

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6759

AN ORDINANCE repealing and replacing section 20.20.195 of the City of Bellevue Land Use Code (LUC) and amending LUC sections 20.10.440, 20.25A.050, 20.25D.070, 20.25J.020, 20.25L.020, 20.25N.040, 20.25P.050, 20.25Q.050, 20.30M.145, and 20.50.054 to revise the City's regulations for Wireless Communication Facilities (WCFs) to address advances in WCF technology and for consistency with federal law; providing for severability; and establishing an effective date.

WHEREAS, in 2009, the Federal Communications Commission (FCC) issued a declaratory ruling (FCC-09-99) which, in part, established time limitations for local review of WCF proposals (shot clocks); and

WHEREAS, in 2014, the FCC issued a declaratory ruling (FCC 14-153) implementing Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 to establish definitions, procedures, and limitations for local review of modifications to WCFs (eligible facilities requests); and

WHEREAS, in 2018, the FCC issued a declaratory ruling (FCC-18-133) defining small wireless facilities (SWF), establishing shot clocks for local review of SWF deployments, and defining when local regulation results in an unlawful material inhibition of WCF deployments; and

WHEREAS, in 2020, the FCC issued a declaratory ruling (FCC-20-75) further clarifying the applicability of shot clocks, eligible facilities requests, and local requirements on design and concealment elements for WCFs; and

WHEREAS, in 2019, the City Council adopted Ordinance Nos. 6454 and 6462, establishing requirements for SWFs in the public right-of-way to respond to FCC directives; and

WHEREAS, regulations for WCFs in the LUC have not been updated to reflect the changes in technology, demand for cellular service, and FCC directives since their original adoption in 2003 under Ordinance No. 5460; and

WHEREAS, Comprehensive Plan policies UT-79, UT-83, UT-89, and UT-90 direct the City to allow for the deployment of WCFs while limiting related impacts, and to address frequent changes in WCF technology and community conditions; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act, Chapter 43.21C RCW and the City’s Environmental Procedures Code, Chapter 22.02 BCC, for these LUC amendments; and

WHEREAS, the City Council held a study session on September 25, 2023, to discuss the proposed LUC amendment; and

WHEREAS, after providing legally-required public notice, the City Council held a public hearing on October 23, 2023, for this proposed LUC amendment; and

WHEREAS, the City Council finds that the proposed LUC amendments meet the decision criteria of LUC 20.30J.135, are consistent with the Comprehensive Plan, enhance the public health, safety and welfare, and are not contrary to the best interests of the citizens and property owners of the City of Bellevue; now, therefore:

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

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

20.10.440 Land Use Charts

Chart 20.10.440 Uses in land use districts

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Transportation and Utilities – Residential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-15	R-20	R-30
...												
	Wireless Communication Facility (WCF)	16	16	16	16	16	16	16	16	16	16	16
	Communication, Broadcast and Relay Towers that are not WCFs	16	16	16	16	16	16	16	16	16	16	16
...												

Transportation and Utilities – Nonresidential 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	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OL B	OL B 2	LI	GC	NB	NM U	CB	F1	F2	F3
...													
	Wireless Communication Facility (WCF)	16	16	16	16	16	16	16	16	16	16	16	16
	Communication, Broadcast and Relay Towers that are not WCFs	16	16	16	16	16	16	16	16	16	16	16	16
...													

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

(14) Intentionally deleted.

(16) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast and relay facilities other than small wireless facilities in the public right-of-way. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

(21) Intentionally deleted.

Section 2. Section 20.20.195, Communication, broadcast, and relay facilities, of the Bellevue Land Use Code is hereby amended in its entirety to read as follows:

20.20.195 Communication, broadcast, and relay facilities.

A. General Provisions.

1. **Purpose.** The purpose of this section is to regulate telecommunications, broadcast, relay, and other similar facilities in a manner that protects the aesthetic character of Bellevue’s neighborhoods, promotes reliable and equitable access to various channels of communication, and is adaptable to changes in technology and applicable state and federal law.
2. **Applicability.** The provisions of this section apply to: (1) all facilities on public or private land that transmit wireless signals for telecommunications, radio or television broadcast, or other similar services; and any equipment associated with these facilities; and (2) any application for a WCF in the public right-of-way that is not subject to Title 6 of the Bellevue City Code. For purposes of this section, publicly owned land and right-of-way shall refer to any government-owned or leased land regardless of the entity with ownership, lease, or jurisdiction. City-owned land and right-of-way shall refer only to the land under City of Bellevue ownership, lease, or jurisdiction.

