Master Development Plan or associated Design Review approval exceed 10 years from the date of issuance of the Master Development Plan approval pursuant to LUC 20.30V.150.

B. Approval of an Extension.

1. The Director may approve an increased vesting period an extension to the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190; provided, that the project complies with an approved phasing plan pursuant to LUC 20.30V.130.
2. When making a decision on a request for an extension modification, the Director shall consider the following:

- a. ~~(1) the project site and size;~~
- b. ~~(2) the size, scope, and complexity of the project;~~ and
- c. ~~(3) construction and permitting activity in the vicinity of the project in determining the appropriate extension vesting period.~~

C. Effect of Approval of an Extension Modification.

- 1. The approval of a request for an extension modification under this section does not establish vested rights for any land use permit or for any application for a land use permit.
- 2. The approval of a request for an extension modification under this section may only modify the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, which govern land use permits and approvals. The approval of a request for an extension under this section does not affect expiration of any other permit applications or permit approvals, including, but not limited, to those issued under The vested status of other required review, including but not limited to SEPA, the Traffic Standards Code, the Transportation Development Code, and building or other technical code review, is not controlled by this section.

D. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with terms and he conditions of land use approval the issued master development plan, associated and issued land use permits, and the phasing plan throughout any extension granted under this section the vested period.

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Chapter 20.40 Administration and Enforcement

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~~20.40.401 — Compliance with the Comprehensive Plan.~~

~~Each decision or action of the City or its officials pursuant to the Land Use Code shall be made in compliance with the Comprehensive Plan.~~

...

20.40.500 Establishment of vested rights Vesting and expiration of vested status of land use permits and approvals.

A. Vesting Establishment of Vested Rights for Land Use Permit Applications and Approvals Approved Land Use Permits.

- 1. Permits Applications and Approvals in General.

- a. Applications for all land use permits and approvals except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use

control ordinances in effect on the date that a fully complete ~~b~~Building ~~p~~Permit application, meeting the requirements of BCC 23.05.090.E and 23.05.090.F, is filed.

- b. If a complete ~~b~~Building ~~p~~Permit application is not filed, as described in subsection A.1.a, then all applications for land use permits except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use control ordinances in effect up to the date of the City's final land use decision on the land use permit.
- c. Except for subdivisions and short subdivisions, if a land use permit is approved, then it shall be governed by the terms and conditions of approval of the land use permit until modification, revocation, or expiration of the land use permit.

2. Subdivisions and Short Subdivisions.

- a. An application for approval of a preliminary plat, final plat, preliminary short plat, or final short plat shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application is submitted for the preliminary plat or preliminary short plat which satisfies the applicable submittal requirements specified pursuant to LUC 20.35.030.
- b. If a final plat or final short plat is approved, then the subdivision or short subdivision shall be governed by the following for a period of five years beginning on the date that the final plat or final short plat was recorded unless vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC:
 - i. The terms and conditions of approval of the final plat or the final short plat; and
 - ii. The provisions of the Land Use Code and other land use control ordinances in effect at the time of the approval of the final plat or the final short plat.
- c. Subsection A.2.b of this section does not apply where the City Council finds that, following approval of a final plat or final short plat, a change in conditions creates a serious threat to the public health or safety in the subdivision or short subdivision.

3.2. Subdivisions, Short Subdivisions, Conditional Uses, and Design Reviews. An application for approval of a ~~subdivision, short subdivision, conditional use,~~ or for a ~~D~~design ~~R~~review, shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application, which satisfies the applicable submittal requirements specified in LUC 20.35.030, is submitted for such approval ~~which satisfies the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030.~~

4.3. Shoreline Conditional Use and Shoreline Substantial Development Permits. LUC 20.25E.250 governs vesting of shoreline conditional use and shoreline substantial development permit applications.

