

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6851

AN ORDINANCE relating to middle housing and accessory dwelling units; Implementing HB 1110 and HB 1337 from the 2023 Legislative Session; Providing for the development of middle housing densities in residential land use districts; Providing for the development of accessory dwelling units; Amending Chapters 20.10, 20.20, 20.25, 20.30, 20.45A, 20.45B, and 20.50 of the Land Use Code; Amending Section 90 of Ordinance No. 6839; Authorizing amendment of the City's Land Use District Map established under LUC 20.10.040; Providing for severability; and setting an effective date.

WHEREAS, during the 2023 Legislative Session, the Washington State Legislature adopted HB 1110, increasing middle housing in areas traditionally dedicated to single-family detached housing; and

WHEREAS, during the 2023 Legislative Session, the Washington State Legislature adopted HB 1337, expanding housing options by easing barriers to the construction and use of accessory dwelling units (ADUs); and

WHEREAS, on January 17, 2023, the City Council initiated work on the text amendments to the Land Use Code contained in this Ordinance and, in accordance with LUC 20.30J.125 and LUC 20.35.410, referred this Ordinance to the Planning Commission for review, a public hearing, and recommendation; and

WHEREAS, although City Council action to initiate work to encourage the development of middle housing and ADUs occurred prior to the adoption of HB 1110 and HB 1337 by the Washington State Legislature, the scope of the proposed text amendments to be developed was generally consistent with the requirements of HB 1110 and HB 1337; and

WHEREAS, the Planning Commission held study sessions to review the text amendments contained in this Ordinance on October 9, 2024, February 12, 2025, March 12, 2025, and April 23, 2025; and

WHEREAS, on March 20, 2025, a notice of a public hearing on the text amendments contained in this Ordinance was published in the Seattle Times and in the City's Weekly Permit Bulletin; and

WHEREAS, on April 9, 2025, the Planning Commission held a public hearing on the text amendments to the Land Use Code contained in this Ordinance and considered the amendments under LUC 20.35.410.B and the decision criteria in LUC 20.30J.135; and

WHEREAS, the City Council held study sessions to review the text amendments contained in this Ordinance on May 13, 2025, and June 10, 2025; and

WHEREAS, the text amendments to the Land Use Code contained in this ordinance were presented, or updates concerning such amendments were provided, to the Bellevue Development Committee for review and feedback on August 14, 2024, September 11, 2024, October 9, 2024, January 8, 2025, January 8, 2025; and March 12, 2025; and

WHEREAS, on March 21, 2025, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

WHEREAS, in accordance with RCW 36.70A.370, the City has reviewed the guidance provided by the Washington State Attorney General's Office and evaluated the proposed regulatory or administrative actions to assure that such actions do not result in an unconstitutional taking of private property; and

WHEREAS, the City is required to plan under the Growth Management Act, Chapter 36.70A RCW, (GMA); and

WHEREAS, RCW 36.70A.020 currently lists 15 goals to guide the development and adoption of comprehensive plans and development regulations in counties and cities planning under the GMA; and

WHEREAS, the goals enumerated in RCW 36.70A.020 are not listed in order of priority and, as recognized by Washington State courts, may be mutually competitive at times; and

WHEREAS, the weighing of competing goals and policies under the GMA is a fundamental responsibility of the City Council in adopting a comprehensive plan and development regulations; and

WHEREAS, the City's Comprehensive Plan contains policies that support, and are consistent with, the text amendments to the Land Use Code contained in this Ordinance, including the following policies: LU-2, LU-4, LU-10, LU-20, LU-28, LU-47, HO-2, HO-3, HO-17, HO-18, HO-19, HO-35, EN-12, EN-13, EN-72, PA-30, PA-31; and

WHEREAS, in reviewing this ordinance, the City Council has considered and weighed the goals outlined in the Washington State Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, the City is subject to the requirements of RCW 36.70A.635(1)(b) and therefore under RCW 36.70A.635(5) the City must allow at least six of the nine types of middle housing contemplated in HB 1110; and

WHEREAS, although the City Council is supportive of allowing all nine types of middle housing, the City Council finds that additional development restrictions applicable only to cottage housing development are warranted; and

WHEREAS, specifically, the City Council desires to limit the size and height of cottage housing development, while allowing the density of cottage housing on a lot to be controlled by maximum floor area ratio by lot size and not by dwelling units per lot or dwelling units per acre; and

WHEREAS, for the purposes of compliance with RCW 36.70A.635(5), the City Council hereby allows duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, and courtyard apartments in accordance with the requirements of RCW 36.70A.635; and

WHEREAS, the City Council also hereby allows cottage housing, subject to the additional development restrictions contained in this Ordinance; and

WHEREAS, in accordance with Chapter 43.21C RCW and Chapter 22.02 BCC, the Environmental Coordinator for the City of Bellevue determined that the text amendments to the Land Use Code contained in this ordinance will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on March 20, 2025; and

WHEREAS, the City Council finds that the proposed LUC amendments meet the decision criteria of LUC 20.30J.135 in that the amendments: (A) are consistent with the Comprehensive Plan; (B) enhance the public health, safety, and welfare; and (C) 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. The foregoing recitals are hereby adopted by the City Council as findings of fact supporting and explaining the legislative intent behind the adoption of this ordinance.

Section 2. Section 20.10.020 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.10.020 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

District	Designation
Large Lot Residential 1	LL-1
Large Lot Residential 2	LL-2
Suburban Residential 1	SR-1
Suburban Residential 2	SR-2
Suburban Residential 3	SR-3
Suburban Residential 4	SR-4
Low Density Residential 1	LDR-1
Low Density Residential 2	LDR-2
Low Density Residential 3	LDR-3
Medium Density Residential 1	MDR-1
Medium Density Residential 2	MDR-2
Professional Office	PO
...	...

Section 3. Section 20.10.180 of the Land Use Code is hereby amended to read as follows:

20.10.180 Residential Districts (LL-1 through MDR-2).

Residential Districts provide for a range of low to high density residential environments and associated compatible activities depending on location and scale of residential density.

Section 4. Section 20.10.200 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 5. Section 20.10.220 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 6. Subsection 20.10.380.B.1 of the Land Use Code is hereby amended to read as follows:

1. Evergreen Highlands Performance Area A (EH-A). The purpose of this performance area is to provide a location for Medium Density Multifamily development, not exceeding 11 units per gross acre. This performance area is intended to provide housing opportunities, and to serve as a transition to the lower density residential housing adjacent to the Evergreen Highlands Design District.

Section 7. Section 20.10.440 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.10.440 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.10.440 Land use charts.

Chart 20.10.440
Uses in land use districts
 Manufacturing – Residential Districts

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -1	LDR -2	LDR -3	MD R-1	MD R-2
2 and 3	Manufacturing (1,4)											
...												

...

Chart 20.10.440
Uses in land use districts
 Recreation – Residential Districts

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -1	LDR -2	LDR -3	MD R-1	MD R-2
2 and 3	Manufacturing (1,4)											
...												

...

Notes: Uses in land use districts – Recreation:

(1) Cultural activities include only branch libraries in the Suburban Residential (SR-1 through SR-4), Low Density Residential (LDR-1 through LDR-3), and Medium Density Residential (MDR-1 and MDR-2) Land Use Districts.

...

(10) City parks are generally permitted in all land use districts, with the exception of the following types of uses or facilities:

(a) Lighted sports and play fields, sports and play fields with amplified sound, and community recreation centers located in City parks all Large Lot (LL-1 and LL-2), Suburban Residential (SR-1 through SR-4), and LDR-1 and LDR-2 land use districts require conditional use approval pursuant to Part 20.30B LUC.

(b) City beach parks in all Large Lot (LL-1 and LL-2), Suburban Residential (SR-1 through SR-4), and LDR-1 and LDR-2 land use districts located on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake and not identified in a Council-adopted Master Plan require approval through the Conditional Use Permit process pursuant to Part 20.30B LUC. However, a City park as described in this note is a permitted use when established consistent with applicable Shoreline Master Program requirements (refer to Part 20.25E LUC).

...

Chart 20.10.440
Uses in land use districts
 Residential – Residential Districts

STD LAN D USE COD E REF	LAND USE CLASSIFICA TION	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	P	P	P
	Five or More Dwelling Units per Lot (2)	P (21)	P (21)	P (21)	P (21)	P (21)	P (21)	P (21)	P	P	P	P
...												
	Accessory Dwelling Unit (9)	P	P	P	P	P	P	P	P	P	P	P
...												

...

Notes: Uses in land use districts – Residential:

...

(2) Five or more dwelling units per lot are only permitted where the middle housing density allows five or more units per LUC 20.20.538, or as permitted by the underlying density or other applicable code allowance.

...

(9) Accessory dwelling units are permitted subject to the provisions of LUC 20.20.120.

(10) The allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by 1 story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.

...

(15) One dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District. Accessory dwelling units are permitted subject to the provisions of LUC 20.20.120.

...

(18) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845 and as provided below.

a. In Residential Land Use Districts, the Supportive Housing development shall comply with all standards and requirements applicable to the residential use in the underlying Residential Land Use District.

b. In Nonresidential Land Use Districts, Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(19) Intentionally deleted.

...

(21) Multiple dwelling units per structure are permitted on properties with an AH suffix when consistent with the requirements of LUC 20.20.128.I.

...

Chart 20.10.440
Uses in land use districts
Resources – Residential Districts

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -1	LDR -2	LDR -3	MD R-1	MD R-2
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)											
...												

...

Notes: Uses in land use districts – Resources:

(1) In residential land use districts and in the NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.

...

Chart 20.10.440
Uses in land use districts
Services – Residential Districts

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -1	LDR -2	LDR -3	MD R-1	MD R-2
6	Services											
...												

...

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

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -1	LDR -2	LDR -3	MD R-1	MD R-2
6	Transportation, Communications and Utilities											
...												

...

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

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	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)											
...												

...

Section 8. Chart 20.20.010, which is contained in Section 20.20.010 of the Land Use Code, is hereby amended to read as follows, with all other provisions of Chart 20.20.010 and Section 20.20.010 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.010 Uses in land use districts dimensional requirements.

**Chart 20.20.010
Uses in land use districts – Dimensional Requirements**

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)	(52)	(52)	(52)	(52)
Front yard Minimum Setback of Structures (feet) (18)(20)(38)(39)	35	30	20	20	20	20	20	20	20	20	20
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
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
Minimum Lot Area (Thousands of Sq. Ft.) (3)(39)	35	20	13.5	10	8.5	7.2	4.7			(12)	(12)
Dwelling Units per Acre (21)(22)	1 (1)	1.8 (1)	2.5 (1)	3.5 (1)	4 (1)	5 (1)	7.5 (1)	10 (2)	15 (2)	20 (2)	30 (2)
Minimum Width of Street Frontage (feet)	30	30	30	30	30	30	30				
Minimum Width Required in Lot (feet) (4)	100	90	80	70	65	60	50				
Minimum Depth Required in Lot (feet) (4)	150	80	80	80	80	80	80				
Maximum Building Height (feet) (10)(26)(45)	30/ 35 (44)	30/ 35 (44)	30/ 35 (44)	30/ 35 (44)	30/ 35 (44)	30/ 35 (44)	30/ 35 (44)	40	40	40	40

Maximum Lot Coverage by Structures (percent) (13)(14)(16)(26) (27) (37)(39)	35	35	35	35	35	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent) (37)(39)	75 (36)	75 (36)	75 (36)	75 (36)	75 (36)	80 (36)	80 (36)	90	90	90	90
Maximum Impervious Surface (percent) (37)(39)	45 (36)	45 (36)	45 (36)	45 (36)	45 (36)	55 (36)	55 (36)	65	65	65	65
Alternative Maximum Impervious Surface (percent) (37)(39)(48)	50 (36)	50 (36)	50 (36)	50 (36)	50 (36)	55 (36)	55 (36)	80	80	80	80
Minimum Greenscape Percentage of Front Yard Setback (40)(51)	50 (40)	50 (40)	50 (40)	50 (40)	50 (40)	50 (40)	50 (40)				

...

