



Meeting Agenda

City Council Regular Meeting

Tuesday, July 28, 2026

6:00 PM

Council Chambers (1E-126)

City Council meetings are conducted in a hybrid manner with both in-person and virtual attendance options. To speak at the meeting, you can attend in-person or remotely participate via one of these options:

- www.zoom.us and enter Webinar ID: 871 6827 7098 Password: 534267
- 253-215-8782 and enter Webinar ID: 871 6827 7098

The meeting may also be viewed on BTV Channel 21, or for the best viewing experience watch livestream on Bellevue Television YouTube:

www.youtube.com/bellevuetelevision

1. Call to Order
2. Roll Call, Flag Salute
3. Approval of Agenda
4. Oral Communications

The total time for oral communications is 30-minutes and topics must relate to City of Bellevue government. Persons speaking to items on the agenda will be called first and, if time remains, persons not speaking on an agenda item will be called. The Presiding Officer is authorized, in each category, to give preference to (1) persons who have not spoken to Council within 60 days prior to the meeting or (2) to persons speaking to items anticipated to come on the agenda within 60 days. Speakers will be allowed up to three minutes to speak, and a maximum of three persons are permitted to speak to each side of any one topic. Please note that testimony provided during oral communications will be recorded.

Speakers may register beginning at 12:00 p.m. on the day of the Council meeting using the online link below. In-person assistance to register is available at 5:00 p.m. outside the City Council meeting room on the first floor.

<https://bellevuewa.gov/council-oral-comms>

5. Reports of Boards and Commissions

6. Report of the City Manager**7. Council Business and New Initiatives****8. Consent Calendar**

- a) [26-479](#) Council Minutes
Minutes of July 14, 2026
- b) [RES 10657](#) Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner truck, in the amount to not exceed \$737,002.79, plus applicable taxes.
- c) [RES 10658](#) Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck, in the amount to not exceed \$731,776.45, plus applicable taxes.
- d) [RES 10659](#) Resolution adopting Isan Park as the name for the park property located at 11101 Main Street.

9. Public Hearings

There is no set time limit for public hearings and each speaker will be allowed up to 3-minutes to speak. Speakers may register beginning at 12:00 p.m. on the day of the Council meeting using the online link below. In-person assistance to register is available at 5:00 p.m. outside the City Council meeting room on the first floor. Please note that testimony provided during a public hearing will be recorded. You may sign-up in-person or online using this link:

<https://bellevuewa.gov/council-public-hearing>

- a) [26-480](#) Public Hearing on Ordinance No. 6926 imposing a one-year moratorium on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue; establishing a work plan; declaring an emergency; providing for severability; and establishing an immediate effective date.

10. Study Session Items

- a) [26-481](#) Development Services Activity and Continuous Improvement Update
- b) [26-482](#) Great Neighborhoods Program - Initiation of Lake Hills and West Lake Sammamish Neighborhood Area Plans

11. Land Use Reports

12. Other Ordinances, Resolutions and Motions

- a) [ORD 6930](#) Ordinance relating the clarification of known errors contained in, and clean-up of, the Land Use Code; Amending LUC 20.10.400, LUC 20.10.440, LUC 20.20.010, LUC 20.20.025, LUC 20.20.030, LUC 20.20.070, LUC 20.20.127, LUC 20.20.130, LUC 20.20.170, LUC 20.20.195, LUC 20.20.255, LUC 20.20.425, LUC 20.20.455, LUC 20.20.540, LUC 20.25A.050, LUC 20.25D.070, LUC 20.25D.080, LUC 20.25I.070, LUC 20.25J.020, LUC 20.25J.030, LUC 20.25L.020, LUC 20.25P.030, LUC 20.25P.050, LUC 20.25Q.020, LUC 20.25Q.050, LUC 20.25Q.070, LUC 20.30J.135, LUC 20.30N.115, LUC 20.30N.120, LUC 20.30N.140, LUC 20.30U.122, Chapter 20.50 LUC; Amending Chapter 20.20 LUC to include a new LUC 20.20.790; Providing for severability; and an effective date.
- b) [ORD 6931](#) Ordinance relating development regulations; Amending LUC 20.10.440, LUC 20.10.445, LUC 20.15.030, LUC 20.15.050, LUC 20.15.120, LUC 20.15.130, LUC 20.20.010, LUC 20.20.120, LUC 20.20.390, LUC 20.20.525, LUC 20.20.538, LUC 20.20.727, LUC 20.25A.170, LUC 20.25A.180, LUC 20.25D.070, LUC 20.25D.105, LUC 20.25D.130, LUC 20.25D.150, LUC 20.25P.100, LUC 20.25Q.070, LUC 20.25Q.150, LUC 20.25Q.160, LUC 20.25R.030, LUC 20.25R.040, LUC 20.25R.050, LUC 20.45A.065, and LUC 20.45B.057; Amending Chapter 20.20 LUC to include new LUC 20.20.536; Providing for Severability; and setting an effective date.
- c) [ORD 6932](#) Ordinance relating environmental regulations; Amending LUC 20.20.520, LUC 20.20.900, LUC 20.25H.035, LUC 20.25H.075, LUC 20.25H.095, LUC 20.25H.130, LUC 20.25H.200, LUC 20.45A.060, and LUC 20.45B.055; Providing for Severability; and setting an effective date.
- d) [ORD 6933](#) Ordinance relating land use review procedures; Amending LUC 20.20.538, LUC 20.25A.030, LUC 20.25D.030, LUC 20.25E.180, LUC 20.25F1.020, LUC 20.25I.030, LUC 20.25J.015, LUC 20.25J.040, LUC 20.25J.060, LUC 20.25J.070, LUC 20.25L.040, LUC 20.25M.030, LUC 20.25N.010, LUC 20.25N.020, LUC 20.25P.020, LUC 20.25Q.030, LUC 20.25R.010, LUC 20.30B.140, LUC 20.30B.160, LUC 20.30D.150, LUC 20.30D.280, LUC 20.30E.140, LUC 20.30E.160, Part 20.30F LUC, Part 20.30V LUC, Chapter 20.35 LUC, LUC 20.40.500, LUC 20.45B.050, LUC 20.45B.130, LUC 20.45B.260, LUC 20.50.012, and LUC 20.50.032; Amending Chapter 20.30 LUC to include new Parts 20.30H and 20.30R LUC; Amending Chapter 20.45B LUC to include a new LUC 20.45B.270; Repealing LUC 20.25N.030, LUC 20.30F.116, and LUC 20.40.401; Providing for severability; and setting effective dates.

- e) [ORD 6934](#) Ordinance relating development; Amending BCC 4.52.040; Amending BCC 4.52.093; Amending BCC 9.09.020; Amending BCC 9.10.010; Amending 9.10.030; Amending BCC 22.18.060; Amending BCC 23.76.035; Amending BCC 23.76.060; Amending BCC 24.02.120; Providing for Severability; and setting an effective date.

13. Written Reports

14. Unfinished Business

15. New Business

16. Executive Session

17. Adjournment

For alternate formats, interpreters, or reasonable modification requests please phone at least 48 hours in advance 425-452-7810 (voice) or email counciloffice@bellevuewa.gov. For complaints regarding modifications, contact the City of Bellevue ADA, Title VI, and Equal Opportunity Officer at ADATitleVI@bellevuewa.gov.

Approval of Agenda: The time at which the agenda is approved. Councilmembers or the City Manager may also suggest adding, withdrawing or moving the order of items on the agenda at this time. A simple majority of Councilmembers present may vote to approve as written or as amended.

Oral Communications: This agenda item provides an opportunity for members of the public to address the Council on any subject except quasi-judicial matters or matters scheduled for a public hearing before the Council. The total time for oral communications is 30 minutes, and speakers must limit their presentation to 3 minutes. A maximum of three persons are permitted to speak to each side of any one topic.

Consent Calendar: Those matters of business that require action by the Council which are considered to be of a routine and non-controversial nature are placed on the consent calendar. The individual items on the consent calendar are typically approved, adopted, or enacted by one motion of the Council.

Public Hearings: Hearings held to receive public comment on important matters before the Council, allowing the public an opportunity to provide input for Council consideration in the decision-making process.

Study Session Items: Council reviews and determines the approach to be used on significant policy issues, to receive progress reports on current issues, or to receive information from the City Manager, staff, or other regional officials.

Land Use: This is the point on the agenda when land use matters, including the City Hearing Examiners' decisions and recommendations on various land use applications, as well as appeals, are taken up for Council discussion and action. Often the items taken up under this agenda item are quasi-judicial in nature.

Written Reports: Council receives updates or progress reports on initiatives, plans, and programs in written format.

Quasi-Judicial: Matters where the Council acts in their judicial capacity rather than their legislative capacity.

Quorum: Minimum number of voting members who must be present for business to be conducted. A quorum of the Bellevue City Council is four (4) members, a simple majority.

Ordinance: Ordinances are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.

Resolution: Legislation that is adopted to express the policy of the Council or to direct certain types of administrative action.

Motion: A motion is typically used to indicate majority approval of a procedural action or to authorize disposition of routine items of business on the Council agenda. It may also be used to direct staff to take certain administrative actions.

Executive Session: Private sessions that may be held by the City Council only for the purposes specified in RCW 42.30.110. These include, but are not limited to, issues concerning the buying and selling of real property, certain personnel issues, and litigation. The purpose and length of Executive Sessions is publicly announced prior to recessing into Executive Session.

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

July 14, 2026
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Deputy Mayor Hamilton and Councilmembers Bhargava, Briar, Nieuwenhuis, Robinson and Sumadiwirya

ABSENT: Mayor Malakoutian

1. Call to Order

The meeting was called to order at 6:00 p.m., with Deputy Mayor Hamilton presiding.

- Councilmember Robinson moved to excuse Mayor Malakoutian's absence from tonight's meeting. Councilmember Briar seconded the motion.
- The motion carried by a vote of 6-0.

2. Roll Call; Flag Salute

Deputy City Clerk Karin Roberts called the roll and all Councilmembers except Mayor Malakoutian were present. Councilmember Briar led the flag salute.

(a) Disability Pride Month Proclamation

Councilmember Robinson read the proclamation recognizing July 2026 as Disability Pride Month in Bellevue. She encouraged everyone to celebrate the contributions and achievements of people with disabilities and to join in building a community where everyone has the opportunity to participate, belong and thrive.

Melissa Del Rio accepted and thanked the Council for the proclamation. She recalled the adoption of the Americans with Disabilities Act (ADA) on July 26, 1990, and commented on the importance of accessibility and universal design.

(b) Park and Recreation Month Proclamation

Councilmember Briar read the proclamation recognizing July 2026 as Park and Recreation Month in Bellevue and encouraged everyone to explore, enjoy and support the many benefits of parks, trails, natural areas and recreation programs in our community.

Meredith Petit, Director, Parks and Community Services Department, thanked the Council for the proclamation and for its continued support of the City's parks and recreation programs. She noted that July 17 is Park and Recreation Professionals Day and thanked staff for their hard work and dedication.

(c) Pretrial, Probation and Parole Supervision Week Proclamation

Councilmember Nieuwenhuis read the proclamation recognizing July 19-25, 2026, as Pretrial, Probation and Parole Supervision Week in Bellevue. He encouraged everyone to appreciate the contributions of probation professionals and their role in strengthening public safety and supporting rehabilitation to reduce recidivism.

Judge Lisa O'Toole, King County District Court, expressed appreciation for Bellevue's probation services located in their local courthouse. She said probation staff help to change lives and to make the community safe. She thanked the Council for the proclamation.

Craig Fritz, Manager, Probation Services Division, thanked the Council for the recognition and ongoing support. He noted that Bellevue's probation staff bring 250 years of experience to this profession. He said the division received more than 1,600 referrals for programs and services since last July, in addition to the hundreds of individuals already under supervision. He commented on the new community court and related services at the Bellevue Regional Library.

3. Approval of Agenda

→ Councilmember Robinson moved to approve the agenda, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 6-0.

4. Oral Communications

Deputy City Clerk Roberts said the Council appreciates public comments and supports everyone's right to express themselves. The total time for oral communications is for a period not to exceed 30 minutes and topics must relate to City of Bellevue government. Individuals speaking to items on the agenda will be called first and if time remains, others will be called. The presiding officer is authorized to give preference to individuals who have not spoken to the Council within the past 60 days or who are speaking to items that will come before the Council in the upcoming 60 days. Each speaker is allowed up to three minutes to speak and a maximum of three speakers are allowed to speak to any one side of a particular topic. In compliance with Washington state campaign laws regarding the use of public facilities, no speaker may support or oppose a ballot measure or candidate.

(a) Patrick Bannon, President and CEO, Bellevue Downtown Association, thanked the City for its efforts related to Business Improvement Area policy. He said the BDA is working with property owners to explore the feasibility of a downtown BIA.

- (b) Betsi Hummer, a resident of the Sunset Ranch neighborhood, said the neighborhood was established in 1953 and Bellevue College was built adjacent to the neighborhood in 1969. She said that since the 1970s, Sunset Ranch has been on the map of the college's master plan. She said the college has been buying homes in the neighborhood for decades. She expressed support for designating the college as Institutional zoning instead of the current Residential zoning. However, she is concerned about what will happen to the residences owned by the college that surround her home in future redevelopment.
- (c) Steven Fricke expressed concern that the City's e-bike web page and related code language do not reflect ADA requirements. He said he uses an e-bike due to a disability following a stroke. He said the City designates e-bikes as recreation vehicles and restricts their use on trails, shared use paths and other off-street facilities without acknowledging that, under federal law, e-bikes may function as mobility aids for people with disabilities. He submitted his comments in writing.
- (d) Julie Copp expressed concern about new development in her neighborhood that has caused five longtime residents to sell their homes. She said all of the trees have been removed on one single-family lot to build four townhomes and another single-family lot will be redeveloped into eight cottages. She acknowledged that the redevelopment was recently enabled by state legislation. However, she expressed concern that there was never any signage about the plans for the properties.
- (e) Alex Tsimmerman said he has been trespassed from certain City-related meetings, prosecuted by the City several times and received a number of traffic tickets. He expressed his displeasure with the Council and the Bellevue Police Department.
- (f) Joe Kunzler commented regarding Mr. Tsimmerman.

Deputy Mayor Hamilton stopped Mr. Kunzler from further comments and encouraged him to speak to City-related topics in the future.

5. Reports of Community Councils, Boards, and Commissions: None.

6. Report of the City Manager: None.

7. Council Business and New Initiatives: None.

8. Consent Calendar

→ Councilmember Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Briar seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:

- (a) Council Minutes
Minutes of June 23, 2026 Regular Meeting
- (b) Resolution No. 10650 authorizing additional funds to continue the City of Bellevue's purchase agreement with Smartsheet, to provide Project and Portfolio Management software, in an amount not to exceed \$358,185 plus all applicable taxes for the contracted duration of September 2024-September 2027.
- (c) Resolution No. 10651 authorizing execution of an on-call contract with IDAX Traffic Data, LLC to conduct traffic studies not to exceed a total of \$500,000 plus all applicable taxes for a term of three years, with option to extend the contract up to two times for one year each.
- (d) Resolution No. 10652 determining that an existing sewer easement located at 21 103rd Ave NE is surplus to the city's needs and no longer required for providing continued sewer service; and setting a time and place for a public hearing before the City of Bellevue Hearing Examiner.
- (e) Resolution No. 10653 authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Hydro Jetter Truck, in the amount to not exceed \$418,639.61, plus applicable taxes.
- (f) Resolution No. 10654 authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450214) with HDR Engineering, Inc. in the amount of \$1,500,000, plus all applicable taxes.
- (g) Resolution No. 10655 authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450216) with HNTB Corporation in the amount of \$1,500,000, plus all applicable taxes.

9. Public Hearing

- (a) Public Hearing and Action on Ordinance No. 6929 relating to an Interim Official Control on Part 20.25A of the Land Use Code (LUC) that reinforces historical and cultural qualities in the Downtown-Old Bellevue (DT-OB) Land Use District, along Main Street between 100th Avenue and Bellevue Way, and requires that new development is compatible with adjacent development, unique design features, and established small-scale and pedestrian-oriented street frontage in Old Bellevue; renewing the Interim Official Control for an additional six-month time period; amending the Interim Official Control to impose specified design standards, updated requirements to document historic property, and encourage voluntary preservation of façades; providing for severability; and establishing an effective date.

Deputy City Manager Genesee Adkins introduced the public hearing regarding the Interim Official Control (IOC) to reinforce the historical and cultural qualities of Old Bellevue.

Nick Whipple, Code and Policy Director, Development Services Department, said staff is asking the Council to renew the Old Bellevue IOC for an additional six months. He said Old Bellevue is a designated regional growth center with distinct zoning to balance growth, housing production and mixed-use development. The Council initially adopted the IOC on February 10, 2026. The objectives of the IOC are to temporarily implement design controls along Main Street in Old Bellevue, establish clear standards to ensure new development is compatible with the design and scale of Old Bellevue, and to allow additional time for public outreach and Planning Commission review before adopting permanent regulations for Old Bellevue.

Mathieu Menard, Senior Planner, said Ordinance No. 6929 renews the previous IOC (Ordinance No. 6903) with one amendment to replace the façade preservation requirement with a stronger amenity incentive option for façade preservation. The IOC establishes clear, objective design standards related to weather protection, active ground-floor uses, entrances off Main Street and vertical façade elements. If renewed, the IOC will expire February 17, 2027. Mr. Menard said permanent regulations will be developed through the Downtown Livability 2.0 Land Use Code Amendment (LUCA) process.

→ Councilmember Robinson moved to open the public hearing, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 6-0.

The following individuals came forward to comment:

1. David Bonathan noted that he serves on the Meydenbauer Bay Neighbors Association (MBNA) Board. He encouraged the Council to help retain the character, scale and authenticity of Old Bellevue. He urged the Council to extend the IOC for an additional six months and to protect this historic neighborhood.
 2. Scott Lampe, representing the MBNA, spoke in support of extending the Old Bellevue IOC. He commented on the MBNA's involvement since 2007 in City planning efforts. He asked the Council to help retain small retailers and local businesses.
 3. Alex Tsimerman commented on problems that he sees in Bellevue.
 4. Heidi Dean, a Newport Hills resident, said she appreciated the positive comments about Old Bellevue. She noted that is how she and her neighbors feel about their neighborhood and its business center. She urged the Council to support residents' planning priorities for Newport Hills.
- Councilmember Robinson moved to close the public hearing, and Councilmember Briar seconded the motion.
- The motion carried by a vote of 6-0.

Deputy Mayor Hamilton thanked everyone for their comments.

- Councilmember Robinson moved to adopt Ordinance No. 6929, and Councilmember Bhargava seconded the motion.

Councilmember Robinson expressed support for renewing the IOC to allow more time to develop permanent regulations. She commented on the history of Old Bellevue as the original town center.

Responding to Councilmember Briar, Mr. Whipple clarified the process going forward.

Councilmember Bhargava asked about the potential impact of certain requirements on redevelopment. Mr. Menard commented on the basis for the requirements. Mr. Bhargava encouraged robust stakeholder involvement in developing the permanent regulations.

Deputy Mayor Hamilton expressed support for the motion.

- The motion carried by a vote of 6-0.

10. Study Session Items

- (a) Council Initiation of a Land Use Code Amendment (LUCA) and associated legislative rezone to establish a new Institutional land use district for Bellevue College to align with the Comprehensive Plan Future Land Use Map and associated policies.

Deputy City Manager Genesee Adkins introduced staff's presentation regarding the proposed initiation of a Land Use Code Amendment (LUCA) and legislative rezone to establish a new Institutional land use district.

Mr. Whipple said this initiative responds to changes in the Comprehensive Plan adopted in 2024. He said staff is seeking Council direction to move forward to process the LUCA and rezone to establish a new Institutional district.

Charlie Engel, Senior Planner, said Bellevue College opened in 1966 and transitioned to a four-year institution in 2009. The college offers a broad range of professional and technical areas of study as well as community serving facilities, including the arboretum. It is an economic driver for Bellevue, a significant regional employer and a regional leader in sustainability and environmental stewardship. Ms. Engel said the college is currently facing challenges related to changing enrollment patterns, rising housing and affordability pressures, evolving workforce demands and aging infrastructure. Future institutional needs identified by the college include new academic facilities, labs and workforce training space, technology centers, arts and cultural facilities, student housing and transportation investments.

Bellevue College is located on a site currently zoned as residential, which limits its ability to expand. The college's future development is guided by the Bellevue College Campus Master

Plan, Strategic Plan, Facilities Master Plan and Climate Action Plan. Ms. Engel said the establishment of the Institutional land use district will allow Bellevue College to expand academic facilities, student housing and other campus infrastructure. The LUCA will establish development standards to address building heights (5-6 stories), transition areas and landscaping and vegetation requirements. The legislative rezone will apply to parcels currently under the college's ownership.

Ms. Engel said the City will partner with Bellevue College to develop a LUCA that supports the Campus Master Plan vision. The planning effort will involve surrounding residents, property owners and business owners. Phase 1 of the outreach plan will occur through August and Phase 2 is scheduled for the fourth quarter of this year. The Planning Commission will begin reviewing the LUCA this fall. Council review and action is targeted for the second quarter of 2027. More information is available at Bellevuewa.gov/Bellevue-college-luca.

Deputy Mayor Hamilton thanked staff for the presentation.

Responding to Councilmember Sumadiwirya, Ms. Engel said residents within the 1,000-foot radius of the college will be informed about the rezone process. Ms. Engel said a survey will be conducted in multiple languages. Ms. Sumadiwirya commented on the importance of ensuring that the expansion of the college will be supported by appropriate infrastructure. She encouraged staff to visit the surrounding neighborhoods to talk with residents.

Councilmember Bhargava said he appreciated the public outreach plan and encouraged ongoing public involvement into the future.

Councilmember Briar agreed that public outreach and engagement is critical.

Responding to Councilmember Nieuwenhuis, Mr. Whipple said this effort was initiated in part by the Comprehensive Plan periodic update in 2024. Mr. Whipple said City staff has had discussions with college representatives and adjacent residents, and Bellevue College supports the new Institutional land use district. Mr. Nieuwenhuis said it would be helpful to have more information about the college's strategies to address declining enrollment and other issues, beyond the new land use designation and rezone. Mr. Nieuwenhuis encouraged robust public engagement, perhaps including a citizen committee over the long term.

Councilmember Robinson said the addition of academic facilities and student housing is anticipated to help boost enrollment. She encouraged the consideration of a buffer zone between the college and surrounding residents.

Deputy Mayor Hamilton noted that Bellevue College is the largest open access college and third largest higher education institution in Washington. He said Bellevue College offers more bachelor's degrees than any other community or technical college in the state and advances more students to four-year universities than all of the other colleges. It also provides a lower cost option for bachelor's degrees. He expressed support for the public engagement plan and said he looks forward to working with the college and the community.

- Councilmember Robinson moved to direct staff to initiate work on the Bellevue College LUCA and associated legislative rezone to establish a new Institutional land use district. Councilmember Briar seconded the motion.
- The motion carried by a vote of 6-0.

At 7:47 p.m., Deputy Mayor Hamilton declared a break. The meeting resumed at 8:03 p.m.

(b) Bellevue Business Improvement Area (BIA) Policy

Deputy City Manager Adkins opened discussion regarding the establishment of a framework for the formation, governance and administration of potential future Business Improvement Areas (BIAs) in Bellevue.

Jesse Canedo, Chief Economic Development Officer, Community Development Department, said this initiative implements Strategy 2.3.1 of the 2026 Economic Development Plan to leverage tools and partnerships to improve business districts and their environment for business owners, workers, visitors and residents. Current districts in Bellevue are the BelRed Arts District, Spring District, Old Bellevue, and the broader downtown Bellevue.

Edward Butterfield, Partnerships Manager, said a BIA is a funding tool that allows businesses and property owners within a defined district to collectively fund enhanced services and improvements with no impact on the City's general fund. He said Bellevue is the largest municipality in Washington that does not currently use this tool. He said the objectives of developing BIA policy is to set a clear framework for forming and managing BIAs and to ensure accountability for special assessment funds.

Amy Pennington, Economic Development Coordinator, said the formation of a BIA will involve a petition process with Council evaluation and approval. The policies will set the standards for fair assessment methodologies, define clear ratepayer classifications and require that costs align with benefits. Ms. Pennington described the BIA governance and oversight structure. BIAs are required to submit annual work plans and annual reports, and they sunset after 10 years unless renewed.

Anthony Gill, Corridor Manager, City Manager's Office, said the Bellevue Downtown Association (BDA) considered the formation of BIAs in its strategic plan adopted in 2021. The BDA is analyzing BIA options with its stakeholders and a consultant. They are engaging with City staff and the earliest petition could occur as early as this fall.

Mr. Canedo said the next districts of focus are Crossroads, Factoria and the Wilburton Health Innovation District.

Councilmember Nieuwenhuis said he does not see a clear argument for BIAs at this time, at least not for the downtown. He said BIAs have typically been used in other cities to address public safety, graffiti, litter and other issues that make business districts less desirable. He said Bellevue has a clean and safe downtown area. He suggested that special districts, such as the BelRed Arts

District, were established without a BIA. Mr. Nieuwenhuis commented that the Factoria area would be a better candidate for a BIA. He said smaller neighborhoods, including Newport Hills and Lake Hills, could benefit from a BIA as well.

Mr. Canedo said there are a number of reasons that property/business owners might choose to create a BIA. Mr. Gill said the BDA effort has been exploring the appropriate services needed for a downtown BIA. He said the BDA and its stakeholders are focusing on activations and data/research to support small businesses.

Councilmember Nieuwenhuis said he would like to hear more detailed information and a clear justification before a downtown BIA is formed. He raised questions about the proposed advisory board, governance and oversight, noting that he believes ratepayers should have a voice. He suggested that the assessment methodology component needs stronger guardrails. Ms. Pennington said the advisory board must represent the diversity of ratepayers and every ratepayer would have a seat on the board.

Councilmember Sumadiwiry said she likes the BIA concept but has concerns about the benefits to all ratepayers. She would like more information about the impacts of the BIA for the different sizes of businesses. Ms. Bennington said the group petitioning for the BIA will define the rates for their businesses. Ms. Sumadiwiry said it is important to understand the specific benefits anticipated by the formation of a BIA. Responding to Ms. Sumadiwiry, Mr. Butterfield described the City's role in the pre-petition process. He said staff researched BIAs in other cities and he noted that Seattle has 11 BIAs. Ms. Sumadiwiry emphasized the importance of involving businesses of all sizes.

Councilmember Briar said downtown Bellevue has a reputation for being clean and safe. Regarding activations, she cautioned against trying to inject culture and activation in a way that is not sustainable. She suggested it would be helpful to use data to identify the areas with the most foot traffic for activations. She said she would like to see a clear argument for establishing a BIA in the downtown and suggested that it might be more beneficial in other areas. She wondered how this might affect housing development.

Mr. Canedo said housing would be considered in the establishment of a BIA. He said the City would not want the BIA rates to deter housing construction. Ms. Pennington said that sometimes BIAs attract residents and housing development because they are vibrant neighborhoods.

Councilmember Robinson said she is interested in pursuing the establishment of BIA policies. She noted the benefits of events sponsored by the business community and the BDA including the seasonal ice skating rink, 4th of July celebration and outdoor concerts. She encouraged policies regarding noise limits and community input related to desired activations. Ms. Robinson suggested including a Council member on the advisory board.

Councilmember Bhargava expressed support for the formation of BIAs, noting that it is important for all ratepayers to have representation. He said it will be important to ensure that expenditures are aligned with the needs and benefits of the whole BIA district. Responding to Mr. Bhargava, Mr. Canedo said staff recommends leaving the assessments methodology flexible

for the ratepayers to determine. In further response to Mr. Bhargava, Mr. Butterfield commented on lessons learned from other cities including the benefit of having a city representative and requiring annual BIA work plans. Councilmember Bhargava suggested establishing performance metrics before the formation of BIAs.

Deputy Mayor Hamilton said it would be helpful to have more details regarding the makeup and appointment of the advisory board. Staff responded to additional questions of clarification regarding how a BIA would function and the roles of the ratepayers, the City and others. Responding to Mr. Hamilton, Ms. Pennington said that if a BIA petition is received it will be forwarded to the Council for a public hearing and formal action.

Mr. Hamilton said he would like to move forward to implement BIA policies. He said he participated in the three study tours to cities with BIAs. He said it will be important to ensure that the final policies benefit all members of a BIA. He thanked staff for their work.

At 9:10 p.m., Deputy Mayor Hamilton declared a short break. The meeting resumed at 9:15 p.m.

(c) Briefing on Cascade Water Alliance 2027-2028 Budget and Rates Proposal and the Cascade Supply Program

Deputy City Manager Adkins introduced the presentation of the Cascade Water Alliance 2027-2028 budget/rates proposal and Cascade Supply Program.

Lucy Liu, Director, Utilities Department, noted that Deputy Mayor Hamilton serves as Bellevue's representative on the Cascade Water Alliance Board of Directors and Councilmember Bhargava is the alternate. She said Cascade has been Bellevue's wholesale water provider and an important regional partner for more than 30 years. She said the cost of purchasing water from Cascade is approximately 27 percent of Bellevue's water utility budget.

John Taylor, CEO, Cascade Water Alliance, said Cascade has seven member agencies and currently purchases water from Seattle Public Utilities. New water contracts with Tacoma will begin in 2041 and Cascade owns Lake Tapps Reservoir for the future supply. Mr. Taylor described the Cascade Supply Program with three phases: 1) 2026-2040, connect Tacoma and Cascade pipelines, 2) 2030-2053, build member distribution pipeline, and 3) 2043-2060, develop Lake Tapps treatment and transmission facility. Phase 1 involves the development of a 19-mile pipeline and other equipment and facilities with an estimated cost of \$1.13 billion to \$1.35 billion.

Andy Baker, Economist, Cascade Water Alliance, provided details regarding the capital funding plan including the recommended funding strategy, proposed 2027-2032 capital budget, proposed 2027 operating budget and revenue, proposed 2027-2028 rates and rate drivers, and the proposed regional capital facilities charge (RCFC). Mr. Baker said staff will take the budget package, including a bond issuance, to the Cascade Board in September for adoption. The next major cost update will occur in 2029/2030 when the Cascade Supply Program reaches its first design milestone. Construction is anticipated to begin in 2032 or later.

Ms. Liu said Bellevue will continue with a strong focus on affordability. She said the City's utility assistance programs provide short-term and long-term discounts and rebates to low-income, senior (age 62+) and disabled residents. The Neighbors Helping Neighbors program allows customers to donate to help low-income customers.

Deputy Mayor Hamilton thanked everyone for the presentation. He acknowledged that the cost of Cascade's infrastructure is higher than initially anticipated. He said, however, the projects are critical and necessary. Responding to Mr. Hamilton, Mr. Taylor commented on Cascade's plans to pursue federal funding.

Councilmember Bhargava thanked Cascade staff for their work and thanked Deputy Mayor Hamilton for his leadership on the Cascade Board. Responding to Mr. Bhargava, Mr. Taylor commented on Cascade's community outreach plan. Mr. Bhargava said many residents and businesses are concerned about increasing utility costs.

- At 9:56 p.m., Councilmember Robinson moved to extend the meeting to 10:15 p.m. Councilmember Nieuwenhuis seconded the motion.
- The motion carried by a vote of 5-1, with Councilmember Nieuwenhuis dissenting.

Councilmember Briar thanked everyone for their work. Responding to Ms. Briar, Mr. Baker provided additional details about the development of the preliminary cost estimates.

Responding to Councilmember Nieuwenhuis, Mr. Taylor commented regarding the community engagement strategy. Mr. Nieuwenhuis expressed an interest in more information going forward about Cascade's coordination with municipalities and King County.

Councilmember Robinson thanked Deputy Mayor Hamilton and Councilmember Bhargava for their work with Cascade. Ms. Robinson said she is concerned about increasing utility rates but she appreciates that Cascade is starting this process relatively early, incorporating rate smoothing, issuing bonds and pursuing federal funds.

Councilmember Sumadiwiryia thanked the Cascade representatives and Bellevue staff for their work. Responding to Ms. Sumadiwiryia, Mr. Baker described Cascade's rate smoothing approach.

11. Land Use Reports: None.
12. Other Ordinances, Resolutions and Motions: None.
13. Written Reports
 - (a) Intergovernmental Affairs Monthly Update as of June 30, 2026
 - (b) Eastgate Housing Campus

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 10:11 p.m., Deputy Mayor Hamilton declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw

CITY COUNCIL AGENDA TOPIC

Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner truck, in the amount to not exceed \$737,002.79, plus applicable taxes.

Ira McDaniel, Deputy Director
Levi Clark, Fleet & Communications Systems Manager
Finance & Asset Management Department

Joseph Harbour, Deputy Director
Chad Beck, Assistant Director
Don McQuilliams, Operations & Maintenance Manager
Utilities Department

EXECUTIVE SUMMARY**ACTION**

This Resolution authorizes execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner planned for replacement in 2028.

RECOMMENDATION

Move to adopt Resolution No. 10657

BACKGROUND/ANALYSIS

The stormwater system in Bellevue is a combination of streams, lakes, wetlands, pipes, catch basins and flood control sites; both private and public systems that eventually drain into either Lake Washington or Lake Sammamish. To successfully manage this fragile ecosystem, Bellevue Storm and Surface Water provides flood control, protects water quality, and provides the safe conveyance of stormwater to streams, lakes and wetlands, while protecting natural habitat.

The existing combination catch basin cleaner truck will reach the end of its useful life in 2028 and is scheduled for replacement. This truck plays a key role in helping the city prevent flooding and protect public infrastructure. This equipment is designed to clean storm drains, catch basins, and other parts of the drainage system by using high-pressure water and a powerful vacuum to remove debris, sediment, and blockages. Regular cleaning ensures that rainwater can flow freely through the system, reducing the risk of street flooding, cross water contamination and property damage during heavy water events. A free-flowing drainage system helps keep our local lakes and streams clean for recreation and aquatic habitats.

This purchase will utilize an interlocal agreement between the City of Bellevue and Sourcewell that has a contract in place to purchase Vactor Manufacturing equipment through its authorized distributors, including from the Owen Equipment Company. The city has benefited from this cooperative purchasing agreement for many years as it is a large consortium of public agencies and consequently obtains very competitive pricing.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

- BCC 4.28 provides for the fair and equitable treatment of all persons involved in the purchasing process. Council approval is required to award the bid where the cost exceeds \$350,000.
- BCC 4.28.150 authorizes the Director of Finance and Asset Management to join cooperative purchase agreements with other public agencies, cooperatives or consortiums when it would be in the best interest of the city.

Bellevue Comprehensive Plan

- UT-34. Provide and maintain a storm and surface water system that controls damage from storms, protects surface water quality, provides for safety and enjoyment, supports fish and wildlife habitat and protects the environment.
- UT-35. Participate in regional watershed-based efforts with the goals of achieving local drainage basin health and addressing Endangered Species Act issues. Manage the storm and surface water system within a system wide, watershed-based context
- UT-38. Require the use of low impact development and stormwater best management practices where feasible to manage stormwater runoff, which may result in smaller facilities constructed on- and off-site for flow control, conveyance, and water quality.

Fiscal Impact

This agreement authorizes staff to obligate the city to pay \$737,002.79, plus applicable taxes, for the purchase of one new combination catch basin cleaner for delivery in early 2028.

The source funding for the purchase is the Utilities Asset Replacement Account (ARA). This expenditure will be proposed as part of the 2027-2028 budget process and was included in prior budgets as a planned future replacement. Sufficient funding exists in the ARA for the purchase. Funds received from the surplus sale of the equipment being replaced will be receipted into the ARA for future replacement needs.

OPTIONS

1. Adopt the Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner truck, in the amount to not exceed \$737,002.79, plus applicable taxes..
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10657

AVAILABLE IN COUNCIL LIBRARY

Purchase agreement documents between City of Bellevue and Owen Equipment Company.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10657

A RESOLUTION authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner truck, in the amount to not exceed \$737,002.79, plus applicable taxes.

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

Section 1. The City Manager or designee is hereby authorized to execute an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing combination catch basin cleaner truck, in the amount to not exceed \$737,002.79, plus applicable taxes, a copy of which agreement substantially in the form of the document that has been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2026, and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Attest:

Charmaine Arredondo, City Clerk

CITY COUNCIL AGENDA TOPIC

Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck, in the amount to not exceed \$731,776.45, plus applicable taxes.

Ira McDaniel, Deputy Director
Levi Clark, Fleet & Communications Systems Manager
Finance & Asset Management Department

Joseph Harbour, Deputy Director
Chad Beck, Assistant Director
Michael Evans, Operations & Maintenance Manager
Utilities Department

EXECUTIVE SUMMARY**ACTION**

This Resolution authorizes execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck planned for replacement in 2028.

RECOMMENDATION

Move to adopt Resolution No. 10658

BACKGROUND/ANALYSIS

Bellevue's Wastewater Division is responsible for maintenance and repairs of the city's wastewater system, including the main sewer lines and service connections within the city's right of way and dedicated easements. Bellevue's wastewater service area covers over 37 square miles, including Beaux Arts. Bellevue's wastewater system serves over 37,000 customers and includes: 13,000+ maintenance holes, 520 miles of mainline pipes, 46 pump and flush stations, 34 major connections to the King County wastewater system, and 19 miles of lake lines.

The city's current Hydro Excavator truck is nearing the end of its useful life and is planned for replacement in 2028. This truck is essential for keeping the wastewater collection system reliable and protecting public health and infrastructure. It cleans sewer lines, manholes, and other wastewater components by using high-pressure water and a powerful vacuum to remove grease, debris, sediment, and blockages. By doing this, it helps prevent sewer backups, overflows, service interruptions, and costly damage to both public and private property. This truck can also safely dig through soil using high-pressure water to reach buried utilities and infrastructure. This method reduces the risk of damaging pipes and other underground assets compared to traditional digging equipment.

Maintaining this capability supports a reliable wastewater system overall, helping protect local waterways and the environment by reducing the chance of untreated wastewater entering streams and lakes.

This purchase will utilize an interlocal agreement between the City of Bellevue and Sourcewell that has a contract in place to purchase Vactor Manufacturing equipment through its authorized distributors, including from the Owen Equipment Company. The city has benefited from this cooperative purchasing agreement for many years as it is a large consortium of public agencies and consequently obtains very competitive pricing.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

- BCC 4.28 provides for the fair and equitable treatment of all persons involved in the purchasing process. Council approval is required to award the bid where the cost exceeds \$350,000.
- BCC 4.28.150 authorizes the Director of Finance and Asset Management to join cooperative purchase agreements with other public agencies, cooperatives or consortiums when it would be in the best interest of the city.

Bellevue Comprehensive Plan

- UT-31. Provide a reliable wastewater disposal system that ensures public health and safety, and protects the environment.
- UT-32. Require wastewater connections for all new development, including single family plats, unless otherwise allowed by state or county regulations
- UT-33. Allow existing single family homes with septic systems to continue to use septic systems, provided they remain in compliance with Seattle-King County Public Health requirements. Homeowners are encouraged to connect to wastewater systems where available. If existing septic systems fail to maintain compliance with Seattle-King County Public Health standards and cannot be brought into compliance, homeowners should be required to connect to the wastewater system

Fiscal Impact

This agreement authorizes staff to obligate the city to pay \$731,776.45 plus applicable taxes, for the purchase of one new Hydro Excavator truck for delivery in early 2028.

The source funding for the purchase is the Utilities Asset Replacement Account (ARA). This expenditure will be proposed as part of the 2027-2028 budget process and was included in prior budgets as a planned future replacement. Sufficient funding exists in the ARA for the purchase. Funds received from the surplus sale of the equipment being replaced will be receipted into the ARA for future replacement needs.

OPTIONS

1. Adopt the Resolution authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck, in the amount to not exceed \$731,776.45, plus applicable taxes.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10658

AVAILABLE IN COUNCIL LIBRARY

Purchase agreement documents between City of Bellevue and Owen Equipment Company.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10658

A RESOLUTION authorizing execution of an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck, in the amount to not exceed \$731,776.45, plus applicable taxes.

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

Section 1. The City Manager or designee is hereby authorized to execute an agreement with Owen Equipment Company for the purchase of one new Vactor Manufacturing Hydro Excavator truck, in the amount to not exceed \$731,776.45, plus applicable taxes, a copy of which agreement shall be substantially in the form of the document that has been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2026, and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Attest:

Charmaine Arredondo, City Clerk

CITY COUNCIL AGENDA TOPIC

Resolution adopting Isan Park as the name for the park property located at 11101 Main Street.

Meredith Petit, Director

Camron Parker, Assistant Director

Betsy Anderson, Senior Planner

Susan Ulep, Parks Capital Project Coordinator

Parks & Community Services Department

EXECUTIVE SUMMARY**ACTION**

This proposed action adopts the name Isan Park based on community engagement, the recommendation of the Parks & Community Services Board, and direction given by the City Council.

RECOMMENDATION

Move to adopt Resolution No. 10659

BACKGROUND/ANALYSIS

At its July 21 meeting, the City Council reviewed the Parks & Community Services Board recommended name for a park at the corner of Main Street and 112th Avenue SE. The park site being named was initially acquired by Sound Transit to support light rail staging and construction of the south tunnel portal. As part of Sound Transit's park impact mitigation requirements, the city and Sound Transit collaborated on the design of a park space to be developed above the tunnel portal infrastructure.

