City of Bellevue

450 110th Avenue NE
Bellevue, WA 98004

Meeting Agenda

City Council Regular Meeting

Tuesday, June 9, 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

a) 26-398 World Elder Abuse Awareness Day Proclamation

b) 26-399 Juneteenth Proclamation

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

a) 26-400 Parks & Community Services Board Q1 2026 Report and Communication
Written information only. No presentation.

6. Report of the City Manager

a) 26-401 Mid-Year Public Safety Update

b) 26-402 Keep Bellevue Beautiful Briefing

7. Council Business and New Initiatives

a) 26-403 Council Liaison Recommendation for Appointment to the Parks & Community Services Board

8. Consent Calendar

a) 26-404 Council Minutes
Minutes of May 19, 2026 Regular Meeting
Minutes of May 20, 2026 Special Meeting

b) ORD 6921 Ordinance amending Chapter 4.32 of the Bellevue City Code to provide for administrative approval for the sale or other disposition of city real property, and to make minor clarifying amendments; providing for severability; and setting an effective date.

c) ORD 6922 — Ordinance renewing the non-exclusive franchise granted by Ordinance No. 6275 to Olympic Pipe Line Company, LLC, a Delaware limited liability company for an additional ten (10) years; making minor updates and clarifications; providing for severability, and establishing an effective date.

d) ORD 6923 — Ordinance 1) authorizing execution of an Interlocal Agreement (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, which includes a contribution of $467,485 in pass-through federal grant funds from KCM for the 2026-2027 Transportation Demand Management (TDM) Implementation Program; and 2) amending the 2025-2026 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by $233,743.

e) ORD 6924 — Ordinance amending the hearing examiner code in chapter 3.68 of the Bellevue City Code to authorize the hearing examiner to conduct any required public hearing for real property disposition and to make improvements to clarity and implementation; providing for severability; and setting an effective date.

f) RES 10642 — Resolution adopting the City of Bellevue 2027-2032 Transportation Improvement Program.

g) RES 10643 — Resolution authorizing the execution of a contract amendment to the agreement with MacDonald Miller for the additional engineering and HVAC components at the Bellevue Aquatic Center in the amount of $161,088 plus all applicable taxes.

h) RES 10644 — Resolution authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in an amount up to $262,800, plus all applicable taxes.

9. Public Hearings

10. Study Session Items

a) 26-405 — Recommended Omnibus Land Use Code Amendment and proposed Bellevue City Code Amendments to address clean-up amendments in the Land Use Code, amendments required for compliance with state law, and minor amendments which require limited policy consideration and clearly advance established priorities.

11. Land Use Reports

12. Other Ordinances, Resolutions and Motions

a) ORD 6925 — Ordinance relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.

b) ORD 6926 — 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.

13. Written Reports

a) 26-406 — Cougar Mountain Annexation Petition Status

b) 26-407 — Intergovernmental Affairs Monthly Update as of May 31, 2026

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 councilоffice@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 | Proclamation

Whereas: World Elder Abuse Awareness Day, observed annually on June 15, was established by the United Nations General Assembly through Resolution 66/127 to raise awareness of elder abuse and encourage action to protect older adults around the world; and

Whereas: as populations age and life expectancy increases, elder abuse remains a growing and serious issue that threatens the health, safety, dignity and human rights of older adults; and

Whereas: elder abuse can take many forms, including physical, emotional, sexual and financial abuse, as well as neglect and exploitation, and often occurs at the hands of trusted individuals; and

Whereas: older adults may face barriers to reporting abuse, including fear, isolation, dependency, language barriers and physical or cognitive challenges, making community awareness and support critically important; and

Whereas: the City of Bellevue is committed to supporting the safety, dignity, independence and well-being of older adults through programs, services and partnerships that help residents age safely and remain connected to their community; and

Whereas: preventing elder abuse is a shared responsibility, and Bellevue encourages all residents to learn the signs of abuse, support older adults in their lives and report concerns when abuse, neglect or exploitation is suspected.

Now, therefore, I, Mo Malakoutian, Mayor of Bellevue, Washington, on behalf of the City Council, do hereby proclaim **June 15, 2026,** as:

World Elder Abuse Awareness Day

in Bellevue, Washington and urge all residents to join in raising awareness, preventing elder abuse and helping ensure that all older adults are treated with dignity, respect and care.

_____

Mo Malakoutian, Mayor
City of Bellevue

City of Bellevue | Proclamation

Whereas: Juneteenth marks a pivotal milestone in American history as the oldest nationally recognized observance commemorating the end of slavery in the United States; and

Whereas: on June 19, 1865 - more than two years after President Abraham Lincoln signed the Emancipation Proclamation - the last remaining enslaved Americans in Galveston, Texas, finally received word that they were free; and

Whereas: the celebration of Juneteenth honors the resilience, perseverance and contributions of Black Americans, while remembering the millions of Africans who perished during the transatlantic slave trade and the countless others who endured generations of enslavement in the United States; and

Whereas: Juneteenth provides an opportunity to reflect on our nation's history, recognize the ongoing pursuit of equality and justice, and deepen our understanding of the experiences and contributions of Black Americans; and

Whereas: the City of Bellevue honors the Black members of our community whose leadership, achievements, culture and service contribute to the strength, vibrancy and success of our city, and recognizes the importance of ensuring that African American history is fully acknowledged as American history; and

Whereas: the Juneteenth Flag will be raised beneath the United States Flag on the evening of June 18, 2026, and will fly at City Hall through the morning of June 22, 2026, as a visible tribute to the history, resilience and enduring contributions of Black Americans.

Now, therefore, I, Mo Malakoutian, Mayor of Bellevue, Washington, on behalf of the City Council, do hereby proclaim **June 19, 2026,** as:

Juneteenth

in Bellevue, Washington, and encourage all residents to reflect on its significance and join in our shared commitment to building a community where all people are treated with dignity, respect and opportunity.

_____

Mo Malakoutian, Mayor
City of Bellevue

MEMORANDUM

Bellevue Parks & Community Services

Date: April 15, 2026

To: Naren Briar, City Councilmember, Parks & Community Services Board Liaison and Bellevue City Councilmembers

From: Rowena Clima, Chair
Parks & Community Services Board

RE: Q1 2026 Report and Communication

To start 2026, the Parks & Community Services Board launched the master planning process for a new neighborhood park in the BelRed neighborhood; deepened our understanding of programs and citywide efforts that support greater park and community services access and engagement for Bellevue's diverse communities; and welcomed our new City Council Liaison, Naren Briar. The board thanks Deputy Mayor Dave Hamilton for his years of support and dedication as our previous liaison.

Master Plan Kick Off for a New BelRed Neighborhood Park
BelRed's transformation into a vibrant mixed-use neighborhood requires a comprehensive system of parks, trails and open space to serve residents, employees, and visitors.

The city has laid the foundation for this effort in numerous ways. The BelRed Subarea Plan and other planning documents provide a framework for parks and open space in this area, including a strong vision for stream corridors as a focal point. To support parks and other infrastructure needs, the city previously purchased a property located along the West Tributary of Kelsey Creek between 124th Avenue NE and 130th Avenue NE.

In February, the board began the master planning and naming process for the purchased property. The master plan is funded by the voter-approved 2022 Levy for Parks and Open Space, along with other sources. Staff outlined the park development process that will be led by Parks & Community Services staff and a landscape architectural and engineering design team. Board members asked questions, offered feedback on site planning principles to consider, and made suggestions for outreach efforts such as a request for hybrid meeting options.

Through the design process, the board will explore the full range of community visions, values, and priorities when developing the recommendation for the park plan and name, which is estimated to be delivered to City Council in early 2027.

Supporting Equity and Engagement with the Community
During our January and March meetings, the board received informational presentations about the human services needs in the community, the Diversity Advantage Plan, and services and tools aimed at increasing knowledge and access to park facilities and recreation programs for all.

Program Marketing and Communications

In January, staff provided an overview of the methods and tools that Parks & Community Services uses to connect community members to department programs and services. Social media, an e-newsletter, and a recently redesigned comprehensive Activity Guide are just a few of the channels the department uses to reach the community. The board expressed appreciation for the clarity and user-focused design of these outreach materials, as well as how translation services and varied communication channels help reach residents who face language, technology and other barriers.

Human Services Needs Update

In January, the board received an in-depth look at the latest edition of the Human Services Needs Update. This assessment provides background on community needs to assist with planning efforts throughout the city, including those that the Parks & Community Services Board provides recommendations or feedback on. The board discussed the challenges with data collection due to political conditions; the consequences of reductions in federal funding for services; the relevance of the data and findings to parks, recreation, and community-building efforts; and volunteer opportunities and other supportive actions that members in the community could take.

Diversity Advantage Plan (DAP) 2035

In March, staff from Parks & Community Services and Human Resources provided a summary of the recently adopted Diversity Advantage Plan (DAP), with focus on Equity Objectives E4.6 and E4.7, which cover parks and open space. Removing physical and programmatic barriers, enhancing inclusive park design, expanding recreation scholarship opportunities, and improving outreach through translation services and registration support are examples of Parks & Community Services work that aligns with the DAP. Our discussion underscored that advancing equity requires sustained cross-department collaboration and ongoing community feedback to ensure services effectively meet diverse and changing needs. The board looks forward to the development of the external and internal data dashboards that will communicate implementation progress of DAP 2035. The board is grateful for the work of staff and council to further the core city value of diversity, equity, and inclusion.

Thank you for your continued support and collaboration with the board. If you have any questions, you can contact me at rclima@bellevuewa.gov.

City of Bellevue

MANAGEMENT BRIEF

DATE: June 9, 2026

TO: Mayor Malakoutian and City Councilmembers

FROM: Wendell Shirley, Chief of Police
Police Department

SUBJECT: Mid-Year Public Safety Update

Ahead of the 2026 FIFA World Cup, Bellevue Police Chief Wendell Shirley and Assistant Chief Andrew Popochock will deliver an update to the City Council highlighting current crime statistics for the city and public safety initiatives aimed to make Bellevue one of the safest communities to live, work and visit. Some of the many department initiatives that will be discussed include the department's preparation for the FIFA World Cup, traffic safety, and community engagement events.

City of Bellevue

MANAGEMENT BRIEF

DATE: June 9, 2026

TO: Mayor Malakoutian and City Councilmembers

FROM: Emil A. King, Director
Evan Reed, Keep Bellevue Beautiful Coordinator
Community Development Department

SUBJECT: Keep Bellevue Beautiful Briefing

Program Overview

Keep Bellevue Beautiful (KBB) launched in 2023 under Council's Safe, Clean, and Vibrant City Initiative and, through partnerships with the community, has grown into a citywide program focused on maintaining clean, welcoming public spaces. Through its three coordinated activities—Signature Streets litter cleanups, the Adopt-A-Street volunteer program, and abandoned shopping cart retrieval—the program combines resident reporting, volunteer stewardship, and contracted services to deliver consistent, visible improvements across Bellevue's neighborhoods. These combined efforts help prevent blight, clean up streets, engage community members, and support an overall sense of community pride and civic responsibility.

Signature Streets is a city-run, volunteer-supported cleanup series focused on litter cleanup in areas of neighborhoods with high resident reports of litter. This year, Signature Streets will be coming to every Bellevue Neighborhood Area at least once. Residents are encouraged to join in with their neighbors and city staff to help make their neighborhood clean and welcoming.

Adopt-A-Street uses an adoption-driven model that empowers residents, businesses, and community groups to take long-term stewardship of cleaning up selected street segments through regular cleanups. KBB provides equipment and safety gear to support sponsors and works with the City of Bellevue's waste management provider to dispose of bags of litter.

Abandoned Shopping Cart Retrieval Program deploys a contracted vendor to proactively remove abandoned carts from public areas and respond to community member reports of abandoned shopping carts. If anyone sees an abandoned shopping cart, they can report it using the MyBellevue app or by writing to KeepBellevueBeautiful@bellevuewa.gov.

Program Growth and Accomplishments

Since its inception, KBB has expanded from a small, staff-driven pilot into a core element of the city's public space maintenance strategy. By 2025, KBB was operating at full scale, completing

more than 330 cleanups, retrieving over 3,195 abandoned carts, engaging 625 volunteers, and collecting more than 700 bags of litter. Corporate volunteer groups and neighborhood-based participation continued to grow, culminating in the program's largest single event, Amazon's corporate cleanup, with over 150 participants. Together, these contributions reflect Bellevue's strong culture of volunteerism and the community's interest in supporting cleaner public spaces.

As the program matures, its components continue to evolve. Adopt-A-Street now serves as the backbone of long-term community stewardship, with 60 active adopters contributing more than 115 cleanups since January 2026 and removing over 300 bags of litter. The Signature Streets program has shifted toward more regularized, data-informed deployment through the "26 for 26" initiative, which provides bi-weekly cleanups over the course of the year and ensures equitable neighborhood coverage guided by resident reporting and hotspot trends. Meanwhile, contracted shopping cart retrieval remains a key operational tool, removing thousands of carts annually and increasingly identifying routine hotspots near transit hubs, multifamily complexes, and retail centers. Ongoing coordination with the city's Code Compliance staff and retailers remains essential, as cart loss continues to be a recurring maintenance challenge requiring multi-departmental attention.

Looking Ahead

As Keep Bellevue Beautiful continues growing, the program remains focused on expanding citywide participation, improving data-informed deployment, and strengthening partnerships that support long-term public space stewardship. Key areas of focus include:

- Expanding recurring cleanup participation through Adopt-A-Street, Signature Streets, and increased business and community involvement
- Improving hotspot mapping and internal tracking to better prioritize cleanup and shopping cart retrieval efforts
- Strengthening coordination with neighborhood associations, retailers, volunteers, and internal departments
- Expanding education and outreach related to litter prevention, stewardship, and proper waste disposal
- Continuing proactive shopping cart retrieval strategies through hotspot monitoring and retailer coordination
- Improving communication and visibility around ongoing cleanup efforts and volunteer impact

Overall, KBB continues evolving toward a more consistent, data-informed, and community-supported approach to keeping Bellevue clean, welcoming, and cared for.

How to Stay Involved

Community members and businesses can support KBB by joining a cleanup, adopting a street segment, or organizing or joining a corporate volunteer event. The Keep Bellevue Beautiful website outlines ways to get involved and to learn more about litter cleanup in the community.

City of Bellevue

MANAGEMENT BRIEF

DATE: June 9, 2026

TO: Mayor Malakoutian and City Councilmembers

FROM: Karin Roberts, Deputy City Clerk
City Clerk's Office

SUBJECT: Council Liaison Recommendation for Appointment to the Parks & Community Services Board

The following recommendation for appointment to the Parks & Community Services Board is being submitted by Councilmember Briar for your consideration and approval at tonight's Council meeting:

Board/Commission	**Liaison**	**Recommendation**
Parks & Community Services Board	Briar	**Position No. 3:** Stephan Hobe, serving a full term expiring on May 31, 2030.

Council may approve the appointment by a motion.

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

May 19, 2026 Council Chamber
6:00 p.m. Bellevue, Washington

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

ABSENT: None.

1. Call to Order

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

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Councilmember Briar led the flag salute.

2. Roll Call; Flag Salute

(a) National Safe Boating and Paddling Week Proclamation

Councilmember Robinson read the proclamation recognizing May 16-22, 2026, as National Safe Boating and Paddling Week in Bellevue. She encouraged everyone to observe safe boating practices including wearing a life jacket, taking boating safety courses and staying informed about local water conditions.

Dale Vodicka, U.S. Coast Guard Auxiliary, accepted and thanked the Council for the proclamation. He encouraged the Council to consider an ordinance requiring the use of life jackets. He suggested an ordinance requiring a sound device on all vessels, even if just a whistle you could carry in a pocket or attach to a jacket.

(b) Habitat for Humanity Seattle-King and Kittitas Counties Day Proclamation

Councilmember Sumadiwirya read the proclamation recognizing May 19, 2026, as Habitat for Humanity Seattle-King and Kittitas Counties Day in Bellevue. She encouraged everyone to celebrate Habitat for Humanity's lasting impact on families, neighborhoods and communities throughout our region.

Saghar Amini, Habitat for Humanity, accepted and thanked the Council for the proclamation. She thanked the Council for their partnership, support and shared commitment to strengthening the community and creating stability for individuals and families.

(c) Taiwanese American Heritage Week Proclamation

Deputy Mayor Hamilton read the proclamation recognizing May 10-16, 2026, as Taiwanese American Heritage Week in Bellevue. He encouraged everyone to participate in cultural and education activities to learn about Taiwanese American history and to celebrate their contributions.

Siong-iong, Formosan Association for Public Affairs, accepted and thanked the Council for the proclamation. She commented on the contributions of Taiwanese Americans in technology, medicine, education and the arts. She highlighted Bellevue's good Asian restaurants and markets. She said Taiwanese Americans bring their democratic values with them, at times to escape past oppressive governments. She thanked everyone for making Bellevue a welcoming place for Asian communities.

3. Approval of Agenda

→ Deputy Mayor Hamilton moved to approve the agenda, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

City Clerk Arredondo said the Council appreciates public comments and supports everyone's right to express themselves. She said the total time allowed 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) Brady Nordstrom, Associate Director of Government Relations and Policy, Housing Development Consortium, commented on the multifamily tax exemption (MFTE) and HOMA (Housing Opportunities in Mixed Use Areas) regulations. He said the Eastside Housing Roundtable reached a consensus supporting the MFTE catalyst with no unit cap. This would allow the MFTE supercharger incentive to be used in HOMA areas during a temporary period before reverting back to the existing MFTE program. He asked the City to consider mandatory housing requirements and to study the implementation of pathways to expedite permitting for the first 1,500 units in the HOMA district.

(b) Diana Leo, Vice President of Government Affairs, Bellevue Chamber of Commerce, spoke on behalf of the Chamber's PLUSH committee in support of the MFTE supercharger and opposed to the 1,500-unit cap proposed for the MFTE program.

(c) Jessie Clawson urged the Council to move forward with a usable MFTE supercharger with no unit cap and said it must include a four-year option timeline. She expressed concern that the positive contributions of multifamily projects were not included in the City's fiscal analysis.

(d) Dave Spanier, speaking on behalf of the Greenwich Crest Neighborhood Working Group, expressed support for the City's efforts to address homelessness. However, he expressed concern about the suitability of Newport Presbyterian Church for a safe parking program. He expressed concern regarding traffic impacts, emergency access, environmental impacts and the lack of sidewalks. He noted incidents related to the safe parking site at Lincoln Center including theft, harassment, trespassing, child endangerment and juvenile mental health crises. He encouraged the Council to request a formal staff briefing regarding the site selection process and criteria.

(e) Grace Landau described an incident in which her seven-year old son was told by a bus driver on route 28 that he was not allowed to leave the bus with other students. When she drove downtown to find her son at the bus stop near Safeway, she could not find him.

City Clerk Arredondo encouraged Ms. Landau to email her full comments to the Council.

(f) Brian Dixon asked how he could access wrap-around services, including housing, food and gas, as an American citizen.

Mayor Malakoutian indicated that staff would follow up with Mr. Dixon.

(g) Carly S. opined that the previous week, Councilmembers conflated harassment with the right of assembly and freedom of speech. She said state law defines harassment as threats of physical harm and/or physical constraint or confinement. She expressed concern regarding violence in Gaza and southern Lebanon and elected officials who vote to fund the violence.

5. Reports of Boards and Commissions: None.

6. Report of City Manager: None.

7. Council Business and New Initiatives

Councilmember Sumadiwirya recommended Brenden Fripp for appointment to the Arts Commission, noting his public and private-sector experience and expertise in art.

→ Councilmember Sumadiwirya moved to appoint Brenden Fripp to the Arts Commission to serve a full term expiring on May 31, 2028. Councilmember Robinson seconded the motion.

→ The motion carried by a vote of 7-0.

8. Consent Calendar

→ Deputy Mayor Hamilton moved to approve the Consent Calendar, and Councilmember Nieuwenhuis seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following item was approved:

(a) Council Minutes
Minutes of May 5, 2026 Regular Meeting

(b) Motion to approve payment of claims and payroll for the period April 01, 2026 - April 30, 2026.

(c) Motion to award Bid No. 26041 for the Storm Pipe Defect Repair 2025 project to Shoreline Construction Co., as the lowest responsive and responsible bidder, in an amount not to exceed $1,061,452, plus all applicable taxes (CIP Plan No. D-64).

(d) Ordinance No. 6918 amending Chapters 11.23 and 11.80 of the Bellevue City Code; amending Sections 11.23.010, 11.23.022, and 11.80.020; creating new Sections 11.23.011, 11.23.012, 11.23.013, 11.23.014, 11.23.023, 11.23.050; repealing conflicting uncodified ordinances; establishing a curb pricing zone and a range of curb pricing rates; delegating authority to implement and administer this Ordinance; providing for severability; and establishing an effective date.

9. Public Hearings

(a) Public Hearing and action on Resolution No. 10634 authorizing the execution of documents necessary to release an existing sidewalk and utility easement which has been declared surplus to the city's needs and is no longer required for providing continued public service.

City Manager Diane Carlson introduced the public hearing regarding Resolution No. 10634 authorizing the release of a sidewalk and utility easement.

Jamie Robinson, Assistant Director, Finance and Asset Management (FAM) Department, said the sidewalk and utility easement is located at 16035 Northup Way. The site is currently being developed into 15 market-rate townhomes and the existing easement will be replaced with a public access easement. The change will provide additional open space, plantings, improved lighting and a wider sidewalk and trail.

→ Deputy Mayor Hamilton moved to open the public hearing, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 7-0.

City Clerk Arredondo said the Council received one written comment regarding the easement.

No one came forward to comment.

→ Deputy Mayor Hamilton moved to close the public hearing, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 7-0.

→ Deputy Mayor Hamilton moved to approve Resolution No. 10634, and Councilmember Nieuwenhuis seconded the motion.

→ The motion carried by a vote of 7-0.

10. Study Session

(a) Sound Transit Enterprise Initiative

City Manager Carlson introduced discussion regarding Sound Transit's Enterprise Initiative to address a $35 billion revenue gap in the Sound Transit 3 (ST3) program.

Andrew Singelakis, Director, Transportation Department, described the Sound Transit initiative as a compromise proposal in which all five Sound Transit subareas will make sacrifices. He said Bellevue staff believe the proposal is a good compromise and it funds the South Kirkland to Issaquah light rail line (4 Line). Mr. Singelakis said Bellevue staff recommends advocating for greater certainty related to the 4 Line and other components.

Lacey Jane Wolfe, Intergovernmental Policy Advisor, City Manager's Office, said staff is requesting direction to prepare a letter to the Sound Transit Board based on Bellevue's Guiding Principles for the Enterprise Initiative [Attachment A in meeting packet]. She said Sound Transit's revenue gap is due to lower than anticipated revenues, rising construction costs and continued uncertainty related to tariffs and federal funding commitments.

Sound Transit's Enterprise Initiative is a cost-cutting effort to decide by May 28 about whether to delay or reduce in scope certain project components. On March 18, Sound Transit staff released three illustrative approaches to demonstrate the magnitude of potential capital program changes. Two of those would have fully or partially deferred the 4 Line indefinitely. Ms. Wolfe said Stride bus rapid transit and the light rail cross-lake connection are not impacted by this process. The only Bellevue project affected by the compromise proposal is the South Kirkland to Issaquah link, or 4 Line.

Ms. Wolfe said Sound Transit's district is divided into five subareas and Bellevue is in the East King Subarea. Sound Transit's policies require the agency to revise its plans when forecasted costs exceed available subarea revenue and funding sources by more than five percent. Every subarea is currently falling behind that threshold, so the ST3 plan must be revised in every subarea.

The South Kirkland to Issaquah project would build two new stations in Bellevue with parking at the Kirkland and Issaquah stations. The project is currently planned for delivery by 2044. The original cost estimate of $1.7 billion to $1.9 billion in 2014 has increased to $9.8 billion.

Ms. Wolfe said that on May 7, Sound Transit staff presented a proposal from Board Chair and Snohomish County Executive Dave Somers. Under the proposal, the West Seattle link would proceed without the Avalon station. The T Line to Tacoma Community College is delayed and the North Sounder would be discontinued in 2033, eight years before Everett Link begins operating. The proposal indicates that construction is not currently affordable within existing resources for the Ballard Link, South Sounder extension, and the Graham Street and Boeing Access Road infill stations.

Ms. Wolfe recalled that the Council received a presentation from Sound Transit on March 17 regarding the Enterprise Initiative. The Council directed staff to send a letter to Sound Transit based on Bellevue's guiding principles to: 1) maintain subarea equity, 2) connect Eastside cities with high-capacity transit, 3) minimize delay, 4) retain Bellevue's 4 Line stations, 5) preserve access to transit, and 6) conserve regional bus service.

Under the Sound Transit Board Chair's proposal, debt interest is regionalized across all subareas. The agency's current practice is that each subarea pays the debt interest associated with that subarea's projects. Under the proposal, contributions from each subarea would be calculated based on its proportion of total tax revenue instead of which subarea incurred the debt. The proposal maintains Eastside high-capacity transit. However, the cities of Issaquah, Kirkland and Bellevue would need to work together with Sound Transit to find $1.4 billion in cost savings. Under the Sound Transit Board Chair's proposal, the delivery date for the 4 Line is extended from 2044 to 2050.

Ms. Wolfe said the Sound Transit Board plans to make its decision on May 28. She thanked Councilmembers for their advocacy on this issue. She said Mayor Malakoutian sent a letter on March 25 on behalf of the Council explaining the City's priorities for the Enterprise Initiative, and five Councilmembers testified during Sound Transit Board meetings. Ms. Wolfe said City staff and Sound Transit staff have been working together as well.

Ms. Wolfe said City staff feel that the East King Subarea Sound Transit Board members advocated for maintaining the 4 Line. Staff recommends sending a letter to the Board to acknowledge the preservation of the 4 Line project, advocate for an alternatives analysis timeline, provide greater certainty around whether the 4 Line and other projects could be accelerated, ensure high-quality service on existing transit and to maintain multimodal access to transit service.

Mayor Malakoutian thanked staff for the presentation and for their hard work representing Bellevue's interests.

Deputy Mayor Hamilton spoke in favor of sending the letter to reinforce Bellevue's guiding principles. He suggested requesting greater clarity regarding the defined alternatives analysis, potential acceleration of the 4 Line project and multimodal access to transit services. He encouraged emphasizing the importance of subarea equity and making it clear that Bellevue cannot support any proposal that does not reflect a strong commitment to subarea equity. Mr. Hamilton said that while the 4 Line project is preserved, elements of the plan have been removed and there is a large funding gap. He encouraged continued work to improve the Enterprise Initiative proposal. He thanked the Sound Transit Board for their work.

Responding to Councilmember Robinson, Ms. Wolfe said she was not certain but she assumes that more Issaquah commuters are traveling to Seattle than to Bellevue. Ms. Robinson said she was not confident that Issaquah commuters heading to Seattle will want to detour to Bellevue and change to another train at the East Main station to get to Seattle. She suggested that commuters will drive to the South Bellevue Park and Ride to access light rail service.

Ms. Robinson said she supports the 4 Line between East Main and Kirkland. She suggested using bus rapid transit from Issaquah and other communities to the east to reach the South Bellevue Park and Ride where riders can switch to light rail. She said she continues to support bus rapid transit on I-405. Ms. Wolfe said she believed Ms. Robinson's comments were consistent with the previous letter regarding Bellevue's guiding principles in which the City asked Sound Transit to provide more information about the tradeoffs between bus rapid transit and light rail. Ms. Wolfe said that will be studied as part of the alternatives analysis early in the design process. Councilmember Robinson said she would like to revise the current proposed letter to be clear about Bellevue's position.

Councilmember Nieuwenhuis expressed concern that Sound Transit is violating its commitment to subarea equity. Ms. Wolfe said Sound Transit's position is that the agency issues debt as a whole agency. Individual subareas do not issue their own debt. Ms. Wolfe said project costs are subject to the interest rate and construction costs at the time projects move forward, but subareas have no control over the timing of the issuance of debt. That is Sound Transit's basis for regionalizing debt interest. Ms. Wolfe said that under the current subarea equity policy, there are shared costs for operational costs, light rail vehicles and other items.

Mr. Nieuwenhuis asked about the total additional financial burden placed on the East King subarea under the new debt interest allocation plan. Ms. Wolfe said she has requested that information from Sound Transit but has not yet received it.

Councilmember Nieuwenhuis suggested including a statement in the letter indicating Bellevue's need for that information. He said the East King subarea is the second highest revenue contributor and he expressed concern about the request to subsidize other subareas.

Councilmember Nieuwenhuis asked about the analysis completed to justify the six-year delay in completing the 4 Line in one of the fastest growing corridors in the region. Ms. Wolfe said the Sound Transit Board Chair's proposal was evaluated against certain metrics including advancing regional connectivity, supporting future growth, prioritizing the passenger experience and protecting public investments with fiscal integrity. She said the timing of the delay is based on the availability of funding and when Sound Transit's debt capacity is sufficient to take on the project. She said Sound Transit will work collaboratively with the affected cities to identify the criteria for reductions in the project. Suggestions include keeping the light rail guideway within the I-90 right-of-way and foregoing parking garages. Responding to Mr. Nieuwenhuis, Mr. Singelakis acknowledged that people will drive to Bellevue to park to access light rail.

Mr. Nieuwenhuis expressed support for the additions proposed by Councilmember Robinson. He reiterated he would like the letter to request a better understanding of the financial burden on the East King subarea under the Enterprise Initiative proposal.

Councilmember Briar thanked staff for their hard work and expertise. She expressed support for Mr. Nieuwenhuis's proposed revision to the letter. Ms. Briar expressed concern regarding the six-year delay for the 4 Line project and the amount of additional funding needed. Ms. Wolfe said no design work has been completed for the project and a number of elements will be considered including bus rapid transit connections and parking.

Ms. Wolfe acknowledged Deputy Mayor Hamilton's earlier comment expressing concern that the projected additional funding needed might not be sufficient. She said Bellevue staff believe that the cities of Bellevue, Kirkland and Issaquah can find creative ways to expedite project delivery and conserve funding. She said staff would like Sound Transit to provide certainty regarding how projects could be accelerated and clear criteria for advancing delayed projects when cost savings or new funding becomes available.

Councilmember Briar expressed support for Councilmember Robinson's suggested comments.

Councilmember Bhargava concurred and encouraged efforts to identify cost saving measures. He agreed with Councilmember Nieuwenhuis's concern about subarea equity as well. Mr. Bhargava said he does not believe that the Sound Transit proposal meets the criteria for subarea equity. Ms. Wolfe opined that there is some merit to Sound Transit's argument regarding how the agency handles debt and acknowledged that the proposal is a compromise. Mr. Bhargava expressed support for sending the proposed letter and suggested a clear statement regarding the lack of clarity related to the subarea equity issue.

Mr. Bhargava said he supports the consideration of removing or revising certain 4 Line project elements. He said, however, we should not ignore the level of service needed to serve the community. He suggested stating that in the letter. He expressed concern about the total actual project cost and the effort to shift the cost-saving and value engineering effort to the cities.

Councilmember Sumadiwirya expressed support for the letter and for the suggested revisions from her colleagues. She identified subarea equity as a top priority and noted that Eastside residents deserve to benefit from their investment in revenues. Regarding bus rapid transit versus

light rail, Ms. Sumadiwirya said it is important to keep in mind, as Councilmember Robinson suggested, how people use transit and connections to transit. Councilmember Sumadiwirya said it is important to hold Sound Transit accountable for their commitments to the region.

Mayor Malakoutian expressed support for the letter and his colleagues' suggestions. He expressed concern regarding subarea equity related to debt. Ms. Wolfe said the existing debt for light rail will be regionalized and all current and new debt interest will be shared by the five subareas.

→ Councilmember Robinson moved to direct staff to prepare a letter to the Sound Transit Board based on Bellevue Guiding Principles for the Enterprise Initiative, including support for the 4 Line between Bellevue's East Main station and Kirkland, bus rapid transit between Issaquah and Bellevue/South Bellevue Park and Ride, bus rapid transit along I-405, a thorough analysis of the financial impact on Eastside taxpayers with a new debt package and a focus on catalyzing the project. Councilmember Briar seconded the motion.

→ The motion carried by a vote of 7-0.

At 7:38 p.m., Mayor Malakoutian declared a break. The meeting resumed at 7:51 p.m.

(b) Proposed Japanese American Legacy Project with Isan Bellevue

City Manager Carlson introduced staff's presentation regarding a proposed project with Isan Bellevue for the new park at Main Street and 112th Avenue SE near the East Main light rail station.

Camron Parker, Assistant Director, Parks and Community Services Department, said the land was acquired by Sound Transit in 2015 and the park was constructed by Sound Transit and dedicated to the City in September 2024. He said City staff worked for several years with Isan Bellevue to evaluate potential sites for the commemorative project and confirmed the feasibility of the new park for the project.

Betsy Anderson, Senior Planner, presented photos of the 1.75-acre park site and surrounding development. The park is located on the Lake to Lake Trail and near the connection to the Eastrail. Ms. Anderson noted plans for a future RapidRide K Line stop at the park. She said the 2023-2024 budget provided funding for the City to work with Isan Bellevue to analyze the feasibility of potential sites for the commemorative project. The concept plan was completed in late 2025 and depicts a large-scale map on the park plaza identifying the locations of historic Japanese-American farms prior to World War II. A shelter structure is proposed with the potential for interpretive and artistic elements.

Ms. Anderson said Isan Bellevue has committed to raising funding for the design and construction of the project. The organization and the City have established a memorandum of understanding (MOU) to deliver the project. The City will contribute project management services and assume long-term maintenance of the project.

Susan Ulep, Capital Projects Coordinator, said staff is currently conducting a naming process for the new park, which was initiated with a presentation to the Council on March 4, 2025. At that time, the Council directed staff to proceed with public engagement related to naming the park. A public survey in the spring of 2025 solicited potential park names and staff screened those names using City policy criteria. A list of names will be submitted to the Parks and Community Services Board for consideration. Ms. Ulep said staff will return to the Council this summer to share the Board's recommendation and to request final action on the park name.

Mayor Malakoutian thanked staff for the presentation and expressed support for the project.

Councilmember Briar, liaison to the Parks and Community Services Board, thanked the Board and staff for their hard work. She expressed support for the project and observed that it is consistent with the fundamental principles of architects and planners throughout U.S. history. She said the project is a good way to honor Bellevue's past.

Councilmember Robinson expressed support for the project and suggested adding more flowering cherry trees at the site.

Councilmember Sumadiwirya expressed support for the project. She suggested that the park name reflect prominent local Japanese-Americans from the past and present.

Councilmember Bhargava thanked staff for their work and expressed support for the project. He encouraged public involvement in the design process.

Councilmember Nieuwenhuis expressed support for the project and noted that it aligns well with Bellevue's goals of celebrating local history, advancing cultural placemaking and building partnerships that enhance parks and public spaces. He thanked staff for their work and noted that the project will both educate and inspire the public. He thanked Isan Bellevue for its leadership and generosity in this partnership.

Deputy Mayor Hamilton praised the collaboration with Isan Bellevue and expressed support for the project.

Councilmember Briar said she hopes Isan Bellevue will be involved in considering the park name since it reflects their cultural history.

(c) Multifamily Tax Exemption (MFTE) Catalyst Program for Mixed Use Areas

City Manager Carlson opened discussion regarding housing opportunities in mixed use areas.

Hannah Bahnmiller, Senior Affordable Housing Planner, said staff is requesting Council direction to finalize amendments to the Multifamily Tax Exemption (MFTE) Program consistent with staff's recommendations and to prepare legislation for consideration at a future meeting.

Ms. Bahnmiller recalled that the MFTE program provides a property tax exemption to qualified properties where a certain portion of the units are set aside as affordable for the duration of the exemption. Tonight's presentation focuses on non-downtown areas subject to the Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code. The term "supercharger" refers to an exemption from a reduced affordability requirement for overlapping MFTE and land use incentives. Staff will present an option for a supercharger catalyst program within HOMA districts.

Ms. Bahnmiller said the citywide MFTE program provides a 12-year tax exemption, a new 20-year home ownership program and new provisions for commercial-to-residential conversion projects. A new 12-year supercharger option is available in the Wilburton area as well as a new 8-year tax exemption option.

When the Council reviewed the HOMA Land Use Code Amendment in late February, staff recommended that the supercharger option was not needed to offset costs. The Council directed staff to return within 90 days following an analysis of catalyst MFTE options and the fiscal impact.

Ms. Bahnmiller presented a comparison of the baseline HOMA requirements, baseline HOMA provisions with MFTE requirements, and the supercharger requirements under the 12-year MFTE program. The baseline HOMA/MFTE requirements category requires 10 percent of the units to be affordable at 65 percent of the area median income (AMI) and the supercharger requires 10 percent of the units to be affordable at 80 percent AMI.

Ms. Bahnmiller said the three key policy considerations are the City's affordable housing goals, overall housing production goals and program costs. Staff's analysis compared the existing MFTE program and the six-year catalyst option. The analysis addressed the number of affordable units to be created, cost to the City, renter savings and net developer tax savings. Ms. Bahnmiller said the analysis indicated a 12.4 percent increase (76 units) in total MFTE units, a decrease of 179 units for households earning 65 percent AMI and an increase of 255 units for households earning 80 percent AMI.

Ms. Bahnmiller said staff recommends advancing a catalyst program that includes a combination of unit and time limit requirements and would allow the supercharger option to remain in place until the earlier of 1,500 total MFTE units or six years. This would accommodate six 250-unit projects in HOMA areas. The unit limit establishes a ceiling on additional shifted and foregone taxes and incentivizes near-term development. Ms. Bahnmiller said some stakeholders suggested a four-year catalyst option, which is identified as Option B on slide 16 of the presentation. The scope of the MFTE code amendment allows for a catalyst period in HOMA areas where MFTE units double-counted toward the mandatory requirement do not require deeper affordability, provides rules for the vesting of the catalyst program and revises rules to allow the MFTE option to be used along with fee-in-lieu payments.

Mayor Malakoutian thanked staff for the thorough information.

Councilmember Bhargava commented on the challenge of balancing affordability and the feasibility of housing development. He said there should be a public benefit, measurable outcomes for affordability and clear predictability for developers and the public. He suggested moving forward with the four-year catalyst option because it creates housing sooner. He cautioned against a unit cap because it could create uncertainty for developers and slow down housing production. He noted the significant challenge of creating housing at deeper affordability levels. He suggested assessing the outcomes of the four-year catalyst option, if adopted, after two years and increasing incentives to drive the urgency for housing production.

Deputy Mayor Hamilton expressed support for the four-year catalyst option with no unit cap. He believes it will increase housing production sooner and at the lowest cost. He thanked everyone in the community who has provided input regarding housing development.

Responding to Councilmember Sumadiwirya, Ms. Bahnmiller commented on permitting timelines. She said the average timeline for a MFTE development from application to occupancy is approximately three years. Ms. Sumadiwirya expressed support for the four-year catalyst option.

Councilmember Robinson thanked staff for their work on this complex issue. Responding to Ms. Robinson, Bianca Siegl, Director of the Office of Housing, said staff is planning to conduct an analysis to evaluate potential changes to the MFTE program as the Council considers mandatory inclusionary housing requirements.

Ms. Robinson expressed concern about setting a precedent, losing tax revenues and giving false security to the development community. She expressed support for pairing mandatory inclusionary housing with double counting in the MFTE program. She noted her goals to increase the supply of housing at affordability levels below 80 percent AMI and to avoid increasing the tax burden for residents. She said the proposal tonight does not support her goals. She said she would support the four-year catalyst option if it automatically reverts back after four years to the requirements for 10 percent of units at 80 percent AMI and 10 percent of units at 65 percent AMI. She expressed support for Councilmember Bhargava's suggested two-year evaluation. Ms. Siegl said the program would automatically sunset after four years unless changed by the Council.

Councilmember Nieuwenhuis said he appreciated everyone's expertise and compassion around housing needs. Referring to Councilmember Robinson's concern about the tax impact on residents, he noted that construction projects generate sales tax revenue.

Mr. Nieuwenhuis expressed concern that job growth continues to outpace the housing supply in Bellevue. He asked how the cap on the number of units affects whether Bellevue can remain economically competitive. Ms. Siegl said a number of major employers are committed to supporting the development of affordable housing in Bellevue. She said the unit cap under the six-year catalyst option is intended to encourage more multifamily projects to be completed more quickly.

Councilmember Nieuwenhuis expressed support for the four-year catalyst option and the two-year evaluation. He expressed concern about unit caps due to the critical need for housing and encouraged predictability for developers.

Responding to Councilmember Briar, Ms. Bahnmiller confirmed that the four-year catalyst option results in the lowest tax shift impact for property owners. Ms. Briar expressed support for the four-year catalyst option and concurred with her colleagues in favor of avoiding a unit cap.

Staff responded to questions of clarification from Mayor Malakoutian regarding the different scenarios. Ms. Bahnmiller said the primary downside of the four-year catalyst option is there is less certainty in terms of outcomes. The analysis projects fewer housing units overall but actual program participation within those four years may vary.

Mayor Malakoutian thanked everyone for their good work.

→ Councilmember Bhargava moved to direct staff to finalize amendments to the Multifamily Tax Exemption (MFTE) Program using the four-year catalyst option with no unit cap in HOMA areas outside of the downtown, for consideration and final action at a future meeting; and to establish a two-year lookback to evaluate housing production, affordability outcomes and other financial and tax impacts. Councilmember Robinson seconded the motion.

→ The motion carried by a vote of 7-0.

11. Land Use Reports: None.

12. Other Ordinances, Resolutions and Motions: None.

13. Written Reports: None.

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 9:31 p.m., Mayor Malakoutian declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Special Meeting

May 20, 2026 Council Chambers
4:30 PM Bellevue, Washington

PRESENT: Mayor Malakoutian, Deputy Mayor Hamilton and Councilmembers Bhargava, Briar, Nieuwenhuis[1], Robinson and Sumadiwirya[2]

ABSENT: None.

1. Call to Order; Roll Call

Mayor Malakoutian called the meeting to order at 4:33 p.m.

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Deputy Mayor Hamilton led the flag salute.

2. Approval of Agenda

→ Deputy Mayor Hamilton moved to approve the agenda, and Councilmember Briar seconded the motion.

→ The motion carried by a vote of 7-0.

3. Ordinances, Resolutions and Motions

(a) Ordinance No. 6919 designating an increment area; setting a sunset date for the increment area; identifying the public improvements to be financed; indicating the City's intent to issue bonds to finance public improvement costs in an estimated maximum principal amount not to exceed $84.4 million; providing that the increment area will take effect on June 1, 2026; imposing a deadline for commencement of construction; and providing for related matters.

City Manager Diane Carlson introduced discussion regarding the implementation of tax increment financing to fund the Grand Connection Crossing over I-405.

1 Councilmember Nieuwenhuis participated remotely.
2 Councilmember Sumadiwirya participated remotely.

Genesee Adkins, Deputy City Manager, City Manager's Office, recalled staff's previous presentation to the Council on May 5.

John Resha, Chief Financial Officer/Director, Finance and Asset Management Department, noted a potential amendment to add at the end of Section 2: "The City may administratively make adjustments to the Bellevue IA as necessary to comply with the maximum assessed valuation stated in subsection (iv) of this section. This authority to make adjustments shall not be for adding any property that is not already identified in the Bellevue IA as described in Exhibit A."

→ Deputy Mayor Hamilton moved to adopt Ordinance No. 6919, and Councilmember Robinson seconded the motion.

→ Councilmember Briar moved to amend the motion to add to the end of Section 2: "The City may administratively make adjustments to the Bellevue IA as necessary to comply with the maximum assessed valuation stated in subsection (iv) of this section. This authority to make adjustments shall not be for adding any property that is not already identified in the Bellevue IA as described in Exhibit A." Councilmember Robinson seconded the motion.

Councilmember Robinson thanked everyone, including former City Manager Brad Miyake, City Manager Carlson, Ms. Adkins, Mr. Resha and her fellow Councilmembers for the ambitious leadership shown in this project. She thanked King County and the other taxing jurisdictions supporting this action.

→ The motion to amend carried by a vote of 7-0.

→ The motion to adopt Ordinance No. 6919, as amended, carried by a vote of 7-0.

4. Adjournment

At 4:44 p.m., Mayor Malakoutian declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw

CITY COUNCIL AGENDA TOPIC

Ordinance amending Chapter 4.32 of the Bellevue City Code to provide for administrative approval for the sale or other disposition of city real property, and to make minor clarifying amendments; providing for severability; and setting an effective date.

Jamie Robinson, Assistant Director
Loren Matlick, Real Property Manager
Finance & Asset Management

Charmaine Arredondo, City Clerk
City Clerk's Office

Christopher C. Cowgill, Assistant City Attorney
Trisna Tanus, City Attorney
City Attorney's Office

EXECUTIVE SUMMARY

ACTION

This ordinance amends chapter 4.32 of the Bellevue City Code (BCC) to provide administrative approval for the sale or other disposition of city real property, and to make minor clarifying amendments.

RECOMMENDATION

Move to adopt Ordinance No. 6921

BACKGROUND/ANALYSIS

Disposition (or sale) of city-owned property is governed by chapter 4.32 BCC in Revenue and Finance, Title 4 BCC. Specific to real property, the city added section 4.32.090 in 2007 to require any disposition of real property to be approved by the council.

Since then, the city has made various amendments to Title 4 BCC, primarily to respond to the city's growth and changes in public practices and to implement process improvements. Toward these objectives, the council has adopted several code amendments to provide for administrative approval authority up to $350,000 for procurement contracts, grant contracts, real property acquisition and leasing, and settlement for damage claims against the city (ordinance no. 6850 in 2025 and no. 6728 in 2023).

Staff is recommending this ordinance to add a $350,000 threshold for administrative approval for real property dispositions in BCC 4.32.090 (Attachment A). This new administrative approval may be used to dispose of real property other than surplus utility and right-of-way/street vacation. This ordinance is consistent with council adopted policy in ordinance nos. 6850 and 6728, and will improve the city's efficiency and process for real property dispositions. In addition, this ordinance will make minor clarifying amendments.

The city routinely processes these dispositions, with easement releases as the most common type. These releases are often needed as part of redevelopment, where an easement is no longer needed or

the easement area must be relocated or exchanged with another area. Currently, the council has to approve every easement release, regardless of the value. This practice expends significant council and staff time. If the council adopts this ordinance, dispositions of real property (not including surplus utility and right-of-way/street properties) up to $350,000 will be handled wholly administratively; and for property above $350,000, the council retains approval authority.

POLICY & FISCAL IMPACTS

Policy Impact
The recommended amendments are consistent with council adopted policy in prior ordinances, and will improve the city's efficiency and process for real property dispositions.

Fiscal Impact
There is no fiscal impact associated with implementing these changes. While not having a direct fiscal impact, the recommended changes, if adopted, will provide operational efficiencies, streamline the process, and reduce the amount of council and staff time spent for property dispositions. The indirect savings will be spread across the organization.

OPTIONS

1. Adopt the Ordinance amending Chapter 4.32 of the Bellevue City Code to provide for administrative approval for the sale or other disposition of city real property, and to make minor clarifying amendments; providing for severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Chapter 4.32 BCC Redlined Strike-Draft
Proposed Ordinance No. 6921

AVAILABLE IN COUNCIL LIBRARY

N/A

Real Property Disposition Code Amendment, Chapter 4.32 BCC

4.32.030 Methods of sale.

Notwithstanding any other section of this chapter, when ~~city~~ personal property belonging to the city with an estimated value of over $10,000 is to be sold, the director of finance and asset management or their designee may, with prior approval of the city manager or their designee, sell or dispose of the property in any legal, commercially reasonable manner in the best interests of the city, including but not limited to public auction, private sale, sealed bid, exchange of in-kind goods, or through a broker or agent. The city shall comply with any notice requirements imposed by law for the sale.

4.32.060 Sale of city real property.

Except as provided in BCC 4.32.070 and 4.32.090, the city manager or designee is authorized to dispose or sell real property; provided that the fair market value does not exceed $350,000. All other disposition ~~any~~ or sale of real property shall be submitted to the council for approval. The disposal or sale may be through any legal, commercially reasonable manner in the best interests of the city, including but not limited to public auction, private sale, sealed bid, exchange of in-kind goods, or through a broker or agent. Except as provided elsewhere in city code or state law, ~~A~~a public hearing on the proposed sale is not required.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6921

AN ORDINANCE amending Chapter 4.32 of the Bellevue City Code to provide for administrative approval for the sale or other disposition of city real property, and to make minor clarifying amendments; providing for severability; and setting an effective date.

WHEREAS, chapter 4.32 of the Bellevue City Code (BCC) governs the sale of city property, including BCC 4.32.060 providing for the sale and other disposition of city-owned real property; and

WHEREAS, BCC 4.32.060 requires the city council to approve all real property dispositions, regardless of the value of the real property; and

WHEREAS, the city routinely processes real property dispositions, which are often needed as part of redevelopment, where an easement is no longer needed or the easement area must be relocated or exchanged with another area; and

WHEREAS, BCC 4.32.060 was adopted in 2007 and has not been substantively updated since; and

WHEREAS, the city has experienced significant growth and development, which is anticipated to continue; and

WHEREAS, the process of obtaining city council approval can create project delays and utilizes staff resources to prepare and process agenda memo and materials; and

WHEREAS, in recent years, the city has made amendment to Title 4 BCC, primarily to respond to the city's growth and changes in public practices and to implement process improvements, including providing for administrative approval authority up to $350,000 for procurement contracts, grant contracts, real property acquisition and leasing, and settlement for damage claims against the city; and

WHEREAS, adding an administrative approval provision for the sale or disposition of city real property up to the same $350,000 threshold aligns with these previous policy direction and the city's interest in process improvement and increasing efficiency; and

WHEREAS, establishing an administrative approval threshold will not diminish the city's commitment to thorough review, transparency and stewardship; and now, therefore,

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

Section 1. Section 4.32.030 of the Bellevue City Code – Methods of sale is hereby amended to read as follows:

4.32.030 Methods of sale.

Notwithstanding any other section of this chapter, when personal property belonging to the city with an estimated value of over $10,000 is to be sold, the director of finance and asset management or their designee may, with prior approval of the city manager or their designee, sell or dispose of the property in any legal, commercially reasonable manner in the best interests of the city, including but not limited to public auction, private sale, sealed bid, exchange of in-kind goods, or through a broker or agent. The city shall comply with any notice requirements imposed by law for the sale.