Notes: Uses in land use districts – Dimensional requirements:

...

(1) At a minimum, one single-family structure is permitted per lot, unless developing middle housing or developing single-family developments within the critical areas overlay. See LUC 20.20.538 for dimensional requirements for middle housing projects. Dwelling units per acre for single-family developments located within the critical areas overlay shall be calculated pursuant to LUC 20.25H.045.

(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.

...

(7) Attached multifamily dwellings located on adjacent lots may reduce the applicable side yard setbacks between structures to zero when consolidating the subject lots, when the project limit contains multiple preexisting lots, or where a unit lot subdivision or unit lot short subdivision is proposed.

...

(10) The allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by 1 story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.

...

(15) Intentionally deleted.

...

(35) Intentionally deleted.

...

(37) Maximum hard surface, maximum impervious surface, and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are excepted under LUC 20.20.460. All areas of impervious surface coverage shall be included in the calculation of total maximum hard surface. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface coverage and LUC 20.20.425 for exceptions and performance standards relating to hard surface coverage.

...

(40) The greenscape requirements of this section shall be imposed any time a permit, approval, or review, including land alteration or land development for Single-Family Land Uses, is required by the Bellevue City Code or Land Use Code. Existing single-family front yard setbacks legally established on a site prior to January 1, 2008, which do not meet the minimum greenscape requirements set forth in Chart 20.20.010 shall not be considered nonconforming. The City shall not, however, approve proposals to decrease the greenscape percentage set forth in Chart 20.20.010 where a site already falls below the minimum greenscape requirements. Where an existing site falls below the minimum requirements set forth in Chart 20.20.010, the removal of greenscape shall not be approved unless an equal amount of existing impervious surface, pervious surface, or hardscape is removed, such that the net amount of greenscape is unchanged. The Director may modify the requirements of Chart 20.20.010 for nonconforming lots, corner lots, or lots with unique sizes and shapes. See LUC 20.50.022 for the definition of greenscape.

(41) Intentionally deleted.

...

(43) See LUC 20.20.390 for FAR requirements for single-family and middle housing developments.

(44) Maximum building height for single-family uses is 30 feet measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or 35 feet to the ridge of a pitched roof. Refer to LUC 20.50.012 for definition of "Building Height – Single-Family Uses"

(45) For new single-family residential homes and additions, the maximum height of any individual building facade is 40 feet measured from the existing grade at the building wall to the ridge of a pitched roof or top of a flat roof. New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are exempt from this requirement.

...

(47) Intentionally deleted.

...

(52) See LUC 20.20.128.F for modified dimensional requirements for affordable housing when the requirements of LUC 20.20.128 are met.

(53) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845.C.2.

...

Section 9. Section 20.20.017 of the Land Use Code is hereby amended to read as follows:

20.20.017 Minimum lot size – Averaging in short plats and subdivisions.

In approved short plats and subdivisions, the individual lots shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the short plat or plat meets the minimum requirement for the district in which the short plat or plat is located, provided: (1) that no individual lot therein shall be reduced more than 10 percent from the district minimum required area, except that lots in zones LL-1, LL-2, SR-1, and SR-2 may be reduced by up to 15 percent from the district minimum; (2) a reduction of five percent in the required lot width may be applied to 20 percent of the lots, provided no reduction in the required area is applied to these lots. The lot averaging described in this section shall not be allowed for conservation subdivisions or conservation short subdivisions where the required minimum lot size for such subdivision is reduced as allowed under LUC 20.45A.060 or 20.45B.055, as applicable.

Section 10. Section 20.20.070 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.070 that are omitted below, as indicated by an ellipsis, remaining unchanged:

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

A. An individual nonconforming lot legally created pursuant to LUC 20.20.060 may be used for a building site if:

1. There are no restrictions on development imposed by prior permits or land use approvals; and
2. The lot satisfies either subsection A.2.a or A.2.b below:
 - a. The lot does not lie within a Residential Land Use District; or
 - b. The lot lies within a Residential Land Use District and one of the following conditions is satisfied:
 - i. The area, width and depth of the lot each meet or exceed 70 percent of the minimum requirements for the Residential Land Use District in which it is located; or
 - ii. Although the area, width or depth of the lot, or a combination thereof, do not meet 70 percent of the minimum requirements of the Residential Land Use District in which it is located, the lot satisfies all of the following requirements:
 - (1). The lot's area meets or exceeds 3,000 square feet; and
 - (2). The lot's width meets or exceeds 30 feet; and
 - (3). The lot's depth meets or exceeds 50 feet.

...

C. 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, 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.

...

Section 11. Section 20.20.120 of the Land Use Code is hereby amended to read as follows:

20.20.120 Accessory dwelling units.

A. Purpose

The purpose of this section is to regulate both attached and detached accessory dwelling units.

B. Definitions.

1. Major Transit Stop. For the purposes of this section, major transit stop is as defined in RCW 36.70A.696.

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

1. Up to two accessory dwelling units are permitted on each lot located in a land use district that allows a single-family dwelling to be located on that lot, provided that all applicable requirements of this section are met.
2. Until the use and occupancy of an accessory dwelling unit is allowed under BCC 23.05.140, the accessory dwelling unit must be a subordinate use to a primary structure located on the same lot. Once the use and occupancy of an accessory dwelling unit is allowed under BCC 23.05.140, then the accessory dwelling unit shall become a permitted use.
3. The floor area of an accessory dwelling unit shall be limited to a maximum of 1, 200 square feet. For attached accessory dwelling units this floor area does not count towards the maximum allowable square footage for single-family and middle housing projects as regulated by LUC 20.20.390, except that:
 - a. The Director may approve an increase in floor area beyond 1,200 square feet in the following circumstances:
 - i. Where the proposed accessory dwelling unit is located entirely on a single floor of the primary structure;
 - ii. Where the accessory dwelling unit is proposed as an addition to an existing detached accessory structure; or

- iii. Where the accessory dwelling unit is proposed to be created through a conversion of an existing detached accessory structure.
 - b. Accessory dwelling units created through the conversion of a structure previously permitted as a guest cottage are exempt from the maximum floor area limit, provided that the conversion does not constitute an expansion of the structure.
 - c. Up to 300 square feet per accessory dwelling unit used for parking or unheated storage space shall be exempt from the maximum floor area.
 - 4. Accessory dwelling units may be converted from existing structures, including but not limited to detached garages, regardless of whether the existing structure itself currently meets applicable setback and lot coverage dimensional requirements so long as the existing structure was otherwise a permitted use when constructed. An accessory dwelling unit resulting from such a conversion shall not constitute a nonconforming structure, and the site shall not constitute a nonconforming site, solely due to the existing structure's noncompliance with applicable setback and lot coverage dimensional requirements.
 - 5. In addition to any off-street parking spaces required for the primary structure, off-street parking shall be provided for accessory dwelling units as follows:
 - a. No off-street parking is required for accessory dwelling units less than 1,000 square feet in floor area (excluding any garage area).
 - b. No off-street parking is required for accessory dwelling units located within one-half mile of a major transit stop as defined in this section.
 - c. One off-street parking space is required for each accessory dwelling unit, except as otherwise provided in subsections C.5.a or C.5.b of this section.
 - 6. A site may not contain both an accessory dwelling unit and a business subject to the regulations in Part 20.30N LUC for a Home Occupation Permit.
 - 7. If a unit lot was created through a unit lot subdivision approved under Chapter 20.45A LUC or a unit lot short subdivision approved under Chapter 20.45B LUC and the unit lot was developed in accordance with such approval, then no new accessory dwelling unit is permitted to be developed on that unit lot.
- D. Standards – Attached Accessory Dwelling Units.
- 1. Attached accessory dwelling units must be located within, or be attached to, the primary structure.

2. Attached accessory dwelling units shall be subject to the same height and setback requirements as the primary structure.

E. Standards – Detached Accessory Dwelling Units.

1. Detached accessory dwelling units shall be limited to 24 feet in height, or 28 feet in height when proposed as an addition over an existing accessory structure, as measured to the highest point of the structure.
2. Detached accessory dwelling units shall be subject to the same dimensional requirements as middle housing projects per LUC 20.20.538, except that:
 - a. Detached accessory dwelling units may be sited at the lot line that abuts an alley.

Section 12. Section 20.20.125 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.125 that are omitted below, as indicated by an ellipsis, remaining unchanged:

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 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 paragraph F.3 of this section.

C. Height Limitations.

Detached accessory structures are limited to a maximum height of 15 feet except as otherwise provided in paragraph F.1. of this section.

D. Limitations on Location and Lot Coverage.

...

E. Exception Process.

...

Section 13. Section 20.20.127 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.127 that are omitted below, as indicated by an ellipsis, remaining unchanged:

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:

...

3. A Residential Land Use District.

Section 14. Section 20.20.128 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.128 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.128 Affordable housing.

A. Purpose and Administration

1. The purpose of this section is to promote the development of affordable dwelling units by establishing requirements, incentives, and fees for new development.
2. The Director shall adopt by rule affordable housing standards to govern the construction, repair, modification, and operation of affordable dwelling units created by operation of this title. Such standards shall be consistent with the requirements of this title. When adopting affordable housing standards, the Director shall consider each of the following:
 - a. Consistency with the City's Comprehensive Plan;
 - b. Whether consistency with the City's other, non-Land-Use-Code-based affordable housing programs is beneficial to the City;

- c. Whether consistency with affordable housing standards adopted by neighboring jurisdictions is beneficial to the City;
 - d. The impact on the City's affordable housing goals;
 - e. The impact on the cost of development; and
 - f. The impact on the quality of life of residents of affordable units.
3. The following affordable housing standards shall apply to any affordable dwelling unit created by operation of this title. In the event of a conflict between a standard listed below and a standard included elsewhere in this title, the standard included elsewhere shall control.
- a. The affordable dwelling units shall be generally distributed throughout the residential portions of a development and, where market-rate dwelling units are provided, intermingled with market-rate dwelling units. The Director shall define by rule the terms "generally distributed" and "intermingled" for the purposes of this subsection.
 - b. If all market-rate dwelling units in the development are for rent, then all affordable dwelling units shall also be for rent.
 - c. If all market-rate dwelling units in the development are for sale, then all affordable dwelling units shall also be for sale.
 - d. If the market-rate dwelling units in the development are a mix of dwelling units that are for rent and for sale, then the affordable dwelling units shall be a proportionate mix of rental and for sale units.
 - e. The affordable dwelling units shall consist of a mix of number of bedrooms that is in the same proportion as the bedroom mix of market-rate dwelling units in the overall development. The Director shall define by rule the term "bedroom" for the purposes of this subsection.
 - f. The affordable dwelling units shall be provided in a range of sizes comparable to the size of market-rate dwelling units in the development.
 - g. The materials, finishes, design, amenities, and appliances of affordable dwelling units shall have substantially the same functionality as, and be substantially comparable with, those of the other dwelling units in the development.
 - h. The affordable dwelling units shall remain affordable for the life of the project, which shall not be less than 50 years.