5.4. Master Development Plans and Associated Design Reviews Submitted Concurrently. When a ~~D~~design ~~R~~review application is submitted concurrently with a ~~M~~master ~~D~~development ~~P~~plan application, that ~~M~~master ~~D~~development ~~P~~plan application shall be considered under the Land

Use Code and other land use control ordinances in effect when the associated ~~D~~esign ~~R~~review application is submitted; provided, that both the associated ~~D~~esign ~~R~~review application and the ~~M~~aster ~~D~~evelopment ~~P~~lan application are fully complete and satisfy the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030. For the purposes of this subsection, “concurrently” means that the associated ~~D~~esign ~~R~~review application was submitted during the applicable time period for review of the ~~M~~aster ~~D~~evelopment ~~P~~lan application under LUC 20.35.030.E.

B. Expiration of ~~Vested Status of Issued~~ Land Use Permits ~~or Approval~~.

1. ~~The vested status of a Once issued~~ Land Use ~~Permits or approval~~ shall expire as provided in subsection B.2 of this section; provided, that:

~~a. The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the permit holder to the extent the litigation is related to the subject land use permit;~~

~~ba. Variances shall run with the land in perpetuity if recorded with the King County Department of Records and Elections Recorder’s Office within 60 days following the City’s final action; and~~

~~cb. Critical Areas Land Use Permits shall expire as set forth in LUC 20.30P.150; and~~

~~c. Lots in a subdivision or short subdivision shall be vested against changes in the Land Use Code, except for changes that address a serious threat to the public health or safety as found by the City Council when such change is adopted, for a period of five years following the date of recording of the final plat or final short plat; and~~

~~d. The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the applicant for the permit or approval related to that permit or approval;~~

~~ed. Shoreline substantial development permits, shoreline conditional use permits, and shoreline variances shall expire as set forth in Expiration of shoreline permits shall occur pursuant to LUC 20.25E.250.C; and~~

~~fe. Design review approvals shall expire as set forth in Expiration of Design Review approvals shall occur pursuant to LUC 20.30F.190; and-~~

~~f. Approved final plats and approved final short plats shall remain in effect until vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC.~~

2. ~~The vested status of a~~ Except as provided in subsection B.1 of this section, once issued, each land use permit shall expire two years from the date of the City's final land use decision, unless:
 - a. A complete Building Permit application is filed before the end of the two-year term. In such cases, the ~~vested status of the~~ land use permit ~~or approval~~ shall be automatically extended for the time period during which the building permit application is pending prior to issuance; provided, that if the building permit application expires, or is revoked or canceled pursuant to BCC 23.05.100, then the ~~vested status of a~~ land use permit ~~or approval~~ shall simultaneously also expire, or be canceled. If a Building Permit is issued and subsequently renewed, the vested status of the land use permit or approval shall be automatically extended for the period of the renewal;
 - b. For projects which do not require a building permit, the use allowed by the issued land use permit or approval has been established prior to the expiration of the ~~vested status of the~~ land use permit ~~or approval~~ and is not terminated by abandonment or otherwise;
 - c. ~~The vested status of a~~ An issued land use permit ~~or approval~~ is extended pursuant to subsection B.3 of this section; or
 - d. ~~The vested status of a~~ An issued land use permit ~~or approval~~ is extended pursuant to:
 - i. LUC 20.30V.190 (~~Extended vesting period for~~ Extensions of Master Development Plans and Associated Land Use Permits associated Design Review approval); or
 - ii. A development agreement authorized by the terms of this Land Use Code to extend ~~vested status a~~ land use permit.
3. When a building permit is issued, ~~the vested status of a~~ land use permit ~~or approval~~ shall be automatically extended for the life of the building permit. If the Building Permit expires, or is revoked or canceled pursuant to BCC 23.05.100 ~~or otherwise~~, then the ~~vested status of a~~ land use permit ~~or approval~~ shall also expire, or be revoked or canceled. If a Building Permit is issued and subsequently renewed, then the land use permit shall be automatically extended for the period of the renewal.