Section 2. Section 4.32.060 of the Bellevue City Code – Sale of city real property is hereby amended to read as follows:

4.32.060 Sale of city real property.

Except as provided in BCC 4.32.070 and 4.32.090, the city manager or designee is authorized to dispose or sell real property; provided that the fair market value does not exceed $350,000. All other disposition or sale of real property shall be submitted to the council for approval. The disposal or sale may be through any legal, commercially reasonable manner in the best interests of the city, including but not limited to public auction, private sale, sealed bid, exchange of in-kind goods, or through a broker or agent. Except as provided elsewhere in city code or state law, a public hearing on the proposed sale is not required.

Section 3. Should any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application or the provision to other person or circumstance shall not be affected.

Section 4. This ordinance shall take effect and be in force thirty (30) days after its passage and 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

_____
Christopher C. Cowgill, Sr. Assistant City Attorney

Attest:

_____
Charmaine Arredondo, City Clerk
Published_____

CITY COUNCIL AGENDA TOPIC

Ordinance renewing the non-exclusive franchise granted by Ordinance No. 6275 to Olympic Pipe Line Company, LLC, a Delaware limited liability company for an additional ten (10) years; making minor updates and clarifications; providing for severability, and establishing an effective date.

Andrew Singelakis, Director
Mark Poch, Deputy Director
Vanessa Humphreys, Assistant Director
Cassie Davis, Franchise Utility Manager
Transportation Department

EXECUTIVE SUMMARY

ACTION

Staff requests the approval of the renewal of the city's current Petroleum Products Franchise Agreement with Olympic Pipeline Company. The franchise agreement was enacted in 2016 for a 10-year term with the option to renew for an additional 10-year term at the discretion of Council. Most recently, on February 24, 2026, under Resolution 10589, the franchise agreement was temporarily extended to allow time for staff to finalize terms with Olympic Pipeline Company and to prepare this renewed Petroleum Products Franchise Agreement.

RECOMMENDATION

Move to adopt Ordinance No. 6922

BACKGROUND/ANALYSIS

The Petroleum Products Franchise Agreement with Olympic Pipeline was adopted by City Council on February 16, 2016 under Ordinance 6275 (Attachment A). The current Franchise Agreement was granted for a term of 10 years and, in 2026, per the terms of Section 4.1 of the Franchise Agreement, is eligible for an extension of an additional 10-year term. Both Olympic Pipeline and City staff recommend proceeding with renewal of the Franchise Agreement for an additional 10-year term.

Prior to its expiration date, the Franchise Agreement was temporarily extended for a nine-month term on February 24 under Resolution 10589 (Attachment B). The temporary extension was adopted pursuant to Section 4.3 of the franchise agreement and provided time for staff to finalize terms with Olympic Pipeline Company. Both parties intended to proceed with the formal 10-year renewal that is being presented today, but during review of the Franchise Agreement, it was identified that certain provisions required updating. The updated language, available in the council library, includes minor changes to the insurance section of the Franchise Agreement and is required to align with current industry standards and to clarify certain rights of the City of Bellevue to request insurance documentation. Over the term of the Franchise Agreement, insurance industry standards have changed, and those changes needed to be reflected in the Franchise Agreement. Additionally, both parties agreed to update outdated contact information. Although relatively minor, negotiating and finalizing the updated language between both parties required additional time.

In determining whether to proceed with renewal of the Franchise Agreement, staff followed the steps outlined in BCC 14.20. Per 14.20.080C, the city shall consider whether the applicant has complied with the terms of the existing Franchise Agreement, the quality of the applicant's service, whether the applicant's occupation of the public rights-of-way poses an unacceptable risk, and the applicant's ability to provide the services outlined in the Franchise Agreement. Additionally, staff sought internal feedback from colleagues in the Transportation and Utility Departments who regularly work with Olympic Pipeline on capital improvement projects to provide comment on whether it was in the city's best interest to renew the Franchise Agreement for an additional 10-year term or enter into the negotiation of a new agreement. After carefully assessing these considerations, staff recommend proceeding with renewal of the Franchise Agreement for the additional 10-year term.

The Petroleum Products Franchise Agreement contains language that addresses topics to maintain a high-quality built and natural environment and community safety and health. These topics include but are not limited to:

1. Information Sharing and Confidentiality
   An Agreement to Share Information was adopted by ordinance as a companion document to the 2005 Franchise Agreement. During the renegotiation of the current Franchise Agreement in 2016, the parties agreed to incorporate the standalone Agreement to Share Information into the body of the Franchise Agreement. Now Section 20 of the current 2016 Franchise Agreement, the Information Sharing and Confidentiality section, outlines the requirements and expectations around sharing safety information between the city and Olympic Pipeline. Upon request, Olympic Pipeline shall provide certain information to the city such as facility location maps, inspection and repair records, reports of leaks and spills, and emergency response procedures within the franchise area.
2. Permitting and Restoration
   The Franchise Agreement ensures the city's authority to require permits for work within the public right-of-way. This allows the city to influence the location and documentation of facilities such as pipes, valves and related infrastructure in the public right-of-way. Permitting requirements help guarantee that when facilities are installed in the public right-of-way, city's infrastructure – such as roads and sidewalks – is properly restored. Additionally, these requirements reduce the risk of conflicts between Olympic Pipeline's facilities and existing city utilities, thereby protecting public assets and maintaining the integrity of city infrastructure.
3. Relocation
   As an occupant of the public right-of-way, Olympic Pipeline is subject to relocation if required by the installation of public infrastructure through a city-led capital improvement project. The Franchise Agreement outlines the conditions under which relocation is necessary and specifies when Olympic Pipeline is responsible for associated costs. It also outlines procedures for relocation, including notification requirements and timelines, ensuring clarity and coordination between the city and Olympic Pipeline.
4. Emergency Response Costs
   Olympic Pipeline may be responsible for reimbursing the city for any reasonable costs incurred in responding to a spill, leak, or other release of petroleum products. This provision of the

Franchise Agreement helps protect the city from bearing significant emergency response expenses associated with potential pipeline incidents.

Because Olympic Pipeline Company is an interstate pipeline company with over 400 miles of pipeline infrastructure that spans Washington State, the pipeline infrastructure will continue to remain within Bellevue's rights-of-way irrespective of the existence of a Franchise Agreement. However, maintaining the Franchise Agreement provides additional assurance to the city and promotes enhanced public safety, emergency response, and operational transparency. Without the Franchise Agreement, the city would have limited authority to obtain essential information such as system maps, inspection records, reports of leaks or spills, and emergency response procedures. In short, while the physical infrastructure is permanent, the Franchise Agreement provides the city with the accountability and tools necessary to manage risks, protect community health and safety, and support a high-quality built and natural environment.

Infrastructure and Regulatory Authority of Olympic Pipeline

As stated above, Olympic Pipeline Company is an interstate pipeline company with infrastructure across Washington State, and, west of the Cascade Mountains, is the primary petroleum transportation and delivery system to the Pacific Northwest. The pipeline extends from the Cherry Point and Anacortes refineries in Whatcom and Skagit Counties and continues south until terminating at a delivery facility in Portland, Oregon, with delivery facilities also located in Seattle, SeaTac and Tacoma (Attachment C). The pipeline is designated as a Hazardous Liquid Pipeline under federal regulations and transports various grades of gasoline, jet fuel, and diesel fuel. Prior to reaching the Renton Pump Station where fuel is delivered to facilities in Seattle and SeaTac, the pipeline runs through Bellevue with two parallel steel pipes that are 16 and 20 inches in diameter and were constructed in the 1960's and 1970's respectively.

Olympic Pipeline is subject to a tiered regulatory framework: at the federal level through the Pipeline and Hazardous Materials Safety Administration (PHMSA) within the U.S. Department of Transportation; at the state level through the Washington Utilities and Transportation Commission (WUTC); and locally in Bellevue through the Petroleum Products Franchise Agreement. At the federal level, PHMSA has the ultimate authority for setting and enforcing the standards under which pipeline safety regulations operate. This is governed by Title 49 of the U.S. Code, chapters 601-605. PHMSA is responsible for enforcement actions of interstate pipelines. In Washington State, the WUTC has certain authority over interstate pipelines. In 2000, the Washington state Legislature approved the Pipeline Safety Act which sought federal approval for the Pipeline Safety Program, a program within the WUTC, to include inspections of all interstate pipelines. After close coordination with PHMSA, in 2003, the Pipeline Safety Program became the lead inspector for interstate pipelines and incidents in Washington State. This means that the WUTC has the authority to act as an agent for the federal government and perform inspections and report back to the Office of Pipeline Safety within the PHMSA, with recommended enforcement actions.

Neither the city nor the state can impose more stringent safety requirements beyond federal requirements. 49 U.S.C. 60104(c) allows for more stringent safety requirements for certified *intra*state programs, but preempts additional safety requirements, with the exception of one-call notification programs, on *inter*state facilities, such as Olympic Pipeline:

> "A State authority that has submitted a current certification under section 60105(a) of this title may adopt additional or more stringent safety standards for intrastate pipeline facilities and interstate pipeline transportation only if those standards are compatible with the minimum standards prescribed under this chapter. A State authority may not adopt or continue in force safety standards for interstate pipeline facilities or interstate pipeline transportation. Notwithstanding the preceding sentence, a State authority may enforce a requirement of a one-call notification program of the State if the program meets the requirements for one-call notification programs under this chapter or chapter 61."

The Franchise Agreement provides for the effective administration of services in the public rights-of-way and aids in protecting public infrastructure, community safety and health, and the built and natural environment. Due to federal law, however, the city is preempted from adding additional safety requirements into a franchise agreement with Olympic Pipeline.

Pipeline Safety, Inspections and Compliance, and Emergency Preparedness

Olympic Pipeline's inspection and incident record reflects a strong compliance history, with no "serious" incidents statewide, as defined by PHMSA, between 2010 and 2025. According to the incident and accident report published for Olympic Pipeline by PHMSA between the years 2016 and 2025, four incidents occurred in King County, none of which were classified as significant. Each involved less than one barrel of product spilled, primarily due to pump or equipment failure. Separate from the incident reporting, PHMSA operates a Pipeline Safety Enforcement Program that monitors and enforces compliance with safety regulations. The PHMSA enforcement report for Olympic Pipeline over the past two decades reports eight cases between 2006 and 2026.all of which were resolved.No enforcement actions have been taken since 2022. Additionally, WUTC inspections have identified no Bellevue-specific concerns between 2016 and 2023. Several pipeline failure investigations occurred statewide between 2016 and 2025, including an incident most recently in Everett in November 2025. These events underscore the importance of ongoing monitoring and emergency preparedness to protect public safety and environmental quality.

Olympic Pipeline implements comprehensive safety, inspection, and emergency response programs to protect public health and the environment. Olympic Pipeline maintains pre-staged response equipment—including spill response trailers and boats—at strategic locations in Mount Vernon, Tacoma, and Castle Rock. The pipeline infrastructure is equipped with remotely operated valves that can be controlled directly from the control center in Renton. This capability enables a faster response to potential issues by eliminating the need for personnel to manually operate the valves on-site. Olympic Pipeline contracts with oil spill response organizations and emergency response cooperatives and participates in regional and global response networks such as the Northwest Incident Management Team and BP's Global Mutual Response Team, ensuring access to trained personnel and specialized resources worldwide. In addition to emergency preparedness, Olympic Pipeline conducts regular pipeline inspections using advanced technologies such as "smart pigs," which detect internal and external corrosion, stress cracks, and excavation damage. Federal regulations require these assessments to occur at least every five years, though Olympic Pipeline may perform them more frequently at its discretion, including within Bellevue. These measures collectively support pipeline integrity, rapid incident response, and the protection of community safety and environmental quality.

Conclusion
Olympic Pipeline's infrastructure helps to reduce the number of tanker trucks on the highway, thus potentially reducing traffic impacts and damage to the city's transportation infrastructure. Olympic Pipeline has owned and operated infrastructure under a Franchise Agreement in Bellevue for decades. The pipeline infrastructure will remain in the city's right-of-way regardless of the existence of a Franchise Agreement. In addition to rigorous federal and state oversight to which Olympic Pipeline is subject, the Franchise Agreement also provides the city additional assurance. After thorough review of the merits of the existing Franchise Agreement, as well as Olympic Pipeline's compliance and safety record, and considering internal feedback from staff in the Transportation and Utility Departments, city staff recommend that the council authorize the renewal of the existing franchise agreement for an additional 10-year term. The Petroleum Products Franchise Agreement provides important protections that advance the city's objectives of maintaining a high quality built and natural environment and ensure community health and safety.

POLICY & FISCAL IMPACTS

Policy Impact
Federal Law:
Title 49 of Code of Federal Regulations Chapters 601-605

State Law:
RCW 81.88 - Gas and Hazardous Liquid Pipelines

Bellevue City Code:
BCC Chapter 14.20 - Franchise Terms and Conditions

Council Strategic Target Areas:
High Quality Built and Natural Environment:
4.3 Preserve and protect the quality of public and private infrastructure, the safety and integrity of the built and natural environment, and address challenges of population growth, climate change and sustainable resource use.

Community Safety and Health:
5.3 Provide and maintain reliable utility services and infrastructure that directly preserve and improve public health.

Fiscal Impact
Section 17 of the Franchise Agreement established the annual franchise fee in 2016 at a rate of $22,500. The fee shall be increased on an annual basis by the national Consumer Price Index for Urban Consumers (CPI-U) published in January of the applicable year, or by a rate of 1.5%, whichever is greater. The franchise fee for the period of May 26, 2026 – May 25, 2027, is $30,957.20.

Additionally, it should be noted that the tariffs imposed on Olympic Pipeline by the Federal Energy Regulatory Commission do not directly impact Bellevue community members or businesses.

OPTIONS

1. Adopt the Ordinance renewing the non-exclusive franchise granted by Ordinance No. 6275 to Olympic Pipe Line Company, LLC, a Delaware limited liability company for an additional ten (10) years; making minor updates and clarifications; providing for severability, and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Ordinance 6275 Petroleum Products Franchise Agreement February 16, 2016
B. Resolution 10589 Authorizing a Temporary Extension of the Petroleum Products Franchise Agreement February 24, 2026
C. Olympic Pipeline Facilities Map

Proposed Ordinance No. 6922

AVAILABLE IN COUNCIL LIBRARY

Revised Terms of the Petroleum Products Franchise Agreement

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6275

AN ORDINANCE of the City of Bellevue, Washington, granting Olympic Pipe Line Company, an interstate pipeline corporation, incorporated in the State of Delaware, its successors and assigns, the nonexclusive right, privilege, authority, and franchise, subject to the terms and conditions prescribed herein, to construct, operate, maintain, remove, replace, and repair its existing pipeline facilities, together with the equipment and appurtenances thereto, for the transportation of Petroleum Products within and through the franchise area of the City of Bellevue.

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

Section I. Definitions

For the purposes of this Franchise and all exhibits attached hereto, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning.

1.1 Construct or Construction shall mean removing, replacing, and repairing existing pipeline(s) and/or Facilities and may include, but is not limited to, digging and/or excavating for the purposes of removing, replacing, and repairing existing pipeline(s) and/or Facilities.

1.2 Effective Date shall mean the date designated herein, from which the time requirement for any notice, extension, and/or renewal will be measured.

1.3 Environmental Laws shall include the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq.; the Hazardous Materials Transportation Act, 49 U.S.C. § 1801 et seq.; the Federal Water Pollution Control Act, 33 U.S.C. § 1257 et seq.; the Clean Air Act, 42 U.S.C. § 7401 et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136 et seq.; the Occupational Safety and Health Act, 29 U.S.C. § 651 et seq.; the Washington Hazardous Waste Management Act, Chapter 70.105 RCW; and the Washington

Model Toxics Control Act, Chapter 70.105D RCW, all as amended from time to time, or any other valid and applicable federal, state, or local statute, code, or ordinance, or valid and applicable federal or state administrative rule, regulation, ordinance, order, decree, or other valid and applicable governmental authority as now or at any time hereafter in effect pertaining to the protection of human health or the environment.

1.4 Facilities shall mean the Company's pipeline system, lines, valves, mains, and appurtenances used to transport or distribute the Company's Petroleum Product(s), existing as of the date of this agreement or as those components may be modified or improved consistent with the terms of this agreement.

1.5 Franchise shall mean this Franchise and any amendments, exhibits, or appendices to this Franchise.

1.6 Franchise Area means the Right of Way and certain designated Public Property within the jurisdictional boundaries of the City, including any areas annexed by the City (but excluding properties upon which Grantee holds a private easement, license, or other property interest for its Facilities) during the term of this Franchise, in which case the annexed area shall become subject to the terms of this Franchise.

1.7 Hazardous Substance means any hazardous, toxic, or dangerous substance, material, waste, pollutant, or contaminant, including all substances designated under the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq.; the Hazardous Materials Transportation Act, 49 U.S.C. § 1801 et seq.; the Federal Water Pollution Control Act, 33 U.S.C. § 1257 et seq.; the Clean Air Act, 42 U.S.C. § 7401 et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; the Federal Insecticide, Fungicide, Rodenticide Act, 7 U.S.C. § 136 et seq.; the Washington Hazardous Waste Management Act, Chapter 70.105 RCW, and the Washington Model Toxics Control Act, Chapter 70.105D, RCW; all as amended from time to time, or any other federal, state, or local statute, code, or ordinance, or lawful rule, regulation, order, decree, or other governmental authority as now or at any time hereafter in effect. The term shall specifically include Petroleum and Petroleum Products. The term shall also be interpreted to include any substance that, after release into the environment, will or may reasonably be anticipated to cause death, disease, behavior abnormalities, cancer, or genetic abnormalities.

1.8 Maintain or Maintenance shall mean examining, testing, inspecting, repairing, maintaining, and replacing the existing pipeline(s) and/or Facilities or any part thereof as required and necessary for safe operation.

1.9 Improve or Improvements shall mean modifications to, but not a change in, the nature of the existing pipeline(s) and/or Facilities as required and necessary for safe operation.

1.10 Petroleum or Petroleum Products shall include, but shall not be limited to, motor gasoline, diesel fuel, and aviation jet fuel, and shall exclude natural gas.

1.11 Pipeline Corridor shall mean the pipeline pathway through the jurisdictional boundaries of the City in which the Facilities of the Company are located, including any Right of Way, designated Public Property, and/or other easement over and through private property.

1.12 Public Property shall mean the present and/or future property owned or leased by the City within the present and/or future corporate limits, or jurisdictional boundaries of the City that the City has designated for the Company's Facilities, excluding properties upon which Grantee holds a private easement, license, or other property interest for its Facilities.

1.13 Operate or Operations shall mean the use of the Company's pipeline(s) and/or Facilities for the transportation, distribution, and handling of Petroleum or Petroleum Products within and through the Franchise Area.

1.14 Right of Way means the surface and the space above and below all roads, streets, avenues, alleys, and highways of the City as now laid out, platted, dedicated, acquired, or improved; all right of way for roads, streets, avenues, alleys, and highways that may hereafter be laid out, platted, dedicated, acquired, or improved within the present limits of the City and as such limits may be hereafter extended, but excluding properties upon which the Company holds a private easement, license, or other property interest for its Facilities.

Section 2. Purpose

The City grants this nonexclusive Franchise to the Company to Construct, Operate, Maintain, and Improve its existing Facilities as a liquid Petroleum Product delivery system for the Company's business. This Franchise is granted subject to the police powers, land use authority, and franchise authority of the City and is conditioned upon the terms and conditions contained herein and the Company's compliance with any applicable federal, state, or local regulatory programs that currently exist or may hereafter be enacted by any federal, state, or local regulatory agencies with jurisdiction over the Company. The purpose of this Franchise is to establish the conditions relating to Company's use of the Franchise Area and to create a foundation for the parties to work cooperatively in the public's best interests after this Ordinance becomes effective. By granting this Franchise, the City is not assuming any risks or liabilities therefrom, which shall be solely and separately borne by the Company.

Section 3. Rights Conveyed

3.1 Pursuant to the laws of the State of Washington, including, but not limited to, RCW 35A.47.040 and RCW 80.32.010, the City hereby grants, under the terms and conditions contained herein, to the Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware and which is authorized to transact business within the State of Washington, and to its successors and assigns (subject to and as provided for in Section 5) the right, privilege, authority, and franchise to Construct, Operate, Maintain and Improve its Facilities, together with all equipment and appurtenances as may be necessary thereto, for the transportation and handling of any Petroleum or Petroleum Products within the existing Pipeline Corridor passing through the Franchise Area.

3.2 This Franchise is only intended to convey a limited right and interest as to that Right of Way and/or certain designated Public Property in which the City has an actual interest. It is not a warranty of title or interest in the City's Right of Way and/or certain designated Public Property. None of the rights granted herein shall affect the City's jurisdiction over its property, streets, or Right of Way.

3.3 The limited rights and privileges granted under this Franchise shall not convey any right to the Company to install any new pipeline(s) and/or Facilities without the express written consent of the City.

Section 4. Term

4.1 Each of the provisions of this Franchise shall become effective upon the Effective Date and shall remain in effect for ten (10) years thereafter. At any time not more than three (3) years nor less than one hundred eighty (180) days before the expiration of the Franchise, either party may request an extension of the Franchise for an additional ten (10) year renewal period.

4.2 The Effective Date of this Franchise shall be February 26, 2016.

4.3 If the parties fail to formally renew the Franchise prior to the expiration of its term or any extension thereof, the Franchise may be extended on a year-to-year basis (or such term as the parties may mutually agree) until a renewed Franchise is executed.

Section 5. Assignment and Transfer of Franchise

This Franchise shall not be sold, assigned, transferred, leased, or disposed of either in whole or in part either by involuntary sale or by voluntary sale, nor shall title thereto, either legal or equitable, pass to or vest in any person or entity without the prior written consent of the City Council, acting by ordinance or resolution, which consent shall not be unreasonably withheld. Such consent shall not be deemed to waive any rights of the City to subsequently enforce non-compliance issues relating to this Franchise that existed at or before the time of the City's consent.

Section 6. Compliance with Laws and Standards

The Company, in carrying out any authorized activities under the privileges granted herein, shall comply with all valid and applicable local, state, and federal laws, including, but not limited to, Title 49 Code of Federal Regulations, Part 195 Transportation of Hazardous Liquids, and any laws or regulations that may be subsequently enacted by any governmental entity with jurisdiction over the Company and/or the Facilities.

Section 7. Construction within Franchise Area

7.1 This Section 7 shall apply to all Construction, Maintenance, or Improvements done by the Company in the Franchised Area.

7.2 Except in the event of an emergency, the Company shall first obtain all required permits from the City to Construct, Maintain, or Improve Company's Facilities within the Franchise Area. Such work shall only commence upon the issuance of all required permits by the City, which permits shall not be unreasonably withheld or delayed after submission of a complete application.

7.3 In the event of an emergency requiring immediate action by the Company for the protection of the pipeline(s) or Facilities, the City's property, or the property, life, health, or safety of any individual, the Company may take action immediately to correct the dangerous condition without first obtaining any required permit(s) so long as: (1) the Company informs the City of the nature and extent of the emergency and the work to be performed prior to commencing the work if such notification is practical, or, where prior notification is not practical, the Company shall notify the City on the next business day; and (2) such required permit(s) is obtained by the Company as soon as practicable following cessation of the emergency.

7.4 Upon acceptance of this Franchise by the Company, the Company shall post a Performance Bond in the amount of five hundred thousand dollars ($500,000) that shall remain in effect for the term of this Franchise. The bond shall ensure the faithful performance of the Company's obligations under the Franchise, including, but not limited to, payment by the Company of any penalties, claims, liens, or fees due the City that arise by reason of the Operation, Construction, or Maintenance of the Facilities within the Franchise Area. The Company shall pay all premiums or other costs associated with maintaining the bond. Additionally, if the Performance Bond is determined by the City to be inadequate to ensure the Company's performance of a project, the Company shall post any additional bonds required to guarantee performance by the Company in accordance with the conditions of any permits and/or the requirements of this Franchise.

7.5 All Construction, Maintenance, or Improvement work done hereunder by the Company or upon the Company's direction or on the Company's behalf, including any work performed by contractors or subcontractors, shall be considered

work done by the Company and shall be undertaken and completed in a workmanlike manner and in accordance with the descriptions, plans, and specifications provided to the City. Any work done by the Company, including work done at the Company's direction or on its behalf by contractors or subcontractors, shall be conducted in such a manner as to avoid damage or interference with other utilities, drains, or other structures, and not unreasonably interfere with public travel, park uses, or other municipal uses and the free use of adjoining property, and so as to provide safety for persons and property. The Company's Construction, Maintenance, and/or Improvements shall be in compliance with all valid and applicable laws and regulations of governmental agencies with jurisdiction.

7.6 The Company shall place and maintain line markers pursuant to federal regulations within and along the Pipeline Corridor. The Company agrees to continue its voluntary practice of placing continuous markers underground, when and where appropriate, indicating the pipeline's location each time the Company digs to the pipeline or such other "industry best practices" as may from time to time be developed as a method of alerting excavators of the presence of the pipeline.

7.7 Both the Company and the City shall continuously be a member of the State of Washington "one-call" locator service (RCW 19.122), or approved equivalent, and shall comply with all such applicable rules and regulations.

Section 8. Abandonment or Removal of Facilities

8.1 In the event of abandonment or the Company's permanent cessation of use of its Facilities, or any portion thereof within the Franchised Area, the Company shall, within one hundred eighty (180) days after the abandonment or permanent cessation of use, remove the Facilities at the Company's sole cost and expense.

8.2 However, with the express written consent of the City, said consent not to be unreasonably withheld, the Company may secure the Facilities in such a manner as to cause it to be as safe as is reasonably possible by removing all Petroleum Product(s), purging vapors, displacing the contents of the line with an appropriate inert material, and sealing the pipe ends with a suitable end closure, all in compliance with valid and applicable regulations, and abandon them in place, provided that portions of the Facilities which are above ground shall be removed at the Company's sole cost and expense.

8.3 In the event of the removal of all or a portion of the Facilities, the Company shall restore the Franchised Area as nearly as possible to a condition that existed prior to installation of the Company's Facilities. Such property restoration work shall be done at the Company's sole cost and expense and to the City's reasonable satisfaction. If the Company fails to remove or secure the Facilities and fails to restore the premises, or take such other mutually agreed upon action, the City may, after reasonable notice to the Company, remove the Facilities, restore the premises, or take such other action as is reasonably necessary at the Company's

expense, and the City shall not be liable therefore. This remedy shall not be deemed to be exclusive and shall not prevent the City from seeking a judicial order directing that the Facilities be removed.

8.4 The City's consent to the abandonment of any Facilities in place shall not relieve the Company of the obligation and/or costs to remove, alter, or re-secure such Facilities in the future in the event it is reasonably determined, as adjudged in the sole discretion of the City, that removal, alteration, or re-securing the Facilities is necessary or advisable for the public health, safety, and/or necessity, in which case the Company shall perform such work at no cost to the City subject to the provisions of Section 12.6 herein.

8.5 The parties expressly agree that the provisions of this Section 8 shall survive the expiration, revocation, or termination of this Franchise.

Section 9. Operations and Maintenance - Inspection and Testing

9.1 The Company shall Operate and Maintain its Facilities in full compliance with the applicable provisions of Title 49, Code of Federal Regulations, Part 195, as now enacted or hereafter amended, and any other current or future laws or regulations that are applicable to the Company's Facilities, enacted by any governmental entity with jurisdiction over the Company or the Company's Facilities.

9.2 The City shall use reasonable efforts to require all excavators working within the Franchise Area in proximity to the Company's Facilities to notify the Company at least forty-eight (48) hours prior to the start of any work and to ensure compliance with the requirements of the State of Washington "one-call" locator service law (RCW 19.122). If the Company becomes aware that a third party conducts any excavation or other significant work that may affect the Facilities, the Company shall conduct such inspections and/or testing as is necessary to determine that no direct or indirect damage was done to the Facilities and that the work did not abnormally load the Company's Facilities or impair the effectiveness of the Company's cathodic protection system.

Section 10. Encroachment Management and Damage Prevention

10.1 The Company and the City shall comply with applicable and valid federal, state, and local requirements regarding encroachment management and damage prevention, including the State of Washington "one-call" locator service law (RCW 19.122).

10.2 The Company shall maintain a written program to prevent damage to its Facilities from excavation activities, as required by applicable state and federal regulations.

10.3 The Company shall regularly inspect the surface conditions on or adjacent to the Pipeline Corridor, as required by applicable state and federal regulations.

Section 11. Leaks, Spills, and Emergency Response

11.1 The Company shall cooperate with the City and respond to protect public health and safety in the event of a pipeline emergency. The Company warrants that it will at all times have on hand, on the County level, sufficient emergency response equipment and materials as required by applicable laws and regulations.

11.2 Leaks, spills, ruptures, and other emergencies shall be investigated and reported as required by applicable state and federal regulations.

11.3 The Company shall be solely responsible for all of the City's reasonable and necessary costs incurred in responding to any spill, leak, or other release of Petroleum Product or other substances or material from the Company's Facilities, including, but not limited to, the detection and removal of any contaminants from earth or water, and all remediation, except for any spill, leak, or other release that results from the sole negligence or willful misconduct of the City or its contractors. Any such costs shall be considered extraordinary costs that shall not be born by the City and shall not be considered administrative expenses of the City. Nothing in this Section 11 shall be construed as limiting the Company's right to seek recovery from third parties.

Section 12. Required Relocation of Facilities

12.1 In the event that the City undertakes or approves the construction of any City project, or makes changes to the grade or location of any water, sewer, or storm drainage line, street, or sidewalk, or undertakes any other public improvement project (collectively and individually an "Improvement Project"), and, as a result of the Improvement Project, the City determines that the public health, safety, welfare, necessity, and/or convenience reasonably requires changes to or the relocation of the Company's Facilities, then the Company shall make such changes or relocations as required herein at the Company's sole cost, expense, and risk. In the event the Company relocates or otherwise modifies its facilities at the direction of the City to accommodate a City Improvement Project, and the City thereafter abandons and does not complete the Improvement Project, the Company may invoke the Section 14 Dispute Resolution procedures and seek reimbursement for the reasonable and necessary costs incurred by the Company for the relocation or modification that it would not have otherwise incurred.

12.2 The City shall provide the Company reasonable prior written notice of any Improvement Project(s) that in the interest of public health, safety, welfare, necessity, and/or convenience require changes to or relocation of the Company's

Facilities. The City will endeavor, where practical, to provide the Company at least one hundred eighty (180) days prior written notice, or such additional time as may reasonably be required, of such Improvement Project(s). However, nothing in this Section shall be construed as to relieve the Company of its duty and obligation to relocate its Facilities to accommodate any Improvement Project(s) undertaken by the City after any reasonable written notice of any Improvement Project(s).

12.3 The City shall further provide the Company with copies of pertinent portions of the final plans and specifications for such Improvement Project(s), so that the Company may make the required changes to or relocate its facilities to accommodate such Improvement Project(s).

12.4 The Company may, after receipt of written notice requiring changes to or relocation of its Facilities under Sections 12.2 and 12.3, submit to the City, within ninety (90) days, written alternatives to such relocation. The City shall evaluate such alternatives and advise the Company in writing if one or more of the alternatives are suitable to accommodate the Improvement Project(s) that would otherwise necessitate changes to or relocation of the Facilities. If so requested by the City, the Company shall submit additional information to assist the City in making such evaluation including field verification of the actual location(s) of the Company's underground Facilities within the Improvement Project area by excavating (i.e., pot holing), at no expense to the City. The City shall give each alternative proposed by the Company full and fair consideration, but the City retains its discretion to decide whether to utilize its original plan or an alternative proposed by the Company. In the event the City ultimately determines that none of the alternatives proposed by the Company is suitable to accommodate the Improvement Project, the City may direct the Company to proceed with the required relocation or modification, and the Company shall take all reasonable steps to complete the relocation or modification so as to meet the City's reasonable project timelines and objectives and avoid project delays. However, if the Company feels that the City did not give full and fair consideration to the Company's proposed alternatives, the Company may invoke the Dispute Resolution process, Section 14 of this agreement, provided that the Company shall not suspend or discontinue relocation or modification work necessary to meet the City's reasonable project timelines and objectives and to avoid project delays, during the Section 14 Dispute Resolution process.

12.5 If any portion of the Company's Facilities that has been required by the City to be relocated under the provisions of this section is subsequently required to be relocated again within five (5) years of the original relocation, the City will bear the actual and reasonable cost of the subsequent relocation during the five (5) year period.

12.6 The Company shall not be required to remove an abandoned Facility or relocate its existing operational Facilities at its expense for the benefit of private developers or third party projects. However, in the event the City reasonably determines and notifies the Company that the primary purpose for requiring such

changes to or relocation of the Company's facilities by a third party is to cause or facilitate the construction of an Improvement Project consistent with the City Capital Investment Plan, Transportation Improvement Program, the Transportation Facilities Program, or other similar plan, then the Company shall change or otherwise relocate its Facilities in accordance with Section 12.1 at the Company's sole cost, expense, and risk.

12.7 The City shall work cooperatively with the Company in determining a viable and practical route within which the Company may relocate its facilities under Section 12.1 in order to minimize costs while meeting the City's reasonable project timelines and objectives. The City's requirements with regard to the required changes or relocation (e.g., depth of cover, distance from other utilities, etc.) must be reasonable and not inconsistent with applicable federal and state requirements, provided that nothing in this section shall be construed as to limit in any way the City's authority to protect the health, safety, and welfare of it citizens or to limit damage to property through the exercise of its police power, land use authority, franchise authority, or the City's authority to regulate the time, place, and manner of the Company's use of the Right of Way and/or designated Public Property.

12.8 Upon receipt of the City's reasonable notice, plans, and specifications per Section 12.1, the Company shall take all reasonably necessary measures to complete relocation of such Facilities so as to accommodate the Improvement Project(s) at least ten (10) calendar days prior to commencement of the Improvement Project(s) or such other time as the parties may agree in writing.

12.9 The City shall take reasonable steps to cooperate with the Company should the Company apply for any local, state, or federal funds that may be available for the relocation of the Company's Facilities, provided, however that the Company's application for any such funds may not delay the City Improvement Project(s). To the extent such funds are made available, the funds shall be applied towards the Company's costs incurred to relocate the Company's Facilities.

Section 13. Violations, Remedies, and Termination

13.1 The Company shall be in compliance with the terms of this Franchise at all times. The City reserves the right to apply any of the following remedies, alone or in combination, in the event the Company violates any material provision of this Franchise. The remedies provided for in this Franchise are cumulative and not exclusive, and; the exercise of one remedy shall not prevent the exercise of another or any rights of the City at law or equity.

13.2 The City may terminate this Franchise if the Company materially breaches or otherwise fails to perform, comply with, or otherwise observe any of the terms of this Franchise and fails to cure or make reasonable effort to cure such breach within thirty (30) calendar days of receipt of written notice thereof, or, if not

reasonably curable within thirty (30) calendar days, within such other reasonable period of time as the parties may agree upon.

13.3 Either party may invoke the Dispute Resolution clause contained in Section 14 of this Franchise, as it deems necessary with regard to termination.

13.4 If the Company's right to operate its Facilities within the Franchise Area is ultimately terminated, the Company shall comply with the terms of this Franchise regarding removal and/or abandonment of the Facilities and with all directives of applicable federal and state agencies with jurisdiction over its Facilities.

Section 14. Dispute Resolution

14.1 In the event of a dispute between the City and the Company arising by reason of this Franchise, or any obligation hereunder, the dispute shall first be referred to the operational officers or representatives designated by the City and the Company to have oversight over the administration of this Franchise. Said officers or representatives shall meet within thirty (30) calendar days of either party's request for a meeting, and the parties shall make a good faith effort to attempt to achieve a resolution of the dispute.

14.2 In the event that the parties are unable to resolve the dispute under the procedure set forth in Section 14.1, then the parties hereby agree that the matter shall be referred to mediation. The parties shall mutually agree upon a mediator to assist them in resolving their differences. Any expenses incidental to mediation shall be borne equally by the parties.

14.3 If either party is dissatisfied with the outcome of the mediation, that party may then pursue any available judicial remedies.

14.4 Subject to state and federal regulation, the Company shall be permitted to continuously operate its Facilities during dispute resolution.

Section 15. Indemnification

15.1 General Indemnification. Except for environmental matters, which are covered by a separate indemnification in Section 15.2 below, the Company shall indemnify, defend, and hold harmless the City, its agents, officers, or employees, from any and all liability, loss, damage, cost, expense, and claim whatsoever, whether at law or in equity, arising out of or related to, directly or indirectly, the construction, operation, use, location, testing, repair, maintenance, removal, abandonment, or damage to the Company's Facilities, or from the existence of the Company's pipeline and other appurtenant facilities, and of the products contained in, transferred through, released, or escaped from said pipeline and appurtenant facilities, from any and all causes whatsoever, except the City's sole negligence and except for any incidence of City non-compliance with Section 7.7 above (i.e., RCW

19.122, the State of Washington "one-call" locator law). If any action or proceeding is brought against the City by reason of the pipeline or its appurtenant Facilities, the Company shall defend the City at the Company's complete expense, provided that, for uninsured actions or proceedings, defense attorneys shall be approved by the City, which approval shall not be unreasonably withheld.

15.2 Environmental Indemnification. The Company shall indemnify, defend, and hold harmless the City, it agents, officers, or employees from and against any and all liability, loss, damage, expense, actions, and claims unless such liability, loss, damage, expense, actions, and claims result from the City noncompliance with Section 7.7 above (i.e., RCW 19.122, the State of Washington "one-call" locator law) either at law or in equity, including, but not limited to, costs and reasonable attorneys' and experts' fees incurred by the City in defense thereof, arising from (a) the Company's violation of any Environmental Laws applicable to the Facilities or (b) from any release of a Hazardous Substance on or from the Facilities. This indemnity includes but is not limited to (a) liability for a governmental agency's costs of removal or remedial action for Hazardous Substances; (b) damages to natural resources caused by Hazardous Substances, including the reasonable costs of assessing such damages; (c) liability for any other person's costs of responding to Hazardous Substances; (d) liability for any costs of investigation, abatement, correction, cleanup, fines, penalties, or other damages arising under any Environmental Laws; and (e) liability for personal injury, property damage, or economic loss arising under any statutory or common-law theory.

15.3 The Company agrees that its obligations under this Section 15 extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents: For this purpose, the Company, by mutual negotiation, hereby waives, as respects the City only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW.

Section 16. Insurance.

16.1 The Company shall procure and maintain for the duration of the Franchise insurance, or provide self-insurance, against all claims for injuries to persons or damages to property that may arise from or in connection with the exercise of the rights, privileges, and authority granted hereunder to the Company, its agents, representatives, or employees. The Company shall provide an insurance certificate, together with an endorsement naming the City, its officers, elected officials, agents, employees, representatives, consultants, and volunteers as additional insureds on the Company's Commercial General Liability and Pollution Legal Liability policies, to the City upon the Company's acceptance of this Franchise, and such insurance certificate shall evidence the following minimum coverages:

A. Commercial General Liability insurance, including coverage for premises operations, explosions, and collapse hazard, underground hazard and

products completed hazard, with limits not less than $100,000,000, per occurrence and in the aggregate, combined single limit for bodily injury, personal injury and property damage, including products and completed operations.

B. Automobile liability for owned, non-owned, and hired vehicles with a limit of $2,000,000 for each person and $2,000,000 for each accident, with such limits to be satisfied through a combination of primary and excess policies, at Company's option;

C. Worker's compensation, within statutory limits, and employer's liability insurance with limits of not less than $2,000,000, with such limits to be satisfied through a combination of primary and excess policies, at Company's option;

D. Pollution Legal Liability, to be in effect throughout the ten (10) year term of this Franchise agreement, with a limit not less than $50,000,000 per occurrence and in the aggregate for any pollution condition or occurrence after August, 2000. Such policy shall be purchased with a minimum policy term of five (5) years.

16.2 If coverage is purchased on a "claims made" basis, then the Company shall warrant continuation of coverage, either through policy renewals or the purchase of an extended discovery period, if such extended coverage is available, for not less than three (3) years from the date of termination of this Franchise and/or conversion from a "claims made" form to an "occurrence" coverage form.

16.3 Any deductibles shall be the sole responsibility of the Company. The insurance certificate required by this Section shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the aggregate limits of the insurer's liability.

16.4 The Company's insurance shall be primary insurance with respect to the City, its officers, officials, employees, agents, consultants, and volunteers. Any insurance maintained by the City, its officers, officials, employees, consultants, agents, and volunteers shall be in excess of the Company's insurance and shall not contribute with it.

16.5 In addition to the coverage requirements set forth in this Section, the certificate of insurance shall provide that:

"The above described policies will not be canceled before the expiration date thereof, without the issuing company giving sixty (60) days written notice to the certificate holder."

In the event of said cancellation or intent not to renew, the Company shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section by the cancellation date.

Section 17. Annual Franchise Fee

17.1 In consideration for the granting of this Franchise and for the Company's use of the Franchise Area, there is hereby established an annual fee equal to Twenty-Two Thousand Five Hundred Dollars ($22,500).

17.2 Beginning with year two of the Franchise term and each year thereafter, the annual fee shall be increased by the national Consumer Price Index for Urban Consumers (CPI-U) as published in January of that year, or at a rate of one and one half percent (1.5%), which ever is greater.

17.3 Each annual payment shall cover the next twelve (12) month period and shall be paid not later than the anniversary date of the Effective Date of this Franchise. Interest shall accrue on any late payment at the rate of twelve percent (12%) per annum. Such interest shall be in addition to any applicable and customary penalties for late payment. Any partial payment shall first be applied to any applicable and customary penalties, then interest, and then to principal.

17.4 The Franchise Fee set forth in Section 17.1 does not include standard and customary payments associated with the Grantor's administrative expenses incurred in reviewing, licensing, permitting, or granting any other approvals necessary for Grantee to Operate, Maintain, or Improve its Facilities, or for any inspection or enforcement costs thereunder (i.e., customary permitting fees). Additionally, the foregoing annual fee does not include any generally applicable taxes that the Grantor may legally levy. The Grantee shall pay the franchise renewal application fee, pursuant to Bellevue City Code 14.20.070, and shall bear the cost for the publication of this Ordinance.

Section 18. Legal Relations

18.1 The Company accepts any privileges granted hereunder by the City to the Franchise Area in an "as is" condition. The Company agrees that the City has never made any representations, implied or express warranties, or guarantees as to the suitability, security, or safety of the location of the Company's Facilities or the Facilities themselves, or possible hazards or dangers arising from other uses or users of the Right of Way or designated Public Property, including any use by the City, by the general public, or by other utilities. As between the City and the Company, the Company shall remain solely and separately liable for the function, testing, maintenance, replacement, and/or repair of the Facilities or other activities permitted hereunder.

18.2 This Franchise ordinance shall not create any duty of the City or any of its officials, employees, or agents, and no liability shall arise from any action or failure to act by the City or any of its officials, employees, or agents in the exercise of powers reserved herein. Further, this ordinance is not intended to acknowledge,

create, imply, or expand any duty or liability of the City with respect to any function in the exercise of its police power or for any other purpose. Any duty that may be deemed to be created in the City hereunder shall be deemed a duty to the general public and not to any specific party, group, or entity.

18.3 This Franchise shall be governed by, and construed in accordance with, the laws of the State of Washington. The venue for any dispute related to this Franchise shall be in the United States District Court for the Western District of Washington or in the Superior Court in King County, Washington.

Section 19. Company's Acceptance

The City may void this Franchise ordinance if the Company fails to file its unconditional written acceptance of this Franchise within thirty (30) calendar days from the final passage of same by Council. The Company shall file its unconditional written acceptance with the City Clerk of the City of Bellevue.

Section 20. Information Sharing and Confidentiality

20.1 Upon request, Company shall provide the City with a pipeline map depicting the location of Olympic's pipeline facilities within the City. Unless otherwise specified by the City, Company may satisfy this requirement by making available to the City GIS data (including GPS coordinates) depicting the location of the Facilities within the Franchise Area. To the extent permitted by applicable law, and as otherwise provided herein, the City will keep the pipeline map and GIS data confidential and protected from public disclosure.

20.2 It is understood and agreed by the parties that the precise location and depth of Company's pipeline shall be field verified if exact alignment is required for a construction project in the vicinity of the pipeline by using the One-Call System. It is further understood that the pipeline map and GIS data, while reasonable guides to the location of the line, are no substitute for direct contact with an appropriate employee or representative of Company whenever construction is contemplated or planned.

20.3 The City's long range construction or development plans are available for review on the City's website, http://www.ci.bellevue.wa.us. The City shall make available upon request copies of long range plans to the Company in a physical media format. Construction plans for projects which may affect the pipeline may be submitted for review and comment to Company when applicable.

20.4 Company shall make available to the City upon request its current manual for responding to emergencies involving its pipeline and facilities. The manual is based on the Northwest Area Contingency Plan, as approved by the Washington State Department of Ecology (DOE) and the federal Pipeline and Hazardous Materials Safety Administration.

20.5 Upon request, Company shall make available for review at its offices its Damage Prevention Program and Procedures.

20.6 Company agrees to comply with applicable criteria relating to pipeline integrity management developed by relevant state or federal regulatory authorities. Upon request, Company shall make available for review at its offices a summary of necessary repairs identified as a result of any in-line inspection of pipeline segments within the Franchise Area along with the indicated mitigation efforts and completion date of any such mitigation.

20.7 Company agrees to comply with applicable reporting requirements established by relevant state or federal regulatory authorities in the event of a leak, spill, rupture or other emergency involving a release from Company's pipeline within the Franchise Area. Upon request, Company shall make available to the City material information relating to any such event.

The Parties' emergency contacts are set forth below:

Company 1-888-271-8880 (24-Hour Emergency Hotline)

City (425) 452-2816 (Office of Emergency Management)

20.8 Confidentiality. Subject to the limits of applicable state and/or federal law, the City agrees to treat as confidential any records that constitute proprietary or confidential information under federal or state law, to the extent Company makes City aware of the need for confidentiality. Company is responsible for clearly and conspicuously identifying any such material as confidential and/or proprietary. If the City receives a request from any person for public disclosure of any information or documents designated by Company as confidential and/or proprietary ("Confidential Materials"), the City will so advise Company and provide Company with a copy of any written request by the party demanding access to such Confidential Materials at least ten (10) days before publicly disclosing any such Confidential Materials. If Company believes that the City's disclosure of the Confidential Materials would interfere with Company's rights under federal or state law, Company may take appropriate legal action to prevent the City's disclosure of such materials. Consistent with applicable law, the City will provide Company with a reasonable opportunity to obtain a court order precluding public disclosure of any Confidential Materials. Company will join the party requesting the materials to any such action. Company will defend, indemnify and hold the City harmless from any associated claim or judgment including any penalties or costs under RCW ch. 42.56.

Section 21. Notice

All notices, demands, requests, consents, and approvals which may or are required to be given by any party to any other party hereunder shall be in writing and

shall be deemed to have been duly given if delivered personally, sent by facsimile, sent by a nationally recognized overnight delivery service, or if mailed or deposited in the United States mail and sent by registered or certified mail, return receipt requested, postage prepaid to:

City address:

City of Bellevue
450 110th Avenue NE
Bellevue, Washington 98004
Attention: Franchise Manager

With copy to:

City of Bellevue
P.O. Box 90012
Bellevue, Washington 98009-9012
Attention: City Clerk

Company:

Edward Cimaroli, Vice President
Olympic Pipe Line Company
600 SW 39th St, Suite 275
Renton, WA 98057
Phone: 425-227-5213
Email: edward.cimaroli@bp.com

With copy to:

Christopher T. Wion
Miller Nash Graham & Dunn, LLP
Pier 70
2801 Alaskan Way, Suite 300
Seattle, Washington 98121
Phone: 206-777-7564
Email: Christopher.Wion@millernash.com

or to such other address as the foregoing parties hereto may from time-to-time designate in writing and deliver in a like manner. All notices shall be deemed complete upon actual receipt or refusal to accept delivery. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission shall be the same as delivery of an original document.

Section 22. Miscellaneous

22.1 The Company acknowledges and warrants by acceptance of the rights and privileges granted herein that it has carefully read and fully comprehends the terms and conditions of this Franchise and is willing to and does accept all reasonable risks of the meaning of the provisions, terms, and conditions herein. The

Company acknowledges and warrants by acceptance of the rights and privileges granted herein that it has carefully read and fully comprehends the terms and conditions of this Franchise and believes that the Franchise is compliant with federal, state, and local laws. If in the future the Company becomes aware that a provision of this Franchise may be unlawful or invalid, it will not use such potential invalidity to unilaterally ignore or avoid such provision. Instead, the Company will promptly advise the City of the potential invalidity or illegality, and the parties will meet within thirty (30) days and endeavor jointly to cure the invalidity or illegality.

22.2 In the event that a court or agency of competent jurisdiction declares a material provision of this Franchise Agreement to be invalid, illegal, or unenforceable, the parties shall negotiate in good faith and agree, to the maximum extent practicable in light of such determination, to such amendments or modifications as are appropriate actions so as to give effect to the intentions of the parties as reflected herein. If severance from this Franchise Agreement of the particular provision(s) determined to be invalid, illegal, or unenforceable will fundamentally impair the value of this Franchise Agreement, either party may apply to a court of competent jurisdiction to reform or reconstitute the Franchise Agreement so as to recapture the original intent of said particular provision(s). All other provisions of the Franchise shall remain in effect at all times during which negotiations or a judicial action remains pending.

22.3 Whenever this Franchise sets forth a time for any act to be performed, such time shall be deemed to be of the essence, and any failure to perform within the allotted time may be considered a material violation of this Franchise.

22.4 In the event that the Company is prevented or delayed in the performance of any of its obligations under this Franchise by reason(s) beyond the reasonable control of the Company, then the Company's performance shall be excused during the Force Majeure occurrence. Upon removal or termination of the Force Majeure occurrence, the Company shall promptly perform the affected obligations in an orderly and expedited manner under this Franchise, or procure a substitute for such obligation or performance that is satisfactory to the City. The Company shall not be excused by mere economic hardship nor by misfeasance or malfeasance of its directors, officers, or employees.

22.5 The section headings in this Franchise are for convenience only and do not purport to and shall not be deemed to define, limit, or extend the scope or intent of the section to which they pertain.

22.6 By entering into this Franchise, the parties expressly do not intend to create any obligation or liability, or promise any performance to any third party, nor have the parties created for any third party any right to enforce this Franchise.