4. Legal Agreement. Whenever an affordable dwelling unit is created by operation of this title then, prior to issuance of a building permit for the development, the City and the owner of the site shall enter into an agreement, in a form approved by the Director. Once fully executed, the agreement shall be recorded, with the King County Recorder's Office, on the title of the real property on which the development is located.
 - a. The agreement shall be a covenant running with the land and shall be binding on the assigns, heirs, and successors of the owner of the property.
 - b. If affordable dwelling units are later converted from being for rent to for sale, or for sale to for rent, then such dwelling units shall remain affordable to households at the same percentage area median income as required under the Director's original approval; Provided, that the Director may approve different percentage area median incomes. Where different percentage area median incomes are approved in relation to a conversion, the Director shall require the owner to execute and record a revised legal agreement reflecting the new percentage area median incomes.
 - c. The affordable dwelling units shall remain affordable to households at the same percentage area median income as required under the Director's original approval for the life of the project, which shall not be less than 50 years.
 - d. Through the agreement, the Director may agree to subordinate the agreement for the purpose of enabling the owner to obtain financing for development of the property; Provided, that such subordination is consistent with the applicable requirements of this title.
 - e. The agreement shall address price restrictions, home buyer or tenant qualifications, phasing of construction, monitoring of affordability, and any other topics applicable to the construction, maintenance, and operation of the affordable dwelling units; Provided, that the covenant shall be consistent with the applicable requirements of this title.
5. 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:
 - a. The in-lieu fees contained in Table 20.20.128.J.4;
 - b. The in-lieu fee for nonresidential development contained in Chart 20.25Q.070.D.4; and
 - c. The in-lieu fee for mixed-income middle housing development contained in Table 20.20.128.E.2.b.

B. Definitions.

1. "Mixed-income multifamily development" means development consisting of attached or detached multifamily dwellings that includes both market rate and affordable housing dwelling units.

...

3. "Affordable housing suffix" means a suffix consisting of AH and a number, enclosed in parentheses and appended to the Land Use District classification applied to a property. These suffixes correspond to alternate Land Use Districts where attached or detached multifamily dwellings are permitted which are applicable to affordable housing development when consistent with the requirements of subsection I of this section.

...

5. "Affordable" means that a household eligible to rent or own the dwelling unit pays no more than 30 percent of household income for housing expenses.
6. "Area Median Income" means the median income for the Seattle-Bellevue, WA Housing and Urban Development Metro Fair Market Rent Area ("Seattle-Bellevue HMFA") as most recently published by the United States Department of Housing and Urban Development (the "HUD"). In the event that HUD no longer publishes median family income figures for Seattle-Bellevue HMFA or King County, the director may estimate the applicable median income, in such manner as the director shall determine by rule.

...

D. Eligibility.

1. Density Bonus. The following residential development, including both new development and rehabilitation projects, shall be eligible to receive a density bonus and other modifications as provided in this section:
 - a. Mixed-Income Multifamily Development. Mixed-income multifamily development in any land use district that permits attached or detached multifamily dwellings when the development includes affordable housing;
 - b. Middle Housing Development. Middle housing development on a lot in any residential land use district where the maximum density would not otherwise allow six dwelling units; and

- c. Affordable Housing Development. The following ownerships and locations of residential development consisting entirely of affordable housing. For the purposes of this subsection, development consists entirely of affordable housing even where the development also contains one or more manager's units; Provided, that the manager's units are reserved exclusively for occupancy of an onsite manager serving the project and said manager's household.
 - i. Owned or controlled by a religious organization at the time that the land use application is deemed complete and located in any of the following land use districts: LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, or LDR-1; and
 - ii. Owned or controlled by a religious organization, nonprofit organization, or public agency, except for Bellevue Parks Department, Bellevue Community Development Department, or any public utility entity, and located in all land use districts in which attached or detached multifamily dwellings are permitted, including property with an affordable housing suffix.
2. Affordable Housing Suffix Rezone. The following ownerships and locations of property shall be eligible to be rezoned under Part 20.30A LUC, adding an affordable housing suffix for development of affordable housing consisting of attached or detached multifamily dwellings and other modifications as provided in this section:
- a. Owned or controlled by a religious organization at the time that the land use application is deemed complete; and
 - b. Located in any of the following land use districts: LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, LDR-1; and
 - c. Located within 500 feet of a Land Use District where commercial uses or attached or detached multifamily dwellings are permitted; and
 - d. Located on an arterial street or located at one of the following locations:
 - i. Within one-half mile of a transit stop that receives service at least four times per hour for 12 or more hours per day; or
 - ii. Within one-half mile of a light rail or bus rapid transit station or a future light rail or bus rapid transit station scheduled to begin service within two years; or
 - iii. Within one-quarter mile of a transit stop that receives service at least two times per hour for 12 or more hours per day.

...

E. Density Bonus.

1. Mixed-income multifamily development, as described in subsection D.1.a of this section, may exempt 1 bonus market rate dwelling unit for each equivalent-sized dwelling unit of affordable housing provided, up to 15 percent above the maximum density allowed in the underlying land use district.
2. Middle housing development, as described in subsection D.1.b of this section, may develop up to six dwelling units where the applicant proposing the middle housing development complies with at least one of the following options:
 - a. Performance Option. At least two of the dwelling units are affordable to households as follows:
 - i. For dwelling units intended for rent, the dwelling unit shall be affordable to households earning up to, and including, 60 percent of the area median income.
 - ii. For dwelling units intended for sale, the dwelling unit shall be affordable to households earning up to, and including, 80 percent of the area median income.
 - b. Payment Option. The applicant provides a cash payment of an in-lieu fee to the City as follows:
 - i. In-lieu fees shall be both assessed and collected at building permit issuance.
 - ii. The payment amount shall be calculated as a flat fee, in accordance with Table 20.20.128.E.2.B, per market rate dwelling unit that would otherwise be required to be affordable under the Performance Option.

Table 20.20.128.E.2.b

Land Use District	In-Lieu Fee
All residential land use districts	\$150,000 per dwelling unit

- c. Compliance through a Combination of Performance and Payment Options. To achieve the maximum of six dwelling units, the applicant may provide one affordable dwelling unit by operation of the Performance Option and provide a cash payment in lieu of a second affordable dwelling unit by operation of the Payment Option.

3. Affordable housing development as provided in subsection D.1.c of this section may receive a bonus of 50 percent above the maximum density allowed in the underlying land use district.

F. Dimensional Standard Modification.

1. Mixed-Income Multifamily Development, as described in subsection D.1.a of this section, may replace the applicable dimensional requirements in LUC Chart 20.20.010 for the LDR-2, LDR-3, MDR-1, and MDR-2 land use districts with those in Chart 20.20.128.F.1. All other applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.1 shall continue to apply, including applicable footnotes.

Chart 20.20.128.F.1

**Modified Dimensional Requirements for
Mixed-Income Multifamily Development**

LAND USE CLASSIFICATION	Residential			
	LDR- 2	LDR- 3	MDR- 1	MDR- 2
DIMENSIONS				
Dwelling Units per Acre	11.5	17.3	23	34.5
Maximum Impervious Surface (percent)	70	70	70	70

...

2. Affordable housing development described in subsection D.1.c of this section may replace the applicable dimensional requirements in LUC Chart 20.20.010 with those in Chart 20.20.128.F.2. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.2 shall continue to apply, including applicable footnotes.

Chart 20.20.128.F.2.

**Modified Dimensional Requirements
for Affordable Housing Development**

	Residential										
LAND USE CLASSIFICATION	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-1	LDR-2 (AH-1)	LDR-3 (AH-2)	MDR-1 (AH-3)	MDR-2 (AH-4)
DIMENSIONS											
Minimum Lot Area (Thousands of Sq. Ft.)	23.3	13.3	9.0	6.7	5.7	4.8	3.1				
Dwelling Units per Acre	1.5	2.7	3.8	5.3	6.0	7.5	11.3	15.0	22.5	30.0	45.0
Maximum Lot Coverage by Structures (percent)	35	35	35	40	40	40	40	40	40	40	40
Maximum Hard Surface Coverage (percent)	75	75	75	75	80	80	90	90	90	90	90
Maximum Impervious Surface (percent)	45	45	45	55	55	55	65	70	70	70	70

	Residential – Nonresidential Districts						
LAND USE CLASSIFICATION	O	OLB	OLB 2	NB	CB	F2	F3
DIMENSIONS							
Dwelling Units per Acre	30.0	45.0		22.5	45.0	45.0	45.0
Maximum Lot Coverage by Structures (percent)	40%	40%	40%	50%		40%	40%
Maximum Building Height (feet)	45	60	75	30	60	75	75/ 135
Floor Area Ratio			1.5				

G. Modification of Other Applicable Requirements.

For eligible residential development as provided in subsection D of this section, the following requirements of this Code may be modified through the procedures outlined in subsection C of this section, to the extent necessary to accommodate the development of affordable dwelling units on site. For middle housing development, as described in subsection D.1.b of this section, the modifications provided for in this Subsection G are only available if the performance option described in subsection E.2.a of this section is used.

...

2. **Building Height.** Except in the Shoreline Overlay District, the maximum building height in the LDR-2, LDR-3, MDR-1, and MDR-2 Land Use Districts and for properties with an AH suffix may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line.
3. **Open Space.** The open and recreation space requirement within a residential planned unit development may be reduced to 35 percent of gross land area. All other requirements of LUC 20.30D.160 shall continue to apply.

H. Affordable Housing Suffix.

1. **Purpose.** The purpose of the affordable housing suffix is to allow the development of affordable housing consisting of attached or detached multifamily dwellings subject to the requirements of this subsection.

...

3. **Rezone Criteria.** Owners of property meeting all eligibility criteria of subsection D.2 of this section may apply for a rezone, under Part 20.30A LUC, to append an affordable housing suffix to the property's existing Land Use District.

...

Table 20.20.128.I.1.

Affordable Housing Suffix Eligibility

Reference Land Use District	Associated Affordable Housing Suffix
LDR-2, PO	(AH-1)
LDR-3, NB	(AH-2)
MDR-1, O, GC	(AH-3)
MDR-2, BR-CR, BR-ORT, BR-RC, CB, DT (Any), EG-TOD, EM (Any), F1, F2, F3, LI, NMU, OLB, OLB 2, NMU	(AH-4)

4. Development with Suffix.

- a. Increased Density. Development on a property with an affordable housing suffix may conform to the associated Land Use District identified in Chart 20.20.128.I.2, including associated dimensional standard modifications identified in subsection F.2 of this section, instead of the underlying Land Use District when all dwelling units are affordable housing.

Table 20.20.128.I.2.

**Alternate Land Use Districts Associated
with Affordable Housing Suffixes**

Affordable Housing Suffix	Associated Land Use District
(AH-1)	LDR-2
(AH-2)	LDR-3
(AH-3)	MDR-1
(AH-4)	MDR-2

...

Section 15. Subsection 20.20.170.D.2.a of the Land Use Code is hereby amended to read as follows:

- 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.

Section 16. Section 20.20.190 of the Land Use Code is hereby amended to read as follows:

20.20.190 Churches, clubs, and similar use structures.

In Residential Land Use Districts, churches, institutions, clubs, and community recreation buildings shall have side and rear yard required setbacks of a minimum of 50 feet each. Automobile traffic to and from such a use and its parking area shall be from an arterial street, unless other access is approved through a Conditional Use Permit.