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Chapter 20.45B Short Plats and Short Subdivisions

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20.45B.050 General Requirements.

- A. Every short subdivision shall comply with all applicable goals, regulations and standards of the Bellevue City Code and RCW Title 58, Boundaries and Plats. ~~Short subdivisions shall also be in accord with the policies of the City's Comprehensive Plan.~~

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20.45B.130 Preliminary short plat – Department Director’s decision.

A. Decision Criteria.

The Department Director may approve or approve with modifications if:

...

~~5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and~~

~~6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and~~

~~7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.~~

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Chapter 20.50 Definitions

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20.50.012 B definitions.

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Binding Site Plan. The division of land into lots or tracts classified for industrial or commercial use as provided by RCW 58.17.020, RCW 58.17.035, and 58.17.040. For the purposes of this definition, “commercial use” means that the property that is zoned to permit, or conditionally permit, attached or detached multifamily dwellings.

...



Bellevue Planning Commission

A Resolution of the Planning Commission
 May 13, 2026

2026 Omnibus Land Use Code Amendment Recommendation

AYE	NAY	ABSENT	
			Negin Khanloo, Chair
			Jonny Lu, Vice-Chair
			Andres Villaveces
			Carolynn Ferris
			Mariah Kennedy
			Arshia Nilchian
			Craighton Goepppe
On the motion of:			
Seconded by:			
The following resolution was adopted:			

WHEREAS, the city periodically amends the code to address clean-up and housekeeping amendments; and

WHEREAS, this Land Use Code Amendment represents an expansion of the typical clean-up code process to include compliance with recently adopted state law and small, noncontroversial amendments with some minor policy consideration; and

WHEREAS, the Bellevue City Council initiated processing of this Land Use Code Amendment on February 10, 2026; and

WHEREAS, Comprehensive Plan Policy LU-7 requires the accommodation of the adopted growth targets of 35,000 additional housing units and 70,000 additional jobs for the 2019-2044 period and plan for the additional growth anticipated by 2044; and

WHEREAS, Comprehensive Plan Policy LU-8 encourages new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage; and

WHEREAS, Comprehensive Plan Policy HO-15 encourages streamlining permitting processes and creating objective development regulations that encourage housing development throughout the city; and



Bellevue Planning Commission

WHEREAS, Comprehensive Plan Policy HO-18 promotes housing density, choice and affordability in areas served by the frequent transit network, businesses serving the community's day-to-day needs and significant nodes of employment; and

WHEREAS, Section 3.64.070 Bellevue City Code and section 20.35.410 Land Use Code establishes the powers and duties of the Planning Commission to act in an advisory capacity to the City Council by holding public hearings, advising, and making recommendations to the City Council on land use ordinances and regulations to implement the comprehensive plan; and

WHEREAS, the Development Services Department encouraged public participation and provided information on the land use code amendment on its website; and

WHEREAS, the Planning Commission held a study session on April 8, 2026 to discuss the proposed 2026 Omnibus Land Use Code Amendment; and

WHEREAS, after providing legally required public notice, the Planning Commission held a public hearing on May 13, 2026, for the proposed 2026 Omnibus Land Use Code Amendment; and

WHEREAS the Planning Commission finds that the proposed amendments meet the decision criteria of LUC 20.30J.135 and are consistent with the Comprehensive Plan, enhance the public safety and welfare, and are not contrary to the best interest of the citizens and property owners of the City of Bellevue; now, therefore,

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL THAT IT ADOPTS THE 2026 OMNIBUS LAND USE CODE AMENDMENT (FILE NO. 26-104467 AD).

Negin Khanloo, Chair

Date

Katherine Nesse, staff liaison

Date

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MINUTES

April 8, 2026
6:30 p.m.