ORIGINAL

22.7 This Franchise and all of the terms and provisions shall be binding upon and inure to the benefit of the respective successors and assignees of the parties.

22.8 The parties each represent and warrant that they have full authority to enter into and to perform this Franchise, that they are not in default or violation of any permit, license, or similar requirement necessary to carry out the terms hereof, and that no further approval, permit, license, certification, or action by a governmental authority is required to execute and perform this Franchise, except such as may be routinely required and obtained in the ordinary course of business.

Section 23. Effective Date

This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 16th day of February, 2016, and signed in authentication of its passage this 17th day of February, 2016.

(SEAL)

John Stokes, Mayor

Approved as to form:

Lori Riordan, City Attorney

Jerome Y. Roaché, CAO Chief of Staff

Attest:

Kyle Stannert, Acting City Clerk

Published February 19, 2016.

ACCEPTANCE OF ORDINANCE NO. _____
OF THE CITY OF BELLEVUE WASHINGTON

The undersigned, Olympic Pipe Line Company, Inc., hereby accepts Ordinance No. _____, which was passed by the City Council of the City of Bellevue Washington on _____ and is titled:

> AN ORDINANCE of the City of Bellevue, Washington, granting Olympic Pipe Line Company, an interstate pipeline corporation, incorporated in the State of Delaware, its successors and assigns, the nonexclusive right privilege, authority, and franchise, subject to the terms and conditions prescribed herein, to construct, operate, maintain, remove, replace, and repair its existing pipeline facilities, together with the equipment and appurtenances thereto, for the transportation of Petroleum Products within and through the franchise area of the City of Bellevue.

IN TESTIMONY WHEREOF said Olympic Pipe Line Company, Inc. has caused this written Acceptance to be executed in its name by its undersigned authorized signer, thereunto duly authorized on this _____ day of _____, 2016.

Olympic Pipe Line Company, Inc.

By:_____

Title:_____

State of Washington)
) ss.
County of _____)

On this ____day of _____, 2016, personally before me appeared _____ who stated that (s)he is an authorized signer for the Olympic Pipe Line Company, Inc. and that the instrument was signed on behalf of and with the knowledge and authority of the said corporation.

Before me:

_____
Notary Public for the State of Washington

My Commission Expires: _____.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10589

A RESOLUTION authorizing execution of a nine-month extension of the existing Olympic Pipe Line Franchise Agreement between the City of Bellevue and the Olympic Pipe Line Company, LLC.

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

Section 1. The City Manager or their designee is hereby authorized to execute a nine-month extension of the existing Olympic Pipe Line Franchise Agreement, as provided for in Section 4.3 of the existing franchise agreement, between the City of Bellevue and the Olympic Pipe Line Company, a copy of which is substantially in the form given Clerk's Receiving No. 83627.

Passed by the City Council this 24th day of FEBRUARY, 2026, and signed in authentication of its passage this 24th day of FEBRUARY, 2026.

(SEAL)

CITY OF BELLEVUE CORPORATE SEAL 1953 WASHINGTON

Mo Malakoutian, Mayor

Attest:

Charmaine Arredondo, City Clerk

Attachment C

Olympic Pipeline Facilities Map

Source: BP Olympic Pipeline

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6922

AN ORDINANCE renewing the non-exclusive franchise granted by Ordinance No. 6275 to Olympic Pipe Line Company, LLC, a Delaware limited liability company for an additional ten (10) years; making minor updates and clarifications; providing for severability, and establishing an effective date.

WHEREAS, on February 15, 2016, the City Council adopted Ordinance No. 6275 granting the Olympic Pipe Line Company LLC ("Olympic Pipe Line"), a non-exclusive right within and through the franchise area of Bellevue, to construct, operate, maintain, remove, replace, and repair Olympic Pipe Line's existing pipeline facilities for transportation of petroleum products; and

WHEREAS, the franchise granted by Ordinance 6275 had a term of ten (10) years, expiring on February 26, 2026, with the option to temporarily extend or renew for an additional ten (10) years; and

WHEREAS, on February 24, 2026, the City Council passed Resolution No. 10589 extending the terms and conditions of Ordinance No. 6275 to November 26, 2026 to allow the City and Olympic Pipe Line additional time to renew the franchise agreement;

WHEREAS, minor changes are necessary to update contact information and timelines, align the existing franchise agreement to insurance industry standards, and clarify the City's rights; now, therefore

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

Section 1. Franchise Renewal. The term of the franchise granted to Olympic Pipe Line under Ordinance No. 6275 is hereby renewed for an additional ten (10) years with a new expiration date of June 9, 2036.

Section 2. The provisions of Ordinance No. 6275, as amended herein, remain in full force and effect.

Section 3. Section 4.2 of Ordinance No. 6275 is amended to read as follows:

4.2 The Effective Date of this Franchise shall be five (5) days after passage and legal publication of the renewal ordinance.

Section 4. Section 16.1 of Ordinance No. 6275 is amended to read as follows:

16.1 The Company shall procure and maintain for the duration of the Franchise insurance, or provide self-insurance, against all claims for injuries to persons or damages to property that may arise from or in connection with the exercise of the rights, privileges, and authority granted hereunder to the Company, its agents, representatives, or employees. The Company shall provide an insurance certificate, together with an endorsement naming the City, its officers, elected officials, agents, employees, representatives, consultants, and volunteers as additional insureds on the Company's Commercial General Liability and Pollution Legal Liability policies, to the City upon the Company's acceptance of this Franchise, and upon any future request by the City during the term of the Franchise, and such insurance certificate shall evidence the following minimum coverages:

A. Commercial General Liability insurance, including coverage for premises operations, explosions, and collapse hazard, underground hazard and products completed hazard, with limits not less than $100,000,000, per occurrence and in the aggregate, combined single limit for bodily injury, personal injury and property damage, including products and completed operations.

B. Automobile liability for owned, non-owned, and hired vehicles with a limit of $2,000,000 for each person and $2,000,000 for each accident, with such limits to be satisfied through a combination of primary and excess policies, at Company's option;

C. Worker's compensation, within statutory limits, and employer's liability insurance with limits of not less than $2,000,000, with such limits to be satisfied through a combination of primary and excess policies, at Company's option;

D. Pollution Legal Liability, to be in effect throughout the ten (10) year term of this Franchise agreement, with a limit not less than $50,000,000 per occurrence and in the aggregate for any pollution condition or occurrence commencing after August, 2000.

Section 5. Section 16.5 of Ordinance No. 6275 is amended to read as follows:

16.5 In addition to the coverage requirements set forth in this Section, the certificate of insurance shall provide that:

“The above-described policies will not be canceled before the expiration date thereof, without the company giving sixty (60) days written notice to the certificate holder.”

In the event of said cancellation or intent not to renew, the Company shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section by the cancellation date.

Section 6. Section 20.3 of Ordinance No. 6275 is amended to read as follows:

20.3 The City's long-range construction or development plans are available for review on the City's website, https://bellevuewa.gov/. The City shall make available upon request copies of long-range plans to the Company in a physical media format. Construction plans for projects which may affect the pipeline may be submitted for review and comment to Company when applicable.

Section 7. Section 20.7 of Ordinance No. 6275 is amended to read as follows:

20.7 Company agrees to comply with applicable reporting requirements established by relevant state or federal regulatory authorities in the event of a leak, spill, rupture or other emergency involving a release from Company's pipeline within the Franchise Area. Upon request, Company shall make available to the City material information relating to any such event.

The Parties' emergency contacts are set forth below:

Company 1-888-271-8880 (24-Hour Emergency Hotline)

City (425) 452-6807 (Office of Emergency Management)

Section 8. Section 21 of Ordinance No. 6275 is amended to read as follows:

Section 21. All notices, demands, requests, consents, and approvals which may or are required to be given by any party to any other party hereunder shall be in writing and shall be deemed to have been duly given if delivered personally, sent by facsimile, sent by a nationally recognized overnight delivery service, or if mailed or deposited in the United States mail and sent by registered or certified mail, return receipt requested, postage prepaid to:

City address:

City of Bellevue
450 110th Avenue NE
Bellevue, Washington 98004
Attention: Franchise Manager

With copy to:

City of Bellevue
450 110th Avenue NE
Bellevue, Washington 98004
Attention: City Clerk

Company:

Patsy Williams, President
Olympic Pipe Line Company 600
SE 39th St, Suite 275
Renton, WA 98057
Email: patsy.williams@bp.com

With copy to:

Susan Lifvendahl
BP, senior Counsel – US HSSE & Refining
30 S Wacker Drive
Chicago, IL 60606
Email: susan.lifvendahl@bp.com

or to such other address as the foregoing parties hereto may from time-to-time designate in writing and deliver in a like manner. All notices shall be deemed complete upon actual receipt or refusal to accept delivery. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission shall be the same as delivery of an original document

Section 9. Acceptance. Olympic Pipe Line shall signify its acceptance of the terms of this franchise renewal by signing the attached Franchise Renewal (Attachment A) and submitting the signed Franchise Renewal to the City of Bellevue within thirty (30) days of the effective date of this Ordinance.

Section 10. 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 11. Effective Date. This Ordinance shall take effect and be in force five (5) days after passage and 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

_____
Heather Jones, Assistant City Attorney

Attest:

_____
Charmaine Arredondo, City Clerk

Published _____

Attachment A

FRANCHISE RENEWAL
ACCEPTANCE OF ORDINANCE NO. _____
OF THE CITY OF BELLEVUE

The undersigned, Olympic Pipe Line, a Delaware limited liability corporation, hereby accepts Ordinance No. _____(Franchise Renewal), which was passed by the City Council of the City of Bellevue, Washington on _____, 2026 and is entitled:

> AN ORDINANCE renewing the non-exclusive franchise granted by Ordinance No. 6275 to Olympic Pipe Line Company, LLC, a Delaware limited liability company for an additional ten (10) years; making minor updates and clarifications; providing for severability, and establishing an effective date.

IN TESTIMONY WHEREOF, said Olympic Pipe Line has caused this written Acceptance to be executed in its name by its undersigned authorized signer, thereunto duly authorized on this ____ day of _____, 2026 and declares that it has carefully read the terms and conditions of the foregoing Franchise Renewal and accepts all of the terms and conditions of the Franchise Renewal and agrees to abide by the same.

OLYMPIC PIPE LINE

_____

Name:_____

Title:_____

On this day personally appeared before me _____ to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged he/she signed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this ____day of _____, 2026.
Print Name: _____ Notary Public in and for the State of Washington,
Residing at: _____
My Commission expires: _____

Copy received for the City of Bellevue on _____

Attest:

_____
Charmaine Arredondo, City Clerk

CITY COUNCIL AGENDA TOPIC

Ordinance 1) authorizing execution of an Interlocal Agreement (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, which includes a contribution of $467,485 in pass-through federal grant funds from KCM for the 2026-2027 Transportation Demand Management (TDM) Implementation Program; and 2) amending the 2025-2026 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by $233,743.

Andrew Singelakis, Director
Molly Johnson, Transportation Planning Assistant Director
Eric Miller, Implementation Planning Division Manager
Bradley Brashears, Transportation Demand Management Program Manager
Transportation Department

EXECUTIVE SUMMARY

ACTION	This Ordinance will authorize an agreement with KCM to accept pass-through federal funding for the city's 2026-2027 TDM program activities for worker/resident, business and student outreach. These funds will be used to promote and assist employers and property managers with commute programs at their worksites, and to administer and promote programs for transportation options to the city's workers, residents and students.

RECOMMENDATION

Move to adopt Ordinance No. 6923

BACKGROUND/ANALYSIS

Definition

TDM is defined as strategies to reduce demand on the transportation system by increasing the use of transit, carpooling, vanpooling, walking, bicycling, teleworking, flexible work hours, and compressed work weeks. TDM increases the overall efficiency of the transportation system by focusing on the movement of people, rather than vehicles. TDM staff works with the traveling public, as well as those who affect transportation choices of others (such as employers or property managers), to encourage the use of non-drive-alone transportation modes through activities such as marketing, education, assistance, and provision of incentives. TDM also encompasses programs for school students to encourage the use of active transportation, riding the bus and other modes other than being chauffeured alone.

City TDM Program Overview

The city has been engaged in TDM measures and activities since the mid-1980s, and TDM has a strong basis in policy support and longstanding practice. TDM plays a supporting role in the city's work to plan and implement a multimodal transportation system. A key program since the early 1990s has been the Commute Trip Reduction (CTR) program, based on state law and city code, and requiring employers with 100 or more employees at a worksite to implement employee commute programs,

measurement and reporting. The program is currently guided by the 2024-2033 Bellevue TDM Plan, which lays out TDM strategies including those supported by this 2026-2027 KCM funding agreement. The plan establishes interim 2033 performance targets for staying on track to achieve the 2044 mode share goals in the adopted Comprehensive Plan. Achieving these mode share goals is important for retaining mobility given the city's population and job growth anticipated by 2044.

Current TDM Work Program

Through the city's travel options brand Choose Your Way Bellevue, the 2026-2027 TDM Implementation Program will use modern techniques and updated messaging to encourage the use of transit, carpool, vanpool, walking, biking and telework. Methods include continued outreach, information provision, a trip logging/rewards program, and assisting employers and property managers to provide commute benefits and encouragement at their worksites.

Program audiences include employers and property managers who can influence their employees and tenants; individual workers and residents; and students. While teleworking has increased since the COVID-19 pandemic, many employees have hybrid work schedules and several companies have required their staff to increase their in-office work days. The program includes facilitation of transit and vanpooling for commute trips, as well as raising awareness of travel options for all local traveler audiences and trip types.

The program includes advance promotion of upcoming multimodal transportation services and infrastructure, especially Sound Transit's 2 Line completion across Lake Washington, connecting Bellevue to Seattle.

Ongoing school programs through the city program "Bellevue SchoolPool," launched in 2016 and resumed in 2021 as in-person school resumed, will also be supported through this program. Since in-person school resumed, the Bellevue SchoolPool program typically accommodates over 20 schools in both spring and fall campaigns.

Specific program strategies to increase uptake of existing and new travel options will reflect current cultural needs, as well as continue tried-and-true transportation demand management strategies, while addressing inequities among commuters and travelers, and reaching diverse audiences. They may include but not be limited to:

- Continued implementation and promotion of the Choose Your Way Bellevue travel options website and mobile app
- Consultations and assistance for employers and property managers with developing commute programs to maximize commuting alternatives to solo driving for in-office employees
- Efforts to facilitate vanpooling among hospitality workers, especially those commuting for long distances, through support of vanpool pilot programs at worksites
- Incentives such as ORCA cards for new transit riders to help individuals try non-drive-alone modes
- Operation of and incentives for the Choose Your Way Bellevue Rewards online trip logging program
- Enhanced information provision about the viability and availability of non-drive-alone modes, including transit, carpooling and active transportation

- Personalized commute planning assistance and information for individuals
- Provision of up-to-date information on new transportation mobile apps, shared mobility options, updated transit fare payment methods, and other technologies
- Ongoing program messaging through email newsletters, blogs, social media, infographics, maps and other resources
- Bellevue SchoolPool implementation, including two extensive SchoolPool campaigns per school year to encourage busing, carpooling and using active transportation to and from school at participating schools
- An ongoing emphasis on outreach to a diverse audience in order to increase program reach and provide equitable opportunities for program participation (such as program material translation and outreach at future community events that reach a diverse population)
- Exploration of audience attitudinal motivators and barriers to using non-drive-alone modes to inform program activities and maximize program results

POLICY & FISCAL IMPACTS

Policy Impact

Comprehensive Plan

The TDM Implementation Program 2026-2027 is supported by Comprehensive Plan policies TR-6, TR-7, TR-8, TR-12, and TR-15, which direct the city to coordinate with other organizations to facilitate the use of transit, carpooling, vanpooling, walking, bicycling and alternative work schedules through increasing awareness of travel options and encouraging their use through outreach and assistance. The project supports progress toward the Comprehensive Plan drive-alone mode share targets for commute trips of 30% for downtown workers, 40% for citywide residents, and 45% for citywide workers, by 2044.

Fiscal Impact

Interlocal Agreement

This action authorizes the city to execute an agreement with KCM in the amount of $607,731 to support the city's TDM Implementation Program from 2026 through an anticipated end date of December 31, 2027. The agreement includes the city's acceptance of pass-through federal Congestion Mitigation & Air Quality (CMAQ) grant funds in the amount of $467,485 and requires a city contribution of 30% or $140,246.

Funding is anticipated to be allocated evenly between 2026 and 2027. The city's 2026 contribution is fully funded in the adopted 2025-2026 Transportation Department operating budget. The estimated 2027 contribution will be included in the proposed 2027-2028 budget, subject to council appropriation.

2025-2026 Appropriation

This action increases the 2025-2026 Operating Grants, Donations and Special Reserves Fund appropriation by $233,743 to reflect the federal CMAQ grant funding anticipated to be expended in 2026.

OPTIONS

1. Adopt the Ordinance 1) authorizing execution of an Interlocal Agreement (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, which includes a contribution of $467,485 in pass-through federal grant funds from KCM for the 2026-2027 Transportation Demand Management (TDM) Implementation Program; and 2) amending the 2025-2026 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by $233,743.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

Proposed Ordinance No. 6923

AVAILABLE IN COUNCIL LIBRARY

Draft agreement with King County Metro
Bellevue Transportation Demand Management Plan 2024-2033

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6923

AN ORDINANCE 1) authorizing execution of an Interlocal Agreement (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, which includes a contribution of $467,485 in pass-through federal grant funds from KCM for the 2026-2027 Transportation Demand Management (TDM) Implementation Program; and 2) amending the 2025-2026 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by $233,743.

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

Section 1. The City Manager or his designee is authorized to execute an Interlocal Agreement (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, which includes a contribution of $467,485 in pass-through federal grant funds from KCM for the 2026-2027 Transportation Demand Management (TDM) Implementation Program; and 2) amending the 2025-2026 Operating Grants, Donations and Special Reserves Fund by increasing the appropriation by $233,743, a copy of which agreement shall be substantially in the form given Clerk's Receiving No. _____.

Section 2. The appropriate administrative officials of the City are hereby authorized to receive monies and to expend the same as authorized in said grant agreement.

Section 3. The City Manager or his designee shall have responsibility for the administration of said funds and expenditure of said funds received pursuant to said Grant Agreement and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 4. At the time of execution of said Grant Agreement and acceptance of said funds, a project shall be established within the Operating Grants, Donations and Special Reserves Fund into which all said respective monies shall be deposited.

Section 5. The approximate amount and anticipated source of revenue for said grant monies is:

Congestion Mitigation & Air Quality (CMAQ) $140,246

Section 6. Upon execution of said Grant Agreement, the budget for the 2025-2026 Operating Grants, Donations, and Special Reserve Fund, shall be amended by appropriating $140,246 to said fund.

Provided, however, if the actual revenue received from the anticipated sources specified in said Grant Agreement shall be more or less than the anticipated amount set forth herein, the appropriations shall be adjusted to be equal to the amount actually received.

Section 7. The City Manager or designee is authorized to execute a professional services contract amendment (and supplements if necessary) with King County Metro (KCM) for an agreement totaling $607,731, to accept pass-through federal funding for the city's 2026-2027 TDM program activities for worker/resident, business and student outreach, a copy of which amendment shall be substantially in the form given Clerks Receiving No. _____.

Section 8. This Ordinance shall take effect and be in force five (5) days after its passage and 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, Acting City Attorney

_____
Heather Jones, Assistant City Attorney

Attest:

_____
Charmaine Arredondo, City Clerk

Published _____

City of Bellevue

6/9/2026

CITY COUNCIL AGENDA TOPIC

Ordinance amending the hearing examiner code in chapter 3.68 of the Bellevue City Code to authorize the hearing examiner to conduct any required public hearing for real property disposition and to make improvements to clarity and implementation; providing for severability; and setting an effective date.

Charmaine Arredondo, City Clerk
City Clerk's Office

Christopher C. Cowgill, Assistant City Attorney
Trisna Tanus, City Attorney
City Attorney's Office

EXECUTIVE SUMMARY

ACTION

This ordinance amends the hearing examiner code in chapter 3.68 of the Bellevue City Code (BCC) to authorize the hearing examiner to hold any required public hearing for real property disposition and to make improvements to clarity and implementation.

RECOMMENDATION

Move to adopt Ordinance No. 6924

BACKGROUND/ANALYSIS

The office of hearing examiner is established in chapter 3.68 BCC. This chapter allows the hearing examiner to conduct administrative hearings and other proceedings with appropriate authorization via city code or ordinance.

The city regularly disposes of personal or real property. Under state law and city code, certain property dispositions, such as that of surplus utilities real property, require a public hearing so the council may receive and consider public comments prior to taking action to dispose of the property. Currently, the council conducts these required public hearings.

Staff have identified, and recommend, a process improvement related to the required public hearing for the purpose of disposing of property. This improvement opportunity is through a code amendment (Attachment A) to authorize the hearing examiner to hold the public hearing and provide a written summary of public comments for review by the council. The hearing examiner already has the expertise for conducting hearings. Having the hearing examiner perform this function related to property disposition leverages this expertise and increases efficiency, both at the council and staff levels.

In addition, as part of reviewing the hearing examiner code in developing the above code amendment, staff have found several provisions that can benefit from updates. Many parts of the code are original to the code's adoption in 1986, with only some sections updated in 2009. Thus, as part of this ordinance, staff recommend several minor amendments to make improvements to clarity and implementation of the code.

POLICY & FISCAL IMPACTS

Policy Impact
The recommended amendments will result in a more streamlined process for any required public hearing for property disposition and make improvements to clarity and implementation of the city's hearing examiner code.

Fiscal Impact
There is no fiscal impact associated with implementing these changes. While not having a direct fiscal impact, the recommended changes, if adopted, will provide operational efficiencies, streamline the process, and reduce the amount of council and staff time spent for required public hearings for property dispositions. The indirect savings will be spread across the organization.

OPTIONS

1. Move to adopt the Ordinance amending the hearing examiner code in chapter 3.68 of the Bellevue City Code to authorize the hearing examiner to conduct any required public hearing for real property disposition and to make improvements to clarity and implementation; providing for severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Chapter 3.68 BCC Redlined Strike-Draft
Proposed Ordinance No. 6924

AVAILABLE IN COUNCIL LIBRARY

N/A

3.68.200 Hearing examiner.

~~The purpose of this~~ This chapter ~~is to establish~~establishes the office of hearing examiner and the authority of the hearing examiner, which shall include:

A. ~~conducting~~Conducting administrative hearings and ~~other~~ proceedings as prescribed by this code, ~~or other~~ city ordinance, administrative orders, or other valid authorization; and

B. ~~, and to provide~~Exercising the authority of the hearing body, as designated in state law and city code for land use matters, and providing an administrative land use regulatory system ~~which will best~~to satisfy the following ~~basic needs~~:

1. ~~A.~~ The need to separate the city's land use regulatory function from its land use planning function;

2. ~~B.~~ The need to ensure and expand the principles of fairness and due process in public hearings; ~~and~~

3. ~~C.~~ The need to provide an efficient and effective land use regulatory system which integrates the public hearing and decision-making processes for land use matters; and~~.~~

4. Requirements of city code and state law.

~~**3.68.220 Office of hearing examiner.**~~

~~The hearing examiner shall exercise the authority of the hearing body, designated in Bellevue Land Use Code and Bellevue City Code for the land use matters set forth in BCC 3.68.250. Hearings held by the hearing examiner shall constitute the hearings required by state law for such land use matters. The hearing examiner shall also have any duties and related authority prescribed to the hearing examiner by this code or other city ordinance.~~

3.68.230 ~~Appointment~~Selection.

The examiner shall be ~~appointed~~ selected by the city manager~~.~~. The selection of the examiner shall be ~~appointed~~ solely with regard to qualifications for the duties of such office and the examiner shall have such training or experience as will qualify the examiner to conduct public hearings, administrative appeal hearings, civil enforcement hearings, ~~or~~ quasi-judicial hearings, or perform other authorized duties ~~on land use regulatory matters~~. The examiner shall hold no other appointive or elective public office or position in the city government except as herein provided.

~~**3.68.235 Appointment of hearing examiners pro tempore.**~~

~~The city manager may appoint one or more hearing examiners pro tempore to act in the absence of the regular hearing examiner. Such appointment shall be from qualified applicants to be recommended by the hearing examiner. Hearing examiners pro tempore, when acting in such capacity, shall have all powers and duties of the hearing examiner as prescribed in this code or elsewhere.~~

3.68.240 Hearing examiner – Conflict of interest and freedom from improper influence.

A. The examiner shall not conduct or participate in any hearing or decision in which the examiner has a direct or substantial financial interest.

B. No councilmember, city official or any other person shall attempt to influence or in any way interfere with the examiner in the performance of their designated duties.

3.68.250 Powers.

A. The examiner shall have the authority to and shall conduct public hearings, administrative appeal hearings, code enforcement hearings, and other hearings and proceedings provided by city code or state law; and prepare a record thereof; and enter written findings, and conclusions, recommendations and decisions for the following land use matters.:

1. Applications for reclassifications;

2. Applications for conditional uses;

3. Applications for conditional uses in shorelines overlay districts;

4. Applications for planned unit developments;

5. Applications for plats;

6. Appeals of administrative short plat decisions;

7. Appeals of State Environmental Policy Act threshold determinations; and

8. Any other matter designated by this code or other city ordinance.

B. The examiner's decision for land use matters shall be based upon the policies of the comprehensive plan, Shorelines Management Act, State Environmental Policy Act, any applicable state law, the standards set forth in the various land use regulatory codes of the city, or any other applicable program adopted by the city council. The examiner may attach reasonable conditions found that the examiner finds necessary to make a project compatible with its environment and to carry out the requirements, goals and policies of the city's comprehensive plan, shoreline master program or other applicable laws, codes, plans or programs adopted by the city council.

Such conditions may include but are not limited to the following:

1. Exact location and nature of development, including additional building and parking area setbacks, screenings in the form of landscaped berms, landscaping, or fencing;:
2. Impact of the development upon other lands;
3. Hours of use of operation or type and intensity of activities;
4. Sequence and scheduling of development;
5. Maintenance of the development;
6. Duration of use and subsequent removal of structures;

7. Granting of easements for utilities or other purposes and dedication of land or other provisions for public facilities, the need for which the examiner finds would be generated in whole or in significant part by the proposed development;

8. Mitigation of any adverse environmental impacts; and

9. Provisions which would bring the proposal into compliance with the comprehensive plan policy.

C. The examiner shall have the authority to fix the dates and conduct public hearings required by city code or state law, including but not limited to, for the purpose of taking public comment on the sale or disposition of personal or real property. The hearing examiner shall provide a written summary of public comments submitted orally or in writing for review by the city council. The hearing examiner shall not provide any recommendations or render any decisions related to the subject of these hearings. The summary of the hearing examiner shall be final, and no portion thereof shall be subject to appeal.

D. The examiner shall have the authority to and shall conduct public hearings and prepare a record thereof, and, as needed, enter written findings and conclusions, recommendations or decisions for the following employment related matters:

1. Appeals of significant disciplinary actions and/or involuntary separation, consistent with city policy;

2. Employee grievances or grievance appeals consistent with this code and with city policy;

3. Appeals of wage overpayment determinations as provided by RCW 49.48.210; and

4. Any other matter designated or required by this code, city ordinance, or other applicable law.

~~C. The examiner shall have any duties and related authority prescribed to the hearing examiner by this code or other city ordinance.~~

E~~D~~. In connection with code enforcement hearings before the examiner pursuant to chapter 1.18 BCC, the examiner may retain authority to oversee, enforce, or modify issued orders or rulings as long as the matter remains within the examiner's jurisdiction and circumstances warrant continued oversight to facilitate compliance with the examiner order or ruling.

F. The examiner shall have the power to prescribe rules and regulations concerning procedures for hearings and other proceedings authorized herein, ~~subject to confirmation by the city council,~~ to issue summons for and compel the appearance of witnesses, to administer oaths and to preserve order. The privilege of cross-examination of witnesses shall be accorded all interested parties or their counsel in accordance with rules of the examiner.

3.68.255 Hearings under Chapter 35.72 RCW, Contracts for Street Projects.

The examiner shall have the authority to and shall conduct public hearings and prepare a record thereof, and enter written findings and conclusions, and make a recommendation to the city council whenever a property owner requests a hearing under RCW 35.72.040 regarding assessment reimbursement contracts.

3.68.260 Procedures.

The procedures of BCC 20.35.100 et seq., BCC 20.35.200 et seq., or BCC 20.35.300 et seq., as applicable, will apply to the land use matters heard by the examiner.

3.68.270 Payment of cost of transcription of verbatim written transcript.

Whenever the city is required to prepare a verbatim written transcript of any proceedings of the city in response to a writ of review or other action filed in the superior court or any other state or federal court the cost of preparing the same shall be borne by the party filing the action. Within 10 days of the service of such writ of review or other action on the city, the city clerk shall notify the party filing the action that it will be necessary for the city to prepare a verbatim written transcript of the proceedings involved. In such notice, the city clerk shall state the date and subject matter of the public meeting(s) and/or hearing(s) involved and the estimated cost of the preparation of the transcript, including copying costs. Within 10 days of the receipt of such notification, the party filing such action shall pay said estimated cost to the city clerk and the city clerk shall thereafter make provision for the preparation of the transcript.

Should the actual cost incurred by the city in preparation of the transcript exceed the amount deposited with the city clerk, the party making such deposit shall be required to reimburse the city for such additional amount within 10 days of notification that such amount is due. Should the actual cost incurred by the city be less than the estimated cost deposited, such credit due shall be reimbursed by the city to the party making the deposit.

If transcripts have previously been prepared by the city clerk as provided for under Resolution No. 5097 with regard to appeals to the city council, then there shall be no additional charge to the party filing the action, except for copying costs, and such previously prepared transcripts shall be filed with the court by the city at no additional expense to the party appealing, except for copying costs.

Any party filing an action may request waiver of the payment of cost of transcription in accordance with the requirements set forth in Section 4 of Resolution No. 5097.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6924

AN ORDINANCE amending the hearing examiner code in chapter 3.68 of the Bellevue City Code to authorize the hearing examiner to conduct any required public hearing for real property disposition and to make improvements to clarity and implementation; providing for severability; and setting an effective date.

WHEREAS, the office of the hearing examiner is established in chapter 3.68 of the Bellevue City Code (BCC) to conduct administrative hearings and other proceedings; and

WHEREAS, under state law and city code, certain real property dispositions require a public hearing in order to receive and consider public comments prior to any disposition; and

WHEREAS, when required, the city council currently conducts the public hearing, which can create project delays and utilizes significant city council and staff resources; and

WHEREAS, the hearing examiner has expertise in conducting administrative hearings; and

WHEREAS, having the hearing examiner conduct the required public hearing for real property dispositions will increase efficiency; and

WHEREAS, many parts of the current chapter 3.68 BCC are original to its adoption in 1986, with only some sections updated in 2009; and

WHEREAS, updating chapter 3.68 BCC are necessary to improve clarity and implementation of this chapter; and

WHEREAS, amending chapter 3.68 BCC to enable the hearing examiner to conduct any required public hearing for real property disposition and to make improvement updates will result in operations efficiencies and streamline city processes; and now, therefore,

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

Section 1. Section 3.68.200 of the Bellevue City Code is hereby amended to read as follows:

3.68.200 Hearing examiner.

This chapter establishes the office of hearing examiner and the authority of the hearing examiner, which shall include:

A. Conducting administrative hearings and proceedings as prescribed by this code, city ordinance, administrative orders, or other valid authorization; and

B. Exercising the authority of the hearing body, as designated in state law and city code for land use matters, and providing an administrative land use regulatory system to satisfy the following:

1. The need to separate the city's land use regulatory function from its land use planning function;

2. The need to ensure and expand the principles of fairness and due process in public hearings;

3. The need to provide an efficient and effective land use regulatory system which integrates the public hearing and decision-making processes for land use matters; and

4. Requirements of city code and state law.

Section 2. Section 3.68.220 of the Bellevue City Code is hereby repealed in its entirety.

Section 3. Section 3.68.230 of the Bellevue City Code is hereby amended to read as follows:

3.68.230 Selection.

The examiner shall be selected by the city manager. The selection of the examiner shall be solely with regard to qualifications for the duties of such office and the examiner shall have such training or experience as will qualify the examiner to conduct public hearings, administrative appeal hearings, civil enforcement hearings, quasi-judicial hearings, or perform other authorized duties. The examiner shall hold no other appointive or elective public office or position in the city government except as herein provided.

Section 4. Section 3.68.235 of the Bellevue City Code is hereby repealed in its entirety.

Section 5. Section 3.68.250 of the Bellevue City Code is hereby amended to

read as follows:

3.68.250 Powers.

A. The examiner shall have the authority to and shall conduct public hearings, administrative appeal hearings, code enforcement hearings, and other hearings and proceedings provided by city code or state law; prepare a record thereof; and enter written findings, conclusions, recommendations and decisions.

B. The examiner's decision for land use matters shall be based upon the policies of the comprehensive plan, Shoreline Management Act, State Environmental Policy Act, any applicable state law, the standards set forth in the various land use regulatory codes of the city, or any other applicable program adopted by the city council. The examiner may attach reasonable conditions that the examiner finds necessary to make a project compatible with its environment and to carry out the requirements, goals and policies of applicable laws, codes, plans or programs adopted by the city council.

Such conditions may include but are not limited to the following:

1. Exact location and nature of development, including additional building and parking area setbacks, screenings in the form of landscaped berms, landscaping, or fencing;

2. Impact of the development upon other lands;

3. Hours of use of operation or type and intensity of activities;

4. Sequence and scheduling of development;

5. Maintenance of the development;

6. Duration of use and subsequent removal of structures;

7. Granting of easements for utilities or other purposes and dedication of land or other provisions for public facilities, the need for which the examiner finds would be generated in whole or in significant part by the proposed development;

8. Mitigation of any adverse environmental impacts; and

9. Provisions which would bring the proposal into compliance with the comprehensive plan policy.

C. The examiner shall have the authority to fix the dates and conduct public hearings required by city code or state law, including but not limited to, for the purpose of taking public comment on the sale or disposition of personal or real property. The hearing examiner shall provide a written summary of public comments submitted orally or in writing for review by the city council. The hearing examiner shall not provide any recommendations or render any decisions related to the subject of these hearings. The summary of the hearing examiner shall be final, and no portion thereof shall be subject to appeal.

D. The examiner shall have the authority to and shall conduct public hearings and prepare a record thereof, and, as needed, enter written findings and conclusions, recommendations or decisions for the following employment related matters:

1. Appeals of significant disciplinary actions and/or involuntary separation, consistent with city policy;

2. Employee grievances or grievance appeals consistent with this code and with city policy;

3. Appeals of wage overpayment determinations as provided by RCW 49.48.210; and

4. Any other matter designated or required by this code, city ordinance, or other applicable law.

E. In connection with code enforcement hearings before the examiner pursuant to chapter 1.18 BCC, the examiner may retain authority to oversee, enforce, or modify issued orders or rulings as long as the matter remains within the examiner's jurisdiction and circumstances warrant continued oversight to facilitate compliance with the examiner order or ruling.

F. The examiner shall have the power to prescribe rules and regulations concerning procedures for hearings and other proceedings authorized herein, to issue summons for and compel the appearance of witnesses, to administer oaths and to preserve order. The privilege of cross-examination of witnesses shall be accorded all interested parties or their counsel in accordance with rules of the examiner.

Section 6. Should any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application or the provision to other person or circumstance shall not be affected.

Section 7. This ordinance shall take effect and be in force thirty (30) days after its passage and 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

_____
Christopher C. Cowgill, Assistant City Attorney

Attest:

_____
Charmaine Arredondo, City Clerk

Published_____

City of Bellevue

6/9/2026

CITY COUNCIL AGENDA TOPIC

Resolution adopting the City of Bellevue 2027-2032 Transportation Improvement Program.

Andrew Singelakis, Director
Molly Johnson, Transportation Planning Assistant Director
Eric Miller, Implementation Planning Manager
Kristi Oosterveen, Capital Facilities Planning and Programming Manager
Transportation Department

EXECUTIVE SUMMARY

ACTION

State law (RCW 35.77.010) requires all local jurisdictions to annually adopt a six-year program of transportation improvements, known as the Local Transportation Improvement Program (TIP), by the end of June each year. Failure to adopt an updated Local TIP before July 1 would cause the city to be out of compliance with state law and potentially jeopardize the city's ability to seek grant funding for transportation projects.

On May 14, the Transportation Commission hosted a public hearing and recommended adoption of the proposed 2027-2032 Local TIP. This Resolution will adopt the City of Bellevue 2027-2032 TIP.

RECOMMENDATION

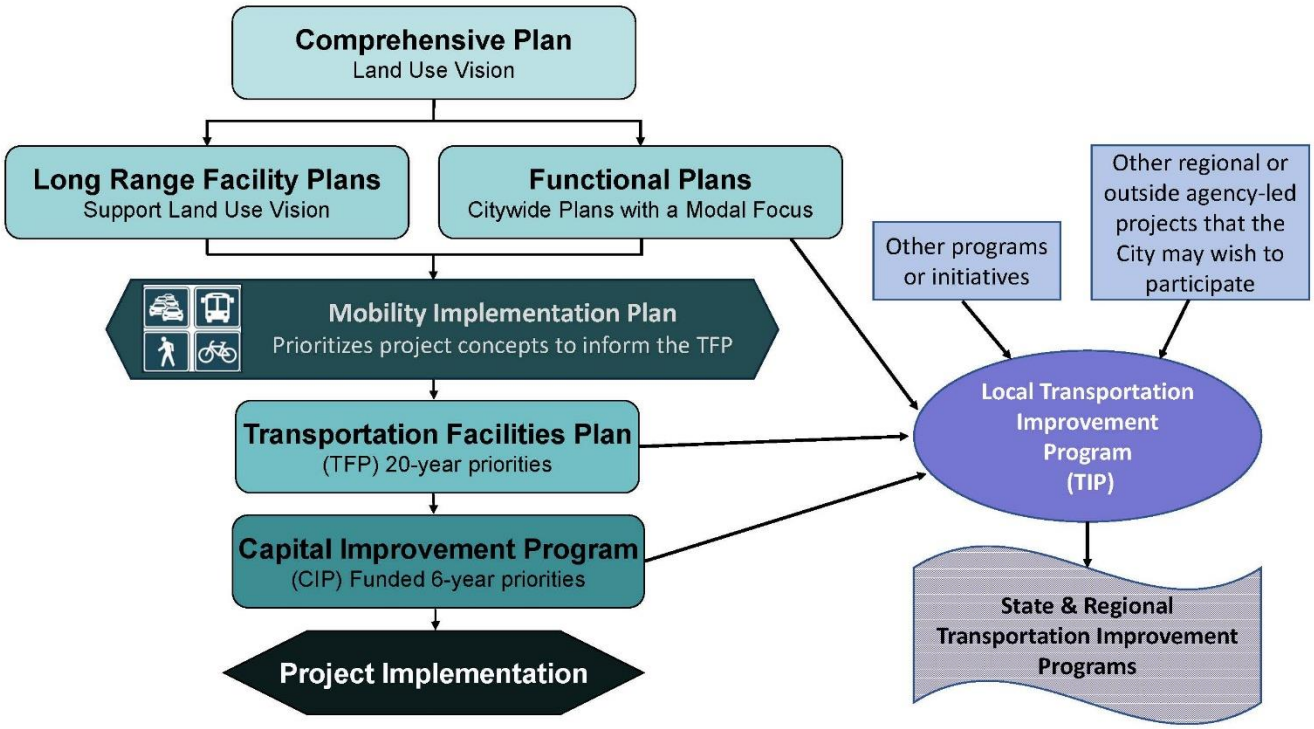
Move to adopt Resolution No. 10642

BACKGROUND/ANALYSIS

<u>Local TIPs are not revenue constrained.</u> In most instances, projects must be included on a Local TIP to be eligible for state and federal grant programs.

The six-year Local TIP serves as an inventory of projects and a preliminary work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act. The Washington State Department of Transportation (WSDOT) and Puget Sound Regional Council (PSRC) use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies. PSRC monitors Local TIPs for projects of regional significance (to be modeled for air quality conformity) and projects supported by federal funds. These projects are incorporated into the Regional TIP, which is then forwarded for inclusion in the State TIP. In most instances, projects must be included on a Local TIP to be eligible for state and federal grant programs. Council adopted the current 2026-2031 Local TIP at its June 3, 2025 meeting (Resolution No. 10514).

The diagram below depicts the relationship between Bellevue's Local TIP and the city's multi-phased transportation planning and capital programming process, including the Capital Improvement Plan (CIP) and Transportation Facilities Plan (TFP).



Boxes on the left depict the stages of transportation project development, from policy development and planning to project prioritization, funding, and implementation.

Transportation Facilities Plan (TFP)

The highest priority projects identified in sub-area, long-range facility and functional plans are included in the citywide 20-year TFP, a financially constrained plan, after a prioritization using the Mobility Implementation Plan's framework to vet project concepts. Roadway vehicular capacity projects in the TFP also form the basis for Transportation Impact Fee Program and calculations.

TFP projects are prioritized again, along with other projects – scoped to address emerging operational, safety and maintenance needs identified by city staff, the public or other sources – before implementation funding is allocated in the 6-year Capital Improvement Program (CIP) Plan.

Transportation Improvement Program (TIP)

Because **Local TIPs are not revenue constrained**, jurisdictions can include projects they would choose to implement within the timeframe if funding were available. Attached is the recommended City of Bellevue 2027-2032 Local TIP which is comprised primarily of a project list. The comprehensive list includes four sections of projects:

- Section I. TIP Reference Nos. 1-42a: Uncompleted projects included in the Adopted 2025-2030 Capital Improvement Program Plan – full or partial funding secured;
- Section II. TIP Reference Nos. 43-82: Unfunded projects included in the Adopted 2026-2045 Transportation Facilities Plan (TFP);

- Section III. TIP Reference Nos. 83-108: Other unfunded local projects identified and scoped by completed Alternative Analyses and Planning or Pre-design Studies; and,
- Section IV. TIP Reference Nos. 109-113: Regional or Outside Agency-led projects in which the city may choose to participate financially.

There are 12 new projects recommended to be added to the TIP as follows:

- One (TIP No. 35) is a project assumed to be finished prior to the current 2026-2031 TIP that is still active and being considered for grant funding.
- Seven (TIP Nos. 5a, 5b, 16b, 31a, 33a, 33b and 42a) are new subprojects within an existing program or project in the Capital Improvement Program (CIP). These projects would be added to Section I of the TIP;
- One (TIP No. 66) is a new project in the 2026-2045 Transportation Facilities Plan (TFP). This project would be added to Section II of the TIP;
- Three (TIP Nos. 106, 107 and 108) are new projects related to the Intersection, Pedestrian and Bicycle performance gaps identified in the Mobility Implementation Plan (MIP). These projects will be added to Section III of the TIP.

30 projects are recommended to be removed from the current 2026-2031 TIP as they will be substantially completed by the end of 2026 or have been superseded by another project or process.

The project costs listed in the “Project Funding Categories” columns of the attachment represent, in most cases, the actual level of funding budgeted or estimated to be needed by the city during the six-year timeframe of the Local TIP. Exceptions to this method are the placeholder figures utilized for the costs associated with several TIP projects including TIP Reference Nos. 32 (Neighborhood Sidewalk Program), 83 (Transportation Demand Management Program) and all projects in Section IV (109-113); (Regional or Outside Agency-Led Projects in which the city may choose to participate financially). These figures provide general placeholders for currently unsecured funding necessary to advance implementation of these broader plans and projects. Because the Local TIP is not revenue constrained, project costs are given one of two designations:

- Secured Funding. Projects with secured funding have local or other sources of funding dedicated to support full or partial project implementation.
- Unsecured Funding. This designation reflects the portion of project costs that have no dedicated source of funding. Projects with unsecured funding at any level are included on the list for planning purposes, should funding become available within the six-year timeframe.

TIP Public Hearing before the Transportation Commission

A Public Hearing on the recommended City of Bellevue 2027-2032 TIP was held as part of the Transportation Commission’s May 14 meeting. No written communication was received. Two people spoke during public testimony. One commended Commission and staff for the work they had done and were in support of TIP No. 106 addressing the Mobility Implementation Plan’s Intersection Performance gaps and the other encouraging the Commission to help create transit connections in neighborhoods that connect to the new light rail stations. Staff addressed the transit connections question during the TIP presentation. After public testimony and thorough discussion, the Transportation Commission

approved the recommended TIP project list.

Transportation Commission Recommendation
By unanimous vote at their May 14 meeting, and as further described in the attached transmittal memorandum, the Transportation Commission recommends Council adoption of the attached City of Bellevue 2027-2032 Transportation Improvement Program.

POLICY & FISCAL IMPACTS

Policy Impact
State law:
RCW 35.77.010 mandates that all local jurisdictions annually adopt and submit to the state a six-year program of transportation improvements, known as the Local TIP.

Comprehensive Plan:
Adopting the annual TIP directly supports Comprehensive Plan Policy TR-123 to "Leverage local funding to seek and secure state and federal funds for transportation capital, maintenance, and operations." To be eligible to seek federal and state funding, the city must comply with state law and adopt an annual TIP.

Fiscal Impact
There is no direct fiscal impact of adopting the 2027-2032 Transportation Improvement Program. However, it is often a pre-requisite that projects be listed on an approved TIP to become eligible for federal and state grant funding programs.

OPTIONS

1. Adopt the Resolution adopting the City of Bellevue 2027-2032 Transportation Improvement Program.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

A. Recommended City of Bellevue 2027-2032 Transportation Improvement Program plan
B. Transportation Commission Recommendation Memorandum
Proposed Resolution No. 10642

AVAILABLE IN COUNCIL LIBRARY

N/A

City of Bellevue
Recommended 2027-2032
Transportation Improvement Program

Draft for Council Review - June 9, 2026

Table of Contents

Introduction: City of Bellevue Transportation Improvement Program **1**

Recommended City of Bellevue 2027-2032 Transportation Improvement Program Project List **3**

Maps **17**

Recommended 2027-2032 Transportation Improvement Program Projects– 2025-2030 CIP 18

Recommended 2027-2032 Transportation Improvement Program Projects – 2026-2045 TFP 19

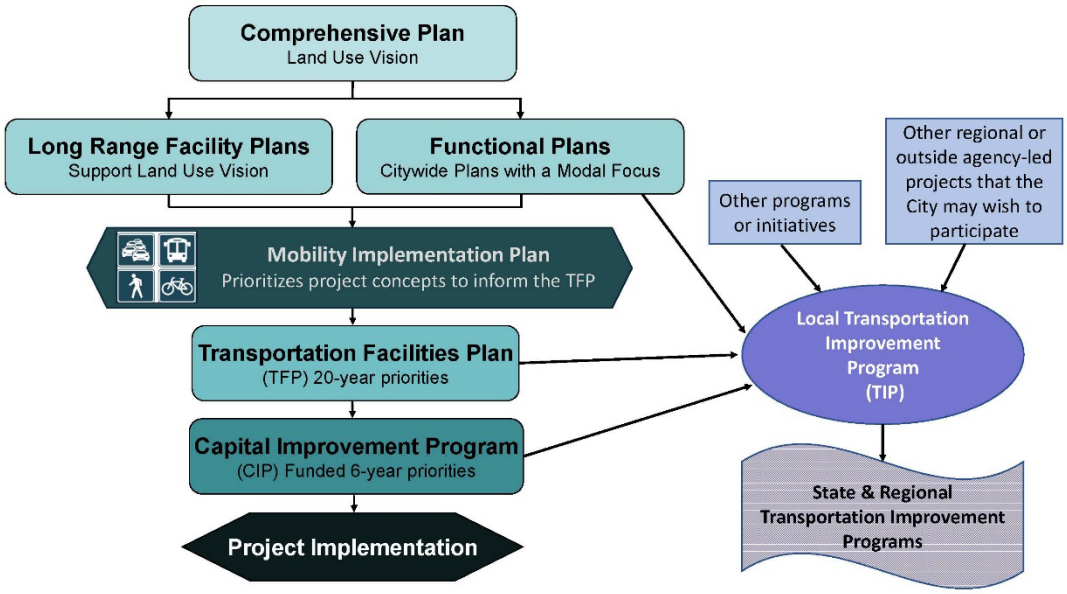
Recommended 2027-2032 Transportation Improvement Program Projects – Other Unfunded Local Projects and Regional/Non-Local Projects 20

Recommended 2027-2032 Transportation Improvement Program Projects 21

Title VI Assurances **23**

Introduction: City of Bellevue
Transportation Improvement Program

The diagram below depicts the relationship between Bellevue's Local TIP and the multi-phased transportation planning and capital programming process.



Boxes on the left depict the stages of transportation project development, from policy development and planning to project prioritization, funding and implementation.

The highest priority projects identified in sub-area long-range facility and functional plans are included in the citywide 20-year Transportation Facilities Plan (TFP), a financially constrained plan, after prioritization of concepts using the Mobility Implementation Plan's framework to vet out project concepts. Projects in the TFP form the basis for Transportation Impact Fee calculations and a citywide environmental analysis of projected land use and traffic growth, which is used in the City's development review procedures.

TFP projects are prioritized again, along with other projects – scoped to address emerging operational, safety and maintenance needs identified by City staff, the public or other sources – before implementation funding is allocated in the 6-year Capital Improvement Program (CIP) Plan.

The Local TIPs are not revenue constrained, so it may include projects from both the CIP and TFP as well as other projects the City would like to implement in a six-year timeframe, if funding were available.

The primary importance of the TIP is that, in most cases, local projects must be included in the TIP to be eligible for state and federal grant programs.

The Washington State Department of Transportation and Puget Sound Regional Council use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies.

Projects for the recommended 2027-2032 TIP are divided into four categories represented by the following colors.