Section 17. Subsection 20.20.195.E.1.a of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.20.195.E.1 that are omitted below, as indicated by an ellipsis, remaining unchanged:

- a. Allowed Locations.
- i. In Residential Land Use Districts and BR-R Land Use Districts, WCFs may only be deployed in the following locations:

...

- (5) Undeveloped sites and sites developed with residential or mixed uses in the MDR-1 and MDR-2 Land Use Districts.
- ii. WCFs located outside of Residential Land Use Districts and BR-R Land Use Districts may be deployed in any location, subject to the requirements under this section.

Section 18. Section 20.20.250 of the Land Use Code is hereby amended to read as follows:

20.20.250 Cottage Housing Development.

A. General.

1. The size of a dwelling unit of cottage housing shall be no greater than 1,500 square feet of total floor area, however:
 - a. Up to an additional 25% of lot coverage and impervious surface coverage may be permitted for site area that is used for covered porches in cottage housing developments.
 - b. Cottages may be no greater than 24 feet in height, measured from the average elevation of the existing grade around the building to the highest point. Refer to LUC 20.50.012 for the definition of “Building Height – Residential Land Use Districts.”
 - c. Up to 300 square feet per dwelling unit of cottage housing used for parking or unheated storage space shall be exempt from the maximum floor area.
2. The density of cottage housing development on a lot is controlled by maximum floor area ratio by lot size and not by dwelling units per lot or dwelling units per acre. Therefore, there is no limit on the maximum dwelling units per lot, or dwelling units per acre, for cottage housing development. Cottage housing development is subject to the otherwise applicable development regulations contained in this section and in LUC 20.20.538 and the maximum floor area ratio for single-family and middle housing set forth in LUC 20.20.390.

B. Site Design Standards.

1. **Total Open Space.** Total open space includes all of the open space provided on-site for a cottage housing development subject to the following requirements:

- a. Total open space shall be provided at a minimum of 20% of the lot size. This may include common open space, private open space, setbacks, critical areas, or other open space; and
 - b. Total open space shall be consolidated into a common area to the maximum extent possible.
2. Common Open Space. Common open space shall be included in the calculation of the total open space. Common open space shall be provided subject to the following requirements and is intended for common use by the residents of a cottage housing development:
 - a. A minimum of 100 square feet provided per cottage as common open space.
 - b. Common open space shall be bordered by cottages on at least one side for developments with four or fewer cottages and at least two sides for developments with five or more cottages.
 - c. Common open space shall not include critical areas, critical area buffers, or critical area structure setbacks.
 - d. Common open space shall have a minimum dimension of 15 feet on any side.
 - e. Common open space shall be developed consistent with LUC 20.20.520, including a mix of landscaping, pedestrian paths, and other amenities. Impervious surfaces shall be limited to 75% of the total open space.
 - f. For cottage housing developments with four or fewer units, area used for driveway access may be utilized as common open space. For cottage housing with more than four units, the common open space for up to four units may utilize driveway access as common open space.
 - g. Common open space shall be owned in common by the owners of the cottage housing located on the lot, or by an association of such property owners.
3. Private open space. Any designated private open space areas shall have a minimum dimension of 5 feet on any side.
4. The minimum required distance between cottages shall be the minimum required by applicable building and fire codes.
5. On-site required parking shall be consolidated to the maximum extent feasible.

Section 19. Chapter 20.20 of the Land Use Code is hereby amended to include a new Section 20.20.252 to read as follows:

20.20.252 Courtyard Housing Development.

A. General

1. Courtyard housing developments shall be subject to both the requirements of this subsection and LUC 20.20.538.
2. Courtyard housing shall consist of attached dwelling units arranged in an L- or U-shaped configuration.

B. Site Design Standards.

1. Courtyard housing shall include a central courtyard area providing primary or secondary access to all units.
2. The central courtyard shall have a minimum dimension of 20 feet in any direction.
3. The central courtyard shall be developed consistent with LUC 20.20.520, including a mix of landscaping, pedestrian paths, and other amenities. Impervious surfaces shall be limited to 75% of the total open space.
4. On-site required parking shall be consolidated to the maximum extent feasible

Section 20. Section 20.20.255 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.255 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.255 Electrical utility facilities.

...

C. Required Review.

For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-6 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC. 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.

1. Conditional Use Permit. In addition to the requirements set forth in Part 20.30B LUC the applicant shall:

...

2. Administrative Conditional Use. In addition to the requirements set forth in Part 20.30E LUC the applicant shall comply with all decision criteria and design standards set forth in this section, provided the applicant is not required to complete the alternative siting analysis set forth in subsection D of this section.

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:

...

- b. Map the location of the sites identified in subsection D.1 of this section and depict the proximity of the sites to Neighborhood Business Land Use Districts, and Residential Land Use Districts.
- c. Describe which of the sites analyzed are considered practical or feasible alternatives by the applicant, and which of the sites analyzed are not considered practical or feasible, together with supporting information that justifies the conclusions reached. For sites located within a Neighborhood Business Land Use District, Residential Land Use District, and/or the BelRed Office/Residential Transition (BR-ORT), the applicant shall:

...

- 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 land use district location.

...

E. Decision Criteria.

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:

...

F. Design Standards.

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 an electrical utility facility shall comply with the following:

...

Section 21. Subsection 20.20.350.C.4 of the Land Use Code is hereby amended to read as follows:

4. An EPF may be permitted in a Neighborhood Business or Residential Land Use District only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;

Section 22. Chapter 20.20 of the Land Use Code is hereby amended to include a new Section 20.20.390 to read as follows:

20.20.390 Floor Area Ratio, Single-Family and Middle Housing.

A. Applicability.

The requirements of this section apply to the following:

1. All new single-family, middle housing developments, and detached accessory dwelling units. Attached accessory dwelling units are exempt from floor area ratio provisions and do not count towards the number of dwelling units in subsection B.1 of this section; and
2. Additions to an existing detached single-family dwelling that result in a 20 percent or greater increase in gross square feet.

B. Maximum Floor Area Ratio for Single-Family and Middle Housing.

The maximum residential floor area ratio as defined in LUC 20.50.020, Floor Area Ratio (FAR) – Single-Family and Middle Housing Dwelling, for qualifying development is listed in Table 20.20.390.B.1, and shall be determined by the quantity of dwelling units on the lot, which shall include any detached accessory dwelling units. For development consisting of attached or detached multifamily dwellings, floor area ratio shall be determined by the dimensional requirements in Chart 20.20.010 or, where applicable, as regulated by a special or overlay district.

Table 20.20.390.B.1

**Maximum Floor Area Ratio for
Single-Family and Middle Housing**

Number of dwelling units(1)	Floor Area Ratio for Lots 10,000 Square Feet or Less	Floor Area Ratio for Lots Greater than 10,000 Square Feet
1	0.5	0.3/0.5(2)
2	0.6	0.5
3	0.8	0.6
4	1	0.7
5	1.2	0.75
6	1.5 (3)	0.9(3)

(1) Up to 300 square feet per dwelling unit of middle housing used for parking or unheated storage space shall be exempt from FAR.

(2) For lots that are greater than 10,000 square feet, 0.5 FAR shall apply to the first 10,000 square feet, and square footage over 10,000 square feet shall be subject to the 0.3 FAR.

(3) Cottage housing developments may utilize the highest FAR applicable based on the size of the lot. The density of cottage housing development on a lot is controlled by maximum floor area ratio by lot size and not by dwelling units per lot or dwelling units per acre. Therefore, there is no limit on the maximum dwelling units per lot, or dwelling units per acre, for cottage housing development. Cottage housing development is subject to the otherwise applicable development regulations contained in LUC 20.20.250 and LUC 20.20.538.

Section 23. Subsection 20.20.400.C of the Land Use Code is hereby amended to read as follows:

C. Electric Fences.

Electric fences are not permitted in a Residential Land Use District, except where additional fencing or other barriers prevent access to the fence by small children on the adjacent property. Otherwise, electric fences are permitted provided they comply with the following requirements: (1) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp, current; (2) An electric fence using continuous current shall be limited to 1,500 volts at 7 milliamp, current. All electric fences shall be posted with permanent signs a minimum of 36 square inches in area at intervals of 15 feet stating that the fence is electrified. Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency.

Section 24. Subsection 20.20.460.D.4 of the Land Use Code is hereby amended to read as follows:

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 shall be exempt from the maximum impervious surface limits.

Section 25. Section 20.20.520 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.520 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.520 Landscape development.

...

B. Applicability.

The requirements of this section shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage or impervious surface, or a change in the area devoted to parking and circulation is required by this Code, or by the International Building Code, as adopted and amended by the City of Bellevue. This section does not apply to a permit for a single-family dwelling or middle housing projects as defined in LUC 20.50.034, except where required for open space in cottage or courtyard housing developments.

...

F. Site Landscaping.

1. Perimeter Landscaping Requirements for Use Districts. The applicant shall provide site perimeter landscaping either according to the following chart and subject to subsections F.2 and F.6 of this section; or in conformance with subsection J of this section.

Perimeter Landscaping Requirements for Use Districts

Land Use District in Which the Subject Property is Located²	Street Frontage (Type and Minimum Depth)	Interior Property Lines (Type and Minimum Depth)¹
LDR-2, LDR-3, MDR-1, MDR-2	Type III, 10' but if abutting a single-family use, see subsection F.9 of this section.	Type III, 8' but if abutting a single-family, see subsection F.9 of this section.
PO, OLB-OS	Type III, 10' but if abutting a single-family use, see subsection F.9 of this section. ³	Type III, 10' but abutting a single-family use, see subsection F.9 of this section. ³
LI, GC	Type III, 10' but if abutting a single-family use, see subsection F.9 of this section.	Type III, 8' but if abutting a single-family use, see subsection F.9 of this section.

...

- (2) Notwithstanding the provisions of this paragraph, landscape development requirements for specific uses are listed in paragraph F.2 of this section.

- (3) Landscape development requirements for the OLB-OS District may be modified pursuant to Part 20.25L LUC.

2. Planting Requirements for Specific Uses. Notwithstanding the provisions of paragraph F.1 of this section, the uses listed in this paragraph require specific landscaping as follows:

...

- c. Subject to paragraph F.6 of this section, equipment and vehicle storage yards require 15 feet of Type I landscaping on all sides if visible from a public right-of-way. Alternative landscaping may be approved by the Director of the Development Services Department if the requirements of subsection J of this section are met.

...

9. Landscaping, Open Space, and Buffers for Development Consisting of Attached or Detached Multifamily Dwellings and Developments located in PO, OLB-OS-, LI, and GC Abutting Single-Family Uses.
- a. Landscaping. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable and, in addition, may be used to modify up to 5 feet of required street frontage landscaping.
- b. Buffer.
- i. A landscaped buffer, at least 10 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a residential land use district and along any interior property line abutting a residential land use district.
- ii. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:
- (1).Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in subsections F.9.b.ii.(2) and (3) of this section to effectively buffer development from adjacent residential properties; and
- (2).Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center; and
- (3).Living groundcover planted to cover the ground within three years; and
- (4).Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required in subsections F.9.b.ii.(2) and (3) of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8.
- c. Where an LI, GC, or CB zoned property abuts a residential land use district on an interior property line, an evergreen hedge a minimum of four feet in height at planting and capable of achieving a continued visual screen with a height of five feet within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.

- d. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

...

H. Limitation of Landscaping Requirements.

1. The total buildable area of the subject property which is required to be landscaped is limited as follows. 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.