Bellevue City Hall
Room 1E-113

COMMISSIONERS PRESENT: Chair Khanloo, Commissioners Goepple, Nilchian, Villaveces

COMMISSIONERS REMOTE: Commissioner Ferris

COMMISSIONERS ABSENT: Vice Chair Lu, Commissioner Kennedy

STAFF PRESENT: Kate Nesse, Community Development Department; Nick Whipple, Kirsten Mandt, Development Services Department; Matt McFarland, City Attorney's Office

COUNCIL LIAISON: Councilmember Bhargava

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:30 p.m.)

The meeting was called to order at 6:30 p.m. by Chair Khanloo who presided.

2. ROLL CALL
(6:30 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Vice Chair Lu and Commissioner Kennedy.

3. APPROVAL OF AGENDA
(6:31 p.m.)

A motion to approve the agenda was made by Commissioner Goepple. The motion was seconded by Commissioner Nilchian.

A motion to amend the motion to remove agenda item 8b was made by Chair Khanloo. The motion was seconded by Commissioner Ferris.

The motion as amended carried unanimously.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None
(6:32 p.m.)

5. STAFF REPORTS
(6:32 p.m.)

A. Planning Commission Meeting Schedule

Senior Planner Dr. Kate Nesse took a few minutes to review the Commission's schedule of upcoming meeting dates and agenda items.

6. WRITTEN AND ORAL COMMUNICATIONS (6:33 p.m.)

A. Written Communications (6:33 p.m.)

Dr. Kate Nesse noted having forwarded to the Commissioners three comments received following publication of the packet.

B. Oral Communications (6:33 p.m.)

Chair Khanloo reviewed the procedural rules, including the three-minute time limit per speaker, the total 30-minute allotment for oral communication, and the requirement under Ordinance 6752 that comments relate to matters within the Planning Commission's authority.

Aeli Furtado, project design manager for Tesla, expressed support for a proposed amendment to LUC 20.20.900 C.1.b.2 related to development activity definitions. There is a pending project to install an eight-stall electric vehicle charging station at Eastgate Plaza. The project involves the conversion of three parking stalls to accommodate the charging equipment. No buildings will be expanded, no trees will be removed, and no impervious surface will be added. The current code requires compliance with the extensive tree density requirements for the entire site. Because the site has a historical tree deficit, the current code requires planting more than 30 trees or paying a fee in-lieu of over \$40,000. That represents a substantial financial burden, amounting to a significant portion of the project's construction budget, thereby creating a barrier to deployment of the charging infrastructure. The proposed amendment will better align regulatory requirements with the limited scope of such projects, preserve the intent of tree retention policies, and support the city's long-term electric vehicle infrastructure goals. Appreciation was expressed to city staff for their responsiveness in regard to the issue. The Commission was asked to recommend approval of the proposed amendment.

Roopa Satagopan, youth program leadership coordinator for the non-profit organization Indian American Community Services. The program is rooted in the community and provides culturally responsive mental health and wellness support to more than 225 Bellevue-based youth members, and 450 other youths across the Eastside. The speaker emphasized the importance of providing stigma-free support services, leadership development, and training in mental health first aid for hundreds of youth participants annually. The measurable program outcomes includes extensive hours of direct mental health support and individualized consultations. The services address the growing mental health needs among young people who are navigating cultural expectations. The speaker requested continued municipal support to expand the program's capacity and impact within the community.

Jessie Clawson spoke on behalf of the Bellevue Club and addressed a proposed targeted amendment to the omnibus code amendment to allow a residential fee in-lieu in the East Main subarea. The Bellevue Club has proposed a mixed use project that includes a residential tower above structured parking as well as expanded club space. The request does not represent a shift in city policy. All other subareas with inclusionary housing requirements already provide such options; East Main is the only exception. At the time the East Main code was adopted, residential development at the Bellevue Club was not anticipated and thus did not advocate for the option. The fee in-lieu in East Main is \$30/square foot, which is almost double the non-residential fee in the rest of the city. No change is proposed to that fee, rather the proposal is to extend the same fee to residential development, thereby aligning the sub-area with citywide policy. The fee-in-lieu mechanism enable municipalities to fund deeply affordable housing projects more effectively. Recent funding allocations were cited as evidence of the program's success.