Section I	Projects Included in the Adopted 2025-2030 Capital Improvement Program (CIP) Plan - Full or Partial Funding Secured
Section II	Unfunded Projects included in the Adopted 2026-2045 Transportation Facilities Plan (TFP)
Section III	Other unfunded local projects identified and scoped by completed Alternative Analyses and Planning or Pre-design Studies
Section IV	Other regional or outside agency-led projects in which the City may choose to participate financially

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
Uncompleted Projects Included in the Adopted 2025-2030 Capital Improvement Program (CIP) Plan - Full or Partial Funding Secured									
1	M-7	TFP-P4	Neighborhood Traffic Safety Program	Provide minor capital improvements for neighborhood traffic calming/safety improvements projects (e.g., speed humps, traffic circles, radar signs, turn restrictions, etc.) that change driver behavior and reduce excessive vehicle speeds, discourage motorists from cutting through neighborhoods and enhance pedestrian/bicycle safety. It also provides educational programs to encourage safe driving and best practices for staying safe walking and biking. Projects are funded to address the critical issues at prioritized locations across the city and support citywide initiatives such as Vision Zero. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)	3,000	3,049		3,049	6,049
2	M-19	TFP-P5	Transportation Infrastructure Reconstruction	Inventory and prioritize needs for the rehabilitation, reconstruction, or replacement of significant transportation system components within the right-of-way. This program addresses high priority capital replacement and reconstruction needs including but not limited to, the repair, rehabilitation, or replacement of roadways, walkways, trails, retaining walls, rockeries, safety railings, City-owned fences, traffic signals and lighting systems. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)	10,000	11,210		11,210	21,210
3	M-20	TFP-P6	Minor Capital - Signals & Lighting	Provide minor capital transportation improvements to the traffic signal and street lighting related projects that are beyond the scope of the operating budget but too small for individual CIP projects. Typical projects funded include new traffic signals; traffic signal upgrades including new signal phases and displays for increased efficiency and safety; pedestrian signal upgrades at traffic signals; roadway signage and channelization upgrades near traffic signals; new or revised street lighting including the systematic upgrade to light emitting diode (LED) street lights; upgrade of Emergency Vehicle Preemption technology to a Global Positioning System (GPS) technology base; and communication upgrades including fiber optic cables for broadband communications. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)		3,499		3,499	3,499
4	M-23	TFP-291	143rd Place NE/ NE 20th Street to Bel-Red Road/NE 20th Place signal	This project will install a new traffic signal, eastbound to northbound left turn pocket and pedestrian crossing at the existing Bel-Red Road and NE 20th Place intersection. The existing pedestrian crossing signal on Bel-Red Road just to the west will be removed. A new road connection (142nd Avenue NE) would also be constructed from the terminus of NE 20th Place to the southern terminus of 142nd Avenue NE being constructed by private development. This project will also fund a design study for access management updates on NE 20th Street between 140th Avenue NE and 148th Avenue NE given the establishment of the new 142nd Avenue NE from NE 20th Street southward.	2,950	6,250		6,250	9,200
5	R-46	TFP-P7	Traffic Safety Implementation Program	Construct capital transportation improvements throughout the City to address mobility operation issues and concerns. Typical projects include new crosswalk installations, sign upgrades, channelization improvements, access management improvements, new bike lanes, bicycle wayfinding signage, and sidewalk and new curb ramp installations. This program implements pilot projects using new, innovative traffic control devices and evaluates their effectiveness as well as funds projects to bring existing City infrastructure up to current engineering standards. This program often provides matching funds to grant-funded projects to improve pedestrian and bicycle mobility while observing ADA requirements. Projects funded by this program are often identified through resident identified safety concerns, the Collision Reduction Program, the Crosswalk Management Program, Road Safety Audits or the Mobility Implementation Plan. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)	3,000	1,959	2,420	4,379	7,379
5a			Citywide Speed Management Project	This project will install thirteen speed radar feedback signs (all supporting future speed camera installations) and 59 rows of speed cushions along nine corridors.	3,600			0	3,600
5b			Citywide Intersection Safety Project	This project will construct improvements at 50 intersections, upgrading 60 crosswalks with high visibility markings, adding 40 intersection green bike lane crossings and implementing real-time signal safety interventions (RTSSI) at 10 intersections.	2,500			0	2,500

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
6	R-156	TFP-P8	Smart Mobility Plan Implementation Program	Systematically implement the recommendations of the City's Smart Mobility Master Plan (2018). The funding provides the resources to plan and implement Smart Mobility technology in 5 areas: share-user mobility; data management & integration; autonomous, connected electric vehicles; real-time traveler information & traffic management. Projects will be selected to provide cost effective measures to manage traffic congestion, improve safety, limit impact to neighborhoods from cut-through traffic and increase the availability of real-time traffic information to user of the transportation systems. Repairs, upgrades & new installations of the citywide fiber optic network are partially funded through R-156. This network supports the communication to every traffic signal in the city, every facility owned by the City of Bellevue, public WiFi, WiFi for low income housing and a consortium of public/private partners.	3,000	3,599		3,599	6,599
6a	R-156		Safer Signals Program - Real-Time Traffic Signal Safety Interventions (RTSSI)	Bellevue's Safer Signals Program Real-Time Traffic Signal Safety Interventions (RTSSI) integrates intelligent sensor-based infrastructure with smart technology traffic signals to improve safety for all modes at signalized intersections. In 2025-2026, the program prototyped the use of intelligent sensors, video analytics, deep learning, and edge computing within the majority-minority neighborhood of Crossroads to proactively detect safety risks for vulnerable road users (VRUs) and apply real-time traffic signal safety countermeasures. This program will implement the technology in signal systems throughout the city, likely in a phased approach focusing first in neighborhoods or roadway corridors with the highest levels of pedestrian and bicycle activity.	11,000		1,427	1,427	12,427
7	R-182	TFP-P10	Downtown Transportation Plan/Exceptional Light Rail Station Access	This program implements the Downtown Transportation Plan (DTP) with projects to improve mobility options for people traveling to, from, and within Downtown Bellevue. Significant emphasis is given to projects that provide exceptional pedestrian and bicycle access near the Downtown light rail stations and along the Grand Connection. DTP identifies intersections that merit "Enhanced" or "Exceptional" treatment to safely and comfortably accommodate people walking. Also, DTP identifies locations and priorities for new at-grade mid-block crossings at high-demand locations between signalized intersections. Mid-block crossing projects are supported by these CIP resources, typically in partnership with other city programs and the private sector.	6,275	3,725		3,725	10,000
8	R-184	TFP-242	Bellevue Way HOV lane	This project will design and acquire right of way for phase one of Bellevue Way SE, which will construct a new inside southbound HOV lane and a planter at the base of a retaining wall from the Winter's House to the future South Bellevue light rail station. It would connect to the section of Bellevue Way, including an HOV lane that extends to I-90, which will be built by Sound Transit. The design phase will include a public engagement process to help ensure the informed consent of the local community and other stakeholders in the Bellevue Way SE corridor as well as completion of environmental documentation. Future project implementation includes construction of phase one and design, right of way acquisition and construction of phase two, which extends the southbound HOV lane from the Winter's House to 108th Avenue SE and approximately 400 feet along 112th Avenue SE to the north.	29,444	2,463		2,463	31,907
9	R-186	TFP-260	120th Avenue NE (Stage 4)/NE 16th Street to Northup Way	This project will widen 120th Avenue NE between NE 16th Street and Northup Way. The existing two-lane roadway will be widened to four lanes between NE 16th Street and the future NE 18th Street to include one northbound lane, two southbound lanes, and a center two-way left-turn lane. From the future NE 18th Street to Northup Way, the widening will consist of one northbound lane, one southbound lane and a center lane that will be channelized as a two-way left-turn lane or a center median depending on the land use and will be utilized as a left-turn pocket at the intersections. The project will add new roadside planters along the full length of the project that separate vehicle traffic from bicycle lanes and sidewalks. The project will also provide illumination, pedestrian crossings, a modified traffic signal system at the Northup Way intersection, intelligent transportation systems, signing, irrigation, and landscaping improvements. This project will install stormwater drainage, flow control and water quality facilities, reconstruct and relocate underground utilities, and realign and improve an existing culvert crossing to provide a new fish and wildlife passable roadway crossing structure. Construction of this project may be phased.	45,437	9,867	5,276	15,143	60,580
10	R-193	TFP-320	BelRed Corridor Local Street Network	This project will fund the planning and preliminary engineering necessary so street right-of-way needs can be documented for each BelRed Corridor parcel or group of parcels at the time of development. Funding is also included for the City to proactively pursue and acquire property for local streets at challenging locations to better ensure a complete street grid is ultimately completed. Challenges include property lines that do not align with the proposed street grid, topography concerns, smaller properties where street dedications affect development potential, and portions of the street grid that would be initially "land locked" until some future date that adjacent properties are developed. This project may also be used to deposit funds obtained from developers that are required to construct portions of the local street grid, but where that construction is not feasible at the time of development due the challenges outlined above.		4,513		4,513	4,513

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
11	R-194	TFP-257	West Lake Sammamish Parkway/"South Central" segment; SE 34th Street to SE 1800 block (phase 3)	The project will develop engineering plans, acquire necessary right of way, and construct the third phase of the West Lake Sammamish Parkway corridor improvements (of five anticipated phases). Project funding and the design process will confirm Phase 3 location between SE 34th Street and the SE 1800 block (estimated). The ultimate corridor improvement project is intended to provide a consistent 4-foot shoulder on the east side, a 10.5-foot northbound vehicle travel lane, a 10-foot wide southbound vehicle travel lane, a primarily 10-foot wide multi-purpose trail, and a 2-foot or 5-foot wide landscape buffer where space where feasible. A new traffic signal at SE 34th St will be evaluated as part of this project. As with previous phases of this project, partnership and collaboration with COB Utilities is anticipated to include repair or replacement of aging water and sewer infrastructure bundled in a single contract.	1,000	12,500		12,500	13,500
12	R-198		Neighborhood Congestion Management (Levy)	The Transportation Department has a backlog of neighborhood safety, connectivity and congestion management needs. Utilizing 2016 Neighborhood Safety, Connectivity and Congestion Management levy funds, this project specifically addresses Council funding guidance for $2 million annually to help address the neighborhood congestion management issues by progressing pre-design/design work on congestion management projects to identify best project scope and costing for future project implementation funding. - Reduce neighborhood congestion: Projects to address and ease congestion for motor vehicles within, near and/or connecting neighborhoods to services to improve access and mobility.		12,000		12,000	12,000
13	R-199		Neighborhood Safety & Connectivity (Levy)	The Transportation Department has a backlog of neighborhood safety, connectivity, sidewalk, bicycle, technology, and maintenance needs. This fund will help address the backlog projects and prioritized new projects in the following categories: - Neighborhood safety projects: Provide traffic calming, reduce speed and non-local traffic, reduce potential for collisions in neighborhoods and around schools, add mid-block crossings and other crosswalks with enhanced safety features such as flashing lights and other projects. - New sidewalks/trails/paths: Add sidewalks and paths to provide walking access to connect neighborhoods and to provide safe walks to schools, parks, shopping and destinations. - Technology for safety and traffic management: Improve city's capability to implement technology that improves safety, traffic flow, traveler information and other emergeing technology, such as autonomous vehicles. - Enhance maintenance: Repairs and improvements to existing transportation facilities with outstanding maintenance needs such as sidewalk, trails, slopes, walls, poles, lighting, wiring and street cleaning; and - New bike facilities: Add facilities to create a safe and connected bike network for commuting, recreation and family activities.		49,068		49,068	49,068
14	R-200		Neighborhood Congestion Management Project Implementation	This project will complete design and fund construction of neighborhood congestion projects that address and ease congestion for motor vehicles within, near and/or connecting neighborhoods to services to improve access and mobility. (Elements of this program will leverage funds from CIP Plan PW-R-198)	9,480			0	9,480
14a	R-200	TFP-276	Lake Hills Connector/SE 8th St	This project will add a second northbound left turn pocket to increase the queuing space for this movement and will convert the existing dedicated eastbound left turn lane to a westbound through lane to receive traffic from the new northbound left turn pocket.		6,250		6,250	6,250
14b	R-200	TFP-278	148th Avenue SE - Kelsey Creek Shopping Center	This project will improve intersection delay at 148th Ave SE/Main St. and access to and from the shopping center from 148th Avenue SE by adding a new traffic signal and a southbound left turn lane accessing the south driveway and a left turn lane accessing southbound 148th Avenue SE from the driveway.		3,901		3,901	3,901
14c	R-200	TFP-263	148th Avenue NE/NE 8th Street	This project will widen all four approaches to provide a second left turn pocket serving each direction.	10,050			0	10,050
14d	R-200	TFP-273	Lakemont Blvd / Forest Dr	Install a new traffic signal and widen Lakemont Blvd for a northbound to westbound left turn lane.	7,203			0	7,203
14e	R-200	TFP-288	Lakemont Blvd/Newport Way SE	Un-split the southbound and northbound traffic signal phasing by changing the center lane on the southbound approach to a dedicated left turn lane instead of a shared left/through lane.	4,250			0	4,250
14f	R-200	TFP-289	Lake Washington Blvd/SE 60th St	Replace existing offset four way stop with a traffic signal that improves the east-west alignment into the intersection.	2,678			0	2,678
15	R-201	TFP-252	Bellevue College Connection: Kelsey Creek Rd/Snoqualmie River Rd/142nd Place SE from 145th Place SE to SE 36th Street	Reconstruct the roadway to support frequent transit bus-service, construct sidewalks and accessible bus stops and modify the 142nd Place SE/SE 32nd Street intersection. Included is a separated off-street path connecting 145th Place SE bike lanes to the Mountains to Sound Greenway Trail. Also included is weather protection on 142nd Pl SE for transit users, pedestrians and bicyclists. A Bellevue College Transit Center will be developed along the corridor. The project would likely be implemented in partnership with Bellevue College and other agencies. The funding allocation will advance the design in partnership with potential project partners.	19,642	1,933	2,125	4,058	23,700

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
16	R-205	TFP-P8	Vision Zero Rapid Build Data Driven Safety Program	This Vision Zero program funds the first phase of data driven rapid build road safety projects along this High Injury Network (HIN). Based on a comprehensive review of citywide crash data, five major streets have been initially identified among the HIN corridors to advance in this proposal: NE 8th St east of downtown, Factoria Blvd, Bellevue Way south of downtown, Bel-Red Rd in the Overlake area, and 116th Ave NE in the Wilburton area. Funding will implement safety countermeasures such as radar feedback signs, pedestrian crossings, left turn pockets, restricted turn movements, medians, and other elements that produce improved safety outcomes. Staff will conduct before/after assessments of these projects to inform future safety investments and support Vision Zero performance monitoring.	15,000	10,078	2,185	12,263	27,263
16a	R-205		Bellevue Safe Access for Everyone (BSAFE)	Conduct supplemental planning activities including road safety audits, speed studies, developing a separated bike lane design guide, and creating speed safety camera procedures. The City will additionally conduct demonstration activities testing approaches for protected turn phasing for pedestrians, daptive pedestrian signal controls, aesthetically treated crosswalks, and cellular vehicle-to-everything technologies.		697	2,788	3,485	3,485
16b	R-205		Vision Zero Implementation	Implement Safe System projects to address the leading contributors to fatal and serious injury crashes on city streets, including speeding, intersection-related crashes, and risks to people walking and biking, as identified in the City's 2026 Local Road Safety Plan. The projects will implement systemic, data-informed improvements to enhance safety across Bellevue's streets and intersections using proven and innovative countermeasures. Representative projects include high-visibility crosswalks, bicycle lanes, speed cushions, traffic calming measures, speed feedback signs, and real time signal safety intersection safety improvements.	40,000	0		0	40,000
17	R-207	TFP-274	114th Avenue SE and SE 8th Street	This project will widen the intersection to add a second southbound left turn lane and dedicated space for bicycles in the northbound and southbound directions.		4,995		4,995	4,995
18	R-210	TFP-270	Spring Blvd - 124th Ave NE to 130th Ave NE (zone 3)	This project will perform conceptual design work, evaluate design alternatives and develop funding and implementation strategies for NE Spring Boulevard between 124th Avenue NE and 130th Avenue NE. This proposed segment of NE Spring Boulevard is a high priority eastwest multi-modal connection that will improve access, circulation, and mobility options for passenger cars, transit, freight, pedestrians, and bicycles to and between the new Bel-Red transit-oriented-development nodes and the larger city and region. This future connection will support the area's redevelopment, attracting private investment in commercial and residential uses to create entirely new neighborhoods.	73,786	2,624	5,835	8,459	82,245
19	R-211	TFP-211	NE 6th Street Extension	This project will develop concepts and evaluate alternatives for the extension of NE 6th Street from its current terminus in the I-405 direct access median to 116th Avenue NE. Extension of NE 6th Street between the I-405 median and a T-intersection an at-grade intersection at 116th Ave NE will be accomplished by the Washington State Department of Transportation (WSDOT). This project will allow the City to coordinate with WSDOT on the planning, design, environmental and potential implementation of the direct access median improvements.	90,000	300		300	90,300
20	R-212	TFP-195 TFP-253	150th Avenue SE/SE 37th Street/I-90 off-ramp widening	This project includes a new southbound vehicle travel lane from Landerholm Circle to SE 38th Street. Intersection improvements are planned at SE 38th, SE 37th and Eastgate Way, and roadway improvements along SE 37th at the I-90 eastbound on-ramp. Project work includes roadway design plans, storm drainage, geotechnical engineering, survey, permit applications, environmental impact report, traffic analysis, utility relocation plans, property acquisition plans and project cost estimates.		8,207	3,990	12,197	12,197
21	R-213	TFP-311	West Lake Sammamish Parkway/"Central" segment; SE 1800 block to NE 2nd block (phase 4)	This project funds for preliminary design for the fourth (4 of 5) phase of the West Lake Sammamish Parkway project between the SE 1800 Block (estimated) and NE 2nd Street (approximately 1.1 miles). The ultimate corridor improvement project is intended to provide a consistent 4-foot shoulder on the east side, a 10.5-foot northbound vehicle travel lane, a 10-foot wide southbound vehicle travel lane, a primarily 10-foot wide multi-purpose trail, and a 2-foot or 5-foot wide landscape buffer where space where feasible. As with previous phases of this project, partnership and collaboration with COB Utilities is anticipated to include repair or replacement of aging water and sewer infrastructure bundled in a single construction contract.	18,500	1,000		1,000	19,500
22	R-214	TFP-286	148th Avenue NE/NE 24th Street	In coordination and financial partnership with the City of Redmond (who will act as project lead) and a private developer, this project initiates implementation of a priority element of the 148th Avenue NE Master Plan. This project will ultimately design and construct a third northbound lane on 148th Avenue NE between NE 22nd Street and the eastbound on ramp to State Route 520. This initial investment will support project predesign and a 50 percent share of the minimum matching fund requirement for a grant proposal that would fully fund the project design phase. A Redmond private developer is conditioned to implement 148th Avenue frontage improvements including third northbound lane improvements between NE 22nd and NE 24th Streets. The joint cities project will continue the improvements, including signal modifications, north through the 148th Avenue NE/NE 24th Street Intersection to the eastbound on ramp to State Route 520.	25,000	250		250	25,250

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
23	G-126	TFP-317	I-405 Non-Motorized Crossing	This project funds the City of Bellevue's participation in the design development of a new non-motorized crossing (multi-purpose path) of I-405 in the vicinity of NE 6th Street to be implemented through a public-private partnership. The capital allocation will fund project managment staff within the City's Office of the Grand Connection who will be Bellevue's lead and collaborative members of the team responsible for the design and development of the new crossing. Bellevue's project manager will be a project advocate helping to advance the project's design phase and facilitating coordination between the design team, WSDOT, Bellevue staff, and other stakeholders. This proposal also funds staff time from various departments for project review and coordination, permitting, property acquisition, outreach and communications, and also funds independent review and design services confirming that the proposed design is compatible with the Grand Connection Framework and other city plans and standards.	200,000	46,500		46,500	246,500
24	R-219		Vision Zero Safe Speeds Program	From 2012 to 2021, there were 23 speeding-related fatal and serious injury (FSI) crashes on our 30+ mph arterial network. This same network accounts for 88% of FSI crashes in all of Bellevue, yet represents 25% of street mileage. This budget would create a dedicated fund to advance projects targeted at reducing speeds on our arterial network to help move the city toward our 2030 goal of zero FSI crashes. Studies show that every small reduction in speed greatly reduces the potential of injury or death. The likelihood of a pedestrian hit by a car receiving a FSI jump from 40% to 73% with a speed change from 30 mph to 40 mph. This program will leverage recent work done by TR to update its speed limit setting approach and complete the 2023 Speed Management Plan to advance projects focused on managing arterial speeds. Funding would go toward implementing speed limit changes and constructing arterial speed mitigations such as radar feedback signs, raised intersections and median islands.		4,740		4,740	4,740
25	R-221	TFP-319	SE 5th Street & 118th Ave SE/Eastrail Improvements	This project provides for the full Implementation including design, right of way acquisition and construction of safety and pedestrian improvements to the intersection of SE 5th St and 118th Ave SE at the crossing of Eastrail. Improvements include pedestrian sidewalk connections to the Eastrail regional facility to 118th Ave SE to the north and to SE 5th St to the west. The project also includes safety improvements to the alignment of the intersection of SE 5 St and 118th Ave SE which currently does not meet standards. Other project elements include a raised crosswalk at the Eastrail trail crossing, street lighting, landscaping, and irrigation.		2,200		2,200	2,200
26	R-222	TFP-318	NE 10th Street/102nd Avenue NE	Replace the existing traffic signal at this intersection with a compact roundabout. Existing pedestrian and/or bicycle facilities at and approaching the intersection will be modified and reconstructed in the context of the roundabout design. This area is planned to be redeveloped with two large multifamily/mixed use projects on the northwest and southwest corners of the intersection. These projects will include over 3,000 dwelling units, a relocated supermarket, and other neighborhood retail which will significantly increase the amount of pedestrian traffic in the vicinity. An analysis of the intersection shows that a roundabout will provide a better and safer pedestrian experience then the existing signal. The developer of the two projects will contribute 50% of the cost of this improvement.		4,000		4,000	4,000
27	R-223	TFP-294	108th Avenue NE Downtown Spine / NE 4th Street to NE 8th Street	Construct multimodal roadway enhancements along 108th Avenue NE. This project will provide permanent separation that also reduces conflict points with transit by installing floating bus stops. The current stops are at the curb and partially in the sidewalk, leaving little space for people walking to get around people queuing up for their bus. This project helps separate each mode and creates far greater space for proper transit stop amenities. This project also includes a new mid-block pedestrian crossing to improve access to the SB bus stop on 108th.		4,250		4,250	4,250
28	R-224	TFP-234	Main Street - 100th Avenue to 116th Avenue	Conduct a corridor study to identify, prepare preliminary designs, and potentially implement multimodal improvements to enhance the Main Street corridor through Downtown. Improvements to be considered may include mid-block crossings, intersection treatments, bicycle facilities, landscaping and lighting. This roadway segment is a component of priority bicycle corridor EW-3: Lake to Lake Trail. The segment between 110th and 112th Avenues NE is being coordinated with implementation of the East Link project in this vicinity. The funding allocation is a placeholder that may be used to support project pre-design or early implementation.		500		500	500
29	R-225		Downtown Mobility Study Implementation	This program implements the Downtown Mobility Study that was commissioned by the City Manager's Office to engage stakeholders to better understand the mobility challenges people face while moving about Downtown, and to identify projects to improve mobility. A mobility challenge is the performance of the transportation network that does not meet the performance target adopted in the Mobility Implementation Plan. Stakeholders emphasized implementing projects that address a performance target gap and to provide exceptional pedestrian and bicycle access near light rail stations and along the Grand Connection. Intersection projects are prioritized to safely serve pedestrians. "Exceptional" intersections on both ends of the Transit Center and along the Grand Connection have created safe and seamless pedestrian crossings; more are planned. Also, the Study identifies locations and priorities for new at-grade mid-block crossings at high-demand locations.		5,060		5,060	5,060

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
30	WB-49		Pedestrian Facilities Compliance Program	This program provides a resource to identify, inventory, prioritize, design, and construct spot improvements to pedestrian facilities citywide to meet compliance standards stemming from the Americans with Disabilities Act (ADA). This program serves as the City's dedicated resource for addressing citizen accessibility requests and implementing high priority improvements identified in the City's ADA infrastructure management program.	10,000	1,054		1,054	11,054
31	WB-56		Active Transportation Access and Connections Program	This program improves access and connections for people walking and bicycling. Projects funded through this program enhance mobility for everyone and simultaneously promote community health and foster environmental sustainability. Program funds build discrete small projects and may be used to leverage grant, and to enable partnerships with other City programs, agencies or the private sector to construct larger-scale projects. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)	5,000	4,801	2,500	7,301	12,301
31a	W/B-56		Bellevue Frequent Transit Network - Access to Transit Improvements	Enhance pedestrian access, safety, accessibility and transit stop amenities at approximately 10-20 bus stops along Bellevue's Frequent Transit Network.	2,645			0	2,645
32	WB-76		Neighborhood Sidewalks Program	This program funds the community outreach, design, and construction of sidewalk projects in neighborhoods throughout the city. Neighborhood sidewalks are pedestrian facilities connecting neighborhood residents to neighborhood destinations including housing, parks, schools, shopping and services, employment, and the transit and school bus systems. Individual projects are selected in part based on strong and sustained community support demonstrated through other programs and public processes. Project costs, typically in the range between $500,000 and $2,000,000, exceed the financial capacity of ongoing minor capital programs like Pedestrian and Bicycle Access and Connections (CIP Plan No. PW W/B 56), but the projects often do not compete well for stand alone CIP project funding. (Elements of this program may leverage or utilize funds from CIP Plan PW-R-199)	20,000	7,055		7,055	27,055
32a	WB-76		NE 40th Street/140th Avenue NE to the 14500 block	This project will add sidewalk on the north side of the street between 140th Avenue NE and approximately the 14500 block on NE 40th Avenue.		6,661		6,661	6,661
32b	WB-76		173rd Avenue NE/Northup Way to Tam O'Shanter Park entrance	This project will add curb, gutter and six-foot-wide sidewalk on the east side of the street.		3,000		3,000	3,000
33	WB-85		Bicycle Network Facilities Implementation	This program funds the design and implementation of bicycle network facilities along corridors that are identified in the Mobility Implementation Plan. Bicycle facility types will be designed, prioritized and implemented to achieve the intended level of traffic stress adopted in the Mobility Implementation Plan (MIP). It is a best practice and to establish a network of safe, complete and connected bicycle facilities, including connections to local and regional destinations along corridors that are suitable for people of all ages and abilities. Progress toward bicycle network completeness is monitored through the MIP and reported to the community with an on-line dashboard.	15,691	4,809		4,809	20,500
33a	WB-85		NE 2nd Street/Bellevue Way NE to 108th Avenue NE	The project will install conventional and buffered bike lanes from Bellevue Way NE to 108th Ave NE; install bike signals at Bellevue Way NE, 106th Ave NE, and 108th Ave NE; and repurpose some parking spaces along NE 2nd St. The new bike facilities will fill the network gap between the NE 1st/2nd Street shared lanes between 100th Ave NE and Bellevue Way, and the existing 108th Avenue bicycle corridor.			1,628	1,628	1,628
33b	WB-85		Wilburton Route - NE 4th Street/116th Avenue NE to 120th Avenue NE and 120th Avenue NE/NE Spring Boulevard to NE 4th St	The project will provide a connection to Eastrail and the Spring District light rail station by upgrading the existing, discontinuous facilities on NE 4th Street and 120th Avenue NE. This includes widening the existing bike lane on the north side and installing buffered bike lanes on the south side of NE 4th St, as well as upgrading to buffered bike lanes along 120th Avenue NE and installing bike signals at NE 6th Street, NE 8th Street, Bel-Red Road, and NE 12th Street.	2,200			0	2,200
33c	WB-85		NE 12th Street - 108th Avenue NE to 100th Avenue NE shared-use Path	Construct 12' wide Shared-Use Path on the north side of NE 12th Street from 108th Ave NE to 102nd Avenue NE and upgrade existing connection between 102nd Avenue and 100th Avenue NE. Project includes landscaping and signal modifications.	3,700			0	3,700
33d	WB-85		NE 1st/NE2nd St/100th Ave to 112th Ave	Install sharrows and evaluate traffic calming options for 100th Avenue NE to Bellevue Way. Bike lanes (protected or buffered, where feasible) for segment Bellevue Way to 112th Avenue NE.	1,250			0	1,250

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
34	WB-86	TFP-312	Mountains to Sound Greenway/ 142nd Place SE to 150th Avenue SE	This project will advance the construction of the third phase of the Mountains to Sound Greenway Trail from 142nd Place SE to the pedestrian overcrossing of Interstate 90 (I-90) at150th Avenue SE. The trail design includes a separated, at grade, 12-foot-wide paved trail running along I-90 and SE 36th Street with trailhead treatments, a new mid-block crosswalk with RRFB at 146 Ave SE and SE 36 St, upgrades to the existing crosswalk at SE 36 St and the I-90 pedestrian overcrossing, walls, urban design elements, landscaping, lighting, storm drainage improvements and natural drainage practices where feasible. The trail will provide access to the local street network. The City has secured a federal grant and a State Move Ahead Washington funding award to fund 8.97 million dollars of the project.	15,164	10,694	14,947	25,641	40,805
35	WB-87		Bel-Red Road and NE 28th Street	This project will construct an enhanced multipurpose path and signalized crossing near the intersection of Bel-Red Road and NE 28th Street. The design will include an at-grade, 12-foot minimum paved trail primarily within existing right-of-way that follows the east-west alignment of NE 28th Street. The design will also feature a new signal system, landscaping, urban design, lighting, storm drainage, irrigation, and tree mitigation where feasible. This connection will create a safe and direct route between the Northeast Bellevue neighborhood and the Overlake Village light rail station in Redmond. This connection will also access existing bike lanes on Bel-Red Road and future neighborhood greenway routes in East Bellevue. Coordination with the City of Redmond will be required.		630		630	630
36	WB-88	TFP-175	SE 34th Street/ 162nd Place SE to West Lake Sammamish Parkway	Design and construct curb, gutter and six-foot sidewalk and an uphill bicycle facility on the north side of SE 34th Street and a wide, shared use lane on the south side of SE 34th Street from West Lake Sammamish Parkway to 162nd Place SE. A predesign study will determine the feasibility and location of the ultimate improvements.	2,000	6,300		6,300	8,300
37	WB-90	TFP-158	SE 16th Street/148th Avenue SE to 156th Avenue SE	The project provides for the full implementation including design, right of way and construction of sidewalks and buffered bike lanes on both sides of SE 16th Street between 148th Avenue and 156th Avenue SE. The project also includes street lighting, two new raised crosswalks, retaining walls, landscaped planter strips, and storm drainage improvements.		11,980		11,980	11,980
38	WB-91	TFP-247	Eastgate Way/Richards Road Sidewalk	The project provides for the full implementation including design and construction of sidewalk on the northside of Eastgate Way between Richards Road and the driveway at 13212 Eastgate Way. The project also includes the construction of walls, barrier, railing, pavement grind and overlay, and wetland mitigation.		3,082	1,318	4,400	4,400
39	WB-92		Arterial Sidewalks Program	This program funds the community outreach, design, and construction of sidewalk projects on arterials throughout the city that are not covered under existing programs such as the Neighborhood Sidewalk Program (PW-WB-76) and the Levy (PW-R-199) but are too small scope to be a standalone CIP program.	13,800	11,200		11,200	25,000
40	WB-93		Safe Routes to School (SRTS) Program	This program will fund roadway safety improvement projects near schools and support the development of roadway safety education and encouragement programs. A SRTS program encourages active travel for kids by improving safety during the school commute for all modes of travel. This program will use the 7 E's framework, which includes education, encouragement, engagement, engineering, environment, equity, and evaluation, to provide a strategic approach to improving roadway safety on school routes.		2,480		2,480	2,480
41	WB-94	TFP-243	MTSG Future Phases	This project provides funding for futures phases of the Mountains to Sound Greenway trail that were identified in the 2012 Mountains to Sound Greenway trail study but have not yet been designed. Funding design for future phases will help the City be competitive in securing future design and construction funding and grants.		1,750		1,750	1,750
42	G-103	TFP-244	Eastrail multi-use path/southern city limits to northern city limits	This project will add a 10 to14-foot-wide off-street path along the former BNSF right-of-way from the southern city limits to the northern city limits. This project is an outside agency-led effort in which the City may choose to participate financially and is part of a planned regional trail that will connect Eastside communities from Renton to Woodinville. Approximately 7.5 miles of the trail is located within the city of Bellevue. The regional trail will include connections to pedestrian and non-motorized city facilities and be compliant with current trail standards. Potential trail connections include Newcastle Beach Park, Greenwich Crest, the I-90 Trail, Woodridge, Wilburton, Downtown Bellevue, BelRed, the West Tributary Trail, and the SR 520 Trail. Project identified as priority bicycle corridor NS-3: BNSF Trail Corridor. Funding allocation is to support City's scoping and development of projects connecting to or supporting the Eastrail mainline path, including coordination with the community and property owners and/or acquisition. Projects on the list include, but are not limited to: • Eastrail to Spring Boulevard • Eastrail Connection at Main Street • Eastrail Connection to Mountains to Sound Trail at SE 32nd St/118th Ave SE		13,548	2,500	16,048	16,048
42a	G-103	TFP-287	Eastrail to Spring Blvd Trail Link	This project will construct a trail linking the N-S Eastrail to the E-W ped-bike path that runs along Spring Blvd.		645	6,558	7,203	7,203

2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
					Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
Unfunded Projects included in the Adopted 2026-2045 Transportation Facilities Plan									
43		TFP-110	110th Avenue NE/NE 7th Street to NE 8th Street	The project will complete implementation of a five-lane roadway section with sidewalks where missing between NE 6th and NE 8th Streets. Project implementation will be coordinated with approved and potential future private development in the immediate vicinity.	1,435			0	1,435
44		TFP-173	108th/112th Avenue NE/ north city limit to NE 12th Street	This project will add a 6-foot-wide sidewalk on the west side from NE 24th Street to the transportation trail to the north. A sidewalk will be constructed on the east side from NE 24th Street to connect to the existing sidewalk 450 feet south.	2,476			0	2,476
45		TFP-193	NE 10th Street at I-405	Add a southbound off-ramp. This project would likely be a regional or outside agency-led effort in which the City may choose to participate financially. The funding allocation is a placeholder that may be used to support project predesign or early implementation.	300			0	300
46	R-192	TFP-217	124th Avenue NE at SR-520	This project will allow the city to coordinate with WSDOT on the planning, design, environmental and potential implementation of interchange improvements at SR-520 and 124th Avenue NE.	250			0	250
47		TFP-219	NE 8th Street/106th Avenue NE	Realignment of the roadway to the south will better utilize the new westbound travel lane (between 108th and 106th Avenues NE) and preserve the existing large sequoia tree. This realignment will allow NE 8th Street three through lanes westbound from I-405 to Bellevue Way. Project implementation will be coordinated with potential future private development in the immediate vicinity.	3,876			0	3,876
48		TFP-245	140th Ave NE/ NE 24th St to NE 8th St	This project will evaluate development of an off-street multi-use paved path along the east side of 140th Avenue NE between NE 24th Street and NE 8th Street, replacing a separated gravel path that exists on much of The segment; it may be a boardwalk for part of the Bel-Red Road to NE 20th Street segment. the project will add a 10- to 14-foot-wide off-street path connecting the SR 520 Trail to 140th Avenue NE, if feasible. Component of priority bike corridor; NS-4: Somerset-Redmond Connection.	5,000			0	5,000
49		TFP-250	148th Ave NE Master Plan	The project will evaluate and refine improvements to the 148th Avenue NE Master Plan. Potential improvements include the following: 1) a third northbound through lane on 148th Avenue NE from 350 feet south of Bel-Red Road to the SR 520 eastbound on-ramp, 2) a northbound right-turn lane, and eastbound and westbound dual left-turn lanes at 148th Avenue NE and Bel-Red Road, 3) eastbound and westbound dual left-turn lanes at NE 20th Street and 148th Avenue NE, 4) extend the northbound and westbound right-turn lanes at NE 24th Street and 148th Avenue, 5) eastbound and westbound dual left-turn lanes at NE 24th Street and 148th Avenue NE, 6) configure the northbound 3-lane approach on 148th Avenue NE at the SR 520 eastbound on-ramp to right turn only, through/optional HOV right turn, and through only, and 7) convert and extend southbound right-turn lane on 148th Ave NE between NE 24th and NE 20th into a BAT lane. Improvements at NE 24th Street will accommodate or implement a wide-lane east-west bicycle facility. The project may be phased with the initial phase focusing on the north end of the 148th Avenue NE corridor. Scope and cost may be modified based future analysis and coordination with the City of Redmond associated with the 148th Avenue NE Master Plan. Funding allocation will support work in coordination with Redmond to identify project phasing and conduct predesign work or early implementation.	10,000			0	10,000
50		TFP-267	West Lake Sammamish Parkway/"North" segment; NE 8th Street to North City limits (phase 5)	This project will design and construct the fifth phase of the West Lake Sammamish Parkway corridor improvements (last of five phases), between SE 34th Street and the NE 2nd block. The full West Lake Sammamish Parkway project, between I-90 and the north city limit, will ultimately provide a consistent 4-foot-wide shoulder on the east side, a 10.5-foot-wide northbound vehicle travel lane, a 10-foot-wide southbound vehicle travel lane, a 10-foot-wide multi-purpose trail (8 feet wide in areas adjacent to sensitive critical areas (approximately 2% of the corridor due to constricted space) on the west side separated by a 1.5-foot shy distance space and a 2 to 5-foot-wide landscaped buffer where space is available; a signal at SE 34th Street (if warranted); and signalized pedestrian crossings at SE 26th Street, Northup Way, NE 24th Street, and at five other locations along the parkway. The project will make storm drainage, water quality, and fish passage improvements throughout the corridor. This project will also provide a preliminary design analysis with cost estimates to determine the exact location and scope of the next phases of construction on West Lake Sammamish Parkway. Preliminary design activities will include coordination with the community and other stakeholders leading to a complete design.	12,000			0	12,000
51		TFP-271	Coal Creek Parkway/ 120th Ave SE - I-405 - 119th Ave SE	Convert the three signalized intersections on Coal Creek Parkway at I-405 (2) and 119th Avenue SE and also the intersection of 120th Avenue SE to a series of roundabouts.	300			0	300
52		TFP-272	NE 12th St / 116th Ave NE	Conduct a needs assessment to determine whether westbound to southbound dual left-turn lanes should be added or other revisions made at NE 12th St and 116th Ave NE. This project is located on the anticipated route of the future Rapid Ride K Line bus.	300			0	300

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
53		TFP-293	Eastrail Connection at Main Street/116th Avenue to 118th Avenue	Construct a trail at the Main Street alignment to connect the Eastrail west to 116th Ave, as well as another connection east to upper Main Street and eastward to 118th Avenue. Project may be implemented in phases. Scope of connection to 116th Ave may extend westward along south side of Main Street to connect with multiuse path ~~to be~~ constructed by WSDOT at I-405 crossing.	5,000			0	5,000
54		TFP-295	NE 2nd Street / 114th Avenue NE to 112th Avenue NE	Add a traffic signal and roadway/intersection expansion, realignment, and channelization improvements, including accommodation of a north-south multipurpose path crossing along the west side of 114th Avenue NE. The roadway segment between 114th Avenue and 112th Avenue will be expanded to three lanes, with bike facility behind the curb on each side.Project implementation will be coordinated with potential private development in the immediate vicinity.	300			0	300
55		TFP-296	South Downtown I-405 Access: Lake Hills Connector southbound on-ramp	Construct a new southbound on-ramp from the Lake Hills Connector to I-405 south. This project would likely be a regional or outside agency-led effort in which the City may choose to participate financially. The funding allocation is a placeholder that may be used to support project predesign or early implementation.	150,000			0	150,000
56		TFP-297	116th Avenue NE/Main Street to SE 8th Street multipurpose path	Construct new multipurpose path on west side of 116th Ave from Main Street to SE 5th Street. Upgrade existing multipurpose path between SE 5th Street to SE 8th Street to current standards.	300			0	300
57		TFP-298	SE 5th Street - 116th Avenue SE to 118th Avenue SE multipurpose path and signal	Install a new traffic signal at 116th Ave/SE 5th Street. Construct a multipurpose path on the south side of SE 5th Street from 116th Ave to the Eastrail.	300			0	300
58		TFP-299	114th Avenue/NE 8th Street to SE 8th Street	Construct multipurpose path (12' wide + 2' shoulder on each side) on west side of 114th Ave from SE 8th Street to NE 8th Street. Project includes construction of a tunnel under Main Street, west of the Main Street bridge abutment wall, to replace the interim sidewalk and will require reconstruction of the retaining walls on the north and south sides of Main Street at this location.	300			0	300
59		TFP-303	Downtown – Crossroads Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Downtown and Crossroads activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include intersections along NE 8th Street from 120th Avenue NE to 156th Avenue NE.	2,000			0	2,000
60		TFP-304	Downtown – Eastgate Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Downtown and Eastgate activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include Main Street from 108th to 116th Avenue and intersections along 116th Avenue SE, Lake Hills Boulevard, 145th Place SE and the Metro K-Line.	2,000			0	2,000
61		TFP-305	Downtown – Factoria Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Downtown and Factoria activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include Bellevue Way SE, Main Street from Bellevue Way to 108th Avenue, and the Metro K-Line.	2,000			0	2,000
62		TFP-306	Crossroads – Overlake Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Crossroads and Overlake activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include 156th Avenue NE from NE 8th Street to NE 24th Street.	2,000			0	2,000
63		TFP-307	Crossroads – Eastgate Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Crossroads and Eastgate activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include 148th Avenue SE from SE 24th Street to Lake Hills Boulevard.	2,000			0	2,000
64		TFP-308	Eastgate – Factoria Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Eastgate and Factoria activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include the intersection of SE 36th Street and 142nd Place SE.	2,000			0	2,000
65		TFP-309	Eastgate – Overlake Transit Connection	Evaluate, design, and implement transit speed and reliability improvements along Frequent Transit Network corridors connecting the Downtown and Crossroads activity centers. Consistent with the Transit Master Plan, the Downtown Transportation Plan and King County Metro Connects long range plan. Examples of potential project locations include 148th Avenue NE from Bel-Red Road to NE 24th Street.	2,000			0	2,000

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
66		TFP-310	Rapid Ride K Line (Eastgate to Downtown to Kirkland)	Coordinate with King County Metro to determine the routing for the K Line. Assess, and pursue as feasible, operational improvements along the route to support transit speed and reliability.	2,000			0	2,000
67		TFP-313	Newport Way SE/152nd Ave to Lakemont Blvd	Conduct a corridor analysis and identify preferred improvements for pedestrian and bicycle accommodation (target of LTS 3 for bicycles), as well as phasing for implementation. The funding allocation is a placeholder that may be used to initiate project predesign or early implementation.	300			0	300
68		TFP-314	112th Avenue/NE 10th Street	Conduct a needs assessment to determine whether physical or operational changes are feasible and desirable to address potential future (2044) vehicular V/C performance "gap" (identified in analysis for Comprehensive Plan update). The funding allocation is a placeholder that may be used to initiate project predesign or early implementation. This project is located on the anticipated route of the future Rapid Ride K Line bus.	300			0	300
69		TFP-315	116th Avenue NE/NE 4th Street	Conduct a needs assessment to determine whether physical or operational changes are feasible and desirable to address potential future (2044) vehicular V/C performance "gap" (identified in analysis for Comprehensive Plan update). The funding allocation is a placeholder that may be used to initiate project predesign or early implementation.	300			0	300
70		TFP-316	116th Avenue SE/SE 1st Street	Conduct a needs assessment to determine whether physical or operational changes are feasible and desirable to address potential future (2044) vehicular V/C performance "gap" (identified in analysis for Comprehensive Plan update). The funding allocation is a placeholder that may be used to initiate project predesign or early implementation. This project is located on the anticipated route of the future Rapid Ride K Line bus.	300			0	300
71		TFP-321	148th Avenue SE: SE 46th Place to SE 44th Street	Install a sidewalk and landscape strip on either the east or west side of the street.	5,000			0	5,000
72		TFP-322	Lakemont Boulevard: Forest Drive SE to Coal Creek Trail	Install a 6-foot-wide sidewalk and a 4-foot-wide planter strip on the east side of the street.	15,000			0	15,000
73		TFP-323	Lakemont Boulevard: West Lake Sammamish Parkway to SE Newport Way (under I-90)	Install an 8-foot-wide sidewalk and a 4-foot-wide planter strip on west side of the street.	5,000			0	5,000
74		TFP-324	SE Allen Road: 138th Avenue SE to 300 feet south of SE 38th Street	Install a sidewalk and landscape strip on either the north or south side of the street.	10,000			0	10,000
75		TFP-325	I-90 Tunnel/ SE 37th St to SE Eastgate Way	Install shared-use path 10-14 feet wide on the south side of SE 37th Street and on the east side of 150th Avenue NE between SE 37th Street and SE 38th Street. Install barrier along sidewalk in tunnel to create 8'-9' wide shared ped-bike facility. MIP Performance target LTS 1. Priority Bicycle Corridor.	2,700			0	2,700
76		TFP-326	124th Avenue SE: SE 41st Place to SE 38th Street	Install protected bike lanes on each side of 124th Avenue NE to provide a connection between the existing bike lanes south of SE 41st Place and the Factoria Trail (which connects to the Mountains to Sound Greenway Trail). MIP Performance target LTS 3.	10,000			0	10,000
77		TFP-327	156th Avenue NE: NE 8th Street to Bel-Red Road	Protected bike lanes on each side of 156th Avenue NE. MIP Performance target LTS 3.	15,000			0	15,000
78		TFP-328	156th Avenue SE: Eastgate Way to SE 27th Street	Standard or protected bike lanes on each side of the street. MIP Performance target LTS 3.	10,000			0	10,000
79		TFP-329	NE 24th Street: Bel-Red Road to 164th Avenue NE	MIP Performance Target LTS 3. Work with Redmond to identify and implement bicycle network facilities in Bellevue that will connect with planned facilities in Overlake, with connections to the Overlake Village light rail station.	300			0	300
80		TFP-330	Spring Blvd & Bel-Red Rd/136th Place NE to 140th Avenue NE	Install 12-14' multiuse path on north side of Spring Blvd and Bel-Red Rd. Connects Priority Bike Corridor EW-2 to Priority Bike Corridor NS-4.	1,500			0	1,500
81		TFP-331	Bel-Red Rd/140th Ave to 148th Ave NE	Conduct analysis to determine options to improve bicycle safety and comfort along corridor or nearby alignment. (Original Bike Bellevue proposal involved converting four-lane roadway to three lanes, with buffered bike lanes on either side. Connects to proposed Corridor 11 Added segment west of 140th Ave.)	1,405			0	1,405
82		TFP-332	Bel-Red Rd/148th Ave NE to 156th Ave NE	Conduct analysis to determine options to improve bicycle safety and comfort along corridor or nearby alignment. Included in the limits of this project is TFP-254, from NE 20th to NE 24th Street. (Connects to existing bike lanes on Bel-Red Rd east of 156th Avenue NE.)	1,610			0	1,610

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
Other unfunded local projects identified and scoped by completed Alternative Analyses and Planning or Pre-design Studies									
83			Transportation Demand Management Program	This project provides continuing resources for Transportation Demand Management (TDM) implementation. TDM activities and techniques include: Development and implementation of education/marketing programs for employers and employees, improving access to and the appeal of alternative transportation modes for users and potential users. Performance goals for TDM are specified in the mobility targets for Mode Split in the Comprehensive Plan. This project may fund both consultant and improved in-house capabilities in support of TDM efforts.	2,000			0	2,000
84			164th Ave SE/SE Cougar Mountain Way to SE 63rd Street	Improve gravel road with pavement, curb, gutter and sidewalk on one side. Consider cost sharing with benefiting property owners through the use of a Local Improvement District (LID).	300			0	300
85			Bellevue Way HOV lane/107th Ave SE Segment B: Winters House to 112th Ave SE & Segment C: 112th to 108th Avenues SE	Bellevue Way SE HOV project: Segment B: Bellevue Way SE from the Winters House to 112th Avenue SE, will widen Bellevue Way SE to the west to add a southbound inside HOV lane and 5' landscaped planter from the Winters House to the "Y" intersection along 112th Avenue SE. Segment C: Bellevue Way SE from 112th to 108th Avenues SE, will conduct a future evaluation to include consideration of operational scenarios other than an HOV lane (e.g., creating full-length dedicated left-turn lanes).	300			0	300
86			Northup Way/156th Avenue NE to 164th Avenue NE	Add median left-turn lane; bike lanes.	300			0	300
87			134th Ave NE - Bel-Red Rd to Spring Blvd	Reconstruct as three lanes; modify signalization.	300			0	300
88			132nd Ave NE - BelRed Rd to NE 20th St	Widen 132nd Avenue NE to three lanes between Bel-Red Road and NE 20th Street. Modify traffic signals.	300			0	300
89			127th Ave NE - Bel-Red Rd to Northup Way	Coordinate with private development to construct a new street that meets urban standards with two general purpose lanes, two parking lanes, gutters, and sidewalks, consistent with design guidelines established in the Bel-Red Corridor Plan.	300			0	300
90			136th Ave NE - Bel-Red Rd to Spring Blvd	Coordinate with private development to construct new three-lane road; signalize.	300			0	300
91			NE 24th St - 164th Ave NE to 172nd Ave NE	Upgrade to urban standards (2/3 lanes) with curbs, gutters, and sidewalks where not complete. Provide intersection left turn lanes or two-way left turn lanes at selected locations.	300			0	300
92			Main St and SE 1st St - 116th Ave NE to 124th Ave NE	Upgrade to urban standards (2/3 lanes) with curbs, gutters, bicycle facilities, and sidewalks. Provide intersection left turn lanes or two- way left turn lanes as required at selected locations.	300			0	300
93			Main St / 148th Ave	Conduct a needs assessment to determine whether a westbound right turn lane should be added at 148th Ave / Main St.	300			0	300
94			118th Ave SE - SE 8th St to Coal Creek Pkwy	Provide pedestrian/bicycle facilities where missing while maintaining existing general purpose travel lanes. Conduct traffic analysis to assess the need for added turning lanes at selected intersections.	300			0	300
95			139th Avenue SE/SE 32nd Street	Add a traffic signal at the intersection	930			0	930
96			156th Avenue NE/BelRed Road	Coordinate with private development to construct a southbound right turn lane at 156th Ave NE and Bel-Red Rd.	810			0	810
97			Citywide Transportation System Maintenance Program	Through proactive, regular maintenance and repair activities, this program dedicates resources to preserve and improve the performance of the citywide transportation system. Program goals include the continual provision of a clean and attractive transportation system to enhance safety for all users of the system and to minimize the city's liabilities. The program includes the following specific elements or categories of service: • Roadways: Includes 24-hour pothole mitigation response, asphalt repairs, sub-base repairs, roadway shoulder repair and drainage berm installations. • Sidewalks/Walkways: Asphalt and concrete walkway cleaning and repair, ADA trip hazard mitigation, and adjacent fence and safety railing repairs. • Traffic Signal Systems: Maintain, repair or replace, as necessary, LED signal head displays, signal cabinets, emergency vehicle detection systems, and fiber optic cable plant and telecom pathway systems. • Other Traffic Control Devices: Maintain/replace, as necessary, all traffic markings including pavement markers, thermoplastic legends, delineators, crosswalks and street/traffic signage. • Street Lighting and Other Electrical/Electronic Devices: Maintain, repair or replace (as necessary) streetlights, radar speed signs, flashing crosswalks, flashing school zone signs and traffic cameras. • Street Cleaning: Provide systematic cleaning of pavement on arterial and residential streets, bicycle facilities, and emergency response for traffic collisions, pollutant spills and environmental cleanup. • Roadside Vegetation: Manage vegetation growth (groundcover to trees) for sight distance, guardrail clearance, and noxious weed control.	58,000	8,100		8,100	66,100