...

Section 26. Section 20.20.522 of the Land Use Code is hereby amended to read as follows:

20.20.522 Light and glare.

To protect adjoining uses and vehicular traffic in the right-of-way, the following provisions shall apply to the generation of light and glare in the LDR-2, LDR-3, MDR-1, MDR-2, and commercial land use districts:

A. Applicability.

The requirements of this section shall be imposed for all new construction and each time a project requires a discretionary land use permit approval.

- B. All exterior lighting fixtures in parking areas and driveways shall utilize cutoff shields or other appropriate measures to conceal the light source from adjoining uses and rights-of-way. Other lights shall be designed to avoid spillover glare beyond the site boundaries.

- C. Interior lighting in parking garages shall utilize appropriate shielding to prevent spillover upon adjacent uses and the right-of-way.

Section 27. Subsection 20.20.525.C of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.20.525.C that are omitted below, as indicated by an ellipsis, remaining unchanged:

C. Implementation.

1. Mechanical equipment located at or below grade may be placed within a required rear or side setback area unless that setback directly abuts a residential land use district, is within a critical area, critical area buffer, or critical area structure setback required by Part 20.25H LUC, or that setback is in one of the following land use districts: LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, LDR-1.
2. Mechanical equipment associated with new residential development and homes adding more than 1,000 gross square feet in the LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, or LDR-1 land use districts shall be located in the rear yard or, if placed in the side yard outside of the side structure setback, shall provide sound screening to attenuate noise impacts. Mechanical equipment located in the rear yard shall not be placed less than five feet from any property line.

...

Section 28. Subsection 20.20.535.F of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.20.535.F that are omitted below, as indicated by an ellipsis, remaining unchanged:

F. Limitations on Uses.

The following limitations shall apply to all marijuana producers, processors, and retailers, unless stated otherwise:

...

2. A marijuana retailer shall not be located within 100 feet of a residential land use district.

...

6. No marijuana producer, processor, or retailer shall be allowed in any residential land use district, DT-R, and BR-R.

...

Section 29. Chapter 20.20 of the Land Use Code is hereby amended to include a new Section 20.20.538 to read as follows:

20.20.538 Middle Housing

A. Applicability.

This section outlines the dimensional requirements applicable to middle housing developments as defined in LUC 20.50.034. For dimensional standards applicable to single-family development and attached or detached multifamily dwelling development see Chart 20.20.010 in LUC 20.20.010. For additional site design regulations for cottage housing see LUC 20.20.250. For additional site design regulations for courtyard housing see LUC 20.20.252. The provisions of this section are not applicable to lots located in the critical areas overlay, which shall be regulated by the applicable dimensional requirements in LUC 20.20.010.

B. Definitions.

1. Major Transit Stop. For the purposes of this section, major transit stop is as defined in RCW 36.70A.030

C. Standards.

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

**Table 20.20.538.C.1.
Development Requirements for Middle Housing.**

LAND USE CLASSIFICATION	Middle Housing										
	LL- 1	LL- 2	SR -1	SR -2	SR -3	SR- 4	LD R-1	LDR -2	LDR -3	MD R-1	MD R-2
DIMENSIONS	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Dwelling Units per Lot (2)(3)(4)(5)(6)	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6 (7)	4/6 (7)	4/6 (7)	4/6 (7)
Minimum Setbacks of Structures (feet) Front yard	25	20	10	10	10	10	10	10	10	10	10
Rear Yard	15	15	15	15	10	10	10	10	10	10	10
Side Yard (8)	5	5	5	5	5	5	5	5	5	5	5
Maximum in Building Height (feet) (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)	32/ 35 (9)
Maximum Lot Coverage by Structures (percent) (10)	40	40	40	40	40	45	45	45	45	45	45
Maximum Hard Surface	80	80	80	80	80	85	85	90	90	90	90

Coverage (percent)											
Maximum Impervious Surface (percent)	50	50	50	50	50	60	60	65	65	65	65
Alternative Maximum Impervious Surface (percent)	50	50	50	50	50	55	55	80	80	80	80

(1) See Chart 20.20.010 for standards related to minimum lot area, minimum street frontage width, lot width, and lot depth.

(2) If a lot is located within one-quarter mile walking distance of a major transit stop, then up to six dwelling units are permitted on that lot.

(3) If development on a lot meets the requirements of LUC 20.20.128.E.2 relating to housing affordability, then up to six dwelling units are permitted on that lot.

(4) If a lot is located within one-quarter mile walking distance of a Regional Growth Center or Countywide Growth Center, as both are mapped in the Land Use Element of the Comprehensive Plan, then up to six dwelling units are permitted on that lot.

(5) Up to two accessory dwelling units may be developed per lot subject to the provisions of LUC 20.20.120. Detached accessory dwelling units shall count towards the maximum dwelling units per lot allowed under Table 20.20.538.C.1. Attached accessory dwelling units shall not count towards the maximum dwelling units per lot allowed under Table 20.20.538.C.1.

(6) The density of cottage housing development on a lot is controlled by maximum floor area ratio by lot size and not by dwelling units per lot or dwelling units per acre. Therefore, there is no limit on the maximum dwelling units per lot, or dwelling units per acre, for cottage housing development. Cottage housing development is subject to the otherwise applicable development regulations contained in LUC 20.20.250 and this section and the maximum floor area ratio for single-family and middle housing set forth in LUC 20.20.390.

(7) See Chart 20.20.010 for the maximum allowable dwelling units per acre for land use districts LDR-2 through MDR-2. When calculating site density, the greater of the middle housing units per lot density or the dwelling units per acre density may be utilized.

(8) Middle housing developments located on adjacent lots may reduce the applicable side yard setbacks between structures to zero when consolidating the subject lots, when the project limit contains multiple preexisting lots, or where a unit lot subdivision or unit lot short subdivision is proposed; provided that the distance between cottage housing units is regulated by LUC 20.20.250.

(9) Maximum building height for all middle housing uses, except cottage housing, in residential land use districts is 32 feet measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or 35 feet to the ridge of a pitched roof. Refer to LUC 20.50.012 for the definition of “Building Height – Residential Land Use Districts.” See LUC 20.20.250 for maximum height for cottage housing.

(10) Cottage housing developments qualify for an additional five percent lot coverage. Cottage housing developments may also qualify for an additional 25% increase in lot coverage and impervious surface coverage for any site area used for covered porches per LUC 20.20.250.A.1.a.

2. Walking Distance. If a physical impediment exists that would require pedestrians to walk more than one-quarter mile to the major transit stop, regional growth center, or countywide growth center, as applicable, from the location of the middle housing dwelling units, then the Director may determine that the location does not meet the requirements of the applicable tier.

Section 30. Section 20.20.560 of the Land Use Code is hereby amended to read as follows:

20.20.560 Nonconforming uses, structures, and sites – General.

A. Applicability.

This section applies to nonconforming uses, structures, and sites located in any land use district established under LUC 20.10.020, except as otherwise provided in LUC 20.20.560.E.

B. Nonconforming Structures.

1. Repair of an existing nonconforming structure is permitted.
2. Remodeling of a nonconforming structure is permitted, provided the fair market value of the remodel does not exceed 100 percent of replacement value of the structure over any three-year period. If remodeling exceeds 100 percent of replacement value over any three-year period, the structure shall be brought into compliance with existing Land Use Code requirements.

3. A nonconforming structure may not be expanded unless the expansion conforms to the regulations of this Code. However, in land use districts LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, and LDR-1, an expansion may extend along existing building setbacks, provided the area affected by the expansion is not a critical area or critical area buffer.
4. If a nonconforming structure is destroyed by fire, explosion, or other unforeseen circumstances to the extent of 75 percent or less of its replacement value as determined by the Director for the year of its destruction, it may be reconstructed consistent with its previous nonconformity. If such a structure is destroyed to the extent of greater than 75 percent of its replacement value, then any structure erected and any related site development shall conform to the regulations of this Code.

C. Nonconforming Uses.

1. A nonconforming use may be continued by successive owners or tenants, except where the use has been abandoned. No change to a different use classification shall be made unless that change conforms to the regulations of this Code.
2. If a nonconforming use of a structure or land is discontinued for a period of 12 months with the intention of abandoning that use, any subsequent use shall thereafter conform to the regulations of the district in which it is located. Discontinuance of a nonconforming use for a period of 12 months or greater constitutes prima facie evidence of an intention to abandon.
3. A nonconforming use may be expanded only pursuant to an Administrative Conditional Use Permit if the expansion is not more than 20 percent or 20,000 square feet, whichever is less, or by a Conditional Use Permit if the expansion is over 20 percent or 20,000 square feet.

D. Nonconforming Sites.

1. A nonconforming site may not be changed unless the change conforms to the regulations of this Code, except that parking lots and paved outdoor storage and display areas may be reconfigured within the existing paved surface.
2. Upon the restoration of a structure demolished by fire, explosion or other unforeseen circumstances to greater than 75 percent of its replacement value on a nonconforming site, the site shall be brought into conformance with existing Land Use Code requirements.

3. For remodels of an existing structure made within any three-year period which together exceed 100 percent of the replacement value of the previously existing structure as defined by the Director, the site shall be brought into compliance with existing Land Use Code requirements. For remodels within any three-year period which exceed 30 percent of the replacement value, but do not exceed 100 percent of replacement value, proportional compliance shall be required, as provided in subsection D of this section. Remodels within any three-year period which do not exceed 30 percent of replacement value shall not be required to comply with the requirements of this paragraph.
4. Upon expansion of any structure or complex of structures within a single site, which is over 50 percent of the existing floor area, the site shall be brought into compliance with existing Land Use Code requirements. If the expansion is 50 percent or less, the site shall be brought into proportional compliance with existing Land Use Code requirements as provided in subsection D below.

E. Proportional Compliance.

1. A Conformance Plan may be required to identify the site nonconformities as well as the cost of individual site improvements; provided, that the Director may authorize utilization of unit cost estimates from a specified construction cost index.
2. Required improvements for a nonconforming site. The percentage of required physical site improvements to be installed to reduce or eliminate the nonconformity of the site shall be established by the following formula:
 - a. Divide the dollar value of the proposed site improvements, excluding mechanical equipment, by the replacement value of the existing structure(s), excluding mechanical equipment, as determined by the Director up to 100 percent.
 - b. The result is then multiplied by the dollar amount identified by the Conformance Plan as necessary to bring the site into compliance.
 - c. The dollar value of this equation is then applied toward reducing the nonconformities. Example:

Replacement value of existing structure(s) excluding mechanical systems
= \$20,000

Value of proposed site improvements excluding mechanical systems =
\$5,000

\$5,000 divided by \$20,000 equals 0.25

Cost identified in Conformance Plan equals \$4,000

0.25 times \$4,000 equals \$1,000

\$1,000 would be applied toward reducing the nonconformities

- d. The Director shall determine the type, location, and phasing sequence of the proposed site improvements.
3. This section shall apply to sidewalks and other frontage improvements and other requirements outlined in BCC 14.60.110, which shall be incorporated into the compliance plan.