In September 2024, the park was transferred to the city, and Parks & Community Services assumed full maintenance and operations responsibility. At its May 19 meeting, the council received a study session presentation focused on the city's partnership with the organization Isan Bellevue to develop a commemoration project at the park that honors Japanese American heritage in Bellevue.

Naming Process

Public engagement for the naming process began in spring 2025 and was conducted using an online survey. Information about the survey was shared in a wide variety of digital and hard copy formats. The survey was translated into the six most spoken languages within a 1/3-mile vicinity of the park and resulted in 258 unique name suggestions, proposed by 157 respondents. Of these suggested names, approximately 30 met the criteria in the City Council naming policy. Staff researched the 30 names that were compliant with policy and narrowed the list of possible park names to nine options for Parks & Community Services Board review.

Park & Community Services Board Recommendation

After careful deliberation of the nine name options presented, the Board unanimously recommended the name Isan Park to City Council for consideration.

Isan means "legacy" or "heritage" in Japanese. Variations of this name in English, as well as the Japanese word, were suggested by community members who completed the naming survey. The

Board noted their appreciation for the community's name suggestions and expressed an interest in a unique name for the park that would support the Japanese American Legacy Project. While some of the proposed names reflect the park's location on Main Street and its view of Mount Rainier, the Board observed that many of the other candidate names were common in the region or throughout the country.

The Board identified Isan Park as the preferred name because of its distinctive character and connection to Bellevue's heritage.

The name Isan Park meets criterion 3 in the city's park naming policy as a name of "historical or cultural significance." The name honors the Japanese American community's contributions to Bellevue, both historically and today.

At its July 21 meeting, the City Council directed staff to prepare a resolution to formalize the name "Isan Park" for the park.

POLICY & FISCAL IMPACTS

Policy Impact

Resolution No. 10151 sets forth the policy and procedure for naming public parks and recreation facilities. The City Council designates the names of public parks and park or recreation facilities and may seek a recommendation from the Parks & Community Services Board, which is based on public input from individuals and organizations.

Fiscal Impact

There is no fiscal impact associated with this action.

OPTIONS

1. Adopt the Resolution adopting Isan Park as the name for the park site.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Vicinity Map
- B. Resolution 10151: Park Naming Policy
Proposed Resolution No. 10659

AVAILABLE IN COUNCIL LIBRARY

N/A

New Park at Main Street - Attachment A



CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10151

A RESOLUTION establishing a new policy and procedure for naming public parks and park and recreation facilities, and repealing Resolution No. 8229.

WHEREAS, the City Council believes that the designation of names for public parks and park and recreation facilities, such as major public buildings and structures, should be approached with deliberation; and

WHEREAS, the City Council further believes that the setting forth by resolution of policies and procedures relating to the naming of public parks and park and recreation facilities is in the public interest; and

WHEREAS, the City Council desires to extend the opportunity for naming public parks and park and recreation facilities to individuals and figures who have made non-financial contributions to the parks systems or meets other city priorities such as diversity, equity, and inclusion; now, therefore,

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

Section 1. It is the policy of the City of Bellevue to choose names for parks and park and recreation facilities, such as major public buildings and structures, based upon the following criteria:

- (1) Neighborhood or geographical identification (e.g., North Bellevue, Lake Hills, Overlake);
- (2) A natural or geographical feature (e.g., Kelsey Creek, Mercer Slough);
- (3) An historical figure or name of historical or cultural significance (e.g., Bicentennial Park, Children's Park);
- (4) A corporation, non-profit organization, or an individual (living or deceased) who has made a significant land, monetary, or other contribution to the park system and who has a compelling connection to Bellevue and/or the park system; and
- (5) In naming parks and park and recreational facilities for individuals or historic figures, the City should consider how such name meets other City priorities, including diversity, equity, and inclusion.

Section 2. The City Council shall designate the names of public parks and park or recreation facilities. The City Council may seek a recommendation from the Bellevue Park Board, which is based upon public input from individuals and organizations.

Section 3. Following selection of a park or park and recreation facility name by the City Council, the Parks and Community Services Department shall identify the specific park or facility by appropriate signage specifying the name.

Section 4. The City Manager, or his or her designee, shall designate the names of smaller projects associated with individual elements within a park, such as benches, trails, garden rooms, and similar features.

Section 5. Resolution No. 8229 is repealed.

Passed by the City Council this 10th day of OCTOBER, 2022,
and signed in authentication of its passage this 10th day of OCTOBER,
2022.

(SEAL)



Attest:


Charmaine Arredondo, City Clerk


Lynne Robinson, Mayor

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10659

A RESOLUTION adopting Isan Park as the name for the park property located at 11101 Main Street.

WHEREAS, Resolution No. 10151 sets forth the policy and procedure for naming public parks and recreation facilities, whereby the City Council designates the names of public parks and park or recreation facilities, and may seek a recommendation from the Parks and Community Services Board (PCS Board), which is based on public input from individuals and organizations; and

WHEREAS, on May 20, 2026, the PCS Board recommended the name “Isan Park” for park property located at 11101 Main Street; and

WHEREAS, on July 21, 2026, the City Council reviewed the community outreach and engagement process and PCS Board recommendation, selected the name the “Isan Park” for park property located at 11101 Main Street, and directed staff to return with a resolution adopting this name; now, therefore,

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

Section 1. The name “Isan Park” is hereby adopted as the name for the park property located at 11101 Main Street.

Section 2. The City Manager or designee is hereby authorized to take all action necessary to implement, approve, and authorize the name “Isan Park” as the name for the park located at 11101 Main Street.

Passed by the City Council this _____ day of _____, 2026, and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Attest:

Charmaine Arredondo, City Clerk

CITY COUNCIL AGENDA TOPIC

Public Hearing on Ordinance No. 6926 imposing a one-year moratorium on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue; establishing a work plan; declaring an emergency; providing for severability; and establishing an immediate effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

Matt McFarland, Supervising Civil Attorney
City Attorney's Office

EXECUTIVE SUMMARY**ACTION**

City Council public hearing on Ordinance No. 6926, which imposed a one-year moratorium on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue. The council adopted the Moratorium Ordinance on June 9 and, on the same date, provided direction to study and evaluate updates to city code, local zoning, and associated land use controls to address, regulate, and mitigate potential impacts associated with detention center use in the City of Bellevue.

RECOMMENDATION

Hold the public hearing on Ordinance No. 6926.

ANALYSIS

On June 9, the council adopted Ordinance No. 6926 and provided direction to study and evaluate updates to city code, local zoning, and associated land use controls to address, regulate, and mitigate potential impacts associated with detention center use in the City of Bellevue.

Tonight's meeting includes the required public hearing on Ordinance No. 6926, which the council must hold for the moratorium to remain effective for a one-year time period. Because the notice, public outreach, and public hearing that would otherwise be required prior to adoption of a Land Use Code Amendment (LUCA) were not required prior to adoption of the ordinance on June 9, this public hearing provides a forum for the city to receive additional public input on the detention center moratorium adopted on June 9.

Moratorium

The Growth Management Act (GMA), at RCW 36.70C.390, and RCW 35A.63.220 allows the city to establish and adopt moratoria when a public hearing is held on the moratoria within 60 days of adoption. In addition, the GMA and associated state law provisions authorize code cities to keep a moratorium, once adopted, in effect for a period of up to six months or, potentially, up to one-year if a legislative work plan is developed for related studies providing for a longer time period.

Under RCW 36.70A.200(1)(b), detention centers are facilities that are operated by a private entity in which

persons are detained in custody under process of law pending the outcome of legal proceedings. These facilities are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense; and detention centers do not include facilities detaining persons under RCW 71.09.020(7) or (16), chapter 10.77 RCW, or chapter 71.05 RCW. Similarly, “detention centers” or “detention facilities” may also include public or private facilities for the detention, transportation, or food services for persons detained by state or federal law enforcement. These facilities may include, but are not limited to, holding facilities, processing centers, and staging areas for the transportation of detained persons.

Detention centers are becoming more common nationally, including in the Puget Sound region. In response, several jurisdictions in King and Pierce counties have adopted temporary moratoria to allow time to evaluate and establish zoning and development regulations for detention center uses. The ordinance adopted by the council is consistent with GMA guidance regarding detention center uses and facilities, with additional regulatory guidance specific to ongoing Bellevue operations and land uses within the city.

Bellevue's Land Use Code (Title 20 of the Bellevue City Code) does not specifically define or regulate detention centers, which creates uncertainty regarding permitting and applicable development standards. On June 9, the council determined that a temporary moratorium was appropriate while the city evaluates whether updates to the Land Use Code and related regulations are necessary. As a result of these findings and the associated legislative work plan discussed below, the council adopted Ordinance No. 6926.

The legislative work plan initiated by the council and identified in Ordinance No. 6926 fits within the city's existing code and policy work program. During the moratorium, the Development Services Department, in coordination with other city departments, will identify potential gaps in the city's zoning, development regulations, and permitting processes related to detention center uses. The Department will evaluate potential amendments to the Land Use Code and associated regulations and determine whether those amendments should become part of existing or future council-initiated legislative work programs. Before the moratorium expires, the Department will prepare findings and recommendations for council consideration.

The emergency moratorium took effect immediately upon adoption. State law requires the council to hold a public hearing within 60 days of adoption in order for the moratorium to remain in effect. Under the GMA, the moratorium may remain in effect for one year and may be extended in six-month increments following a public hearing and adoption of findings. The council may also terminate the moratorium before its expiration through subsequent legislative action.

POLICY & FISCAL IMPACTS

Policy Impact

The ordinance is necessary to prevent potential harm to public health, safety, welfare, and peace. Further, the moratorium is necessary while the city studies and evaluates updates to city code, zoning, and associated land use control ordinances to address and mitigate potentially significant impacts associated with detention center uses. Development Services does not anticipate that the proposed work plan and schedule will have a significant impact on the city's initiated, or anticipated, code and policy legislative work program.

Fiscal Impact

It is not anticipated that the moratorium or the public hearing on the ordinance will have a negative fiscal impact. The moratorium and work plan could mitigate potential fiscal impacts associated with unregulated, or insufficiently regulated, detention center use within the city.

OPTIONS

1. Hold the public hearing on Ordinance No. 6926.
2. Do not hold the public hearing on Ordinance No. 6926 and, instead, provide alternative direction to staff.

ATTACHMENTS

A. Ordinance No. 6926

AVAILABLE IN COUNCIL LIBRARY

N/A

Attachment A

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6926

AN ORDINANCE imposing one-year moratorium on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue; establishing a work plan; declaring an emergency; providing for severability; and establishing an immediate effective date.

WHEREAS, the Growth Management Act, at RCW 36.70A.390 (GMA), and RCW 35A.63.220 allow the City to establish and adopt moratoria when a public hearing is held on the moratoria within sixty (60) days of adoption; and

WHEREAS, the GMA and RCW 35A.63.220 authorize code cities to adopt moratoria for a period of up to six (6) months or, potentially, up to one-year if a legislative work plan is developed for related studies providing for a longer time period; and

WHEREAS, under the GMA and RCW 35A.63.220, moratoria may be renewed for one or more 6-month periods if the City Council holds additional public hearings and makes findings of fact supporting each renewal; and

WHEREAS, the establishment, expansion, and development of detention centers have been proliferating around the country, including but not limited to the Puget Sound region in Washington State; and

WHEREAS, consistent with RCW 36.70A.200(1)(b), detention centers are facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense, and exclude facilities detaining persons under RCW 71.09.020(7) or (16), chapter 10.77 RCW, or chapter 71.05 RCW; and

WHEREAS, detention centers or detention facilities may also include public or private facilities used for the detention, transportation, or food services for persons detained by state or federal law enforcement including, but not limited to, holding facilities, processing centers, and staging areas for the transportation of detained persons; and

WHEREAS, multiple jurisdictions within King County and Pierce County have recently adopted moratoria on detention centers and detention facilities in order to provide the local jurisdictions sufficient time to effectively study and develop appropriate permanent zoning and development regulations governing such uses; and

WHEREAS, the City's current zoning and Land Use Code, Title 20 of the Bellevue City Code, do not specifically define or address detention centers as a unique use, with specific and potentially significant impacts, thereby creating uncertainty regarding the permitting and appropriate mitigation for the detention center use; and

WHEREAS, as a result of gaps in current City zoning and associated land use controls, the establishment, expansion, or development of detention centers within the City could result in impacts to surrounding land uses, transportation, and the environment, as well as the health, safety, and welfare of City of Bellevue residents; and

WHEREAS, the City Council has determined that a moratorium is necessary while the City studies and evaluates updates to City Code, local zoning, and associated land use controls to provide specific development regulations, zoning, and permit processes to address and mitigate potential impacts associated with detention center use in the City of Bellevue; and

WHEREAS, pursuant to RCW 35A.12.130, the City Council finds that an emergency exists and that it is necessary to impose a moratorium on the establishment, expansion, or development of detention centers in the City to allow sufficient time study and evaluate local zoning and land use regulation of detention center use and to prevent potential harm to the public health, safety, welfare, and peace; and

WHEREAS, this emergency moratorium is a reasonable exercise of the City's police power and land use authority to protect and support public and environmental health, safety, and welfare, as well as an authorized exercise of the City's local planning, zoning, and land use authority under the GMA; and

WHEREAS, pursuant to the GMA and RCW 35A.63.220, the City Council hereby establishes and approves the work plan identified in this Ordinance in support of this moratorium on detention center use within the City of Bellevue; and

WHEREAS, this moratorium will, for the initial one-year time period when the moratorium is in effect, provide the City with additional time to review, study, and potentially revise City Code, local zoning, and associated land use controls to address and mitigate potential impacts associated with detention center use in the City of Bellevue; and

WHEREAS, the City Council considered this emergency moratorium at its regularly-scheduled meeting on June 9, 2026; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this emergency moratorium; now, therefore

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

Section 1. Moratorium Established. An emergency one-year moratorium is hereby imposed on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue. The moratorium applies to all detention center uses, whether as a project or component or accessory use associated with a project, and applies to any and all permit applications that may be submitted to the City of Bellevue in connection with a detention center use. The moratorium applies across all zones and Land Use Districts within the City.

Section 2. Scope. Consistent with RCW 36.70A.200(1)(b), this moratorium is imposed on detention centers and detention facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. This moratorium does not include facilities detaining persons under RCW 71.09.020(7) or (16), chapter 10.77 RCW, or chapter 71.05 RCW.

Further, this moratorium is imposed on state, federal, and privately-operated detention centers, including holding facilities, processing centers, and staging areas for the transportation of detained persons. The moratorium does not include facilities that provide youth protection or services, including but not limited to under RCW 43.185C.260, or crisis recovery centers, substance abuse treatment centers, or facilities that provide mental health care as a primary service. This moratorium does not apply to existing lawfully established uses or to any complete land use or permit application that vested under the City's zoning and land use control ordinances prior to the effective date of this Ordinance.

Section 3. Work Plan. Consistent with the GMA, at RCW 36.70A.390, and RCW 35A.63.220, the City Council hereby establishes and approves the following work plan for the City to study and evaluate updates to City Code, local zoning, and associated land use controls. This work plan will consider specific development regulations, zoning, and permit processes to address and mitigate potential impacts associated with detention center use in the City of Bellevue:

- A. The Development Services Department, in coordination with other appropriate City Departments, will identify the gaps in current zoning and Land Use Districts, development regulations, and permitting processes that should be addressed in order to ensure that City zoning and regulation of detention center uses protects land use, transportation, public safety, environmental and public health, and the safety and welfare of City of Bellevue residents.
- B. The Development Services Department will evaluate potential amendments to City Code, zoning, and associated land use controls that are necessary to regulate detention center use within the City of Bellevue. The Department will consider whether potential amendments may be incorporated into legislative work programs that have been, or will be, initiated by the City Council prior to expiration of the moratorium.
- C. Prior to expiration of the moratorium, the Development Services Department will prepare findings and recommendations for the City Council to consider, based on the Department's study and evaluation of current and potential regulation of detention center use within the City. These findings and recommendations may be incorporated into initiated City work programs or provided separately in connection with future Council consideration of this moratorium.

Section 4. Public Hearing. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the City Council shall hold a public hearing on this moratorium within 60 days of its adoption to take public testimony and consider adoption of further findings.

Section 5. Duration of Moratorium. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, this moratorium will remain in effect for a period of one-year and, thereafter, may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal. In the alternative, the City Council may terminate this moratorium prior to expiration of the initial one-year time period that this moratorium remains in effect through subsequent legislative action.

Section 6. 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 7. Findings of Fact. The findings contained in this Ordinance are hereby adopted as Findings of Fact to justify adoption of this moratorium.

Section 8. Effective Date. Based on the findings of fact contained in this Ordinance, the City Council finds and declares that this is an emergency moratorium Ordinance, which shall take effect immediately and is necessary to prevent potential harm to the public health, safety, welfare, and peace; and

Passed by the City Council this 9th day of JUNE, 2026 and signed in authentication of its passage this 9th day of JUNE, 2026.

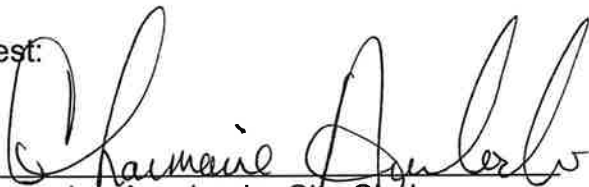
(SEAL)




Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney


Matthew McFarland, Supervising Civil Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: 6/11/26

CITY COUNCIL AGENDA TOPIC**Development Services Activity and Continuous Improvement Update**

Jake Hesselgesser, Acting Director

Toni Pratt, Assistant Director

Gregg Schrader, Assistant Director

Nick Whipple, Assistant Director

Teri Jones, Acting Assistant Director

Development Services Department

Dave Baisch, Assistant Director

Utilities Department

Vanessa Humphreys, Assistant Director

Transportation Department

Travis Ripley, Fire Marshal

Fire Department

EXECUTIVE SUMMARY**INFORMATION
ONLY**

Bi-annual development activity update including information on projects in the construction and application review pipeline. Staff will also share information on key process improvements aimed at creating a more consistent, understandable and predictable permitting process.

RECOMMENDATION

N/A

BACKGROUND/ANALYSIS**Development Activity Update**

Development interest in Bellevue has remained strong with several major commercial and multi-family residential projects in the development review pipeline. Economic factors over the past few years such as lower demand for office space, high-interest rates, and high construction costs contributed to fewer major projects starting construction. However, in the first half of 2026 several major projects have started construction, and several more have received permit approval to start construction. These projects combined with an influx of large commercial tenant improvement projects to build out office space in downtown Bellevue have resulted in an increase in the level of investment moving from the review pipeline to the construction phase.

In addition to new construction starts, new development interest in Bellevue remains high. In the first half of 2026, Development Services received over 8,200 permit applications and issued over 7,800 permits, representing continued high volumes in both categories. The pace of permit applications is being driven by investments in new single-family housing, residential reinvestment projects, and new applications stemming from affordable housing incentives, middle housing, and the updated zoning and

development regulations adopted as part of the Wilburton Vision Implementation Land Use Code Amendment (LUCA). Looking ahead, the volume of development applications is forecasted to remain high over the next year. Development Services will continue to monitor permit and pre-development activity and continue to align resources with expected levels of service delivery.

Permit Timelines

The Washington State Growth Management Act (GMA) directs jurisdictions like the City of Bellevue to adopt internally consistent comprehensive land use plans and to implement those plans through locally adopted development regulations. The GMA further outlines goals to guide the development of regulations in jurisdictions fully planning under the GMA. One of the key goals established in RCW 36.70A.020 establishes that permit applications should be processed in a timely and fair manner to ensure predictability. To help local government agencies meet this goal in 1995 the Washington State Legislature enacted RCW 36.70B, known as the Local Project Review Act. The legislation includes requirements for reviewing project permits, providing public notice, determining application completeness and other provisions related to issuing decisions on project permits.

During the 2023 legislative session, the Washington State Legislature passed Senate Bill 5290, updating portions of the Local Project Review Act with the intent of streamlining permitting, with a special emphasis on housing development. The legislation established new permit review time periods for project permits based on public involvement. The new time periods included:

- 1. 65 days for permits that do not require public notice;
- 2. 100 days for permits that require public notice, but not a public hearing; and
- 3. 170 days for permits that require public notice and a public hearing.

On November 26, 2024, the City Council adopted a permit streamlining LUCA which included procedural amendments and codified permit timelines. Since adoption of the LUCA and the associated permit streamlining measures, Development Services has been focused on implementing the new procedures, along with conducting process improvements resulting in improvements to permit processing timelines.

In addition to the statutory permit processing timelines, Development Services maintains and monitors key performance metrics including the time it takes to conduct a first review decision. The established first review decision targets are based on the type of permit, project complexity and the level of effort to conduct the review. The department’s goal is to meet the established first review decision targets at least 80% of the time. Between 2025 and 2026, performance against this key metric improved from 72% to 82% of the decisions meeting established targets. The categories of the established targets were also benchmarked against other jurisdictions in the region and include the following:

Permit Complexity	First Review Decision Target	Permit Type Example
High	8 weeks	Major Project High Rise
Medium-High	4-6 weeks	Critical Areas
Medium	3 weeks	Single-Family
Medium-Low	2 weeks	Tenant Improvement
Low	1 week	Utilities Connection

Continuous Improvement

With the completion of an updated strategic plan in 2025, the Development Services Department has embraced a new vision grounded in collaboration, innovation and service, along with a renewed mission that upholds an important commitment to the Bellevue community. *Building the Best Bellevue, Together*, is the vision that guides the work of the Department while the mission upholds a commitment to protecting the quality, safety and integrity of the built and natural environment. Partnership is a major tenet of this new strategic direction where Development Services partners to enhance an equitable, inclusive and livable city for everyone.

To bring this vision and mission to life, the Department strategic plan was based on a balanced approach that includes a framework aligning daily work with broader goals. The plan also includes an important adaptive approach where the Department will be measuring performance and adjusting future priorities to ensure consistent high-quality outcomes are being delivered across four key focus areas.

In early 2026, Development Services organized a series of initiatives aligned with strategic priorities which include permit streamlining and delivering a more understandable and predictable process to the community. These improvement efforts were shaped by feedback received through the Department’s strategic planning effort, customer experience program and the Bellevue Development Committee. Tonight, staff will share details on current and future initiatives from the 2026-2027 Development Services continuous improvement work program which is described in more detail in Attachment A.

POLICY & FISCAL IMPACTS

Policy Impact

N/A

Fiscal Impact

N/A

OPTIONS

N/A

ATTACHMENTS

A. Development Services Workplan Progress Update

AVAILABLE IN COUNCIL LIBRARY

N/A



Attachment A

2026-2027 DS Workplan

Progress Update

July 15, 2026

Summary

The following is a status update of the Development Services (DS) continuous improvement workplan for 2026-2027. The workplan was shaped by feedback received through the department's strategic planning effort, customer experience program and the Bellevue Development Committee. *Building the Best Bellevue, Together*, is the vision that guides the work of the department while the mission upholds a commitment to protecting the quality, safety and integrity of the built and natural environment. The workplan uses a balanced framework focused on customer and community perspectives, process and system improvements, financial stability, and employee learning and growth.

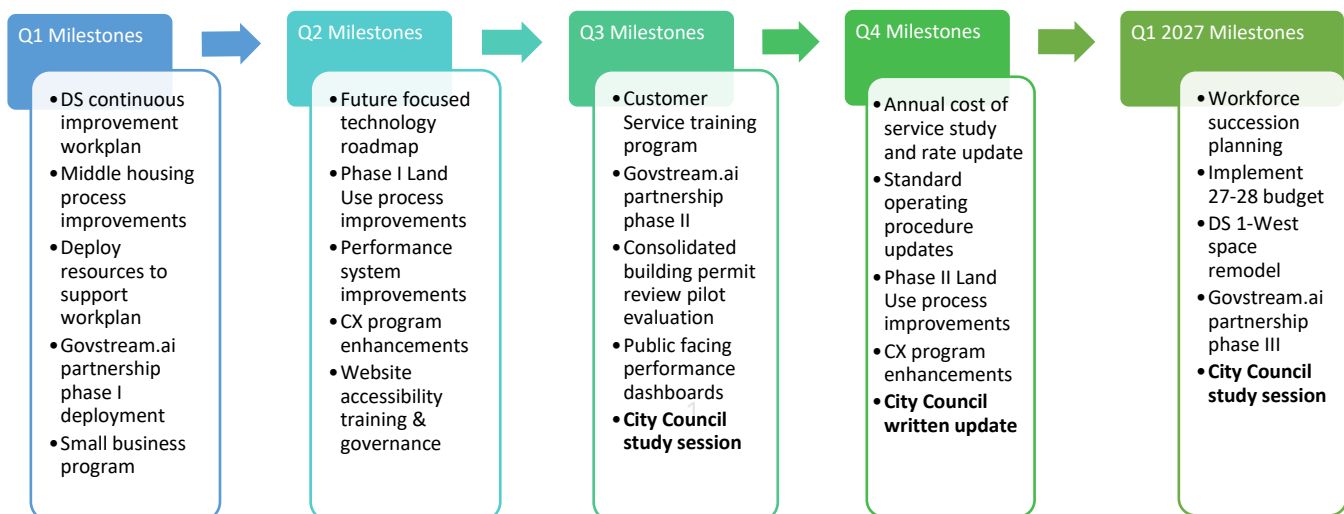
In the first half of 2026 the department has delivered the following accomplishments:

- Continuous improvement workplan established
- Middle housing permit process improvements implemented
- Deployed two AI assistants to 100+ staff members as part of Govstream.ai partnership
- Permit timelines meeting first review targets improved from 72% in 2025 to 82% in 2026
- Small business consulting services established
- Future focused technology roadmap assessment completed

Proceeding forward into the second half of 2026 and early 2027 some key changes include:

- Land Use entitlement process improvements to reduce application timelines
- Workforce investments that improve customer service, consistency and predictability
- Implementing innovative human centered AI solutions to streamline permitting
- Increasing transparency and accountability with public facing data and reports
- Enhancing customer listening capabilities that help inform future initiatives

Workplan implementation milestones and Council updates are sequenced as shown below:



2026-2027 DS Continuous Improvement Workplan

The 2026-2027 DS continuous improvement workplan is outlined as follows, with several initiatives extending into 2027, and some occurring in 2026. Yellow boxes represent the “Pre-Launch” phase, during which project scoping and planning occurs. Green boxes signify the “Execution” phase, when a project is actively worked on with subject matter experts, external partners, and policymakers when applicable. Blue boxes indicate the “Implementation” phase, when changes are in effect, and outcomes are realized.

Legend	
Pre-Launch	Scoping and planning
Execution	Active work with subject matter experts, external partners, and policy makers when applicable
Implementation	Changes are in effect, and outcomes are realized

DS Workplan 2026-2027	2026				2027			
	Q1 2026	Q2 2026	Q3 2026	Q4 2026	Q1 2027	Q2 2027	Q3 2027	Q4 2027
Customer & Community Perspective								
Middle Housing Process & System Changes								
Small Business Program								
Public Facing Performance Dashboards								
Land Use Process Improvements Phase I								
Land Use Process Improvements Phase II								
Pre-approved Plans DADU's and Cottages								
Customer Experience Program Enhancements								
Internal Process & Systems Perspective								
Website Accessibility Training & Governance								
Performance Management System Improvement								
Future Focused Technology Roadmap								
Consolidated Review Building Permit Pilot								
Govstream.ai Partnership - Streamline Permitting								
Digitizing Historic Paper Records (FEMA BRIC Grant)								
Financial Perspective								
Annual Cost of Service Study and Fee Update								
27-28 Budget Process								
Employee Learning & Growth Perspective								
Customer Service Training Program								
Standardize Operating Procedures Updates								
Workforce Succession Planning (Skills/Training)								
DS 1-West Space Remodel								

Customer and Community Perspective

The customer and community perspective is a critical component to strategic direction and focuses on understanding customer needs, enhancing satisfaction, and ultimately driving successful outcomes for the community. In addition to better understanding customer needs, initiatives in this perspective area advance permit streamlining, transparency, and a more understandable process.

Middle Housing Process and System Changes

To meet community needs for more diverse housing choices, a new permit type was established for middle housing projects. The new permit seeks to streamline the approval process for projects with three to six dwellings units, such as townhouses, stacked flats and cottage housing on a single parcel. Informed by practical feedback from those who use the city's permit process, this new permit process provides more predictable steps to help projects progress efficiently.

Small Business Program

Small Business Consulting Services are designed to help small businesses *Start Smart in Bellevue*. This new, no cost service provides personalized, one-on-one consulting to help small business owners confidently navigate the city's permitting process, from due diligence support before signing a lease through grand opening celebrations.

Public Facing Performance Dashboards

This project will establish public-facing performance dashboards that report on permit timelines against established targets. Building on changes to the Local Project Review act enacted by SB 5290, this project seeks to create even more transparency and accountability to the public. By providing clear and accessible data, the project aims to build trust and ensures that stakeholders are informed about key metrics and progress the department is making towards achieving results.

Land Use Phase I and Phase II Improvements

Process improvements aimed at creating more consistency and predictability during the entitlement review process have been separated into two phases. Phase I will focus on evaluating best practices from other jurisdictions, developing staff report templates, clarification for key code interpretations, and attention on workload management. In Phase II the workplan focuses on improving the process for decision making, increasing code interpretation transparency, and clarity around submittal requirements.

Pre-Approved DADUs and Cottage Housing Program

This initiative will provide pre-approved plan options for Detached Accessory Dwelling Units (DADUs) and Cottage Housing with the intent of streamlining the process to build DADUs or cottage housing. The timing of this effort will align with the next building code update cycle, which is set to go into effect in May 2027.

Customer Experience Program Enhancements

This initiative seeks to build upon the existing DS customer experience program by expanding listening capabilities and reporting on results from the program to the public. Feedback is a central part of understanding the needs of customers and where improvement efforts are needed. By expanding department listening capabilities and reporting program updates to the public, the department seeks to create greater transparency and public trust.

Process and Systems Perspective

The process and systems perspective focuses on ensuring that the core processes, systems and technology within DS are high-functioning, efficient, and well-coordinated so the department can successfully meet the needs of customers, the community, and staff.

Digital Accessibility Training and Governance

This citywide initiative aims to provide staff who create content for digital use with the training and resources they need to meet digital accessibility requirements. In addition, the department intends to use this opportunity to establish a better governance structure for maintaining and updating information hosted on the city website. This will help ensure content is current, relevant, accessible and easy to use.

Performance Management System Improvement

This initiative puts in place a more structured performance management system creating clear expectations, consistent accountability, and data-driven decision making. The project establishes a unified framework for roles, metrics, and regular business reviews where data informs necessary service delivery adjustments and actions that drive results. The initiative also aligns with a citywide effort to establish regular business reviews across all departments.

Future Focused Technology Roadmap

The department's strategic planning effort uncovered the need to conduct a thorough assessment of current technology systems and develop a long-term plan to modernize systems and optimize business processes. With the help of an outside consultant, this initiative seeks to provide a clear path towards modernizing permitting technology, reducing friction for staff and customers, and aligning future investments with organizational priorities and regional alliances.

Consolidated Review Building Permit Pilot

This pilot permit review project began in September 2025 and will conclude in the summer of 2026. The project establishes a new streamlined review process for single family building permit applications aimed at replacing independent parallel reviews with a consolidated review process.

The project seeks to improve coordination across all departments and ultimately reduce the number of revision cycles, cutting down on overall application time. The evaluation phase of the project will help determine lessons learned and next steps.

Govstream.ai Partnership – Streamline Permitting

Bellevue’s partnership with Govstream.ai is a public-private design collaboration focused on streamlining the city’s permitting process through responsible, human-centered AI. Together, the City of Bellevue and Govstream.ai aim to cut application resubmissions, improve customer experience, and support broader housing and economic development goals by applying AI where it removes the most friction. This includes applying AI solutions during feasibility, application and permit review stages of the development process, allowing issues to be surfaced earlier, reducing rework and ultimately decreasing the overall time it takes to obtain a permit.

Digital Historic Paper Records (FEMA BRIC Grant)

In early 2025 the city accepted a grant through the FEMA Building Resilient Infrastructure and Communities (BRIC) program to digitize historic paper permit records. The project includes digitizing approximately 85% of the city’s existing building permit paper records to improve code administration and mitigate hazards associated with long-term storage of large format plan sets. The project also makes the records easier to access, cutting down on administrative time and costs associated with storage and public records requests.

Financial Perspective

The Financial Perspective focuses on ensuring Development Services has the resources, resilience, and sustainable funding strategies necessary to deliver high-quality services through economic and development cycles.

Annual Cost of Service Study and Fee Update

Development Services is a line of city business that must adjust to development cycles and operate within a revenue stream primarily generated by permit fees. Each year a cost-of-service study is initiated using tools that assess service levels, financial performance, and forecast changes in development activity. The analysis and resulting fee adjustments are essential to sustaining service levels, maintaining revenues to support operations, and ensuring competitive fees in our region.

2027-2028 Budget Process

During the biennium budget process DS prioritizes investments that enable quick response to changes in workload, performance or revenues generated from permit fees as Bellevue travels through development cycles. In addition, investments in ongoing process improvements and future continuous improvement work across the department will continue to be a focus.

Employee Learning and Growth Perspective

The Employee Learning & Growth perspective focuses on building the competencies and culture needed for staff to succeed, emphasizing continuous learning, shared leadership, and a strong sense of belonging. This perspective area aims to foster an inclusive leadership culture and improve staff retention by supporting employee development and clear career growth pathways.

Customer Service Training Program

In coordination with an outside consultant the department will develop a continuous and ongoing customer service program. The program will be designed to incorporate the city's core value of exceptional public service by equipping staff with the skills and competencies to facilitate timely and appropriate development in a complex regulatory environment. This initiative will also put in place ongoing staff training and a development plan for onboarding new hires in the future.

Standard Operating Procedure Updates

This initiative aligns operational practices across permit review teams, establishes clear escalation and decision-making pathways, and strengthens transparency for both staff and customers. The updates will address how comments are issued, tracked, and resolved; clarifies expectations for code interpretation; creates structured protocols for staff transitions and major project communication; and will reinforce a facilitative service delivery approach. These updates will ensure applicants experience a more reliable, timely, and coordinated review process.

Workforce Succession Planning

The workforce succession planning efforts focus on building a future ready organization by strengthening employee learning and growth opportunities. This initiative introduces structured learning pathways that help employees gain the skills, knowledge, and experience needed to advance into future roles. These learning pathways are designed to support long-term operational stability, and create clear, supportive development routes that empower staff to grow their careers while contributing to a more resilient and adaptable workforce.

DS 1-West Space Remodel

The DS 1-West space remodel project will modernize and reconfigure the first-floor workspace to better support Development Services' long-term operational needs. The remodel's overarching goal is to create a future ready environment that enhances employee experience, supports cross department collaboration, and optimizes the available workspace for DS staff.

CITY COUNCIL AGENDA TOPIC

Great Neighborhoods Program – Initiation of Lake Hills and West Lake Sammamish Neighborhood Area Plans

Emil A. King AICP, Director
Thara Johnson, Planning Director
Kate Nesse, Comprehensive Planning Manager
Zack Luckin, Senior Planner
Teun Deuling, Senior Planner
Community Development Department

EXECUTIVE SUMMARY**DIRECTION**

Provide direction to initiate Comprehensive Plan Amendments to update the Lake Hills and West Lake Sammamish neighborhood area plans in 2027 as part of the city's Great Neighborhoods program, consistent with Bellevue Land Use Section 20.30I.130.B.3.

RECOMMENDATION

Direct staff to initiate Comprehensive Plan Amendments to update the Lake Hills and West Lake Sammamish neighborhood area plans as part of the 2027 Comprehensive Plan annual amendments, confirm the recommendation to update plans in Woodridge and West Bellevue in 2027/2028, and provide direction for neighborhood area plan updates for Bridle Trails in 2028/2029.

BACKGROUND/ANALYSIS**Background**

Bellevue is a community of diverse and vibrant neighborhoods. Bellevue has 16 neighborhood areas that cover the full extent of the city. Each neighborhood area contains several distinct sub-neighborhoods within it. Strong community connections directly raise the quality of life and strengthen neighborhoods. The City Council affirmed this with the city's initiation of the Great Neighborhoods program in 2018. The objectives of the program are:

1. To develop neighborhood area plans that reflect current citywide and neighborhood priorities and address issues and opportunities that are relevant to the local community.
2. To conduct a planning process that is based on a collaborative partnership between the city and neighborhoods; to expand community capacity for neighborhood leadership that will carry forward beyond this planning process.

The first round of council-initiated neighborhood area plan updates began in August 2018 and included Northeast Bellevue and Northwest Bellevue. The Great Neighborhoods program paused during the large-scale Comprehensive Plan Periodic Update from 2021-2024. The program resumed in September 2024 with the Crossroads and Newport neighborhood area plans. Council will receive Planning Commission recommendations for proposed updates to the Eastgate and Factoria neighborhood area plans this fall.

Lessons Learned

Staff is committed to continuous process improvement across each iteration of the Great Neighborhoods program, refining our workplan and engagement approach year to year. At the direction of council, the team expanded outreach to youth, the business community and affordable housing and service providers during the planning process for Eastgate and Factoria. These engagement activities yielded valuable insights that directly informed plan policies, helped ensure the work was truly representative of the diverse perspectives and needs in these neighborhoods, and cultivated lasting relationships with community partners that can be leveraged for other city initiatives. The team also worked with the Eastgate Community Association to pilot a community-led urban design activity that was well-received and can serve as a replicable model for future iterations.

Neighborhood Area Plans and the Comprehensive Plan Periodic Update

Council adopted the Comprehensive Plan Periodic Update on October 22, 2024. Bellevue's Comprehensive Plan is organized into two volumes. The citywide policies in Volume 1 are divided into different elements such as land use, housing, transportation, capital facilities and parks. Volume 2 contains goals and policies for each of the 16 neighborhood areas. The Comprehensive Plan Periodic Update amended Volume 1 and the Land Use Map of the existing Comprehensive Plan and included limited amendments to the neighborhood area (subarea) plans in Volume 2 to align with state law and citywide policies in Volume 1.

The Great Neighborhoods program is meant to comprehensively update neighborhood area plans through equitable engagement and by defining specific values and policies to supplement or implement citywide policies contained within Volume 1. The Comprehensive Plan Periodic Update's Neighborhoods element (NH) and Land Use (LU) element provide policies that guide updates to neighborhood area (subarea) plans.

Policy NH-17.	Use the neighborhood area planning process to implement citywide policies adopted within the comprehensive plan.
Policy NH-18.	Periodically update neighborhood area plans consistent with the planning boundaries shown in Map NH-1. For any given site, the 2014 subarea plan policies remain in effect until and unless they have been superseded by new planning area boundaries and policies.
Policy NH-19.	Use the neighborhood area planning process to equitably engage local communities to define neighborhood area specific values and policies.
Policy LU-23.	Plan for Countywide Centers as part of the Neighborhood Area Planning process, including an assessment of housing need and tools to provide affordable housing, an assessment of historic and cultural assets, an assessment of the risks for displacement of residents and businesses, and support for local access that promotes active transportation.

See Attachment A for the abovementioned Map NH-1 – Neighborhood Area Boundaries.

Objectives and Scope

The Great Neighborhoods program provides a strategic, community-driven process for developing neighborhood area plans. A neighborhood area plan articulates a vision consistent with the citywide vision, sets priorities and identifies future actions to realize the community's vision at the neighborhood level.

Neighborhood plans occur within the framework of the City's values, vision and adopted policies and regulations. Neighborhood plans will not propose direction that conflicts with citywide policy guidance or expressed priorities, propose direction that will result in a citywide impact or limit the ability of private property owners to exercise reasonable use of their property. For example, a neighborhood plan could not change the citywide growth strategy articulated in Volume 1 of the Comprehensive Plan.

The objective of the program is to adopt plans for each neighborhood area that are relevant to the community's distinctive identity, adaptability, social connectivity and core needs with a high level of community ownership of the plan. The neighborhood area planning process is rooted in extensive community engagement and seeks to equitably engage local communities to define specific neighborhood values and priorities that can be reflected through policies. Particular attention is given to historically underserved communities and identifying any missing voices and perspectives to have representative engagement.

The scope centers around strengthening a neighborhood area's unique identity and community gathering places as Bellevue prepares and plans for its well-managed future growth including:

- Comprehensive Subarea Plan Update: Conduct a full update of the existing subarea plans and policies to be consistent with the neighborhood area boundaries for Lake Hills and West Lake Sammamish and implement citywide policies adopted within the Comprehensive Plan.
- Land Use: Set direction of a neighborhood area's future growth through updates to the Future Land Use Map. The City may initiate map amendments based on changed conditions in these neighborhood areas. Property owners may initiate site-specific map changes that would be considered as part of this process if those sites could function as third places and meet established criteria. See Attachment B for additional details on the process and criteria for site-specific map amendments.
- Urban Design: Establish design strategies to improve the design and function of public spaces throughout the neighborhood based on what the community identifies as opportunities and challenges for accessing these spaces today. Concept maps are included in the neighborhood area plan to help visualize policy direction for existing and potential new public spaces.