					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
98			Bridge and Pavement Preservation Program	Provide major street maintenance including pavement overlays, curb, gutter, and sidewalk or walkway rehabilitation, bridge condition inventory and maintenance, and appropriate Americans with Disabilities Act (ADA) retrofit work.		37,467	12,354	49,821	49,821
99			148th Ave SE/SE 8th Street to Main Street Flood Mitigation	This project will conduct a site assessment, hydraulic modeling, geotechnical and structural analyses, and initiate preliminary design to progress toward construction of best drainage treatments and resilient design to reduce or eliminate roadway flooding on 148th Avenue SE, between SE 8th Street and Main Street, adjacent to Lake Hills Greenbelt, also known as Larsen Lake.	20,900			0	20,900
100			Northup Way/136th Place to 140th Avenue	Indentify and evaluate options for developing bicycle facility in this segment, which connects E-W and N-S priority bicycle corridors. Target LTS 3 or better.	5,000			0	5,000
101			112th Avenue NE: NE 6th Street to NE 12th Street	Install shared use path on east side of 112th Avenue NE. MIP Performance target LTS 1. Priority Bicycle Corridor.	15,000			0	15,000
102			148th Avenue SE: SE 24th Street to Eastgate Way	Enhance and extend the existing shared-use path on the east side. MIP Performance target LTS 1.	10,000			0	10,000
103			Lake Hills Connector: SE 5th Street to just south of SE 8th Street	Install 10-14-foot-wide multipurpose path on the north/east side of Lake Hills Connector. MIP Performance Target LTS 2.	10,000			0	10,000
104			NE 24th Street: NE 29th Place to 148th Avenue NE	Install standard or protected bike lanes on each side of NE 24th Street. MIP Performance Target LTS 3.	10,000			0	10,000
105			Northup Way: Bel-Red Road to 164th Avenue NE	Install standard or protected bike lanes on each side of the street. MIP Performance target LTS 3.	15,000			0	15,000
106			Mobility Implementation Plan (MIP) Intersection Performance Gaps	Scoping and cost evaluation of intersection performance target gaps as identified in the MIP. Projects on the list include, but are not limited to: • NE 12th Street & 116th Avenue NE • Bel-Red Road & 148th Avenue NE • SE 36th Street and 142nd Avenue SE • NE 8th Street & 140th Avenue NE • NE 8th Street & 148th Avenue NE • NE 24th Street & 140th Avenue NE • 115th Place & Northup Way • Coal Creek Parkway & SE 60th Street	50,000			0	50,000
107			Mobility Implementation Plan (MIP) Pedestrian Performance Gaps	Scoping and cost evaluation of pedestrian performance target gaps as identified in the MIP. Projects on the list include, but are not limited to: • Main Street - 118th Avenue to Jing Mei Elementary School • SE Newport Way - 165th Avenue SE to Interstate 90 Trail • 116th Avenue SE - SE 64th Street to Newcastle Way • 148th Place/148th Avenue SE - SE 44th Street to SE 46th Place • Main Street - 162nd Avenue to 164th Avenue • 164th Way SE/SE 44th Way - Newport Way to SE 44th Place • Lakemont Boulevard - West Lake Sammamish Parkway to Newport Way	50,000			0	50,000
108			Mobility Implementation Plan (MIP) Bicycle Performance Gaps	Scoping and cost evaluation of bicycle performance target gaps as identified in the MIP. Projects on the list include, but are not limited to: • Northup Way - 136th Place NE to 140th Avenue NE • 112th Avenue NE - NE 8th Street Trail access to NE 12th Street • 140th Avenue NE - NE 14th Street to NE 24th Street • Main Street - Bellevue Way to 116th Ave NE • 114th Avenue NE - NE 6th Street to SE 8th Street • 156th Avenue NE - Northup Way to NE 8th Street • Northup Way - 156th Avenue NE to 164th Avenue NE • Lake Hills Connector - SE 8th Street to 140th Avenue SE • 140th Avenue - NE 14th Street to NE 8th Street • Newport Way - 152nd Avenue SE to 164th Avenue SE	50,000			0	50,000

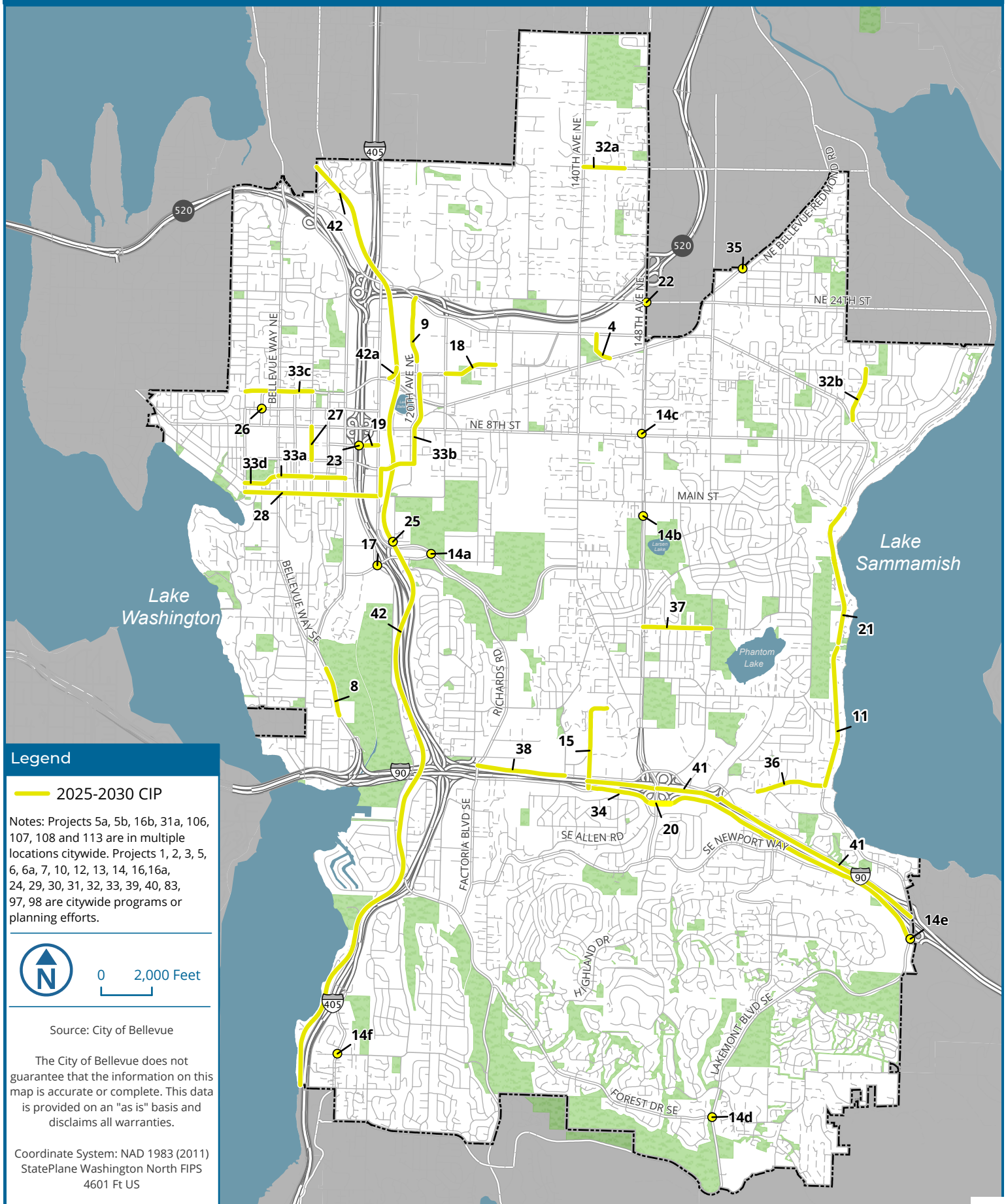
					2027-2032 Project Funding Categories ($000)				
						Secured Project Funding			
2027-2032 TIP Ref No.	CIP #	TFP #	Project Name	Project Description	Unsecured 2027-2032 Funding	Local* Funding	Other** Funding	Total Funding	Total Cost
Regional or Outside Agency-Led Projects in which the City May Choose to Participate Financially									
109			I-405 Master Plan Implementation	Consider-how the City will participate with state and regional partners in the development and implementation of the I-405 Master Plan Corridor Program and its components or connections to the local transportation system north and south of downtown Bellevue (generally, NE 6th Street Extension, access improvements between SR 520 and southbound I-405 (Southbound I-405 Collector Distributor Ramp and the I-405 / 520 HOV Direct Connector) South Downtown I-405 Access Improvement (Lake Hills Connector) (TFP-296), and the I-405 Renton to Bellevue Widening and Express Toll Lanes). Project funds, as secured, may be used to conduct focused planning, design, and ROW needs studies, prepare final designs, acquire ROW, and for construction.	10,000			0	10,000
110			SR 520 Eastside Multi-Modal Corridor Projects	Consider how the City will participate with state and regional partners in the development and implementation of the 2013 SR 520 multimodal corridor study. Project funds, as secured, may be used to conduct focused planning, design and ROW needs studies, to prepare final designs, to acquire ROW and to complete construction of the projects within the study (i.e., 124th Avenue NE interchange, SR 520 Regional Trail gap between 108th Ave NE and NE 24th Street, SR 520 Regional Trail Grade Separation at 148th Ave NE and related non-motorized improvements).	10,000			0	10,000
111			I-90 System Implementation	Consider how the City will participate with state and regional partners in the development and implementation of I-90 components or connections to the local transportation system in the vicinity of Factoria, Eastgate, Lakemont and West Lake Sammamish. Project funds, as secured, may be used to conduct focused planning, design and ROW needs studies, to prepare final designs, to acquire ROW and to complete construction of projects.	5,000			0	5,000
112			SR 520, I-405 to West Lake Sammamish Parkway	Consider if and how the City will participate with state and regional partners in the development and implementation of a SR 520 corridor study between I-405 and West Lake Sammamish Parkway. The study will evaluate near and long term solutions to general purpose and high occupant vehicle mobility issues. The study will evaluate auxiliary lanes between I-405 and 148th Ave NE, and other improvements necessary to support BelRed Corridor, Overlake, and general corridor growth.	10,000			0	10,000
113			ST3 Implementation	Consider if and how the City will participate with regional partners in the development and implementation of a light rail extension from South Kirkland to Issaquah and a bus rapid transit system along the I-405 corridor per the ST3 Plan. Project funds, as secured, may be used to conduct planning, design or ROW needs studies, to prepare final designs, acquire ROW, and for construction. Examples of potential implementation projects are the Eastgate Park and Ride and I-405 Bus Rapid Transit.	10,000			0	10,000
				TOTALS:	$1,361,037	$366,443	$67,851	$434,294	$1,795,331

* Local Funding includes secured revenue from other local agencies and private entities (City of Redmond, King County, Puget Sound Energy, etc.)

** Other Funding includes secured revenue from Federal and State grants.

MAPS

Recommended 2027-2032 Transportation Improvement Program Projects
2025-2030 CIP



Legend

2025-2030 CIP

Notes: Projects 5a, 5b, 16b, 31a, 106, 107, 108 and 113 are in multiple locations citywide. Projects 1, 2, 3, 5, 6, 6a, 7, 10, 12, 13, 14, 16,16a, 24, 29, 30, 31, 32, 33, 39, 40, 83, 97, 98 are citywide programs or planning efforts.

N

0 2,000 Feet

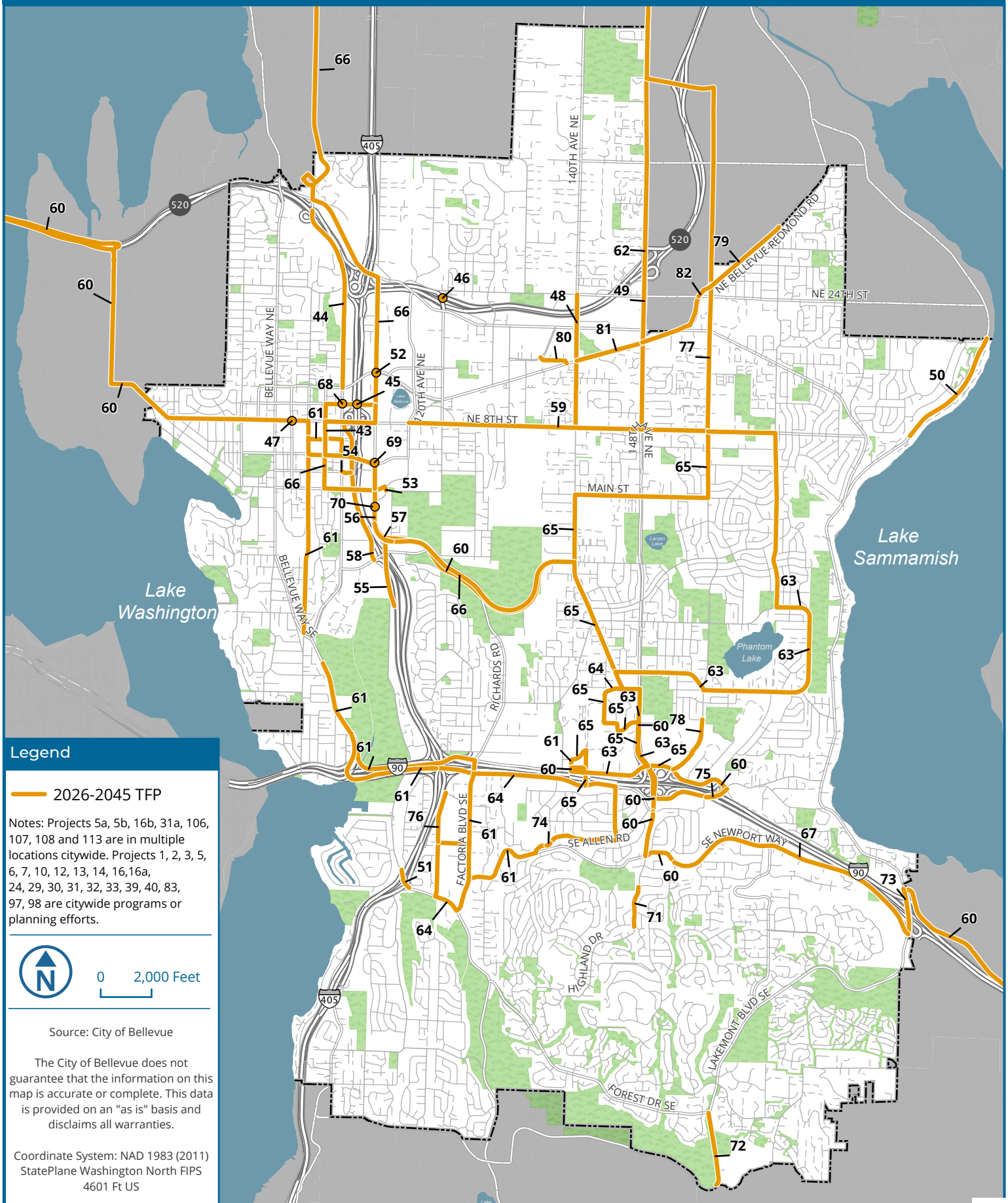
Source: City of Bellevue

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: NAD 1983 (2011) StatePlane Washington North FIPS 4601 Ft US

Date: 5/18/2026 File Name: V:\Trans\ArcGISPro\Planning\TIP\TIP2027-2032\TIP2027-2032.aprx

Recommended 2027-2032 Transportation Improvement Program Projects
2026-2045 TFP



Legend

2026-2045 TFP

Notes: Projects 5a, 5b, 16b, 31a, 106, 107, 108 and 113 are in multiple locations citywide. Projects 1, 2, 3, 5, 6, 7, 10, 12, 13, 14, 16,16a, 24, 29, 30, 31, 32, 33, 39, 40, 83, 97, 98 are citywide programs or planning efforts.

N

0 2,000 Feet

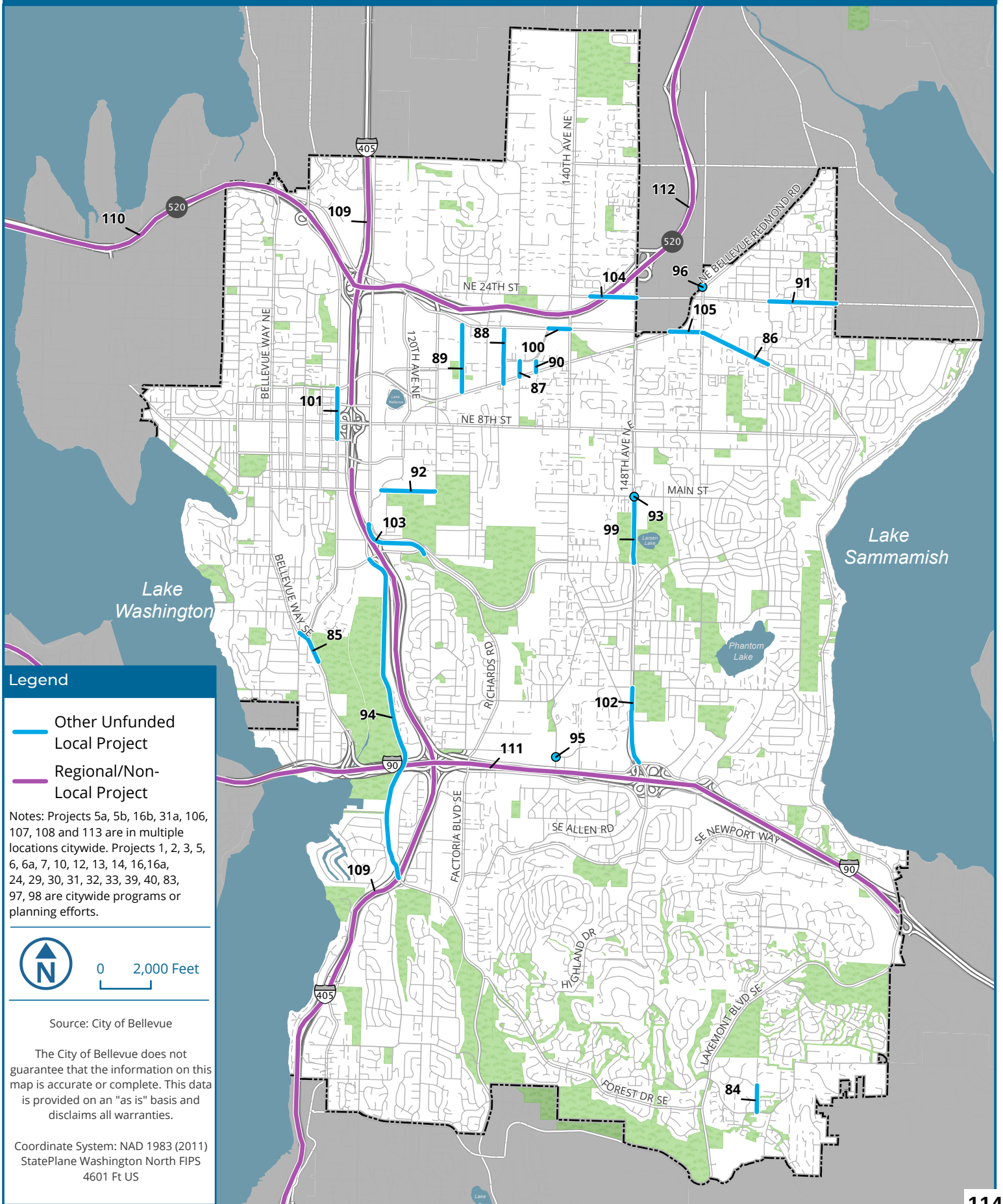
Source: City of Bellevue

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: NAD 1983 (2011) StatePlane Washington North FIPS 4601 Ft US

Date: 5/5/2026 File Name: V:\Trans\ArcGISPro\Planning\TIP\TIP2026-2031\TIP2027-2032.aprx

Recommended 2027-2032 Transportation Improvement Program Projects
Other Unfunded Local Projects and Regional/Non-Local Projects



Legend

- Other Unfunded Local Project
- Regional/Non-Local Project

Notes: Projects 5a, 5b, 16b, 31a, 106, 107, 108 and 113 are in multiple locations citywide. Projects 1, 2, 3, 5, 6, 6a, 7, 10, 12, 13, 14, 16,16a, 24, 29, 30, 31, 32, 33, 39, 40, 83, 97, 98 are citywide programs or planning efforts.

N

0 2,000 Feet

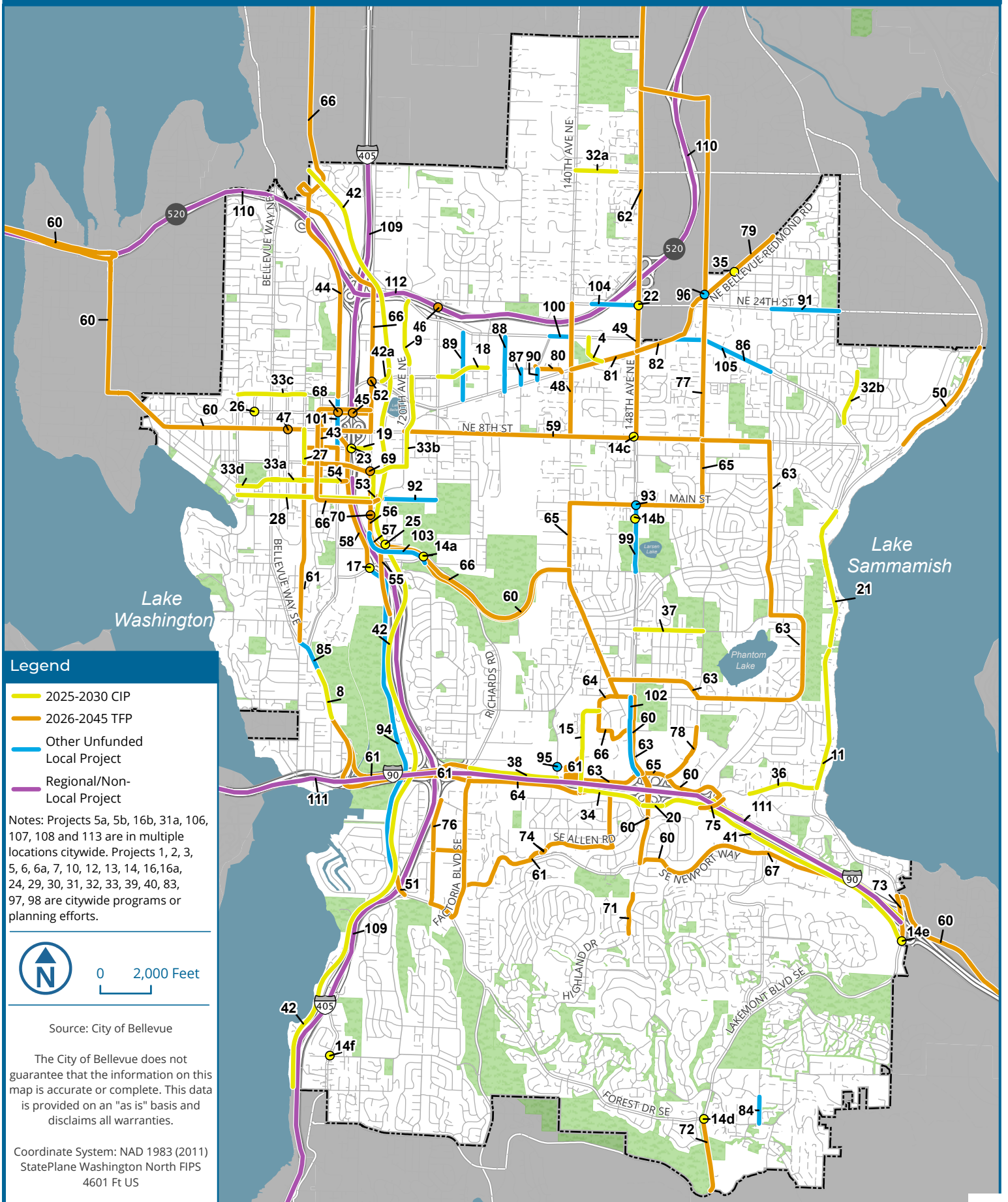
Source: City of Bellevue

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: NAD 1983 (2011) StatePlane Washington North FIPS 4601 Ft US

Date: 5/6/2026 File Name: V:\Trans\ArcGISPro\Planning\TIP\TIP2026-2031\TIP2027-2032.aprx

Recommended 2027-2032 Transportation Improvement Program Projects



Legend

- 2025-2030 CIP
- 2026-2045 TFP
- Other Unfunded Local Project
- Regional/Non-Local Project

Notes: Projects 5a, 5b, 16b, 31a, 106, 107, 108 and 113 are in multiple locations citywide. Projects 1, 2, 3, 5, 6, 6a, 7, 10, 12, 13, 14, 16,16a, 24, 29, 30, 31, 32, 33, 39, 40, 83, 97, 98 are citywide programs or planning efforts.

N

0 2,000 Feet

Source: City of Bellevue

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: NAD 1983 (2011) StatePlane Washington North FIPS 4601 Ft US

Date: 4/28/2026 File Name: V:\Trans\ArcGISPro\Planning\TIP\TIP2026-2031\TIP2027-2032.aprx

Title VI Assurances

It is the City of Bellevue's policy to assure that no person shall, on the grounds of race, color, or national origin (including limited English proficiency), as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any City of Bellevue program or activity. Any person who believes their Title VI protection has been violated may file a complaint with the City of Bellevue's Human Resources Director. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact the Title VI Coordinator for the City of Bellevue Transportation Department at (425) 452-4496.

Bellevue Transportation Commission

Commissioners:

Karen Stash, Chair

Drew Magill, Vice Chair

Susanna Keilman

Nik Rebhuhn

Albert Ting

Anthony Welcher

Kay Williams

City Council Liaison:

Dave Hamilton, Deputy Mayor

Staff Contact:

Kevin McDonald, AICP
425-452-4558
kmcdonald@bellevuewa.gov

Date: May 15, 2026

To: Mayor Mo Malakoutian and Councilmembers

Subject: City of Bellevue 2027-2032 Transportation Improvement Program Update Recommendation

The Transportation Commission is pleased to recommend the City of Bellevue 2027-2032 Transportation Improvement Program (TIP) for City Council's consideration and adoption. The recommended TIP project list was developed by staff and reviewed by the Commission at our meeting on February 12. The Transportation Commission held a Public Hearing on the recommended TIP project list and recommended approval at our meeting on Thursday, May 14, 2026.

State law (RCW 35.77.010) mandates that all local jurisdictions annually adopt and submit to the state a six-year program of transportation improvements, known as the local TIP. The six-year local TIP serves as a project inventory and a rough work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act. Council adopted the current 2026-2031 Local TIP on June 3, 2025 (Res. 10514).

Since local TIPs need not be revenue constrained, jurisdictions can include all projects they would choose to implement within the timeframe if funding were available. The recommended City of Bellevue 2027-2032 local TIP includes projects from the adopted 2025-2030 CIP, the adopted 2026-2045 Transportation Facilities Plan, and other project priorities that have emerged from transportation planning and analysis work. The recommended TIP also includes other regional or outside agency-led projects (many are on the three major freeway corridors serving Bellevue) in which the city could be a partner, but not necessarily as the lead agency. While the TIP is not revenue constrained, the Transportation Commission does recognize the fluctuating financial climate and will be cognizant of this when discussing future project timing and costs.

The particular importance of the local TIP is that, in most instances, projects must be included in a local TIP to be eligible for state and federal grant programs. The recommended local TIP includes many projects that would compete well against state and federal grant program criteria.

Due to the TIP's value in local and regional transportation planning and funding efforts, we recommend the City Council adopt the City of Bellevue 2027-2032 Transportation Improvement Program.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10642

A RESOLUTION adopting the City of Bellevue 2027-2032 Transportation Improvement Program.

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

Section 1. The City of Bellevue 2027-2032 Transportation Improvement Program (TIP) is hereby adopted, a copy of which shall be substantially in the form 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 the execution of a contract amendment to the agreement with MacDonald Miller for the additional engineering and HVAC components at the Bellevue Aquatic Center in the amount of $161,088 plus all applicable taxes.

Shelley McVein, Deputy Director, 452-5378
Tom Purcell, Structural Operations Manager, 452-2036
Mark Schwisow, Program Manager, 452-7110
Parks & Community Services

EXECUTIVE SUMMARY

ACTION	Authorize a Resolution to execute a contract amendment in the amount of $161,088, plus all applicable taxes, for a total contract amount of $933,766, plus all applicable taxes, to MacDonald Miller for additional engineering and HVAC components.

RECOMMENDATION

Move to adopt Resolution No. 10643

BACKGROUND/ANALYSIS

The Bellevue Aquatic Center (BAC) was built in 1970. The City of Bellevue took over operations of the BAC in 1995 and has operated the Bellevue Aquatic Center under a Joint Use Agreement with the Bellevue School District since. In 1997 the city added a warm water therapy pool and lobby to the BAC. Today, the Bellevue Aquatic Center is the only public pool in Bellevue and continues to serve our community with opportunities to recreate, learn to swim, and receive warm water therapy for special needs and individuals needing rehabilitation.

In 2019 the State passed Washington State Clean Buildings Act to address climate change with legislation and energy use standards aimed at making buildings more efficient. Further, Washington State Department of Enterprise Services (DES) established an Energy Program to provide grant opportunities to agencies for energy/utility conservation and to provide project management services to agencies in a cost-effective, efficient manner.

In 2021, The City of Bellevue signed an Interagency Agreement with Washington State DES to utilize the Energy Program. This Agreement allows for contracting with companies pre-qualified by the State and provides project management oversite services.

On October 7, 2025, City Council authorized Resolution 10547 for execution of a contract with MacDonald Miller to provide mechanical design improvements and construction of energy conservation related elements at the Bellevue Aquatic Center.

This construction project allows the Parks & Community Services Department to address and replace ‘end of life’ mechanical components while also addressing some of the energy-use requirements for compliance with the Washington State Clean Buildings Act. Construction to address building lighting,

controls and mechanical systems is underway with an anticipated completion in 2027.

After execution of the original agreement, it was discovered that additional engineering and components are needed in addition to the original proposed HVAC equipment to comply with energy code requirements. The cost of additional services and equipment exceeds 10% of the original contract and thus requires the council's approval.

POLICY & FISCAL IMPACTS

Policy Impact
Bellevue City Code chapter 4.28 provides for the fair and equitable treatment of all persons involved in the purchasing process. Council approval is required to award contract costs estimated to exceed $350,000.

PA-41. Evaluate existing parks and facilities, and renovate, where appropriate, to maximize efficient maintenance and operating practices, improve safety and accessibility for all users, and to reduce, where feasible, the impact on adjacent properties

PA-42. When feasible, install, renovate or replace facilities using materials, construction and operation methods that meet or exceed green building certification or other performance standards and are known to be weather-resistant and longer lasting.

Fiscal Impact
Authorizing this action will obligate the City to an amount up to $933,766, plus all applicable taxes. This project is funded through the 2025-2030 General Capital Improvement Program in the Aquatics Facility Design (A&E) (CIP Plan No. P-AD-108). Sufficient funds exist to complete this project.

OPTIONS

1. Adopt the Resolution authorizing the execution of a contract amendment to the agreement with MacDonald Miller for the additional engineering and HVAC components at the Bellevue Aquatic Center in the amount of $161,088 plus all applicable taxes.Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10643

AVAILABLE IN COUNCIL LIBRARY

Amendment No. 2 with MacDonald-Miller
Energy Service Company (ESCO) Construction Contract with MacDonald-Miller and Amendment No. 1

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10643

A RESOLUTION authorizing the execution of a contract amendment to the agreement with MacDonald Miller for the additional engineering and HVAC components at the Bellevue Aquatic Center in the amount of $161,088 plus all 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 a contract amendment to the agreement with MacDonald Miller for the additional engineering and HVAC components at the Bellevue Aquatic Center in the amount of $161,088 plus all applicable taxes, a copy of which amendment 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 of Bellevue

6/9/2026

CITY COUNCIL AGENDA TOPIC

Resolution authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in an amount up to $262,800, plus all applicable taxes.

Andrew Singelakis, Director
Maher Welaye, Assistant Director
Kyle Potuzak, Design Engineering Manager
Isack Habte, Pavement Manager
Transportation Department

EXECUTIVE SUMMARY

ACTION	This Resolution authorizes the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in the amount of $262,800, plus all applicable taxes, for pavement thickness investigation services.

RECOMMENDATION

Move to adopt Resolution No. 10644

BACKGROUND/ANALYSIS

Applied Research Associates Inc. was originally selected on February 23, 2024, to perform the city's biannual pavement survey and provide reports on the pavement condition of the roadway network under a contract that expires in 2028 (PO# 2450012).

As part of the procurement for this contract, optional services were included to assess pavement thickness citywide using ground penetrating radar. This additional work will provide data that supports asset management and project planning for the pavement preservation program. Staff would like to exercise these optional services and add the scope of work to the existing contract. Due to the new contract amount total, City Council action is required for this change.

POLICY & FISCAL IMPACTS

Policy Impact
The Transportation element of the Comprehensive Plan speaks to prioritizing maintenance of the existing transportation system.

Fiscal Impact
This action obligates the city to increase the contract with Applied Research Associates Inc. by $262,800, plus all applicable taxes, for a total contract amount of $612,800 for pavement evaluation services. Sufficient funding exists in the 2025-2026 General Fund to fully fund this contract.

Professional Services Agreement with Applied Research Associates Inc.	
Original Contract (PO# 2450012)	$350,000
Supplement No. 1	$262,800
New Contract Total Amount	**$612,800**

OPTIONS

1. Adopt the Resolution authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in an amount up to $262,800, plus all applicable taxes.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10644

AVAILABLE IN COUNCIL LIBRARY

Supplement #1 to Professional Services Agreement

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10644

A RESOLUTION authorizing the execution of Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in an amount up to $262,800, plus all 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 a Supplemental Agreement No. 1 to the Professional Services Agreement (PO# 2450012) with Applied Research Associates Inc. in an amount up to $262,800, plus all applicable taxes, a copy of which agreement shall be substantially in the form 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

Recommended Omnibus Land Use Code Amendment and proposed Bellevue City Code Amendments to address clean-up amendments in the Land Use Code, amendments required for compliance with state law, and minor amendments which require limited policy consideration and clearly advance established priorities.

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

EXECUTIVE SUMMARY

DIRECTION

Staff will introduce the recommended Omnibus Land Use Code Amendment (LUCA) and the proposed Bellevue City Code Amendment (BCCA). Planning Commission Chair Khanloo will present the Planning Commission recommendation approving the LUCA without modification. The Resolution documenting this recommendation is included as Attachment A.

Following discussion, staff is seeking City Council direction to prepare the LUCA and BCCA for final action at a future meeting.

RECOMMENDATION

Consider directing staff to finalize the Omnibus LUCA and BCCA Ordinances for final action at a future meeting.

BACKGROUND/ANALYSIS

Background

Staff continuously collect and document potential Land Use Code (LUC) clean-up items and periodically address them through clean-up LUCAs. Historically, these amendments have been limited to spelling corrections, outdated cross-references, scrivener's errors, and minor edits intended to clarify code intent. The city last completed a clean-up LUCA in 2022.

For this cycle, the approach directed by the council expands the scope to include amendments necessary for minimum compliance with state law, as well as small-scale code edits that require limited policy direction and are not expected to be controversial. The amendments are also limited to topics not already being addressed through other ongoing or upcoming projects. City Council directed this approach when the project was initiated on February 3.

Strike drafts of the recommended clean-up amendments are included in Attachments B through F. The amendments are organized into separate strike drafts because they generally address different subject areas. Accordingly, if directed by the council to return for final action, the amendments would be presented as separate ordinances corresponding to those distinct subjects.

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

efficiency. The omnibus package includes both LUCAs, which are reviewed by the Planning Commission, and related Bellevue City Code Amendments (BCCAs) affecting development regulations.

The primary goal of this project is to improve the clarity and usability of the code by addressing as many clean-up items as possible to support consistent review and application. The project also provides an opportunity to incorporate minor code amendments that better implement established policy but do not warrant separate workplan items. In addition, the project will ensure continued compliance with state law.

Planning Commission Review

The recommended LUCA includes three categories of amendments: technical clean-ups and process improvements; updates necessary to achieve minimum compliance with state law; and low-controversy amendments intended to better implement established city policy direction. The Planning Commission unanimously recommended forwarding the LUCA to City Council. The Commission also unanimously recommended adding an amendment to the East Main portion of the Land Use Code to establish a residential fee-in-lieu option consistent with the existing commercial fee-in-lieu amount. While not originally included in the LUCA scope, the Commission directed staff to add the item in response to public feedback.

Clean-Up and Process Improvements

Recommended amendments in this category include:

- Correcting cross-references and inconsistent formatting
- Adding and revising definitions for clarity
- Consolidating duplicate process-related code into citywide sections
- Clarifying extended vesting provisions to reflect current policy and practice
- Other minor code clarifications that do not require additional policy direction

State Law Compliance

The recommended LUCA includes amendments necessary to achieve minimum compliance with recently adopted state legislation, including:

- SB 5611, Streamlining and Clarifying Land Use Permitting
- SB 5571, Building Cladding
- HB 1757, Residential Redevelopment
- SB 5509, Childcare Reform
- SB 5559, Unit Lot Subdivision
- HB 1096, Lot Splitting
- HB 1183, Building Code and Development Regulation Reform

Low-Controversy Updates

Additional amendments were evaluated based on consistency with adopted city policy, limited anticipated impacts to stakeholders, and whether the amendments could be implemented without extensive additional outreach or analysis. This category also includes targeted refinements to recently adopted regulations, including Wilburton and Middle Housing provisions.

Recommended changes include:

- Tree code updates, including allowing property line trees to count as one-half credit and aligning

SR-1 retention requirements with other SR districts
- Consolidation and clarification of permitting processes for Master Development Permits, Administrative Design Permits, departures, and process mergers
- Removal of single-family residential as a permitted use in higher-density residential and mixed-use zones, while continuing to allow accessory dwelling units (ADUs) with middle housing

The tree code adjustments respond to implementation feedback and are intended to provide greater flexibility while encouraging tree retention. The process changes are intended to simplify and clarify permitting requirements and review procedures. The removal of single-family residential as a permitted use in the city's highest-density zones is intended to better align zoning regulations with planned future land uses and support the city's housing growth and capacity goals.

Public Engagement

Staff followed a public engagement plan with three outreach methods to inform the public, stakeholders, and interested parties about the proposed amendments and provide opportunities for comment.

- Process IV Requirements. Consistent with Chapter 20.35 LUC procedural requirements, public input will be solicited through a notice of application, notice of public hearing, and public hearing.
- Direct Engagement and Feedback. Staff will engage with the development community and residents through outreach efforts, including Bellevue Development Committee (BDC) meetings.
- Online Presence. The city webpage will provide project information, staff contacts, and instructions for submitting comments.

LUCA Schedule

The Omnibus Amendments were initiated by the council on February 3. The Planning Commission completed their review of the LUCA on May 13, and council review will happen on June 9 with council action anticipated for July. 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

Code changes recommended in the Omnibus Amendments either align with existing policy or are required for compliance with state law.

Fiscal Impact

There is no fiscal impact associated with the Omnibus Amendments.

OPTIONS

1. Direct staff to finalize the Omnibus LUCA and BCCA Ordinances for final action at a future meeting.
2. Provide alternative direction to staff.

ATTACHMENTS

A. Planning Commission Resolution
B. Clean-Up Amendments Strike Draft
C. Development Regulations Strike Draft
D. Trees, Landscaping, and Environment Strike Draft
E. Process Changes Strike Draft
F. Bellevue City Code Amendments

AVAILABLE IN COUNCIL LIBRARY

N/A

Bellevue Planning Commission

A Resolution of the Planning Commission
May 13, 2026

2026 Omnibus Land Use Code Amendment Recommendation

AYE	NAY	ABSENT	
X			Negin Khanloo, Chair
X			Jonny Lu, Vice-Chair
X			Andres Villaveces
X			Carolynn Ferris
X			Mariah Kennedy
X			Arshia Nilchian
X			Craighton Goeppele
On the motion of: Commissioner Goeppele			
Seconded by: Commissioner Ferris			
The following resolution was adopted:			

WHEREAS, the city periodically amends the code to address clean-up and housekeeping amendments; and

WHEREAS, this Land Use Code Amendment represents an expansion of the typical clean-up code process to include compliance with recently adopted state law and small, noncontroversial amendments with some minor policy consideration; and

WHEREAS, the Bellevue City Council initiated processing of this Land Use Code Amendment on February 10, 2026; and

WHEREAS, Comprehensive Plan Policy LU-7 requires the accommodation of the adopted growth targets of 35,000 additional housing units and 70,000 additional jobs for the 2019-2044 period and plan for the additional growth anticipated by 2044; and

WHEREAS, Comprehensive Plan Policy LU-8 encourages new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage; and

WHEREAS, Comprehensive Plan Policy HO-15 encourages streamlining permitting processes and creating objective development regulations that encourage housing development throughout the city; and

WHEREAS, Comprehensive Plan Policy HO-18 promotes housing density, choice and affordability in areas served by the frequent transit network, businesses serving the community's day-to-day needs and significant nodes of employment; and

WHEREAS, Section 3.64.070 Bellevue City Code and section 20.35.410 Land Use Code establishes the powers and duties of the Planning Commission to act in an advisory capacity to the City Council by holding public hearings, advising, and making recommendations to the City Council on land use ordinances and regulations to implement the comprehensive plan; and

WHEREAS, the Development Services Department encouraged public participation and provided information on the land use code amendment on its website; and

WHEREAS, the Planning Commission held a study session on April 8, 2026 to discuss the proposed 2026 Omnibus Land Use Code Amendment; and

WHEREAS, after providing legally required public notice, the Planning Commission held a public hearing on May 13, 2026, for the proposed 2026 Omnibus Land Use Code Amendment; and

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

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL THAT IT ADOPTS THE 2026 OMNIBUS LAND USE CODE AMENDMENT (FILE NO. 26-104467 AD).

_____ 5/26/2026

Negin Khanloo, Chair Date

_____ 05/26/2026

Katherine Nesse, staff liaison Date

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.

7~~6~~. 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 ~~Services~~ Center (~~3,~~4)	P	P	P	P	P	P	P	P	P	P	P

	~~Family Child Care Home in Residence~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
	~~Child Day Care Center~~								~~C~~	~~C~~	~~P~~	~~P~~
…												

…

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

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

…

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	MDR-1	MDR-2
5	Trade (Wholesale and Retail) ~~(39)~~											
…												
553	~~Gasoline Service~~Vehicle Fueling and Charging Stations (40)											

…

…

Chart 20.10.440
Uses in land use districts

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

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office PO	Office O	Office/Limited Business OLB	Office/Limited Business 2 OLB2	Light Industry LI	General Commercial GC	Neighborhood Business NB	Mixed Use: 8 Story MU8	Neighborhood Mixed Use NMU	Community Business Mixed Use: 16 Story CB (36) MU16	Factoria Land Use District 1 F1	Factoria Land Use District 3 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

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU	CB	MU16	F3
	DIMENSIONS	~~(21)~~	(~~21,~~ 52, 54)	(~~21,~~ 52, 54)	(~~21,~~ 52, 54)	~~(21)~~	~~(21)~~	(~~21,~~ 52, 54)	(~~21,~~ 52, 54)	(~~21,~~ 54)	(~~21,~~ 52, 54)	(~~21,~~ 52, 55)	(~~21,~~ 52, 56)
…													

	Rear Yard (18) (20)	25 ~~(17)~~	0	0	0	~~(2, 17)~~	~~(2, 17)~~	0 (25)	0	0	0	0	0
	Side Yard (18) (20)	20 ~~(17)~~	0	0	0	(~~25~~, ~~17~~)	(~~25~~, ~~17~~)	0 (25)	0	0	0	0	0
	2 Side Yards (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) ~~(13)~~(14)(16)	35(24)				50							
...													

…

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

…

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

…

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

…

(8) 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. 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.

…

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 x C x 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.)~~

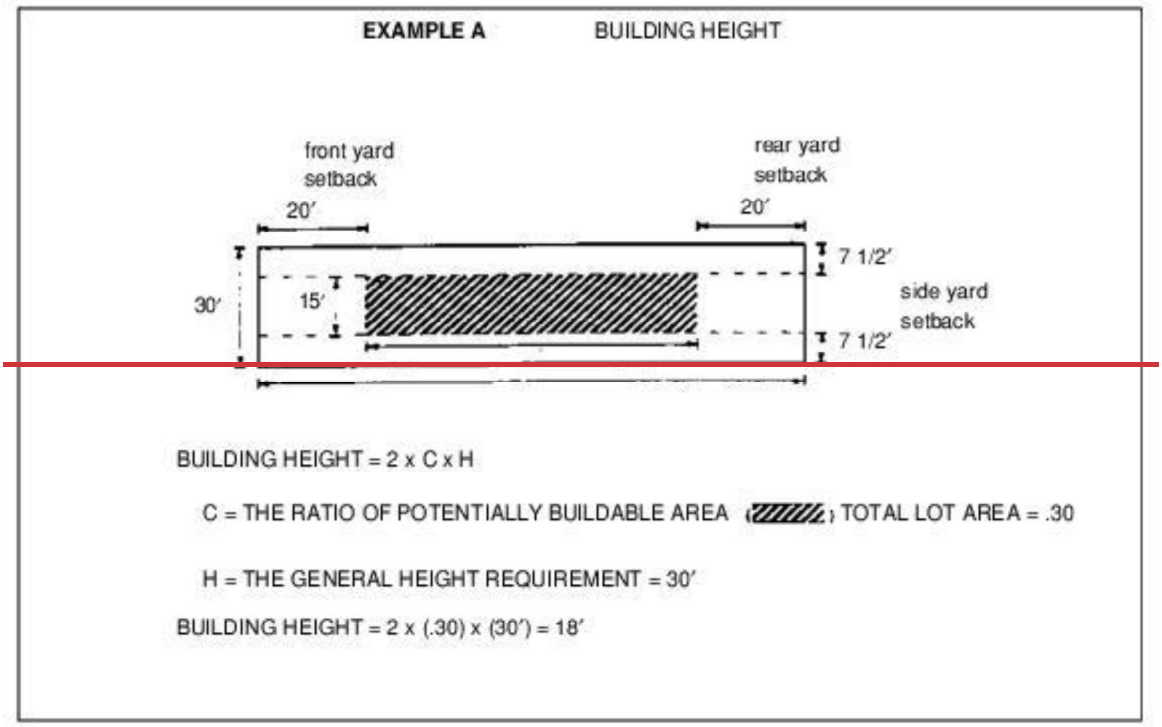
~~Provided, that in no event shall building height exceed the building height requirement otherwise applicable to the lot; and provided, that in no event shall a building height requirement be imposed less than 15 feet.~~

~~C~~B. Notwithstanding subsection A of this section, a nonconforming lot in a Residential Land Use District failing to meet or exceed 70 percent of minimum area, width, and depth requirements of the district in which it is located may not be used for a building site if at any time since the effective date of the ordinance which first established a minimum lot area, width, depth, or street frontage requirement larger than the lot contains or annexation, whichever was later, has a person, partnership, corporation or marital community owning said lot simultaneously owning additional contiguous property. Such lots must be combined with additional contiguous property sufficient that the area, width and depth of the combined property each meets or exceeds 70 percent of the minimum requirements of the land use district in which the property is located. This subsection does not constitute a waiver of any of the requirements of boundary line adjustment procedure.

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

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

DRAFT



…

20.20.125 Accessory structures in residential districts – Detached.

…

B. **Applicability.**

This section applies to detached accessory structures located on lots less than 20,000 square feet within any residential land use district. This section is not applicable to detached accessory dwelling units regulated pursuant to LUC 20.20.120. This section is not applicable to structures exempt from regulation under the International Building Code, as adopted and amended by the City of Bellevue; however, exempt structures (e.g., swimming pools, greenhouses, and similar structures) and parked or stored recreational vehicles, watercraft, and utility trailers (regulated pursuant to LUC 20.20.720 ~~or 20.20.890~~) may intrude into side or rear yard setbacks pursuant to the process contained in subsection E.3 of this section.

…

20.20.127 Adult entertainment uses.

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

…

C. The 660-foot distance shall be a straight, horizontal line, measured from the nearest point of that portion of a lot proposed to be used for an adult entertainment use (generally, the enclosed building

or indoor leased space, excluding, for example, parking areas, landscaping or tenant common areas) to the nearest point of:

…

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

…

20.20.130 Animal keeping and services.

…

B. **Minimum Requirements.**

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

Animal Regulations

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

…

20.20.170 Child care centerservice 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 usecenter within the City. The requirements of this section shall be imposed at the initiation of any child care service usecenter, or upon any addition or modification to a child care service usecenter 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 usecenter 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, eEach 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.~~

~~E~~D. **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.

…

20.20.900 Tree retention and replacement.

…

E. **Minimum Tree Density.**

…

5. Dimensional Standard Modification for Tree Retention.

…

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

…

6. Planted Trees.

…

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

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

…

Chapter 20.25 Special and Overlay Districts

…

Part 20.25A

20.25A.050 Downtown Land Use Charts.