F. Exceptions.

1. Downtown Land Use Districts. The provisions of this section shall not apply in the Downtown Special Overlay District, Part 20.25A LUC. Refer to LUC 20.25A.040 for the requirements for nonconforming uses, structures, and sites located within the Downtown Special Overlay District.
2. Critical Areas Overlay District. The provisions of this section do not apply to structures or sites nonconforming to the requirements of Part 20.25H LUC. Refer to LUC 20.25H.065 for the requirements for such nonconforming structures and sites.
3. Shoreline Overlay District. The provisions of this section do not apply to uses, structures or sites nonconforming to the requirements of Part 20.25E LUC. Refer to LUC 20.25E.040 and 20.25E.065.I for the requirements for such nonconforming uses, structures and sites.
4. BelRed Land Use Districts. The provisions of this section do not apply to uses, structures, or sites located in the BelRed Land Use Districts. For uses in the BelRed Land Use Districts established before May 26, 2009, refer to the existing conditions regulations in LUC 20.25D.060.
5. East Main Land Use Districts. The provisions of this section do not apply to uses, structures, or sites located in East Main Land Use Districts established and described in LUC 20.25Q.010. Refer to LUC 20.25Q.040 for the requirements for nonconforming uses, structures, and sites located within East Main Land Use Districts.
6. Mixed-Use Land Use Districts. The provisions of this section do not apply to uses, structures, or sites located in Mixed-Use Land Use Districts established under LUC 20.10.020 and described in LUC 20.10.398. Refer to LUC 20.20.561 for the requirements for nonconforming uses, structures, and sites located within Mixed-Use Land Use Districts.

Section 31. Section 20.20.590 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.590 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.590 Parking, circulation, and walkway requirements.

...

F. Minimum/Maximum Parking Requirement by Use.

1. Specified Uses. Subject to subsections G, H, and L of this section, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

	Use	Minimum Number of Parking Spaces Required (4)(5)	Maximum Number of Parking Spaces Allowed
...			
m.	Residential (3):		
	Single-family detached	2:unit	No max.
	Multiple-units per structure or lot (6):	1:unit	No max.
n.	Restaurant:		
...			

...

(3) See LUC 20.20.590.L for affordable housing, market rate multifamily dwellings, and senior housing minimum parking standards when these residential uses are located near frequent transit service.

(4) In Mixed-Use Land Use Districts established under LUC 20.10.020 and described in LUC 20.10.398, the minimum number of parking stalls required shall be reduced by 75 percent.

(5) Director of Development Services may approve alternative minimum parking requirements in Mixed-Use Land Use Districts established under LUC 20.10.020 and described in LUC 20.10.398 for specific uses on specific development sites where the land use permit applicant demonstrates, through a parking study prepared by a qualified expert, that the alternative requirement will provide sufficient parking to serve the specific use without adversely impacting other uses and streets in the vicinity.

(6) Middle housing projects, as defined in LUC 20.50.034, are exempt from the required minimum number of parking spaces when located within one-half mile walking distance of a major transit stop as defined in LUC 20.20.538.B.1, and subject to the walking distance requirements in LUC 20.20.538.C.2.

2. Unspecified Uses. The Director of the Development Services Department shall establish the minimum number of parking spaces required and may establish the maximum number of parking spaces allowed for any use not specified in LUC 20.20.590.F.1. The Director of the Development Services Department may consider but is not limited to the following in establishing parking requirements for an unspecified use:

...

K. Parking Area and Circulation Improvements and Design.

Parking of vehicles for all uses is only permitted in parking areas that meet the requirements of this section; except that, vehicles on residential lots may also be parked in areas that meet the requirements of LUC 20.20.720 and 20.20.890 relating to the storage of recreational vehicles and trailers.

...

3. Driveways.

- a. Entrances and Exits. The Director of the Transportation Department shall fix the location, width, and manner of approach of vehicular ingress and egress from a parking area in conformance with Chapter 14.60 BCC. The Director of Transportation may require the property owner to alter ingress or egress as necessary to control traffic in the interest of public safety and general welfare.

...

8. Internal Walkways.

- a. When Required. The property owner shall install internal walkways in each new development or substantial remodel of existing development in the LDR-2, LDR-3, MDR-1, MDR-2, NB, NMU, PO, O, OLB, OLB 2, OLB-OS, CB, LI, GC, MI, EG-TOD, or Downtown Land Use Districts. This requirement applies to both cottage housing and courtyard housing development but does not apply to other middle housing development. In addition, schools in all land use districts shall install internal walkways in each new facility or substantial remodel of an existing facility.

...

L. Minimum Parking for Residential Uses with Frequent Transit Service.

...

1. Applicability

...

- c. For accessory dwelling units, see the parking requirements in LUC 20.20.120.
- d. Except in the case of future light rail or bus rapid transit, frequent transit service availability shall be considered based on scheduled transit service available on the date that a fully complete Building Permit application is filed or land use approval is final. The Director of the Development Services Department shall specify the submittal requirements necessary to provide documentation of transit service availability.

...

Section 32. Section 20.20.720 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.720 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.720 Recreational vehicles, watercraft, and utility trailers.

- A. Parking or storage of recreational vehicles, watercraft (whether mounted on trailers or unmounted), or utility trailers, except for loading and unloading activities completed within a three-day period within any given two-week period, is not permitted within a Residential Land Use District, unless there is compliance with the following:

...

- C. Parking or storage of recreational vehicles, watercraft or utility trailers for compensation is not permitted within a Residential Land Use District. This subsection does not apply to storage facilities provided exclusively for tenants of multifamily dwelling complexes.

...

- E. Recreational vehicles, watercraft, and utility trailers which exceed 40 feet in length are not permitted in any Residential Land Use Districts.

...

Section 33. Section 20.20.725 of the Land Use Code is hereby amended to read as follows:

20.20.725 Recycling and solid waste collection areas.

- A. Collection Areas. All new development for attached or detached multifamily dwellings and for commercial, office, and manufacturing uses shall provide onsite collection areas for recyclable materials and solid waste, as those terms are used in Chapter 9.26 BCC, as follows:
1. The recycling and solid waste collection areas shall be accessible to residents and/or workers of the proposed development.
 2. There shall be at least one collection area provided in each development.
 3. In attached or detached multifamily dwellings, there shall be at least one collection area on each floor containing entrances to separate dwelling units.
 4. The recycling collection area shall be at least:
 - a. One and one-half square feet per dwelling unit in attached or detached multifamily dwellings.
 - b. Two square feet per 1,000 gross square feet in office developments.
 - c. Five square feet per 1,000 gross square feet in retail development.
 - d. Three square feet per 1,000 gross square feet in wholesale, warehouse, and manufacturing development.
 - e. The Director shall establish the square footage requirement for all unspecified uses.
 5. If feasible, the recycling collection area shall be located adjacent to, or near, the solid waste collection areas.

6. Each recycling and solid waste collection area shall be visually screened in accordance with the requirements of LUC 20.20.525 for mechanical equipment screening.
7. An applicant may request a modification to the minimum required area for recycling and solid waste collection, subject to Director approval. The request must include a solid waste management plan. The Director may approve the modification after consulting with the solid waste service provider and reviewing the submitted plan.

The plan must demonstrate that the project provides adequate space for storing garbage, recyclables, and compostables. The required area must reflect the type and scale of the proposed use and account for the anticipated volume of waste.

The plan must also show that the proposed size and design of the collection area can accommodate total waste generation and minimize environmental and operational impacts, including those related to the pedestrian environment, waste handling, on-site storage, and disposal logistics.

The solid waste management plan should address, as applicable, the following:

- a. Estimated volume of garbage, recyclables, and compostables expected to be generated by the development.
 - b. Calculation of the area required to store all waste streams between scheduled collections.
 - c. Layout and dimensions of the proposed storage and collection area(s).
 - d. Access design for collection service providers, including vehicle clearance, turning radii, and collection routes.
 - e. Operational plan detailing waste handling procedures, collection frequency, container staging, and staffing responsibilities.
 - f. Integration with overall site design, including connections to service areas, pedestrian routes, and loading facilities.
- B. Permanent Staging Areas. Staging areas for the pick-up of recyclable materials and solid waste may be located inside a building or in a weather-protected enclosure that meets the following requirements:
1. Service vehicle access to staging areas shall only be provided from Flexible Access Corridors or other private vehicular access; and

2. Staging areas shall be located such that no refuse bins or receptacles need to be maneuvered or stored long-term on publicly accessible sidewalks, and so that service vehicles do not need to reverse over sidewalks.

C. Temporary Staging Areas. Recyclable materials and solid waste may be staged temporarily for pick-up outside the building subject to the following requirements:

1. Refuse bins or receptacles may be located outside the building up to one hour before and one hour after scheduled service pick-up; and
2. The temporary staging area location must be approved by the Director and pick-up service provider. Temporary staging may be located on publicly accessible sidewalks or on public or private roadways, provided that bins or receptacles shall not impede or block the following: fire access; vehicular access; bicycle access; pedestrian access; or bus loading or unloading areas.

Section 34. Section 20.20.730 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.730 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.730 Large satellite dish antennas.

A. Large Satellite Dish Antennas in Nonresidential Land Use Districts.

Large satellite dish antennas in all nonresidential land use districts shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.

B. Large Satellite Dish Antennas in Residential Land Use Districts.

The requirements for screening of large satellite dish antennas in residential land use districts shall depend upon the nature of use and building type of the development.

1. Large satellite dish antennas in any residential development other than single-family or middle housing shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.
2. Large satellite dish antennas in any residential development consisting of single-family or middle housing shall be screened in accordance with subsection C of this section.

- C. Large satellite dish antennas in any residential development consisting of single-family or middle housing as specified in subsection B.2 of this section are permitted subject to the following criteria, provided the Director may modify setback and screening requirements upon proof that strict application of the requirements is infeasible or renders use of an antenna impossible:

...

Section 35. Subsection 20.20.740.A of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.20.740.A that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.740 Schools

- A. Public and private schools are permitted as indicated in LUC 20.10.440 through .445 and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, "Education: Primary and Secondary," provided the following standards are met:

...

5. Perimeter Landscaping. In lieu of the Perimeter Landscaping Requirements set forth in LUC 20.20.520.F.1, schools shall provide the following landscaping, subject to LUC 20.20.520.F.6:

- a. Schools in Residential Districts or in the BelRed Office/Residential Transition (BR-ORT) Land Use District.

...

- i. Ten feet of landscaping meeting the following requirements along interior property lines, unless more stringent requirements apply pursuant to this section.

(1) At least 50 percent native species;

(2) Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in subsections A.5.a.i.(3) and (4) of this section to effectively buffer development from adjacent residential properties;

(3) Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center;

(4) Living groundcover planted to cover the ground within three years; and

- (5) Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required in subsections A.5.a.i.(3) and A.5.a.i.(4) of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8.

...

7. Design Guidelines for Schools in Residential Districts. Schools in residential land use districts shall meet the following site and building design standards:

a. Site Design.

- i. Surface parking lots shall be screened from street level views and from ground level views of an abutting residential district by berms, hedges, walls, or combinations thereof. Surface parking lots shall be located away from adjacent properties unless no other location is feasible.
- ii. Site features such as fences, walls, refuse enclosures, light fixtures, carports, and storage units shall be designed to be integrated with the architectural design of the primary structure.
- iii. In addition to the minimum requirements of LUC 20.20.520, site development shall maximize the retention of existing significant vegetation in order to soften the visual impact on adjacent uses.

b. Building Design.

- i. Building surfaces facing adjoining residential districts shall be clad with materials which are similar to, or compatible with, surrounding uses and which minimize reflecting lighting.
- ii. Building facades shall incorporate elements such as stepbacks, offsets, angled facets, deep roof overhangs, recesses, and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.

c. Mechanical Equipment.