Alex Tsimerman identified as a long-time resident and frequent political candidate and proceeded to deliver remarks expressing strong dissatisfaction with prior interactions with city authorities and restrictions placed on public participation. The testimony included allegations regarding limitations on free speech, criticism of meeting procedures, and objections related to the citizenship status of the city's mayor.

Councilmember Bhargava joined the meeting during the Oral Communications.

7. PUBLIC HEARING – None
(6:49 p.m.)

8. STUDY SESSION
(6:49 p.m.)

Assistant Director Nick Whipple explained that the 2026 omnibus amendment represents a new procedural approach for the city. Historically, code updates have focused primarily on technical corrections such as typographical errors or outdated cross-references. The omnibus process was designed to provide a more comprehensive mechanism for maintaining and updating the municipal code on a regular basis by combining multiple amendments into a single package. The method allows the city to respond more efficiently to recurring requests for code clarifications or revisions rather than waiting for large-scale updates to specific code sections.

Code and Policy Senior Planner Kirsten Mandt outlined the overall structure of the proposed amendments, which were organized into three principal categories: routine cleanup items, revisions necessary to comply with state legislation, and limited policy-related adjustments intended to improve code clarity and functionality. The cleanup items include correcting drafting errors; clarifying the intent of certain provisions; consolidating permit processes into a single, more accessible section of the code; and reviewing vesting language to ensure consistency with current legal practice. The changes were described as administrative in nature but important for improving transparency and usability of the regulatory framework.

Several of the amendments are required to align local regulations with recently enacted state laws. The updates address multiple legislative changes, some of which carry compliance deadlines in the near term. Among the examples listed were reforms related to land division

processes, including distinctions between two-lot short plats, lot splits, and unit lot subdivisions. The revisions are primarily procedural adjustments designed to streamline administrative processes and provide additional options for certain housing developments, such as townhome projects seeking fee-simple ownership arrangements.

Kirsten Mandt said additional state law compliance measures include changes related to child care facilities and building materials. The proposed amendments broaden the definition of child care centers to include preschools and nursery schools not formally associated with traditional school institutions and thereby supporting increased availability of child care services. Another amendment aims to remove certain building cladding requirements from the local code when proposed materials already meet the applicable building code standards, reflecting new state-level restrictions on local design mandates.

Kirsten Mandt said the amendments are intended to avoid controversy while supporting existing planning objectives. One such proposal involves evaluating whether single-family residential uses should continue to be permitted within high-density residential and mixed-use zones. It was noted that the purpose of the review was to ensure that zoning regulations remain consistent with the Comprehensive Plan's intended land use designations and capacity targets. Another involves a trigger in the current tree code under which any change to parking or circulation areas triggers the tree code. The more appropriate metric is a minimum threshold for changes to impervious surfaces.

The proposed amendments also seek to move a number of permit processes into the citywide permit section, including the master development plan; departures; administrative design review; binding site plans; process mergers; and extended vesting. Associated with that is the removal of the Comprehensive Plan consistency requirement where it is not legally required.

In terms of the engagement approach, Kirsten Mandt allowed that it was fairly minimal for the project because little was needed in terms of policy direction. There was a lot of consulting and reviewing with internal staff on the cleanup components to make sure the intent of the feedback received from the development community was understood. The engagement process includes presenting to and consulting with the Planning Commission and the City Council.

With regard to the timeline, things are currently at the code refinement stage. The hope is to move to a public hearing in May ahead of Council action in July.

Direction from the Commission was sought to determine whether the proposed omnibus amendments should proceed to a formal public hearing for further consideration.