…

D. **Use Charts.**

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

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

…

Services – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1 DT-O-1	Downtown Office 2 DT-O-2	Downtown Mixed Use DT-MU	Downtown Residential DT-R	Downtown Old Bellevue DT-OB	Downtown Office and Limited Business DT-OLB
…							
	~~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-6~~7~~ 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~~7~~,

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

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

…

Wholesale and Retail – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATIONS	Downtown Office 1	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
…							
553	~~Gasoline Service~~Vehicle Fueling and Charging Stations ~~(8)~~ (9)	P	P	P			P
…							

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

…

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

…

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

…

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

Wholesale and Retail – BelRed Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	BelRed Medical Office/Node BR-MO/ MO-1	BelRed Office Residential/Nodes BR-OR/ OR-1 OR-2	BelRed Residential Commercial Nodes BR-RC-1 RC-2 RC-3	BelRed Residential BR-R	BelRed General Commercial BR-GC	BelRed Commercial Residential BR-CR	BelRed Office Residential Transition BR-ORT
5	Trade (Wholesale and Retail) (1, 7~~, 15~~)							
…								
553	Vehicle Fueling and Charging~~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

		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
STD LAND USE CODE REF	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
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 – Sevices:

…

(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 centerservice may be located in a community facility in any land use district pursuant to LUC 20.20.170.ED~~. Intentionally Deleted.

…

20.25D.080 Dimensional Requirements.

…

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

…

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

…

20.25D.130 BelRed development standards.

…

D. **Required Transition Edge Development.**

…

4. Applicable Standards for Building Design.

…

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

~~d~~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.

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

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

…

Part 20.25I Community Mixed-Use Design District

…

20.25I.070 Transition Standards

…

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 20.20.561~~0~~.

…

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~~

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

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

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

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

…

Chart 20.25P.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

…

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

…

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

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

…

Chart 20.25P.050
Wholesale and Retail in Eastgate Transit oriented Development land use District

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~~Gasoline Service~~ Stations (26)	P	P
56	Apparel and Accessories (Retail) (22) ~~(23)~~	P	P
57	Furniture, Home Furnishing (Retail) (22) ~~(23)~~		
	…		
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (22) ~~(23)~~ (29)	P	P
	Handcrafted Products (Retail) (22) ~~(23)~~ (30) (31)	P	P
	…		
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (22) ~~(23)~~ (33)	P	P
5999	Pet Shop (Retail) (22) ~~(23)~~	P	P
	Computers and Electronics (Retail) (22) ~~(23)~~	P	P
	…		

Notes: Uses in East Main Land Use Districts:

…

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

(6) ~~A child care service center may be located in a Community Facility in any Land Use district pursuant to LUC 20.20.170.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~~Center, Potential Streets, Open Space, Affordable Housing, Pedestrian Bridge, and performing arts space. A nonresidential Development or a nonresidential portion of a Development shall earn 75 percent or more of the project's amenity points from the Child Care ~~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

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 ~~Service~~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 ~~Service~~ Centers shall be required to remain dedicated to Child Care ~~Service~~ Centers for the life of the project. 3. No other uses shall be approved for future tenancy in those spaces dedicated for Child Care ~~Service~~Centers. 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, 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 20.35 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; ~~and~~

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

12. Lot splits.

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

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

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

…

20.35.030 Applications.

A. **Who May Apply.**

…

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

…

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

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

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

C~~A~~. ~~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

…

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

…

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

…

20.35.127 Public meetings.

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

…

20.35.135 Public notice of Director's recommendation.

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

…

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

…

DRAFT

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		
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.

…

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 for SEPA threshold determinations on Process IV actions, may be appealed as follows:

…

20.35.320 Notice of application.

…

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

…

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

…

20.35.327 Public meetings.

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

…

20.35.335 Public notice of Director's recommendation.

…

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

…

20.35.400 Process IV: City Council legislative actions.

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

…

20.35.415 Notice of application.

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

…

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

…

20.35.420 Public hearing notice.

…

B. **Provision of Notice.**

…

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

…

20.20.455 Homeless services uses.

…

C. **Definitions**.

1. Use Definitions.

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

…

20.35.510 Notice of application.

…

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

…

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

…

20.35.525 Public meetings.

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

…

20.35.535 Notice of decision.

…

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

…

Chapter 20.50 Definitions

…

20.50.012 B definitions.

…

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

…

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

…

20.50.014 C Definitions

…

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

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

…

20.50.016 D Definitions.

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

…

Dwelling, Single-Family. A building ~~containing but one kitchen,~~ designed for and occupied exclusively by one family, except where ~~a valid~~ accessory dwelling unit~~s 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 ~~LUC 20.20.128~~, a co-living unit is considered a dwelling unit.

20.50.018 E definitions.

…

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

…

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

…

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

…

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.

…

20.50.032 L definitions.

…

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 county auditor and containing all elements and requirements for a lot split.

…

20.50.034 M definitions.

…

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

…

20.50.037 O definitions.

…

Owner Occupancy. A property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at

DRAFT

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.~~

…

20.50.048 T definitions.

…

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

…

20.50.046 S definitions.

…

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

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

…

20.50.048 T definitions.

…

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

…

20.50.052 V definitions.

…

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

…

DRAFT

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	MDR-1	MDR-2
1	Residential											
	One to Four Dwelling Units per Lot(3)	P	P	P	P	P	P	P	P (6)	P (6)	P (6)	P (6)
…												
	Accessory Dwelling Unit (9)	P	P	P	P	P	P	P	P	P	P	P
…												

…

Chart 20.10.440
Uses in land use districts

Residential – Commercial and Mixed-Use Land Use Districts

DRAFT

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

…

Notes: Uses in land use districts – Residential:

…

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

…

20.10.445 Land uses in Mixed-Use Land Use Districts.

…

C. Prohibited Uses.

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

…

10. Single-family residential.

11~~0~~. 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 stepbacks in the building design:

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

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

…

20.15.120 Affordable Housing Program – Performance Option – Residential

…

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

…

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

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

…

20.15.130 Affordable Housing Program – Performance Option – Nonresidential

…

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

…

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

…

Chapter 20.20 General Development Requirements

…

20.20.010 Dimensional requirements.

Chart 20.20.010
Dimensional Requirements in Land Use Districts

							Residential				
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	(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
…											

…

Dimensional Requirements – Commercial and Mixed-Use Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	MU8	NMU	CB	MU16	F3
	DIMENSIONS	(21)	(21, 52, 54)	(21, 52, 54)	(21, 52, 54)	(21)	(21)	(21, 52, 54)	(21, 52, 54)	(21, 54)	(21, 52, 54)	(21, 52, 55)	(21, 52, 56)
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	30	0	0	0	15	15	0	0	0	0	0	0
	Rear Yard (18) (20)	25 ~~(17)~~	0/	0	0	(2 ~~17~~)	(2~~,~~ ~~17~~)	0 (2)	0	0	0	0	0
	Side Yard (18) (20)	20 ~~(17)~~	0	0	0	(2~~,~~ ~~17~~)	(~~2,~~ ~~17~~)	0(2)	0	0	0	0	0

DRAFT

	2 Side Yards (18) (20)	40 ~~(17)~~	0	0	0	(2~~,~~ ~~17~~)	(2~~,~~ ~~17~~)	0(2)	0	0	0	0	0
…													

…

Notes: Uses in land use districts – Dimensional requirements:

…

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

…

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

…

20.20.120 Accessory dwelling units.

…

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

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.

…

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

A. **Applicability.**

The requirements of this section apply to the following:

…

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

…

20.20.525 Mechanical equipment.

…

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

…

20.20.536 Mass timber, modular construction, and passive house

A. **Applicability**

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

B. **General Requirements.**

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

1. Façade modulation;

2. Upper-level stepbacks; and

3. Off-street parking.

C. **Passive House.**

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

1. Any required setback shall be measured from the outside face of the foundation;

2. The portion of the exterior wall assemblies that include insulation shall be allowed to project to project up to eight inches into any setback;

3. The building may exceed the maximum allowable roof height by eight inches only where required to accommodate additional insulation; and

4. For the purposes of this subsection, gross floor area shall be measured from the interior face of the exterior walls, including drywall.

…

20.20.538 Middle Housing.

…

C. **Standards.**

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

		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)(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)
…											
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

…

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

…

20.20.727 Redevelopment of existing buildings.

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

…

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

…

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

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

…

3. Dimensional Requirements.

a. If the existing building is located on a site in a land use district where attached or detached multifamily dwellings are a permitted use by right for all development, then the e~~E~~ligible 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);

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

   e~~f~~. 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;~~

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

iii~~v~~. Weather protection, where required, shall define the pedestrian realm

…

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

…

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

~~1. High-Quality Materials.~~

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

~~b. Standards.~~

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

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

…

~~2~~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~~2. Standards.

~~i~~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

~~ii~~b. 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.070Residential Uses in BelRed Land Use Districts

		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
STD LAND USE CODE REF	**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.~~

~~d~~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.

~~e~~d. 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;~~

ii~~i~~. Facades shall include bays, columns, pilasters, or other articulation at the street level;

iii~~v~~. 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~~i~~. 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.~~

1~~2~~. Building Massing.

…

3~~2~~. Rooftops

…

4~~3~~. Residential Entries.

…

5~~4~~. Retail and Commercial Entries.

…

6~~5~~. Ground Floor Retail and Commercial Windows.

…

7~~6~~. Parking Structures.

…

Part 20.25P Eastgate Transit Oriented Development Land Use District

…

20.25P.050 Land Use Chart.

…

Chart 20.25P.050

Residential Uses in Eastgate Transit Oriented Development Land Use District

DRAFT

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	**EG-TOD**
1	Residential	
	~~Single-Family Dwelling~~	
	…	

…

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.~~

(2~~3~~)Façades that provide articulation at the street level by using bays, columns, pilasters or treatments.

(3~~4~~)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 $~~30~~38.~~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;~~

ii~~i~~. Façades shall include bays, columns, pilasters, or other articulation at the street level; and

iii~~v~~. 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.~~

…

~~2~~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.

…

Part 20.25R Mixed-Use Land Use Districts

…

20.25R.030 Site organization and public realm.

…

C. **Open Space.**

…

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

…

b. A landscape buffer with type III landscaping, as described in LUC 20.20.520, shall be provided as follows:

i. Where surface parking is adjacent to an access corridor and also located within the project limit, a landscape buffer of at least eight feet in width shall be provided.

ii. Where surface parking is adjacent to the rear or side yard of a lot and also located within the project limit, a landscape buffer of at least five feet in width shall be provided.

c. Plantings in landscape area shall be installed as follows:

i. Deciduous and evergreen trees shall be planted in natural groupings, with an ~~minimum~~ average of 1 tree every 20 lineal feet of landscape area.

(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~~ii~~) Small and medium shrubs, planted in groupings, shall provide coverage that equals 75 percent of the planting area within 3 years of planting.

(4~~iii~~) Ground cover shall be planted under deciduous trees, shrubs and other open areas not covered by larger plant material so that the plantings provide 90 percent coverage within 3 years of planting.

d. An alternative landscaping option may be approved by the Director as provided in LUC 20.20.520.

…

D. **Green and Sustainability Factor.**

…

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

…

b. Multiply the square feet, or equivalent unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Table 20.25R.030.D.2.e according to the following provisions:

…

ii. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted, except for landscaping strips proposed between back of sidewalk and the base of building facades.

…

E. **Public Realm.**

…

4. Weather Protection.

…

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

…

20.25R.040 Building design.

…

D. **Building Base (Podium).**

1. Intent. Enhance pedestrian experience by clearly articulating ~~the~~ parking structures and the building base/podium from the tower portion of all buildings with materials and details that reinforce human scale and better define the streetscape as public realm.

2. At least 10 percent of the exterior area above a building podium shall contain a green roof, consistent with the minimum requirements for green roofs in Table 20.25R.030.D.2.e.

…

20.25R.050 Amenity incentive system.

…

C. **FAR Exemptions.**

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

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

…

D. **Amenity Incentive Program.**

…

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

…

l. 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 t~~T~~he 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~~.~~ t~~T~~he overall development of the parent lot must meet~~s~~ 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.

…

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.2~~4~~30.

E. All boundary line adjustments shall be recorded surveys consistent with Chapter 58.09 RCW. All boundary lines being adjusted shall be surveyed, and newly established lot corners shall be staked.

F. All lots modified by this boundary line adjustment procedure shall not be approved for recording if such adjustment would create a nonconformity with respect to the requirements of this Code.

20.45B.270 Lot splits.

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

A. **Applicability.**

1. An administrative lot split shall only create one additional lot~~, and newly created lots shall not be large enough to further subdivide.~~;

2. The parent lot shall not be located in a land use district that does not allow residential uses.~~;~~

B. **General Requirements.**

1. The newly created lot and the modified parent lot must both meet the minimum lot size requirements for the underlying land use district, if applicable;

2. Certificates of availability for sewer and water shall be provided prior to approval;

3. If the administrative lot split requires demolition or alternation of an existing dwelling that would displace a renter, the applicant shall provide a displacement mitigation strategy or plan; and

4. Administrative lot splits are not subject to administrative appeal, as provided for in LUC 20.35.250, if they comply with the applicable development standards herein. Instead, administrative lot splits may be appealed in accordance with LUC 20.35.070.

5. The parent lot must not have been created through an administrative lot split authorized by this section.

6. The parent lot and the newly created lot cannot collectively contain a number of dwelling units that would exceed the number of dwelling units that would have been allowed on the parent lot prior to the administrative lot split.

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.

…

DRAFT

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~~

ii~~i~~. 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 cottonwood, or located wholly or partially on a property line the applicable tree credit value identified in Table 20.20.900.E.2 shall be reduced by 50 percent.

…

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

…

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

…

6. Planted Trees.

…

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

…

Part 20.25H Critical Areas Overlay District

…

20.25H.035 Critical area buffers and structure setbacks.

A. **Critical Area Buffer.**

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

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

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	LUC 20.25H.230
Habitat score of 6 – 7	110 ft	
~~Water quality~~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	
~~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 watercourses that are not type S waters, and that contain fish or fish habitat as described in WAC 222-16-~~031~~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.~~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 watercourses 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

…

3. Dimensional Standards Modification. The dimensional standards set forth in LUC 20.20.010 are modified as follows for sites processed through the conservation short subdivision process. All other dimensional standards and requirements of LUC 20.20.010 shall apply, including applicable footnotes:

…

Notes:

…

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

…

Title 20 Land Use Code

…

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~~t~~ 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:

1~~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 project limit;

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

~~c~~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

~~d~~4. Only a right-of-way meeting the requirements of LUC 20.25A.070.C.2 may be included in the land area located within the project limit for the purpose of computing maximum FAR.

~~C. **Design Review.**~~

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

~~D. **Departures.**~~

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

~~a. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25A.090, 20.25A.110 and 20.25A.140 through 20.25A.180, or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this subsection. For example, specific Administrative Departures are allowed from the dimensional requirements pursuant to the terms of LUC 20.25A.060.B that describe a range of exceptions and intrusions that can be approved as part of a permit review process.~~

~~b. Decision Criteria. The Director may approve or approve with conditions an Administrative Departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:~~

~~i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of the Land Use Code; and~~

~~ii. The resulting design will be more consistent with the purpose and intent of the Land Use Code; and~~

~~iii. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or Land Use Code intent; and~~

~~iv. Any Administrative Departure criteria required by the specific terms of the Land Use Code have been met; or~~

~~v. The modification is reasonably necessary to implement or ensure consistency with a departure allowed through a Development Agreement approved pursuant to Part 20.30C LUC.~~

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

~~E. Procedural Merger.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~3. Design Review, Part 20.30F LUC; and~~

~~4. Variance, Part 20.30G LUC.~~

…

Part 20.25D BelRed

…

20.25D.030 Review required.

A. **Applicable Review ~~and Guidelines~~.**

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

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

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

B. **Master Development Plan.**

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

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

~~i. Setbacks;~~

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

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

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

~~(1) At a minimum, residential and nonresidential components of a building shall be identified in order to calculate the amenities required pursuant to LUC 20.25D.090; and~~

~~(2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.25D.070;~~

~~b. Landscape development pursuant to LUC 20.25D.110;~~

~~c. Parking, circulation, and internal walkway requirements pursuant to LUC 20.25D.120;~~

~~d. BelRed street development standards pursuant to LUC 20.25D.140; and~~

~~e. Site development standards pursuant to LUC 20.25D.150.B.~~

~~2. When Required.~~

~~a. Projects located within a node. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. This requirement shall not apply to the placement of additional structures associated with existing conditions regulated pursuant to LUC 20.25D.060. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

~~b. Projects located outside of a node. An applicant shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

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

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

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

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

d. Only a right-of-way meeting the requirements of LUC 20.25D.080.D may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. **Design Review Deviations.**

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

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

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

~~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.~~

…

Part 20.25E Shoreline Overlay

…

20.25E.180 Shoreline Conditional Use Permit

…

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.~~

…

Part 20.25F1 Factoria 1

…

20.25F1.020 Review required.

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

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

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

~~B. **Master Development Plan.**~~

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

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

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

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

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

~~D. Procedural Merger.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Design Review, Part 20.30F LUC;~~

~~3. Administrative Conditional Use Permit, Part 20.30E LUC.~~

…

Part 20.25I Community Mixed-Used Design District

…

20.25I.030 Review Required.

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

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

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

~~B. Master Development Plan.~~

~~1. When Required An applicant for a project with multiple buildings proposed to be constructed at different times within a single project limit shall submit a Master Development Plan for approval by the Director, pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.~~

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

~~3. An approved Master Development Plan may be modified pursuant to LUC 20.30V.160.~~

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

~~D. Procedural Merger.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~3. Design Review, Part 20.30F LUC;~~

~~4. Variance From the Land Use Code, Part 20.30G LUC; and~~

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

…

Part 20.25J Medical Institution District

…

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).

…

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

…

20.25J.060 Landscape requirements.

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

Street Frontage	Landscaping Requirements (1)
…	
NE 8th Street	Gateway location and conceptual design approval required through the Master Development Plan review process 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.
…	

20.25J.070 Streetscape design standards.

…

C. Pedestrian Bridges.

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

…

4. Development Standards for All Pedestrian Bridges (Including Those Utilized for the Transport of Patients). Each proposed pedestrian bridge must be developed in compliance with the following standards:

a. The bridge may be unenclosed; however, if the bridge is fully enclosed or partially enclosed, the applicant shall demonstrate that it is necessary for weather protection and that 80 percent of the linear feet of the bridge has windows for visual access for bridge users to the streetscape below;

…

c. The interior width of the bridge, measured from inside face to inside face, shall be no less than 10 feet and no more than 14 feet unless functional need is demonstrated, other applicable decision criteria are met and departure from the width standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required;

d. The bridge shall be located at an upper building level, with a minimum clearance of 16 feet above the grade of the public right-of-way and a maximum clearance of 30 feet from the sidewalk grade unless functional need is demonstrated, other applicable decision criteria are met and departure from the clearance standard is approved through the Master Development Plan review process or Design Review where Master Development Plan approval is not required; and

…

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

…

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

…

~~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

…

20.25M.030 Required permits.

…

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.

…

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~~

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

iii~~v~~. 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

…

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

…

2. Scope of Design and Mitigation Approval. Design and Mitigation Review is a mechanism by which the City shall ensure that the design and proposed mitigation for temporary and permanent impacts of an RLRT system and facility is consistent with:

   ~~a. The Comprehensive Plan including without limitation Light Rail Best Practices; and the policies set forth in LUC 20.25M.010.B.7; and~~

   ~~b~~a. Any previously approved development agreement or Conditional Use Permit issued pursuant to subsection B.1 or B.2 of this section; and

   ~~c~~b. All applicable standards and guidelines contained in City Codes including the procedures related to involvement of a CAC as required by LUC 20.25M.035.

3. Decision Criteria. A proposal for an RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

   a. The applicant has demonstrated compliance with the CAC Review requirements of LUC 20.25M.035; and

   ~~b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and~~

   ~~c~~b. The proposal complies with the applicable requirements of this Light Rail Overlay District; and

   ~~d~~c. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and

   ~~e~~d. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and

   ~~f~~e. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and

   ~~g~~f. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and

   ~~h~~g. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and

   ~~i~~h. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.

   ~~j~~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:

…

…

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/~~o~~r 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 Plan~~s~~ 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:~~

1~~a.~~ 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.~~

2~~3~~. 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

…

20.25Q.030 Review required.

A. **Applicable Review.**

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

~~A. Effect of Approval.~~

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

B. **Master Development Plan.**

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

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

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

~~i. Building Height for each Building identified in subsection B.1 of this section;~~

~~ii. Floor Area Ratio for each Building. Floor Area Ratio shall also be provided to calculate the amenities required pursuant to LUC 20.25Q.070;~~

~~iii. Square footage for each residential and nonresidential component of a Building shall be identified in order to demonstrate compliance with the minimum residential requirement in LUC 20.25Q.060; and~~

~~iv. Open Space required.~~

~~b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the Public Right-of-Way as required pursuant to LUC 20.25Q.100.~~

~~c. Areas identified to accommodate vehicular, bicycle, and pedestrian circulation pursuant to LUC 20.25Q.100.~~

~~d. Areas identified to accommodate landscape Development pursuant to LUC 20.25Q.080.~~

~~2. When Required. An applicant for a project with multiple Buildings located within a single Project Limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single Building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when Building construction is proposed to be phased.~~

~~3.~~ For the purposes of ~~this section~~Part 20.25Q LUC and Part 20.30V LUC, the Project Limit may be drawn to encompass a vehicular, bicycle, or pedestrian circulation that bisects a Site, provided the Director finds that the following connectivity criteria can be met:

a. A system of corner crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting circulation within the Project Limit;

b. Pedestrian paths shall be provided to connect all Buildings and circulation crossings located within the proposed Project Limit; and

c. Visual connections shall be provided between all Buildings located within the Project Limit by minimizing topographic variation and through use of vegetation and outdoor spaces.

~~C. **Design Review.**~~

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

~~D. **Departures.**~~

~~1. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code may not always result in the East Main outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an Administrative Departure process to modify provisions of the Land Use Code when the strict application would result in an East Main Development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Southwest Bellevue Subarea Plan.~~

~~2. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25Q.080, 20.25Q.100 and 20.25Q.130 through 20.25Q.160 or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this subsection.~~

~~3. Decision Criteria. The Director may approve or approve with conditions an Administrative Departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:~~

~~a. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of this Code; and~~

~~b. The resulting design will be more consistent with the purpose and intent of this Code; and~~

~~c. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or this Code's intent; and~~

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

~~4. Limitation on Authority. Administrative Departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a Variance granted under the terms of Part 20.30G LUC.~~

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

~~1. Master Development Plan, Part 20.30V LUC;~~

~~2. Administrative Conditional Use Permit, Part 20.30E LUC;~~

~~3. Design Review, Part 20.30F LUC;~~

~~4. Variance, Part 20.30G LUC; and~~

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

…

Part 20.25R Mixed-Use Land Use Districts

20.25R.010 General.

…

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

DRAFT

~~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

…

Part 20.30B Conditional Use Permit

…

20.30B.140 Decision criteria.

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

~~A. The conditional use is consistent with the Comprehensive Plan; and~~

~~B~~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

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

~~D~~C. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

~~E~~D. 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
…

20.30D.150 Decision criteria.
~~A. The Planned Unit Development is consistent with the Comprehensive Plan; and~~

~~B~~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:

…

~~C~~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

~~D~~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

~~E~~D. At least one major circulation point is functionally connected to a public right-of-way; and

~~F~~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

~~G~~F. Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and

~~H~~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

~~I~~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.

…

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

…

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~~

~~B~~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

~~C~~B. The administrative conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and

~~D~~C. The administrative conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

~~E~~D. 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 ~~Scope~~Purpose.

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

20.30F.115 Applicability.

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

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

B. Exceptions.

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

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

20.30F.116 City Council Design Review.

[Section deleted in its entirety]

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

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

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

…

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.

…

C. Other Extensions of Design Review Approval.

An approved ~~D~~design ~~R~~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 ~~subsection~~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 ~~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 Resign 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 Resign 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

DRAFT

20.30R.110 Purpose.

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

20.30R.115 Applicability.

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

1. Development located in land use districts that are zoned to permit, or conditionally permit, industrial or commercial uses. For the purposes of this Part 20.30R LUC, "commercial use" means that the property is zoned to permit, or conditionally permit, attached or detached multifamily dwellings; and

2. Divisions of land into lots or tracts as provided for in RCW 58.17.040(7), as that provision read on [insert effective date of this section].

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

20.30R.120 Review Process.

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

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

1. Conditional Use Permit;

2. Planned Unit Development;

3. Administrative Conditional Use Permit; or

4. Design Review.

5. Shoreline Conditional Use Permit.

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

20.30R.125 Submittal Requirements.

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

1. A survey depicting all lots, tracts, and parcels proposed to be created through the Binding Site Plan, including all lot lines, as well as any additional information required by the Director; and

2. Any additional submittal requirements required by the Director pursuant to LUC 20.35.030 for the underlying land use permit or approval when a Binding Site Plan is included as a component.

20.30R.130 Decision Criteria

A. The final decision on the underlying land use permit or approval by the applicable decision maker specified in Chapter 20.35 LUC for that underlying land use permit or approval shall constitute the final decision on the Binding Site Plan component.

B. In addition to the decision criteria for the underlying land use permit or approval through which a Binding Site Plan is included as a component, the decision maker specified in Chapter 20.35 LUC for the underlying land use permit or approval must determine whether the Binding Site Plan component meets the following requirements:

1. Appropriate provisions for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, and sanitary waste are provided;

2. All applicable provisions of the Land Use Code, Title 20 BCC, the Utility Codes, Title 24 BCC, and all applicable Development Standards are satisfied;

3. The Binding Site Plan component of the underlying land use decision or approval provides for all necessary utilities, streets or access, drainage, and improvements to accommodate the potential use of the entire property.

20.30R.135 Effect of Binding Site Plan

A. The applicant shall record the Binding Site Plan with the King County Recorder's Office. No document shall be presented for recording without the signature of each owner of the subject property. Once approved and recorded, the Binding Site Plan shall remain in effect in perpetuity unless altered or vacated, regardless of whether the underlying land use permit or approval expires.

B. If the underlying land use permit or approval is approved, then the applicant may develop the subject property in conformance with the lots, tracts, or parcels created through the approved and recorded Binding Site Plan. All provisions, conditions, and requirements of the Binding Site Plan shall be legally enforceable on the purchaser or any other person acquiring a lease or ownership interest of any lot, parcel, or tract created pursuant to the Binding Site Plan.

C. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the Binding Site Plan that does not conform to the requirements of the Binding Site Plan, or proceeds without Binding Site Plan approval, shall be considered a violation of the Land Use Code and of Chapter 58.17 RCW and may be enforced, and penalties assessed, as provided in Chapter 58.17 RCW or Chapter 1.18 BCC.

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

A. Alterations. Alterations to an approved or recorded Binding Site Plan may be made as follows:

1. If the Binding Site Plan was approved as a component of a Master Development Plan, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30V.160.

2. If the Binding Site Plan was approved as a component of a Conditional Use Permit, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30B.175.

3. If the Binding Site Plan was approved as a component of a Planned Unit Development, then alterations to the Binding Site Plan may be made in accordance with LUC 20.30D.285.

DRAFT

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 Purpose~~Scope~~.

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~~

~~B~~1. The Master Development Plan complies with the applicable requirements of the Bellevue City Code; and

~~C~~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

~~D~~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, unless otherwise provided for.

20.30V.160 Modification or addition to an approved Master Development Plan.

There are two ways in which to modify or add to an approved Master Development Plan: process as a new Master Development Plan or process as a Land Use Exemption.

A. **New Master Development Plan.**

Except as provided in subsection B of this section, an amendment to a previously approved Master Development Plan is treated as a new application.

B. **Land Use Exemption to an Existing Master Development Plan.**

The Director may determine that a modification to a previously approved Master Development Plan is exempt from further review as a new application, provided the following criteria are met:

1. The modification is exempt from SEPA review; and
2. The modification is within the general scope of the purpose and intent of the original approval; and
3. The modification complies with all applicable Land Use Code requirements and all applicable development standards and is compatible with all applicable design criteria; and
4. The modification does not add more than 20 percent of the square footage assigned to any single building in the original Master Development Plan and in no event may the modification process be used to exceed the development intensity limitations for the area that is subject to Master Development Plan approval.

20.30V.170 Land area computation.

A. **General.**

Land which is dedicated to the City of Bellevue for right-of-way without compensation to the owner in conformance with paragraph B of this section is included in the land area for the purpose of computing maximum FAR notwithstanding LUC 20.50.020, Floor Area Ratio (FAR), and for the purpose of computing allowable dwelling units per acre.

B. **Special Dedications.**

1. A property owner may make a special dedication by conveying land identified for right-of-way acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council or the Capital Investment Program Plan to the City of Bellevue by an instrument approved by the City Attorney.
2. A property owner may also make a special dedication by conveying land identified by the Director of Transportation as necessary for safety operational improvement projects.

20.30V.180 Recording required.

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

20.30V.190 ~~Extended vesting period for~~Extensions of Master Development Plans and Aassociated ~~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 ~~modification~~ extension to the ~~vesting and~~ expiration provisions of LUC 20.40.500,

LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190, allowing for ~~vesting of the~~ issued land use permits ~~and approvals~~ that are associated with that master development plan to remain in effect for a period of up to 10 years from the date of issuance of the ~~M~~master ~~D~~development ~~P~~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 ~~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 master development plan has been submitted and issuance of a final land use decision on the master development plan; or

   b. At any time between when a final land use decision on the master development plan has been issued and expiration of the master development plan, as may have been separately extended pursuant to this section.

2. If submitted ~~at the time of application for the land use review~~ between when a complete application for a master development plan has been submitted and issuance of a final land use decision on the master development plan, the decision on the request for ~~modification~~ extension shall be merged with the decision on the ~~underlying land use permit~~master development plan.

3. If submitted ~~after the land use permit or approval has been issued~~ between when a final land use decision on the master development plan has been issued and expiration of the master development plan, the request for ~~modification~~ extension shall be processed as a Land Use Exemption to the existing master development plan pursuant to ~~LUC 20.30F.175 or~~ LUC 20.30V.160.B. ~~In no event shall the vesting period for a Master Development Plan or associated Design Review approval exceed 10 years from the date of issuance of the Master Development Plan approval pursuant to LUC 20.30V.150.~~

B. Approval of an Extension.

1. The Director may approve ~~an increased vesting period~~an extension to the expiration provisions of LUC 20.40.500, LUC 20.30P.150, LUC 20.25E.250, or LUC 20.30F.190; provided, that the project complies with an approved phasing plan pursuant to LUC 20.30V.130.

2. When making a decision on a request for an extension~~modification~~, the Director shall consider the following:

a. ~~(1)~~ the project site ~~and size;~~,
b. ~~(2)~~ the size, scope, and complexity of the project;~~,~~ and
c. ~~(3)~~ construction and permitting activity in the vicinity of the project ~~in determining the appropriate extensionvesting 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~~.

~~C~~D. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with terms and ~~he~~ conditions of ~~land use approvals~~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 20.40 Administration and Enforcement

…

~~20.40.401 Compliance with the Comprehensive Plan.~~

~~Each decision or action of the City or its officials pursuant to the Land Use Code shall be made in compliance with the Comprehensive Plan.~~

…

20.40.500 Establishment of vested rights ~~Vesting~~ and expiration of ~~vested status of~~ land use permits ~~and approvals~~.

A. ~~Vesting~~ Establishment of Vested Rights for Land Use Permit Applications and ~~Approvals~~Approved Land Use Permits.

1. Permit~~s~~ 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 bBuilding pPermit application, meeting the requirements of BCC 23.05.090.E and 23.05.090.F, is filed.

b. If a complete bBuilding pPermit 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 ~~D~~design ~~R~~review~~,~~ shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application, which satisfies the applicable submittal requirements specified in LUC 20.35.030, is submitted for such approval ~~which satisfies the applicable submittal requirements of the Director specified pursuant to LUC 20.35.030~~.

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 Permit~~s 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;

b~~a~~. 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~~

c~~b~~. 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;~~

e~~d~~. 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~~

f~~e~~. 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 lot splits shall in remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.270;

h. Approved boundary line adjustments shall remain in effect until vacated, modified, or amended pursuant to LUC 20.45B.260; and

i. Approved binding site plans shall remain in effect until vacated, modified, or amended pursuant to Part 20.30R LUC.

2. ~~The vested status of a~~ Except as provided in subsection B.1 of this section, once issued, each land use permit shall expire two years from the date of the City's final land use decision, unless:

a. A complete ~~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~~B~~uilding p~~P~~ermit application is pending prior to issuance; provided, that if the b~~B~~uilding p~~P~~ermit 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 b~~B~~uilding p~~P~~ermit, 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 b~~B~~uilding p~~P~~ermit is issued, ~~the vested status of~~ a land use permit ~~or approval~~ shall be automatically extended for the life of the b~~B~~uilding p~~P~~ermit. 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, 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:

…

~~5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and~~

~~6~~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

~~7~~6. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

…

Chapter 20.50 Definitions

…

20.50.012 B definitions.

…

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.

…

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, 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 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.

…

Chapter 9.20 Fair Housing Practices

…

9.20.20 Definitions.

Definitions as used in this chapter, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

A. "Commission" means the Washington State Human Rights Commission.

…

9.20.050 Enforcement procedures.

…

E. If a finding is made that there is no reasonable cause, the findings shall be furnished to the charging party and to the respondent. Within 30 days after the receipt of the finding, the charging party shall have the right to appeal such finding to the Washington State Human Rights Commission by filing a written statement of appeal with it. In the event that no appeal is taken or such appeal is unsuccessful, the complaint shall be dismissed.

…

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. W~~w~~ater 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.

…

DRAFT

CITY COUNCIL AGENDA TOPIC

Ordinance relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.

Jake Hesselgesser, Acting Director
Nick Whipple, Code and Policy Director
Charlie Engel, Senior Planner
Development Services Department

EXECUTIVE SUMMARY

ACTION

This Ordinance is a Bellevue City Code Amendment (BCCA) to update the sign code consistent with legal requirements and contemporary sign design techniques. On April 14, after discussion in study session about the proposed Sign Code Update, City Council directed staff to bring back this ordinance for final action.

RECOMMENDATION

Move to adopt Ordinance No. 6925

BACKGROUND/ANALYSIS

Background

In 2015, the Supreme Court decided in *Reed v. Town of Gilbert et al.* that all sign regulations must be content neutral. The court has dictated that the content of the sign generally may not be regulated and, importantly, that signs of the same type generally may not be regulated differently based on the content of the sign. For example, the City may not regulate a temporary directional sign differently than a temporary political sign or regulate a freestanding church sign differently than a freestanding festival sign. Both temporary signs and freestanding signs are examples of sign types, while the other distinctions noted are examples of content which generally cannot be regulated or variations within one sign type which must generally be treated the same.

In addition to the legal requirements, the sign code update provides the City an opportunity to ensure the provisions of the code meet the needs of the community and allow for contemporary sign design, technology, and construction methods. Both the public and city staff have identified difficulties interpreting and administering the code and the update will look to simplify and streamline the code while ensuring the design desires of the community are upheld.

Components of the Proposed BCCA

The proposed sign code BCCA is a complete rewrite of the existing code to ensure that standards are reorganized in a manner that is easy to understand and apply. Many aspects, policies, and standards from the existing code have been carried over, when appropriate, into the draft. Key elements of the draft include continuing to limit the number and type of permanent signage allowed in residential districts, as well as the size, placement, and type of signage in certain areas like Old Bellevue. Additional allowances have been included to support unique signage needs, such as with Dick's Drive-

In and their iconic signage, and introducing noncommercial freestanding digital signage in the Grand Connection and the BelRed Arts District Intensive Area to support mobility, wayfinding, and tourism in the city. New standards for temporary signs include elements such as location, number, size, and duration based on sign type and location. Additional standards for a-frame and pole banner signs have been included in the draft to support visibility for businesses and community events. To balance the need to better track and manage temporary yard signs with the need for these types of signs in our community, the draft includes a new temporary sign registration program for yard signs. The standards for nonconforming signs, prohibited signs, and variances have been simplified and streamlined to accurately reflect current practice and policies as well as modified to ensure compliance with applicable case law; a complete draft showing the proposed amendments is provided as attachment A.

Review Process

On April 14, the council held a study session where staff introduced the proposed Sign Code BCCA. Following discussion on April 14, the council directed staff to prepare the ordinance for final action at a future meeting.

During the April 14 study session, the council identified three items in the draft for staff to address and come back with additional information. These items included:

- Simplifying the temporary sign registration form;
- Refining the temporary sign registration requirements; and
- Exempting neighborhood associations from the temporary sign registration requirements.

1. Simplifying the temporary sign registration form

Staff has revised the draft and implementation plan to address these items. First, there is an internal team tasked with implementing the temporary sign registration program, which includes the form application requirements. Based on the council's discussion, staff propose to have less personal information displayed on the sign face and instead will focus on the temporary sign registration number, the issued date, and the expired date. Staff are looking into storing the contact information of the registrant, such as the applicant's name and contact information, in a database.

2. Refining the temporary sign registration requirements

Next, the council expressed concern with the requirement to apply for a temporary sign registration for any and all yard signs on private property. To address this concern, staff updated the draft to require registration only for yard signs displayed in the public right-of-way. Under this revised approach, residents would no longer need to register yard signs displayed entirely on private property, such as signs placed within a front yard. Registration would apply only to signs installed in areas owned or maintained for public use, including planting strips, medians, sidewalks, and other portions of the public right-of-way.

Operationally, this change would simplify administration and enforcement by narrowing the scope of the registration requirement to signs placed in publicly controlled spaces, where visibility, safety, and maintenance concerns are more significant. It would also reduce the regulatory burden on residents while allowing the city to maintain oversight of signs that may affect pedestrian access, traffic visibility, utilities, or public maintenance activities.

Council also expressed interest in increasing the time limitation for exempt temporary signs from 24 to

48 hours, which has been reflected in the draft to allow for more flexibility for weekend events in the community.

3. Exempting neighborhood associations from the temporary sign registration requirements

There was also discussion about exempting neighborhood associations from needing to register a temporary sign. This type of exemption would not align with the guiding legal framework and U.S. Supreme Court precedent that requires sign standards to be content-neutral. Under this framework, regulations generally cannot distinguish between signs based on the identity of the speaker, the type of organization, or the message being conveyed. Providing a special exemption only for neighborhood associations could therefore create legal concerns by treating certain groups or categories of speech differently from others.

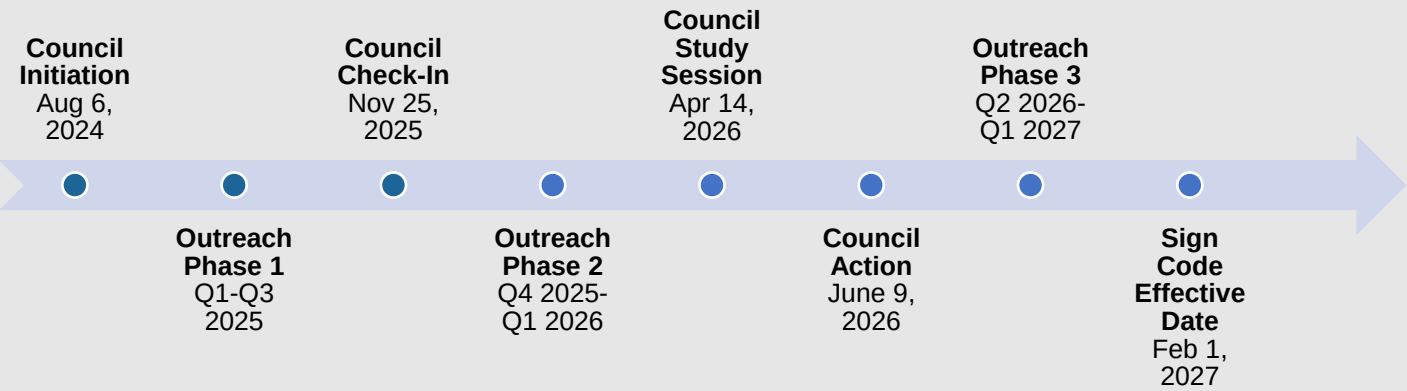
To help address concerns raised by neighborhood associations, the sign code draft was revised to narrow the registration requirement for temporary yard signs so that it only applies to yard signs placed in the public right-of-way and to allow signs to be placed in the right-of-way for up to 48-hours before requiring a registration. This represents a significant change from the initial public draft which required registration for all small temporary signs including A-frames (most commonly used by neighborhood associations). The time limit increase for exempt temporary signs was also to support neighborhood and community organizations.

There have been several versions of the draft that have been revised and improved based on feedback from the council, the community, stakeholders, and many internal departments and groups to create the final draft. These revisions were made with the goal of developing a final draft that is both legally compliant and responsive to community input.

Public Engagement

The sign code update project includes three main phases of outreach. Phase one focused on expanding project awareness, sharing project objectives, and gathering community perspectives on project priorities. Phase two included sharing the public sign code draft, hosting an information session, and following up with stakeholders from phase one. Phase three of outreach will be focused on community education and awareness to ensure that the community is aware of the updates. The time during phase three will also be used to develop and implement the necessary programs and processes, such as the temporary sign registration program required for the updated. As part of phase three, a delayed effective date of February 1, 2027, for the new sign code ordinance is proposed to allow time for education, outreach, and awareness before the new regulations take effect.

Project Timeline



POLICY & FISCAL IMPACTS

Policy Impact

The BCCA will amend the Bellevue City Code. The amendments will be consistent with the Comprehensive Plan, specifically the Urban Design element.

Fiscal Impact

There is no fiscal impact associated with implementing this BCCA.

OPTIONS

1. Adopt the Ordinance relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Sign Code Update Final Strike Draft
Proposed Ordinance No. 6925

AVAILABLE IN COUNCIL LIBRARY

N/A

Chapter 22.10 Sign Code

Sections:

22.10.010 General Provisions
22.10.020 Definitions Specific to the Sign Code
22.10.030 Measurements
22.10.040 Requirements Applicable to All Signs
22.10.050 Permanent Signs in Residential Land Use Districts
22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts
22.10.070 Temporary Signs in All Land Use Districts
22.10.080 Signs Within the Public Right-of-Way
22.10.090 Nonconforming Signs
22.10.100 Prohibited Signs
22.10.110 Variances
22.10.120 Administration and Enforcement
22.10.130 Permits and Exempt Signs
22.10.140 Appeals
22.10.150 Conflicting Provisions
22.10.160 Severability

DRAFT

22.10.010 General Provisions

A. *Intent and Purpose.* The purpose of this chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. It has also been adopted to promote the following:

1. ~~Minimum standards in order to promote~~ Ttraffic safety;
2. Recognition of free speech rights by regulating signs in a content-neutral manner;
3. The free flow of traffic and ~~to protect~~the protection of pedestrians, non-motorized wheeled users, and motorists from injury and property damage caused by, or attributable to, cluttered, distracting, or illegible signs;
4. ~~Provide C~~consistent and compatible sign design standards; and
5. ~~Adopt U~~understandable regulations which enable the fair and consistent enforcement of this chapter.

This chapter is not intended to restrict speech on the basis of its content, viewpoint, or message. ~~Any classification of signs herein which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, should be interpreted to allow commercial or noncommercial speech on the sign.~~ Nothing in this chapter should be construed to favor commercial speech over noncommercial speech.

Commented [A1]: These minor updates were included for additional clarity and usability.

22.10.020 Definitions Specific to the Sign Code

As used in this Chapter, the following definitions shall apply:

A. "A" Definitions

1. "Abandoned sign" means a temporary or permanent sign that, because the passage of time, has faded, peeled, cracked or otherwise become deteriorated or dilapidated, or is no longer affixed to the ground or attached to a structure, or is missing the sign face.
2. "Abandoned sign structure" means a sign structure where no sign has been in place for a continuous period of at least twelve months.
3. "Alteration" or "alter" means the presence, or making, of any change, addition, or modification except for changes, additions, or modifications that are exempt under BCC 22.10.130.
4. "Awning" means a shelter or canopy projecting from, and supported by, a structure or building wall to provide protection from the elements to persons or property thereunder.

B. "B" Definitions

1. "BelRed Arts District Intensive Area" shall have the same meaning as provided in LUC 20.25D.015.

C. "C" Definitions

1. "Commercial and mixed-use land use districts" means all land use districts established under LUC 20.10.020 except for residential land use districts.
2. "Commercial" means copy related to commercial interests.
3. "Copy" means letters, characters, illustrations, logos, graphics, symbols, writing, intellectual property, or any combination thereof designed to communicate objectively tangible information, or to advertise, announce, or identify a person, entity, business, event, business product, or to advertise the sale, rental, or lease of premises.
4. "Crossroads Sign Overlay" means the area legally defined as follows:

   That portion of the SE 1/4, Section 26, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

   Commencing at the southwest corner of the Upton at Crossroads Village Condo filed in Volume 291 of Condos, Pages 87-90, records of King County Washington; Thence easterly along the south line of said Crossroads Condo a distance of 150 feet to the **Point of Beginning.** Thence continuing easterly along said south line to the intersection of the northerly extension of the west line of Parcel 2 City of Bellevue Boundary Line Adjustment 22-115531 LW recorded under recording number 20230203900002 records of King County, Washington; Thence southerly along said northerly extension and the west line of said Parcel 2 and the southerly extension to the north right of way margin of NE 8th St; Thence westerly along said north right of way margin a distance of 284.9 feet; Thence northerly parallel with the centerline of 156th Ave NE to the **Point of Beginning.**

D. "D" Definitions

1. "Director" means 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, unless otherwise specified in this chapter.
2. "Downtown" shall have the same meaning as provided in LUC 20.50.016.

E. "E" Definitions

1. "Electronic Message Center Sign" or "EMC Sign" means a sign capable of displaying copy that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

2. "Enterprise" means the owner, tenant, user, or other occupant of a structure seeking signs under this sign code.

F. "F" Definitions

1. "Facade" means the area of that continuous front, side, or back surface, including doors, windows, and parapets.

2. "Freeway corridor" means a corridor paralleling each side of the freeway with a width of 375 feet on each side of the freeway right-of-way. The freeway corridor does not include land within the boundaries of Downtown.

G. "G" Definitions

1. "Grade, average finished" means the average elevation of the finished surface of the ground or paving where it touches the building ~~shall have the meaning provided in LUC 20.50.022~~.

Commented [A2]: This definition was updated for consistency with the land use code.

2. "Grand Connection" shall have the meaning provided in LUC 20.50.022.

H. "H" Definitions

1. "Halo lighting" means a method of sign illumination that consists of a light source external to the sign or sign elements and mounted behind the sign or sign elements. The sign elements of a sign illuminated through halo lighting shall be opaque, so that the light does not appear to emit from within or through the sign elements.

2. "Highrise building" means a building with a roofline that is equal to, or exceeds, 75 feet above the average finished grade.

3. "Hospital" means a building requiring a license pursuant to Chapter 70.41 RCW and designed and used for the medical, surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and including ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes and clinics are not included.

I. "I" Definitions

1. "Illegal sign" means any sign which does not comply with the requirements of this code within the city limits as they now or hereafter exist.

2. "Incidental sign" means small signs, two square feet or less in surface area.

J. "L" Definitions

1. "Local government" means towns, cities, counties, and special purpose districts, including, but not limited to, school districts, public utility districts, port districts, and library districts.

Commented [A3]: This definition was added to clarify terminology.

DRAFT

KJ. "M" Definitions

1. "Master sign plan" means a plan for the design and placement of all signs intended for a project site for the life of the project. (See BCC 22.10.130.D, Master Sign Plan).
2. "Multiple building complex" means a group of structures containing more than one enterprise.
3. "Multiple occupancy building" means a single structure containing more than one enterprise.

LK. "N" Definitions

1. "Neighborhood Identification Sign" means a painted wall sign or building-mounted sign that contains only the name, as designated and mapped in the City's Comprehensive Plan, of the BelRed Arts District, neighborhood area, or neighborhood district for the area or district in which the sign is located and no other copy.
2. "Noncommercial" means copy unrelated to commercial interests.
3. "Nonresponsiveness" shall have the meaning set forth in Chapter 20.50 LUC.

Commented [A4]: This definition was added to clarify terminology.

ML. "P" Definitions

1. "Parapet" means that portion of a building wall which extends above the roof of the building.
2. "Permanent sign" means a sign intended for permanent use and that does not otherwise meet the definition of "temporary sign".
3. "Primary sign" means all permanent signs of an enterprise which are not exempt (see BCC 22.10.130.B) or do not meet the definition for "incidental signs."

NM. "R" Definitions

1. "Residential Land Use District" shall have the meaning set forth in Chapter 20.50 LUC.
2. "Right-of-way" means all public streets and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, bikeways and horse trails, whether improved or unimproved.
3. "Routine maintenance" includes those usual acts to prevent decline, lapse, or cessation of a lawfully established sign. Routine maintenance includes, but is not limited to, alterations necessary to keep moisture or wind from entering or damaging a sign. Routine maintenance does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.

DRAFT

4. "Routine repair" includes like-for-like restoration of a sign to a state comparable to its original condition within a reasonable period after decay has occurred. Routine repair includes, but is not limited to, the like-for-like replacement of cabinets, illumination sources, and structural supports that have decayed or are near the end of their functional life. Routine repair does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.

ON. "S" Definitions

1. "Shared-use path" means a path physically separated from the roadway for use by bicyclists, pedestrians, and other micromobility users.
2. "Sign" means materials placed or constructed, or light projected, in a manner that creates or contains copy to inform or attract the attention of the public. The scope of the term "sign" does not depend on the content of the message or the image conveyed. Some examples of signs can include, but are not limited to, placards, A-frame, banners, or electronic visual messages, pictures, videos or images. Graffiti, as defined in Chapter 9.10 BCC, does not constitute a sign.
    a. "Sign, banner" means a sign intended to be temporary, made of flexible, sturdy material and affixed to a building or other structure (excludes flags).
    b. "Sign, billboard" means an outdoor advertising sign containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located. Billboards do not include signs subject to BCC 22.10.070 or BCC 22.10.080.
    c. "Sign, blade" means a projecting sign attached directly to a building wall or awning where the sign is perpendicular to the wall or facade.
    d. "Sign, building-mounted" means a single or multiple-faced sign that is parallel to and attached directly to the face of the building, canopy, or awning.
    e. "Sign, cabinet" means a single or multiple-faced sign that is internally illuminated and enclosed on all edges by a solid frame.
    fe. "Sign, freestanding" means a single- or multiple-faced sign, supported from the ground by one or more columns, uprights, or braces.
    gf. "Sign, painted wall" means a sign applied to the wall or façade of a building or structure with paint or a thin layer of vinyl, paper, or similar material adhered directly to the facade and that has no sign structure.
    hg. "Sign, roof" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

Commented [A5]: This definition was added to clarify terminology.