Subsections of the plan include:

- Neighborhood Identity: Develop policies to identify and strengthen a neighborhood's unique elements in the built and natural environment, e.g., thresholds, cultural assets, natural features, as it continues to evolve and grow.
- Mixed Use Centers and Neighborhood Centers: Develop policies that strengthen Mixed Use Centers and Neighborhood Centers as places that provide goods, services, cultural amenities, and housing opportunities for the community. Lake Hills includes small portions of the

Crossroads and Eastgate Mixed Use Centers, which are Candidate Countywide Centers. As directed by King County Countywide Planning Policies (CPPs), plans covering a Countywide Center must meet transit-supportive densities for jobs and residents, as well as support tools to provide affordable housing, assess historic and cultural assets, address risk for displacement of residents and businesses, and support transit access and active transportation.

- Community Gathering Spaces: Develop policies around strengthening and creating spaces that serve as the heart of the neighborhood for community events and social interactions. Policies can support how the City works internally and with community partners to develop, enhance, and better connect people to these spaces.
- Mobility and Access: Develop policies around improved access to mobility options, convenient connections throughout the neighborhood and beyond, and improvements that can inform future capital improvements around streets, sidewalks, bicycle facilities, and trails. Planning in Lake Hills will recognize the existing King County Metro RapidRide B Line and anticipate future high-capacity transit in preparation for the planning and designing of Metro's RapidRide K Line between Kirkland and Bellevue. While planning directly related to bus service and station area planning is not immediately within the scope and timing of neighborhood area plan updates, the planning process can support policy direction toward collaboration with King County Metro and anticipation of future station area planning.
- Environment: Develop policies around improving the aesthetic and functional qualities of natural features within the neighborhood, such as streams, wetlands, and other natural areas, to support community resilience, human connection to nature, and habitat health.

All neighborhood area plans will follow a consistent organizational structure similar to recent neighborhood area plan updates. A uniform structure for neighborhood area plans will make it easier for readers to use the document and reinforce awareness that each plan is part of the larger Comprehensive Plan. Neighborhood area plans will include a vision centered around a neighborhood's core values, background and community context, concept maps that visualize urban design strategies for improving public spaces, and goals and policies that are unique to that neighborhood area.

Work Program

The work program is organized into four phases of activity, following project initiation and relationship building, as outlined below and depicted graphically in Attachment C. This process follows the same format as updates to neighborhood area plans in 2025 and 2026. It will allow participants to share information about what is unique and distinctive in their neighborhood area, identify priorities and consider strategic options in a logical and transparent manner.

Discover: Engage with the community to understand issues, identify values and priorities, and learn about qualities that make the neighborhood unique. *Timeline: August – December 2026*

Define: Develop and affirm the neighborhood vision, design principles, and key priorities that are building blocks for the draft plan. *Timeline: January – April 2027*

Refine: Review draft plans with the community, boards, and commissions, incorporate feedback, and address any missing elements. *Timeline: May 2027 – August 2027*

Adopt: The final draft plans, including any environmental analysis as required per SEPA (State Environmental Policy Act), are reviewed and recommended by the Planning Commission and then reviewed and adopted by council as an element of the city's Comprehensive Plan. *Timeline: September – December 2027*

The Great Neighborhoods program entails the preparation of two neighborhood area plans per cycle, targeting the end of the next calendar year for council review and adoption to align with the annual Comprehensive Plan amendment process. The planning process is designed to take just over one year to complete and, therefore, two iterations will overlap during the fall. Relevant boards and commissions will be engaged around specific policy areas where they have expertise. Their recommendations will be incorporated into the overall neighborhood area plans for the Planning Commission. The Planning Commission is the body that will have the most involvement in the neighborhood area planning process. The Planning Commission will provide a recommendation for council consideration on the neighborhood area plans for Lake Hills and West Lake Sammamish in fall 2027.

Upcoming Plans

At the initiation of the Eastgate and Factoria neighborhood area plan updates on August 4, 2025, council directed that the city proceed with the Woodridge and West Bellevue neighborhood area plans in 2027/2028. For the 2028/2029 iteration of the Great Neighborhoods program, staff recommend the city proceed with the Bridle Trails neighborhood area plan. The sequence of the remaining neighborhood areas will continue to be assessed as other planning considerations emerge out of other citywide initiatives and statewide legislation.

To determine the sequence of preparing future neighborhood areas plans, neighborhood areas were evaluated based on planning impetuses such as the Countywide Center and Regional Growth Center designation process, development of Neighborhood Centers, equity needs, and other ongoing and planned city initiatives. Due to new state planning requirements and anticipated departmental work program demands, staff, community, and organizational capacity will be limited. As a result, staff recommend updating only one neighborhood plan during the 2028/2029 planning cycle.

Community Engagement Strategy

The goal of the community engagement plan is to manage equitable and informed dialogue about the community's vision at the neighborhood level. As shown in the table below, the phases follow the overall schedule and include relationship building efforts prior to launching the neighborhood area planning process in Lake Hills and West Lake Sammamish. A detailed community engagement plan summary is included as Attachment D.

Time	Phase	Focus	Engagement Goals	Engagement Tools & Activities
May – July 2026	0	Relationship Building	▪ Connect with key individuals, community partners, and neighborhood groups. ▪ Gain a broad understanding of neighborhood concerns and opportunities. ▪ Establish opportunities for collaboration on communication and events. ▪ Build list of contacts who want to engage once the project launches.	▪ One-on-one meetings ▪ Tabling at community events
Aug – Dec 2026	1	Discover	▪ Build awareness of Neighborhood Area Planning process, including plan development and privately initiated land use map changes. ▪ Build list of people and organizations who wish to participate in process. ▪ Engage with boards & commissions for their expertise on neighborhood issues to inform engagement opportunities. ▪ Set expectations and clarify timeline for community members. ▪ Evaluate public space opportunities and challenges through a public space assessment. ▪ Understand the community's core values to guide the neighborhood plan. ▪ Identify community features and assets that define neighborhood identity.	▪ Mailed and online questionnaire ▪ Kick-off event ▪ Presentations to neighborhood groups ▪ Presentations to boards & commissions ▪ Tabling at community events ▪ Public Space Assessment
Jan – Apr 2027	2	Define	▪ Share initial draft of neighborhood vision for review. ▪ Share key policy priorities for review. ▪ Work with community to identify urban design principles and opportunities for enhancing public spaces.	▪ Informational session ▪ Public space workshops ▪ Community partner events
May – Aug 2027	3	Refine	▪ Share full draft plan for community review. ▪ Ensure community members know how their input shaped the draft plan. ▪ Incorporate additional community prior to review by the Planning Commission.	▪ Informational open house ▪ Presentations to boards & commissions ▪ Planning Commission Study Sessions
Sep – Dec 2027	4	Adopt	▪ Ensure community members understand the legislative process and know how to share comments with the Planning Commission and City Council.	▪ Review and recommendation by Planning Commission ▪ Review and adoption by City Council

POLICY & FISCAL IMPACTS

Policy Impact

This planning initiative will result in Comprehensive Plan Amendments for the Lake Hills and West Lake Sammamish neighborhood area plans, setting goals and policies to realize the community's vision at the neighborhood level.

Fiscal Impact

Fiscal impacts of the neighborhood area plan updates are unknown at this time. The Comprehensive Plan and associated neighborhood area plans are the city's guiding policy documents, with functional plans developed or updated as future steps which could lead to new housing and economic development opportunities with related capital investments in parks, open space and transportation facilities, and increases in public services. Any funding requests that result from the plan updates will be brought to council at a later date, either via the budget process or other action if needed.

OPTIONS

1. Direct staff to initiate work on the Comprehensive Plan Amendments to update the Lake Hills and West Lake Sammamish neighborhood area plans in 2026/2027 and provide direction on the recommendation for Bridle Trails neighborhood area planning to occur in 2028/2029, consistent with Bellevue Land Use Code Section 20.30I.130.B.3.
2. Do not direct staff to initiate work on the Comprehensive Plan Amendments to update the Lake Hills and West Lake Sammamish neighborhood area plans in 2026/2027 and provide an alternative recommendation to staff.

ATTACHMENTS

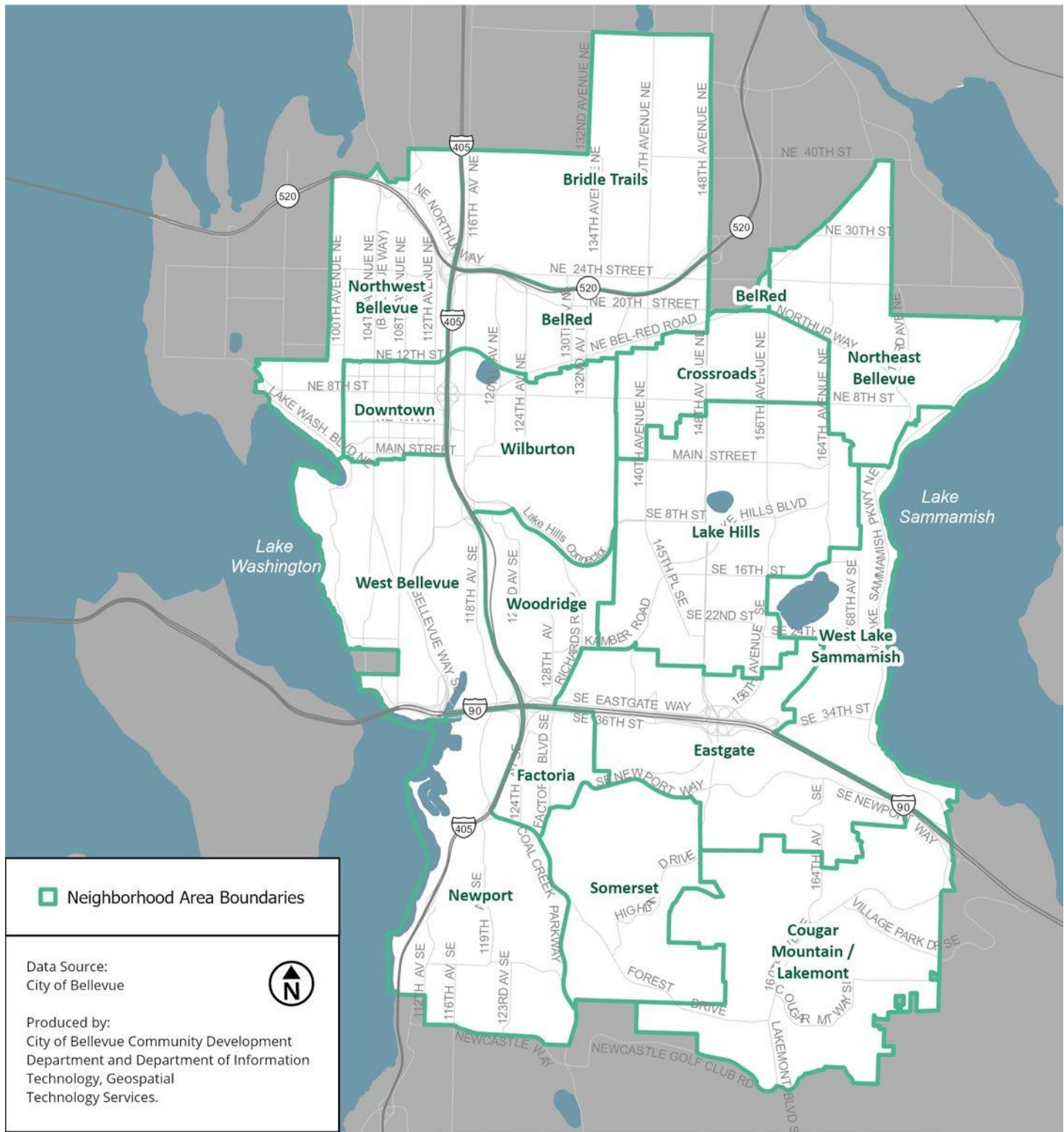
- A. Neighborhood Area Boundaries
- B. Process Outline and Criteria for Future Land Use Map Changes
- C. Project Timeline
- D. Community Engagement Plan Summary

AVAILABLE IN COUNCIL LIBRARY

N/A

Map NH-1. Neighborhood Area Boundaries

Neighborhood Areas are used for planning and project administration. The Subarea Plan boundaries are updated to align with these boundaries as the plans are updated.



GREAT NEIGHBORHOODS

PROCESS OUTLINE AND CRITERIA FOR COMPREHENSIVE PLAN MAP AMENDMENTS

The Comprehensive Plan is Bellevue's foundational planning document, which provides the framework for the City as it seeks to grow over a 20-year planning horizon. As such, neighborhood area plans – a Comprehensive Plan Amendment initiated by City Council per Bellevue Land Use Code (LUC) Section [20.301.130.B.3](#). – are legislative actions with broad public participation and discussion for the orderly and coordinated development of a community. The Comprehensive Plan's Land Use element sets the direction of future growth in a community and is depicted as a Future Land Use Map.

The Future Land Use Map is policy-oriented, and a Future Land Use designation represents the community's long-term vision for a specific area. The Future Land Use designations in the Comprehensive Plan are meant to provide broad direction on the general uses and scale for the future development of areas of the city, while more detailed requirements and regulations are described in the Land Use Code and zoning map. The Future Land Use designation links the Comprehensive Plan's vision, goals and policies with the specific zoning classification, or Land Use District, that implements the Comprehensive Plan's direction.

Purpose

The Comprehensive Plan Periodic Update was launched by the City Council on February 28, 2022, and adopted by Council on October 22, 2024. The scope of the update included amendments to the Future Land Use Map centered around accommodating the anticipated growth for the next 20 years consistent with the Growth Management Act (GMA), the overall growth strategy for the City, and the King County Countywide Planning Policies (CPPs). As directed by Council, the scope included updates to the Future Land Use Map to expand housing capacity to plan for the growth targets in the CPPs, while also addressing mandates under new state housing legislation, specifically requirements to allow middle-scale housing and accessory dwelling units on the majority of residential lots in Bellevue.

The Comprehensive Plan Periodic Update entailed citywide policy changes to the Future Land Use Map as well as location-specific map changes that were based on a reconsideration of land uses within the City, new stakeholder requests to consider a change in land use on a specific parcel or set of parcels, or new information about a site or the future of the area surrounding it. As neighborhood areas plans have broad public participation and discussion around the future development of the neighborhood area at a greater localized level, the neighborhood area planning process provides an appropriate platform to set direction for the future development of sites that are either publicly owned or privately-owned community gathering spaces.

Relationship to the Annual Comprehensive Plan Amendment Work Program

Per [LUC 20.301.110](#), Comprehensive Plan amendments in a specific neighborhood area may not be proposed by the public during the review of a City Council-initiated Comprehensive Plan amendment for that specific neighborhood area as part of the Great Neighborhoods program, i.e., a neighborhood area plan update. However, as outlined in LUC [20.301.130.A.3](#), the City can decide to include a proposal that is not included in the Annual Comprehensive Plan Amendment

Work Program in an ongoing work program, such as Great Neighborhoods, if it raises issues more appropriately addressed by such work program.

The process and criteria outlined below provide a framework for the City to consider site-specific plan map amendments put forward by property owners for those neighborhood areas that are part of the Great Neighborhoods program. This process does not replace the code provisions in Part 20.30I LUC but is instead a framework for the City to consider whether a proposal for a site-specific plan map amendment will be included in a Great Neighborhoods Comprehensive Plan work program as allowed by LUC 20.30I.130.A.3.a.

Amendment Initiation

Site-specific plan map amendments are not City-led but initiated by property owners. Initiated amendments need to meet the Final Review Decision Criteria per [LUC 20.30I.150](#) and can be initiated by public entities or private property owners.

- Public entities may initiate site-specific map amendments for property located in neighborhood areas for which the City has initiated Comprehensive Plan Amendments as part of the Great Neighborhoods program. This property belongs to the public at large rather than an individual or a company.
- Private property owners, or their authorized agents, may initiate a site-specific map amendment that meets the following requirements:
 - The subject property is located in a Neighborhood Center (see Map LU-2 of the Comprehensive Plan Periodic Update) or in Countywide Centers as identified by King County. The Comprehensive Plan Periodic Update defines Neighborhood Centers as “a small commercial or mixed-use area in a location that is otherwise primarily residential. Neighborhood Centers are often anchored by grocery stores and often meet the daily needs of local residents”.
 - The proposed map amendment creates or strengthens the property’s function as a Third Place helping to establish neighborhood identity. As defined in the Comprehensive Plan Periodic Update, Third Places are “places that people go to when they are neither home nor at work that are seen as spaces to provide connection and build community. They can occur informally in any publicly- or privately-owned place as long as it is known to the community as a safe and welcoming space”.
 - The proposed map amendment encourages new retail or services supporting residential uses, ensuring easy pedestrian access and enhancing the livability of the neighborhood.
 - The proposed map amendment provides increased benefits for the public realm, such as pedestrian-oriented building design, through-block connections, public spaces, activities, openness and views.
 - The proposed map amendment minimizes the risk of business displacement and encourages retention and (temporary) relocation of affected businesses.

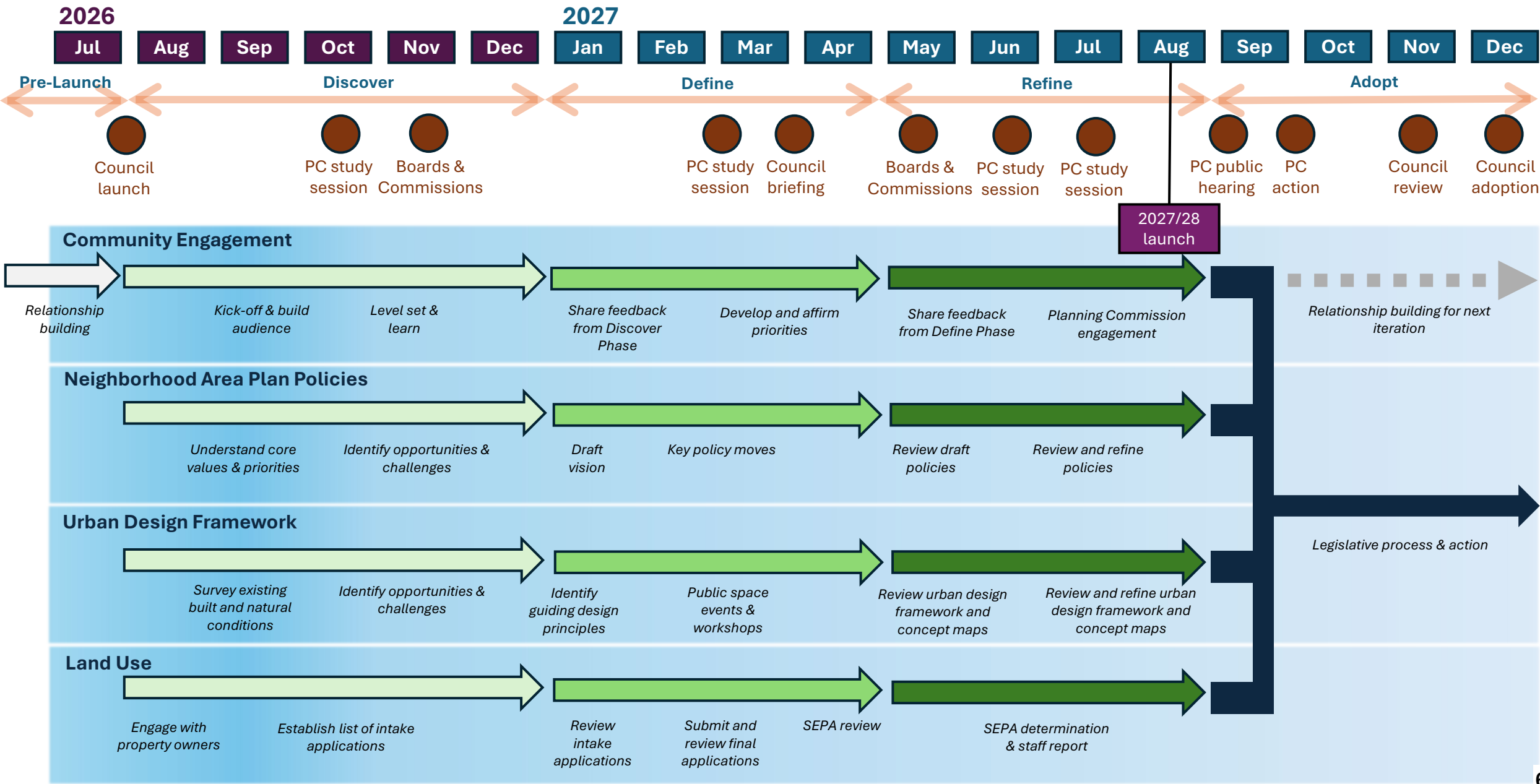
Similar to annual Comprehensive Plan Amendments, an “intake application” letter, following a template provided by Community Development staff, is required before a site-specific map amendment will be included on the list of initiated amendments. The letter includes location and

land use designation details, information as to why an amendment is being proposed, describing support for, reasoning, or background information in line with the requirements outlined above and outlining how recent amendments to the Comprehensive Plan impact the subject property and proposal. Final applications will also have to respond to the Final Review Decision Criteria per [LUC 20.301.150](#) and will be subsequently reviewed by Community Development staff.

Process Outline (2026-2027)

Summer 2026	Engage with public entities and interested private property owners
September 15, 2026	Deadline for interested property owners to submit intake applications
September 16, 2026	List of initiated site-specific map amendments is established
Fall 2026	Staff review of intake applications
Winter 2026/2027	Study session before the Planning Commission, followed by submittal of final applications, if any
Spring 2027	Staff review, including environmental analysis and review under SEPA for finalized proposals
Summer/Fall 2027	Final review and a public hearing before the Planning Commission on the neighborhood area plans, including any site-specific map amendments
Fall 2027	City Council action on neighborhood area plans, including any proposed site-specific map amendments

Great Neighborhoods: Lake Hills & West Lake Sammamish CPA Project Schedule





Great Neighborhoods: Neighborhood Area Planning for Lake Hills and West Lake Sammamish

Engagement Plan Summary

PROJECT BACKGROUND & TIMELINE

Neighborhood area plans translate citywide policies adopted through the 2024 Comprehensive Plan Periodic Update into local action by defining neighborhood-specific values, identifying community assets, and influencing urban design opportunities for neighborhood identity, connectivity, and gathering spaces. They will replace outdated subarea plans in Volume 2 and establish an updated neighborhood area vision and policies aligned with the city's broader goals. Lake Hills and West Lake Sammamish are established residential neighborhoods with distinct development patterns and demographic characteristics. Lake Hills includes several neighborhood centers, supports a more multimodal transportation network, offers a wider range of housing types, and has experienced significant population growth, making it one of Bellevue's most racially and economically diverse neighborhoods. In contrast, West Lake Sammamish remains predominantly single family, more auto dependent, and has seen relatively limited growth over time. These differing conditions inform the planning approach for each neighborhood as Bellevue prepares for future mobility, housing, and community investment needs. Planning for Lake Hills and West Lake Sammamish will begin late summer of 2026 and continue through 2027, with planning for two more neighborhood areas starting in the fall of 2027.

ENGAGEMENT SCOPE

Neighborhood area planning is consistent with Neighborhoods policies in Volume 1 of the Comprehensive Plan, which direct the city to equitably engage local communities to define neighborhood area specific needs, values, and policies when implementing adopted citywide policies. The neighborhood area planning process is organized to allow participants to participate in equitable, informed community dialogue about what is unique and distinctive in their neighborhood area, identify priorities around neighborhood identity, connectivity, and gathering spaces, and consider strategic options in a logical and transparent manner. Particular attention is given to historically underserved communities and identifying any missing voices and perspectives to have representative engagement.

STAKEHOLDER OVERVIEW

Residents of the neighborhood are the heart of the neighborhood area planning process, as they have lived experience and expertise about neighborhood issues and opportunities that need to be addressed in the planning process. Intentional outreach to homeowner associations, neighborhood groups, and individual households will be the core focus of outreach and engagement throughout the process. Within the broad group of residents in the neighborhood, it will be important to include community members that typically do not attend or are unable to participate in typical forms of outreach. Therefore, outreach will be adapted to better reach youth, older adults, foreign-born and non-English-speaking individuals, racial and ethnic minority groups, people with disabilities, and renters, among others. There are also other parties who work, play, and learn in these

neighborhoods that play an important role in the community that the planning team will seek to engage with, including neighborhood groups, local businesses, landowners, schools (including Bellevue School District), faith-based organizations, affordable housing providers, and nonprofit organizations.

SUMMARY OF ENGAGEMENT APPROACH

Phase 1: Discover (August– December 2026) focuses on setting expectations and building awareness about the neighborhood planning process. The planning team will gather community input through mailed and online questionnaires, a formal kick-off event, initial touchpoints with boards and commissions, tabling at community events, business walks, and public space assessments. Key activities will include sharing data, understanding community values, assets, and issues, and engaging with diverse groups to form a comprehensive policy framework that reflects neighborhood values and priorities.

Phase 2: Define (January – April 2027) involves defining and affirming the neighborhood vision, design principles, and priorities that will serve as building blocks of plan policies. Community members will review drafts of the neighborhood vision and policy priorities, and evaluate public spaces for potential improvements to reflect in an urban design framework. Engagement activities will include workshops, boards and commission reviews, and feedback opportunities to further develop draft plans.

Phase 3: Refine (May - August 2027) offers an opportunity for community to review and provide feedback on draft neighborhood area plans, which will include updated vision, goals, policies, and urban design concepts. The focus will be on ensuring community feedback has been incorporated and addressing missing elements. Engagement will involve in-person and online reviews, information sessions, presentations to city boards and commissions, and Planning Commission study sessions where the public can provide comments and ensure the draft plans accurately reflect their input.

Phase 4: Adopt (September – December 2027) is when the staff recommendation on the final draft plans undergo the legislative process with the Planning Commission and City Council for review, recommendation, and ultimately Council adoption. The community can provide comments throughout the legislative process. Unlike earlier phases, feedback will be directed toward decision-making bodies who may then provide direction to staff to incorporate feedback into updated plans. The draft plans will be available for review on relevant web platforms throughout the adoption process.

MEASURING SUCCESS

Successful engagement and communication includes: re-engaging with interested parties involved in earlier planning efforts; incorporating community input from engagement related to Comprehensive Plan Periodic Update (2024); and supporting equitable engagement. Engagement phases and activities will be scheduled to coordinate with the timing of other citywide initiatives so that updated plans are developed in relation to citywide goals, strategies, and outcomes. Since Lake Hills and West Lake Sammamish are adjacent neighborhood areas with potentially shared planning issues and stakeholders, engagement will support efficient, coordinated outreach to increase collaboration opportunities between neighborhood areas and reduce community fatigue.

Staff seek to bring diverse perspectives to the process so that participation is representative of the entire neighborhood area. This entails intentional outreach with groups that are less likely or unable to participate

in more typical engagement formats. Touchpoints with organizations such as YouthLink, Bellevue Diversity Advisory Network (BDAN), and Bellevue Network on Aging (BNOA) will help staff identify key messages and issues that resonate with people of color, renters, older adults, and younger people. The process will also entail the development of a Racial Equity Toolkit to help staff identify, incorporate, and measure racial equity outcomes.

ENGAGEMENT SUMMARY TABLE

TIME	PHASE	FOCUS	ENGAGEMENT GOALS	ENGAGEMENT TOOLS & ACTIVITIES
May – Jul 2026	0	Relationship Building	▪ Connect with key individuals, community partners, and neighborhood groups. ▪ Gain a broad understanding of neighborhood concerns and opportunities. ▪ Establish opportunities for collaboration on communication and events. ▪ Build list of contacts who want to engage once the project launches.	▪ One-on-one meetings ▪ Tabling at community events
Aug – Dec 2026	1	Discover	▪ Build awareness of Neighborhood Area Planning process, including plan development and privately initiated land use map changes. ▪ Build list of people and organizations who wish to participate in process. ▪ Engage with boards & commissions for their expertise on neighborhood issues to inform engagement opportunities. ▪ Set expectations and clarify timeline for community members. ▪ Understand the community's core values that should guide the neighborhood plan. ▪ Identify community features and assets that define neighborhood identity.	▪ Mailed and online questionnaire ▪ Kick-off event ▪ Presentations to neighborhood groups ▪ Presentations to boards & commissions ▪ Tabling at community events ▪ Business walks ▪ Public Space Assessment
Jan – Apr 2027	2	Define	▪ Share initial draft of neighborhood vision for review. ▪ Share key policy priorities for review. ▪ Work with community to identify urban design principles and opportunities for enhancing public spaces.	▪ Informational session ▪ Student workshops ▪ Public space workshops ▪ Community partner events
May – Aug 2027	3	Refine	▪ Share full draft plan for community review. ▪ Ensure community members know how their input shaped the draft plan. ▪ Incorporate additional community prior to review by the Planning Commission.	▪ Informational open house ▪ Presentations to boards & commissions ▪ Planning Commission Study Sessions
Sep – Dec 2027	4	Adopt	▪ Ensure community members understand the legislative process and know how to share comments with the Planning Commission and City Council.	▪ Review and recommendation by Planning Commission ▪ Review and adoption by City Council

DESCRIPTIONS OF ENGAGEMENT TOOLS & ACTIVITIES

- One-on-one meetings: Staff are available to meet with individuals and community groups interested in learning more about the planning process and opportunities to get involved.
- Tabling at community events: Staff will have a presence at city-led and community-led events to share more information about the planning process and have conversations with interested parties in a more casual setting.
- Mailed and online questionnaire: A questionnaire will be distributed to gain a broad understanding of neighborhood challenges and opportunities, and to build a contact list of people interested in participating.
- Kick-off event: A kick-off event will provide an opportunity for community members to learn about the planning team's approach to updating existing plans and policies and identify values and opportunities that are key to the neighborhood's identity and future vision.
- Informational session: Informational sessions provide an opportunity for the community to reflect feedback from earlier phases and share opportunities for them to get involved.
- Presentations to neighborhood groups: Staff are available to give informational presentations to interested parties, with opportunities for discussion and feedback.
- Presentations to boards & commissions: Beyond the Planning Commission, staff will visit boards & commissions for their expertise on neighborhood issues to inform engagement opportunities early in the process, and to provide feedback on draft policies later on. Formal recommendations from these bodies are not required.
- Public space assessments: Staff will organize staff-led and self-guided walks with community members to evaluate and document public space opportunities and challenges within the neighborhood.
- Community partner events: Staff will seek more targeted engagement with community partners to expand reach to audiences less likely or unable to participate in typical engagement formats, such as renters and non-English speakers.
- Collaboration with local schools: Staff will seek to partner with local schools to engage students through neighborhood walks and in-class planning workshops.
- Business engagement: In coordination with the city's Economic Development Team, staff will connect with both small and large businesses using mailers and in-person visits.
- Public space workshops: Staff will host activities during the Define phase for participants to explore different ideas and design strategies to improve public spaces in their neighborhood.

DESCRIPTIONS OF ENGAGEMENT TOOLS & ACTIVITIES

- Informational open house: An open house will provide an opportunity for the community to get an overview of the draft plan and provide feedback on key policy areas the plan addresses.
- Planning Commission and City Council study sessions: The public will be notified of and invited to Planning Commission and City Council study sessions to provide oral and written testimony directly to decision-making bodies.

CITY COUNCIL AGENDA TOPIC

Ordinance relating the clarification of known errors contained in, and clean-up of, the Land Use Code; Amending LUC 20.10.400, LUC 20.10.440, LUC 20.20.010, LUC 20.20.025, LUC 20.20.030, LUC 20.20.070, LUC 20.20.127, LUC 20.20.130, LUC 20.20.170, LUC 20.20.195, LUC 20.20.255, LUC 20.20.425, LUC 20.20.455, LUC 20.20.540, LUC 20.25A.050, LUC 20.25D.070, LUC 20.25D.080, LUC 20.25I.070, LUC 20.25J.020, LUC 20.25J.030, LUC 20.25L.020, LUC 20.25P.030, LUC 20.25P.050, LUC 20.25Q.020, LUC 20.25Q.050, LUC 20.25Q.070, LUC 20.30J.135, LUC 20.30N.115, LUC 20.30N.120, LUC 20.30N.140, LUC 20.30U.122, Chapter 20.50 LUC; Amending Chapter 20.20 LUC to include a new LUC 20.20.790; Providing for severability; and an effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

EXECUTIVE SUMMARY

ACTION

On June 9, after discussion in study session, the City Council directed staff to finalize this Ordinance for final action. This Ordinance is a Land Use Code Amendment (LUCA) for general clean-ups to improve clarity and internal consistency, correct inaccurate or outdated citations, and directly comply with changes to state law.

RECOMMENDATION

Move to adopt Ordinance No. 6930

BACKGROUND/ANALYSIS

Background

Staff routinely identify and document potential Land Use Code (LUC) amendments and periodically address them through omnibus code amendment packages. Historically, these amendments have been limited to spelling corrections, outdated cross-references, scrivener's errors, and minor revisions that clarify code intent. The city last completed an omnibus clean-up LUCA in 2022.

For this cycle, Council expanded the scope to include amendments necessary to maintain compliance with state law, as well as minor code revisions that require limited policy direction. The amendments are also limited to topics not already addressed through other ongoing or planned code amendment projects. The omnibus package includes amendments in five subject areas:

- Clean-Up Amendments
- Development Regulations
- Trees, Landscaping, and Environment
- Process Changes
- Bellevue City Code Amendments

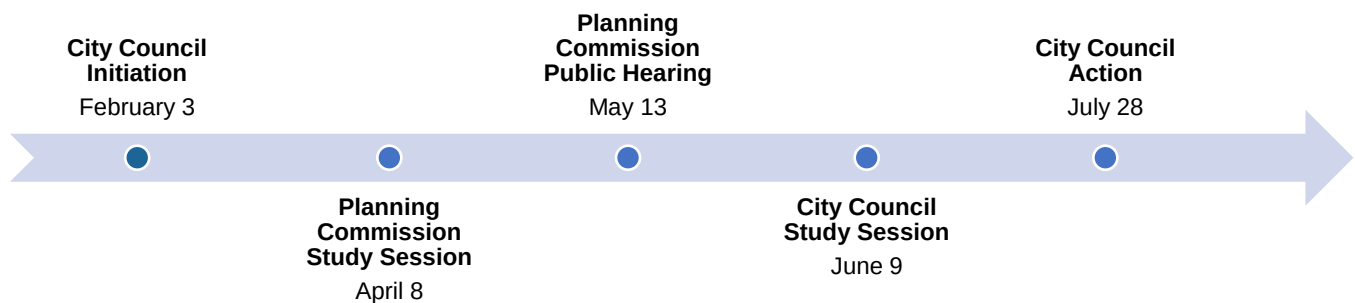
This Ordinance relates to the clean-up amendments, which amends Chapters 20.10, 20.20, 20.25,

20.30, and 20.50 of the Land Use Code to improve clarity and internal consistency, correct inaccurate or outdated citations, and ensure compliance with changes to state law. A final strike-draft of the LUCA is provided as Attachment A.

On June 9, Council reviewed this LUCA. Following discussion, Council directed staff to finalize an Ordinance for the LUCA for final action.

LUCA Schedule

This schedule is intended to ensure compliance with state law changes that must be implemented by the statutory deadline in summer 2026.



POLICY & FISCAL IMPACTS

Policy Impact

This LUCA will improve the administration and clarity of the Land Use Code. Additionally, some changes in this Ordinance are necessary for compliance with state law.

Fiscal Impact

There is no fiscal impact associated with implementing this LUCA.

OPTIONS

1. Adopt the Ordinance relating the clarification of known errors contained in, and clean-up of, the Land Use Code; Amending LUC 20.10.400, LUC 20.10.440, LUC 20.20.010, LUC 20.20.025, LUC 20.20.030, LUC 20.20.070, LUC 20.20.127, LUC 20.20.130, LUC 20.20.170, LUC 20.20.195, LUC 20.20.255, LUC 20.20.425, LUC 20.20.455, LUC 20.20.540, LUC 20.25A.050, LUC 20.25D.070, LUC 20.25D.080, LUC 20.25I.070, LUC 20.25J.020, LUC 20.25J.030, LUC 20.25L.020, LUC 20.25P.030, LUC 20.25P.050, LUC 20.25Q.020, LUC 20.25Q.050, LUC 20.25Q.070, LUC 20.30J.135, LUC 20.30N.115, LUC 20.30N.120, LUC 20.30N.140, LUC 20.30U.122, Chapter 20.50 LUC; Amending Chapter 20.20 LUC to include a new LUC 20.20.790; Providing for severability; and an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Clean-Up Amendments Strike Draft
Proposed Ordinance No. 6930

AVAILABLE IN COUNCIL LIBRARY

N/A

Title 20 Land Use Code

...

Chapter 20.10 Land Use Districts

...

20.10.400 Use chart described – Interpretation.

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

...

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

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

...

20.10.440 Land use charts.

...

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

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

	~~Family Child Care Home-in Residence~~	P	P	P	P	P	P	P	P	P	P	P
	~~Child Day Care Center~~								€	€	P	P
...												

...

Chart 20.10.440

Uses in land use districts

Services – Commercial and Mixed-Use Land Use Districts

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

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

...

Notes: Uses in land use districts – Services:

...

~~(3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center. Intentionally Deleted.~~

(4) A child care service center may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.

...

Chart 20.10.440

Uses in land use districts

Transportation and Utilities – Residential Land Use Districts

...

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

...

(22) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-6.5a of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply

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

...

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

...

Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Residential Land Use Districts

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

...

Chart 20.10.440

Uses in land use districts

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

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

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

...

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

...

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

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

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

...

Chapter 20.20 General Development Requirements

...

20.20.010 Dimensional requirements.

Chart 20.20.010

Dimensional Requirements in Land Use Districts

...

Dimensional Requirements – Commercial and Mixed-Use land Use Districts

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

Front Yard <u>Minimum</u> Setbacks of Structures (feet) ~~Front Yard~~ (18)(20)	30	0	0	0	15	15	0	0	0	0	0	0
Rear Yard <u>Minimum</u> <u>Setback of Structures</u> (feet) (18) (20)	25 (17)	0	0	0	(2, 17)	(2, 17)	0 (25)	0	0	0	0	0
Side Yard <u>Minimum</u> <u>Setback of Structures</u> (feet) (18) (20)	20 (17)	0	0	0	(25, 17)	(25, 17)	0 (25)	0	0	0	0	0
2 Side Yards <u>Minimum</u> <u>Setback of Structures</u> (feet) (18) (20)	40 (17)	0	0	0	(25, 17)	(25, 17)	0 (25)	0	0	0	0	0
Floor Area Ratio	(8)	1 (50)	1	2	(8)	(8)	2	3	4	2.5	5	4
...												
Maximum Lot Coverage by Structures (percent) (14)(16)	35(2 4)				50							
...												

...

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

...

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

...

(8) ~~Intentionally deleted.~~ Any office building or any office portion of a building in the PO, LI, or GC Districts shall comply with the following limitations on Floor Area Ratio:

~~(a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and~~

~~(b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:~~

~~(i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and~~

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

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

...

20.20.025 Intrusions into required setbacks.

...

D. Rockeries and Retaining Walls.

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

...

20.20.030 Designation and measurement of required setbacks.

...

E. The critical area buffer and critical area structure setback requirements of Part 20.25H LUC are in addition to the setback requirements of LUC 20.20.010, 20.25D.080, ~~20.25F.040~~, 20.25J.030, 20.25L.030, 20.25N.050, and 20.25P.060. Where there are multiple setback requirements, the greater setback dimension is required.

...

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

...

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

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

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

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

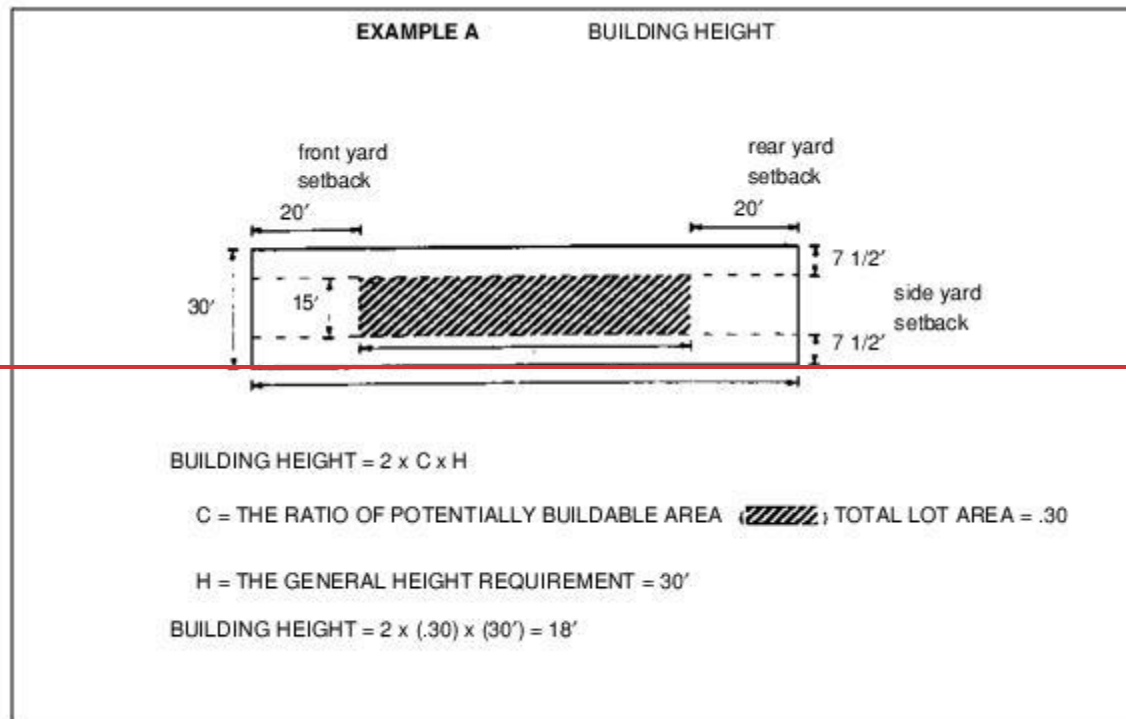
~~(Calculation of building height is in no way intended to suggest a waiver of lot coverage requirements imposed elsewhere in the Code. Similarly, calculations are based on basic Code requirements; any variances to setbacks of the property do not affect building height calculation.)~~

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

~~EB.~~ 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 land use 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.