Except in the OLB 2 and NMU Districts, mechanical equipment which is located on the roof shall be incorporated into the pitched or stepped roof form, and not appear as a separate penthouse or box. In the OLB 2 and NMU Districts, the rooftop mechanical equipment shall be fully screened and accommodated within the maximum height limit.

d. Refuse Containers.

All refuse and recycling containers shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering material.

e. Signs.

Signs shall meet the requirements of Chapter 22B.10 BCC, Sign Code.

...

Section 36. Section 20.20.760 of the Land Use Code is hereby amended to read as follows:

20.20.760 Shelters and storage facilities – Temporary.

A. Purpose.

The purpose of this section is to prohibit use of temporary shelters or storage facilities in Land Use Districts LL-1 through LDR-1, which are predominately visible from the right-of-way or any public or private street.

B. General.

Temporary shelters or storage facilities are not permitted in Land Use Districts LL-1 through LDR-1 if predominately visible from the right-of-way or any public or private street.

Section 37. Subsection 20.20.800.A of the Land Use Code is hereby amended to read as follows:

A. Definition.

Short Term Stay Use. Transient lodging provided in a Planned Unit Development or multifamily dwelling unit located in a Residential land use district. Boarding houses and bed and breakfasts permitted to operate in Residential districts pursuant to a valid Home Occupation Permit, Part 20.30N LUC, group homes for children sited pursuant to the Group Home for Children Community Involvement Process, Chapter 9.19 BCC, and institutions housing persons under legal restraint or requiring medical attention or care are not included within the scope of this definition.

Section 38. Subsection 20.20.845.D.2 of the Land Use Code is hereby amended to read as follows:

2. The following requirements apply to Supportive Housing in Land Use Districts LL-1 to LDR-1:

- a. Alterations to the interior or exterior of the structure which change its residential appearance shall not be permitted, except that any alterations to improve accessibility per the Americans with Disabilities Act shall be permitted.
- b. Supportive services administered on site shall only be available to residents of the facility.

Section 39. Section 20.20.900 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.900 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.900 Tree Retention and Replacement

...

B. Applicability.

1. The requirements of this section shall be imposed any time a permit, approval, or review for Development Activity is required by the Bellevue City Code or Land Use Code.
2. The requirements of this section alone shall not reduce maximum allowed density, number of allowed lots, or preclude required access and utility connections.
3. Trees subject to the requirements of this section that are overhanging any public right-of-way are also subject to the requirements of Chapter 14.06 BCC.
4. This section is inapplicable in the following circumstances:
 - a. If there is not a permit, approval, or review for Development Activity, then this section does not apply. Tree removal, retention, or replacement that is not associated with development activity is regulated by Chapter 23.76 BCC, Clearing the Grading Code except as otherwise provided.
 - b. This section does not apply to development activity in the vegetation conservation area, as defined by LUC 20.25E.065.F.5, within the Shoreline Overlay District. The retention and replacement of trees located within the vegetation conservation area is regulated by Part 20.25E LUC, Shoreline Overlay District.

- c. This section does not apply to development activity in critical areas, critical area buffers, or critical area structure setbacks. The retention and replacement of trees located in critical areas, critical area buffers, or critical area structure setbacks is regulated by Part 20.25H LUC, Critical Areas Overlay District.
- d. This section does not apply to trees located entirely within any public right-of-way. The retention and replacement of trees located within any public right-of-way is regulated by Chapter 14.06 BCC.
- e. This section does not apply to Development Activity in any Downtown Land Use District established under LUC 20.10.020 and described in LUC 20.25A.010.
- f. This section does not apply to Development Activity in any East Main Transit Oriented Development Land Use District established under LUC 20.10.020 and described in LUC 20.25Q.010.
- g. This section does not apply to Development Activity in any Mixed Use Land Use District established under LUC 20.10.020 and described in LUC 20.10.398.

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:
 - a. Any alteration or development regulated by the Bellevue City Code or Land Use Code proposed to occur through one or more of the following:
 - i. An application for a subdivision under Chapter 20.45A LUC;
 - ii. An application for a short subdivision under Chapter 20.45B LUC; or
 - iii. An application for a planned unit development under Part 20.30D LUC.
 - 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:
 - i. Any application that proposes changes in lot coverage that exceed 20 percent of the existing lot coverage;
 - 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.
- c. If an application listed under subsection C.1.a was deemed complete on or after July 16, 2024, and was determined to be in compliance with this section, then subsequent applications listed under subsection C.1.b of this section for alterations or development on lots created or otherwise governed by the application reviewed and approved under subsection C.1.a shall not constitute “Development Activity” for the purposes of this section.

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- 5. “Tree Canopy Site Area” means, for the purpose of determining the minimum tree density required for a site, the area of a site remaining after subtracting the following areas from the gross site area:
 - a. Critical areas, critical area buffers, and critical area structure setbacks (as may be modified pursuant to Part 20.25H LUC, if applicable);
 - b. Shoreline vegetation conservation areas;
 - c. Public rights-of-way;
 - d. Private roads in separate tracts;
 - e. Submerged lands (lands waterward of the ordinary high water mark); and
 - f. Utility easements.

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E. Minimum Tree Density

- 1. The applicant shall maintain in the Tree Canopy Site Area at least the minimum tree density, measured in tree credits, as provided in this subsection E. Tree credits may be provided by retained Significant Trees, retained Landmark Trees, planted trees, or a combination of the foregoing.
- 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	Commercial, Office, Light Industrial, and All Other Nonresidential Land Uses
LL-1 LL2 SR-1	5	4	1
SR-2 SR-3 SR-4	2	1.5	0.75
All Other Land Use Districts	1	0.75	0.5

- a. Tree Credit Reductions for Cottage Housing Developments. Cottage housing development meeting the requirements of LUC 20.20.250 may, as an alternative to the applicable rate that would otherwise normally apply, utilize the applicable minimum tree credit rate identified in Table 20.20.900.E.1 for commercial, office, light industrial, and all other nonresidential land uses.
- b. Accessory Dwelling Units. A detached accessory dwelling unit shall constitute a dwelling unit for the purposes determining the applicable rate identified in Table 20.20.900.E.1. In contrast, attached accessory dwelling units shall not constitute a dwelling unit for the purposes of determining the applicable rate identified in Table 20.20.900.E.1.

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4. Retained Trees.

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- 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, the applicable tree credit value identified in Table 20.20.900.E.2 shall be reduced by 50 percent.

**Table 20.20.900.E.2.
Tree Credits for Retained Trees**

DBH	6"-10"	Larger than 10" and up to 12"	Larger than 12" and up to 14"	Larger than 14" and up to 16"	Larger than 16" and up to 18"	Larger than 18" and up to 20"	Larger than 20" and up to 22"	Larger than 22" and less than 24"	24" or greater and all Land mark Trees
Tree Credits	2	3	4	5	6	7	8	9	10

- c. Exceptions. The following shall not provide any tree credits if retained:
 - i. Invasive or Noxious Species.
 - ii. Trees located outside the Tree Canopy Site Area.
 - iii. Trees in areas devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC).
 - iv. Trees located wholly or partially on a property line.
- d. Trees on Property Lines. A Significant Tree located wholly or partially on a property line may only be removed if all of the following criteria are satisfied:
 - i. The Significant Tree constitutes a Hazardous Tree; and
 - ii. All property owners with an ownership interest in the Significant Tree provide written certification, in a form acceptable to the Director, that they consent to the removal; Provided, that the Director may waive this requirement where, in the written opinion of a Qualified Tree Professional, the tree poses an imminent danger to the public health, safety, or welfare.

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6. Planted Trees.

- a. Tree Credits for Planted Trees. Each planted tree that is a minimum of two inches Caliper (for deciduous trees) or six feet in height (for conifer trees) provides one tree credit, except Alders and Cottonwoods, which provide no tree credits when planted. Planted trees below these minimum sizes provide no tree credits.

- i. If a Qualified Tree Professional demonstrates in writing that the number of trees required to be planted to meet the required minimum tree credits would negatively affect the viability of the planted trees, then the Director may award more tree credits per planted tree to achieve the maximum number of trees that can be planted and, in the written opinion of a Qualified Tree Professional, still be viable.

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e. Relationship to Other Requirements.

- i. Any significant tree retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, may provide tree credits towards the minimum required tree credits in an amount calculated pursuant to subsection E.4 of this section.
- ii. Any tree planted to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, may provide tree credits towards the minimum required tree credits in an amount calculated pursuant to subsection E.6.a of this section.
- iii. The number of trees required to be planted or retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area shall not be reduced if exceeding the required minimum tree credits.

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- 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.
 - ii. Adjacent to existing Groves.
 - iii. Other locations within the Tree Canopy Site Area.
- i. In-Lieu Fee. If the applicant demonstrates that all planting options have been considered and are infeasible, for each additional tree credit required, the applicant shall pay a fee-in-lieu equivalent to the cost of a tree meeting the requirements of this section for planted trees, installation (labor and equipment), maintenance for three years, and fund administration.

- i As of July 16, 2024, the in-lieu fee rate shall be \$1,300 per tree credit. This rate shall be published in the City's fee rate schedule, shall be reviewed annually, and, effective January 1st of each year, the Director may administratively increase or decrease the rate by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.
- ii In-lieu fee monies shall be used to support Bellevue's tree canopy and related initiatives including, but not limited to, one or more of the following: planting and maintaining individual trees (including supporting infrastructure), restoration activities, urban forestry education, or the purchase of land for reforestation or preservation.

7. Alternative Tree Density Option

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F. Tree Protection.

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2. Tree Protection Covenant.

- a. The applicant shall record with the King County Recorder's Office a covenant in the following circumstances:
 - i. When a modification to development standards is granted under subsection E.5 of this section to avoid development within a TPZ; or
 - ii. When required as a condition of approval for an application for a Subdivision, Short Subdivision, Unit Lot Subdivision, or Unit Lot Short Subdivision.
- b. The covenant shall be in a form approved by the Director and shall contain the following terms:
 - i. Where a modification to development standards is granted under subsection E.5. of this section to avoid development within a TPZ, the covenant shall prohibit development on or within any portion of a TPZ located on the site that was avoided through the modification to development standards.

- ii. The covenant shall include a site plan, prepared by a qualified professional, clearly delineating the location of all retained or planted trees in the Tree Canopy Site Area. Where applicable, the site plan shall delineate the TPZ(s) located wholly or partially on the site that were avoided through the modification to development standards under subsection E.5 of this section.
- iii. To the extent that any Significant Tree or Landmark Tree protected by the covenant becomes a Hazardous Tree, the covenant shall allow for the removal of Hazardous Trees and the planting of replacement trees within the Tree Canopy Site Area in a manner consistent with the ratios established in subsection E.6.d of this section.
- iv. Any other terms and conditions that the Director finds to be reasonably necessary.

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Section 40. Subsection 20.25.020.B of the Land Use Code is hereby amended to read as follows:

B. General Definitions Not Applicable to Downtown.

The general definitions contained in Chapter 20.50 LUC apply unless specifically listed below as inapplicable to Downtown.

Active Recreation Area. LUC 20.50.010.

Alley. LUC 20.50.010.

Building Height. LUC 20.50.012.

Floor Area Ratio (FAR). LUC 20.50.020.

Open Space. LUC 20.50.038.

Project Limit. LUC 20.50.040.

Setback. LUC 20.50.046.

Setback, Front. LUC 20.50.046.

Setback, Rear. LUC 20.50.046.

Setback, Side. LUC 20.50.046.