DRAFT

jh. "Sign, upper-level highrise" means a sign located on a highrise building more than 75 feet above average finished grade, except as provided in this chapter.

ji. "Sign, window" means all signs located inside, affixed to or within three feet of windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window.

3. "Sign face" means the portion of a sign which contains copy. (See BCC 22.10.030.A, Sign Area).

4. "Sign structure" means a structure specifically intended for supporting, mounting, or containing a sign.

5. "Single occupancy building" means a commercial building or structure with one major enterprise, generally under one ownership. A building is classified as "single occupancy" only if: (A) it has only one enterprise; (B) it has no wall in common with another building; and (C) it has no part of its roof in common with another building.

PO. "T" Definitions

1. "Temporary sign" means any sign; poster; placard; stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability or rot prevention; and used temporarily and is not permanently mounted, painted or otherwise affixed to a permanent structure or building.

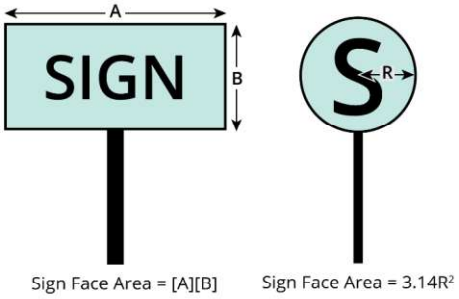
2. "Transportation Director" means the Director of the Transportation Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager, unless otherwise specified in this chapter.

22.10.030 Measurements

A. *Sign Area.* The sign area is determined based on the outer dimensions of the frame surrounding the sign face. If the frame itself forms the copy, then the sign area includes the surface area of that frame. (See Figure 22.10.030.A).

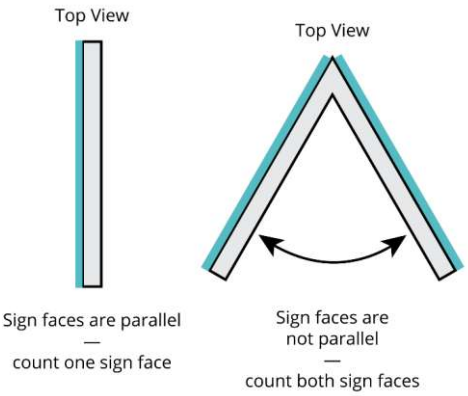
Figure 22.10.030.A

DRAFT



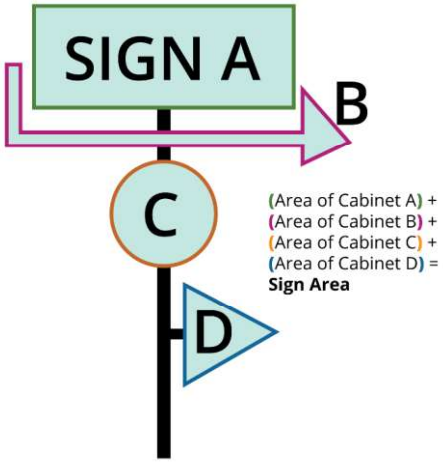
B. *Double-faced Signs.* If a permanent sign contains two sign faces that are parallel with one another, then only one sign face of the sign is counted in determining the sign area. If the two sign faces are parallel with one another but are not of equal size, then the larger of the two sign faces is used in determining sign area. If the two sign faces are not parallel with one another, then both sign faces are used in determining sign area. (See Figure 22.10.030.B).

Figure 22.10.030.B



C. *Multiple Frames.* For freestanding and projecting signs that contain multiple frames on one sign structure and are oriented in the same direction, the combined area of all frames is counted as one sign face (See Figure 22.10.030.C).

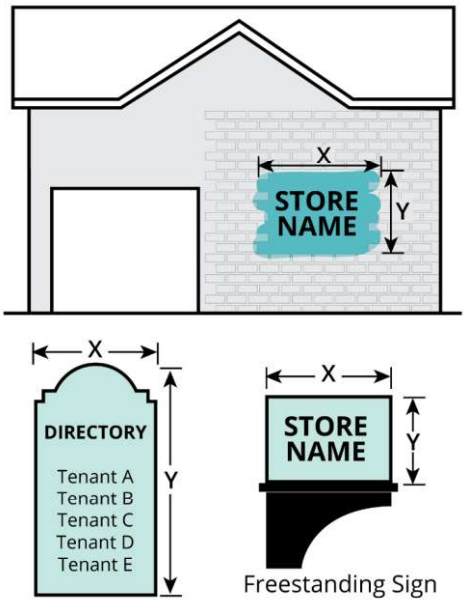
Figure 22.10.030.C



D. *Signs with Background panels or surfaces.* Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background (See Figure 22.10.030.D).

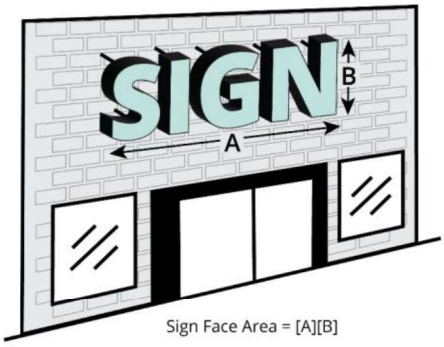
DRAFT

Figure 22.10.030.D



E. *Signs with individual letters or graphics*. Sign copy mounted as individual letters or graphics against a wall of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose each word, sentence, complete message, and each graphic in the sign (See Figure 22.10.030.E).

Figure 22.10.030.E



Sign Face Area = [A][B]

F. *Painted Wall Signs*. Painted wall signs are measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose the sign copy.

G. *Awnings*. When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings are parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.

H. Height and Clearance

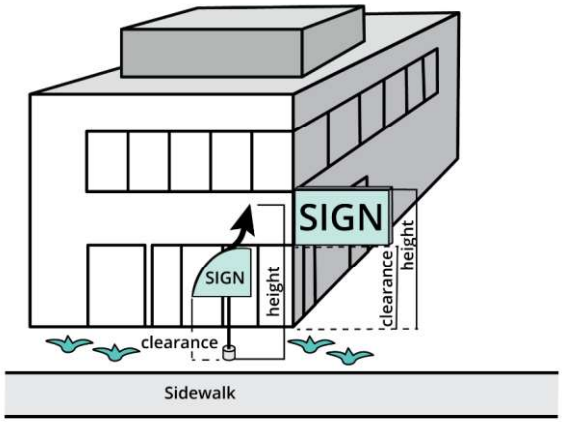
1. *Height.* The overall height of a sign or sign structure is measured from the average finished grade to the highest point of the sign or sign structure. The height of copy is measured from the bottom of the copy. (See Figure 22.10.030.H).

2. *Clearance.* Clearances are measured from the highest point of the ground directly below the sign to the bottom of the sign structure enclosing the sign face (See Figure 22.10.030.H).

Commented [A6]: This update was provided for clarity and consistency for measuring average finished grade.

DRAFT

Figure 22.10.030.H



I. Electronic Message Center (EMC) Illumination

1. *Illuminance Meter.* The illuminance of an EMC sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals.

2. *Illuminance Measurement.* Illuminance shall be measured with the EMC sign off, and again with the EMC sign displaying a white image for a full color-capable EMC, or a solid message for a single-color EMC. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the EMC sign using the measurement distance calculation below:

Measurement Distance = $\sqrt{\text{Sign Area (sq. ft.)}} \times 100$

Commented [A7]: This measurement technique was added to conform to the industry standard for calculating EMC sign illumination.

22.10.040 Requirements Applicable to All Signs

A. *General.* The regulations contained in this section shall apply to signs in all land use districts established under LUC 20.10.020.

Commented [A8]: These minor updates provide additional clarity, usability, and consistency.

B. *Landscaping.* Unless otherwise provided for in this chapter, all freestanding signs shall have landscaping with ground cover and shrubs at the base of the sign equal to, or greater than, the sign area.

C. *Removal of Signs*.

1. Abandoned Signs and Abandoned Sign Structures.

a. Abandoned signs and abandoned sign structures shall be removed by the owner of record, lessor, lessee, manager, or other person, having lawful possession or

control over real property on which the abandoned sign or abandoned sign structure is located. If the abandoned sign or abandoned sign structure is located in the public right-of-way, then the abandoned sign or abandoned sign structure shall be removed by the owner of the abandoned sign or abandoned sign structure.

2. Temporary signs for which a permit or registration is required under BCC 22.10.130 shall be removed upon expiration of the permit or registration.

3. In addition to the remedies of this title, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign owner or property owner.

D. *Sign Illumination.* Illumination from or upon any sign shall be located, shaded, shielded, directed, or reduced so as to avoid undue brightness, glare, or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street.

E. *Maintenance of Signs.* Any owner of record, lessor, lessee, manager, or other person, except for the City, having lawful possession or control over a building, structure, or parcel of land is required to maintain any signs on the building, structure, or parcel in compliance with this chapter. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement and penalties as provided in BCC 22.10.120.

F. *Safety and Access.*

1. All signs shall be placed in a manner that is safe for all users of the public right-of-way and the real property on which the sign is located.

2. Signs shall not block or obstruct access to buildings, structures, parked cars, bicycle parking, pedestrian amenities, recycling collection areas, solid waste collection areas, or bus loading or unloading areas.

3. Signs shall not block, obstruct, or impair access to publicly accessible pedestrian facilities, bicycle facilities, access corridors, parks, plazas, or driveways.

4. Signs shall not block, obstruct, or impair required emergency access.

5. Signs shall not block, obstruct, or impair access to, or operation of, any utilities, including, but not limited to, water, sewer, and stormwater facilities.

6. Signs shall not be attached to, or otherwise supported by, any tree.

DRAFT

7. All signs shall comply with the applicable sight distance requirements contained in Chapter 14.60 BCC and in the Transportation Department Design Manual.

8. The requirements of this subsection F do not apply in the event of an emergency or where a separate provision of local, state, or federal law authorizes a sign to be placed in a manner that would conflict with the requirements of this subsection F.

22.10.050 Permanent Signs in Residential Land Use Districts

A. *General.* The regulations contained in this section shall apply to permanent signs in all residential land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within Residential Land Use Districts; provided that if the Director determines that type of permanent sign is so substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.

B. *Freestanding signs*.

1. On lots that contain a nonresidential use, freestanding signs shall meet the following requirements:

   a. Be limited to noncommercial freestanding signs only;

   b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet when located within a setback as required in LUC 20.20.010;

   c. Be limited to a maximum sign area of 35 square feet and a maximum height of 15 feet when not located within a setback as required in LUC 20.20.010;

   d. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;

   e. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity.;

   f. Be limited to one sign per street frontage per lot; and

   g. Comply with the landscaping requirements in BCC 22.10.040.B.

2. On lots that do not contain a nonresidential use, freestanding signs shall meet the following requirements:

   a. Be limited to noncommercial freestanding signs only;

   b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet;

Commented [A9]: This update was provided to include additional examples of durable materials for clarity.

DRAFT

c. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;

d. Be limited to one sign per neighborhood entrance, or as otherwise approved by the Director;

e. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood ~~or,~~ metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and

f. Comply with the landscaping requirements in BCC 22.10.040.B.

C. *Building mounted signs*.

1. On lots that contain a nonresidential use, building mounted signs shall meet the following requirements:

a. Be limited to noncommercial building mounted signs only;

b. Be limited to a maximum sign area of 50 square feet and a maximum height of 20 feet;

c. Be restricted from being located in, or projecting into, the public right-of-way, including public easements, unless otherwise provided for in this chapter;

d. Be limited to one sign per street frontage per lot; and

e. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity.

D. *Electronic message center signs.*

1. *General and Applicability*. An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the EMC sign standard shall prevail

2. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:

a. Be limited to noncommercial signs only;

b. Be limited to lots that contain a nonresidential use;

c. Be limited to one EMC sign per street frontage per lot;

Commented [A10]: This update was provided to include additional examples of durable materials for clarity.

Commented [A11]: This update was provided to include additional examples of durable materials for clarity.

DRAFT

d. Have a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;

e. Be limited to no motion except for a fade in of the next message with the fade transition being no more or less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and

f. Comply with the following luminance standards:

~~i. In the daytime, luminance may not exceed 5,000 nits;~~

ii. In the nighttime (one-half hour before sunset to one-half hour after sunrise), may not exceed a difference of 0.3 footcandles between the off and solid-message measurements as determined in BCC 22.10.030.~~Iluminance may not exceed 100 nits~~;

iii. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and

iiiv. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours, or that can be adjusted to comply with the 0.3 footcandle measurements.

Commented [A12]: This update was included to conform with the industry standard for EMC sign illuminance.

22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts

A. *General.* The regulations contained in this section shall apply to signs in all commercial and mixed-use land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within commercial and mixed-use land use districts; provided that if the Director determines that type of permanent sign is so substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.

B. *Number of Primary Signs.* The allowable number of primary signs are determined as follows:

1. In single occupancy buildings, the number of primary signs allowed is dependent upon the surface area of the largest single facade of the building. The permitted number of primary signs is as follows:

a. When the surface area of the largest facade is 999 square feet or less, the maximum number of primary signs is 2; provided that only one sign may be a freestanding sign.

b. When the surface area of the largest facade is between 1,000 and 2,999 square feet, the maximum number of primary signs is 3; provided that only one sign may be a freestanding sign.

c. When the surface area of the largest facade is 3000 square feet or greater, the maximum number of primary signs is 4; provided that only one sign may be a freestanding sign.

2. In multiple occupancy buildings, each enterprise with its own exterior entrance shall be allowed two primary signs. Enterprises without their own exterior entrance shall be allowed one primary sign, subject to the sign area limitations set forth in BCC 22.10.060.D.1. No more than ~~; provided, that there may only be~~ one freestanding sign shall be allowed per lot.

a. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building if:

i. The applicant files with the City a written statement signed by the enterprise that earned the sign area under this code permitting the applicant to utilize the unused sign surface area;

ii. The display of a sign on that facade by the applicant will not create a significant adverse impact on other users of that facade; and

iii. In no event may sign surface area transferred under this provision be used for an upper-level highrise sign. Unused upper-level highrise sign surface area may not be transferred for use for any other sign, regardless of enterprise or location.

3. Exceptions.

a. *Buildings on Intersecting Streets.* When a building is located on intersecting streets, two freestanding signs are permitted if they are located on two different streets and are separated more than 100 feet measured in a straight line between signs. The second freestanding sign shall not be included in determining the number of primary signs allowed.

b. *Multiple Buildings on Five Acres or More.* A multiple building complex encompassing at least five acres may display one freestanding sign along each right-of-way, which provides direct access to the complex. Such freestanding signage shall not be included in determining the number of primary signs allowed.

C. *Freestanding Signs.* Except as otherwise provided for in this section, freestanding signs shall meet the following requirements:

Commented [A13]: These minor updates provide additional clarity, usability, and consistency for sign limitations in multiple occupancy buildings.

DRAFT

1. Be limited to a maximum sign area of 35 square feet and a maximum height of six feet when located within 50 feet of the property line;
2. Be limited to a maximum sign area of 75 square feet and a maximum height of 15 feet when located 50 feet or greater from the property line;
3. Be wholly located 15 feet from the adjacent property line; provided, however, that a freestanding sign may be located within five feet of the property line with the written consent of the title holder of the adjacent property. If such consent is obtained, the consenting party or their successors or assigns may not place a freestanding sign on their property within 20 feet of the first freestanding sign;
4. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;
5. Be constructed out of durable materials including, but not limited to, ~~, such as~~ wood, ~~or~~ metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and
6. Comply with the landscaping requirements in BCC 22.10.040.B.

D. *Building Mounted Signs.* Except as otherwise provided for in this section, building mounted signs shall meet the following requirements:

1. *Sign area limitations.* The total sign area for building mounted signs on a single facade is subject to the following limitations:
   a. When the surface area of the facade where the sign is affixed is below 100 square feet, the maximum total sign area for the entire facade is 30 square feet.
   b. When the surface area of the facade where the sign is affixed is between 100 square feet and 199 square feet, the maximum total sign area for the entire facade is 40 square feet.
   c. When the surface area of the facade where the sign is affixed is between 200 square feet and 499 square feet, the maximum total sign area for the entire facade is 75 square feet.
   d. When the surface area of the facade where the sign is affixed is between 500 square feet and 999 square feet, the maximum total sign area for the entire facade is 130 square feet.
   e. When the surface area of the facade where the sign is affixed is between 1,000 square feet and 1,499 square feet, the maximum total sign area for the entire facade is 170 square feet.

Commented [A14]: This update was provided to include additional examples of durable materials for clarity.

f. When the surface area of the facade where the sign is affixed is between 1,500 square feet and 2,999 square feet, the maximum total sign area for the entire facade is 210 square feet.

g. When the surface area of the facade where the sign is affixed is 3,000 square feet or greater, the maximum total sign area for the entire facade is 300 square feet.

2. Except for upper-level highrise signs that meet the requirements in BCC 22.10.060.F, Building-mounted signs may not be placed on the upper levels of a highrise building, installed on the rooftop or extend above the height of the building to which it is attached.

3. Be limited to projecting no more than five feet from the face of the building to which the sign is attached.

4. Maintain a minimum clearance of eight feet when the sign does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director.

5. Maintain a minimum clearance of 10 feet when the sign overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director.

E. *Window Signs.* Except as otherwise provided for in this section, window signs shall meet the following requirements:

1. The total surface area of all window signs may not exceed 25 percent of the window area. For purposes of calculating surface area of window signs, the calculation is based on the uninterrupted window area or between each transom of the window the sign is located on and not the total window area provided on a facade; and

2. Not be included in determining the number of primary signs.

F. *Upper-Level Highrise Signs.* Except as otherwise provided for in this section, upper-level highrise signs shall meet the following requirements:

1. In addition to the allowable number of primary signs determined in 22.10.060.B, two upper-level highrise signs may be placed on any highrise building; provided, that:

a. Only a single enterprise that occupies at least 75,000 net square feet of the highrise building, on which the sign is located may place an upper-level highrise sign. The 75,000 net square feet cannot contain any square footage dedicated to residential uses or for parking;

b. In no event may the sign area of each sign exceed 300 square feet;

c. When applicable, the signs shall be located on the two facades of the building most oriented to I-405;

d. No more than one upper-level sign may be placed on any facade.

2. Be removed within 90 days after the enterprise ceases to occupy at least 75,000 net square feet in the highrise building on which the sign is located;

3. Not project above the top of the surface to which they are affixed, nor beyond the edge of any surface to which they are affixed;

4. Contain copy no larger than eight feet in height;

5. Not be a cabinet ~~or box~~ sign;

6. Be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;

7. Be designed and located to preserve the integrity of the building roof form; and

8. Be limited to halo lighting with a white light source; provided, that signs may be internally illuminated when the surface on which the sign is mounted is made of glass or other highly reflective material that would interfere with the appearance of the sign if halo-lit. Internal illumination is limited to only those letters or sign elements that will appear white when lit. Any illumination shall be designed to ensure no exposed lighting source or raceway. The light source shall be no brighter than the equivalent of 30 milliamp neon tubing behind a diffuser panel. The applicant shall provide a signed certification from the sign manufacturer declaring that the illumination meets the limits of this subsection. To the extent that this subsection conflicts with BCC 22.10.040.D, this subsection shall control.

G. *Electronic message center signs.*

1. *Purpose.* An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter specifically to support mobility, wayfinding, and tourism in the City. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the EMC sign standards shall prevail.

2. *Applicability*. Electronic Message Center signs shall be limited to the following areas:

a. The Grand Connection (except DT-OB); and

b. The BelRed Arts District Intensive Area.

Commented [A15]: This minor update provides clarity and consistency.

DRAFT

3. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:

   a. Be limited to noncommercial freestanding signs only;

   b. Be limited to a maximum sign area of 30 square feet and a maximum height of eight feet;

   c. Be limited to one EMC sign per 200 feet of street frontage;

   d. Maintain a minimum distance of 20 feet from other freestanding signs;

   e. Be exempt from the landscaping requirements in BCC 22.10.040.B;

   f. Be limited to a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;

   g. Be limited to no motion except for a fade in of the next message with the fade transition being no more nor less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and

   h. Meet the following luminance standards:

      ~~i. In the daytime, luminance may not exceed 5,000 nits;~~

      ~~i~~i. In the nighttime (one-half hour before sunset to one-half hour after sunrise), may not exceed a difference of 0.3 footcandles between the off and solid-message measurements as determined in BCC 22.10.030.~~luminance may not exceed 100 nits~~;

      ii~~i~~. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and

      iii~~v~~. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours, or that can be adjusted to comply with the 0.3 footcandle measurements.

H. *Standards Specific to Certain Areas.*

1. *General.* All signs subject to BCC 22.10.060.H shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the standard specific to a certain area shall prevail:

2. Standards specific to the Community Business (CB), Neighborhood Mixed Use (NMU), Office and Limited Business (OLB), Office and Limited Business 2 (OLB 2),

Commented [A16]: This update was included to conform with the industry standard for EMC sign illuminance.

DRAFT

Downtown-Office and Limited Business (DT-OLB), Office (O), Mixed Use: 8 Story (MU-8), Mixed Use: 16 Story (MU-16), Factoria 3 (F3), and Neighborhood Business (NB) land use districts:

a. Sign copy shall be of a type face that can be made as individual letters or a letter type shall be chosen to accommodate the individual letter format. Exceptions may be made for registered trademarks or logos that cannot be manufactured as individual elements;

b. Signs shall contain copy no larger than 36 inches in height; and

c. Signage shall be oriented to face the major direction of pedestrian movement in the area of the sign.

3. Standards specific to the Crossroads Sign Overlay

a. Each enterprise that, on [insert effective date of this ordinance], was lawfully in operation at a location located within the Crossroads Sign Overlay may erect up to two freestanding signs in accordance with the requirements of this subsection.

b. Freestanding signs authorized under this subsection are in addition to, and do not count towards, the maximum number of primary signs otherwise allowed by operation of BCC 22.10.060.B.

c. BCC 22.10.060.C does not apply to freestanding signs authorized under this subsection.

d. Location. The location of each freestanding sign authorized under this subsection must be:

i. Within, or no more than 500 feet from, the Crossroads Sign Overlay;

ii. Entirely outside of the public right-of-way;

iii. Approved by the owner of the real property on which the freestanding sign will be erected;

iv. East of 156th Ave NE, north of NE 8th Street, west of 160th Ave NE, west of Crossroads Park, and south of NE 15th Street; and

v. No more than 45 feet from another freestanding sign.

e. Size. The size of each freestanding sign authorized under this subsection must:

i. Not exceed a maximum sign height of 15 feet; and

ii. Not exceed a maximum sign area of 60 square feet;

DRAFT

f. Construction and Installation. Each freestanding sign authorized under this subsection must be constructed and installed:

i. With durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and

ii. In compliance with the landscaping requirements in BCC 22.10.040.B.

4. Standards specific to Downtown (Except DT-OLB), BelRed, East Main Land Use Districts, Eastgate Transit Oriented Development District (EG-TOD), UC, MU-H, MU-M and MUR-M

a. Signs shall be oriented to face the major direction of pedestrian movement unless the sign is permitted as an upper-level highrise sign; and

b. ~~-~~Signs shall contain copy no larger than 30 inches in height and shall be located ~~within the first two~~below the third floor level~~s~~ of the building, except where permitted as an upper-level highrise sign.

5. Standards specific to Downtown - Old Bellevue (DT-OB)

a. Signs shall contain copy no larger than 24 inches in height

b. Signs shall not be placed above the first floor level.

c. Cabinet~~, box~~ and freestanding signs are prohibited.

d. Signage shall be oriented to face the major direction of pedestrian movement.

6. Standards specific to Freeway Corridors

a. Signs located in the Freeway Corridor must be oriented towards and visible from the freeway.

b. Signs shall contain copy no larger than 42 inches in height.

c. Sign length shall not exceed one-third of the building facade. When multiple signs are to be placed on a building face, this ratio will include all signs.

7. Standards specific to the Medical Institution District (MI)

a. Freestanding signs shall have a maximum sign area of 75 square feet and shall have a maximum height of 15 feet.

b. The number of freestanding signs allowed shall be limited to one sign per building entrance.

c. Shall be exempt from the landscaping requirements in BCC 22.10.040.B.

Commented [A17]: This update was provided to include additional examples of durable materials for clarity.

Commented [A18]: This minor update provides clarity and consistency.

Commented [A19]: This minor update provides clarity and consistency.

DRAFT

22.10.070 Temporary Signs in All Land Use Districts

A. *General and Applicability*. For the purposes of this section, the following apply:

1. All standards in this section shall apply to temporary signs wholly contained on private property. See BCC 22.10.080 for temporary signs standards within or extended into the public right-of-way;

2. All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements; and

   a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.

3. If a type of temporary sign is not explicitly mentioned in this section, then that type of temporary sign is not permitted on private property; provided that if the Director determines that type of temporary sign is so substantially similar to a type of temporary sign mentioned below that it can be regulated in the same manner, then that type of temporary sign may be permitted.

B. *Temporary Sign Types and Standards*. Temporary signs may be placed on private property in the City based on the following regulations regarding the time, place, and manner of such placement.

1. Type A, "one sheet," temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;

   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, or other materials of comparable strength and longevity;

   c. Be installed with no permanent foundation;

   d. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts;

   e. Be limited to one "one sheet" sign per street frontage per lot and a time limitation of six months in residential land use districts; and

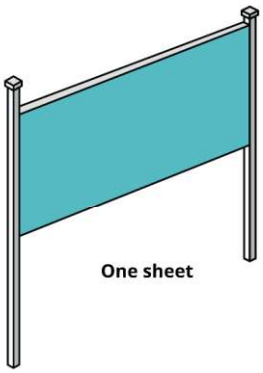
   f. Be set back a minimum of 10 feet from a front lot line and a minimum of ~~30~~15 feet from any neighboring property.

Figure 22.10.070.B.1
Type A "one sheet"

Commented [A20]: This update was provided to include additional examples of durable materials for clarity.

Commented [A21]: This minor update was provided for consistency with other similar sign types in the sign code.

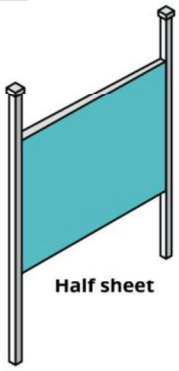
DRAFT



2. Type B, "half sheet," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;
   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, or other materials of comparable strength and longevity;
   c. Be installed with no permanent foundation;
   d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year; and
   e. Be set back a minimum of 10 feet from a front lot line and a minimum of 15 feet from any neighboring property.

Commented [A22]: This update was provided to include additional examples of durable materials for clarity.

Figure 22.10.070.B.2
Type B "half sheet"



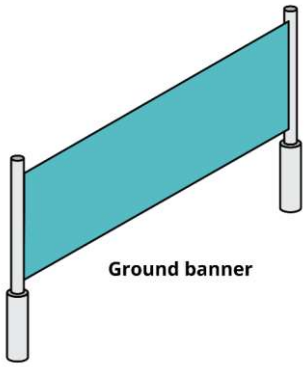
DRAFT

3. Type C, "ground banner," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;
   b. Be constructed out of flexible materials such as cloth, paper, or vinyl;
   c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
   d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present for the enterprise~~on site~~ in commercial and mixed-use land use districts. If there is no primary sign present for the enterprise~~on site~~ in such land use districts, then the time limitation is 30 days;
   e. Be limited to one ground banner sign per street frontage per lot and a time limitation of one year in residential land use districts; and
   f. Be set back a minimum of 10 feet from a front lot line and 15~~30~~ feet from any neighboring property.

Commented [A23]: This minor update was included for clarity.

Commented [A24]: This minor update was provided for consistency with other similar sign types in the code.

Figure 22.10.070.B.3
Type C "ground banner"



4. Type D, "wall banner," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet. The sign length may never exceed 50 percent of the wall length where the sign is mounted;
   b. Be constructed out of flexible materials such as cloth, paper, or vinyl;

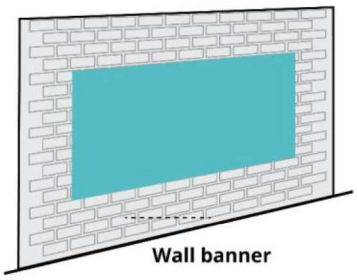
c. Be attached to or affixed to a wall or facade~~installed manually, either pushed or hammered into the ground,~~ manually with no permanent ~~foundation~~installation;

d. Be limited to one wall banner sign per enterprise and have no time limitation if a permanent primary sign is present in commercial and mixed-use land use districts. If there is no primary sign present on site in such land use districts, then the time limitation is 30 days;

e. Be limited to one wall banner sign per street frontage per lot and have a time limitation of one year in residential land use districts; and

f. Be mounted to a building wall only.

Figure 22.10.070.B.4
Type D "wall banner"



5. Type E, "fence banner," temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;

   b. Be attached or affixed to a fence structure; and

   c. Have a time limitation as follows:

      i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and

      ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for the associated site, or expiration of the final construction permit, whichever occurs first.

Commented [A25]: This update includes accurate mounting guidance for wall banner temporary signs and provides clarity.

Figure 22.10.070.B.5
Type E "fence banner"

Fence banner

6. Type F, "quarter sheet," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of eight square feet and a maximum height of six feet;
   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, or other materials of comparable strength and longevity;
   c. Be installed with no permanent foundation;
   d. Be limited to one quarter sheet sign per street frontage per lot containing real property that is for lease or for sale; and
   e. Be limited to erecting the sign no more than 30 days prior to the real property becoming available for lease or sale and removed when the real property is no longer for lease or for sale.

Commented [A26]: This update was provided to include additional examples of durable materials for clarity.

Figure 22.10.070.B.6
Type F "quarter sheet"

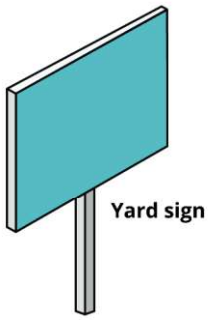
DRAFT

7. Type G, "yard sign," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ corrugated plastic, ~~or~~ cardboard, metal, ~~or~~ wood support, or other materials of comparable strength and longevity;
   c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
   d. Be limited to one yard sign per enterprise in commercial and mixed-use land use districts;
   e. Be limited to two yard signs per lot in residential land use districts; and
   f. Be set back a minimum of 10 feet from any neighboring property and have a time limitation of 90 days.

Figure 22.10.070.B.7
Type G "yard sign"

Commented [A27]: This update was provided to include additional examples of durable materials for clarity.

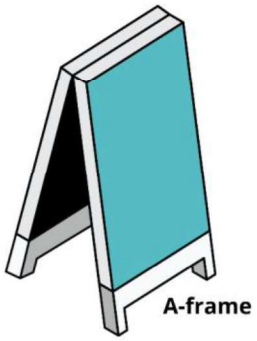
DRAFT



8. Type H, "A-frame," temporary signs shall meet the following requirements:
   a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;
   b. Stand free on the ground with no permanent foundation;
   c. Be at least 10 feet apart from other temporary signage;
   d. Be limited to one a-frame sign per street frontage per lot and have a time limitation of two weeks;
   e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and
   f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

Figure 22.10.070.B.8
Type H "A-frame"

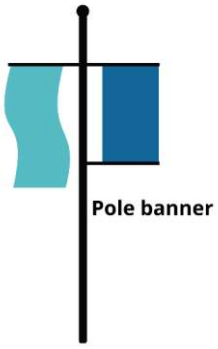
DRAFT



9. Type I, "pole banner," temporary signs shall meet the following requirements:
   a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;
   b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;
   c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;
   d. Be constructed out of flexible materials such as cloth or vinyl;
   e. Be attached to light poles on private property;
   f. Be at least 10 feet apart from other temporary signage; and
   g. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts.

Figure 22.10.070.B.9
Type I "pole banner"

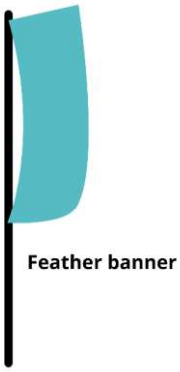
DRAFT



10. Type J, "feather banner," temporary signs shall meet the following requirements:
    a. Be limited to a maximum sign area of 16 square feet and a maximum height of 10 feet;
    b. Be constructed out of durable fabric and a metal pole;
    c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
    d. Be at least 10 feet apart from other temporary signage;
    e. Be limited to two feather banner signs per enterprise only displayed during hours of operation in commercial and mixed-use land use districts; and
    f. Be limited to one noncommercial feather banner sign per lot in residential land use districts.

Figure 22.10.070.B.10
Type J "feather banners"

DRAFT



Feather banner

11. Type K, "ground flag," temporary signs shall meet the following requirements:
    a. Be limited to a maximum sign area of 20 square feet and maintain a minimum clearance of 10 feet;
    b. Be constructed out of durable fabric and pole;
    c. Be installed manually in a designated location, either pushed or hammered into the ground, with no permanent foundation;
    d. Be at least 10 feet apart from other temporary signage; and
    e. Be limited to three ground flag signs per lot.

Figure 22.10.070.B.11
Type K "ground flag"

Ground flag

12. Type L, "pole flag," temporary signs shall meet the following requirements:
    a. Be limited to a maximum sign area of 20 square feet;

b. Be constructed of durable fabric;

c. Be attached to a permanently installed flag pole;

d. Be set back a minimum of 10 feet from a front lot line and set back from neighboring parcels the same distance as the pole height; and

e. Be limited to one pole flag sign per lot.

Figure 22.10.070.B.12
Type L "pole flag"

13. Type M, "sign walker," temporary signs shall meet the following requirements:

a. Be limited to a maximum sign area of 12 square feet;

b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and

c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

Figure 22.10.070.B.13
Type M "sign walker"

22.10.080 Signs Within the Public Right-of-Way

A. *General.* All signs and sign structures must be erected and attached totally within the site except when allowed to be placed or extend into the public right-of-way subject to the requirements of this chapter and the permitting and registration requirements outlined in BCC 22.10.130. If a type of sign is not explicitly mentioned in this section, then that type of sign is not permitted within the public right-of-way; provided that if the Director determines that type of sign is so substantially similar to a type of sign mentioned below that it can be regulated in the same manner, then that type of sign may be permitted

B. Permanent Signs in the Public Right-of-Way

1. All permanent signs and permanent sign structures placed in or extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.

2. All permanent signs placed in or extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with the applicable requirements of this chapter. The applicable standards for permanent signage on private property apply, unless a modification is approved by the Transportation Director.

C. Signs Projecting into the Public Right-of-Way

1. All projecting signs and sign structures extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.

2. All projecting signs and sign structures extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with applicable requirements of this chapter The applicable standards for permanent

signage on private property apply, unless a modification is approved by the Transportation Director.

D. Temporary Signs in the Public Right-of-Way

1. *Location*. Temporary signs may not be placed within roundabouts, ~~and~~ medians, or in public right-of-way adjoining public property owned or under the control of the federal government, the state government, or a local government, unless otherwise approved by that governmental entity.

2. *Permitting.* All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit and right-of-way use permit, unless otherwise determined by the Transportation Director, or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements.

   a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.

E. *Temporary Sign Types and Standards*. Temporary signs may be placed in the public right-of-way based on the following regulations regarding the time, place and manner of such placement and subject to the permitting requirements in BCC 22.10.130.C.

1. Type A, "one sheet," temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;

   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, or other materials of comparable strength and longevity;

   c. Be installed with no permanent foundation;

   d. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts; and

   e. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of six months in residential land use districts.

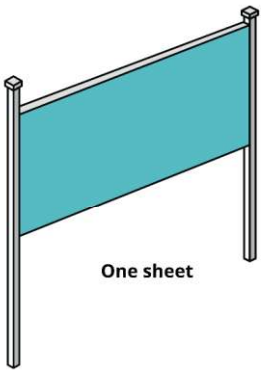
Figure 22.10.080.E.1
Type A "one sheet"

Commented [A28]: This updated was provided to clarify where temporary signs may not be placed in the right-of-way.

Commented [A29]: This minor updated was included for clarity and consistency.

Commented [A30]: This update was provided to include additional examples of durable materials for clarity.

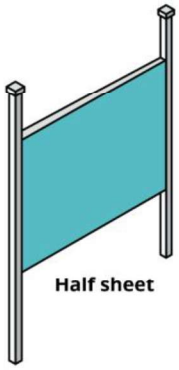
DRAFT



2. Type B, "half sheet," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;
   b. Be constructed out of durable materials including, but not limited to, ~~such as~~ wood, ~~or~~ metal, or other materials of comparable strength and longevity;
   c. Be installed with no permanent foundation; and
   d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year.

Commented [A31]: This update was provided to include additional examples of durable materials for clarity.

Figure 22.10.080.E.2
Type B "half sheet"



3. Type C, "ground banner," temporary signs shall meet the following requirements:

DRAFT

a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;

b. Be constructed out of flexible materials such as cloth, paper, or vinyl;

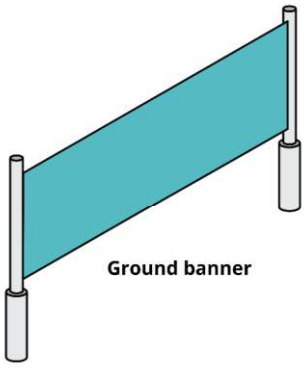
c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;

d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present for the enterpriseon site in commercial and mixed-use land use districts. If there is no primary sign present for the enterpriseon site in such land use districts, then the time limitation is 30 days; and

e. Be limited to one ground banner sign per street frontage per lot and have a time limitation of one year in residential land use districts.

Commented [A32]: This minor update was included for clarity.

Figure 22.10.080.E.3
Type C "ground banner"



4. Type E, "fence banner," temporary signs shall meet the following requirements:

a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;

b. Be attached or affixed to a fence structure; and

c. Have a time limitation as follows:

i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and

ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for

the associated site, or expiration of the final construction permit, whichever occurs first.

Figure 22.10.080.E.4
Type E "fence banner"

Fence banner

5. Type G, "yard sign," temporary signs.
   a. Temporary commercial yard signs shall meet the following requirements:
      i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
      ii. Be constructed out of durable materials including, but not limited to, ~~such as~~ corrugated plastic, ~~or~~ cardboard, metal, ~~or~~ wood support, or other materials of comparable strength and longevity;
      iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and
      iv. Be limited to one yard sign per 5 feet of street frontage per block, not to exceed 10 yard signs per 100 feet of street frontage per block and have a time limitation of 90 days.
   b. Temporary noncommercial yard signs shall meet the following requirements:
      i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
      ii. Be constructed out of durable materials including, but not limited to, ~~such as~~ corrugated plastic, ~~or~~ cardboard, metal, ~~or~~ wood support, or other materials of comparable strength and longevity;

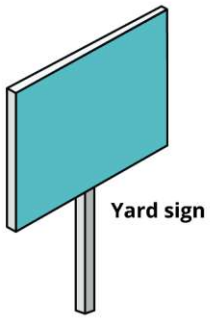
Commented [A33]: This update was provided to include additional examples of durable materials for clarity.

Commented [A34]: This update was provided to include additional examples of durable materials for clarity.

iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and

iv. Have a time limitation of 120 days.

Figure 22.10.080.E.5
Type G "yard sign"



6. Type H, "A-frame," temporary signs shall meet the following requirements:

   a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;

   b. Stand free on the ground with no permanent foundation;

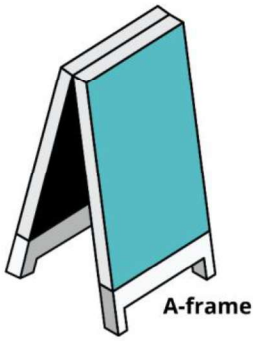
   c. Be at least 10 feet apart from other temporary signage;

   d. Be limited to three A-frame signs per 600 feet of street frontage. One additional A-frame sign shall be permitted for each additional 100 feet of street frontage beyond the initial 600 feet. Any such additional sign shall be subject to a maximum display period of two weeks;

   e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and

   f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

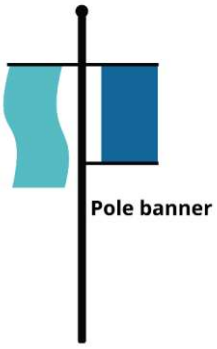
Figure 22.10.080.E.6
Type H "A-frame"



7. Type I, "pole banners," temporary signs shall meet the following requirements:
   a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;
   b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;
   c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;
   d. Be constructed out of flexible materials such as cloth or vinyl;
   e. Be at least 10 feet apart from other temporary signage;
   f. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts; and
   g. Receive authorization for banner placement from the owner of the pole, or other structure, on which the pole banner is attached.

Figure 22.10.080.E.7
Type I "pole banners"

DRAFT



8. Type M, "sign walker," temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of 12 square feet;
   b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and
   c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

Figure 22.10.080.E.8
Type M "sign walker"

22.10.090 Nonconforming Signs

A. Applicability.

1. Except as provided in subsection A.2 below, this section applies to all signs that were legally established on or before [insert effective date of ordinance] and are now nonconforming to the requirements of this chapter.

2. This section does not apply to the following types of signs:
    a. Signs that were illegally established on or before [insert effective date of ordinance];
    b. Abandoned signs;
    c. Signs for which a permit was granted on or before [insert effective date of ordinance] under conditions with which the permittee does not now comply;
    d. Signs for which a permit was granted on or before [insert effective date of ordinance] and subsequently revoked;
    e. Signs owned or controlled by the City or by the state or federal government;
    f. Signs that were legally established on or before [insert effective date of ordinance], are now nonconforming to the requirements of this chapter, but are subject to a legal agreement executed on or before [insert effective date of ordinance] that governs the maintenance, repair or replacement of such signs and that legally remains in effect;
    g. Temporary signs.

B. Documentation. An applicant proposing an alteration to a nonconforming sign shall submit documentation which shows that the nonconforming sign was permitted when established and has not been abandoned. The Director shall determine based on subsections B.1 and B.2 of this section whether the documentation is adequate to support a determination that the sign constitutes a nonconforming sign subject to this section. The Director may waive the requirement for documentation when a nonconforming sign has previously been clearly established.
    1. Sign permitted when established. Documentation that the sign was permitted when established includes, but is not limited to, the following:
        a. Building, land use, or other development permits; and
        b. Prior versions of this chapter.
    2. Sign maintained over time. Documentation that the sign was maintained over time and not discontinued, destroyed, or abandoned. Documentation may include, but is not limited to, the following:
        a. Building, land use, or other development permits;
        b. Insurance policies;
        c. Invoices or receipts relating to maintenance; and
        d. Dated aerial photos.

DRAFT

C. Requirements Applicable to All Nonconforming Signs.

1. Ownership.
    a. The status of a nonconforming sign is not affected by a change in ownership of the real property on which the nonconforming sign is erected.
    b. The status of a nonconforming sign is not affected by a change in ownership of the nonconforming sign.
2. Location.
    a. It is not a violation of this chapter for a nonconforming sign to remain at the location on which it was legally established.
    b. If a nonconforming sign is moved to a new location, then the sign is no longer a nonconforming sign subject to this section and must instead be made to conform to the requirements of this chapter.
3. Alterations, Maintenance, and Repair.
    a. If the following requirements are satisfied, then alterations may be made to a nonconforming sign:
        i. Alterations may bring the sign into, or closer to, conformance with the requirements of this chapter;
        ii. Alterations shall not increase the conditions that render the sign nonconforming; and
        iii. Alterations that result in no changes to the conditions that render the sign nonconforming are allowed.
    b. Routine maintenance of a nonconforming sign is allowed.
    c. Routine repair of a nonconforming sign is allowed.
4. New Development – Single-Phase Project. If the value of development occurring on a site on which a nonconforming sign is located exceeds the replacement value of all existing structures on the site, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.
5. New Development – Multi-Phase Project. If the value of development occurring within a project limit of a phase in which a nonconforming sign is located exceeds the replacement value of all existing structures within that project limit, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.

Commented [A35]: This minor updated was included for clarity.

DRAFT

6. Nothing in this section limits, or otherwise precludes, the individual or entity with ownership or control of the real property on which a nonconforming sign is located from requiring that the nonconforming sign be removed.

22.10.100 Prohibited Signs

A. *Applicability*. The following signs or displays are prohibited, except as indicated. Prohibited signs are subject to removal by the City at the owner's or user's expense (see BCC 22.10.120).

1. Off-premise signs, except as otherwise permitted as temporary signage in sections BCC 22.10.070 and 22.10.080;
2. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal;
3. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device;
4. Signs which rotate or have a part or parts which move or revolve;
5. Sign displays containing clusters of flags, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, and devices containing elements creating sound or smell;
6. Billboards;
7. Signs for which a permit has been granted under conditions with which the permittee does not comply;
8. Signs for which a permit has been granted and subsequently revoked for cause by the Director or Transportation Director;
9. Signs erected, altered, or relocated without a permit issued by the City or any other governmental agency which requires a permit by law; and
10. Neighborhood Identification Signs with a maximum sign height greater than 30 feet.

22.10.110 Variances

A. *Applicability.* This section applies to each application for a variance from the provisions of the sign code.

B. *Intent and Purpose.* A variance is a mechanism by which the City may grant relief from the provisions of the sign code where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the

DRAFT

physical characteristics of the subject property and where the purpose of that code can be fulfilled. This section establishes the procedure and criteria that the City will use in making a decision upon an application for a variance from the provisions of the sign code.

C. *Who May Apply.* The property owner or their authorized agent may apply for a variance from the provisions of the sign code.

D. *Applicable Procedure.* The City will process an application for a variance from the provisions of the sign code through Process II, LUC 20.35.200 et seq.

E. *Submittal Requirements*. As part of any application for a variance under this section, the applicant shall submit the following information:

1. The Director shall specify the submittal requirements, including type, detail and number of copies, for a variance application to be deemed complete and accepted for filing.

2. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

F. *Decision Criteria.* The Director may approve or approve with modifications an application for a variance from the provisions of the sign code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon signage and uses of other properties in the same vicinity and zone; and

2. Such variance is necessary, and is the minimum necessary, because of special circumstances not resulting from the voluntary actions of the applicant, relating to the size, shape, topography, location, or surroundings of the subject property, in order to provide it with signage use rights and privileges permitted to other properties in the same vicinity and land use district; and

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same vicinity zone; and

G. *Limitation on Authority.* The Director may not grant a variance to:

1. Any dimensional requirement of the Sign Code that exceeds 40 percent of the applicable dimension.

2. The number of signs permitted.

H. Protection of Constitutional Rights. Where an applicant can demonstrate that the strict application of the regulations in this chapter would violate their constitutional rights, then the City may grant a variance that does not conform to all of the decision criteria in subsection F above. However, the applicant shall submit an application for a variance

DRAFT

which provides their response to each of the decision criteria in subsection F. The City need not make findings that all of the decision criteria have been satisfied, but if not all of the criteria have been satisfied, then the variance may only be granted to the extent reasonably necessary to protect the applicant's constitutional rights. If a variance is granted under this subsection H, then it shall be treated as an approval of a variance for the purposes of this chapter.

22.10.120 Administration and Enforcement

A. *Administration.* The Director shall be responsible for administration of this code. The Director may adopt rules for the implementation of this code as provided in LUC 20.40.100.

B. *Inspection of Director.* In accordance with BCC 1.18.065, the Director may enter or inspect any building, structure, or premises in the City, upon which, or in connection with which a sign, as defined by this code, is located for the purpose of inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this code.

C. *Violation – Penalty.*

1. The violation of or failure to comply with any provision of this chapter is declared to be unlawful.

2. Any violation of any provision of this chapter is a civil violation as provided for in Chapter 1.18 BCC, for which a monetary penalty may be assessed and abatement may be required as provided therein.

22.10.130 Permits and Exempt Signs

A. Permit Requirements, Applications, Expiration, and Denial.

1. ~~*Permit Requirements*~~*Required Permits and Registrations*.

a. Except as provided in subsection B of this section, no permanent sign governed by this code shall be erected, altered, or relocated on or after [insert effective date of ordinance] without a permit issued by the City in accordance with this chapter.

b. Except as provided in subsections B or C of this section, no temporary sign governed by this code shall be erected, altered, or relocated on or after [insert effective date of ordinance] without a temporary sign permit or temporary sign registration issued by the City in accordance with this chapter.

2. *Applications for Required Permits and Registrations*

a. *Submittal Requirements.*

Commented [A36]: The following updates provide clarity, usability, and consistency for permitting requirements.

i. As part of any application for a permanent sign permit under this chapter, the Director shall specify the submittal requirements for an ~~sign~~ application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

ii. As part of any application for a temporary sign permit or temporary sign registration under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

b. *Expiration of Applications.*

i. An application for a sign permit for a permanent sign for which no permit is issued within one year following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law. The Director may, prior to expiration, extend the time for action by the applicant for a period not exceeding 180 days.

ii. An application for a temporary sign permit or temporary sign registration for which no permit or registration is issued within six months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law. The Director may, prior to expiration, extend the time for action by the applicant for a period not exceeding 90 days.

iii. The Director may cancel applications for permits or registrations under this chapter based on an applicant's nonresponsiveness for 60 calendar days following a request by the Director for revisions, corrections, or additional information. The Director may extend the response period beyond 60 calendar days if within the time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections, or other information needed by the Department.

3. *Approval or Denial of Applications for Permits and Registrations.*

a. If the application satisfies all applicable requirements of this chapter for the permit or registration at issue, then the Director may approve the permit or registration.

b. If the application would satisfy all applicable requirements of this chapter if certain conditions were satisfied, then the Director may approve the permit or registration with conditions.

c. If the application does not satisfy all applicable requirements of this chapter, then the Director may deny the permit or registration. When a sign permit is denied by the Director, they shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial.