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

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



20.20.127 **Adult entertainment uses.**

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

...

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

...

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

...

20.20.130 **Animal keeping and services.**

...

B. Minimum Requirements.

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

Animal Regulations

Type of Animal/Use	Maximum Number (1)	Minimum Lot Size	Minimum Setback (5)
...			
2. Small Domestic Animals or Hobby Kennel (6)	10: 20,000 sq. ft. and an additional 1,500 sq. ft. for each animal; 6: 10,000 sq. ft. and an additional 1,500 sq. ft. for each animal over 6	20,000 sq. ft. or 10,000 sq. ft.	May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a small domestic animal within the following areas, provided it must be allowed to roam freely therein: 1) A lot which is fenced along all lot lines so as to enclose the entire lot, or 2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or primary structure as one side of the enclosure and which may include all or a portion of either or both side yards. 3) No structure to house the ~~household~~ <u>small domestic animal(s) or animals associated with a hobby kennel</u> may be within 25 feet of a property line.
...			

...

20.20.170 Child care ~~centers~~service-use.

A. **Purpose.**

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

B. **Applicability.**

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

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

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

~~DC. Child Day-Care Center.~~

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

2. Review or Registration Required.

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

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

3. Use Requirements. The following requirements apply to each child ~~day~~-care center.

- a. An on-site vehicle turnaround or separate entrance and exit points, and passenger loading area must be provided. The City shall specifically consider the location and appearance of the proposed turnaround or access in determining compatibility with surrounding uses.

- b. The child ~~day~~-care center use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.

- c. The child ~~day~~-care center use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.

- d. The operator must have granted the City ~~of Bellevue~~ permission to enter the property, and to inspect the child day care center use for compliance with the requirements of the Land Use Code, and other applicable City ordinances.

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

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

- ~~i. A solid fence at least six feet high compatible with neighborhood character must be installed along each side and rear lot line.~~
 - ~~ii. One sign, not exceeding four square feet and five feet in height, is permitted to identify the use notwithstanding the provisions of Chapter 22B.10 BCC. The sign may not be lighted. The City shall review the color, materials, design, location and character of the sign in determining compatibility with surrounding uses.~~
4. Conditions.
- a. The ~~City~~ Director may impose conditions to protect the public health, safety, and welfare. ~~to mitigate any potential adverse impact on surrounding uses.~~
 - ~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~
 - ~~c. The City shall establish the maximum number of children permitted in the child care service use at any one time.~~

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

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

- a. The ~~City Director~~ may impose conditions to protect the public health, safety, and welfare. ~~to mitigate any potential adverse impact on surrounding uses.~~
- ~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~

20.20.195 Communication, broadcast, and relay facilities.

...

E. Development Requirements for Wireless Communications Facilities.

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

...

- b. Height Limits.

...

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

...

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

...

20.20.255 Electrical utility facilities.

...

D. Alternative Siting Analysis.

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

...

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

...

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

...

E. Decision Criteria.

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

...

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

...

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

...

20.20.425 Hard surface.

...

C. Exemptions.

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

...

4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not cemented or held together with an

impervious material, ~~and organic mulch~~ shall be exempt from the maximum ~~impervious hard~~ surface limits.

...

20.20.455 Homeless services uses.

...

C. Definitions.

1. Use Definitions.

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

...

20.20.540 Multifamily play areas.

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

...

20.20.790 Shopping carts.

A. Applicability.

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

B. Standards.

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

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

containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

Chapter 20.25 Special and Overlay Districts

...

Part 20.25A

20.25A.050 Downtown Land Use Charts.

...

D. Use Charts.

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

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

...

Services – Downtown Land Use Districts

STD LAND USE CODE		Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
REF	LAND USE CLASSIFICATIONS						
...							
	Family Child Care Home in Residence(1)	P	P	P	P	P	P
629	Child Day Care Center (1) (2)	P	P	P	P	P	P
...							

...

Notes: Uses in Downtown Land Use Districts – Services:

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

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

...

Transportation and Utilities – Downtown Land Use Districts

...

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

...

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

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

...

Wholesale and Retail – Downtown Land Use Districts

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

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

...

~~(8) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270~~

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

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

...

Part 20.25D BelRed

...

20.25D.070 Land use Charts.

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

...

Notes: Uses in land use districts – Residential:

...

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

...

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

...

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

...

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

~~6.5a~~, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

...

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

...

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

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

...

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

...

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

...

~~(15) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.~~

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

...

Chart 20.25D.070

Services Uses in BelRed Land Use Districts

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

...

...

Notes: Uses in land use districts – Services:

...

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

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

...

20.25D.080 Dimensional Requirements.

...

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

...

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

...

Part 20.25I Community Mixed-Use Design District

...

20.25I.070 Transition Standards

...

C. Standards.

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

...

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

...

Part 20.25J Medical Institution District

...

20.25J.020 Permitted uses.

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

Medical District Land Use Chart

...

Footnotes:

...

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

...

20.25J.030 Dimensional requirements.

...

Footnotes:

...

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

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

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

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

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

...

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

...

20.25L.020 Permitted land uses.

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

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

...

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

...

Part 20.25P Eastgate Transit Oriented Development Land Use District

...

20.25P.030 Permitted uses.

...

B. Use Chart Described.

In Chart 20.25P.050, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permit), subordinate uses which are regulated under LUC 20.20.840, and nonconforming uses which are regulated under LUC 20.20.56~~10~~.

...

20.25P.050 Land Use Chart.

...

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Services – Eastgate Transit Oriented Development Land Use District ⁽⁹⁾	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
6262	Cemeteries	
~~624410~~	~~Family Child Care Home in Residence~~	~~P~~
624410	Child ~~Day~~ Care Center	P ^{1 2} ₇
...		

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

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

~~(2) A child care service center may be located in a community facility in any land use district pursuant to LUC 20.20.170-ED. Intentionally deleted.~~

...

Chart 20.25P.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

...

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

...

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

Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

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

...

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit oriented Development land use District

STD LAND USE CODE REF	Wholesale and Retail – Eastgate Transit Oriented Development Land Use District ~~(1)~~	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
~~553~~	~~Vehicle Fueling and Charging Gasoline Service~~ Stations	
...		

Notes: Uses in EG-TOD – Wholesale and Retail

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

...

Part 20.25Q East Main Transit Oriented Development Land Use District

...

20.25Q.020 Definitions specific to East Main.

...

EM – Ground Floor Uses: Ground Floor Uses in the EM-TOD-H and EM-TOD-L Districts are intended to promote an active pedestrian environment while providing for a range of neighborhood-serving retail, service, and residential uses along Street Frontages. “Ground Floor Uses” include, but are not limited to,

restaurants, breweries, retail, recreation activities (skating, bowling, gymnasiums, Athletic Clubs, Health Clubs, recreational instruction, fitness studio), art galleries, movie theaters, residential lobbies, residential units (with entry and stoop or private patio), private indoor amenity space (bike storage, gym, community room, or similar indoor amenity), travel agencies, banks, personal services (laundry, dry cleaning, barber and beauty, photography studio and shoe Repair), Child Care ~~Service~~Centers, pet grooming and Pet Day Care, office (including office lobby), special Schools, live/work space, major institutions, and community centers. Ground Floor Uses shall meet the standards and guidelines in LUC 20.25Q.150.B.

...

20.25Q.050 Permitted uses.

...

D. Use Chart.

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

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

Std Land Use Code Ref	Land Use Classification	TOD-H	TOD-L
...			
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P
	~~Family Child Care Home in Residence (5)~~	~~P~~	~~P~~
629	Child ~~Day~~ Care Center ~~(5) (6)~~	P	P
...			
5251	Hardware, Paint, Tile and Wallpaper (Retail) (22) ~~(23)~~	P	P
54	Food and Convenience Store (Retail) ~~(23)~~ (24)	P	P
...			
553	~~Vehicle Fueling and Charging~~ <u>Gasoline Service</u> Stations (26)	P	P
56	Apparel and Accessories (Retail) (22) ~~(23)~~	P	P
57	Furniture, Home Furnishing (Retail) (22) ~~(23)~~		
...			

59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (22) ~~(23)~~ (29)	P	P
	Handcrafted Products (Retail) (22) ~~(23)~~ (30) (31)	P	P
...			
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (22) ~~(23)~~ (33)	P	P
5999	Pet Shop (Retail) (22) ~~(23)~~	P	P
	Computers and Electronics (Retail) (22) ~~(23)~~	P	P
...			

Notes: Uses in East Main Land Use Districts:

...

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

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

...

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

...

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

...

~~(23) Intentionally deleted. All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away~~

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

...

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

...

20.25Q.070 FAR and the amenity incentive system.

...

D. Amenity Incentive Program.

...

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

...

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

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

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

Applicable Land Use Districts and Bonus Ratios	

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

...

Chapter 20.30 Permits and Decisions

...

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

...

20.30J.135 Decision criteria.

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

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

Part 20.30N Home Occupation Permit

...

20.30N.115 Applicability.

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

20.30N.120 Purpose.

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

...

20.30N.140 Decision criteria.

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

...

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

...

Part 20.30U Temporary Encampment Permit

...

20.30U.122 Applicable procedures.

...

B. Additional Mailed Notice.

The requirements for mailed notice of the application set forth in LUC 20.35.510 shall be expanded to include owners of real property within 600 feet of the project Site. Prior to the decision of the Director on a Temporary Encampment Permit, the Encampment Host, Encampment Sponsor, or Encampment Manager shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within 600 feet of the boundaries of the proposed Temporary Encampment Site, and shall meet and confer with the operators of any known Child Care ~~Service Center~~ within 600 feet of the boundaries of the proposed Temporary Encampment Site. The Encampment Host and the School administration and/or Child Care ~~Service Center~~ operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address School and/or child care concerns regarding the location of a Temporary Encampment within 600 feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the Director for consideration for inclusion within the Temporary Encampment Permit. In the event the parties fail to agree on any conditions, either party may provide the Director with a written summary of the parties' discussions, which the Director may consider in evaluating whether the criteria for the Temporary Encampment Permit are met, or the need for additional conditions upon the Temporary Encampment Permit based on the applicable decision criteria.

...

Chapter 20.50 Definitions

...

20.50.005 Applicability and Interpretation.

A. The definitions contained in this chapter provide the meanings of words and terms used in this title, except in the following circumstances:

1. If another chapter, section, or subsection of this title provides a separate definition of a word or term otherwise defined in this chapter that is unique to that chapter, section, or subsection of this title, then that separate definition of the word or term shall apply for the purposes of that chapter, section, or subsection;
2. If state or federal law requires a different definition for a word or term otherwise defined in this chapter, then the definition provided for the word or term under state or federal law shall govern; or
3. If a chapter, section, or subsection contained in a different title of the Bellevue City Code incorporates a definition contained in this chapter explicitly by reference, then the incorporated definition contained in this chapter shall apply to that chapter, section, or subsection.

B. Unless the context of a chapter, section, or subsection of this title clearly requires otherwise, the following shall be used to interpret the words and terms used in this title:

1. Words used in the singular include the plural and the plural the singular;
2. Words used in the present tense include the future, and words used in the future tense include the present;
3. The word “shall” is always mandatory;
4. The word “may” denotes a use of discretion in making a decision;
5. The words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied”;
6. Words used in the masculine gender include the feminine, and the feminine the masculine; and
7. If a word used in this title is not defined in this chapter or elsewhere in this title, then the word shall carry its customary meaning unless otherwise required by state or federal law.

~~Except where specifically defined herein, all words used in this Code shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “shall” is always mandatory, the word “may” denotes a use of discretion in making a decision; the words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.” Words used in the masculine gender include the feminine, and the feminine the masculine.~~

20.50.012 B definitions.

...

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

...

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

...

20.50.014 C Definitions

...

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

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

...

20.50.016 D Definitions.

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

...

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

...

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

20.50.018 E definitions.

...

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

...

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

...

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

...

20.50.020 F Definitions

...

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

...

20.50.022 G definitions.

...

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

...

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

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

...

20.50.026 I definitions.

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

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

...

20.50.034 M definitions.

...

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

...

20.50.038 O definitions.

...

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

...

20.50.040 P definitions.

...

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

...

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

...

~~**Public Works Director.** The Director of Public Works for the City of Bellevue, or the director of any successor department, or the Director's authorized representative.~~

...

20.50.046 S definitions.

...

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

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

...

20.50.048 T definitions.

...

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

...

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

...

20.50.052 V definitions.

...

Vehicle. A motorized conveyance that includes, but is not limited to an automobile, car, motorcycle, small watercraft, jet ski, or snowmobile in operable condition. This definition does not include inoperable vehicles as defined in LUC 20.20.470 or conveyances regulated pursuant to LUC 20.20.720 (Recreational vehicles, watercraft and utility trailers) ~~or 20.20.890 (Trailers, boats and large vehicles).~~

...

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6930

AN ORDINANCE relating the clarification of known errors contained in, and clean-up of, the Land Use Code; Amending LUC 20.10.400, LUC 20.10.440, LUC 20.20.010, LUC 20.20.025, LUC 20.20.030, LUC 20.20.070, LUC 20.20.127, LUC 20.20.130, LUC 20.20.170, LUC 20.20.195, LUC 20.20.255, LUC 20.20.425, LUC 20.20.455, LUC 20.20.540, LUC 20.25A.050, LUC 20.25D.070, LUC 20.25D.080, LUC 20.25I.070, LUC 20.25J.020, LUC 20.25J.030, LUC 20.25L.020, LUC 20.25P.030, LUC 20.25P.050, LUC 20.25Q.020, LUC 20.25Q.050, LUC 20.25Q.070, LUC 20.30J.135, LUC 20.30N.115, LUC 20.30N.120, LUC 20.30N.140, LUC 20.30U.122, Chapter 20.50 LUC; Amending Chapter 20.20 LUC to include a new LUC 20.20.790; Providing for severability; and an effective date.

WHEREAS, on February 3, 2026, the City Council initiated work on the 2026 Omnibus Amendments; and

WHEREAS, the 2026 Omnibus Amendments package a collection of relatively small, discrete text amendments to both the Land Use Code and the Bellevue City Code into a single legislative process for administrative efficiency; and

WHEREAS, this Ordinance contains the text amendments to the Land Use Code relating to the clarification of known errors contained in, and clean-up of, the Land Use Code, which are text amendments included within the 2026 Omnibus Amendments; and

WHEREAS, on April 8, 2026, the Planning Commission held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on April 29, 2026, a notice of a public hearing on the text amendments to the Land Use Code contained in this Ordinance was published in the Seattle Times and in the City's Weekly Permit Bulletin; and

WHEREAS, on May 13, 2026, the Planning Commission held a public hearing on the 2026 Omnibus Amendments, including the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on May 13, 2026, following the public hearing, the Planning Commission unanimously recommended that the City Council adopt the text amendments to the Land Use Code included in 2026 Omnibus Amendments; and

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code 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 April 29, 2026; 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, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; 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 Council finds that the proposed text amendments to the Land Use Code contained in this Ordinance 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. Subsection 20.10.400.A of the Land Use Code is hereby amended to read as follows:

- A. In Chart 20.10.440, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.
1. If no symbol appears in the box at the intersection of the column and the row, then the use is not allowed in that district, except for certain short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permit), subordinate uses, which are regulated under LUC 20.20.840, and nonconforming uses, which are regulated under LUC 20.20.561.
 2. If the symbol “P” appears in the box at the intersection of the column and row, then the use is permitted subject to all requirements that are applicable to the use and that are applicable in the land use district at issue.
 3. If the symbol “C” appears in the box at the intersection of the column and the row, then the use is permitted subject to the Conditional Use provisions specified in Part 20.30B LUC and to all requirements that are applicable to the use and that are applicable in the land use district at issue.
 4. If the symbol “A” appears in the box at the intersection of the column and the row, then the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC and to all requirements that are applicable to the use and that are applicable in the land use district at issue.
 5. If the symbol “PD” appears in the box at the intersection of the column and the row, then the use is permitted subject to the Planned Unit Development provisions as specified in Part 20.30D LUC and to all requirements that are applicable to the use and that are applicable in the land use district at issue.
 6. If the symbol “S” appears in the box at the intersection of the column and the row, then the use is permitted only as a subordinate use to a permitted or special use. Subordinate uses are governed pursuant to LUC 20.20.840, except that accessory dwelling units are governed pursuant to LUC 20.20.120.
 7. If a number appears in the box at the intersection of the column and the row, then the use is also subject to the special limitation or allowance indicated in the corresponding note.

Section 3. Subsection 20.10.440 of the Land Use Code, including Chart 20.10.440, is hereby amended to read as follows, with all other provisions of Section 20.10.440 and Chart 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
 Services – Residential Land Use Districts

STD LAND USE CODE	LAND USE CLASSIFICATION	LL-1	LL-2	SR- 1	SR- 2	SR- 3	SR- 4	LDR- 1	LDR- 2	LDR- 3	MDR- 1	MDR- 2
6	Services											
...												
629	Child Care Center (4)	P	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment											
...												

...

Chart 20.10.440
Uses in land use districts
 Services – Commercial and Mixed-Use Land Use Districts

STD LAN D USE COD E REF	LAND USE CLASSIFICATION													
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed-Use: 8 Stories	Neighborhood Mixed Use	Community Business	Mixed-Use: 16 Stories	Factoria Land Use District 1	Factoria Land Use District 3
		P O	O	OL B	OL B 2	LI	G C	NB	MU 8	NM U (16)	C B	MU1 6	F1	F3
6	Services													
...														
629	Child Care Center (4)	P	P	P	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P	P 5	P	P	P	P	P	P	P	P
...														

...

Notes: Uses in land use districts – Services:

...

(3) Intentionally Deleted.

(4) A child care center may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.

...

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

...

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

...

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

...

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

...

Chart 20.10.440
Uses in land use districts

Wholesale and Retail – Residential Land Use Districts

STD LAND USE CODE REFERENCE	LAND USE CLASSIFICATION	LL- 1	LL- 2	SR- 1	SR- 2	SR- 3	SR- 4	LD R-1	LD R-2	LD R-3	MD R-1	MD R-2
5	Trade (Wholesale and Retail)											
...												
	Vehicle Fueling and Charging Stations (40)											
...												

...

Chart 20.10.440

Uses in land use districts

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

STD LAND USE CODE REFERENCE	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3
		P O	O	OL B	OL B 2	LI	G C	NB	MU 8	NM U	CB (36)	MU1 6	F1 F3
5	Trade (Wholesale and Retail)												

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3	
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU	CB(36)	MU16	F1	F3
...														
	Vehicle Fueling and Charging Stations (34, 40)			A34	A	P34 , 35	P	P	A	A	P	A	P	A34
...														

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

...

(34) Vehicle fueling and charging stations may include subordinate convenience stores.

...

(39) Intentionally deleted.

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

...

Section 4. Subsection 20.20.010 of the Land Use Code, including Chart 20.20.010, is hereby amended to read as follows, with all other provisions of Section 20.20.010 and Chart 20.20.010 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.010 Dimensional requirements.

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

...

Dimensional Requirements – Commercial and Mixed-Use land Use Districts

	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District
	PO	O	OL B	OL B 2	LI	GC	NB	MU 8	NM U	CB	MU 16	FD 3
DIMENSIONS		(52, 54)	(52, 54)	(52, 54)			(52, 54)	(52, 54)	(54)	(52, 54)	(52, 55)	(52, 54)
...												
Front Yard Minimum Setback of Structures (feet) (18)(20)	30	0	0	0	15	15	0	0	0	0	0	0
Rear Yard Minimum Setback of Structures (feet) (18) (20)	25	0	0	0			0 (5)	0	0	0	0	0
Side Yard Minimum Setback of Structures (feet) (18) (20)	20	0	0	0	(5)	(5)	0 (5)	0	0	0	0	0

2 Side Yards Minimum Setback of Structures (feet) (18) (20)	40	0	0	0	(5)	(5)	0 (5)	0	0	0	0	0
Floor Area Ratio		1 (50)	1	2			2	3	4	2.5	5	4
...												
Maximum Lot Coverage by Structures (percent) (14)(16)	35 (24)				50							
...												

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

...

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

...

(8) Intentionally deleted.

...

Section 5. Subsection 20.20.025.D of the Land Use Code is hereby amended to read as follows:

D. Rockeries and Retaining Walls.

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

Section 6. Subsection 20.20.030.E of the Land Use Code is hereby amended to read as follows:

- E.** The critical area buffer and critical area structure setback requirements of Part 20.25H LUC are in addition to the setback requirements of LUC 20.20.010, 20.25D.080, 20.25J.030, 20.25L.030, 20.25N.050, and 20.25P.060. Where there are multiple setback requirements, the greater setback dimension is required.

Section 7. Section 20.20.070 of the Land Use Code is hereby amended to read as follows:

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 of this section:
 - 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, does 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 area meets or exceeds 3,000 square feet; and
 - (3) The lot's area meets or exceeds 3,000 square feet; and

- B. Notwithstanding subsection A of this section, a nonconforming lot in a Residential Land Use District failing to meet or exceed 70 percent of minimum area, width, and depth requirements of the land use 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.
- C. Any nonconforming lot used for a building site must meet the nonconforming site provisions of LUC 20.20.561 and the applicable dimensional requirements of LUC 20.20.010 for the land use district in which it is located, unless a variance has been granted pursuant to Part 20.30G or modification has been granted pursuant to LUC 20.25H.040.
- D. This section is not applicable in the BelRed Land Use Districts. Refer to LUC 20.25D.060 for regulations relating to existing conditions.

Section 8. Subsection 20.20.127.A of the Land Use Code is hereby amended to read as follows:

- 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 center, public library, community youth center, massage parlor, or other adult entertainment use.

Section 9. Subsection 20.20.127.C.2 of the Land Use Code is hereby amended to read as follows:

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

Section 10. Subsection 20.20.130.B of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.20.130.B, including the “Animal Regulations” Chart, that are omitted below, as indicated by an ellipsis, remaining unchanged:

B. Minimum Requirements.

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

Animal Regulations

Type of Animal/Use	Maximum Number (1)	Minimum Lot Size	Minimum Setback (5)
...			
2. Small Domestic Animals or Hobby Kennel (6)	10: 20,000 sq. ft. and an additional 1,500 sq. ft. for each animal; 6: 10,000 sq. ft. and an additional 1,500 sq. ft. for each animal over 6	20,000 sq. ft. or 10,000 sq. ft.	May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a small domestic animal within the following areas, provided it must be allowed to roam freely therein: 1) A lot which is fenced along all lot lines so as to enclose the entire lot, or 2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or primary structure as one side of the enclosure and which may include all or a portion of either or both side yards. 3) No structure to house the small domestic animal(s) or animals associated with a hobby kennel may be within 25 feet of a property line.
...			

...

Section 11. Section 20.20.170 of the Land Use Code is hereby amended to read as follows:

20.20.170 Child care center.

A. Purpose.

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

B. Applicability.

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

C. Child Care Center.

1. General. The requirements of subsection C of this section apply to each child care center unless located in a community facility. For the requirements for a child care center in a community facility, see subsection D of this section.
2. Review or Registration Required.
 - a. Each operator of a child care center must register with the Development Services Department by filing a signed Child Care Registration Form as provided by the Director prior to the initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration Form.
3. Use Requirements. The following requirements apply to each child care center.
 - a. An on-site vehicle turnaround or separate entrance and exit points, and passenger loading area must be provided. The City shall specifically consider the location and appearance of the proposed turnaround or access in determining compatibility with surrounding uses.
 - b. The child care center use must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.
 - c. The child care center use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.

- d. The operator must have granted the City permission to enter the property, and to inspect the child day care center use for compliance with the requirements of the Land Use Code, and other applicable City ordinances.

4. Conditions.

- a. The Director may impose conditions to protect the public health, safety, and welfare.

D. Child Care Center Located in a Community Facility.

1. General. The requirements of this subsection apply to each child care center located in a community facility.
2. Review or Registration Required. Each operator of a child care center housed in a community facility must register with the Development Services Department by filing a signed Child Care Registration Form as provided by the Director prior to initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration form.
3. Use Requirements. The following requirements apply to each child care center located in a community facility:
 - a. The child care center must have received all necessary permits or approvals from the State of Washington Department of Social and Health Services.
 - b. The child care center must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
 - c. The operator must have granted the City permission to enter the property, and to inspect the child care center for compliance with the requirements of the Land Use Code, and other applicable City ordinances.
4. Conditions.
 - a. The Director may impose conditions to protect the public health, safety, and welfare.

Section 12. Subsections 20.20.195.E.1.b.i.(2) and E.1.b.i.(3) of the Land Use Code are hereby amended to read as follows:

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

Section 13. Subsection 20.20.255.D.2.d of the Land Use Code is hereby amended to read as follows:

- 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 location in a land use district that does not permit residential uses.

Section 14. Subsection 20.20.255.E.5 of the Land Use Code is hereby amended to read as follows:

- 5. For proposals located on sensitive sites as referenced in Figure UT.6 of the Utility Element of the Comprehensive Plan, the applicant shall demonstrate:
 - a. Compliance with the alternative siting analysis requirements of subsection D of this section;
 - b. Where feasible, the preferred site alternative identified in subsection D.2.d of this section is located within the land use district requiring additional service and residential land use districts are avoided when the proposed new or expanded electrical utility facility serves a commercial and mixed-use land use district;

Section 15. Subsection 20.20.425.C.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 hard surface limits.

Section 16. Subsection 20.20.455.C.1.a of the Land Use Code is hereby amended to read as follows:

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

Section 17. Subsection 20.20.540.A of the Land Use Code is hereby amended to read as follows:

- A. New multifamily developments of 10 units or more shall be required, as a condition of Building Permit approval, to provide a minimum of 800 square feet of contiguous, unpaved, usable open space with lawn or other soft surface for an outdoor children's play area, plus an additional 50 square feet of usable open space for each additional unit beyond the initial 10 units, up to a maximum of 10,000 square feet. This requirement does not apply to:
 1. Multifamily development in Downtown or in Mixed-Use Land Use Districts established under LUC 20.10.020 and described in LUC 20.10.398;
 2. Multifamily development devoted exclusively to senior citizen dwellings as defined in LUC 20.50.046;
 3. Micro-apartments;
 4. Multifamily development in the Community Mixed-Use Design District (O, OLB, OLB 2, NB, CB, NMU, MU8, MU16, or F3);
 5. Multifamily development in the EG-TOD land use district; or
 6. Multifamily development in the F1 land use district.

Section 18. Chapter 20.20 of the Land Use Code is hereby amended to include a new Section 20.20.790 to read as follows:

20.20.790 Shopping carts.

A. Applicability.

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

B. Standards.

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

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

Section 19. Subsection 20.25A.050.D of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25A.050.D and Chart 20.25A.050.D that are omitted below, as indicated by an ellipsis, remaining unchanged:

D. Use Charts.

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

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

...

Services – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
...							
6262	Cemeteries						
629	Child Care Center	P	P	P	P	P	P
...							

Notes: Uses in Downtown Land Use Districts – Services:

(1) Intentionally Deleted.

(2) Intentionally Deleted.

...

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

...

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

(12) Electric vehicle infrastructure, excluding battery exchange stations, where ancillary to motor vehicle parking and highways and rights-of-way and not a

standalone vehicle charging station, is permitted through the applicable review process as a component of that use.

...

Wholesale and Retail – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
...							
552	Automotive and Marine Accessories (Retail)			P			P
	Vehicle Fueling and Charging Stations (9)	P	P	P			P
...							

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

...

(8) Intentionally deleted.

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

...

Section 20. Section 20.25D.070 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25D.070 and Chart 20.25D.070 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25D.070 Land use Charts.

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

...

Notes: Uses in land use districts – Residential:

...

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

...

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

...

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

...

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

...

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

...

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

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

...

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

...

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

...

(15) Intentionally deleted.

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

...

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

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/No des	BelRed Residential Commercial	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR- GC	BR- CR	BR- ORT
...								
6262	Cemeteries							
629	Child Care Center	P/P	P/P	P	P	P	P	P
	Adult Day Care	P/P	P/P	P	A 1	P	P	
...								

...

Notes: Uses in land use districts – Services:

...

(2) Intentionally Deleted.

(3). Intentionally Deleted.

...

Section 21. Subsection 20.25D.080.A of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.25D.080 and Chart 20.25D.080.A that are omitted below, as indicated by an ellipsis, remaining unchanged:

A. General.

...

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

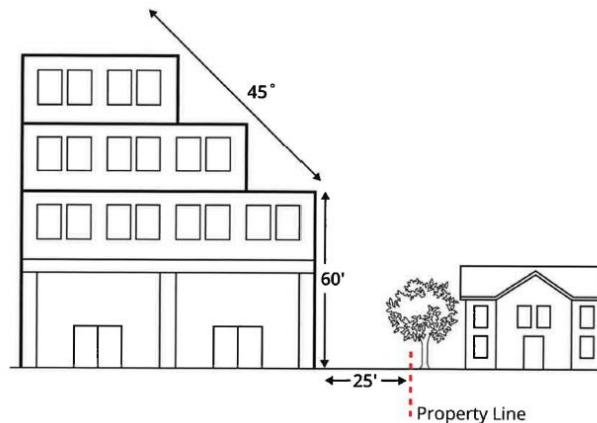
...

(10) Intentionally deleted.

...

Section 22. Subsection 20.25I.070.C.1.b of the Land Use Code is hereby amended to read as follows:

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



Section 23. Section 20.25J.020 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25J.020 and the Medical District Land Use Chart that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25J.020 Permitted uses.

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

Medical District Land Use Chart

...

Footnotes:

...

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

...

(12) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

Section 24. Section 20.25J.030 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25J.030 and the Dimensional Requirements in Medical Institution District Table that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25J.030 Dimensional requirements.

Dimensional Requirements in Medical Institution District

Medical Institution (MI) District Development Area	Minimum Setback (1)(2)					Max Bldg. Floor Area per Floor Above 40' Stepback	Max Lot Coverage District-Wide (5)	Building Height (8)	Separation Between Towers Above 40' Stepback	Floor Area Ratio (FAR)
	I-405 Access Ramps/NE 8th Street	NE 10th Street	116th Ave NE/NE 12th Street	I-405	Side/Rear					
...										

Hospital Perimeter (DA3)	N/A	N/A	0' (4)(6)(8)	N/A	20' (13)	N/A	75%	100' (15)	N/A	1.0

Footnotes:

...

(14) Intentionally deleted.

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

Section 25. Section 20.25L.020 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25L.020 and the included Land Use Chart that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25L.020 Permitted land uses.

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

Land Use	Process
...	
Satellite Dishes (7)	P
Vehicle Fueling and Charging Stations (8)	A
Apparel and Accessories (Retail)	S
...	
Cemeteries	C
Child Care Center	P
Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P
...	

...

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

...

Section 26. Subsection 20.25P.030.B.1 of the Land Use Code is hereby amended to read as follows:

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permit), subordinate uses which are regulated under LUC 20.20.840, and nonconforming uses which are regulated under LUC 20.20.561.

Section 27. Section 20.25P.050 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.25P.050 and Chart 20.25P.050 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25P.050 Land Use Chart.

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

...

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Services – Eastgate Transit Oriented Development Land Use District ⁽⁹⁾	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
6262	Cemeteries	
624410	Child Care Center	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P
...		

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

(1) Intentionally deleted.

(2) Intentionally deleted.

...

Chart 20.25P.050

**Transportation and Utilities in Eastgate Transit Oriented
Development Land Use District**

...

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

...

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

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

...

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit oriented Development land use District

STD LAND USE CODE REF	Wholesale and Retail – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
...		
552	Automotive and Marine Accessories (Retail)	
	Vehicle Fueling and Charging Stations	
56	Apparel and Accessories (Retail)	P
...		

Notes: Uses in EG-TOD – Wholesale and Retail

(1) Intentionally deleted.

...

(6) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.

Section 28. The definition of “EM – Ground Floor Uses” contained in Subsection 20.25Q.020.A of the Land Use Code is hereby amended to read as follows,:

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

Section 29. Subsection 20.25Q.050.D of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.25Q.050.D and Chart 20.25Q.050.D that are omitted below, as indicated by an ellipsis, remaining unchanged:

D. Use Chart.

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

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

Std Land Use Code Ref	Land Use Classification	TOD-H	TOD-L
...			
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P
629	Child Care Center	P	P
629	Adult Day Care	P	P
...			

5251	Hardware, Paint, Tile and Wallpaper (Retail) (22)	P	P
54	Food and Convenience Store (Retail) (24)	P	P
...			
552	Automotive and Marine Accessories (Retail)	P	P
	Vehicle Fueling and Charging Stations (26)	P	P
56	Apparel and Accessories (Retail) (22)	P	P
57	Furniture, Home Furnishing (Retail) (22)		
...			
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (22) (29)	P	P
	Handcrafted Products (Retail) (22) (30) (31)	P	P
...			
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (22) (33)	P	P
5999	Pet Shop (Retail) (22)	P	P
	Computers and Electronics (Retail) (22)	P	P
...			

Notes: Uses in East Main Land Use Districts:

...

(5) Intentionally deleted.

(6) Intentionally deleted.

...

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

...

(20) For the definition of an Electrical Utility Facility, see LUC 20.50.018, and for reference to applicable Development regulations relating to Electrical Utility Facilities, see LUC 20.20.255. For new or expanding Electrical Utility Facilities proposed on sensitive Sites as described by Map UT-6 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative Siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For Expansions of Electrical Utility Facilities not proposed on sensitive Sites as described by Map UT-6, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

...

(23) Intentionally deleted.

...

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

...

(39) See LUC 20.20.700 for general development requirements for rooming houses.

Section 30. Subsection 20.25Q.070.D of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.25Q.050.D and Chart 20.25Q.070.D.4 that are omitted below, as indicated by an ellipsis, remaining unchanged:

D. Amenity Incentive Program.

...

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

...

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

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

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

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

Section 31. Section 20.30J.135 of the Land Use Code is hereby amended to read as follows:

20.30J.135 Decision criteria.

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

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

Section 32. Section 20.30N.115 of the Land Use Code is hereby amended to read as follows:

20.30N.115 Applicability.

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

Section 33. Section 20.30N.120 of the Land Use Code is hereby amended to read as follows:

20.30N.120 Purpose.

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

Section 34. Subsection 20.30N.140.A.4 of the Land Use Code is hereby amended to read as follows:

- 4. There is no exterior display, exterior alteration of the property, including expansion of parking or the addition or expansion of exterior mechanical

equipment, signs shall meet the requirements of Chapter 22.10 BCC, no exterior storage of materials or other exterior indication of the business; and

Section 35. Subsection 20.30U.122.B of the Land Use Code is hereby amended to read as follows:

B. Additional Mailed Notice.

The requirements for mailed notice of the application set forth in LUC 20.35.510 shall be expanded to include owners of real property within 600 feet of the project Site. Prior to the decision of the Director on a Temporary Encampment Permit, the Encampment Host, Encampment Sponsor, or Encampment Manager shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within 600 feet of the boundaries of the proposed Temporary Encampment Site, and shall meet and confer with the operators of any known Child Care Center within 600 feet of the boundaries of the proposed Temporary Encampment Site. The Encampment Host and the School administration and/or Child Care Center operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address School and/or child care concerns regarding the location of a Temporary Encampment within 600 feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the Director for consideration for inclusion within the Temporary Encampment Permit. In the event the parties fail to agree on any conditions, either party may provide the Director with a written summary of the parties' discussions, which the Director may consider in evaluating whether the criteria for the Temporary Encampment Permit are met, or the need for additional conditions upon the Temporary Encampment Permit based on the applicable decision criteria.

Section 36. The following language included as preamble to Chapter 20.50 of the Land Use Code is hereby repealed in its entirety:

Except where specifically defined herein, all words used in this Code shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word "shall" is always mandatory, the word "may" denotes a use of discretion in making a decision; the words "used" or "occupied" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied." Words used in the masculine gender include the feminine, and the feminine the masculine.

Section 37. Chapter 20.50 of the Land Use Code is hereby amended to include a new LUC 20.50.005 to read as follows:

20.50.005 Applicability and Interpretation.

- A. The definitions contained in this chapter provide the meanings of words and terms used in this title, except in the following circumstances:
1. If another chapter, section, or subsection of this title provides a separate definition of a word or term otherwise defined in this chapter that is unique to that chapter, section, or subsection of this title, then that separate definition of the word or term shall apply for the purposes of that chapter, section, or subsection;
 2. If state or federal law requires a different definition for a word or term otherwise defined in this chapter, then the definition provided for the word or term under state or federal law shall govern; or
 3. If a chapter, section, or subsection contained in a different title of the Bellevue City Code incorporates a definition contained in this chapter explicitly by reference, then the incorporated definition contained in this chapter shall apply to that chapter, section, or subsection.
- B. Unless the context of a chapter, section, or subsection of this title clearly requires otherwise, the following shall be used to interpret the words and terms used in this title:
1. Words used in the singular include the plural and the plural the singular;
 2. Words used in the present tense include the future, and words used in the future tense include the present;
 3. The word “shall” is always mandatory;
 4. The word “may” denotes a use of discretion in making a decision;
 5. The words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied”;
 6. Words used in the masculine gender include the feminine, and the feminine the masculine; and

7. If a word used in this title is not defined in this chapter or elsewhere in this title, then the word shall carry its customary meaning unless otherwise required by state or federal law.

Section 38. Section 20.50.012 of the Land Use Code is hereby amended to include a new definition of the term “Bay Window” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.012 in a manner that maintains an alphabetical listing of defined terms.

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

Section 39. The definition of “Building Height” contained in Section 20.50.012 of the Land Use Code is hereby amended to read as follows.

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

Section 40. The definition of “Child Care Service” contained in Section 20.50.014 of the Land Use Code is hereby repealed in its entirety.

Section 41. The definition of “Child Day Care Center” contained in Section 20.50.014 of the Land Use Code is hereby amended to become a definition for the term “Child Care Center” to read as follows.

Child Care Center. Has the same meaning as provided in RCW 43.216.010, except that the term, as used in the Land Use Code, includes the following: all preschools and nursery schools which are not part of a school.

Section 42. The definitions of “Daylight Plane” and “Dwelling, Single-Family” and “Dwelling Unit” contained in Section 20.50.016 of the Land Use Code are hereby amended to read as follows:

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

Dwelling, Single-Family. A building designed for and occupied exclusively by one family, except where accessory dwelling units have been approved.

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

Section 43. Section 20.50.018 of the Land Use Code is hereby amended to include a new definition of the term “Eave” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.018 in a manner that maintains an alphabetical listing of defined terms.

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

Section 44. The definition of “Enclosed Plaza” contained in Section 20.50.018 of the Land Use Code is hereby amended to read as follows.

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

Section 45. The definition of “Existing Grade” contained in Section 20.50.018 of the Land Use Code is hereby repealed in its entirety.

Section 46. The definition of “Family Child Care Home” contained in Section 20.50.020 of the Land Use Code is hereby repealed in its entirety.

Section 47. The definition of “Grade” contained in Section 20.50.022 of the Land Use Code is hereby repealed in its entirety.

Section 48. The definition of “Grade, Finished” contained in Section 20.50.022 of the Land Use Code is hereby amended to become a definition of the term “Grade, Average Finished” to read as follows.

Grade, Average Finished. The average elevation of the finished surface of the ground or paving where it touches the building.

Section 49. Section 20.50.022 of the Land Use Code is hereby amended to include a new definition of the term “Grade, Existing” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.022 in a manner that maintains an alphabetical listing of defined terms.

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

Section 50. The definition of “Impervious Surface” contained in Section 20.50.026 of the Land Use Code is hereby amended to read as follows.

Impervious Surface. Any structure or other nonvegetated surface affixed to the ground that prevents or retards the entry of water into the soil layer, or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow rate prior to addition of such surface. “Impervious Surfaces” include, without limitation: structures, including eaves; vehicular, bicycle, pedestrian or other circulation facilities constructed of solid surfaces, including pavement, gravel, concrete, u grouted brick or stone; solid decks, patios, sport courts, swimming pools, hot tubs and similar recreation facilities; and landscape features, including sheds, arbors, and play structures.

Section 51. Section 20.50.034 of the Land Use Code is hereby amended to include a new definition of the term “Modular Construction” 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.

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

Section 52. The definition of “Owner Occupancy” contained in Section 20.50.038 of the Land Use Code is hereby amended to read as follows.

Owner Occupancy. A property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year.

Section 53. Section 20.50.040 of the Land Use Code is hereby amended to include a new definition of the term “Passive House” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.040 in a manner that maintains an alphabetical listing of defined terms.

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

Section 54. The definitions of “Planning Director” and “Public Works Director” contained in Section 20.50.040 of the Land Use Code are hereby repealed in their entirety.

Section 55. The definitions of “Satellite Dish Antenna, Large” and “Satellite Dish Antenna, Small” contained in Section 20.50.046 of the Land Use Code are hereby amended to read as follows.