Sidewalk. LUC 20.50.046.

Site. LUC 20.50.046.

Stepback. LUC 20.50.046.

Section 41. Part 20.25B of the Land Use Code is hereby repealed and deleted in its entirety.

Section 42. Section 20.30D.150 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.30D.150 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.30D.150 Planned Unit Development plan – Decision criteria.

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- C. 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
- D. 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
- E. At least one major circulation point is functionally connected to a public right-of-way; and
- F. 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
- G. Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- H. 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
- I. 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.

Section 43. Subsection 20.30F.175.C.2 of the Land Use Code is hereby amended to read as follows:

2. The Director may determine that a new development outside the Downtown is exempt from review as a new application; provided, that the building form and scale of the new building or addition, regardless of size, is not visible from the right-of-way, or a public park.

Section 44. Subsection 20.45A.060.C.2.d of the Land Use Code is hereby amended to read as follows:

- d. Critical areas and critical area buffers shall be placed in Native Growth Protection Easements (NGPE) designated on the final plat document. The final plat shall contain the following restrictions for use, development, and disturbance of the NGPE in a format approved by the City Attorney:
 - i. An assurance that: the NGPE will be kept free from all development and disturbance except where allowed or required for habitat improvement projects, vegetation management, and new or expanded City parks pursuant to LUC 20.25H.055; and that native vegetation, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat;
 - ii. The right of the City of Bellevue to enter the property to investigate the condition of the NGPA or NGPE upon reasonable notice;
 - iii. The right of the City of Bellevue to enforce the terms of the NGPE; and
 - iv. A management plan for the NGPE designating future management responsibility.

Section 45. Section 20.45A.065 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.45A.065 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.45A.065 Special requirements for unit lot subdivisions.

A. Applicability.

1. The provisions of this section apply exclusively to the unit lot subdivision of land proposed to be developed with one or more of the following:
 - a. Attached multifamily dwellings;

- b. Detached multifamily dwellings;
 - c. Middle housing; or
 - d. A primary structure with at least one attached or detached accessory dwelling unit permitted under LUC 20.20.120 to be located on the parent lot.
2. To be eligible for a unit lot subdivision, proposed development listed under subsection A.1 of this section must meet all of the following requirements:
- a. Each dwelling unit must extend from the foundation to the ceiling; and
 - b. Each dwelling unit must have separate front or rear exterior access to the ground floor.

B. General Requirements.

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- 4. Within the parent lot, required parking may be provided on a different unit lot than the lot with the dwelling unit if the right to use that parking is formalized by an easement recorded with the King County Recorder's Office.

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C. Notes on Plat.

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Section 46. Subsection 20.45B.055.C.2.d of the Land Use Code is hereby amended to read as follows:

- d. Critical areas and critical area buffers shall be placed in Native Growth Protection Easements (NGPE) designated on the final short plat document. The final short plat shall contain the following restrictions for use, development, and disturbance of the NGPE in a format approved by the City Attorney:
 - i. An assurance that: the NGPE will be kept free from all development and disturbance except where allowed or required for habitat improvement projects, vegetation management, and new or expanded City parks pursuant to LUC 20.25H.055; and that native vegetation, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat;

- ii. The right of the City of Bellevue to enter the property to investigate the condition of the NGPE upon reasonable notice;
- iii. The right of the City of Bellevue to enforce the terms of the NGPE; and
- iv. A management plan for the NGPE designating future management responsibility.

Section 47. Section 20.45B.057 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.45B.057 that are omitted below, as indicated by an ellipsis, remaining unchanged:

A. Applicability.

1. The provisions of this section apply exclusively to the unit lot short subdivision of land proposed to be developed with one or more of the following:
 - a. Attached multifamily dwellings;
 - b. Detached multifamily dwellings;
 - c. Middle housing; or
 - d. A primary structure with at least one attached or detached accessory dwelling unit permitted under LUC 20.20.120 to be located on the parent lot.
2. To be eligible for a unit lot short subdivision, proposed development listed under subsection A.1 of this section must meet all of the following requirements:
 - a. Each dwelling unit must extend from the foundation to the ceiling; and
 - b. Each dwelling unit must have separate front or rear exterior access to the ground floor.

B. General Requirements.

...

4. Within the parent lot, required parking may be provided on a different unit lot than the lot with the dwelling unit if the right to use that parking is formalized by an easement recorded with the King County Recorder's Office.

...

C. Notes on Short Plat.

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Section 48. The definition of “Accessory Dwelling Unit” contained in Section 20.50.010 of the Land Use Code is hereby amended to read as follows:

Accessory Dwelling Unit. A dwelling unit developed in accordance with LUC 20.20.120 and that is either attached or detached from a primary structure.

Section 49. Section 20.50.010 of the Land Use Code is hereby amended to include a new definition for the term “Accessory Structure, Detached” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.010 in a manner that maintains an alphabetical listing of defined terms.

Accessory Structure, Detached. Buildings or structures which are secondary to and associated with a primary structure. Detached accessory structures do not include accessory dwelling units.

Section 50. The definitions of “Building Height” and “Building Height – Single-Family” contained in Section 20.50.012 of the Land Use Code are hereby amended to read as follows:

Building Height. The vertical distance measured from the average elevation of the 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”), 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))).

Building Height – Residential Land Use Districts. The vertical distance measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or to the ridge of a pitched roof, provided this measurement does not apply to chimneys, wireless communication facility antenna arrays, shortwave radio antennas, smoke and ventilation stacks, and flag poles. This definition applies only to residential structures constituting either single-family dwellings or middle housing, and structures accessory to either, located in a residential land use district. For all other structures, regardless of land use district, see the definition of Building Height contained in this section.

Section 51. The definition of “Building Height – Transition Area Design Districts” contained in Section 20.50.012 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 52. The definition of “Cottage, Guest” contained in Section 20.50.014 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 53. Section 20.50.014 of the Land Use Code is hereby amended to include new definitions for the terms “Cottage Housing” and “Courtyard Housing” to read as follows. The City Clerk is hereby authorized to codify these new definitions in Section 20.50.014 in a manner that maintains an alphabetical listing of defined terms.

Cottage Housing. Detached dwelling units developed under LUC 20.20.250 that are clustered on a lot with a common open space area and a minimum of 20 percent of the lot size as open space.

Courtyard Housing. Attached dwelling units developed under LUC 20.20.252 that are arranged on two or three sides of a shared central courtyard.

Section 54. The definition of “Dwelling, Multifamily” contained in Section 20.50.016 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 55. Section 20.50.016 of the Land Use Code is hereby amended to include new definitions for the terms “Dwelling, Multifamily Attached” and “Dwelling, Multifamily Detached” to read as follows. The City Clerk is hereby authorized to codify these new definitions in Section 20.50.016 in a manner that maintains an alphabetical listing of defined terms.

Dwelling, Multifamily Attached. Residential development consisting of a single primary structure containing seven or more dwelling units with each dwelling unit sharing a common wall with at least one other dwelling unit within the primary structure.

Dwelling, Multifamily Detached. Residential development consisting of multiple primary structures collectively containing a total of seven or more dwelling units with each primary structure containing one or more dwelling units, but with no single primary structure containing all of the dwelling units in the development.

Section 56. The definitions of “Floor Area, Gross” and “Floor Area Ratio (FAR) – Single-Family” contained in Section 20.50.020 of the Land Use Code are hereby amended to read as follows:

Floor Area, Gross. The area included within the inside finished wall surface of the surrounding exterior walls of a building, excluding interior openings in floor plates (e.g., vent shafts, stair wells, and interior atriums), outdoor courts, courtyards, and exterior balconies.

Floor Area Ratio (FAR) – Single-Family and Middle Housing Dwellings. A measure of development intensity equal to the gross floor area divided by net on-site land area (square feet). Included in the calculation of gross floor area is the floor area of the ground floor plus that of any additional stories of all buildings on the lot, including accessory structures. High-volume spaces that are 18 feet or greater in height are counted twice. Excluded in the calculation of gross floor area is the floor area of partially exposed lower levels that are less than five feet above finished grade, attic areas which are unfinished and nonhabitable, and carports, porches, and decks.

Section 57. The definition of “Guest Cottage, Guest House” contained in Section 20.50.022 of the Land Use Code is hereby repealed and deleted in its entirety.

Section 58. Section 20.50.032 of the Land Use Code is hereby amended to include new definitions for the terms “Lot, Parent” and “Lot, Unit” to read as follows. The City Clerk is hereby authorized to codify these new definitions in Section 20.50.032 in a manner that maintains an alphabetical listing of defined terms.

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

Lot, Unit. A lot within a development created from a parent lot and approved through the unit lot subdivision process or the unit lot short subdivision process.

Section 59. Section 20.50.034 of the Land Use Code is hereby amended to include a new definition for the term “Middle Housing” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.034 in a manner that maintains an alphabetical listing of defined terms.

Middle Housing. Residential development that contains between two and six attached, stacked, or clustered dwelling units including townhouses, stacked flats, and courtyard apartments. Middle housing also includes all cottage housing developments, regardless of the number dwelling units contained in the cottage housing development.

Section 60. The definition of “Primary Structure” contained in Section 20.50.040 of the Land Use Code are hereby amended to read as follows:

Primary Structure. The structure on a site that houses the principal use. For residential uses, the primary structure houses the dwelling unit(s) or, for the purposes of applying development regulations relating to accessory dwelling units, constitutes the “principal unit” as defined under RCW 36.70A.696. For nonresidential uses, the primary structure houses the use undertaken on the site, as classified by LUC 20.10.440 and district-specific land use charts contained in Chapter 20.25 LUC. Primary structures do not include structures that contain only certain functions or equipment that support the principal use, such as sheds, garages, or mechanical equipment structures.

Section 61. Section 20.50.044 of the Land Use Code is hereby amended to include a new definition for the term “Residential Land Use District” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.044 in a manner that maintains an alphabetical listing of defined terms.

Residential Land Use District. Residential land use districts are those described in LUC 20.10.180 and include LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, LDR-1, LDR-2, LDR-3, MDR-1, and MDR-2.

Section 62. The definition of “Subordinate Use” contained in Section 20.50.046 of the Land Use Code are hereby amended to read as follows:

Subordinate Use. A use which is secondary or incidental to a permitted or principal use. These uses are governed pursuant to LUC 20.20.840, except that accessory dwelling units are governed pursuant to LUC 20.20.120.

Section 63. The definitions of “Tree, Large Diameter” and “Tree, Small Diameter” contained in Section 20.50.048 of the Land Use Code are hereby repealed and deleted in their entirety.

Section 64. Section 20.50.048 of the Land Use Code is hereby amended to include a new definition for the term “Townhouse” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.048 in a manner that maintains an alphabetical listing of defined terms.

Townhouse. Shall have the meaning set forth in RCW 36.70A.030.

Section 65. Amending Section 90 of Ordinance No. 6839. Section 90 of Ordinance No. 6839 is hereby amended to read as follows:

Section 90. Subsection 20.20.740.A.7.e of the Land Use Code is hereby amended to read as follows:

Signs shall meet the requirements of Chapter 22.10 BCC, Sign Code.

Section 66. Land Use District Map. The Director of the Development Services Department is both authorized and directed to update the City’s Land Use District Map established under LUC 20.10.040 to reflect the new names for the residential land use districts as established in Section 2 of this Ordinance and as described in Section 3 of this Ordinance.

Section 67. 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 68. 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 _____, 2025 and signed in authentication of its passage this _____ day of _____, 2025.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____