B. Definitions.

The following definitions shall apply to this section:

1. **Collocation.** Mounting or installing a WCF onto an existing structure, regardless of whether a WCF is already mounted on the structure. This definition shall include modification or replacement of existing structures for the purpose of mounting or installing WCF transmission equipment on that structure. This definition shall include “collocation” as described in 47 CFR 1.6002(g), or any successor provision.
2. **Eligible Facilities Request (EFR).** A request to modify an existing WCF that does not result in a substantial change to the WCF or support structure. EFR shall have the same definition described in 47 CFR 1.6100, or any successor provision.
3. **Over-the-Air Reception Device (OTARD).** Antennas and equipment meeting the conditions of 47 CFR 1.4000(a)(1)(i) through (iii), or any successor provision.
4. **Small Wireless Facility (SWF).** A WCF which meets the definition of “small wireless facility” in 47 CFR 1.6002(l), or any successor provision.
5. **Tower.** Any structure built for the sole or primary purpose of supporting any WCF. This definition shall include “tower” as described in 47 CFR 1.6100(b)(9), or any successor provision.
6. **Transmission Equipment.** Equipment that facilitates transmission for a WCF, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. This definition

shall include “transmission equipment” as described in 47 CFR 1.6100(b)(8), or any successor provision.

7. **Utility support structure.** A structure designed to support street or pedestrian light standards, guy poles, traffic signal standards, and poles or towers supporting electrical, telephone, cable, lighting, or other similar facilities.
8. **WCF Support Structure.** Any structure, including buildings, to which a WCF is attached.
9. **WCF, Temporary.** A WCF and support structure that is not permanently affixed to the ground or another structure. This definition includes, but is not limited to, cell-on-wheels (COW), WCFs attached to vehicles, and crank-up towers.

C. Review Required

The below table describes the siting and construction approval processes required for communication, broadcast, and relay facilities, including WCFs, and the applicable requirements for the activity under this chapter:

Activity	Applicable Requirements	Approval Process
OTARDs	Exempt from requirements of this chapter.	Permitted. Construction and right-of-way use permits may be required.
Eligible Facilities Request (EFR) on public and private land	Exempt from requirements of this chapter. (1)	
Modifications to existing permitted WCFs and other communication, broadcast, and relay facilities, that are not EFRs	20.20.195.E through F	
WCFs collocated on existing structures that are not EFRs (2)	20.20.195.E through F	
Communication, broadcast, and relay facilities that are not WCFs	20.20.195.G	
Temporary WCFs	20.20.195.D	Temporary Use Permit as described in LUC 20.30M
New WCF tower (2)	20.20.195.E through F	Administrative Conditional Use Permit as described in LUC 20.30E

WCF modifications, collocations, or new WCF towers that do not meet the requirements of 20.20.195 E through F	20.20.195.H	
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Notes: Communication, broadcast, and relay facilities review requirements:

- (1) Modifications to existing WCFs which qualify as EFRs shall meet all applicable conditions of the underlying siting approval of the WCF.
- (2) Refer to BCC Chapter 6.08 for provisions on SWFs and certain EFRs in the public right-of-way.

D. Temporary Wireless Communication Facilities

- 1. A Temporary Use Permit, as described in Chapter 20.30M LUC, shall be required for temporary WCFs.
 - a. The allowed duration of the Temporary Use Permit for a temporary WCF may exceed the limits described in Part 20.30M LUC, provided that:
 - i. The duration shall not exceed the time necessary for the allowed purposes described in subsection (D)(2) of this section; and
 - ii. The Director may grant an extension of the Temporary Use Permit if needed, as determined by the Director.
 - b. The Director may condition the Temporary Use Permit extension to require the applicant screen or otherwise conceal the temporary WCF to minimize visual and aesthetic impacts.
- 2. Temporary WCFs may only be permitted for the following purposes:
 - a. Emergency communications during declared public emergencies;
 - b. Large events requiring additional cellular network capacity, provided that the temporary WCF shall be removed no more than ten (10) days following the end of the event; or
 - c. Maintaining coverage provided by an existing WCF where the support structure is being demolished, renovated, or repaired, or where all or part of the roof is being repaired or replaced, provided that separate approvals shall be required for the permanent replacement WCF.