Commissioner Ferris asked staff for input regarding the proposed amendment related to the East Main subarea that had been referenced during the public comment period. Kirsten Mandt allowed that the item had not been included in the initial scope of the omnibus amendment because the City Council had previously made a deliberate policy decision not to address topics that might require robust policy discussion. Nick Whipple added that at the time the East Main code was adopted in 2021, the Council was focused on setting a fee in-lieu for commercial and had not discussed the residential side. That sentiment has shifted toward any opportunity to support affordable housing. Staff are open to incorporating the proposal should the Commission express support for doing so. Commissioner Ferris expressed support for the change, noting that it could facilitate additional housing development while generating fee-in-lieu revenue to support other affordable housing projects.

Commissioner Goepple agreed with Commissioner Ferris and then noted generally being supportive of the proposal to restrict single-family residential uses in areas where the focus is on promoting density. Clarification was sought regarding the breadth of the proposed change and whether it will apply citywide. Kirsten Mandt explained that the restriction would be limited to areas designated for higher-density residential development or mixed-use growth where the city's planning objectives emphasize increased housing capacity. Nick Whipple added that the preliminary analysis suggests the change will pose a minimal risk of creating nonconforming properties and will support the city's broader growth targets. Commissioner Goepple expressed general support for the approach.

Commissioner Nilchian agreed with the notion of including the East Main topic and then requested additional context regarding the rationale for granting partial credit for property line trees. Nick Whipple explained that the existing code is silent on the issue. The current practice has evolved from an administrative interpretation intended to avoid granting full credit for trees outside a property owner's control. However, staff recognizes that providing no credit at all discourages preservation and could require excessive replanting to meet the retention standards. The proposed half-credit approach is therefore a balanced solution that recognizes the presence of the trees while accounting for shared ownership and responsibility.

Commissioner Villaveces also concurred with the comments regarding the single family and fee in-lieu and then turned attention to the treatment of trees within the development regulations. In practical terms, the physical influence of a tree extends beyond the location of its trunk given that the canopy and root systems often reach well into neighboring properties. Developers are frequently required to protect the critical root zones of trees located on adjacent parcels, which can restrict the buildable area on their own property. Given that the constraints directly affect development potential, Commissioner Villaveces argued that applicants should receive credit for protecting such trees, even when a tree is not located on the developer's property. It was also suggested that allowing credit for trees whose root zones encroach onto a property would provide a more equitable outcome. Staff was encouraged to consider additional examples illustrating the issue. Kirsten Mandt acknowledged the concern but outlined several regulatory challenges associated with granting credit for trees entirely located on neighboring properties.

Nick Whipple added that while applicants are often required to hire arborists in seeking to protect root zones, the city cannot guarantee the long-term preservation of a tree that remains under the control of another property owner. If credit were to be granted based on such trees, the subsequent removal of the tree by the neighbor could leave the original project out of compliance with the tree retention requirements. That could add administrative difficulty associated with tracking how credits may have been calculated and maintaining compliance if conditions change after project approval. While the situation is not unique to tree regulations, and while development decisions by neighboring property owners can affect adjacent sites in many ways, the limitations of any regulatory solutions should encourage continued collaboration between neighboring property owners. Commissioner Villaveces acknowledged the complexities but reiterated an interest in providing additional real-world examples for further consideration.

Chair Khanloo sought clarification regarding the rationale for awarding one-half credit for property line trees rather than full credit. Nick Whipple explained that the half-credit approach is intended to balance the shared responsibility and to avoid the risk of double counting the same tree by adjacent property owners. Because both neighbors could potentially claim credit for the same tree, assigning partial credit is viewed as a practical compromise that recognizes the presence and value of the tree while maintaining fairness and regulatory consistency. Under the existing code, property owners are not always required to retain such trees at all, and therefore

even partial credit represents an improvement by providing an incentive for preservation.