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

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

Section 56. The definition of “Technical Committee” contained in Section 20.50.048 of the Land Use Code is hereby repealed in its entirety.

Section 57. The definition of “Transient Lodging” contained in Section 20.50.048 of the Land Use Code is hereby amended to read as follows.

Transient Lodging. Lodging provided for a fee or charge through a license to use real property for a period of less than thirty (30) days.

Section 58. The definition of “Vehicle” contained in Section 20.50.052 of the Land Use Code is hereby amended to read as follows.

Vehicle. A motorized conveyance that includes, but is not limited to an automobile, car, motorcycle, small watercraft, jet ski, or snowmobile in operable condition. This definition does not include inoperable vehicles as defined in LUC 20.20.470 or conveyances regulated pursuant to LUC 20.20.720 (Recreational vehicles, watercraft and utility trailers).

Section 59. 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 60. Effective Date. Following adoption, this Ordinance shall take effect and be in force five (5) days after legal publication.

Passed by the City Council this _____ day of _____, 2026 and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____

CITY COUNCIL AGENDA TOPIC

Ordinance relating development regulations; Amending LUC 20.10.440, LUC 20.10.445, LUC 20.15.030, LUC 20.15.050, LUC 20.15.120, LUC 20.15.130, LUC 20.20.010, LUC 20.20.120, LUC 20.20.390, LUC 20.20.525, LUC 20.20.538, LUC 20.20.727, LUC 20.25A.170, LUC 20.25A.180, LUC 20.25D.070, LUC 20.25D.105, LUC 20.25D.130, LUC 20.25D.150, LUC 20.25P.100, LUC 20.25Q.070, LUC 20.25Q.150, LUC 20.25Q.160, LUC 20.25R.030, LUC 20.25R.040, LUC 20.25R.050, LUC 20.45A.065, and LUC 20.45B.057; Amending Chapter 20.20 LUC to include new LUC 20.20.536; Providing for Severability; and setting an effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

EXECUTIVE SUMMARY

ACTION

On June 9, after discussion in study session, the City Council directed staff to finalize this Ordinance for final action. This Ordinance is a Land Use Code Amendment (LUCA) for general clean-ups to improve clarity and internal consistency, correct inaccurate or outdated citations, and directly comply with changes to state law.

RECOMMENDATION

Move to adopt Ordinance No. 6931

BACKGROUND/ANALYSIS

Background

The Omnibus code amendment package includes amendments in five subject areas:

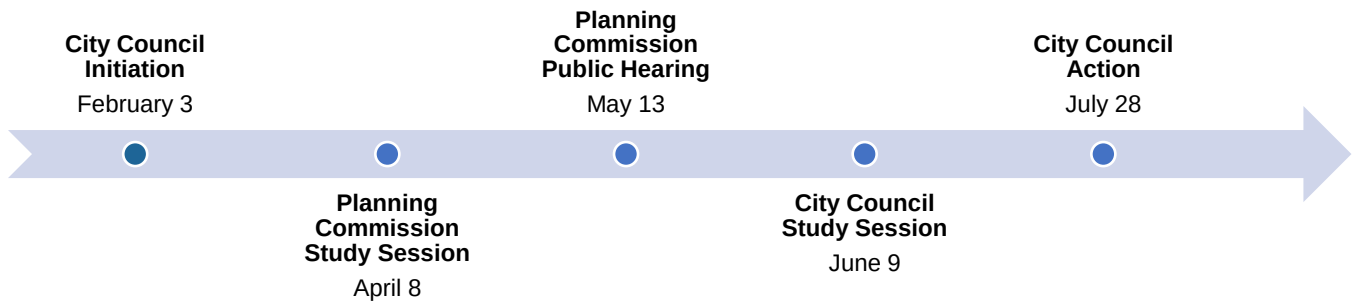
- Clean-Up Amendments
- Development Regulations
- Trees, Landscaping, and Environment
- Process Changes
- Bellevue City Code Amendments

This Ordinance relates to the development regulations amendments, which amends Chapters 20.10, 20.15, 20.20, 20.25, 20.45A, and 20.45B of the Land Use Code to improve clarity and internal consistency, correct inaccurate or outdated citations, and ensure compliance with changes to state law. A final strike-draft of the LUCA is provided as Attachment A.

On June 9, Council reviewed this LUCA. Following discussion, Council directed staff to finalize an Ordinance for the LUCA for final action.

LUCA Schedule

This schedule is intended to ensure compliance with state law changes that must be implemented by the statutory deadline in summer 2026.



POLICY & FISCAL IMPACTS

Policy Impact

This LUCA will improve the administration and clarity of the Land Use Code. Additionally, some changes in this Ordinance are necessary for compliance with state law.

Fiscal Impact

There is no fiscal impact associated with implementing this LUCA.

OPTIONS

1. Adopt the Ordinance relating development regulations; Amending LUC 20.10.440, LUC 20.10.445, LUC 20.15.030, LUC 20.15.050, LUC 20.15.120, LUC 20.15.130, LUC 20.20.010, LUC 20.20.120, LUC 20.20.390, LUC 20.20.525, LUC 20.20.538, LUC 20.20.727, LUC 20.25A.170, LUC 20.25A.180, LUC 20.25D.070, LUC 20.25D.105, LUC 20.25D.130, LUC 20.25D.150, LUC 20.25P.100, LUC 20.25Q.070, LUC 20.25Q.150, LUC 20.25Q.160, LUC 20.25R.030, LUC 20.25R.040, LUC 20.25R.050, LUC 20.45A.065, and LUC 20.45B.057; Amending Chapter 20.20 LUC to include new LUC 20.20.536; Providing for Severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. Development Regulations Strike Draft
Proposed Ordinance No. 6931

AVAILABLE IN COUNCIL LIBRARY

N/A

Title 20 Land Use Code

...

Chapter 20.10 Land Use Districts

...

20.10.440 Land use charts

...

Chart 20.10.440

Uses in land use districts

Residential – Residential Land Use Districts

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

...

Chart 20.10.440

Uses in land use districts

Residential – Commercial and Mixed-Use Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU	CB	MU16	F1	F3
1	Residential													
	Single-Family Dwelling ~~(3)~~	~~P~~ 15	~~P~~	~~S~~		~~S~~	~~S~~	~~S~~			~~S~~		~~S~~	~~S~~
...														

Notes: Uses in land use districts – Residential:

(3) ~~Intentionally deleted. A boardinghouse or bed and breakfast is permitted in a single family dwelling, provided the requirements of LUC 20.20.140 are met.~~

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

20.10.445 Land uses in Mixed-Use Land Use Districts.

C. Prohibited Uses.

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

10. Single-family dwellings.

- 1~~10~~. Any land use prohibited under LUC 20.10.410.

...

Chapter 20.15 Affordable Housing

...

20.15.030 Administration

...

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

...

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

...

20.15.050 Modification of Certain Requirements.

...

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

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

H. Generally Applicable.

1. In any land use district, the following development shall not be required to provide façade modulation or upper-level setbacks in the building design:
 - a. New development consisting entirely of affordable housing, as defined in LUC 20.15.020.A;
or
 - b. Conversions of existing buildings into development consisting entirely of affordable housing, as defined in LUC 20.15.020.A.

20.15.120 Affordable Housing Program – Performance Option – Residential

...

B. On-Site Performance.

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

...

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

...

20.15.130 Affordable Housing Program – Performance Option – Nonresidential

...

B. On-site Performance.

Nonresidential development complying with LUC 20.15.110 through the nonresidential performance option shall provide affordable housing in an amount indicated below:

...

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

...

Chapter 20.20 General Development Requirements

...

20.20.010 Dimensional requirements.

Chart 20.20.010
Dimensional Requirements in Land Use Districts

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

Side Yard Minimum Setback of Structures (feet) (7)(11) ~~(17)~~ (18) (20) (38) (39)	5	5	5	5	5	5	5	5	5	5	5
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
...											

...

Notes: Uses in land use districts – Dimensional requirements:

...

(17) ~~If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.~~ Intentionally deleted.

...

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

...

20.20.120 Accessory dwelling units.

...

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

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

...

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

A. Applicability.

The requirements of this section apply to the following:

...

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

...

20.20.525 Mechanical equipment.

...

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

20.20.536 Mass timber, modular construction, and passive house

A. Applicability

This section applies to any one or more of the following types of development:

1. New construction, or retrofits of existing buildings, to meet passive house requirements;
2. Mass timber construction; or
3. Modular construction.

B. General Requirements.

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

1. Otherwise applicable façade modulation requirements;
2. Otherwise applicable upper-level setback requirements; and
3. Otherwise applicable off-street parking requirements.

C. Passive House.

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

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

20.20.538 Middle Housing.

...

C. Standards.

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

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

	Middle Housing										
LAND-USE CLASSIFICATION	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR- 1	LDR- 2	LDR- 3	MDR -1	MDR -2
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)
...											
Maximum Impervious Surface (percent)	50	50	50	50	50	60	60	65	65	65	65
Alternative Maximum Impervious Surface (percent)	~~50-55~~	~~50-55~~	~~50-55~~	~~50-55~~	~~50-55~~	~~55-60~~	~~55-65~~	80	80	80	80

...

20.20.727 Redevelopment of existing buildings.

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

...

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

...

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

...

3. Dimensional Requirements.

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

the applicable dwelling units per acre under LUC 20.20.010 or the applicable dwelling units per lot under LUC 20.20.538, whichever provides for the greater density of dwelling units.

...

5. The following sections of the Land Use Code, now or as hereafter amended, do not apply:

a. LUC 20.20.070 (Lots nonconforming as to area, street frontage, width or depth – Status);

b. LUC 20.20.540 (Multifamily play areas);

c. LUC 20.20.561 (Nonconforming structures, uses and sites);

d. LUC 20.20.725 (Recycling and solid waste collection areas); or

~~e. LUC 20.25A.040 (Nonconforming uses, structures and sites);~~

~~ef. LUC 20.25D.060 (Existing conditions); or~~

~~g. LUC 20.25Q.040.A through C (Nonconforming Uses, Nonconforming Structures and Nonconforming Sites).~~

...

C. Exceptions.

1. The redevelopment ~~for multifamily residential use~~ of any existing building located within the Shoreline Overlay District jurisdiction described in LUC 20.25E.010 is subject to the requirements of Part 20.25E LUC. To the extent that any provision of this section conflicts with any requirement contained in Part 20.25E LUC, Part 20.25E LUC shall control.

2. The redevelopment ~~for multifamily residential use~~ of any existing building located fully or partially within a critical area, critical area structure setback, or critical area buffer designated or established under Part 20.25H LUC is subject to the requirements of Part 20.25H LUC. To the extent that any provision of this section conflicts with any requirement contained in Part 20.25H LUC, Part 20.25H LUC shall control.

3. The redevelopment of any existing building for supportive housing, as defined by LUC 20.20.845, is subject to the requirements of LUC 20.20.845. To the extent that any provision of this section conflicts with any requirement contained in LUC 20.20.845, LUC 20.20.845 shall control.

4. The redevelopment of any existing building for a homeless services use, as defined by LUC 20.20.455, is subject to the requirements of LUC 20.20.455. To the extent that any provision of this section conflicts with any requirement contained in LUC 20.20.455, LUC 20.20.455 shall control.

5. This section does not apply to the development of accessory dwelling units, which are governed by LUC 20.20.120.

Part 20.25A Downtown

...

20.25A.170 Streetscape and public realm.

A. **Streetscapes.**

1. The Pedestrian Environment.

...

b. Standards.

i. Windows shall be transparent at the street level;

~~ii. Walls shall utilize a variety of colors and compatible cladding materials;~~

iii. Facades shall include bays, columns, pilasters, or other articulation at the street level;
and

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

...

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

...

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

~~1. High Quality Materials.~~

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

~~b. Standards.~~

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

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

...

~~21. Building Massing.~~

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

~~b2.~~ Standards.

- ia.** The length and breadth of a building shall be pedestrian-scaled. Portions of a large building mass shall be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and recesses; and
- iiib.** Buildings shall exhibit a vertically articulated tripartite façade division – base, middle, and top through material and scale.

...

Part 20.25D BelRed Overlay

...

20.25D.070 Land Use Charts.

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

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

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

...

20.25D.105 Operations and Maintenance Satellite Facility Development Requirements

...

D. Applicable Land Use Code Provisions.

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

...

~~i. LUC 20.25D.130.E – Building Materials;~~

~~ij. LUC 20.25D.150 – Design Guidelines.~~

...

20.25D.130 BelRed development standards.

...

D. Required Transition Edge Development.

...

4. Applicable Standards for Building Design.

...

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

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

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

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

...

~~E. Building Materials.~~

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

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

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

...

20.25D.150 Design standards.

...

C. Pedestrian Emphasis Standards.

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

1. The Pedestrian Environment

...

b. Standards.

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

...

D. Architectural Standards.

Purpose. The architecture standards promote high quality development while reinforcing the area's sense of place and Northwest provenance by promoting innovative design, construction techniques

and materials that reflect the industrial roots of the area while emphasizing the emerging urban character of BelRed.

~~1. High Quality Materials.~~

~~a. Intent. Quality wall materials can provide a sense of permanence and bring life and warmth to a neighborhood. Wall and building materials must enhance the street environment while maintaining compatibility with adjoining buildings. Articulation of wall materials should be bold, with materials that show depth, quality, and durability. It should be apparent that the materials have substance and mass, and are not artificial, thin “stage sets” applied only to the building’s surface.~~

~~b. Standards.~~

~~i. Use high quality and durable materials such as glass, aluminum, steel, brick, finished concrete, stone, terra cotta, cement stucco, and wood; and~~

~~ii. Use natural or subdued building colors and limited use of bright accent trims.~~

12. Building Massing.

...

32. Rooftops

...

43. Residential Entries.

...

54. Retail and Commercial Entries.

...

65. Ground Floor Retail and Commercial Windows.

...

76. Parking Structures.

...

Part 20.25P Eastgate Transit Oriented Development Land Use District

...

20.25P.100 Design standards.

...

C. Pedestrian Emphasis Standards.

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

1. The Pedestrian Environment.

...

b. Standards.

...

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

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

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

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

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

...

Part 20.25Q East Main Transit Oriented Development Land Use District

...

20.25Q.070 FAR and the amenity incentive system.

...

D. Amenity Incentive Program.

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

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

	2. The remaining 20 percent of a project's required amenity points as provided in LUC 20.25Q.070.D.2.b may be earned through Affordable Housing at 100 percent AMI for ownership. 3. Affordable Housing units shall be dispersed throughout any residential project that combines affordable and market rate units. 4. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units. 5. Fee-in-lieu ~~for nonresidential~~ is ~~\$3038.00-80~~ per sf bonus area.
...	

...

20.25Q.150 Streetscape and public realm.

A. Streetscapes.

1. The Pedestrian Environment.

...

b. Standards.

i. Windows shall be transparent at the street level;

~~ii. Walls shall utilize a variety of colors and compatible cladding materials;~~

~~iii.~~ Façades shall include bays, columns, pilasters, or other articulation at the street level; and

~~iiiv.~~ Signs and lighting at the ground level shall be Pedestrian Scale.

...

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

...

B. Overall Building Design.

~~1. High Quality Materials.~~

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

~~b. Standards.~~

- ~~i. Façade articulation shall incorporate durable materials that demonstrate depth, and provide a varied void to solid ratio; and~~
- ~~ii. Use high quality and durable materials such as glass, aluminum, steel, brick, finished concrete, stone, terra cotta, cement stucco, and wood in natural or subdued Building colors.~~

...

21. Building Massing.

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

...

Part 20.25R Mixed-Use Land Use Districts

...

20.25R.030 Site organization and public realm.

...

C. Open Space.

...

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

...

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

- i. Deciduous and evergreen trees shall be planted in natural groupings, with a n minimum average of 1 tree every 20 lineal feet of landscape area.
 - (1) Deciduous trees shall have a minimum caliper of two inches measured four and one-half feet above the soil surface.
 - (2) Evergreen trees shall be minimum height of six feet.
- (3#) Small and medium shrubs, planted in groupings, shall provide coverage that equals 75 percent of the planting area within 3 years of planting.
- (4#) Ground cover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90 percent coverage within 3 years of planting.
- d. An alternative landscaping option may be approved by the Director as provided in LUC 20.20.520.

...

D. Green and Sustainability Factor.

...

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

...

- b. Multiply the square feet, or equivalent unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Table 20.25R.030.D.2.e according to the following provisions:

...

- ii. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted, except for landscaping strips proposed between back of sidewalk and the base of building facades.

...

E. Public Realm.

...

- 4. Weather Protection.

...

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

...

20.25R.040 Building design.

...

D. Building Base (Podium).

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

...

20.25R.050 Amenity incentive system.

...

C. FAR Exemptions.

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

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

...

D. Amenity Incentive Program.

...

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

...

I. Child Care ~~Services~~Centers.

- i. Eight bonus points for every 1 square foot of Child Care ~~Service~~Center up to a maximum of 15,000 square feet, including outdoor areas dedicated exclusively for use by the Child Care ~~Service~~Center.
- ii. The floor area, including outdoor area, delineated for Child Care ~~Service~~Centers shall be required to remain dedicated to Child Care ~~Service~~Center for the life of the project.

- iii. No other uses shall be approved for future tenancy in those spaces dedicated for Child Care ~~Service~~Centers.

...

Chapter 20.45A Platting and Subdivisions

...

20.45A.065 Special requirements for unit lot subdivisions

...

B. General Requirements.

...

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

...

C. Notes on Plat.

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

1. The title of the plat shall include the phrase "Unit Lot Subdivision."
2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot, including the applicable permit or file number for the development.
4. Subsequent platting actions, additions, or modifications to any buildings or structures may not create a nonconformity of the parent lot.
5. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
6. If a structure or a portion of a structure on a unit lot is damaged or destroyed, then any repair, reconstruction, or replacement of the structure shall conform to one of the following:
 - a. The approved unit lot subdivision; or

- b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

Chapter 20.45B Short Plats and Short Subdivisions

...

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

...

B. General Requirements.

...

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

...

C. Notes on Short Plat.

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

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

- b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6931

AN ORDINANCE relating development regulations; Amending LUC 20.10.440, LUC 20.10.445, LUC 20.15.030, LUC 20.15.050, LUC 20.15.120, LUC 20.15.130, LUC 20.20.010, LUC 20.20.120, LUC 20.20.390, LUC 20.20.525, LUC 20.20.538, LUC 20.20.727, LUC 20.25A.170, LUC 20.25A.180, LUC 20.25D.070, LUC 20.25D.105, LUC 20.25D.130, LUC 20.25D.150, LUC 20.25P.100, LUC 20.25Q.070, LUC 20.25Q.150, LUC 20.25Q.160, LUC 20.25R.030, LUC 20.25R.040, LUC 20.25R.050, LUC 20.45A.065, and LUC 20.45B.057; Amending Chapter 20.20 LUC to include new LUC 20.20.536; Providing for Severability; and setting an effective date.

WHEREAS, on February 3, 2026, the City Council initiated work on the 2026 Omnibus Amendments; and

WHEREAS, the 2026 Omnibus Amendments package a collection of relatively small, discrete text amendments to both the Land Use Code and the Bellevue City Code into a single legislative process for administrative efficiency; and

WHEREAS, this Ordinance contains the text amendments to the Land Use Code of development regulations included within the 2026 Omnibus Amendments; and

WHEREAS, on April 8, 2026, the Planning Commission held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on April 29, 2026, a notice of a public hearing on the text amendments to the Land Use Code contained in this Ordinance was published in the Seattle Times and in the City's Weekly Permit Bulletin; and

WHEREAS, on May 13, 2026, the Planning Commission held a public hearing on the 2026 Omnibus Amendments, including the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on May 13, 2026, following the public hearing, the Planning Commission unanimously recommended that the City Council adopt the text amendments to the Land Use Code included in 2026 Omnibus Amendments; and

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code 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 April 29, 2026; 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, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; 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 Council finds that the proposed text amendments to the Land Use Code contained in this Ordinance 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 20.10.440 of the Land Use Code, including Chart 20.10.440, is hereby amended to read as follows, with all other provisions of Section 20.10.440 and Chart 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

Residential – Residential Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR -1	LDR -2	LDR -3	MDR -1	MDR -2
1	Residential											
	One to Four Dwelling Units per Lot	P	P	P	P	P	P	P	P (6)	P (6)	P (6)	P (6)
	Five or More Dwelling Units per Lot (2)	P	P	P	P	P	P	P	P	P	P	P
...												

Chart 20.10.440
Uses in land use districts

Residential – Commercial and Mixed-Use Land Use Districts

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

Notes: Uses in land use districts – Residential:

...

(3) Intentionally deleted.

...

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

...

Section 3. Subsection 20.10.445.C of the Land Use Code is hereby amended to read as follows:

C. Prohibited Uses.

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

1. Agricultural production of animals and animal products.
2. Agricultural processing.
3. Drive-in businesses and drive-throughs.
4. Hazardous waste treatment and storage facilities (both on or off site), unless associated with medical or life science uses and meeting all applicable standards for safe storage and handling of hazardous waste.
5. Junk yards.
6. Marijuana producers and marijuana processors, as defined in LUC 20.20.535.
7. Any use containing outdoor storage or outdoor displays, except:
 - a. Outdoor storage for florists and other horticultural uses, including nurseries;
 - b. Temporary outdoor display of retail products; and
 - c. As provided in subsection B.5.b of this section.
8. Recycling centers, solid waste collection areas, or solid waste disposal facilities, except those qualifying as subordinate uses under LUC 20.20.725 or meeting the requirements of LUC 20.20.820.

9. Warehousing and storage services.
10. Single-family dwellings.
11. Any land use prohibited under LUC 20.10.410.

Section 4. Subsection 20.15.030.B of the Land Use Code is hereby amended to read as follows:

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

1. The in-lieu fees contained in Table 20.15.150.B;
2. The in-lieu fee contained in Chart 20.25Q.070.D.4; and
3. The in-lieu fee for middle housing development contained in Table 20.15.080.B.2.b.

Section 5. Section 20.15.050 of the Land Use Code is hereby amended to include a new Subsection 20.15.050.H to read as follows, and the City Clerk is hereby authorized to codify this new subsection in Section 20.15.050 in a manner that maintains an alphabetical listing of subsections:

H. Generally Applicable.

1. In any land use district, the following development shall not be required to provide façade modulation or upper-level setbacks in the building design:
 - a. New development consisting entirely of affordable housing, as defined in LUC 20.15.020.A; or
 - b. Conversions of existing buildings into development consisting entirely of affordable housing, as defined in LUC 20.15.020.A.

Section 6. Subsection 20.15.120.B.3 of the Land Use Code is hereby amended to read as follows:

3. If the operation of this section would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of dwelling units of affordable housing

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

Section 7. Subsection 20.15.130.B.3 of the Land Use Code is hereby amended to read as follows:

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

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

20.20.010 Dimensional requirements.

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

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

(feet) (7) (11) (18) (20) (38) (39)											
2 Side Yards Minimum Setback of Structures (feet) (7) (18) (20) (38) (39)	20	15	15	15	15	15	10	10	10	10	10
...											

...

Notes: Dimensional requirements – Residential, commercial, and mixed-use land use districts:

...

(17) Intentionally deleted.

...

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

...

Section 9. Subsection 20.20.120.C.1 of the Land Use Code is hereby amended to read as follows:

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

Section 10. Subsection 20.20.390.A.2 of the Land Use Code is hereby amended to read as follows:

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

Section 11. Section 20.20.525 of the Land Use Code is hereby amended to include a new Subsection 20.20.525.D to read as follows, and the City Clerk is hereby authorized to codify this new subsection in Section 20.20.525 in a manner that maintains an alphabetical listing of subsections:

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

Section 12. Chapter 20.20 of the Land Use Code is hereby amended to include a new Section 20.20.536 to read as follows,

20.20.536 Mass timber, modular construction, and passive house

A. Applicability

This section applies to any one or more of the following types of development:

1. New construction, or retrofits of existing buildings, to meet passive house requirements;
2. Mass timber construction; or
3. Modular construction.

B. General Requirements.

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

1. Otherwise applicable façade modulation requirements;
2. Otherwise applicable upper-level stepback requirements; and
3. Otherwise applicable off-street parking requirements.

C. Passive House.

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

1. Any required setback shall be measured from the outside face of the foundation;

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

Section 13. Subsection 20.20.538.C.1 of the Land Use Code, including Table 20.20.538.C.1, is hereby amended to read as follows, with all other provisions of Subsection 20.20.538.C.1 and Table 20.20.538.C.1 that are omitted below, as indicated by an ellipsis, remaining unchanged:

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**

	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-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)
...											
Maximum Impervious Surface (percent)	50	50	50	50	50	60	60	65	65	65	65
Alternative Maximum Impervious Surface (percent)	55	55	55	55	55	60	65	80	80	80	80

...

Section 14. Section 20.20.727 of the Land Use Code is hereby amended to read as follows, with all other provisions of Section 20.20.727 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.20.727 Redevelopment of existing buildings.

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

...

2. The existing building is located on a site in a land use district where residential uses are a permitted use, an administrative conditional use, or a conditional use.

...

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

...

3. Dimensional Requirements.

- a. If the existing building is located on a site in a land use district where attached or detached multifamily dwellings are a permitted use by right for all development, then the eligible residential development is exempt from all applicable dimensional requirements.
- b. If the existing building is located on a site in a land use district where attached or detached multifamily dwellings are not a permitted use by right for all development, then the eligible residential development is exempt from all applicable dimensional requirements except for the applicable dwelling units per acre under LUC 20.20.010 or the applicable dwelling units per lot under LUC 20.20.538, whichever provides for the greater density of dwelling units.

...

5. The following sections of the Land Use Code, now or as hereafter amended, do not apply:

- a. LUC 20.20.070 (Lots nonconforming as to area, street frontage, width or depth – Status);
- b. LUC 20.20.540 (Multifamily play areas);
- c. LUC 20.20.561 (Nonconforming structures, uses and sites);

- d. LUC 20.20.725 (Recycling and solid waste collection areas); and
- e. LUC 20.25D.060 (Existing conditions).

...

C. Exceptions.

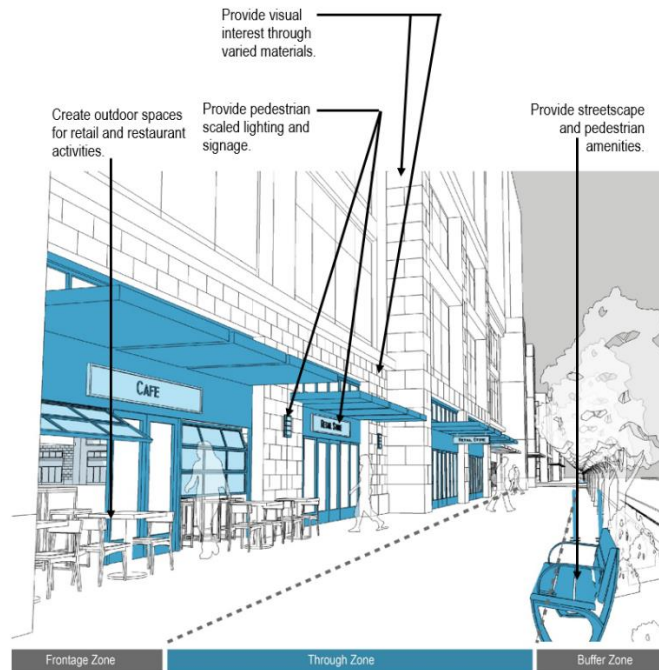
1. The redevelopment of any existing building located within the Shoreline Overlay District jurisdiction described in LUC 20.25E.010 is subject to the requirements of Part 20.25E LUC. To the extent that any provision of this section conflicts with any requirement contained in Part 20.25E LUC, Part 20.25E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

Section 15. Subsection 20.25A.170.A.1.b of the Land Use Code is hereby amended to read as follows:

b. Standards.

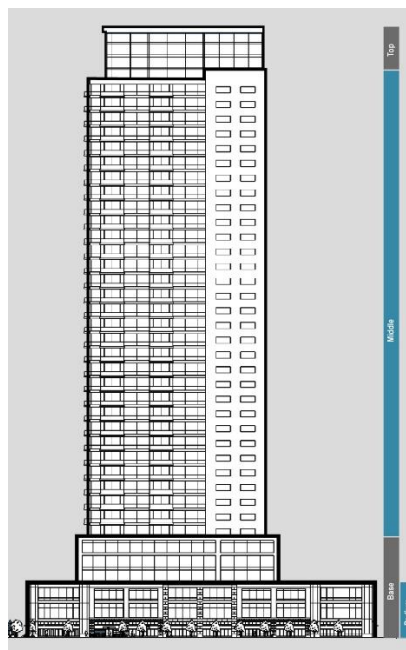
- i. Windows shall be transparent at the street level;
- ii. Facades shall include bays, columns, pilasters, or other articulation at the street level; and

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

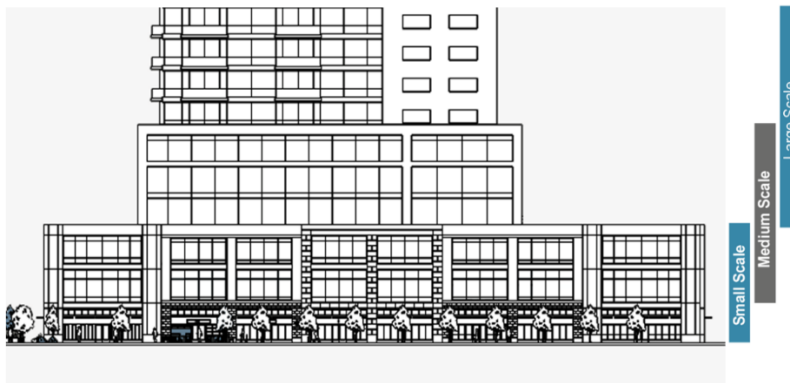


Section 16. Subsection 20.25A.180.B of the Land Use Code is hereby amended to read as follows:

B. Building Massing.



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



Section 17. Section 20.25D.070 of the Land Use Code, including Chart 20.25D.070, is hereby amended to read as follows, with all other provisions of Section 20.25D.070 and Chart 20.25D.070 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.25D.070 Land Use Charts.

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

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

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

...

Section 18. Subsection 20.25D.105.D.1 of the Land Use Code is hereby amended to read as follows:

1. Applicable BelRed Land Use District Sections Incorporated by Reference.
Predictability and certainty with respect to substantive Land Use Code requirements ensures that an OMSF design is sensitive to the context of the underlying land use district, and that temporary and permanent impacts are appropriately mitigated. The following BelRed Land Use District sections of the Land Use Code are expressly incorporated into the provisions of this section and made applicable to an OMSF within that land use district:
 - a. LUC 20.25D.010 – General;
 - b. LUC 20.25D.020 – Definition Specific to BelRed;
 - c. LUC 20.25D.030 – Review Required;
 - d. LUC 20.25D.050 – Permitted Uses;

- e. LUC 20.25D.070 – Transportation and Utilities Use in BelRed Land Use Districts;
- f. LUC 20.25D.110.B, D, E, F – Various Landscape Standards;
- g. LUC 20.25D.110.H – Fences;
- h. LUC 20.25D.120 – Parking, Circulation and Internal Walkway Requirements;
- j. LUC 20.25D.150 – Design Guidelines.

Section 19. Subsection 20.25D.130.D.4 of the Land Use Code is hereby amended to read as follows:

- 4. Applicable Standards for Building Design.
 - a. Building facades shall incorporate elements including but not limited to stepbacks, offsets, roof overhangs, and recesses with a minimum depth of 18 inches. Incorporated recess and offset elements should generally occur along the building facade at intervals no greater than 30 feet.
 - b. A building facade visible from abutting residential properties shall not exceed 150 feet.
 - c. The maximum building height of 45 feet above average existing grade may be reached only when incorporating pitched or stepped roof forms, except that the maximum building height may exceed 45 feet by 48 inches to accommodate a roof-mounted solar energy panel.
 - d. Communication dishes greater than 1 meter (3.28 feet) in diameter shall not be visible from adjacent residential districts.

Section 20. Subsection 20.25D.130.E of the Land Use Code is hereby repealed in its entirety.

Section 21. Subsection 20.25D.150.C.1.b of the Land Use Code is hereby amended to read as follows:

- b. Standards.
 - i. Windows shall be transparent at the street level;

- ii. Facades shall include bays, columns, pilasters, or other articulation at the street level;
- iii. Lighting at the ground level shall be human scale;
- iv. Walls that face the pedestrian right of way shall not be blank, flat, or nondescript; and
- v. The entire block face shall not be treated uniformly.

Section 22. Subsection 20.25D.150.D of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.25D.150.D that are omitted below, as indicated by an ellipsis, remaining unchanged:

D. Architectural Standards.

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

1. Building Massing.

...

2. Rooftops

...

3. Residential Entries.

...

4. Retail and Commercial Entries.

...

5. Ground Floor Retail and Commercial Windows.

...

6. Parking Structures.

...

Section 23. Subsection 20.25P.100.C.1.b.ii of the Land Use Code is hereby amended to read as follows:

- ii. Buildings and streetscapes shall incorporate the following elements to better define the pedestrian environment:
 - (1) Continuous buildings along a street front that frame the pedestrian portion of the right-of-way.
 - (2) Façades that provide articulation at the street level by using bays, columns, pilasters or treatments.
 - (3) Signs and lighting at the ground level that complement the human scale.

Section 24. Subsection 20.25Q.070.D.4 of the Land Use Code, including Chart 20.25Q.070.D.4, is hereby amended to read as follows, with all other provisions of Subsection 20.25Q.070.D.4 and Chart 20.25Q.070.D.4 that are omitted below, as indicated by an ellipsis, remaining unchanged:

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

List of Bonusable Amenities	Applicable Land Use Districts and Bonus Ratios			
	East Main Transit-Oriented District Higher Density (EM-TOD-H)		East Main Transit-Oriented District Lower Density (EM-TOD-L)	
	Nonresidential	Residential	Nonresidential	Residential
Affordable Housing		3.2:1		3.2:1
	Criteria:			
	1. Threshold bonus for residential/Mixed-Use Development at up to 80 percent area median income (AMI) level for rental and up to 80 percent AMI level for ownership. 2. The remaining 20 percent of a project's required amenity points as provided in LUC 20.25Q.070.D.2.b may be earned through Affordable Housing at 100 percent AMI for ownership. 3. Affordable Housing units shall be dispersed throughout any residential project that combines affordable and market rate units. 4. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary			

	from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units. 5. Fee-in-lieu is \$38.80 per sf bonus area.
...	

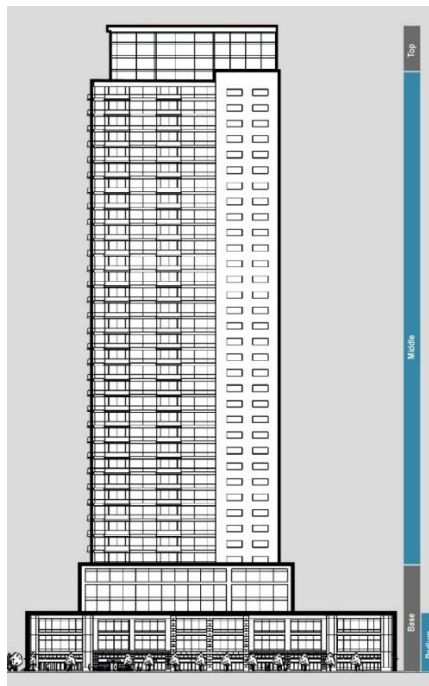
Section 25. Subsection 20.25Q.150.A.1.b of the Land Use Code is hereby amended to read as follows:

b. Standards.

- i. Windows shall be transparent at the street level;
- ii. Façades shall include bays, columns, pilasters, or other articulation at the street level; and
- iii. Signs and lighting at the ground level shall be Pedestrian Scale.

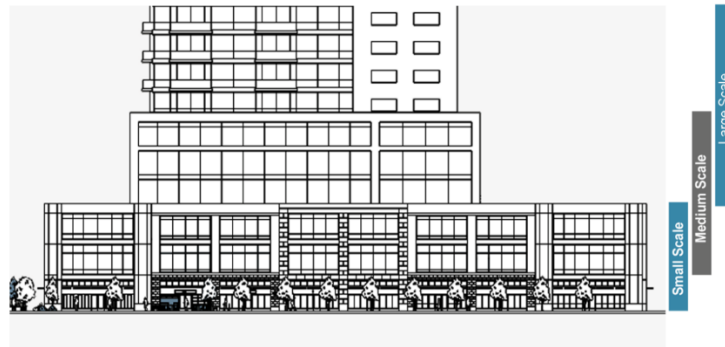
Section 26. Subsection 20.25Q.160.B of the Land Use Code is hereby amended to read as follows:

B. Overall Building Design.



1. Building Massing.

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



Section 27. Subsection 20.25R.030.C.9 of the Land Use Code is hereby amended to read as follows:

9. Landscaping. Landscaping shall be required as provided in this subsection and may contribute to the open space required under subsection C.2 of this section, subject to the following requirements:
 - a. The provisions of LUC 20.20.520, except as they conflict with this section, apply to development in Mixed-Use Land Use Districts.
 - b. A landscape buffer with type III landscaping, as described in LUC 20.20.520, shall be provided as follows:
 - i. Where surface parking is adjacent to an access corridor and also located within the project limit, a landscape buffer of at least eight feet in width shall be provided.

- ii. Where surface parking is adjacent to the rear or side yard of a lot and also located within the project limit, a landscape buffer of at least five feet in width shall be provided.
- c. Plantings in landscape area shall be installed as follows:
 - i. Deciduous and evergreen trees shall be planted in natural groupings, with an average of 1 tree every 20 lineal feet of landscape area.
 - (1) Deciduous trees shall have a minimum caliper of two inches measured four and one-half feet above the soil surface.
 - (2) Evergreen trees shall be minimum height of six feet.
 - (3) Small and medium shrubs, planted in groupings, shall provide coverage that equals 75 percent of the planting area within 3 years of planting.
 - (4) Ground cover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90 percent coverage within 3 years of planting.
 - d. An alternative landscaping option may be approved by the Director as provided in LUC 20.20.520.

Section 28. Subsection 20.25R.030.D.2.b.ii of the Land Use Code is hereby amended to read as follows:

- ii. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted, except for landscaping strips proposed between back of sidewalk and the base of building facades.

Section 29. Subsection 20.25R.030.E.4 of the Land Use Code is hereby amended to include a new Subsection 20.25R.030.E.4.g to read as follows, and the City Clerk is hereby authorized to codify this new subsection in Subsection 20.25R.030.E.4 in a manner that maintains an alphabetical listing of subsections:

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

Section 30. Subsections 20.25R.040.D.1 and D.2 of the Land Use Code are hereby amended to read as follows:

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

Section 31. Subsection 20.25R.050.C of the Land Use Code is hereby amended to read as follows:

C. FAR Exemptions.

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

1. Active Use Spaces. Except for market-rate residential units, which otherwise meet the definition of active use per LUC 20.50.010, an exemption from calculation of the maximum floor area of up to 1.0 FAR is allowed for each square foot of active use space that complies with the following design requirements:
 - a. Transparency. Seventy-five percent minimum.
 - b. Weather Protection. Seventy-five percent minimum, six feet deep.
2. Affordable commercial spaces.
3. Affordable housing.

Section 32. Subsection 20.25R.050.D.2.I of the Land Use Code is hereby amended to read as follows:

- I. Child Care Centers.
 - i. Eight bonus points for every 1 square foot of Child Care Center up to a maximum of 15,000 square feet, including outdoor areas dedicated exclusively for use by the Child Care Center.

- ii. The floor area, including outdoor area, delineated for Child Care Centers shall be required to remain dedicated to Child Care Center for the life of the project.
- iii. No other uses shall be approved for future tenancy in those spaces dedicated for Child Care Centers.

Section 33. Subsection 20.45A.065.B.2 of the Land Use Code is hereby amended to read as follows:

- 2. Development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area, minimum density, or dimensional requirements; Provided that the overall development of the parent lot must meet the development regulations and design standards applicable in the underlying land use district.

Section 34. Subsection 20.45A.065.C of the Land Use Code is hereby amended to read as follows:

C. Notes on Plat.

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

- 1. The title of the plat shall include the phrase "Unit Lot Subdivision."
- 2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
- 3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot, including the applicable permit or file number for the development.
- 4. Subsequent platting actions, additions, or modifications to any buildings or structures may not create a nonconformity of the parent lot.
- 5. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

6. If a structure or a portion of a structure on a unit lot is damaged or destroyed, then any repair, reconstruction, or replacement of the structure shall conform to one of the following:
 - a. The approved unit lot subdivision; or
 - b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

Section 35. Subsection 20.45B.057.B.2 of the Land Use Code is hereby amended to read as follows:

2. Development on individual unit lots within the unit lot short subdivision need not conform to the minimum lot area, minimum density, or dimensional requirements; provided that the overall development of the parent lot must meet the development regulations and design standards applicable in the underlying land use district.

Section 36. Subsection 20.45B.057.C of the Land Use Code is hereby amended to read as follows:

C. Notes on Short Plat.

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

1. The title of the short plat shall include the phrase "Unit Lot Short Subdivision."
2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot, including the applicable permit or file number for the development.
4. Subsequent platting actions, additions, or modifications to any buildings or structures may not create a nonconformity of the parent lot.
5. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

6. If a structure or a portion of a structure on a unit lot is damaged or destroyed, then any repair, reconstruction, or replacement of the structure shall conform to one of the following:
 - a. The approved unit lot short subdivision; or
 - b. The Land Use Code and other land use control ordinances in effect on the date that vested rights are first established under LUC 20.40.500 or state law for the repair, reconstruction, or replacement.