E. Development Requirements for Wireless Communications Facilities

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

a. Allowed locations.

- i. In the R-1 through R-30 and the BR-R Land Use Districts, WCFs may only be deployed in the following locations:
 - 1) The public right-of-way;
 - 2) Puget Sound Energy, Seattle City Light, and other utility transmission corridors;
 - 3) Publicly owned real property;
 - 4) Real property developed with nonresidential uses, including but not limited to churches and schools, but excluding mixed-use developments containing a residential use; and
 - 5) Undeveloped sites and sites developed with residential or mixed uses in the R-20 and R-30 Land Use Districts.
- ii. WCFs located outside of Residential (R-1 through R-30) and BR-R Land Use Districts may be deployed in any location, subject to the requirements under this section.

b. Height limits.

- i. The height of a non-EFR collocated WCF shall not exceed the greatest of:
 - 1) The maximum building height of the Land Use District in which the WCF is located;
 - 2) The height of a building or utility support structure to which the WCF is attached, including 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) 21 feet above the height of the existing utility support structure to which the WCF will be attached; or
 - b) 15 feet above the height of the existing building to which the WCF will be attached, including any existing mechanical equipment located on the roof.
- ii. The height of a WCF tower shall be determined based on the minimum necessary for effective functioning of a WCF, as certified by a qualified radio frequency engineer.

- c. Protrusion limit. No part of a WCF shall protrude more than 36 inches from the face of the support structure, measured to the outer face of the WCF.
 - d. Applicants for proposed WCFs shall submit documentation certifying the proposed WCF meets radiofrequency emission standards established by the Federal Communications Commission.
 - e. Transmission equipment and equipment cabinets shall be:
 - i. Mounted on a utility support structure or WCF support structure with no one dimension of any equipment or cabinet exceeding 36 inches; or
 - ii. Fully contained within the support structure or tower such that no portion of the structure is increased in width to accommodate the equipment cabinets; or
 - iii. Fully contained within a building or mounted on the roof of a structure consistent with the requirements of LUC 20.20.525, provided the equipment cabinets do not exceed allowable height limits described in subsection E.1.b of this section; or
 - iv. Contained within a new or existing accessory structure, consistent with the requirements of LUC 20.20.125; or
 - v. Located on the ground and:
 - 1) Screened with vegetation at least as tall as the equipment at the time of planting;
 - 2) Constructed to be less than 30 inches above grade and screened or painted as needed to blend with surrounding features;
 - 3) Screened and painted as needed to appear to be a decorative feature; or
 - 4) Located underground if proposed to be located within any public right-of-way or required by BCC Chapter 23.32.
2. Non-EFR Collocated WCFs shall meet the following requirements in addition to those under subsection (1) of this section.
- a. WCFs attached to any building shall be subject to the following standards:

- i. WCFs shall be screened pursuant to LUC 20.20.525. When located at a street intersection, the screening shall comply with sight distance requirements in BCC 14.60.240.
 - ii. Collocation of WCFs shall meet all conditions of the structure's underlying siting approval, where applicable.
 - b. WCFs attached to utility support structures shall be subject to the following standards:
 - i. If necessary, the existing structure may be removed and replaced with a new utility support structure of a similar color and material, and shall be located within 10 feet of the original structure (measured from the center point of the replacement structure). The replacement structure shall meet the height limits in subsection E.1.b of this section.
 - ii. WCF transmission equipment shall be:
 - 1) Mounted on the utility support structure such that no portion of the equipment exceeds the allowable height or protrusion limits described in subsection E.1.b and c of this section; or
 - 2) Contained within a cannister that is a continuation of the diameter of the utility support structure.
 - iii. Transmission and power cables shall be:
 - 1) Fully contained within the utility support structure;
 - 2) Contained within a conduit attached to the utility support structure and painted to match the color; or
 - 3) Placed underground.
- 3. WCFs attached to towers shall meet the following requirements in addition to those under subsection (1) of this section.
 - a. Proposals for new WCF towers require Administrative Conditional Use Permit approval. In addition to the decision criteria in LUC 20.30E.140, the following conditions shall apply:
 - i. Towers shall meet the minimum setback requirements of the Land Use District in which they are located, except the minimum side setback shall be 20 feet.
 - ii. All towers on real property shall be no closer to any other tower than 520 feet. Towers approved as purpose-built poles in the right-

of-way pursuant to BCC 6.08.050(D) shall be exempt from this requirement.