Chair Khanloo asked if the same logic would apply to trees located along public rights-of-way rather than between private properties. Nick Whipple clarified that the half-credit provision would apply regardless of ownership on the opposite side of the property line, including cases involving street trees. The purpose of the amendment is to acknowledge the presence of trees that currently provide no retention credit, and to encourage voluntary preservation, even in situations where retention is not strictly required by regulation. Chair Khanloo reflected on past development projects in which multiple trees were removed and asked if stronger incentives might have resulted in greater retention. Nick Whipple reiterated that the current proposal is designed to create at least some incentive where none previously existed.

Commissioner Ferris referenced a letter submitted by a member of the public earlier in the day and requested that staff review the suggestions contained in the letter to determine if it is aligned with the intent of the proposed code changes. Kirsten Mandt said there are different sets of regulations that apply to tree retention for critical areas and their buffers. Vegetation within critical areas is subject to significantly stricter retention standards, typically allowing for removal only in cases involving hazards or disease, and often requiring that the remaining debris be retained to support habitat functions. The proposed amendments will apply only to areas outside of critical areas and their buffers.

Commissioner Ferris also requested an explanation of the term “extended vested language.” Nick Whipple clarified that vesting refers to the period during which an approved development application remains governed by the regulations in effect at the time of approval. Under the current system, applicants typically receive three years of vesting and may request extensions if additional time is needed before submitting building permits. The proposed amendment is intended to simplify and make more understandable the procedures for extending vesting periods without altering underlying policy.

Commissioner Nilchian raised a policy-related inquiry concerning the proposed inclusion of a residential fee-in-lieu option in the East Main subarea, observing that there appeared to be a general consensus among the Commissioners in support of the proposal. The question asked was whether maintaining the same fee amount as the existing non-residential fee would be appropriate, or whether adjustments should be considered. Nick Whipple explained that retaining the existing fee structure will be the simplest and most practical approach. The fee in the East Main area functions as an incentive-based mechanism and applies only to the incremental development beyond base height allowances rather than to the entire building. Forthcoming state transit oriented development requirements will necessitate a broader review of the East Main regulations by 2029. As a result, adopting the proposed change could serve as an interim measure to support a pending development project while allowing for a more comprehensive policy evaluation in the future.

Commissioner Villaveces expressed support for the interim approach before returning to the earlier discussion regarding tree credit policies. Using an illustrative analogy concerning fruit from a neighboring tree, Commissioner Villaveces emphasized the perceived fairness of recognizing the impacts from adjacent vegetation.

Chair Khanloo asked about the geographic scope of the East Main area and if additional property owners might be affected by the proposed amendment. Nick Whipple explained that the East Main district encompasses approximately ninety acres and said only a small number of parcels, primarily three parcels under two ownership groups, are realistically positioned for

redevelopment under the applicable zoning provisions. One additional parcel is unlikely to redevelop due to physical constraints associated with an existing stream, and therefore the potential impacts of the proposed amendment are considered limited and low risk.

A motion to schedule a public hearing was made by Commissioner Ferris. The motion was seconded by Commissioner Goepple.

A motion to amend the motion to include the extension of the fee-in-lieu to residential development in East Main was made by Commissioner Villaveces. The motion to amend was seconded by Commissioner Ferris and the motion carried unanimously.

The main motion as amended carried unanimously.

9. OTHER BUSINESS – None
(7:26 p.m.)

10. APPROVAL OF MINUTES – None
(7:26 p.m.)

11. EXECUTIVE SESSION – None
(7:26 p.m.)

12. ADJOURNMENT
(7:26 p.m.)

Before adjourning, Commissioner Villaveces pointed out that Dr. Kate Nesse had been handed a paper by Alex Tsimerman that included some strong language. The paper could be considered harassment or bullying and someone should look into it.

A motion to adjourn was made by Commissioner Ferris. The motion was seconded by Commissioner Goepple and the motion carried unanimously.

Chair Khanloo adjourned the meeting at 7:26 p.m.