Section 37. 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 38. Effective Date. This Ordinance shall take effect and be in force five (5) days after legal publication.

Passed by the City Council this _____ day of _____, 2026 and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____

CITY COUNCIL AGENDA TOPIC

Ordinance relating environmental regulations; Amending LUC 20.20.520, LUC 20.20.900, LUC 20.25H.035, LUC 20.25H.075, LUC 20.25H.095, LUC 20.25H.130, LUC 20.25H.200, LUC 20.45A.060, and LUC 20.45B.055; Providing for Severability; and setting an effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

EXECUTIVE SUMMARY

ACTION

On June 9, after discussion in study session, the City Council directed staff to finalize this Ordinance for final action. This Ordinance is a Land Use Code Amendment (LUCA) for general clean-ups to improve clarity and internal consistency and correct inaccurate or outdated citations relating to landscape and environmental regulations.

RECOMMENDATION

Move to adopt Ordinance No. 6932

BACKGROUND/ANALYSIS

Background

The Omnibus code amendment package includes amendments in five subject areas:

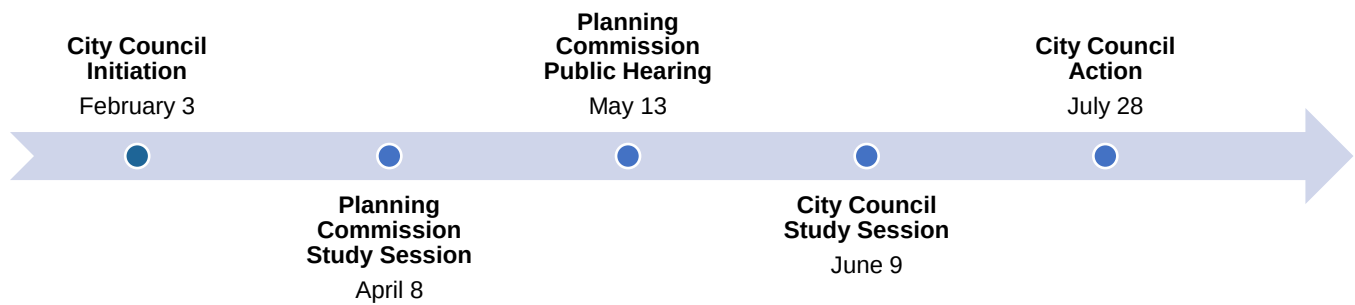
- Clean-Up Amendments
- Development Regulations
- Trees, Landscaping, and Environment
- Process Changes
- Bellevue City Code Amendments

This Ordinance relates to the trees, landscaping, and environment amendments, which amends Chapters 20.20, 20.25H, 20.45A, and 20.45B of the Land Use Code to improve clarity and internal consistency and correct inaccurate or outdated citations relating to landscape and environmental regulations. A final strike-draft of the LUCA is provided as Attachment A.

On June 9, Council reviewed this LUCA. Following discussion, Council directed staff to finalize an Ordinance for the LUCA for final action.

LUCA Schedule

This schedule is intended to ensure compliance with state law changes that must be implemented by the statutory deadline in summer 2026.



POLICY & FISCAL IMPACTS

Policy Impact

This LUCA will improve the administration and clarity of the Land Use Code. Additionally, some changes in this Ordinance are necessary for compliance with state law.

Fiscal Impact

There is no fiscal impact associated with implementing this LUCA.

OPTIONS

1. Adopt the Ordinance relating environmental regulations; Amending LUC 20.20.520, LUC 20.20.900, LUC 20.25H.035, LUC 20.25H.075, LUC 20.25H.095, LUC 20.25H.130, LUC 20.25H.200, LUC 20.45A.060, and LUC 20.45B.055; Providing for Severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Trees, Environment, and Landscape Amendments Strike Draft
Proposed Ordinance No. 6932

AVAILABLE IN COUNCIL LIBRARY

N/A

Title 20 Land Use Code

...

Chapter 20.20 General Development Requirements

...

20.20.520 Landscape development.

...

H. Limitation of Landscaping Requirements.

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

...

20.20.900 Tree retention and replacement.

...

C. Definitions.

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

...

1. "Development Activity" means the following:

...

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

i. Any application that proposes changes in lot coverage that exceed 20 percent of the existing lot coverage; or

~~ii. Any application that proposes changes in the area devoted to parking and circulation; or~~

iii. Any application that proposes additions to impervious surface areas that exceed 20 percent of existing impervious surface areas.

...

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

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

...

E. Minimum Tree Density.

...

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

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

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

...

4. Retained Trees.

...

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

...

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

...

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

...

5. Dimensional Standard Modification for Tree Retention.

...

- c. Building Height. Except ~~in transition areas and~~ for proposals of one~~1~~ dwelling unit per lot, not including development on unit lots, the maximum building height may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line in the following circumstances:

...

6. Planted Trees.

...

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

...

Part 20.25H Critical Areas Overlay District

...

20.25H.035 Critical area buffers and structure setbacks.

A. **Critical Area Buffer.**

“Critical area buffer” means a designated area contiguous to a regulated critical area that is necessary to support the continued function and stability of the critical area. For wetlands, streams, frequently flooded areas, and fish and wildlife conservation areas, buffers protect the critical area from degradation caused by human activity. For geologic hazard areas, buffers are intended to reduce risk to public safety and property by providing separation from potential geologic hazards.

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

Critical Area Category or Type	Critical Area Buffer Width	Structure Setback
...		
Wetlands		
Category I		LUC 20.25H.095
Natural heritage wetlands and bogs – habitat score 8 – 9	225 ft	LUC 20.25H.230
Natural heritage wetland and bogs – all others	190 ft	
Forested wetland	Based on score for habitat	
Habitat score of 8 – 9	225 ft	
Habitat score of 6 – 7	110 ft	
~~Water quality~~ Habitat score of 3 – 5	75 ft	
Category II		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	
Habitat score of 6 – 7	110 ft	LUC 20.25H.230
~~Water quality~~ Habitat score of 3 – 5	75 ft	
Category III		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	
Habitat score of 6 – 7	110 ft	LUC 20.25H.230
~~Water quality~~ Habitat score of 3 – 5	60 ft	
...		

...

20.25H.075 Designation of critical area and buffers.

...

B. Designation of Streams.

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

1. "Type S water" means all waters, within their bankfull width, as inventoried as "shorelines of the state" under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW including periodically inundated areas of their associated wetlands. As of May 21, 2018, the only known Type S waters are Lower Kelsey Creek and Mercer Slough.
2. "Type F water" means all segments of water courses that are not type S waters, and that contain fish or fish habitat as described in WAC 222-16-~~031030~~, including waters diverted for use by a federal, state, or tribal fish hatchery from the point of diversion for 1,500 feet or the entire tributary if the tributary is highly significant for protection of downstream water quality.
3. "Type Np water" means all segments of water courses that are not type S or type F waters-
which are perennial during a period of normal rainfall and do not have the potential to support fish habitat. Type Np waters maintain surface-water connectivity to downstream waters, including connections conveyed through pipes, culverts, or other engineered conveyances, and that are physically connected to a type S or F waters by an above-ground channel system, stream, or wetland.
4. "Type Ns water" means all segments of water courses that are not type S, F, or Np waters-
~~They~~which are intermittent, are not used by fish, and do not have the potential to provide fish habitat. Type Ns ~~streams-waters~~ must maintain a continuous surface-water connection to a Type S, Type F, or Type Np water, which may occur through natural channels, wetlands, or engineered conveyances.~~have a free and open surface water connection to a type S, F, or Np-~~

C. Designation of Stream Critical Area Buffers.

...

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

...

- b. Interrupted Buffer. Where a legally established right-of-way, railroad right-of-way, other similar infrastructure, or significant development such as homes or commercial structures blocks the protective measures provided by a buffer, then the edge of the significant development or infrastructure shall be the extent of the buffer, provided:
 - i. The part of the critical area buffer on the other side of the significant development or infrastructure provides insignificant biological or hydrological function as determined

through a critical area report in relation to the portion of the buffer adjacent to the stream; and

- ii. Vegetative buffer standards under subsection C.1.a.ii of this section are met, as determined by the Director, for portions of the remaining buffer on-site.

...

20.25H.095 Designation of critical area and buffers.

...

D. Designation of Wetland Critical Area Buffer.

The following critical area buffers are hereby established:

...

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

...

- b. Interrupted Buffer. Where a legally established right-of-way, railroad right-of-way, other similar infrastructure or significant development such as homes or commercial structures blocks the protective measures provided by a buffer, the edge of the significant development shall be the extent of the buffer, provided:

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

...

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

...

D. Application/Pre-Permit Issuance Requirements.

...

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

...

20.25H.200 Reasonable use exception – Applicability.

...

C. When Allowed.

...

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

...

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

...

Chapter 20.45A Platting and Subdivisions

...

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

...

B. Conservation Subdivision.

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

...

Chapter 20.45B Short Plats and Short Subdivisions

...

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

...

B. Conservation Short Subdivision.

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

...

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6932

AN ORDINANCE relating environmental regulations; Amending LUC 20.20.520, LUC 20.20.900, LUC 20.25H.035, LUC 20.25H.075, LUC 20.25H.095, LUC 20.25H.130, LUC 20.25H.200, LUC 20.45A.060, and LUC 20.45B.055; Providing for Severability; and setting an effective date.

WHEREAS, on February 3, 2026, the City Council initiated work on the 2026 Omnibus Amendments; and

WHEREAS, the 2026 Omnibus Amendments package a collection of relatively small, discrete text amendments to both the Land Use Code and the Bellevue City Code into a single legislative process for administrative efficiency; and

WHEREAS, this Ordinance contains the text amendments to the Land Use Code of environmental regulations included within the 2026 Omnibus Amendments; and

WHEREAS, on April 8, 2026, the Planning Commission held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on April 29, 2026, a notice of a public hearing on the text amendments to the Land Use Code contained in this Ordinance was published in the Seattle Times and in the City's Weekly Permit Bulletin; and

WHEREAS, on May 13, 2026, the Planning Commission held a public hearing on the 2026 Omnibus Amendments, including the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on May 13, 2026, following the public hearing, the Planning Commission unanimously recommended that the City Council adopt the text amendments to the Land Use Code included in 2026 Omnibus Amendments; and

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code 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 April 29, 2026; 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, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; 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 Council finds that the proposed text amendments to the Land Use Code contained in this Ordinance 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. Subsection 20.20.520.H of the Land Use Code is hereby amended to read as follows:

H. Limitation of Landscaping Requirements.

1. The total required landscape area within the project limit of the development shall not exceed the applicable maximums provided below.
 - a. Twenty percent of the buildable area in an NB, PO, O, or OLB Land Use District;
 - b. Fifteen percent of the buildable area in an F1, EG-TOD, MU8, MU16, LI, GC, NMU, CB, or OLB 2 Land Use District;

- c. Twenty percent of the buildable area of the development area in an OLB-OS Land Use District.
- 2. If the normal application of LUC 20.20.520 would result in a required landscape area that exceeds the applicable maximum listed above, then the Director shall reduce the required landscape area to the applicable maximum. In making such reductions, the Director shall be guided by the purpose and intent of subsections A, F.1, and G of this section.
- 3. Nothing in this subsection H prohibits an applicant from voluntarily providing a landscape area that would exceed the applicable maximum listed above.

Section 3. Subsection 20.20.900.C.1.b of the Land Use Code is hereby amended to read as follows:

- 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; or
 - ii. Any application that proposes additions to impervious surface areas that exceed 20 percent of existing impervious surface areas.

Section 4. Subsection 20.20.900.C.3.a of the Land Use Code is hereby amended to read as follows:

- a. The tree has a combination of structural defects, disease, or both structural defects and disease that makes the risk of failure probable or imminent;

Section 5. Subsection 20.20.900.E.2 of the Land Use Code is hereby amended to revise Table 20.20.900.E.1 to read as follows:

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

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

Section 6. Subsection 20.20.900.E.4 of the Land Use Code is hereby amended to read as follows:

4. Retained Trees.

- a. Priorities for Retention. In selecting Significant Trees or Landmark Trees for retention, the Director encourages the preservation of the following types of Significant Trees in the following order of priority:
 - i. Landmark Trees.
 - ii. Trees located in Groves.
 - iii. Significant Trees located in the required perimeter landscaping area, as set forth in LUC 20.20.520.F.1. For properties located in BelRed, refer to LUC 20.25D.110.
 - iv. Other Significant Trees.
- b. Tree Credits for Retained Trees. Each retained Significant Tree provides a tree credit value determined by its d.b.h. or Landmark Tree classification, as identified in Table 20.20.900.E.2. When determining tree credits for a Significant Tree that is an alder, a cottonwood, or is located, wholly or partially, on a property line, the applicable tree credit value identified in Table 20.20.900.E.2 shall be reduced by 50 percent.

**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 Landmark 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).

Section 7. Subsection 20.20.900.E.5.c of the Land Use Code is hereby amended to read as follows:

- c. Building Height. Except for proposals of one dwelling unit per lot, not including development on unit lots, the maximum building height may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line in the following circumstances:
 - i. The maximum density of development allowed on the site cannot be achieved without extending into the TPZ of existing Significant Trees or of existing Landmark Trees required to achieve the minimum tree density; or
 - 2. The modification will enable the applicant to retain a Grove, additional Landmark Trees, or both a Grove and additional Landmark Trees beyond the required minimum tree density; or
 - 3. The proposal is for affordable housing development provided under Chapter 20.15 LUC and will exceed the required minimum tree density.

Section 8. Subsections 20.20.900.E.6.g and E.6.h of the Land Use Code are hereby amended to read as follows:

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

- 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.
 - ii. Adjacent to existing Groves.
 - iii. Other locations within the Tree Canopy Site Area.

Section 9. Subsection 20.25H.035.A of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.25H.035.A that are omitted below, as indicated by an ellipsis, remaining unchanged:

A. Critical Area Buffer.

“Critical area buffer” means a designated area contiguous to a regulated critical area that is necessary to support the continued function and stability of the critical area. For wetlands, streams, frequently flooded areas, and fish and wildlife conservation areas, buffers protect the critical area from degradation caused by human activity. For geologic hazard areas, buffers are intended to reduce risk to public safety and property by providing separation from potential geologic hazards.

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

Critical Area Category or Type	Critical Area Buffer Width	Structure Setback
...		
Wetlands		
Category I		LUC 20.25H.095
Natural heritage wetlands and bogs – habitat score 8 – 9	225 ft	LUC 20.25H.230
Natural heritage wetland and bogs – all others	190 ft	
Forested wetland	Based on score for habitat	
Habitat score of 8 – 9	225 ft	
Habitat score of 6 – 7	110 ft	
Habitat score of 3 – 5	75 ft	
Category II		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	LUC 20.25H.230
Habitat score of 6 – 7	110 ft	
Habitat score of 3 – 5	75 ft	
Category III		LUC 20.25H.095
Habitat score of 8 – 9	225 ft	LUC 20.25H.230
Habitat score of 6 – 7	110 ft	
Habitat score of 3 – 5	60 ft	
...		

Section 10. Subsection 20.25H.075.B of the Land Use Code is hereby amended to read as follows:

B. Designation of Streams.

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

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

Section 11. Subsection 20.25H.075.C.2.b.ii of the Land Use Code is hereby amended to read as follows:

- ii. Vegetative buffer standards under subsection C.1.a.ii of this section are met, as determined by the Director, for portions of the remaining buffer on-site.

Section 12. Subsection 20.25H.095.D.3.b.ii of the Land Use Code is hereby amended to read as follows:

- ii. Vegetative buffer standards under LUC 20.25H.095.D.1.a.ii are met, as determined by the Director, for portions of the remaining buffer on-site.

Section 13. Subsection 20.25H.130.D.3 of the Land Use Code is hereby amended to read as follows:

3. CMS Zone 2. Applicants shall:

- a. Conduct a surface reconnaissance and submit at application a report identifying all public safety mine hazards, coal mine waste dumps, and evidence of mine subsidence.
- b. Conduct site-specific evaluation of potential for sinkhole development, including subsurface investigation. Test pits may be used to investigate coal mine waste dumps and other shallow hazards such as slope entry portals and shaft collar areas. Drilling is required for coal mine workings or other hazards that cannot be adequately investigated by investigations from surface. Drilling may demonstrate that there is no risk of sinkhole development due to the absence or fully collapsed condition of mine workings. Alternatively, drilling may document sinkhole risks, and the applicant must then design a mitigation program to eliminate all such risks.
- c. Eliminate risk of sinkhole development and mitigate other public safety mine hazards and/or coal mine waste dumps after acceptance of an evaluation and remediation plan by DSD.
- d. If the site could be subject to trough subsidence due to coal mine workings, conduct a site-specific evaluation of potential trough subsidence.
- e. Mitigate for trough subsidence including future surface settlements above collapsed mine workings by developing site-specific design that can accommodate calculated potential subsidence effects as required for CMS Zone 1.

Section 14. Subsection 20.25H.200.C.2.c of the Land Use Code is hereby amended to read as follows:

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

Section 15. Subsection 20.45A.060.B.1.b of the Land Use Code is hereby amended to read as follows:

- b. The site abuts a type F stream; or

Section 16. Subsection 20.45B.055.B.1.b of the Land Use Code is hereby amended to read as follows:

- b. The site abuts a type F stream; or

Section 17. 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 18. Effective Date. This Ordinance shall take effect and be in force five (5) days after legal publication.

Passed by the City Council this _____ day of _____, 2026 and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____

CITY COUNCIL AGENDA TOPIC

Ordinance relating land use review procedures; Amending LUC 20.20.538, LUC 20.25A.030, LUC 20.25D.030, LUC 20.25E.180, LUC 20.25F1.020, LUC 20.25I.030, LUC 20.25J.015, LUC 20.25J.040, LUC 20.25J.060, LUC 20.25J.070, LUC 20.25L.040, LUC 20.25M.030, LUC 20.25N.010, LUC 20.25N.020, LUC 20.25P.020, LUC 20.25Q.030, LUC 20.25R.010, LUC 20.30B.140, LUC 20.30B.160, LUC 20.30D.150, LUC 20.30D.280, LUC 20.30E.140, LUC 20.30E.160, Part 20.30F LUC, Part 20.30V LUC, Chapter 20.35 LUC, LUC 20.40.500, LUC 20.45B.050, LUC 20.45B.130, LUC 20.45B.260, LUC 20.50.012, and LUC 20.50.032; Amending Chapter 20.30 LUC to include new Parts 20.30H and 20.30R LUC; Amending Chapter 20.45B LUC to include a new LUC 20.45B.270; Repealing LUC 20.25N.030, LUC 20.30F.116, and LUC 20.40.401; Providing for severability; and setting effective dates.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

EXECUTIVE SUMMARY

ACTION

On June 9, after discussion in study session, the City Council directed staff to finalize this Ordinance for final action. This Ordinance is a Land Use Code Amendment (LUCA) for general clean-ups to improve clarity and internal consistency, correct inaccurate or outdated citations, and directly comply with changes to state law relating to land use review procedures.

RECOMMENDATION

Move to adopt Ordinance 6933

BACKGROUND/ANALYSIS

Background

The Omnibus code amendment package includes amendments in five subject areas:

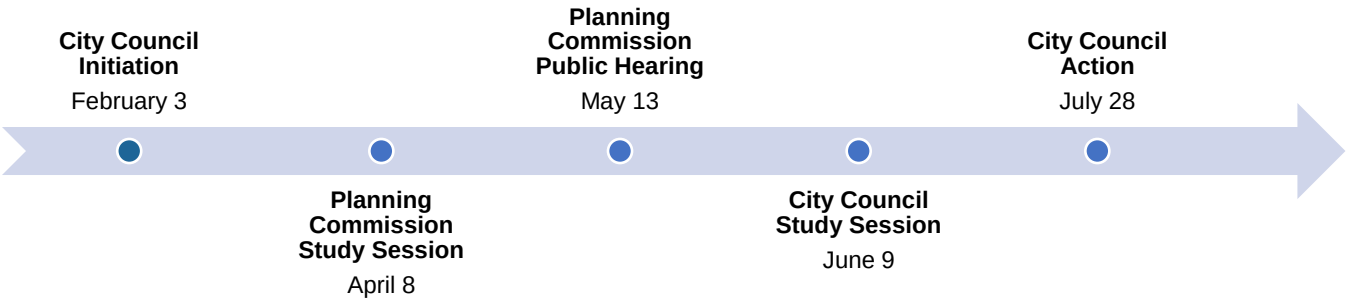
- Clean-Up Amendments
- Development Regulations
- Trees, Landscaping, and Environment
- Process Changes
- Bellevue City Code Amendments

This Ordinance relates to process changes amendments, which amends Chapters 20.25, 20.30, 20.35, 20.40, 20.45B, and 20.50 of the Land Use Code. The ordinance also establishes Chapters 20.30H Departures and 20.30R Binding Site Plans. These changes are necessary to improve clarity and internal consistency, correct inaccurate or outdated citations, and ensure compliance with changes to state law relating to land use review procedures. A final strike-draft of the LUCA is provided as Attachment A.

On June 9, Council reviewed this LUCA. Following discussion, Council directed staff to finalize an Ordinance for the LUCA for final action.

LUCA Schedule

This schedule is intended to ensure compliance with state law changes that must be implemented by the statutory deadline in summer 2026.



POLICY & FISCAL IMPACTS

Policy Impact

This LUCA will improve the administration and clarity of the Land Use Code. Additionally, some changes in this Ordinance are necessary for compliance with state law.

Fiscal Impact

There is no fiscal impact associated with implementing this LUCA.

OPTIONS

1. Adopt the Ordinance relating land use review procedures; Amending LUC 20.20.538, LUC 20.25A.030, LUC 20.25D.030, LUC 20.25E.180, LUC 20.25F1.020, LUC 20.25I.030, LUC 20.25J.015, LUC 20.25J.040, LUC 20.25J.060, LUC 20.25J.070, LUC 20.25L.040, LUC 20.25M.030, LUC 20.25N.010, LUC 20.25N.020, LUC 20.25P.020, LUC 20.25Q.030, LUC 20.25R.010, LUC 20.30B.140, LUC 20.30B.160, LUC 20.30D.150, LUC 20.30D.280, LUC 20.30E.140, LUC 20.30E.160, Part 20.30F LUC, Part 20.30V LUC, Chapter 20.35 LUC, LUC 20.40.500, LUC 20.45B.050, LUC 20.45B.130, LUC 20.45B.260, LUC 20.50.012, and LUC 20.50.032; Amending Chapter 20.30 LUC to include new Parts 20.30H and 20.30R LUC; Amending Chapter 20.45B LUC to include a new LUC 20.45B.270; Repealing LUC 20.25N.030, LUC 20.30F.116, and LUC 20.40.401; Providing for severability; and setting effective dates.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. Process Changes Strike Draft
Proposed Ordinance No. 6933

AVAILABLE IN COUNCIL LIBRARY

N/A

Title 20 Land Use Code

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20.20.538 Middle Housing.

...

C. Standards.

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

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

	LL-1	LL-2	SR-1	SR-2	SR-3	SR-4	LDR-1	LDR-2	LDR-3	MDR-1	MDR-2
DIMENSIONS	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Dwelling Units per Lot	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6	4/6
(2)(3)(4)(5)(6)(11)								(7)	(7)	(7)	(7)
...											

...

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

...

Chapter 20.25 Special and Overlay Districts

...

Part 20.25A Downtown

...

20.25A.030 Review required.

A. Applicable Review.

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

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

B. ~~Master Development Plan.~~

1. ~~Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable development standards and guidelines. Design, character, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following development requirements, standards, and guidelines:~~
 - a. ~~Dimensional requirements pursuant to LUC 20.25A.060 as listed below:~~
 - i. ~~Setbacks;~~
 - ii. ~~Lot coverage;~~
 - iii. ~~Building height for each building identified in subsection B.1 of this section;~~
 - iv. ~~Floor area ratio for each building; and~~
 - v. ~~Outdoor plaza space required to achieve maximum building heights above the trigger for additional height identified in LUC 20.25A.075.A, or the variable heights allowed by LUC 20.25A.060.A Note 12.~~
 - b. ~~Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the right-of-way as required pursuant to LUC 20.25A.090.~~
 - c. ~~Areas identified to accommodate street and pedestrian circulation pursuant to LUC 20.25A.090, including the anticipated location of any Grand Connection construction pursuant to LUC 20.25A.175, and pedestrian bridges pursuant to LUC 20.25A.100.~~
 - d. ~~Areas identified to accommodate Major Public Open Spaces pursuant to LUC 20.25A.175 and Minor Publicly Accessible Spaces pursuant to LUC 20.25A.090.~~
 - e. ~~Areas identified to accommodate landscape development pursuant to LUC 20.25A.110.~~
2. ~~When Required. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan~~

~~for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

B. Master Development Plan.

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

- ~~1a.~~ A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the project limit;
- ~~2b.~~ Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
- ~~e3.~~ Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
- ~~d4.~~ Only a right-of-way meeting the requirements of LUC 20.25A.070.C.2 may be included in the land area located within the project limit for the purpose of computing maximum FAR.

C. Design Review.

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

D. Departures.

- ~~1. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the Downtown livability outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in a Downtown development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Downtown Subarea Plan.~~
 - ~~a. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25A.090, 20.25A.110 and 20.25A.140 through 20.25A.180, or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this subsection. For example, specific Administrative Departures are allowed from the dimensional requirements pursuant to the terms of LUC 20.25A.060.B that describe a range of exceptions and intrusions that can be approved as part of a permit review process.~~
 - ~~b. Decision Criteria. The Director may approve or approve with conditions an Administrative Departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:~~

- ~~i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of the Land Use Code; and~~
 - ~~ii. The resulting design will be more consistent with the purpose and intent of the Land Use Code; and~~
 - ~~iii. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or Land Use Code intent; and~~
 - ~~iv. Any Administrative Departure criteria required by the specific terms of the Land Use Code have been met; or~~
 - ~~v. The modification is reasonably necessary to implement or ensure consistency with a departure allowed through a Development Agreement approved pursuant to Part 20.30C LUC.~~
- ~~c. Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a variance granted under the terms of Part 20.30G LUC.~~

~~E. Procedural Merger.~~

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

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

Part 20.25D BelRed

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20.25D.030 Review required.

A. **Applicable Review** ~~and Guidelines.~~

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

The Director shall use this Part 20.25D LUC and the BelRed Subarea design standards (LUC 20.25D.150) in reviewing an application for Master Development Plan or design review approval in

~~the BelRed Land Use Districts. The Community Retail design standards of Part 20.25I LUC and Transition Area design standards of Part 20.25B LUC shall not apply to applications for development in the BelRed Land Use Districts.~~

B. Master Development Plan.

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

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

~~i. Setbacks;~~

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

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

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

~~(1) At a minimum, residential and nonresidential components of a building shall be identified in order to calculate the amenities required pursuant to LUC 20.25D.090; and~~

~~(2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.25D.070;~~

~~b. Landscape development pursuant to LUC 20.25D.110;~~

~~c. Parking, circulation, and internal walkway requirements pursuant to LUC 20.25D.120;~~

~~d. BelRed street development standards pursuant to LUC 20.25D.140; and~~

~~e. Site development standards pursuant to LUC 20.25D.150.B.~~

~~2. When Required.~~

~~a. Projects located within a node. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. This requirement shall not apply to the placement of additional structures associated with existing conditions regulated pursuant to LUC 20.25D.060. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

~~b. Projects located outside of a node. An applicant shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

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

- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
- b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
- c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
- d. Only a right-of-way meeting the requirements of LUC 20.25D.080.D may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. **Design Review** Deviations.

~~1. When Required. With the exception of the BelRed General Commercial District (BR-GC), all development within the BelRed Land Use Districts shall be reviewed by the Director through design review (Part 20.30F LUC). An applicant may submit a design review for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the BelRed General Commercial District that includes deviations permitted by subsection C.2 of this section.~~

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

- ~~a~~1. Floor plate maximums;
- ~~b~~2. Minimum setbacks/stepbacks;
- ~~c~~3. Impervious surface/lot coverage percentages; and
- ~~d~~4. Maximum floor area ratio.

~~D. Procedural Merger.~~

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

- ~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~3. Design Review, Part 20.30F LUC;~~

~~4. Variance, Part 20.30G LUC; and~~

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

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Part 20.25E Shoreline Overlay

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20.25E.180 Shoreline Conditional Use Permit

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I. Merger with Binding Site Plan

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

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

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

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

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

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Part 20.25F1 Factoria 1

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20.25F1.020 Review required.

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

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

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

~~B. Master Development Plan.~~

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

BE. Design Review Deviations.

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

~~2. Dimensional Deviations. The Director may, through the Design Review process, approve a proposal that varies from the specific dimensional requirements set forth in the applicable criteria and standards if the applicant demonstrates that the resulting design will be more consistent with the Design Review criteria and Design Standards. Minimum required setbacks identified in LUC 20.25F1.040 are not permitted to be varied under the terms of this subsection. Intrusions into required setbacks are governed by LUC 20.20.025.~~

~~D. Procedural Merger.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Design Review, Part 20.30F LUC;~~

~~3. Administrative Conditional Use Permit, Part 20.30E LUC.~~

Part 20.25I Community Mixed-Used Design District

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20.25I.030 Review Required.

~~A. Applicable Criteria and Standards.~~

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

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

~~B. Master Development Plan.~~

~~1. When Required. An applicant for a project with multiple buildings proposed to be constructed at different times within a single project limit shall submit a Master Development Plan for approval by the Director, pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

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

~~3. An approved Master Development Plan may be modified pursuant to LUC 20.30V.160.~~

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

~~D. Procedural Merger.~~

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

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

Part 20.25J Medical Institution District

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20.25J.015 Review required.

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

~~A. Master Development Plan.~~

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

~~B. Design Review.~~

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

20.25J.040 Development Intensity.

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

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

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20.25J.060 Landscape requirements.

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

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

NE 10th Street east of East Campus Drive	Gateway location and conceptual design approval required through the Master Development Plan review process. Gateway design detail approval required through the Design Review process.
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20.25J.070 Streetscape design standards.

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C. Pedestrian Bridges.

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

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4. Development Standards for All Pedestrian Bridges (Including Those Utilized for the Transport of Patients). Each proposed pedestrian bridge must be developed in compliance with the following standards:

- a. The bridge may be unenclosed; however, if the bridge is fully enclosed or partially enclosed, the applicant shall demonstrate that it is necessary for weather protection and that 80 percent of the linear feet of the bridge has windows for visual access for bridge users to the streetscape below;

...

- c. The interior width of the bridge, measured from inside face to inside face, shall be no less than 10 feet and no more than 14 feet unless functional need is demonstrated, other applicable decision criteria are met and departure from the width standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required;

- d. The bridge shall be located at an upper building level, with a minimum clearance of 16 feet above the grade of the public right-of-way and a maximum clearance of 30 feet from the sidewalk grade unless functional need is demonstrated, other applicable decision criteria are met and departure from the clearance standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required; and

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

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

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~~C. Design Review Required.~~

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

Part 20.25M Light Rail Overlay District

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20.25M.030 Required permits.

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B. RLRT System and Facilities Use.

1. Development Agreement – Council Legislative Decision.

- a. Scope of Approval. An RLRT system or facility use is permitted outright when its alignment location and profile have been included, subsequent to the adoption of this overlay, in a City Council resolution, ordinance, or development agreement authorized pursuant ~~to Chapter 36.70B RCW to Part 20.30C LUC. If a development agreement is adopted, the City Council may also allow necessary modifications to this overlay district and to other applicable provisions of the Bellevue City Code, and set forth other terms consistent with Chapters 36.70A and 36.70B RCW and WAC 365-196-550 in order to approve the siting, construction, operation and mitigation of an RLRT system or facility.~~
- b. Applicable Process. A development agreement adopted by the City Council shall be processed under the authority of and pursuant to the procedures set forth in Chapter 36.70B RCW. Any development agreement adopted by the City Council shall be consistent with Part 20.30C LUC. ~~all applicable Comprehensive Plan policies including without limitation those set forth in LUC 20.25M.010.B.7, and all adopted “development standards,” as that term is used in RCW 36.70B.170(3), that govern and vest the development for a specified time duration to this overlay district and other applicable City regulations; provided, that a development agreement may not extend the vesting period for longer than 15 years from the effective date. Any appeal of a development agreement shall be directly to superior court.~~

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

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

and design guidelines applicable to specific facility elements shall be met as a component of the Design and Mitigation Review process pursuant to subsection C of this section.

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

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

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

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

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

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

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

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2. Scope of Design and Mitigation Approval. Design and Mitigation Review is a mechanism by which the City shall ensure that the design and proposed mitigation for temporary and permanent impacts of an RLRT system and facility is consistent with:

~~a. The Comprehensive Plan including without limitation Light Rail Best Practices; and the policies set forth in LUC 20.25M.010.B.7; and~~

~~ba.~~ Any previously approved development agreement or Conditional Use Permit issued pursuant to subsection B.1 or B.2 of this section; and

~~eb.~~ All applicable standards and guidelines contained in City Codes including the procedures related to involvement of a CAC as required by LUC 20.25M.035.

3. Decision Criteria. A proposal for an RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

a. The applicant has demonstrated compliance with the CAC Review requirements of LUC 20.25M.035; and

~~b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and~~

~~eb.~~ The proposal complies with the applicable requirements of this Light Rail Overlay District; and

- ~~dc.~~ The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and
- ~~ed.~~ The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- ~~fe.~~ The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and
- ~~gf.~~ The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and
- ~~hg.~~ The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and
- ~~ih.~~ The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.
- ~~ji.~~ When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:

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Part 20.25N Camp and Conference Center District

20.25N.010 Applicability.

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

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

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

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

A. ~~Review Required~~ Applicable Review.

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

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

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

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

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

- a. Existing conditions, including:
 - i. The proposed continued use, maintenance, and ~~/or~~ remodeling of existing conditions, including uses and structures and their current locations, which are permitted in a CCC District.
 - ii. The proposed continuation of existing conditions, including uses and structures and their current locations, which are not permitted in a CCC District.
 - iii. The proposed discontinuation of existing conditions, including uses and structures and their current locations, and general timing, sequencing, or triggering of the same;
- b. The proposed general location or placement of proposed uses, structures, facilities, and site features;
- c. A list of proposed principal and subordinate uses and their general locations;
- d. Conformance with the dimensional requirements of LUC 20.25N.050, based on the total area contained in the Master Development Plan.

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

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

C. Design Review.

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

20.25N.030 Design Review required.

[Section deleted in its entirety]

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

Part 20.25P Eastgate Transit Oriented Development Land Use District

...

20.25P.020 Review required.

A. **Applicable Review ~~and Guidelines.~~**

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

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

B. **Master Development Plans in EG-TOD.**

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

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

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

~~i. Setbacks;~~

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

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

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

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

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

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

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

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

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

~~2. When Required.~~

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

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

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

- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
- b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
- c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
- d. Only a right-of-way meeting the requirements of LUC 20.25P.060.B.2.c may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

~~C. Design Review.~~

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

~~D. Procedural Merger.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~3. Design Review, Part 20.30F LUC;~~

~~4. Variance, Part 20.30G LUC; and~~

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

Part 20.25Q East Main Transit Oriented Development Land Use District

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20.25Q.030 Review required.

A. **Applicable Review.**

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

A. Effect of Approval.

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

B. **Master Development Plan.**

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

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

~~i. Building Height for each Building identified in subsection B.1 of this section;~~

~~ii. Floor Area Ratio for each Building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25Q.070;~~

~~iii. Square footage for each residential and nonresidential component of a Building shall be identified in order to demonstrate compliance with the minimum residential requirement in LUC 20.25Q.060; and~~

~~iv. Open Space required.~~

~~b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right of Way as required pursuant to LUC 20.25Q.100.~~

~~c. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25Q.100.~~

~~d. Areas identified to accommodate landscape Development pursuant to LUC 20.25Q.080.~~

- ~~2.—When Required. An applicant for a project with multiple Buildings located within a single Project Limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single Building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when Building construction is proposed to be phased.~~
- 3.—For the purposes of ~~this section~~Part 20.25Q LUC and Part 20.30V LUC, the Project Limit may be drawn to encompass a vehicular, bicycle, or pedestrian circulation that bisects a Site, provided the Director finds that the following connectivity criteria can be met:
 - 1a. A system of corner crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting circulation within the Project Limit;
 - 2b. Pedestrian paths shall be provided to connect all Buildings and circulation crossings located within the proposed Project Limit; and
 - 3c. Visual connections shall be provided between all Buildings located within the Project Limit by minimizing topographic variation and through use of vegetation and outdoor spaces.

~~C.—Design Review.~~

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

~~D.—Departures.~~

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

~~c. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or this Code's intent; and~~

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

~~4. Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.~~

~~E. Procedural Merger.~~

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

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

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

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D. Applicable Review ~~Required~~.

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

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

~~2. Master Development Plan.~~

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

- ~~within the project limit and demonstrate compliance with the following development regulations:~~
- ~~i. Dimensional requirements pursuant to LUC 20.20.010 and as listed below;~~
 - ~~ii. Building height for each building identified in subsection D.2.a of this section;~~
 - ~~iii. Floor area ratio for each building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25R.050;~~
 - ~~iv. Open space required in LUC 20.25R.030.C;~~
 - ~~v. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right of Way as required pursuant to LUC 20.20.590;~~
 - ~~vi. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25R.020; and~~
 - ~~vii. Areas identified to accommodate landscape development pursuant to LUC 20.25R.030.~~
- ~~b. When Required. An applicant for a project with multiple buildings proposed to be constructed at different times within a single project limit shall submit a Master Development Plan for approval by the Director, pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~
- ~~c. An approved Master Development Plan may be modified pursuant to LUC 20.30V.160.~~
- ~~3. Design Review.~~
- ~~a. When Required. A Design Review is required for all projects in Mixed Use Land Use Districts. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.~~
- ~~4. Departures.~~
- ~~a. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Wilburton/N.E. 8th Street Subarea Plan.~~
 - ~~b. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in~~

- ~~LUC 20.25R.020 through 20.25R.040 or other sections of the Land Use Code that provide for departures, with the exception of numeric standards for the following:~~
- ~~i. Affordable Housing;~~
 - ~~ii. Sidewalk width; and~~
 - ~~iii. Access Corridor Width.~~
- ~~c. Decision Criteria. The Director may approve, or approve with conditions, requests for Administrative Departures from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria are met:~~
- ~~i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of this Code; and~~
 - ~~ii. The resulting design will be more consistent with the purpose and intent of the Land Use Code standard that is not adequately accommodated by strict application of the Code; and~~
 - ~~iii. Proposed modifications to numeric standards are the minimum reasonably necessary to achieve the intent of strict application of the Land Use Code; and~~
 - ~~iv. Any Administrative Departure criteria required by the specific terms of this Code have been met.~~
- ~~d. Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.~~
- ~~5. Procedural Merger.~~
- ~~Within a Mixed-Use Land Use District, any administrative decision required by this Part 20.25R or by this Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:~~
- ~~a. Master Development Plan, Part 20.30V LUC;~~
 - ~~b. Administrative Conditional Use Permit, Part 20.30E LUC;~~
 - ~~c. Design Review, Part 20.30F LUC;~~
 - ~~d. Variance From the Land Use Code, Part 20.30G LUC; and~~
 - ~~e. Critical Areas Land Use Permit, Part 20.30P LUC.~~

Chapter 20.30 Permits and Decisions

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Part 20.30B Conditional Use Permit

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20.30B.140 Decision criteria.

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

~~A. The conditional use is consistent with the Comprehensive Plan; and~~

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

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

~~DC.~~ The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

~~ED.~~ The conditional use complies with the applicable requirements of this Code.

20.30B.160 Merger with Binding Site Plan

~~A. General.~~

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

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

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

~~B. Survey and Recording Required.~~

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

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

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

Part 20.30D Planned Unit Development

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20.30D.150 Decision criteria.

The City may approve or approve with modifications a Planned Unit Development plan if:

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

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

...

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

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

~~ED.~~ At least one major circulation point is functionally connected to a public right-of-way; and

~~FE.~~ Open space, where provided to meet the requirements of LUC 20.30D.160.A.1, within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project; and

~~GF.~~ Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and

~~HG.~~ Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and

~~IH.~~ 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.

20.30D.280 Merger with Binding Site Plan

~~A. General.~~

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

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

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

~~B. Survey and Recording Required.~~

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

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

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

Part 20.30E Administrative Conditional use Permit

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20.30E.140 Decision criteria.

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

~~A. The administrative conditional use is consistent with the Comprehensive Plan; and~~

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

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

~~DC.~~ The administrative conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

~~ED.~~ The administrative conditional use complies with the applicable requirements of this Code.

20.30E.160 Merger with Binding Site Plan.

~~A. General.~~

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

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

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

~~B. Survey and Recording Required.~~

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

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

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

...

Part 20.30F Design Review

20.30F.110 ScopePurpose.

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

20.30F.115 Applicability.

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

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

9. The EG-TOD land use district; and

10. The EM-TOD land use district.

B. Exceptions.

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

2. All development in the BelRed General Commercial (BR-GC) land use district; Provided, that an applicant may submit a design review application for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the BR-GC land use district that includes deviations permitted by LUC 20.25D.030.C.