4. The Director may grant waivers to the requirements of this subsection (E) pursuant to subsection (H) of this section.

F. Removal of WCFs and Support Structures

1. If a WCF proposed for removal is the only remaining WCF attached to a tower, and no permit applications have been submitted for a new WCF on the tower, the tower shall be demolished.
2. Removal Upon Undergrounding. A WCF must be removed if collocated on a utility support structure that is removed due to undergrounding of the supported utility equipment.

G. Requirements Applicable to Communication, Broadcast and Relay Facilities Other Than WCFs

1. Height Limits.
 - a. All Communication, Broadcast, and Relay Facilities Other than WCFs shall comply with the height limitations of the underlying Land Use District.
 - b. The Director may grant a waiver to the height limits described in this subsection (G)(1) pursuant to the requirements of subsection (H) of this section.
2. Ground Screening and Fencing Requirements.
 - a. All ancillary equipment must comply with the sight screening requirements contained in LUC 20.20.525.
 - b. If the Director of the Development Services Department determines that the facility is potentially dangerous to human life, an eight-foot fence which complies with the sight screening requirements contained in LUC 20.20.525 may be required.
3. Setback Requirements. Any structure, facility or fence associated with a communication, broadcast or relay tower with freestanding support structure must conform to the setback requirement for structures in the land use district in which the structure, facility or fence is located, except that the minimum side setback for any structure, facility or fence in a Residential Land Use District is 20 feet.
4. Amateur Radio Antennas (including HAM and short wave). The foregoing requirements of this subsection (G) relating to screening, placement, or

height limitations shall not apply to any Amateur Radio Antennas in compliance with 47 CFR 97 or any successor provision.

5. OTARDS. The foregoing requirements of this subsection (G) do not apply to OTARDS qualifying under 47 CFR 1.4000 or any successor provision.

H. Limited Exceptions for Wireless Communication Facilities

1. The Director of the Development Services Department may grant waivers of the design and location standards for WCFs subject to this section, if it is determined that the applicant has established that denial of an application or strict adherence to the location and design standards would:
 - a. Prohibit or effectively prohibit the provision of personal wireless services, within the meaning of federal law; or
 - b. Otherwise violate applicable laws or regulations; or
 - c. Require a technically infeasible location, design or installation of a wireless facility, as certified by a qualified radio frequency engineer.
2. If that determination is made, said requirements may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible location, design or installation.
3. Any applicant seeking a waiver or exception from any of the design and location standards in 20.20.195.E through G shall be required to submit an Administrative Conditional Use Permit as described in LUC 20.30E and shall, at the time of submission of its application, provide a detailed description, explanation and documentation supporting its request for a waiver or exception meeting the requirements outlined in this Subsection H.
4. In addition to the findings outlined in 20.20.195.H.2, the Director of the Development Services Department may grant a waiver of the minimum separation requirement in Section 20.20.195.E.3, if it is determined that the applicant has also established that no other location is suitable for siting the WCF within the identified 520-foot radius; or
5. For all other Communication, Broadcast, and Relay Facilities excluding WCFs, the Director of the Development Services Department may grant a waiver of the height limit if it is determined that the applicant has established that:
 - a. The requested increase is the minimum necessary for the effective functioning of the system.

- b. Construction of multiple smaller or less obtrusive facilities is not technically feasible. Applicants may be required to submit an areawide deployment plan to demonstrate compliance with this requirement.
- c. Visual and aesthetic impacts associated with the facility have been mitigated to the greatest extent technically feasible.

Section 3. Section 20.25A.050 of the Bellevue Land Use Code is hereby amended to read as follows:

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**

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Transportation and Utilities – Downtown Land Use Districts

STD LAND USE COD E REF	LAND USE CLASSIFICATIO N	Downtow n Office 1	Downtow n Office 2	Downtow n Mixed Use	Downtown Residentia l	Downtow n Old Bellevue	Downtow n Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
...							
	Wireless Communication Facility (WCF),	(7)	(7)	(7)	(7)	(7)	(7)
	Communication, Broadcast and Relay Towers, excluding WCFs	(7)	(7)	(7)	(7)	(7)	(7)
...							

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

...

(6) Intentionally deleted.

(7) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast, and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

...

(10) Intentionally deleted.