3. Design review is not required for freestanding structures proposed for religious activities in the CCC land use district, as provided in LUC 20.25N.020.

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

20.30F.116 City Council Design Review.

[Section deleted in its entirety]

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

20.30F.120 PurposeScope of approval.

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

20.30F.165 Merger with Binding Site Plan

~~A. General.~~

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

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

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

~~B. Survey and Recording Required.~~

~~If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record that site plan and survey with the King County Department of~~

~~Records and Elections. No document may be recorded without the signature of each owner of the subject property.~~

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

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

20.30F.180 Recording Required.

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

20.30F.190 Expiration – Extension.

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C. Other Extensions of Design Review Approval.

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

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

...

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

- ~~1. Where a Design Review approval is issued under LUC 20.30F.145, it shall vest pursuant to LUC 20.40.500.A. Except for Design Review approvals extended under subsection D of this section, the vested status of the Design Review approval shall then expire on the date that the Design Review approval expires by operation of this section.~~
- ~~2. Whenever a Design Review approval is extended under subsection D of this section, the extended Design Review approval shall vest to the provisions of the Land Use Code in effect on the date that extension was granted. The vested status of the Design Review approval shall then expire on the date that the Design Review approval expires or on the date that a subsequent extension is granted under subsection D of this section, whichever occurs first.~~

Part 20.30H ~~(Reserved)~~Departures

20.30H.110 Purpose.

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

20.30H.115 Applicability.

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

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

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

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

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

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

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

20.30H.120 Decision Criteria.

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

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

20.30H.130 Limitation on authority.

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

Part 20.30R Binding Site Plans

20.30R.110 Purpose.

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

20.30R.115 Applicability.

- A. Binding Site Plans are only available for the following:
 - 1. Development located in land use districts that are zoned to permit, or conditionally permit, industrial or commercial uses. For the purposes of this Part 20.30R LUC, “commercial use” means that the property is zoned to permit, or conditionally permit, attached or detached multifamily dwellings; and
 - 2. Divisions of land into lots or tracts as provided for in RCW 58.17.040(7), as that provision read on [insert effective date of this section].
- B. Binding Site Plans are not available for divisions of property for lease as provided for in RCW 58.17.040(5), as that provision read on [insert effective date of this section].

20.30R.120 Review Process.

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

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

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

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

20.30R.125 Submittal Requirements.

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

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

20.30R.130 Decision Criteria

A. The final decision on the underlying land use permit or approval by the applicable decisionmaker specified in Chapter 20.35 LUC for that underlying land use permit or approval shall constitute the final decision on the Binding Site Plan component.

B. In addition to the decision criteria for the underlying land use permit or approval through which a Binding Site Plan is included as a component, the decision maker specified in Chapter 20.35 LUC for the underlying land use permit or approval must determine whether the Binding Site Plan component meets the following requirements:

1. Appropriate provisions for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, and sanitary waste are provided;
2. All applicable provisions of the Land Use Code, Title 20 BCC, the Utility Codes, Title 24 BCC, and all applicable Development Standards are satisfied;
3. The Binding Site Plan component of the underlying land use decision or approval provides for all necessary utilities, streets or access, drainage, and improvements to accommodate the potential use of the entire property.

20.30R.135 Effect of Binding Site Plan

A. The applicant shall record the Binding Site Plan with the King County Recorder's Office. No document shall be presented for recording without the signature of each owner of the subject

property. Once approved and recorded, the Binding Site Plan shall remain in effect in perpetuity unless altered or vacated, regardless of whether the underlying land use permit or approval expires.

- B. If the underlying land use permit or approval is approved, then the applicant may develop the subject property in conformance with the lots, tracts, or parcels created through the approved and recorded Binding Site Plan. All provisions, conditions, and requirements of the Binding Site Plan shall be legally enforceable on the purchaser or any other person acquiring a lease or ownership interest of any lot, parcel, or tract created pursuant to the Binding Site Plan.
- C. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the Binding Site Plan that does not conform to the requirements of the Binding Site Plan, or proceeds without Binding Site Plan approval, shall be considered a violation of the Land Use Code and of Chapter 58.17 RCW and may be enforced, and penalties assessed, as provided in Chapter 58.17 RCW or Chapter 1.18 BCC.

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

A. Alterations. Alterations to an approved or recorded Binding Site Plan may be made as follows:

1. If the Binding Site Plan was approved as a component of a Master Development Plan, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30V.160.
2. If the Binding Site Plan was approved as a component of a Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30B.175.
3. If the Binding Site Plan was approved as a component of a Planned Unit Development, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30D.285.
4. If the Binding Site Plan was approved as a component of an Administrative Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30E.175.
5. If the Binding Site Plan was approved as a component of a Shoreline Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.25E.180.

B. Vacations. Once approved and recorded, the Binding Site Plan may be vacated through a new application for a Master Development Plan.

Part 20.30V Master Development Plan

20.30V.110 PurposeScope.

This Part 20.30V LUC establishes when a Master Development Plan is required and the procedure and criteria that the City will use in making a decision upon an application for a Master Development Plan.

20.30V.115 Applicability

~~This Part 20.30V LUC applies to each application for a Master Development Plan.~~

A. General. If development meets both of the following criteria, then a Master Development Plan is required:

1. Either the development is constructed in phases or contains multiple buildings located within a single project limit; and

2. The development is located within one of the following locations:
 - a. Downtown;
 - b. BelRed;
 - c. A Mixed-Use Land Use District subject to Part 20.25R LUC;
 - d. The Community Mixed-Use Design District subject to Part 20.25I LUC;
 - e. The MI Land Use District;
 - f. The EG-TOD Land Use District; and
 - g. The EM-TOD Land Use District.
- B. F1 and CCC Land Use Districts. If development is located within the F1 or CCC land use districts, then a Master Development Plan is required, regardless of whether the criteria specified in subsection A of this section is satisfied.
- C. LDR-1, LDR-2, LDR-3, MDR-1, and MDR-2 Land Use Districts. If development is both located within an LDR-1, LDR-2, LDR-3, MDR-1, or MDR-2 Land Use District and is seeking a binding site plan, then the Director shall require a Master Development Plan, regardless of whether the criteria specified in subsection A of this section is satisfied.
 1. Exception. A Master Development Plan shall not be required under subsection C of this section if the development requires any one or more of the following land use decisions or approvals, which each allow for a Binding Site Plan to be approved as a component of the underlying land use decision or approval:
 - a. Conditional Use Permit;
 - b. Shoreline Conditional Use Permit;
 - c. Administrative Conditional Use Permit;
 - d. Planned Unit Development; or
 - e. Design Review.
- D. BelRed Land Use Districts. If development is located within BelRed but is not located within a node, then a Master Development Plan is only required if the development is constructed in phases, regardless of whether the criteria specified in subsection A of this section is satisfied.

20.30V.120 ~~Purpose~~Scope of approval.
A. Scope.

The Master Development Plan process is a mechanism by which the City can ensure that site development including structure placement, vehicular and pedestrian mobility, and necessary amenities are developed and phased to conform to the terms of the Land Use Code and other applicable ~~City codes and standards~~development regulations.

B. General Requirements.

Master Development Plans shall document that the following site plan components and calculations comply with all applicable development regulations:

1. Building placement;
2. The location and size of proposed setbacks;
3. Calculations demonstrating allowable lot coverage;
4. Areas identified to accommodate landscape development;
5. Maximum allowable building heights shall be indicated based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
6. A Floor area ratio calculation for each proposed building shall be provided based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
 - i. If applicable, provide separate calculations for residential and nonresidential components of a building.
7. Indicate and delineate all site components required in order to qualify for an amenity incentive system bonus; and
8. Parking, loading, circulation, and internal walkway and pedestrian requirements.

C. Additional Requirements.

Development located in the following land use districts are subject to additional Master Development Plan requirements:

1. 20.25A.030 – Downtown;
2. 20.25N.020 – Camp and Conference Center District;
3. 20.25P.020 – Eastgate Transit Oriented Development Land Use District;
4. 20.25Q.030 – East Main Transit Oriented Development Land Use District; and
5. 20.25D.030 – BelRed.

20.30V.130 Phasing plan required.

A. A phasing plan is required and must be approved as part of the Master Development Plan.

B. Each building proposed to be constructed shall have its own phase; Provided, that the Director may allow for multiple buildings in a single phase. When making a decision on allowing multiple buildings in a single phase, the Director shall consider the following:

1. Whether the buildings are structurally connected or otherwise dependent on one another;

2. Whether similar site improvements, landscaping, or amenities are necessary to support the construction of the buildings proposed to be included in the same phase;
3. Whether the buildings are proposed to be constructed at the same time; and
4. Whether allowing multiple buildings within a single phase will result in more orderly, or more efficient, development of the project limit.

B. The phasing plan must:

1. ~~-, including~~ Include a narrative regarding, ~~for the~~ installation of site improvements, landscaping, and amenities necessary to support each phase of development ~~must be approved as part of the Master Development Plan.;~~
2. -Provide for a proportionate installation of required amenities and improvements when each phase of development is constructed; and
3. Include any other information that may be reasonably required by the Director.

~~The phasing plan is not intended to prescribe a timeline or sequence for development, but shall provide for proportionate installation of amenities that must be included when each phase of development is constructed. Required amenities and improvements shall be included.~~

20.30V.140 Merger with Binding Site Plan.

~~A. General.~~

The applicant may request that the site plan approved with the Master Development Plan constitute a Binding Site Plan in accordance with Part 20.30R LUC.

~~The applicant may request that the Master Development Plan constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.~~

~~B. Survey and Recording Required.~~

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

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

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

20.30V.150 Decision criteria and Effect of Approval.

A. Decision Criteria. The Director may approve or approve with modifications an application for a Master Development Plan if:

- ~~A. The proposed Master Development Plan is consistent with the Comprehensive Plan; and~~

- ~~B1.~~ The Master Development Plan complies with the applicable requirements of the Bellevue City Code; and
- ~~C2.~~ The proposed Master Development Plan addresses all applicable standards, guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and
- ~~D3.~~ The Master Development Plan depicts features of and relationships and connectivity between required site features for the underlying Land Use District.

~~B. Effect of Approval. Approval of the Master Development Plan constitutes the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, except as otherwise provided in LUC 20.30V.190.~~

20.30V.180 Recording required.

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

20.30V.190 ~~Extended vesting period for~~ Extensions of Master Development Plans and ~~Associated Design Review approval~~ Land Use Permits .

~~To the extent not precluded by other sections of this code, an~~ An applicant for a ~~M~~ master ~~D~~ development ~~P~~ plan may request an ~~an~~ modification extension to the ~~vesting and~~ expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, allowing for ~~vesting of the issued~~ land use permits ~~and approvals that are associated with that~~ M master ~~D~~ development ~~P~~ plan to remain in effect for a period of up to 10 years from the date of issuance of the ~~M~~ master ~~D~~ development ~~P~~ plan. ~~In no event shall the~~ M master ~~D~~ development ~~P~~ plan, or any associated and issued land use permit or approval, remain in effect for more than 10 years from the date of issuance of the M master ~~D~~ development ~~P~~ plan approval pursuant to LUC 20.30V.150 except where a complete building permit application has been submitted for each approved phase of the development.

A. Timing of Request for ~~Modification~~ an Extension.

- ~~1. The request for modification may be submitted with the application for land use review or at any time prior to expiration of a previously approved land use permit or approval pursuant to LUC 20.40.500. The request for an extension may be submitted as follows:~~
 - ~~a. At any time between when a complete application for the~~ M master ~~D~~ development ~~P~~ plan has been submitted and issuance of a final land use decision on the M master ~~D~~ development ~~P~~ plan; or

b. At any time between when a final land use decision on the ~~M~~master ~~D~~development ~~P~~plan has been issued and expiration of the ~~M~~master ~~D~~development ~~P~~plan, as may have been separately extended pursuant to this section.

2. If submitted ~~at the time of application for the land use review~~ between when a complete application for a ~~M~~master ~~D~~development ~~P~~plan has been submitted and issuance of a final land use decision on the ~~M~~master ~~D~~development ~~P~~plan, the decision on the request for ~~modification extension~~ shall be merged with the decision on the ~~underlying land use permit~~ ~~M~~master ~~D~~development ~~P~~plan.

3. If submitted ~~after the land use permit or approval has been issued~~ between when a final land use decision on the ~~M~~master ~~D~~development ~~P~~plan has been issued and expiration of the ~~M~~master ~~D~~development ~~P~~plan, the request for ~~modification extension~~ shall be processed as a Land Use Exemption to the existing ~~M~~master ~~D~~development ~~P~~plan pursuant to LUC 20.30F.175 or LUC 20.30V.160.B. In no event shall the vesting period for a Master Development Plan or associated Design Review approval exceed 10 years from the date of issuance of the Master Development Plan approval pursuant to LUC 20.30V.150.

B. Approval of an Extension.

1. The Director may approve ~~an increased vesting period~~ an extension to the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190; provided, that the project complies with an approved phasing plan pursuant to LUC 20.30V.130.

2. When making a decision on a request for an extension~~modification~~, the Director shall consider the following:

a. (1) the ~~project~~ site ~~and size~~;

b. (2) the size, scope, and complexity of the project; and

c. (3) construction and permitting activity in the vicinity of the project ~~in determining the appropriate extension~~vesting period.

C. Effect of Approval of an Extension~~Modification~~.

1. The approval of a request for an extension~~modification~~ under this section does not establish vested rights for any land use permit or for any application for a land use permit.

2. The approval of a request for an extension~~modification~~ under this section may only modify the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, which govern land use permits and approvals. The approval of a request for an extension under this section does not affect expiration of any other permit applications or permit approvals, including, but not limited, to those issued under ~~The vested status of other required review,~~

~~including but not limited to~~ SEPA, ~~the~~ Traffic Standards Code, ~~the~~ Transportation Development Code, and building or other technical code review, ~~is not controlled by this section.~~

- ED. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with ~~terms and he conditions~~ of ~~land use approval~~ the issued master development plan, associated and issued land use permits, and the phasing plan throughout any extension granted under this section ~~the vested period.~~

Chapter 20.35 Review and Appeal Procedures

...

20.35.010 Purpose and scope.

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

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

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

20.35.015 Framework for decisions.

...

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

...

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

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

12. Lot splits.

...

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

1. Site-specific or project-specific rezone;~~and.~~
- ~~2.—A rezone of any property to the OLB-OS Land Use District designation.~~

...

20.35.030 Applications.

A. **Who May Apply.**

...

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

...

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

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

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

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

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

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

20.35.120 Notice of application

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

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

...

20.35.127 Public meetings.

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

20.35.135 Public notice of Director's recommendation.

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

...

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

...

20.35.210 Notice of application.

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

Application Type	Publish	Mail	Sign
Administrative Conditional Use	X	X	X
Design Review	X	X	X
~~Home Occupation Permit~~	~~X~~	~~X~~	
Interpretation of Land Use Code Under Part 20.30K LUC	X		

Preliminary Short Plat	X	X	X
~~Variance~~	~~X~~	~~X~~	
~~Critical Areas Land Use Permit~~	~~X~~	~~X~~	
SEPA Review (When Not Consolidated With Another Permit)	X		
<u>Master Development Plan</u>	<u>X</u>	<u>X</u>	<u>X</u>

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

...

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

20.35.227 Public meetings.

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

20.35.235 Notice of decision.

...

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

20.35.250 Appeal of Process II decisions.

- A. Process II decisions, except for lot splits and SEPA threshold determinations on Process IV and Process V actions, may be appealed as follows:

...

20.35.320 Notice of application.

...

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

...

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

...

20.35.327 Public meetings.

A. A public meeting is required for all Process III applications.

B. The Director may require the applicant to participate in the meeting to inform ~~citizens~~ the public about the proposal.

C. Public meetings shall be held as early in the review process as possible for Process III applications.

D. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice ~~should~~ will be combined with the notice of application whenever possible.

20.35.335 Public notice of Director's recommendation.

...

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

...

20.35.400 Process IV: City Council legislative actions.

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

...

20.35.415 Notice of application.

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

...

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

...

20.35.420 Public hearing notice.

...

B. Provision of Notice.

...

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

...

20.35.510 Notice of application.

...

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

...

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

20.35.525 Public meetings.

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

...

20.35.535 Notice of decision.

...

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

...

Chapter 20.40 Administration and Enforcement

...

20.40.401 Compliance with the Comprehensive Plan.

[Section proposed to be deleted in its entirety]

~~Each decision or action of the City or its officials pursuant to the Land Use Code shall be made in compliance with the Comprehensive Plan.~~

20.40.500 Establishment of vested rights ~~Vesting~~ and expiration of ~~vested status of~~ land use permits ~~and approvals~~.

A. ~~Vesting~~ Establishment of Vested Rights for Land Use Permit Applications and ~~Approvals~~ Approved Land Use Permits.

1. Permits Applications and Approvals in General.

- a. Applications for all land use permits ~~and approvals~~ except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use control ordinances in effect on the date that a fully complete ~~b~~Building ~~p~~Permit application, meeting the requirements of BCC 23.05.090.E and 23.05.090.F, is filed.
- b. If a complete ~~b~~Building ~~p~~Permit application is not filed, ~~as described in subsection A.1.a,~~ then all applications for land use permits except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use control ordinances in effect up to the date of the City's final land use decision on the land use permit.
- c. Except for subdivisions and short subdivisions, if a land use permit is approved, then it shall be governed by the terms and conditions of approval of the land use permit until modification, revocation, or expiration of the land use permit.

2. Subdivisions and Short Subdivisions.

- a. An application for approval of a preliminary plat, final plat, preliminary short plat, or final short plat shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application is submitted for the preliminary plat or preliminary short plant which satisfies the applicable submittal requirements specified pursuant to LUC 20.35.030.

- b. If a final plat or final short plat is approved, then the subdivision or short subdivision shall be governed by the following for a period of five years beginning on the date that the final plat or final short plat was recorded unless vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC:
 - i. The terms and conditions of approval of the final plat or the final short plat; and
 - ii. The provisions of the Land Use Code and other land use control ordinances in effect at the time of the approval of the final plat or the final short plat.
 - c. Subsection A.2.b of this section does not apply where the City Council finds that, following approval of a final plat or final short plat, a change in conditions creates a serious threat to the public health or safety in the subdivision or short subdivision.
- 32. Subdivisions, Short Subdivisions, Conditional Uses, and Design Reviews. An application for approval of a subdivision, short subdivision, conditional use, or for a Ddesign Rreview, shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application, which satisfies the applicable submittal requirements specified in LUC 20.35.030, is submitted for such approval ~~which satisfies the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030.~~
- 43. Shoreline Conditional Use and Shoreline Substantial Development Permits. LUC 20.25E.250 governs vesting of shoreline conditional use and shoreline substantial development permit applications.
- 54. Master Development Plans and Associated Design Reviews Submitted Concurrently. When a ~~D~~design ~~R~~review application is submitted concurrently with a ~~M~~master ~~D~~development ~~P~~plan application, that ~~M~~master ~~D~~development ~~P~~plan application shall be considered under the Land Use Code and other land use control ordinances in effect when the associated ~~D~~design ~~R~~review application is submitted; provided, that both the associated ~~D~~design ~~R~~review application and the ~~M~~master ~~D~~development ~~P~~plan application are fully complete and satisfy the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030. For the purposes of this subsection, “concurrently” means that the associated ~~D~~design ~~R~~review application was submitted during the applicable time period for review of the ~~M~~master ~~D~~development ~~P~~plan application under LUC 20.35.030.E.
- B. Expiration of ~~Vested Status of Issued~~ Land Use Permits ~~or Approval.~~
 - 1. ~~The vested status of a Once issued,~~ Land ~~u~~Use ~~p~~Permits ~~or approval~~ shall expire as provided in subsection B.2 of this section; provided, that:
 - a. The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the permit holder to the extent the litigation is related to the subject land use permit;

- ~~ba.~~ Variances shall run with the land in perpetuity if recorded with the King County Department of Records and Elections Recorder's Office within 60 days following the City's final action; ~~and~~
 - ~~cb.~~ Critical Areas Land Use Permits shall expire as set forth in LUC 20.30P.150; ~~and~~
 - ~~c.~~ ~~Lots in a subdivision or short subdivision shall be vested against changes in the Land Use Code, except for changes that address a serious threat to the public health or safety as found by the City Council when such change is adopted, for a period of five years following the date of recording of the final plat or final short plat; and~~
 - ~~d.~~ ~~The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the applicant for the permit or approval related to that permit or approval;~~
 - ~~ed.~~ Shoreline substantial development permits, shoreline conditional use permits, and shoreline variances shall expire as set forth in ~~Expiration of shoreline permits shall occur pursuant to~~ LUC 20.25E.250.C; ~~and~~
 - ~~fe.~~ Design review approvals shall expire as set forth in ~~Expiration of Design Review approvals shall occur pursuant to~~ LUC 20.30F.190;
 - ~~f.~~ Approved final plats and approved final short plats shall remain in effect until vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC;
 - ~~g.~~ Approved boundary line adjustments shall remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.260; and
 - ~~h.~~ Approved binding site plans shall remain in effect until vacated, modified, or amended pursuant to Part 20.30R LUC; and
 - ~~i.~~ Approved lot splits shall remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.270.
2. ~~The vested status of a~~ Except as provided in subsection B.1 of this section, once issued, each land use permit shall expire two years from the date of the City's final land use decision, unless:
- a. A complete ~~B~~building ~~P~~permit application is filed before the end of the two-year term. In such cases, the ~~vested status of the~~ land use permit ~~or approval~~ shall be automatically extended for the time period during which the ~~b~~Building ~~p~~Permit application is pending prior to issuance; provided, that if the ~~b~~Building ~~p~~Permit application expires, or is revoked or canceled pursuant to BCC 23.05.100, then the ~~vested status of a~~ land use permit ~~or approval~~ shall simultaneously also expire, or be canceled. If a Building Permit is issued and

- ~~subsequently renewed, the vested status of the land use permit or approval shall be automatically extended for the period of the renewal;~~
- b. For projects which do not require a bBuilding pPermit, the use allowed by the issued land use permit ~~or approval~~ has been established prior to the expiration of the ~~vested status of the land use permit or approval~~ and is not terminated by abandonment or otherwise;
 - c. ~~The vested status of a~~ An issued land use permit ~~or approval~~ is extended pursuant to subsection B.3 of this section; or
 - d. ~~The vested status of a~~ An issued land use permit ~~or approval~~ is extended pursuant to:
 - i. LUC 20.30V.190 (~~Extended vesting period for~~Extensions of Master Development Plans and Associated Land Use Permits associated Design Review approval); or
 - ii. A development agreement authorized by the terms of this Land Use Code to extend ~~vested status a~~ land use permit.
3. When a bBuilding pPermit is issued, ~~the vested status of a~~ land use permit ~~or approval~~ shall be automatically extended for the life of the bBuilding pPermit. If the Building Permit expires, or is revoked or canceled pursuant to BCC 23.05.100 ~~or otherwise~~, then the ~~vested status of a~~ land use permit ~~or approval~~ shall also expire, or be revoked or canceled. If a Building Permit is issued and subsequently renewed, then the land use permit shall be automatically extended for the period of the renewal.

Chapter 20.45B Short Plats and Short Subdivisions

...

20.45B.050 General Requirements.

- A. Every short subdivision shall comply with all applicable goals, regulations, and standards of the Bellevue City Code and ~~RCW Title 58 RCW Boundaries and Plats. Short subdivisions shall also be in accord with the policies of the City's Comprehensive Plan.~~

...

20.45B.130 Preliminary short plat – Department Director's decision.

- A. Decision Criteria.

The Department Director may approve or approve with modifications if:

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~~5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and~~

- ~~65.~~ Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be

considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and

76. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

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20.45B.260 Boundary line adjustment.

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

- A. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would allow a nonconforming dimension as specified in LUC 20.20.010 to become more nonconforming unless the adjustment equalizes more than one adjacent nonconforming lot.
- B. No lot line adjustment may be approved when such action would violate an applicable requirement or condition of a previous land use action, lot split, subdivision, or short plat approval.
- C. All lots modified by the boundary line adjustment procedure shall have legal access meeting the standards of the Transportation Department, the Utilities Department, and any other applicable department.
- D. The processing and revision of boundary line adjustments shall be the same as for final short plats as provided in the applicable provisions of LUC 20.45B.210 through 20.45B.2430.
- E. All boundary line adjustments shall be recorded surveys consistent with Chapter 58.09 RCW. All boundary lines being adjusted shall be surveyed, and newly established lot corners shall be staked.
- F. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would create a nonconformity with respect to the requirements of this Code.

20.45B.270 Lot splits.

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

A. Applicability.

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

B. General Requirements.

- 1. The size of the newly created lot and the size of the modified parent lot must both at least meet the minimum lot size requirements for the underlying land use district, if applicable;
- 2. Certificates of availability for sewer and water shall be provided prior to approval;

3. If the administrative lot split requires demolition or alteration of an existing dwelling unit that would displace a renter, then the applicant shall provide, and the Director shall review and approve, a displacement mitigation strategy or plan; and
4. Administrative lot splits are not subject to administrative appeal, as provided for in LUC 20.35.250, if they comply with the applicable development standards herein. Instead, administrative lot splits may be appealed in accordance with LUC 20.35.070.
5. The parent lot must not have been created through an administrative lot split authorized by this section.
6. The parent lot and the newly created lot cannot collectively contain a number of dwelling units that would exceed the number of dwelling units that would have been allowed on the parent lot prior to the administrative lot split.
7. Lot splits may be revised in the same manner as for final short plats under LUC 20.45B.240.
8. If a lot split results in a newly created lot of a size that would allow for further land division, subsequent lot splits are not allowed but the newly created lot may be divided under other applicable land division processes.

C. ~~Notes on Lot Split Survey.~~

The lot split survey ~~to~~ must be recorded with the King County Recorder's Office ~~County~~ and shall both include, as notes, and comply with the following ~~notes~~ requirements, as applicable:-

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

Chapter 20.50 Definitions

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20.50.012 B definitions.

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Binding Site Plan. The division of land into lots or tracts classified for industrial or commercial use as provided by RCW 58.17.020, RCW 58.17.035, and 58.17.040. For the purposes of this definition, “commercial use” means that the property that is zoned to permit, or conditionally permit, attached or detached multifamily dwellings.

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20.50.032 L definitions.

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Lot, Parent. A lot that is, or may be, subdivided into unit lots through the unit lot subdivision process or the unit lot short subdivision process. A parent lot also includes a lot that is, or may be, divided in two through ~~or~~ the administrative lot split process.

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

Lot Split Survey. The final survey prepared for filing for record with the King County Recorder’s Office and containing all elements and requirements for a lot split.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6933

AN ORDINANCE relating land use review procedures; Amending LUC 20.20.538, LUC 20.25A.030, LUC 20.25D.030, LUC 20.25E.180, LUC 20.25F1.020, LUC 20.25I.030, LUC 20.25J.015, LUC 20.25J.040, LUC 20.25J.060, LUC 20.25J.070, LUC 20.25L.040, LUC 20.25M.030, LUC 20.25N.010, LUC 20.25N.020, LUC 20.25P.020, LUC 20.25Q.030, LUC 20.25R.010, LUC 20.30B.140, LUC 20.30B.160, LUC 20.30D.150, LUC 20.30D.280, LUC 20.30E.140, LUC 20.30E.160, Part 20.30F LUC, Part 20.30V LUC, Chapter 20.35 LUC, LUC 20.40.500, LUC 20.45B.050, LUC 20.45B.130, LUC 20.45B.260, LUC 20.50.012, and LUC 20.50.032; Amending Chapter 20.30 LUC to include new Parts 20.30H and 20.30R LUC; Amending Chapter 20.45B LUC to include a new LUC 20.45B.270; Repealing LUC 20.25N.030, LUC 20.30F.116, and LUC 20.40.401; Providing for severability; and setting effective dates.

WHEREAS, on February 3, 2026, the City Council initiated work on the 2026 Omnibus Amendments; and

WHEREAS, the 2026 Omnibus Amendments package a collection of relatively small, discrete text amendments to both the Land Use Code and the Bellevue City Code into a single legislative process for administrative efficiency; and

WHEREAS, this Ordinance contains the text amendments to the Land Use Code of land use review procedures included within the 2026 Omnibus Amendments; and

WHEREAS, on April 8, 2026, the Planning Commission held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on April 29, 2026, a notice of a public hearing on the text amendments to the Land Use Code contained in this Ordinance was published in the Seattle Times and in the City's Weekly Permit Bulletin; and

WHEREAS, on May 13, 2026, the Planning Commission held a public hearing on the 2026 Omnibus Amendments, including the text amendments to the Land Use Code contained in this Ordinance; and

WHEREAS, on May 13, 2026, following the public hearing, the Planning Commission unanimously recommended that the City Council adopt the text amendments to the Land Use Code included in 2026 Omnibus Amendments; and

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code 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 April 29, 2026; 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, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; 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 Council finds that the proposed text amendments to the Land Use Code contained in this Ordinance 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 20.25A.030 of the Land Use Code is hereby amended to read as follows:

20.25A.030 Review required.

A. Applicable Review.

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

B. Master Development Plan.

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

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

Section 3. Section 20.25D.030 of the Land Use Code is hereby amended to read as follows:

20.25D.030 Review required.

A. Applicable Review.

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

B. Master Development Plan.

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

- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
- b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
- c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
- d. Only a right-of-way meeting the requirements of LUC 20.25D.080.D may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review Deviations.

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

1. Floor plate maximums;
2. Minimum setbacks/stepbacks;
3. Impervious surface/lot coverage percentages; and
4. Maximum floor area ratio.

Section 4. Subsection 20.25E.180.I of the Land Use Code is hereby amended to read as follows:

I. Merger with Binding Site Plan

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

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

Section 5. Section 20.25F1.020 of the Land Use Code is hereby amended to read as follows:

20.25F1.020 Review required.

A. Applicable Review.

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

B. Design Review Deviations.

Dimensional Deviations. The Director may, through the Design Review process, approve a proposal that varies from the specific dimensional requirements set forth in the applicable criteria and standards if the applicant demonstrates that the resulting design will be more consistent with the Design Review criteria and Design Standards. Minimum required setbacks identified in LUC 20.25F1.040 are not permitted to be varied under the terms of this subsection. Intrusions into required setbacks are governed by LUC 20.20.025.

Section 6. Section 20.25I.030 of the Land Use Code is hereby amended to read as follows:

20.25I.030 Review Required.

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

Section 7. Section 20.25J.015 of the Land Use Code is hereby amended to read as follows:

20.25J.015 Review required.

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

Section 8. Subsection 20.25J.040.A.3 of the Land Use Code is hereby amended to read as follows:

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

Section 9. Subsection 20.25J.060.A of the Land Use Code is hereby amended to read as follows, with all other provisions of Subsection 20.25J.060.A that are omitted below, as indicated by an ellipsis, remaining unchanged:

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

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

Footnotes:

...

(4) Street frontage landscaping in the vicinity of required gateways will be reviewed through the Design Review process described in LUC 20.25J.015.B and must comply with the streetscape design requirements (LUC 20.25J.070) and Street Frontage Design Guidelines (LUC 20.25J.080.D).

Section 10. Subsections 20.25J.070.C.4.c and C.4.d of the Land Use Code are hereby amended to read as follows:

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

Section 11. Subsection 20.25L.040.C of the Land Use Code is hereby repealed in its entirety.

Section 12. Subsection 20.25M.030.B.1 of the Land Use Code is hereby amended to read as follows:

- 1. Development Agreement – Council Legislative Decision.
 - a. Scope of Approval. An RLRT system or facility use is permitted outright when its alignment location and profile have been included, subsequent to the adoption of this overlay, in a City Council resolution, ordinance, or development agreement authorized pursuant to Part 20.30C LUC.
 - b. Applicable Process. A development agreement adopted by the City Council shall be processed under the authority of and pursuant to the procedures set forth in Chapter 36.70B RCW. Any development agreement adopted by the City Council shall be consistent with Part 20.30C LUC.

Section 13. Subsections 20.25M.030.B.2.b and B.2.c of the Land Use Code are hereby amended to read as follows:

- b. Scope of Approval. When an RLRT system or facility use has not been permitted outright in a City Council resolution, ordinance, or development agreement, a Conditional Use Permit shall be required to approve the location and profile of the track alignment and major facility elements that are specifically identified in the definition of “regional light rail transit facility” contained in LUC 20.25M.020.D. The Conditional Use Permit is a mechanism for the City to ensure that the RLRT facility use meets all applicable siting standards. Design, context sensitivity and mitigation standards and design guidelines applicable to specific facility elements shall be met as a component of the Design and Mitigation Review process pursuant to subsection C of this section.
- c. Decision Criteria. The City may approve or approve with modifications an application for a Conditional Use Permit if:
 - i. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity of the RLRT facility and system; and
 - ii. The conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and
 - iii. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the RLRT facility and system; and
 - iv. The conditional use complies with the applicable requirements of the Land Use Code

Section 14. Subsections 20.25M.030.C.2 and C.3 of the Land Use Code are hereby amended to read as follows:

- 2. Scope of Design and Mitigation Approval. Design and Mitigation Review is a mechanism by which the City shall ensure that the design and proposed mitigation for temporary and permanent impacts of an RLRT system and facility is consistent with:
 - a. Any previously approved development agreement or Conditional Use Permit issued pursuant to subsection B.1 or B.2 of this section; and

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

- i. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
- ii. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
- iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan.

Section 15. Section 20.25N.010 of the Land Use Code is hereby amended to read as follows:

20.25N.010 Applicability.

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

Section 16. Section 20.25N.020 of the Land Use Code is hereby amended to read as follows:

20.25N.020 Review required.

A. Applicable Review.

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

B. Master Development Plan.

1. In addition to the requirements of Part 20.30V LUC, the Master Development Plan for development in the CCC land use district shall depict the following:
 - a. Existing conditions, including:
 - i. The proposed continued use, maintenance, and remodeling of existing conditions, including uses and structures and their current locations, which are permitted in a CCC District.

- ii. The proposed continuation of existing conditions, including uses and structures and their current locations, which are not permitted in a CCC District.
 - iii. The proposed discontinuation of existing conditions, including uses and structures and their current locations, and general timing, sequencing, or triggering of the same;
- b. The proposed general location or placement of proposed uses, structures, facilities, and site features;
- c. A list of proposed principal and subordinate uses and their general locations;
- d. Conformance with the dimensional requirements of LUC 20.25N.050, based on the total area contained in the Master Development Plan.

C. Design Review.

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

Section 17. Section 20.25N.030 of the Land Use Code is hereby repealed in its entirety.

Section 18. Section 20.25P.020 of the Land Use Code is hereby amended to read as follows:

20.25P.020 Review required.

A. Applicable Review.

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

B. Master Development Plans in EG-TOD.

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

2. For the purposes of Part 20.25P LUC and Part 20.30V LUC, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:
 - a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
 - b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
 - c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
 - d. Only a right-of-way meeting the requirements of LUC 20.25P.060.B.2.c may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

Section 19. Section 20.25Q.030 of the Land Use Code is hereby amended to read as follows:

20.25Q.030 Review required.

A. Applicable Review.

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

B. Master Development Plan.

For the purposes of Part 20.25Q LUC and Part 20.30V LUC, the Project Limit may be drawn to encompass a vehicular, bicycle, or pedestrian circulation that bisects a Site, provided the Director finds that the following connectivity criteria can be met:

1. A system of corner crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting circulation within the Project Limit;
2. Pedestrian paths shall be provided to connect all Buildings and circulation crossings located within the proposed Project Limit; and

3. Visual connections shall be provided between all Buildings located within the Project Limit by minimizing topographic variation and through use of vegetation and outdoor spaces.

Section 20. Subsection 20.25R.010.D of the Land Use Code is hereby amended to read as follows:

D. Applicable Review.

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

Section 21. Section 20.30B.140 of the Land Use Code is hereby amended to read as follows:

20.30B.140 Decision criteria.

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

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

Section 22. Section 20.30B.160 of the Land Use Code is hereby amended to read as follows:

20.30B.160 Merger with Binding Site Plan

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

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

Section 23. Section 20.30D.150 of the Land Use Code is hereby amended to read as follows:

20.30D.150 Decision criteria.

The City may approve, or approve with modifications, a Planned Unit Development plan if:

- A. The Planned Unit Development accomplishes, by the use of permitted flexibility and variation in design, a development that is better than that resulting from traditional development. Net benefit to the City may be demonstrated by one or more of the following:
1. Placement, type or reduced bulk of structures; or
 2. Interconnected usable open space; or
 3. Recreation facilities; or
 4. Other public facilities; or
 5. Conservation of natural features, vegetation and on-site soils; or
 6. Reduction in hard surfaces; or
 7. Conservation of critical areas and critical area buffers beyond that required under Part 20.25H LUC; or
 8. Aesthetic features and harmonious design; or
 9. Energy efficient site design or building features; or
 10. Use of low impact development techniques; and
- B. 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

- C. 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
- D. At least one major circulation point is functionally connected to a public right-of-way; and
- E. 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
- F. Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- G. 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
- H. 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 24. Section 20.30D.280 of the Land Use Code is hereby amended to read as follows:

20.30D.280 Merger with Binding Site Plan

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

Section 25. Section 20.30E.140 of the Land Use Code is hereby amended to read as follows:

20.30E.140 Decision criteria.

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

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

Section 26. Section 20.30E.160 of the Land Use Code is hereby amended to read as follows:

20.30E.160 Merger with Binding Site Plan.

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

Section 27. Section 20.30F.110 of the Land Use Code is hereby amended to read as follows:

20.30F.110 Purpose.

This Part 20.30F LUC establishes when Design Review is required and the procedure and criteria that the City will use in making a decision upon an application for Design Review.

Section 28. Section 20.30F.115 of the Land Use Code is hereby amended to read as follows:

20.30F.115 Applicability.

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

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

B. Exceptions.

1. All development for which a City Council approval is required and an opportunity for public comment has been provided shall be exempt from the Design Review process, but must still comply with the applicable Design Review criteria and standards contained in applicable development regulations.
2. All development in the BelRed General Commercial (BR-GC) land use district; Provided, that an applicant may submit a design review application for approval by the Director pursuant to Part 20.30F LUC for a development proposal located in the BR-GC land use district that includes deviations permitted by LUC 20.25D.030.C.
3. Design review is not required for freestanding structures proposed for religious activities in the CCC land use district, as provided in LUC 20.25N.020.

Section 29. Section 20.30F.116 of the Land Use Code is hereby repealed in its entirety.

Section 30. Section 20.30F.120 of the Land Use Code is hereby amended to read as follows:

20.30F.120 Scope of approval.

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

Section 31. Section 20.30F.165 of the Land Use Code is hereby amended to read as follows:

20.30F.165 Merger with Binding Site Plan

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

Section 32. Section 20.30F.180 of the Land Use Code is hereby amended to read as follows:

20.30F.180 Recording Required.

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

Section 33. Subsection 20.30F.190.C of the Land Use Code is hereby amended to read as follows:

C. Other Extensions of Design Review Approval.

An approved design review permit may be extended pursuant to one or more of the following:

1. LUC 20.30V.190 (Extensions of Master Development Plans and associated Land Use Permit Approvals);

2. A Development Agreement, but only in circumstances where Part 20.30C LUC specifically authorizes the extension, by Development Agreement, of the time period that a Land Use Permit or approval remains in effect; or
3. Subsection D of this section.

Section 34. Subsection 20.30F.190.E of the Land Use Code is hereby repealed in its entirety:

Section 35. Chapter 20.30 of the Land Use Code is hereby amended to include a new Part 20.30H to read as shown on **Attachment A** to this Ordinance.

Section 36. Chapter 20.30 of the Land Use Code is hereby amended to include a new Part 20.30R to read as shown on **Attachment B** to this Ordinance.

Section 37. Section 20.30V.110 of the Land Use Code is hereby amended to read as follows:

20.30V.110 Purpose.

This Part 20.30V LUC establishes when a Master Development Plan is required and the procedure and criteria that the City will use in making a decision upon an application for a Master Development Plan.

Section 38. Section 20.30V.115 of the Land Use Code is hereby amended to read as follows:

20.30V.115 Applicability

- A. General. If development meets both of the following criteria, then a Master Development Plan is required:
 1. Either the development is constructed in phases or contains multiple buildings located within a single project limit; and
 2. The development is located within one of the following locations:
 - a. Downtown;
 - b. BelRed;
 - c. A Mixed-Use Land Use District subject to Part 20.25R LUC;

- d. The Community Mixed-Use Design District subject to Part 20.25I LUC;
 - e. The MI Land Use District;
 - f. The EG-TOD Land Use District; and
 - g. The EM-TOD Land Use District.
- B. F1 and CCC Land Use Districts. If development is located within the F1 or CCC land use districts, then a Master Development Plan is required, regardless of whether the criteria specified in subsection A of this section is satisfied.
- C. LDR-1, LDR-2, LDR-3, MDR-1, and MDR-2 Land Use Districts. If development is both located within an LDR-1, LDR-2, LDR-3, MDR-1, or MDR-2 Land Use District and is seeking a binding site plan, then the Director shall require a Master Development Plan, regardless of whether the criteria specified in subsection A of this section is satisfied.
- 1. Exception. A Master Development Plan shall not be required under subsection C of this section if the development requires any one or more of the following land use decisions or approvals, which each allow for a Binding Site Plan to be approved as a component of the underlying land use decision or approval:
 - a. Conditional Use Permit;
 - b. Shoreline Conditional Use Permit;
 - c. Administrative Conditional Use Permit;
 - d. Planned Unit Development; or
 - e. Design Review.
- D. BelRed Land Use Districts. If development is located within BelRed but is not located within a node, then a Master Development Plan is only required if the development is constructed in phases, regardless of whether the criteria specified in subsection A of this section is satisfied.

Section 39. Section 20.30V.120 of the Land Use Code is hereby amended to read as follows:

20.30V.120 Scope of approval.

A. Scope.

The Master Development Plan process is a mechanism by which the City can ensure that site development including structure placement, vehicular and pedestrian mobility, and necessary amenities are developed and phased to conform to the terms of the Land Use Code and other applicable development regulations.

B. General Requirements.

Master Development Plans shall document that the following site plan components and calculations comply with all applicable development regulations:

1. Building placement;
2. The location and size of proposed setbacks;
3. Calculations demonstrating allowable lot coverage;
4. Areas identified to accommodate landscape development;
5. Maximum allowable building heights shall be indicated based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
6. A Floor area ratio calculation for each proposed building shall be provided based on the underlying Land Use District and any additional building height as may be allowed by applicable development regulations;
 - i. If applicable, provide separate calculations for residential and nonresidential components of a building.
7. Indicate and delineate all site components required in order to qualify for an amenity incentive system bonus; and
8. Parking, loading, circulation, and internal walkway and pedestrian requirements.

C. Additional Requirements.

Development located in the following land use districts are subject to additional Master Development Plan requirements:

1. 20.25A.030 – Downtown;

2. 20.25N.020 – Camp and Conference Center District;
3. 20.25P.020 – Eastgate Transit Oriented Development Land Use District;
4. 20.25Q.030 – East Main Transit Oriented Development Land Use District; and
5. 20.25D.030 – BelRed.

Section 40. Section 20.30V.130 of the Land Use Code is hereby amended to read as follows:

20.30V.130 Phasing plan required.

- A. A phasing plan is required and must be approved as part of the Master Development Plan.
- B. Each building proposed to be constructed shall have its own phase; Provided, that the Director may allow for multiple buildings in a single phase. When making a decision on allowing multiple buildings in a single phase, the Director shall consider the following:
 1. Whether the buildings are structurally connected or otherwise dependent on one another;
 2. Whether similar site improvements, landscaping, or amenities are necessary to support the construction of the buildings proposed to be included in the same phase;
 3. Whether the buildings are proposed to be constructed at the same time; and
 4. Whether allowing multiple buildings within a single phase will result in more orderly, or more efficient, development of the project limit.
- B. The phasing plan must:
 1. Include a narrative regarding the installation of site improvements, landscaping, and amenities necessary to support each phase of development;
 2. Provide for a proportionate installation of required amenities and improvements when each phase of development is constructed; and
 3. Include any other information that may be reasonably required by the Director.

Section 41. Section 20.30V.140 of the Land Use Code is hereby amended to read as follows:

20.30V.140 Merger with Binding Site Plan.

The applicant may request that the site plan approved with the Master Development Plan constitute a Binding Site Plan in accordance with Part 20.30R LUC.

Section 42. Section 20.30V.150 of the Land Use Code is hereby amended to read as follows:

20.30V.150 Decision criteria and Effect of Approval.

- A. Decision Criteria. The Director may approve or approve with modifications an application for a Master Development Plan if:
1. The Master Development Plan complies with the applicable requirements of the Bellevue City Code; and
 2. The proposed Master Development Plan addresses all applicable standards, guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and
 3. The Master Development Plan depicts features of and relationships and connectivity between required site features for the underlying Land Use District.
- B. Effect of Approval. Approval of the Master Development Plan shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, except as otherwise provided in LUC 20.30V.190.

Section 43. Section 20.30V.180 of the Land Use Code is hereby amended to read as follows:

20.30V.180 Recording required.

Following approval of a Master Development Plan and any subsequent modifications thereto, the applicant shall record the plans and conditions that constitute the approval with the King County Recorder's Office. Components of the approval required to be recorded include but are not limited to the applicable conditions of approval, total amount (square footage) of floor area earned through an FAR amenity incentive

system, or floor area earned through special dedication of right-of-way, parks, or open space. A copy of the recorded document shall be provided to the city for inclusion in the project file.

Section 44. Section 20.30V.190 of the Land Use Code is hereby amended to read as follows:

20.30V.190 Extensions of Master Development Plans and Associated Land Use Permits.

An applicant for a master development plan may request an extension to the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, allowing for issued land use permits that are associated with that master development plan to remain in effect for a period of up to 10 years from the date of issuance of the master development plan. In no event shall the master development plan, or any associated and issued land use permit, remain in effect for more than 10 years from the date of issuance of the master development plan approval pursuant to LUC 20.30V.150 except where a complete building permit application has been submitted for each approved phase of the development.

A. Timing of Request for an Extension.

1. The request for an extension may be submitted as follows:
 - a. At any time between when a complete application for the master development plan has been submitted and issuance of a final land use decision on the master development plan; or
 - b. At any time between when a final land use decision on the master development plan has been issued and expiration of the master development plan, as may have been separately extended pursuant to this section.
2. If submitted between when a complete application for a master development plan has been submitted and issuance of a final land use decision on the master development plan, the decision on the request for extension shall be merged with the decision on the master development plan.
3. If submitted between when a final land use decision on the master development plan has been issued and expiration of the master development plan, the request for extension shall be processed as a Land Use Exemption to the existing master development plan pursuant to LUC 20.30V.160.B.

B. Approval of an Extension.

1. The Director may approve an extension to the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190; provided, that the project complies with an approved phasing plan pursuant to LUC 20.30V.130.
2. When making a decision on a request for an extension, the Director shall consider the following:
 - a. the project site;
 - b. the size, scope, and complexity of the project; and
 - c. construction and permitting activity in the vicinity of the project.

C. Effect of Approval of an Extension.

1. The approval of a request for an extension under this section does not establish vested rights for any land use permit or for any application for a land use permit.
 2. The approval of a request for an extension under this section may only modify the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, which govern land use permits and approvals. The approval of a request for an extension under this section does not affect expiration of any other permit applications or permit approvals, including, but not limited, to those issued under SEPA, the Traffic Standards Code, the Transportation Development Code, and building or other technical code review.
- D. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with terms and conditions of the issued master development plan, associated and issued land use permits, and the phasing plan throughout any extension granted under this section.

Section 45. Section 20.35.010 of the Land Use Code is hereby amended to read as follows:

20.35.010 Purpose and scope.

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

- B. As required by Chapter 36.70B RCW , these procedures provide for an integrated and consolidated land use permit process. The procedures integrate the environmental review process with the procedures for review of land use decisions and provide for the consolidation of appeal processes for land use decisions.
- C. To the extent that the requirements of this chapter differ from the requirements of RCW 36.70B.060, RCW 36.70B.070, RCW 36.70B.080, RCW 36.70B.110, RCW 36.70B.120, or RCW 36.70B.130, the difference is based on a determination by the City Council that special circumstances exist that warrant a different review process or time period for approval.

Section 46. Subsection 20.35.015.D of the Land Use Code is hereby amended to read as follows:

- D. Process III decisions are quasi-judicial decisions made by the City Council. The following types of applications require a Process III decision:
 - 1. Site-specific or project-specific rezone.

Section 47. Subsection 20.35.030.A.3 of the Land Use Code is hereby amended to read as follows:

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

Section 48. Section 20.35.080 of the Land Use Code is hereby amended to read as follows:

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

- A. Purpose. The purpose of this section is to offer a consolidated process that may, at the applicant's option, be used when a proposed development or use of land will require multiple Process I decisions, Process II decisions, Process III decisions, or other administrative decisions.
- B. When a single project includes multiple Process II decisions or other types of land use applications and decisions made by the Director, then any combination of such applications may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250.

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

Section 49. Subsection 20.35.120.B.3 of the Land Use Code is hereby amended to read as follows:

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

Section 50. Section 20.35.127 of the Land Use Code is hereby amended to read as follows:

20.35.127 Public meetings.

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

Section 51. Subsection 20.35.135.A.4 of the Land Use Code is hereby amended to read as follows:

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

Section 52. Section 20.35.210 of the Land Use Code is hereby amended to read as follows:

20.35.210 Notice of application.

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

Application Type	Publish	Mail	Sign
Administrative Conditional Use	X	X	X
Design Review	X	X	X
Interpretation of Land Use Code Under Part 20.30K LUC	X		
Preliminary Short Plat	X	X	X
SEPA Review (When Not Consolidated With Another Permit)	X		
Master Development Plan	X	X	X

1. For Process II decisions not included in Table 20.35.210.A, notice of application shall be provided by publication and mailing.
2. When required by Table 20.35.210.A, publishing shall include publication of the project description, location, types of City permits or approvals applied for, date of application and location where the complete application file may be reviewed, in a newspaper of general circulation in the City.
3. Mailing shall include mailed notice to owners of real property within 500 feet of the project site including the following information:
 - a. The date of application;
 - b. The project description and location;
 - c. The types of City permit(s) or approval(s) applied for;
 - d. The Director may, but need not, include other information to the extent known at the time of notice of application, such as: the identification of other City permits required, related permits from other agencies or jurisdictions not included in the City permit process, the dates for any public meetings or public hearings, identification of any studies requested for application review, any existing environmental documents that apply to the project, and a statement of the preliminary determination, if one has been made, of those development regulations that will be used for project mitigation.

4. If signs are required, two signs or placards shall be posted by the applicant on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The Director shall establish standards for size, color, layout, design, wording, placement, and timing of installation and removal of the signs or placards.
5. Mailings shall also include mailing notice of the application including at least the information required in subsection A.2 of this section to each person who has requested such notice for the calendar year and paid any fee as established by the Director. This mailing shall also include a representative from each of the neighborhood groups, community clubs, or other community groups who have requested notice of land use activity. As an alternative to mailing notice to each such person, notice may be provided by electronic mail only, when requested by the recipient.

Section 53. Section 20.35.227 of the Land Use Code is hereby amended to read as follows:

20.35.227 Public meetings.

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

Section 54. Subsection 20.35.235.C of the Land Use Code is hereby amended to read as follows:

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

Section 55. Subsection 20.35.320.B.3 of the Land Use Code is hereby amended to read as follows:

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

Section 56. Section 20.35.327 of the Land Use Code is hereby amended to read as follows:

20.35.327 Public meetings.

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

Section 57. Subsection 20.35.335.D of the Land Use Code is hereby amended to read as follows:

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

Section 58. Section 20.35.400 of the Land Use Code is hereby amended to read as follows:

20.35.400 Process IV: City Council legislative actions.

LUC 20.35.400 through 20.35.440 contain the procedures the City shall use to make legislative land use decisions (Process IV actions). The process shall include a public

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

Section 59. Subsection 20.35.415.A.3 of the Land Use Code is hereby amended to read as follows:

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

Section 60. Subsection 20.35.420.B.4 of the Land Use Code is hereby amended to read as follows:

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

Section 61. Subsection 20.35.510.B.3 of the Land Use Code is hereby amended to read as follows:

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

Section 62. Section 20.35.525 of the Land Use Code is hereby amended to read as follows:

20.35.525 Public meetings.

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

Section 63. Subsection 20.35.535.C of the Land Use Code is hereby amended to read as follows:

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

Section 64. Section 20.40.401 of the Land Use Code is hereby repealed in its entirety.

Section 65. Section 20.40.500 of the Land Use Code is hereby amended to read as follows:

20.40.500 Establishment of vested rights and expiration of land use permits.

- A. Establishment of Vested Rights for Land Use Permit Applications and Approved Land Use Permits.

- 1. Permit Applications and Approvals in General.

- a. Applications for all land use permits except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use control ordinances in effect on the date that a fully complete building permit application, meeting the requirements of BCC 23.05.090.E and 23.05.090.F, is filed.
 - b. If a complete building permit application is not filed, as described in subsection A.1.a, then all applications for land use permits except subdivisions, short subdivisions, conditional uses, design reviews, shoreline conditional use, and shoreline substantial development permits shall be considered under the Land Use Code and other land use control ordinances

in effect up to the date of the City's final land use decision on the land use permit.

- c. Except for subdivisions and short subdivisions, if a land use permit is approved, then it shall be governed by the terms and conditions of approval of the land use permit until modification, revocation, or expiration of the land use permit.

2. Subdivisions and Short Subdivisions.

- a. An application for approval of a preliminary plat, final plat, preliminary short plat, or final short plat shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application is submitted for the preliminary plat or preliminary short plant which satisfies the applicable submittal requirements specified pursuant to LUC 20.35.030.
- b. If a final plat or final short plat is approved, then the subdivision or short subdivision shall be governed by the following for a period of five years beginning on the date that the final plat or final short plat was recorded unless vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC:
 - i. The terms and conditions of approval of the final plat or the final short plat; and
 - ii. The provisions of the Land Use Code and other land use control ordinances in effect at the time of the approval of the final plat or the final short plat.
- c. Subsection A.2.b of this section does not apply where the City Council finds that, following approval of a final plat or final short plat, a change in conditions creates a serious threat to the public health or safety in the subdivision or short subdivision.

3. Conditional Uses and Design Reviews. An application for approval of a conditional use or for a design review shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application, which satisfies the applicable submittal requirements specified in LUC 20.35.030, is submitted for such approval.

4. Shoreline Conditional Use and Shoreline Substantial Development Permits. LUC 20.25E.250 governs vesting of shoreline conditional use and shoreline substantial development permit applications.

5. Master Development Plans and Associated Design Reviews Submitted Concurrently. When a design review application is submitted concurrently with a master development plan application, that master development plan application shall be considered under the Land Use Code and other land use control ordinances in effect when the associated design review application is submitted; provided, that both the associated design review application and the master development plan application are fully complete and satisfy the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030. For the purposes of this subsection, “concurrently” means that the associated design review application was submitted during the applicable time period for review of the master development plan application under LUC 20.35.030.E.

B. Expiration of Issued Land Use Permits.

1. Once issued, land use permits shall expire as provided in subsection B.2 of this section; provided, that:
 - a. The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the permit holder to the extent the litigation is related to the subject land use permit;
 - b. Variances shall run with the land in perpetuity if recorded with the King County Recorder’s Office within 60 days following the City’s final action;
 - c. Critical Areas Land Use Permits shall expire as set forth in LUC 20.30P.150;
 - d. Shoreline substantial development permits, shoreline conditional use permits, and shoreline variances shall expire as set forth in LUC 20.25E.250.C;
 - e. Design review approvals shall expire as set forth in LUC 20.30F.190;
 - f. Approved final plats and approved final short plats shall remain in effect until vacated, modified, or amended pursuant to Chapter 20.45A LUC or Chapter 20.45B LUC;
 - g. Approved boundary line adjustments shall remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.260; and
 - h. Approved binding site plans shall remain in effect until vacated, modified, or amended pursuant to Part 20.30R LUC.

2. Except as provided in subsection B.1 of this section, once issued, each land use permit shall expire two years from the date of the City's final land use decision, unless:
 - a. A complete building permit application is filed before the end of the two-year term. In such cases, the land use permit shall be automatically extended for the time period during which the building permit application is pending prior to issuance; provided, that if the building permit application expires, or is revoked or canceled pursuant to BCC 23.05.100, then the land use permit shall simultaneously expire.
 - b. For projects which do not require a building permit, the use allowed by the issued land use permit has been established prior to the expiration of the land use permit and is not terminated by abandonment or otherwise;
 - c. An issued land use permit is extended pursuant to subsection B.3 of this section; or
 - d. An issued land use permit is extended pursuant to:
 - i. LUC 20.30V.190 (Extensions of Master Development Plans and Associated Land Use Permits); or
 - ii. A development agreement authorized by the terms of this Land Use Code to extend a land use permit.
3. When a building permit is issued, a land use permit shall be automatically extended for the life of the building permit. If the Building Permit expires, or is revoked or canceled pursuant to BCC 23.05.100, then the land use permit shall also expire, or be revoked or canceled. If a Building Permit is issued and subsequently renewed, then the land use permit shall be automatically extended for the period of the renewal.

Section 66. Subsection 20.45B.050.A of the Land Use Code is hereby amended to read as follows:

- A. Every short subdivision shall comply with all applicable goals, regulations, and standards of the Bellevue City Code and Title 58 RCW.

Section 67. Subsection 20.45B.130.A of the Land Use Code is hereby amended to read as follows:

- A. Decision Criteria.

The Department Director may approve or approve with modifications if:

1. The preliminary short plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste; and
2. The public interest is served by the short subdivision; and
3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site; and
4. The proposal complies with all applicable provisions of the Land Use Code, BCC Title 20, the Utility Codes, BCC Title 24, and the City of Bellevue Development Standards; and
5. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and
6. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

Section 68. The definition of “Binding Site Plan” contained in Section 20.50.012 of the Land Use Code is hereby amended to read as follows:

Binding Site Plan. The division of land into lots or tracts classified for industrial or commercial use as provided by RCW 58.17.020, RCW 58.17.035, and 58.17.040. For the purposes of this definition, “commercial use” means that the property that is zoned to permit, or conditionally permit, attached or detached multifamily dwellings.

Section 69. 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 70. The City Clerk is hereby authorized and directed to replace any reference in this Ordinance, including **Attachments A and B**, to “[INSERT EFFECTIVE DATE OF ORDINANCE]” with the actual month, day, and year that this Ordinance takes effect as calculated pursuant to Section 79 of this Ordinance.

Section 71. Section 20.45B.260 of the Land Use Code is hereby amended to read as follows:

20.45B.260 Boundary line adjustment.

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

- A. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would allow a nonconforming dimension as specified in LUC 20.20.010 to become more nonconforming unless the adjustment equalizes more than one adjacent nonconforming lot.
- B. No lot line adjustment may be approved when such action would violate an applicable requirement or condition of a previous land use action, lot split, subdivision, or short plat approval.
- C. All lots modified by the boundary line adjustment procedure shall have legal access meeting the standards of the Transportation Department, the Utilities Department, and any other applicable department.
- D. The processing and revision of boundary line adjustments shall be the same as for final short plats as provided in the applicable provisions of LUC 20.45B.210 through 20.45B.240.
- E. All boundary line adjustments shall be recorded surveys consistent with Chapter 58.09 RCW. All boundary lines being adjusted shall be surveyed, and newly established lot corners shall be staked.
- F. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would create a nonconformity with respect to the requirements of this Code.

Section 72. Chapter 20.45B of the Land Use Code is hereby amended to include a new Section 20.45B.270 to read as follows:

20.45B.270 Lot splits.

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

A. Applicability.

1. An administrative lot split shall only create one additional lot.
2. The parent lot shall not be located in a land use district that does not allow residential uses.

B. General Requirements.

1. The size of the newly created lot and the size of the modified parent lot must both at least meet the minimum lot size requirements for the underlying land use district, if applicable;
2. Certificates of availability for sewer and water shall be provided prior to approval;
3. If the administrative lot split requires demolition or alteration of an existing dwelling unit that would displace a renter, then the applicant shall provide, and the Director shall review and approve, a displacement mitigation strategy or plan; and
4. Administrative lot splits are not subject to administrative appeal, as provided for in LUC 20.35.250, if they comply with the applicable development standards herein. Instead, administrative lot splits may be appealed in accordance with LUC 20.35.070.
5. The parent lot must not have been created through an administrative lot split authorized by this section.
6. The parent lot and the newly created lot cannot collectively contain a number of dwelling units that would exceed the number of dwelling units that would have been allowed on the parent lot prior to the administrative lot split.
7. Lot splits may be revised in the same manner as for final short plats under LUC 20.45B.240.
8. If a lot split results in a newly created lot of a size that would allow for further land division, subsequent lot splits are not allowed but the newly created lot may be divided under other applicable land division processes.

C. Lot Split Survey.

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

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

Section 73. Subsection 20.20.538.C.1 of the Land Use Code, including Table 20.20.538.C.1, is hereby amended to read as follows, with all other provisions of Subsection 20.20.538.C.1 and Table 20.20.538.C.1 that are omitted below, as indicated by an ellipsis, remaining unchanged:

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**

	LL- 1	LL- 2	SR- 1	SR- 2	SR- 3	SR- 4	LDR -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)(11)	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)
...											

...

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

...

Section 74. Subsection 20.35.015.C of the Land Use Code is hereby amended to read as follows:

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

1. Administrative amendments;
2. Administrative conditional use;
3. Design review;
4. Home Occupation Permit;
5. Interpretation of the Land Use Code under Part 20.30K LUC;
6. Preliminary short plat;
7. Variance;
8. Critical Area Land Use Permits;

9. Master Development Plans;
10. Design and Mitigation Permits required pursuant to Part 20.25M LUC, Light Rail Overlay District;
11. Review under State Environment Policy Act (SEPA) when not consolidated with another permit; and
12. Lot splits.

Section 75. Subsection 20.35.250.A of the Land Use Code is hereby amended to read as follows:

- A. Process II decisions, except for lot splits and SEPA threshold determinations on Process IV and Process V actions, may be appealed as follows:
 1. Who May Appeal. The project applicant or any person who submitted written comments prior to the date the decision was issued may appeal the decision.
 2. Form of Appeal. A person appealing a Process II decision must file a written statement setting forth:
 - a. Facts demonstrating that the person is adversely affected by the decision;
 - b. A concise statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable decision criteria;
 - c. The specific relief requested; and
 - d. Any other information reasonably necessary to make a decision on the appeal.

The written statement must be filed together with an appeal notification form available from the Office of the City Clerk. The appellant must pay such appeal fee, if any, as established by ordinance or resolution at the time the appeal is filed.

3. Time and Place to Appeal. The written statement of appeal, the appeal notification form, and the appeal fee, if any, must be received by the City Clerk no later than 5:00 p.m. on the fourteenth day following the date of publication of the decision of the Director; except that if the Director's decision is consolidated with a threshold Determination of Nonsignificance under the State Environmental

Policy Act for which a comment period pursuant to WAC 197-11-340 must be provided, the appeal period for the consolidated decision shall be 21 days.

4. Exception. If a development agreement has been approved under Part 20.30C LUC, then the appeal procedures contained in this section do not apply to the Director's Process II Decision on a related master development plan or design review application. Instead, the Director's Process II Decision may be appealed to Superior Court as set forth in LUC 20.35.070 and 20.30C.100.

Section 76. Subsection 20.40.500.B.1 of the Land Use Code is hereby amended to include a new Subsection 20.40.500.B.1.i to read as follows, and the City Clerk is hereby authorized to codify this new subsection in Subsection 20.40.500.B.1 in a manner that maintains an alphabetical listing of subsections:

- i. Approved lot splits shall in remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.270.

Section 77. The definition of "Lot, Parent" contained in Section 20.50.032 of the Land Use Code is hereby amended to read as follows.

Lot, Parent. A lot that is, or may be, subdivided into unit lots through the unit lot subdivision process or the unit lot short subdivision process. A parent lot also includes a lot that is, or may be, divided in two through the administrative lot split process.

Section 78. Section 20.50.032 of the Land Use Code is hereby amended to include new definitions of the terms "Lot Split" and "Lot Split Survey" to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.032 in a manner that maintains an alphabetical listing of defined terms.

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

Lot Split Survey. The final survey prepared for filing for record with the King County Recorder's Office and containing all elements and requirements for a lot split.

Section 79. Effective Date. Sections 1 through 70 of this Ordinance shall take effect and be in force five (5) days after legal publication. Sections 71 through 78 of this Ordinance shall take effect and be in force on July 27, 2027.

Passed by the City Council this _____ day of _____, 2026 and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:

Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____

Attachment A
Part 20.30H Departures

20.30H.110 Purpose.

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

20.30H.115 Applicability.

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

- A. Part 20.25A LUC – Downtown. A departure from the specific numeric standards contained in the following sections of the Land Use Code applicable to Downtown may be approved:
 - 1. LUC 20.25A.090;
 - 2. LUC 20.25A.110; and
 - 3. LUC 20.25A.140 through 20.25A.180
- B. Part 20.25Q LUC – East Main Transit Oriented Development Land Use District. A departure from the specific numeric standards contained in the following sections of the Land Use Code applicable in the East Main Transit Oriented Development Land Use District may be approved:
 - 1. LUC 20.25Q.080;
 - 2. LUC 20.25Q.100; and
 - 3. LUC 20.25Q.130 through 20.25Q.160

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

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

20.30H.120 Decision Criteria.

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

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

20.30H.130 Limitation on authority.

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

Attachment B
Part 20.30R Binding Site Plans

20.30R.110 Purpose.

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

20.30R.115 Applicability.

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

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

B. Binding Site Plans are not available for divisions of property for lease as provided for in RCW 58.17.040(5), as that provision read on [INSERT EFFECTIVE DATE OF ORDINANCE].

20.30R.120 Review Process.

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

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

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

5. Shoreline Conditional Use Permit.

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

20.30R.125 Submittal Requirements.

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

20.30R.130 Decision Criteria

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

20.30R.135 Effect of Binding Site Plan

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

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

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

5. If the Binding Site Plan was approved as a component of a Shoreline Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.25E.180.
- B. Vacations. Once approved and recorded, the Binding Site Plan may be vacated through a new application for a Master Development Plan.

CITY COUNCIL AGENDA TOPIC

Ordinance relating development; Amending BCC 4.52.040; Amending BCC 4.52.093; Amending BCC 9.09.020; Amending BCC 9.10.010; Amending 9.10.030; Amending BCC 22.18.060; Amending BCC 23.76.035; Amending BCC 23.76.060; Amending BCC 24.02.120; Providing for Severability; and setting an effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Assistant Director, Code and Policy
Development Services Department

EXECUTIVE SUMMARY**ACTION**

On June 9, after discussion in study session, the City Council directed staff to finalize this Ordinance for final action. This Ordinance is a Bellevue City Code Amendment (BCCA) for general clean-ups to improve clarity and internal consistency and correct inaccurate or outdated citations.

RECOMMENDATION

Move to adopt Ordinance No. 6934

BACKGROUND/ANALYSIS**Background**

The Omnibus code amendment package includes amendments in five subject areas:

- Clean-Up Amendments
- Development Regulations
- Trees, Landscaping, and Environment
- Process Changes
- Bellevue City Code Amendments

This Ordinance relates to Bellevue City Code amendments, which amends Bellevue City Code Chapters 4.52, 9.09, 9.10, 9.20, 22.18, 23.76, and 24.02. These changes are necessary to improve clarity and internal consistency, correct inaccurate or outdated citations, and align with prior policy decisions. A final strike-draft of the BCCA is provided as Attachment A.

On June 9, Council reviewed this BCCA. Following discussion, Council directed staff to finalize an Ordinance for the BCCA for final action.

BCCA Schedule

This is a BCCA and is not subject to review by the Planning Commission. The City Council reviewed this package of BCCAs during its June 9 study session, together with the Planning Commission's recommended Land Use Code Amendment (LUCA). City Council action on the BCCA is anticipated at the July 28 Council meeting.

POLICY & FISCAL IMPACTS

Policy Impact

This BCCA will improve the administration and clarity of the Bellevue City Code.

Fiscal Impact

There is no fiscal impact associated with implementing this BCCA.

OPTIONS

1. Adopt the Ordinance relating development; Amending BCC 4.52.040; Amending BCC 4.52.093; Amending BCC 9.09.020; Amending BCC 9.10.010; Amending 9.10.030; Amending BCC 22.18.060; Amending BCC 23.76.035; Amending BCC 23.76.060; Amending BCC 24.02.120; Providing for Severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. Bellevue City Code Amendments Strike Draft
Proposed Ordinance No. 6934

AVAILABLE IN COUNCIL LIBRARY

N/A

Title 4 Revenue and Finance

...

Chapter 4.52 Multifamily Housing Property Tax Exemption

...

4.52.040 Project eligibility.

To be eligible for exemption from property taxation under this chapter, the property shall satisfy all of the following requirements:

...

G. The distribution, mix, size, materials, finishes, design, amenities and appliances of and for affordable units required under the applicable exemption shall be consistent with the affordable housing standards prescribed under ~~LUC 20.20.128(A)(3)~~LUC 20.15.060, or as otherwise amended. In determining whether a project complies with said ~~land-use affordable housing~~ standards~~s~~, the director of the office of housing, or designee, shall be guided by any rule adopted by the director of development services interpreting and applying said ~~land-use~~affordable housing standards.

...

4.52.093 Requirements applicable to all exemptions.

For any affordable units required under this chapter, the following shall apply:

...

B. Distribution of Units. The designated affordable units shall be distributed throughout the project and intermingled with market-rate units consistent with ~~LUC 20.20.128(A)(3)~~LUC 20.15.060, or as otherwise amended.

C. Mix of Units. The designated affordable units shall consist of a mix of a number of bedrooms that is in the same proportion as the bedroom mix of market-rate units in the project consistent with LUC 20.15.060~~LUC 20.20.128(A)(3)~~, or as otherwise amended.

D. Size of Units. The designated affordable units shall be provided in a range of sizes comparable to the size of market-rate dwelling units in the project, consistent with LUC 20.15.060~~LUC 20.20.128(A)(3)~~.

E. Materials and Finishings. The materials, finishes, design, amenities, and appliances in designated affordable units must be substantially comparable to, and provide substantially the same functionality as, those in market-rate units, consistent with LUC 20.15.060~~LUC 20.20.128(A)(3)~~.

...

Title 9 Health and Safety

...

Chapter 9.09 Abatement of Junk Vehicles

...

9.09.020 Definitions.

...

- C. "Junk vehicle" means any vehicle that is a "Junk Vehicle" under substantially meeting all of the following requirements (in RCW 46.55.010(5)):
- ~~1. Is three years old or older; and~~
 - ~~2. Is extensively damaged, such damage including, but not limited to, any of the following: broken window or windshield or missing wheels, tires, motor or transmission; and~~
 - ~~3. Is apparently inoperable; and~~
 - ~~4. Is without a valid, current registration plate; and~~
 - ~~5. Has an approximate fair market value equivalent only to the approximate value of the scrap in it.~~

...

Chapter 9.10 Nuisances

9.10.010 Definitions.

The words and phrases used in this chapter, unless the context otherwise indicates, shall have the following meanings:

...

- D. "Shopping cart containment area" ~~as where~~ required ~~by LUC 20.10.440—Note 39~~ in Title 20 LUC, means: (1) a location determined by the city to constitute a shopping cart containment area; (2) an area designated during permit review as a shopping cart containment area; (3) an area stipulated to by the city and wholesale or retail owner pursuant to a voluntary compliance agreement; or (4) any area designated as a shopping cart containment area through adjudication of a civil enforcement action. A shopping cart containment area may include all or a portion of the property permitted for wholesale or retail use but may not include property located outside of said permitted use areas and may not include any area designated as right-of-way.

...

9.10.030 Types of nuisances.

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the applicable department director determines that any of these conditions exist upon any premises, the applicable department director may provide for the abatement thereof and monetary penalties may be assessed pursuant to Chapter 1.18 BCC, Civil Violations:

...

- G. The presence of rodents on any premises causing a threat to the public health, as determined by the director of the Seattle-King County department of public health pursuant to King County Board of Health Rules and Regulations ~~Title 8 No. 06-01 as adopted or hereafter amended~~; or
- H. The presence of abandoned shopping carts outside of a shopping cart containment area as defined in BCC 9.10.010(D) and where required ~~by LUC 20.10.440—Note 39~~ in Title 20 LUC. The following

parties may collectively or independently be responsible for shopping carts leaving a containment area or causing abandonment of shopping carts: (1) the property owner, (2) the tenant, (3) a person causing abandonment of a shopping cart, or (4) a person causing the shopping cart to leave the containment area.

...

Title 22 Development Code

...

Chapter 22.18 School Impact Fees

...

22.18.060 Exemptions and Credits

A. The following shall be exempt from the application of impact fees:

...

7. Any development activity that complies with the definition of “affordable housing” set forth in BCC 20.50.010 and the requirements set forth in ~~BCC 20.20.128~~Chapter 20.15 LUC mandating the provision of affordable housing and the recording of a covenant running with the land so that the units remain as affordable housing for the life of the project. The school impact fees for these units shall be considered paid by the district through its other funding sources, without the district actually transferring funds from its other funding sources into the impact fee account.

...

Title 23 Construction Codes

...

Chapter 23.76 Clearing and Grading Code

...

23.76.035 Permit requirements.

A. A clearing and grading permit is required for a project that involves any of the following described in subsections (A)(1) through (A)(9) of this section, except as provided for in subsection B of this section. In applying this section, the total proposal shall be considered. Any project that requires a permit shall also comply with applicable provisions of Chapter 24.06 BCC, BCC Title 20, and all other applicable city codes.

...

9. Removal of any tree rated by a qualified tree professional as poor, very poor, or dead, based on the criteria in Table 20.20.900.C.1 or the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers. Hazard trees that pose an imminent threat or danger to public health or safety, to public or private property, or of serious environmental degradation may be removed or pruned by the landowner on whose property the tree is located prior to receiving the permits as required in this Chapter; provided, that the

landowner makes reasonable efforts to notify the City within 14 days following such action. If required, a replanting plan shall be provided consistent with the requirements in Table 23.76.060.G.

...

23.76.060 Clearing – Vegetation preservation and replacement.

The applicant/permittee shall:

- A. Meet applicable Land Use Code requirements for tree retention and vegetation preservation, disturbance limitation, and new landscaping (including but not limited to LUC 20.20.520, Landscape development; LUC 20.20.900, Tree retention and replacement; Part 20.25H LUC, Critical Areas Overlay District; and Part 20.25E LUC, Shoreline Overlay District, now or as hereafter amended).

...

3. Live Crown Removal. Removal of more than 25 percent of the live crown of any significant tree or of any landmark tree that is required to be preserved by the Bellevue City Code, the Land Use Code, a plat condition, or another legal requirement is only allowed in the following circumstances:

- a. The removal is required to comply with a requirement of the Bellevue City Code, the Land Use Code, a plat condition, or another legal requirement, including any recorded covenant in place prior to [insert effective date of ordinance]; or

...

- G. This subsection applies when any significant tree or landmark tree that is not subject to the requirements of LUC 20.20.900, subsection A of this section, Part 20.25H LUC, or Part 20.25E LUC is proposed for removal:

...

Table 23.76.060.G. Residential Tree Removal ~~Allowances Without Replacement~~ Thresholds

...

Title 24 Utilities Codes

...

Chapter 24.02 Water Utility Code

...

24.02.120 Permits – Approvals.

...

C. Utility Developer Extension Agreement

1. The property owner and the utility shall enter into a utility developer extension agreement whenever any of the following conditions apply:

- a. An extension to an existing water main is required;
 - b. Water facilities that must be installed to serve the property are greater than two inches in diameter; ~~or, or require multiple water services two inches in diameter or smaller.~~
 - c. The city determines that a portion of the existing water main requires replacement to make the service connection.
2. The ~~utility-developer extension~~ agreement shall ~~require~~provide for the property owner to ~~build~~ construct all ~~the~~ water facilities needed to serve the property. These facilities may include, but are not limited to, one or more of the following: meters and water services of any size, fire hydrant assemblies, fire protection systems, water main extensions, ~~and/or~~ other system components.

...

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6934

AN ORDINANCE relating development; Amending BCC 4.52.040; Amending BCC 4.52.093; Amending BCC 9.09.020; Amending BCC 9.10.010; Amending 9.10.030; Amending BCC 22.18.060; Amending BCC 23.76.035; Amending BCC 23.76.060; Amending BCC 24.02.120; Providing for Severability; and setting an effective date.

WHEREAS, on February 3, 2026, the City Council initiated work on the 2026 Omnibus Amendments; and

WHEREAS, the 2026 Omnibus Amendments package a collection of relatively small, discrete text amendments to both the Land Use Code and the Bellevue City Code into a single legislative process for administrative efficiency; and

WHEREAS, this Ordinance contains the text amendments to the Bellevue City Code included within the 2026 Omnibus Amendments; and

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code contained in this Ordinance; and

WHEREAS, WAC 197-11-800(19)(a) exempts the text amendments to the Bellevue City Code contained in this Ordinance from the requirements of Chapter 43.21C RCW as they relate solely to governmental procedures and contain no substantive standards respecting use or modification of the environment; 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, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; 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. Subsection 4.52.040.G of the Bellevue City Code is hereby amended to read as follows:

G. The distribution, mix, size, materials, finishes, design, amenities and appliances of and for affordable units required under the applicable exemption shall be consistent with the affordable housing standards prescribed under LUC 20.15.060, or as otherwise amended. In determining whether a project complies with said affordable housing standards, the director of the office of housing, or designee, shall be guided by any rule adopted by the director of development services interpreting and applying said affordable housing standards.

Section 3. Subsections 4.52.093.B, .C, .D, and .E of the Bellevue City Code are hereby amended to read as follows:

B. Distribution of Units. The designated affordable units shall be distributed throughout the project and intermingled with market-rate units consistent with LUC 20.15.060, or as otherwise amended.

C. Mix of Units. The designated affordable units shall consist of a mix of a number of bedrooms that is in the same proportion as the bedroom mix of market-rate units in the project consistent with LUC 20.15.060, or as otherwise amended.

D. Size of Units. The designated affordable units shall be provided in a range of sizes comparable to the size of market-rate dwelling units in the project, consistent with LUC 20.15.060.

E. Materials and Finishings. The materials, finishes, design, amenities, and appliances in designated affordable units must be substantially comparable to, and provide substantially the same functionality as, those in market-rate units, consistent with LUC 20.15.060.

Section 4. Subsection 9.09.020.C of the Bellevue City Code is hereby amended to read as follows:

C. "Junk vehicle" means any vehicle that is a "Junk Vehicle" under RCW 46.55.010(5).

Section 5. Subsection 9.10.010.D of the Bellevue City Code is hereby amended to read as follows:

- D. “Shopping cart containment area” where required in Title 20 LUC, means: (1) a location determined by the city to constitute a shopping cart containment area; (2) an area designated during permit review as a shopping cart containment area; (3) an area stipulated to by the city and wholesale or retail owner pursuant to a voluntary compliance agreement; or (4) any area designated as a shopping cart containment area through adjudication of a civil enforcement action. A shopping cart containment area may include all or a portion of the property permitted for wholesale or retail use but may not include property located outside of said permitted use areas and may not include any area designated as right-of-way.

Section 6. Subsections 9.10.030.G and .H of the Bellevue City Code are hereby amended to read as follows:

- G. The presence of rodents on any premises causing a threat to the public health, as determined by the director of the Seattle-King County department of public health pursuant to King County Board of Health Rules and Regulations Title 8; or
- H. The presence of abandoned shopping carts outside of a shopping cart containment area as defined in BCC 9.10.010(D) and where required in Title 20 LUC. The following parties may collectively or independently be responsible for shopping carts leaving a containment area or causing abandonment of shopping carts: (1) the property owner, (2) the tenant, (3) a person causing abandonment of a shopping cart, or (4) a person causing the shopping cart to leave the containment area.

Section 7. Subsection 22.18.060.A.7 of the Bellevue City Code is hereby amended to read as follows:

7. Any development activity that complies with the definition of “affordable housing” set forth in BCC 20.50.010 and the requirements set forth in Chapter 20.15 LUC mandating the provision of affordable housing and the recording of a covenant running with the land so that the units remain as affordable housing for the life of the project. The school impact fees for these units shall be considered paid by the district through its other funding sources, without the district actually transferring funds from its other funding sources into the impact fee account.

Section 8. Subsection 23.76.035.A.9 of the Bellevue City Code is hereby amended to read as follows:

9. Removal of any tree rated by a qualified tree professional as poor, very poor, or dead, based on the criteria in Table 20.20.900.C.1 or the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers. Hazard trees that pose an imminent threat or danger to public health or safety, to public or private property, or of serious environmental degradation may be removed or pruned by the landowner on whose property the tree is located prior to receiving the permits as required in this Chapter; provided, that the landowner makes reasonable efforts to notify the City within 14 days following such action. If required, a replanting plan shall be provided consistent with the requirements in Table 23.76.060.G.

Section 9. Subsection 23.76.060.A.3.a of the Bellevue City Code is hereby amended to read as follows:

- a. The removal is required to comply with a requirement of the Bellevue City Code, the Land Use Code, a plat condition, or another legal requirement, including any recorded covenant in place prior to [INSERT EFFECTIVE DATE OF ORDINANCE]; or

Section 10. Subsection 23.76.060.G of the Bellevue City Code is hereby amended to revise the name of Table 23.76.060.G to read as follows:

Table 23.76.060.G. Residential Tree Removal Thresholds

Section 11. Subsections 24.02.120.C.1 and .C.2 of the Bellevue City Code are hereby amended to read as follows:

C. Utility Developer Extension Agreement

1. The property owner and the utility shall enter into a utility developer extension agreement whenever any of the following conditions apply:
 - a. An extension to an existing water main is required;
 - b. Water facilities that must be installed to serve the property are greater than two inches in diameter; or
 - c. The city determines that a portion of the existing water main requires replacement to make the service connection.

2. The agreement shall require the property owner to construct all water facilities needed to serve the property. These facilities may include, but are not limited to, one or more of the following: meters and water services of any size, fire hydrant assemblies, fire protection systems, water main extensions, or other system components.

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

Section 13. The City Clerk is hereby authorized and directed to replace any reference in this Ordinance to “[INSERT EFFECTIVE DATE OF ORDINANCE]” with the actual month, day, and year that this Ordinance takes effect as calculated pursuant to Section 14 of this Ordinance.

Section 14. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after legal publication.

Passed by the City Council this _____ day of _____, 2026 and signed in authentication of its passage this _____ day of _____, 2026.

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____