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Section 4. Section 20.25D.070 of the Bellevue Land Use Code is hereby amended to read as follows:

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.

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

		Transportation and Utilities – 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
...								
	Wireless Communication Facility (WCF),	11	11	11	11	11	11	11

		Transportation and Utilities – 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
	Communication, Broadcast and Relay Towers, excluding WCFs	11	11	11	11	11	11	11
...								

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

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(10) Intentionally deleted.

(11) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast, and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights -of-way.

(12) Intentionally deleted.

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Section 5. Section 20.25J.020 of the Bellevue Land Use Code is hereby amended to read as follows:

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

Land Use	Hospital Center and Hospital Perimeter Development Areas (DA1 and DA3) ⁽¹⁾ ⁽⁹⁾	Medical Office Development Area (DA2) ⁽²⁾
...		
Wireless communication facilities (WCF)	(6)	(6)
...		

...

Footnotes:

...

(6) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

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Section 6. Section 20.25L.020 of the Bellevue Land Use Code is hereby amended to read as follows:

20.25L.020 Permitted land uses.

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

Land Use	Process
...	
Wireless Communication Facility (WCF),	5
Communication, Broadcast and Relay Towers	5
...	

...

(5) Refer to LUC 20.20.195 for provisions applicable to wireless communication, broadcast and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

...

(18) Intentionally deleted.

...

Section 7. Section 20.25N.040 of the Bellevue Land Use Code is hereby amended to read as follows:

20.25N.040 Uses in the CCC District

...	
Wireless communication facilities (WCF)	(9)
...	

...

Notes:

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(9) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

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Section 8. Section 20.25P.050 of the Bellevue Land Use Code is hereby amended to read as follows:

20.25P.050 Land Use Chart

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

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Chart 20.25P.050 Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Transportation and Utilities – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
	Wireless Communication Facility (WCF)	5
	Communication, Broadcast and Relay Towers	5

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

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(4) Intentionally deleted.

(5) Refer to LUC 20.20.195 for provisions applicable to wireless communication facilities and other communication, broadcast and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

...

(8) Intentionally deleted

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Section 9. Section 20.25Q.050 of the Bellevue Land Use Code is hereby amended to read as follows:

20.25Q.050 Permitted uses.

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D. Use Chart.

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
	Wireless Communication Facility (WCF), Collocated	(17)	(17)
	Communication, Broadcast and Relay Towers	(17)	(17)

Notes: Uses in East Main Land Use Districts:

...

(16) Intentionally deleted.

(17) Refer to LUC 20.20.195 for provisions applicable to WCFs and other communication, broadcast, and relay facilities. Refer to BCC Chapter 6.08 for requirements applicable to small wireless facilities and certain eligible facilities requests in the public rights-of-way.

(18) Intentionally deleted.

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Section 10. Section 20.30M.145 of the Bellevue Land Use Code is hereby amended to read as follows:

20.30M.145 Time Limitation

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B. Extended Temporary Uses

The Director of the Development Services Department may approve a Temporary Use Permit for up to one year for temporary sales or rental offices in subdivisions, multifamily or nonresidential projects, off-site construction parking areas, Temporary Wireless Communication Facilities, or other longer term uses as specified in the Land Use Code. Temporary sales or rental office permits may be extended by the Director of the Development Services Department as necessary to substantially complete initial sales or rental of a project, and Off-Site Construction Parking Area Permits may be extended as necessary to coincide with completion of construction.

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Section 11. Section 20.50.054 of the Bellevue Land Use Code is hereby amended to amend the definition for Wireless Communication Facility and delete the definitions for Wireless Communication Facility Antenna Array; Wireless Communication Facility, Co-located; Wireless Communication Facility Equipment; Wireless Communication Facility Equipment Housing Structure; Wireless Communication Facility Support Structure; and Wireless Signal, Fixed to be read as follows:

20.50.054 W Definitions.

...

Wireless Communication Facility (WCF). A WCF is any unstaffed facility for the transmission and/or reception of wireless communications services, usually consisting of, but not limited to, an antenna array, transmission cables, equipment, an equipment housing structure, and a support structure used to achieve the necessary elevation. This definition shall include Small Wireless Facilities as defined in LUC 20.20.195.B.

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Section 12. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 13. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2023 and signed in authentication of its passage this _____ day of _____, 2023.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Nicole De Leon, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____