4. *Expiration of Issued Permits and Registrations.*

a. A sign permit for a permanent sign shall expire if the work for which the permit was issued has not been completed within one year of its issuance. Any permanent sign or sign structure that has been erected with an expired sign permit for a permanent sign shall be removed by the owner of record, lessor, lessee, manager, or other person, having lawful possession or control over real property on which the sign or sign structure is located.

b. A temporary sign permit shall expire at the end of the time limitation specified in this chapter for the temporary sign at issue. Any temporary sign or sign structure that has been erected with an expired temporary sign permit shall be removed by the owner of record, lessor, lessee, manager, or other person having lawful possession or control over real property on which the sign or sign structure is located.

c. A temporary sign registration shall expire at the end of the time limitation specified in this chapter for the temporary sign at issue. Any temporary sign or sign structure that has been erected with an expired temporary sign registration shall be removed by the owner of record, lessor, lessee, manager, or other person having lawful possession or control over real property on which the sign or sign structure is located.

d. LUC 20.40.500 does not apply to permits or registrations issued under this chapter.

~~4. *Notice of Permit Denial.* When a sign permit is denied by the Director, they shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial.~~

B. *Permit Exemptions.* The following signs and sign alterations are exempt from a sign permit. The area and number of such signs shall not be included in the area and number of signs permitted for any site or use, however, all other relevant requirements of this chapter shall apply:

1. Permanent signs having nine square feet or less of surface area;

2. Signs required by operation of the Bellevue City Code, the Land Use Code, state law, or federal law;

3. Exterior signs or displays not visible from streets or ways open to the public;

4. Signs in the interior of a building more than three feet from the closest window or not facing a window;
5. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City; and
6. Any paint-out, replacement, or change to copy displayed on a billboard; and
7. Routine repair and routine maintenance of conforming or legal nonconforming signs; and
8. Permanent signs that are completely within the public right-of-way that obtain a right-of-way use permit approved by the Transportation Director.
9. Temporary signs that are required to receive an approved temporary sign permit or registration as described in BCC 22.10.130.C or otherwise comply with the applicable standards of this section.
10. Sculptures, fountains, mosaics, murals, public art, and design features which do not otherwise constitute a sign.
11. Neighborhood Identification Signs with a maximum sign height of 30 feet.
12. Signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority for transportation-related purposes, to protect the public health, safety, or welfare, or to respond to an emergency.
13. Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority, of a temporary nature.

C. Temporary Sign Permits and Registrations.

1. *Applicability.* All temporary signs, unless otherwise exempt per this chapter, are required to receive either a temporary sign permit or temporary sign registration dependent on the sign type:
    a. The following sign types, as described in sections BCC 22.10.070 and 22.10.080, are required to receive a temporary sign permit approved by the Director:
        i. Type A, one sheet;
        ii. Type B, half sheet;
        iii. Type, C, ground banner;
        iv. Type D, wall banner; and
        v. Type E, fence banner.

b. Type G, yard signs, located within the public right-of-way as described in sections ~~BCC 22.10.070 and~~ 22.10.080, are not required to receive a temporary sign permit or a right-of-way use permit but shall have an approved temporary sign registration attached to the sign face, unless otherwise exempt in this section.

c. *Exemptions*. The following sign types, as described in sections BCC 22.10.070 and 22.10.080, must comply with the applicable standards of this Chapter but are not required to receive a temporary sign permit or temporary sign registration:

i. Type F, quarter sheet;

ii. Type G, yard signs placed on private property;

iii. Type H, A-frame;

iv~~ii~~. Type I, pole banner;

~~i~~v. Type J, feather banner;

vi. Type K, ground flag;

vii. Type L, pole flag;

viii. Type M, sign walker; and

ix~~viii~~. Temporary signs placed for less than 48~~24~~ hours.

2. ~~*Submittal requirements.* As part of any application for a temporary sign permit or temporary sign registration under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.~~

D. Master Sign Plans

1. *Applicability.* This section applies to each application for a master sign plan relating to space in existing or new mixed use, multitenant building(s) or multitenant site development.

2. *Intent and Purpose.* This section provides a mechanism under which consideration can be given to signs which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property.

3. *Submittal Requirements.* As part of any application for a master sign plan under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

Commented [A37]: Update post April 14, 2026 Council Study Session: Updated the temporary sign registration requirement to be for yard signs located within the right-of-way.

Commented [A38]: Update post April 14, 2026 Council Study Session: This update excludes yard signs placed on private property from being required to apply for a temporary sign registration.

Commented [A39]: Update post April 14, 2026 Council Study Session: This update increases the hour limitation to allow for more flexibility for yard sign temporary sign registration requirements.

Commented [A40]: This update was included to provide consistency for submittal requirements.

DRAFT

22.10.140 Appeals

The decision of the Director approving, approving with modifications, or denying a sign permit or interpreting the provisions of the sign code may be appealed using the appeal provisions of Process II, LUC 20.35.200 et seq.

22.10.150 Conflicting Provisions

If any provision of this code is found to be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the City, the provision which establishes the higher standard shall prevail.

22.10.160 Severability

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.

DRAFT

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6925

AN ORDINANCE relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.

WHEREAS, on August 6, 2024, the City Council initiated work on the text amendments to the Bellevue City Code contained in this Ordinance; and

WHEREAS, the City Council desires to amend the City's Sign Code to be consistent with legal requirements and contemporary sign design techniques; and

WHEREAS, the City Council reviewed the text amendments to the Bellevue City Code contained in this Ordinance at study sessions on November 25, 2025 and April 14, 2026; and

WHEREAS, on January 9, 2026, notice was provided to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

WHEREAS, on April 8, 2026, a Notice of Application was published in the Weekly Permit Bulletin and in the Seattle Times; 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, as significant development continues to occur within the City, existing neighborhoods are changing and some new neighborhoods are emerging; and

WHEREAS, the City Council desires to ensure that residents, commuters, and visitors can travel throughout these changing areas of the City safely without relying on a navigation system while attempting to travel throughout the City, which could lead to distracted driving; and

WHEREAS, distracted driving is any activity that diverts attention from driving, including talking or texting on a phone, eating and drinking, talking to people in a vehicle, fiddling with the stereo, entertainment, or navigation system; and

WHEREAS, the National Highway Traffic Safety Administration, a part of the U.S. Department of Transportation, studies the impact of, and safety risks associated with, distracted driving; and

WHEREAS, according to the National Highway Traffic Safety Administration, 315,167 people were injured by distracted driving in the United States in 2024; and

WHEREAS, according to the National Highway Traffic Safety Administration, 3,208 were killed by distracted driving in the United State in 2024; and

WHEREAS, according to DOT HS # 813 788, issued in April 2026, the National Highway Traffic Safety Administration found that drivers' visible manipulation of handheld devices increased from 3.0 percent in 2023 to 4.5 percent in 2024, which translates to an estimated 537,946 passenger vehicles drivers visibly manipulating handheld devices while driving during a typic daylight moment in 2024; and

WHEREAS, the updates to the City's Sign Code contained in this Ordinance create a category of "neighborhood identification sign" which is defined to mean a "painted wall sign or building-mounted sign that contains only the name, as designated and mapped in the City's Comprehensive Plan, of the BelRed Arts District, neighborhood area, or neighborhood district for the area or district in which the sign is located and no other copy"; and

WHEREAS, the City Council believes that the inclusion of Neighborhood Identification Signs serves a compelling government interest for the reasons specified in proposed BCC 22.10.010 and in reducing distracted driving by providing a physical navigation alternative to electronic navigation devices that would otherwise be used by drivers and is narrowly tailored to that purpose in that only official neighborhood names, as designated and mapped in the City's Comprehensive Plan, may be included on Neighborhood Identification Signs; 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 Bellevue City Code contained in this ordinance will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on May 20, 2026; 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. Chapter 22B.10 of the Bellevue City Code is hereby repealed in its entirety.

Section 3. Title 22 of the Bellevue City Code is hereby amended to include a new Chapter 22.10 to read as shown on **Attachment A** to this Ordinance.

Section 4. Subsection 14.30.070.A of the Bellevue City Code is hereby amended to read as follows:

A. It is unlawful for anyone to make private use of any public right-of-way without first having obtained a right-of-way use permit issued by the city or to use any right-of-way without complying with all the provisions of such right-of-way use permit issued by the city.

   1. A right-of-way use permit shall not be required for any use or activity subject to and requiring a permit pursuant to the city's special events policy permit process.

   2. A right-of-way use permit shall not be required to install a temporary sign that requires a temporary sign registration under BCC 22.10.130.C.1.b, or that is exempt from temporary sign permit or registration requirements under BCC 22.10.130.C.1.c so long as no temporary traffic control is necessary for the installation of temporary signs.

Section 5. Clarifying Section 82 of Ordinance No. 6839. Section 82 of Ordinance No. 6839 purports to amend LUC 20.20.590.I.1.c. That is a Scrivner's Error, and Section 82 of Ordinance No. 6839 shall instead be read as amending LUC 20.20.590.I.1.b.

Section 6. Repealing Sections 90, 91, 92, 96, and 98 of Ordinance No. 6839. Sections 90, 91, 92, 96, and 98 of Ordinance No. 6839 are hereby repealed and deleted in their entirety.

Section 7. Amending the Effective Date for Sections 77 through 82, 84 through 89, 93 through 95, 97, and 99 through 108 of Ordinance No. 6839. Sections 77 through 82, 84 through 89, 93 through 95, 97, and 99 through 108 of Ordinance No. 6839 shall take effect and be in force on the effective date of this Ordinance. To the extent that Section 5 of Ordinance No. 6849 or Section 110 of Ordinance No. 6839 conflict with this Ordinance, then this Ordinance shall control.

Section 8. 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 9. City Clerk Authorization. The City Clerk is hereby authorized and directed to replace any reference in this Ordinance, including **Attachment A**, to "[INSERT EFFECTIVE DATE OF ORDINANCE]" with the actual month, day, and year that this Ordinance takes effect as calculated pursuant to Section 10 of this Ordinance.

Section 10. Effective Date. Following publication, this Ordinance shall take effect and be in force at 12:00 AM on February 1, 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

Chapter 22.10
Sign Code

Sections:

22.10.010 General Provisions

22.10.020 Definitions Specific to the Sign Code

22.10.030 Measurements

22.10.040 Requirements Applicable to All Signs

22.10.050 Permanent Signs in Residential Land Use Districts

22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts

22.10.070 Temporary Signs in All Land Use Districts

22.10.080 Signs Within the Public Right-of-Way

22.10.090 Nonconforming Signs

22.10.100 Prohibited Signs

22.10.110 Variances

22.10.120 Administration and Enforcement

22.10.130 Permits and Exempt Signs

22.10.140 Appeals

22.10.150 Conflicting Provisions

22.10.160 Severability

22.10.010 General Provisions

A. *Intent and Purpose.* The purpose of this chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. It has also been adopted to promote the following:

1. Traffic safety;
2. Recognition of free speech rights by regulating signs in a content-neutral manner;
3. The free flow of traffic and the protection of pedestrians, non-motorized wheeled users, and motorists from injury and property damage caused by, or attributable to, cluttered, distracting, or illegible signs;
4. Consistent and compatible sign design standards; and
5. Understandable regulations which enable the fair and consistent enforcement of this chapter.

This chapter is not intended to restrict speech on the basis of its content, viewpoint, or message. Nothing in this chapter should be construed to favor commercial speech over noncommercial speech.

22.10.020 Definitions Specific to the Sign Code

As used in this Chapter, the following definitions shall apply:

A. “A” Definitions

1. “Abandoned sign” means a temporary or permanent sign that, because the passage of time, has faded, peeled, cracked or otherwise become deteriorated or dilapidated, or is no longer affixed to the ground or attached to a structure, or is missing the sign face.
2. “Abandoned sign structure” means a sign structure where no sign has been in place for a continuous period of at least twelve months.
3. “Alteration” or “alter” means the presence, or making, of any change, addition, or modification except for changes, additions, or modifications that are exempt under BCC 22.10.130.
4. “Awning“ means a shelter or canopy projecting from, and supported by, a structure or building wall to provide protection from the elements to persons or property thereunder.

B. “B” Definitions

1. “BelRed Arts District Intensive Area” shall have the same meaning as provided in LUC 20.25D.015.

C. “C” Definitions

1. “Commercial and mixed-use land use districts” means all land use districts established under LUC 20.10.020 except for residential land use districts.

2. “Commercial” means copy related to commercial interests.

3. “Copy” means letters, characters, illustrations, logos, graphics, symbols, writing, intellectual property, or any combination thereof designed to communicate objectively tangible information, or to advertise, announce, or identify a person, entity, business, event, business product, or to advertise the sale, rental, or lease of premises.

4. “Crossroads Sign Overlay” means the area legally defined as follows:

   That portion of the SE 1/4, Section 26, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

   Commencing at the southwest corner of the Upton at Crossroads Village Condo filed in Volume 291 of Condos, Pages 87-90, records of King County Washington; Thence easterly along the south line of said Crossroads Condo a distance of 150 feet to the **Point of Beginning.** Thence continuing easterly along said south line to the intersection of the northerly extension of the west line of Parcel 2 City of Bellevue Boundary Line Adjustment 22-115531 LW recorded under recording number 20230203900002 records of King County, Washington; Thence southerly along said northerly extension and the west line of said Parcel 2 and the southerly extension to the north right of way margin of NE 8th St; Thence westerly along said north right of way margin a distance of 284.9 feet; Thence northerly parallel with the centerline of 156th Ave NE to the **Point of Beginning.**

D. “D” Definitions

1. “Director” means 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, unless otherwise specified in this chapter.

2. “Downtown” shall have the same meaning as provided in LUC 20.50.016.

E. “E” Definitions

1. “Electronic Message Center Sign” or “EMC Sign” means a sign capable of displaying copy that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

2. “Enterprise” means the owner, tenant, user, or other occupant of a structure seeking signs under this sign code.

F. “F” Definitions

1. “Facade” means the area of that continuous front, side, or back surface, including doors, windows, and parapets.

2. “Freeway corridor” means a corridor paralleling each side of the freeway with a width of 375 feet on each side of the freeway right-of-way. The freeway corridor does not include land within the boundaries of Downtown.

G. “G” Definitions

1. “Grade, average finished” means the average elevation of the finished surface of the ground or paving where it touches the building.

2. “Grand Connection” shall have the meaning provided in LUC 20.50.022.

H. “H” Definitions

1. “Halo lighting” means a method of sign illumination that consists of a light source external to the sign or sign elements and mounted behind the sign or sign elements. The sign elements of a sign illuminated through halo lighting shall be opaque, so that the light does not appear to emit from within or through the sign elements.

2. “Highrise building” means a building with a roofline that is equal to, or exceeds, 75 feet above the average finished grade.

3. “Hospital” means a building requiring a license pursuant to Chapter 70.41 RCW and designed and used for the medical, surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and including ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes and clinics are not included.

I. “I” Definitions

1. “Illegal sign” means any sign which does not comply with the requirements of this code within the city limits as they now or hereafter exist.

2. “Incidental sign” means small signs, two square feet or less in surface area.

J. “L” Definitions

1. “Local government” means towns, cities, counties, and special purpose districts, including, but not limited to, school districts, public utility districts, port districts, and library districts.

K. “M” Definitions

1. “Master sign plan” means a plan for the design and placement of all signs intended for a project site for the life of the project. (See BCC 22.10.130.D, Master Sign Plan).

2. “Multiple building complex” means a group of structures containing more than one enterprise.

3. “Multiple occupancy building” means a single structure containing more than one enterprise.

L. “N” Definitions

1. “Neighborhood Identification Sign” means a painted wall sign or building-mounted sign that contains only the name, as designated and mapped in the City’s Comprehensive Plan, of the BelRed Arts District, neighborhood area, or neighborhood district for the area or district in which the sign is located and no other copy.
2. “Noncommercial” means copy unrelated to commercial interests.
3. “Nonresponsiveness” shall have the meaning set forth in Chapter 20.50 LUC.

M. “P” Definitions

1. “Parapet” means that portion of a building wall which extends above the roof of the building.
2. “Permanent sign” means a sign intended for permanent use and that does not otherwise meet the definition of “temporary sign”.
3. “Primary sign” means all permanent signs of an enterprise which are not exempt (see BCC 22.10.130.B) or do not meet the definition for “incidental signs.”

N. “R” Definitions

1. “Residential Land Use District” shall have the meaning set forth in Chapter 20.50 LUC.
2. “Right-of-way” means all public streets and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, bikeways and horse trails, whether improved or unimproved.
3. “Routine maintenance” includes those usual acts to prevent decline, lapse, or cessation of a lawfully established sign. Routine maintenance includes, but is not limited to, alterations necessary to keep moisture or wind from entering or damaging a sign. Routine maintenance does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.
4. “Routine repair” includes like-for-like restoration of a sign to a state comparable to its original condition within a reasonable period after decay has occurred. Routine repair includes, but is not limited to, the like-for-like replacement of cabinets, illumination sources, and structural supports that have decayed or are near the end of their functional life. Routine repair does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.

O. “S” Definitions

1. “Shared-use path” means a path physically separated from the roadway for use by bicyclists, pedestrians, and other micromobility users.
2. “Sign” means materials placed or constructed, or light projected, in a manner that creates or contains copy to inform or attract the attention of the public.

The scope of the term “sign” does not depend on the content of the message or the image conveyed. Some examples of signs can include, but are not limited to, placards, A-frame, banners, or electronic visual messages, pictures, videos or images. Graffiti, as defined in Chapter 9.10 BCC, does not constitute a sign.

a. “Sign, banner” means a sign intended to be temporary, made of flexible, sturdy material and affixed to a building or other structure (excludes flags).

b. “Sign, billboard” means an outdoor advertising sign containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located. Billboards do not include signs subject to BCC 22.10.070 or BCC 22.10.080.

c. “Sign, blade” means a projecting sign attached directly to a building wall or awning where the sign is perpendicular to the wall or facade.

d. “Sign, building-mounted” means a single or multiple-faced sign that is parallel to and attached directly to the face of the building, canopy, or awning.

e. “Sign, cabinet” means a single or multiple-faced sign that is internally illuminated and enclosed on all edges by a solid frame.

f. “Sign, freestanding” means a single- or multiple-faced sign, supported from the ground by one or more columns, uprights, or braces.

g. “Sign, painted wall” means a sign applied to the wall or façade of a building or structure with paint or a thin layer of vinyl, paper, or similar material adhered directly to the facade and that has no sign structure.

h. “Sign, roof” means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

i. “Sign, upper-level highrise” means a sign located on a highrise building more than 75 feet above average finished grade, except as provided in this chapter.

j. “Sign, window” means all signs located inside, affixed to or within three feet of windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window.

3. “Sign face” means the portion of a sign which contains copy. (See BCC 22.10.030.A, Sign Area).

4. “Sign structure” means a structure specifically intended for supporting, mounting, or containing a sign.

5. “Single occupancy building” means a commercial building or structure with one major enterprise, generally under one ownership. A building is classified

as “single occupancy” only if: (A) it has only one enterprise; (B) it has no wall in common with another building; and (C) it has no part of its roof in common with another building.

P. “T” Definitions

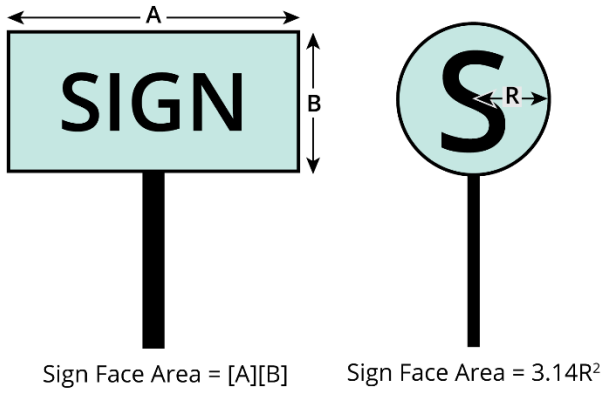
1. “Temporary sign” means any sign; poster; placard; stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability or rot prevention; and used temporarily and is not permanently mounted, painted or otherwise affixed to a permanent structure or building.

2. “Transportation Director” means the Director of the Transportation Department for the City of Bellevue, the Director’s authorized representative, or any representative authorized by the City Manager, unless otherwise specified in this chapter.

22.10.030 Measurements

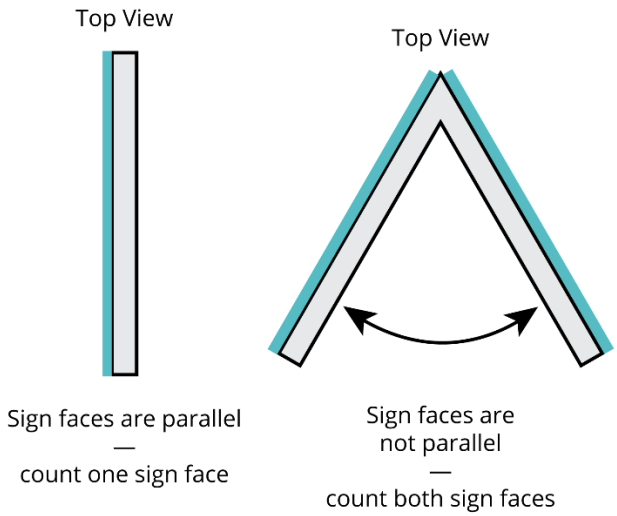
A. *Sign Area.* The sign area is determined based on the outer dimensions of the frame surrounding the sign face. If the frame itself forms the copy, then the sign area includes the surface area of that frame. (See Figure 22.10.030.A).

Figure 22.10.030.A



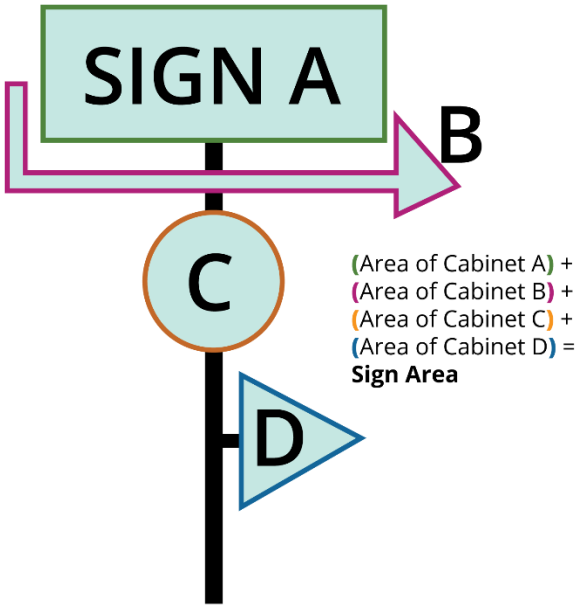
B. *Double-faced Signs.* If a permanent sign contains two sign faces that are parallel with one another, then only one sign face of the sign is counted in determining the sign area. If the two sign faces are parallel with one another but are not of equal size, then the larger of the two sign faces is used in determining sign area. If the two sign faces are not parallel with one another, then both sign faces are used in determining sign area. (See Figure 22.10.030.B).

Figure 22.10.030.B



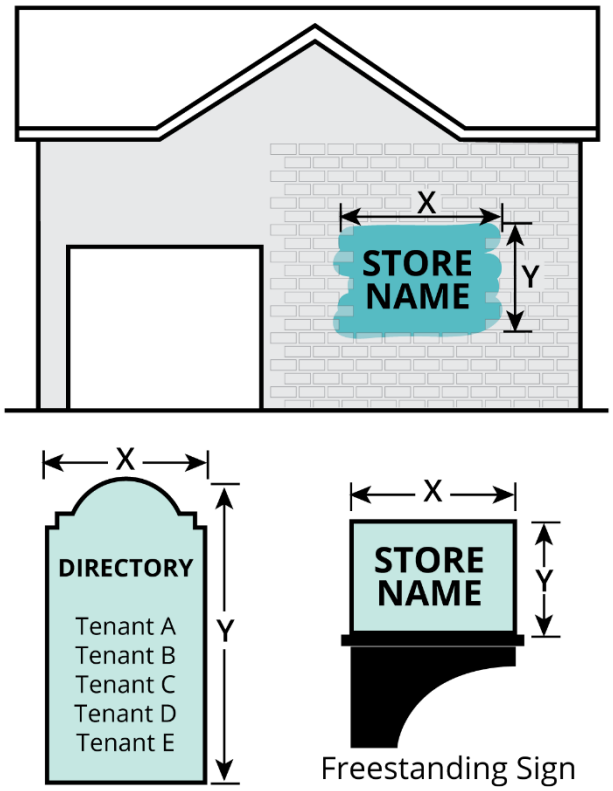
C. *Multiple Frames.* For freestanding and projecting signs that contain multiple frames on one sign structure and are oriented in the same direction, the combined area of all frames is counted as one sign face (See Figure 22.10.030.C).

Figure 22.10.030.C



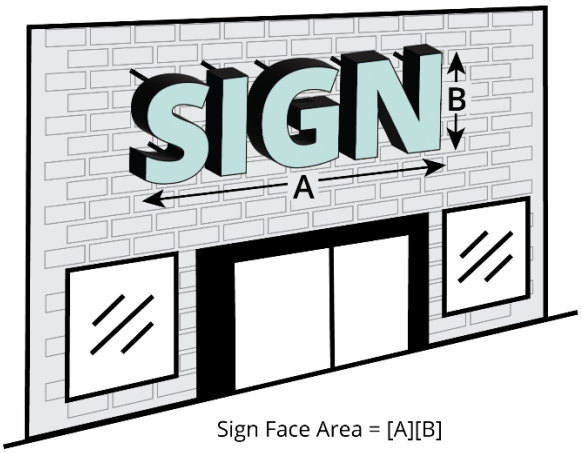
D. *Signs with Background panels or surfaces.* Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background (See Figure 22.10.030.D).

Figure 22.10.030.D



E. *Signs with individual letters or graphics*. Sign copy mounted as individual letters or graphics against a wall of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose each word, sentence, complete message, and each graphic in the sign (See Figure 22.10.030.E).

Figure 22.10.030.E



Sign Face Area = [A][B]

F. *Painted Wall Signs*. Painted wall signs are measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose the sign copy.

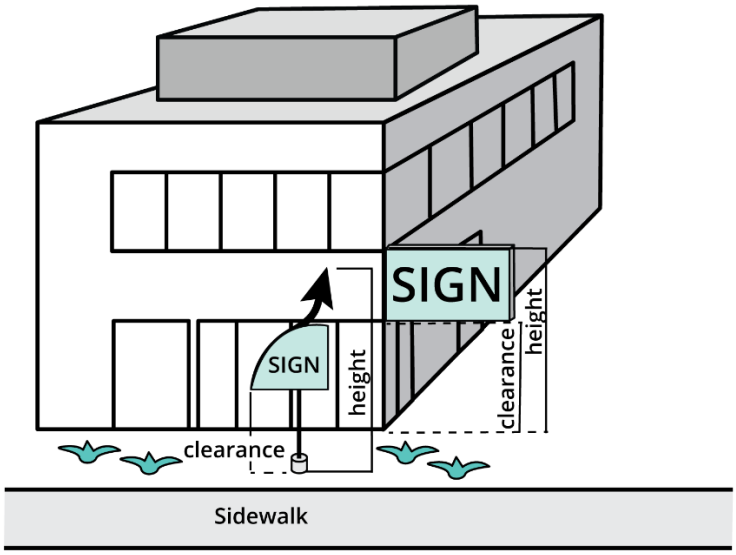
G. *Awnings*. When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings are parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.

H. Height and Clearance

1. *Height.* The overall height of a sign or sign structure is measured from the average finished grade to the highest point of the sign or sign structure. The height of copy is measured from the bottom of the copy. (See Figure 22.10.030.H).

2. *Clearance.* Clearances are measured from the highest point of the ground directly below the sign to the bottom of the sign structure enclosing the sign face (See Figure 22.10.030.H).

Figure 22.10.030.H



I. Electronic Message Center (EMC) Illumination

1. *Illuminance Meter.* The illuminance of an EMC sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals.

2. *Illuminance Measurement.* Illuminance shall be measured with the EMC sign off, and again with the EMC sign displaying a white image for a full color-capable EMC, or a solid message for a single-color EMC. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the EMC sign using the measurement distance calculation below:

Measurement Distance = $\sqrt{\text{Sign Area (sq. ft.)} \times 100}$

22.10.040 Requirements Applicable to All Signs

A. *General*. The regulations contained in this section shall apply to signs in all land use districts established under LUC 20.10.020.

B. *Landscaping.* Unless otherwise provided for in this chapter, all freestanding signs shall have landscaping with ground cover and shrubs at the base of the sign equal to, or greater than, the sign area.

C. *Removal of Signs*.

1. Abandoned Signs and Abandoned Sign Structures.

a. Abandoned signs and abandoned sign structures shall be removed by the owner of record, lessor, lessee, manager, or other person, having lawful possession or control over real property on which the abandoned sign or abandoned sign structure is located. If the abandoned sign or abandoned sign structure is located in the public right-of-way, then the abandoned

sign or abandoned sign structure shall be removed by the owner of the abandoned sign or abandoned sign structure.

2. Temporary signs for which a permit or registration is required under BCC 22.10.130 shall be removed upon expiration of the permit or registration.

3. In addition to the remedies of this title, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign owner or property owner.

D. *Sign Illumination.* Illumination from or upon any sign shall be located, shaded, shielded, directed, or reduced so as to avoid undue brightness, glare, or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. “Undue brightness” is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street.

E. *Maintenance of Signs.* Any owner of record, lessor, lessee, manager, or other person, except for the City, having lawful possession or control over a building, structure, or parcel of land is required to maintain any signs on the building, structure, or parcel in compliance with this chapter. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement and penalties as provided in BCC 22.10.120.

F. *Safety and Access.*

1. All signs shall be placed in a manner that is safe for all users of the public right-of-way and the real property on which the sign is located.

2. Signs shall not block or obstruct access to buildings, structures, parked cars, bicycle parking, pedestrian amenities, recycling collection areas, solid waste collection areas, or bus loading or unloading areas.

3. Signs shall not block, obstruct, or impair access to publicly accessible pedestrian facilities, bicycle facilities, access corridors, parks, plazas, or driveways.

4. Signs shall not block, obstruct, or impair required emergency access.

5. Signs shall not block, obstruct, or impair access to, or operation of, any utilities, including, but not limited to, water, sewer, and stormwater facilities.

6. Signs shall not be attached to, or otherwise supported by, any tree.

7. All signs shall comply with the applicable sight distance requirements contained in Chapter 14.60 BCC and in the Transportation Department Design Manual.

8. The requirements of this subsection F do not apply in the event of an emergency or where a separate provision of local, state, or federal law authorizes a sign to be placed in a manner that would conflict with the requirements of this subsection F.

22.10.050 Permanent Signs in Residential Land Use Districts

A. *General.* The regulations contained in this section shall apply to permanent signs in all residential land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within Residential Land Use Districts; provided that if the Director determines that type of permanent sign is so substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.

B. *Freestanding signs*.

1. On lots that contain a nonresidential use, freestanding signs shall meet the following requirements:

    a. Be limited to noncommercial freestanding signs only;

    b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet when located within a setback as required in LUC 20.20.010;

    c. Be limited to a maximum sign area of 35 square feet and a maximum height of 15 feet when not located within a setback as required in LUC 20.20.010;

    d. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;

    e. Be constructed out of durable materials including, but not limited to, wood, metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity.;

    f. Be limited to one sign per street frontage per lot; and

    g. Comply with the landscaping requirements in BCC 22.10.040.B.

2. On lots that do not contain a nonresidential use, freestanding signs shall meet the following requirements:

    a. Be limited to noncommercial freestanding signs only;

    b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet;

    c. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;

    d. Be limited to one sign per neighborhood entrance, or as otherwise approved by the Director;

    e. Be constructed out of durable materials including, but not limited to, wood, metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and

    f. Comply with the landscaping requirements in BCC 22.10.040.B.

C. *Building mounted signs*.

1. On lots that contain a nonresidential use, building mounted signs shall meet the following requirements:

    a. Be limited to noncommercial building mounted signs only;

    b. Be limited to a maximum sign area of 50 square feet and a maximum height of 20 feet;

    c. Be restricted from being located in, or projecting into, the public right-of-way, including public easements, unless otherwise provided for in this chapter;

    d. Be limited to one sign per street frontage per lot; and

    e. Be constructed out of durable materials including, but not limited to, wood, metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity.

D. *Electronic message center signs.*

1. *General and Applicability*. An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the EMC sign standard shall prevail

2. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:

    a. Be limited to noncommercial signs only;

    b. Be limited to lots that contain a nonresidential use;

    c. Be limited to one EMC sign per street frontage per lot;

    d. Have a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;

    e. Be limited to no motion except for a fade in of the next message with the fade transition being no more or less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and

    f. Comply with the following luminance standards:

        i. In the nighttime (one-half hour before sunset to one-half hour after sunrise), may not exceed a difference of 0.3 footcandles between the off and solid-message measurements as determined in BCC 22.10.030.I;

ii. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and

iii. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours, or that can be adjusted to comply with the 0.3 footcandle measurements.

22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts

A. *General.* The regulations contained in this section shall apply to signs in all commercial and mixed-use land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within commercial and mixed-use land use districts; provided that if the Director determines that type of permanent sign is so substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.

B. *Number of Primary Signs.* The allowable number of primary signs are determined as follows:

1. In single occupancy buildings, the number of primary signs allowed is dependent upon the surface area of the largest single facade of the building. The permitted number of primary signs is as follows:

   a. When the surface area of the largest facade is 999 square feet or less, the maximum number of primary signs is 2; provided that only one sign may be a freestanding sign.

   b. When the surface area of the largest facade is between 1,000 and 2,999 square feet, the maximum number of primary signs is 3; provided that only one sign may be a freestanding sign.

   c. When the surface area of the largest facade is 3000 square feet or greater, the maximum number of primary signs is 4; provided that only one sign may be a freestanding sign.

2. In multiple occupancy buildings, each enterprise with its own exterior entrance shall be allowed two primary signs. Enterprises without their own exterior entrance shall be allowed one primary sign, subject to the sign area limitations set forth in BCC 22.10.060.D.1. No more than one freestanding sign shall be allowed per lot.

   a. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building if:

      i. The applicant files with the City a written statement signed by the enterprise that earned the sign area under this code permitting the applicant to utilize the unused sign surface area;

      ii. The display of a sign on that facade by the applicant will not create a significant adverse impact on other users of that facade; and

iii. In no event may sign surface area transferred under this provision be used for an upper-level highrise sign. Unused upper-level highrise sign surface area may not be transferred for use for any other sign, regardless of enterprise or location.

3. Exceptions.

a. *Buildings on Intersecting Streets.* When a building is located on intersecting streets, two freestanding signs are permitted if they are located on two different streets and are separated more than 100 feet measured in a straight line between signs. The second freestanding sign shall not be included in determining the number of primary signs allowed.

b. *Multiple Buildings on Five Acres or More.* A multiple building complex encompassing at least five acres may display one freestanding sign along each right-of-way, which provides direct access to the complex. Such freestanding signage shall not be included in determining the number of primary signs allowed.

C. *Freestanding Signs.* Except as otherwise provided for in this section, freestanding signs shall meet the following requirements:

1. Be limited to a maximum sign area of 35 square feet and a maximum height of six feet when located within 50 feet of the property line;

2. Be limited to a maximum sign area of 75 square feet and a maximum height of 15 feet when located 50 feet or greater from the property line;

3. Be wholly located 15 feet from the adjacent property line; provided, however, that a freestanding sign may be located within five feet of the property line with the written consent of the title holder of the adjacent property. If such consent is obtained, the consenting party or their successors or assigns may not place a freestanding sign on their property within 20 feet of the first freestanding sign;

4. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;

5. Be constructed out of durable materials including, but not limited to, wood, metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and

6. Comply with the landscaping requirements in BCC 22.10.040.B.

D. *Building Mounted Signs.* Except as otherwise provided for in this section, building mounted signs shall meet the following requirements:

1. *Sign area limitations.* The total sign area for building mounted signs on a single facade is subject to the following limitations:

a. When the surface area of the facade where the sign is affixed is below 100 square feet, the maximum total sign area for the entire facade is 30 square feet.

b. When the surface area of the facade where the sign is affixed is between 100 square feet and 199 square feet, the maximum total sign area for the entire facade is 40 square feet.

c. When the surface area of the facade where the sign is affixed is between 200 square feet and 499 square feet, the maximum total sign area for the entire facade is 75 square feet.

d. When the surface area of the facade where the sign is affixed is between 500 square feet and 999 square feet, the maximum total sign area for the entire facade is 130 square feet.

e. When the surface area of the facade where the sign is affixed is between 1,000 square feet and 1,499 square feet, the maximum total sign area for the entire facade is 170 square feet.

f. When the surface area of the facade where the sign is affixed is between 1,500 square feet and 2,999 square feet, the maximum total sign area for the entire facade is 210 square feet.

g. When the surface area of the facade where the sign is affixed is 3,000 square feet or greater, the maximum total sign area for the entire facade is 300 square feet.

2. Except for upper-level highrise signs that meet the requirements in BCC 22.10.060.F, Building-mounted signs may not be placed on the upper levels of a highrise building, installed on the rooftop or extend above the height of the building to which it is attached.

3. Be limited to projecting no more than five feet from the face of the building to which the sign is attached.

4. Maintain a minimum clearance of eight feet when the sign does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director.

5. Maintain a minimum clearance of 10 feet when the sign overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director.

E. *Window Signs.* Except as otherwise provided for in this section, window signs shall meet the following requirements:

1. The total surface area of all window signs may not exceed 25 percent of the window area. For purposes of calculating surface area of window signs, the calculation is based on the uninterrupted window area or between each transom of the window the sign is located on and not the total window area provided on a facade; and

2. Not be included in determining the number of primary signs.

F. *Upper-Level Highrise Signs.* Except as otherwise provided for in this section, upper-level highrise signs shall meet the following requirements:

1. In addition to the allowable number of primary signs determined in 22.10.060.B, two upper-level highrise signs may be placed on any highrise building; provided, that:

    a. Only a single enterprise that occupies at least 75,000 net square feet of the highrise building, on which the sign is located may place an upper-level highrise sign. The 75,000 net square feet cannot contain any square footage dedicated to residential uses or for parking;

    b. In no event may the sign area of each sign exceed 300 square feet;

    c. When applicable, the signs shall be located on the two facades of the building most oriented to I-405;

    d. No more than one upper-level sign may be placed on any facade.

2. Be removed within 90 days after the enterprise ceases to occupy at least 75,000 net square feet in the highrise building on which the sign is located;

3. Not project above the top of the surface to which they are affixed, nor beyond the edge of any surface to which they are affixed;

4. Contain copy no larger than eight feet in height;

5. Not be a cabinet sign;

6. Be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;

7. Be designed and located to preserve the integrity of the building roof form; and

8. Be limited to halo lighting with a white light source; provided, that signs may be internally illuminated when the surface on which the sign is mounted is made of glass or other highly reflective material that would interfere with the appearance of the sign if halo-lit. Internal illumination is limited to only those letters or sign elements that will appear white when lit. Any illumination shall be designed to ensure no exposed lighting source or raceway. The light source shall be no brighter than the equivalent of 30 milliamp neon tubing behind a diffuser panel. The applicant shall provide a signed certification from the sign manufacturer declaring that the illumination meets the limits of this subsection. To the extent that this subsection conflicts with BCC 22.10.040.D, this subsection shall control.

G. *Electronic message center signs.*

1. *Purpose.* An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter specifically to support mobility, wayfinding, and tourism in the City. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of

the associated sign type otherwise provided for in this section, the EMC sign standards shall prevail.

2. *Applicability*. Electronic Message Center signs shall be limited to the following areas:

    a. The Grand Connection (except DT-OB); and

    b. The BelRed Arts District Intensive Area.

3. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:

    a. Be limited to noncommercial freestanding signs only;

    b. Be limited to a maximum sign area of 30 square feet and a maximum height of eight feet;

    c. Be limited to one EMC sign per 200 feet of street frontage;

    d. Maintain a minimum distance of 20 feet from other freestanding signs;

    e. Be exempt from the landscaping requirements in BCC 22.10.040.B;

    f. Be limited to a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;

    g. Be limited to no motion except for a fade in of the next message with the fade transition being no more nor less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and

    h. Meet the following luminance standards:

        i. In the nighttime (one-half hour before sunset to one-half hour after sunrise), may not exceed a difference of 0.3 footcandles between the off and solid-message measurements as determined in BCC 22.10.030.I;

        ii. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and

        iii. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours, or that can be adjusted to comply with the 0.3 footcandle measurements.

H. *Standards Specific to Certain Areas.*

1. *General.* All signs subject to BCC 22.10.060.H shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the standard specific to a certain area shall prevail:

2. Standards specific to the Community Business (CB), Neighborhood Mixed Use (NMU), Office and Limited Business (OLB), Office and Limited Business 2 (OLB 2), Downtown-Office and Limited Business (DT-OLB), Office (O), Mixed Use: 8 Story (MU-8), Mixed Use: 16 Story (MU-16), Factoria 3 (F3), and Neighborhood Business (NB) land use districts:

    a. Sign copy shall be of a type face that can be made as individual letters or a letter type shall be chosen to accommodate the individual letter format. Exceptions may be made for registered trademarks or logos that cannot be manufactured as individual elements;

    b. Signs shall contain copy no larger than 36 inches in height; and

    c. Signage shall be oriented to face the major direction of pedestrian movement in the area of the sign.

3. Standards specific to the Crossroads Sign Overlay

    a. Each enterprise that, on [insert effective date of this ordinance], was lawfully in operation at a location located within the Crossroads Sign Overlay may erect up to two freestanding signs in accordance with the requirements of this subsection.

    b. Freestanding signs authorized under this subsection are in addition to, and do not count towards, the maximum number of primary signs otherwise allowed by operation of BCC 22.10.060.B.

    c. BCC 22.10.060.C does not apply to freestanding signs authorized under this subsection.

    d. Location. The location of each freestanding sign authorized under this subsection must be:

        i. Within, or no more than 500 feet from, the Crossroads Sign Overlay;

        ii. Entirely outside of the public right-of-way;

        iii. Approved by the owner of the real property on which the freestanding sign will be erected;

        iv. East of 156th Ave NE, north of NE 8th Street, west of 160th Ave NE, west of Crossroads Park, and south of NE 15th Street; and

        v. No more than 45 feet from another freestanding sign.

    e. Size. The size of each freestanding sign authorized under this subsection must:

        i. Not exceed a maximum sign height of 15 feet; and

        ii. Not exceed a maximum sign area of 60 square feet;

    f. Construction and Installation. Each freestanding sign authorized under this subsection must be constructed and installed:

i. With durable materials including, but not limited to, wood, metal, concrete, masonry, composite materials, or other materials of comparable strength and longevity; and

ii. In compliance with the landscaping requirements in BCC 22.10.040.B.

4. Standards specific to Downtown (Except DT-OLB), BelRed, East Main Land Use Districts, Eastgate Transit Oriented Development District (EG-TOD), UC, MU-H, MU-M and MUR-M

   a. Signs shall be oriented to face the major direction of pedestrian movement unless the sign is permitted as an upper-level highrise sign; and

   b. Signs shall contain copy no larger than 30 inches in height and shall be located below the third floor level of the building, except where permitted as an upper-level highrise sign.

5. Standards specific to Downtown - Old Bellevue (DT-OB)

   a. Signs shall contain copy no larger than 24 inches in height

   b. Signs shall not be placed above the first floor level.

   c. Cabinet and freestanding signs are prohibited.

   d. Signage shall be oriented to face the major direction of pedestrian movement.

6. Standards specific to Freeway Corridors

   a. Signs located in the Freeway Corridor must be oriented towards and visible from the freeway.

   b. Signs shall contain copy no larger than 42 inches in height.

   c. Sign length shall not exceed one-third of the building facade. When multiple signs are to be placed on a building face, this ratio will include all signs.

7. Standards specific to the Medical Institution District (MI)

   a. Freestanding signs shall have a maximum sign area of 75 square feet and shall have a maximum height of 15 feet.

   b. The number of freestanding signs allowed shall be limited to one sign per building entrance.

   c. Shall be exempt from the landscaping requirements in BCC 22.10.040.B.

22.10.070 Temporary Signs in All Land Use Districts

A. *General and Applicability*. For the purposes of this section, the following apply:

1. All standards in this section shall apply to temporary signs wholly contained on private property. See BCC 22.10.080 for temporary signs standards within or extended into the public right-of-way;

2. All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements; and

    a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.

3. If a type of temporary sign is not explicitly mentioned in this section, then that type of temporary sign is not permitted on private property; provided that if the Director determines that type of temporary sign is so substantially similar to a type of temporary sign mentioned below that it can be regulated in the same manner, then that type of temporary sign may be permitted.

B. *Temporary Sign Types and Standards*. Temporary signs may be placed on private property in the City based on the following regulations regarding the time, place, and manner of such placement.

1. Type A, “one sheet,” temporary signs shall meet the following requirements:

    a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;

    b. Be constructed out of durable materials including, but not limited to, wood, metal, or other materials of comparable strength and longevity;

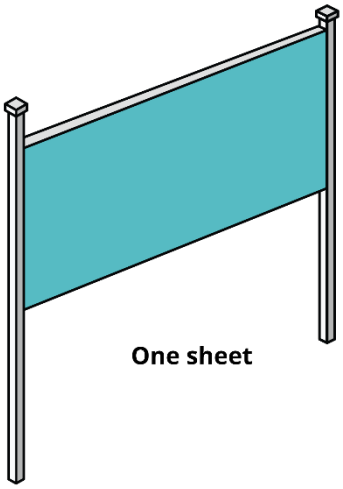
    c. Be installed with no permanent foundation;

    d. Be limited to one “one sheet” sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts;

    e. Be limited to one “one sheet” sign per street frontage per lot and a time limitation of six months in residential land use districts; and

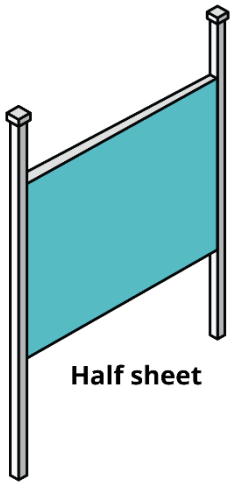
    f. Be set back a minimum of 10 feet from a front lot line and a minimum of 15 feet from any neighboring property.

Figure 22.10.070.B.1
Type A “one sheet”



2. Type B, “half sheet,” temporary signs shall meet the following requirements:
    a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;
    b. Be constructed out of durable materials including, but not limited to, wood, metal, or other materials of comparable strength and longevity;
    c. Be installed with no permanent foundation;
    d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year; and
    e. Be set back a minimum of 10 feet from a front lot line and a minimum of 15 feet from any neighboring property.

Figure 22.10.070.B.2
Type B “half sheet”



3. Type C, “ground banner,” temporary signs shall meet the following requirements:

a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;

b. Be constructed out of flexible materials such as cloth, paper, or vinyl;

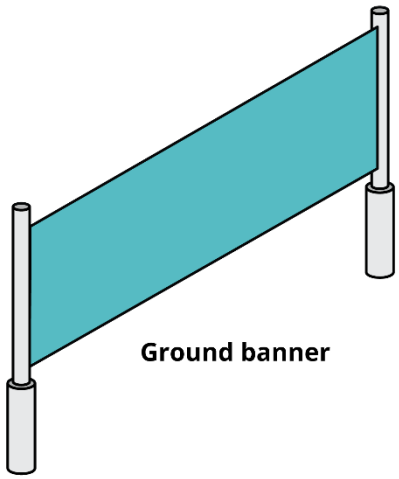
c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;

d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present for the enterprise in commercial and mixed-use land use districts. If there is no primary sign present for the enterprise in such land use districts, then the time limitation is 30 days;

e. Be limited to one ground banner sign per street frontage per lot and a time limitation of one year in residential land use districts; and

f. Be set back a minimum of 10 feet from a front lot line and 15 feet from any neighboring property.

Figure 22.10.070.B.3
Type C "ground banner"



4. Type D, "wall banner," temporary signs shall meet the following requirements:

a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet. The sign length may never exceed 50 percent of the wall length where the sign is mounted;

b. Be constructed out of flexible materials such as cloth, paper, or vinyl;

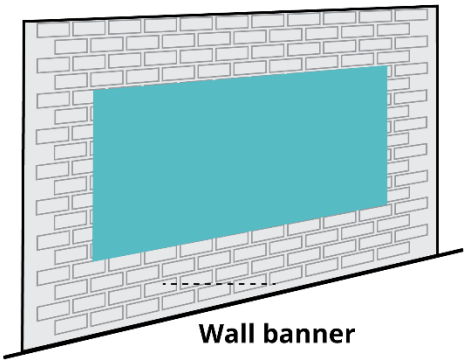
c. Be attached to or affixed to a wall or facade manually with no permanent installation;

d. Be limited to one wall banner sign per enterprise and have no time limitation if a permanent primary sign is present in commercial and mixed-use land use districts. If there is no primary sign present on site in such land use districts, then the time limitation is 30 days;

e. Be limited to one wall banner sign per street frontage per lot and have a time limitation of one year in residential land use districts; and

f. Be mounted to a building wall only.

Figure 22.10.070.B.4
Type D "wall banner"



5. Type E, "fence banner," temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;

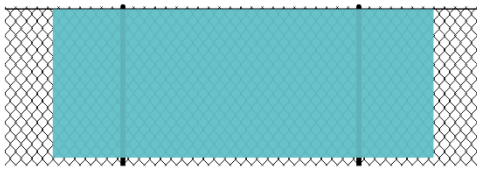
   b. Be attached or affixed to a fence structure; and

   c. Have a time limitation as follows:

      i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and

      ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for the associated site, or expiration of the final construction permit, whichever occurs first.

Figure 22.10.070.B.5
Type E "fence banner"



6. Type F, “quarter sheet,” temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign area of eight square feet and a maximum height of six feet;

   b. Be constructed out of durable materials including, but not limited to, wood, metal, or other materials of comparable strength and longevity;

   c. Be installed with no permanent foundation;

   d. Be limited to one quarter sheet sign per street frontage per lot containing real property that is for lease or for sale; and

   e. Be limited to erecting the sign no more than 30 days prior to the real property becoming available for lease or sale and removed when the real property is no longer for lease or for sale.

Figure 22.10.070.B.6
Type F “quarter sheet”

7. Type G, “yard sign,” temporary signs shall meet the following requirements:

a. Be limited to a maximum sign area of five square feet and a maximum height of four feet;

b. Be constructed out of durable materials including, but not limited to, corrugated plastic, cardboard, metal, wood support, or other materials of comparable strength and longevity;

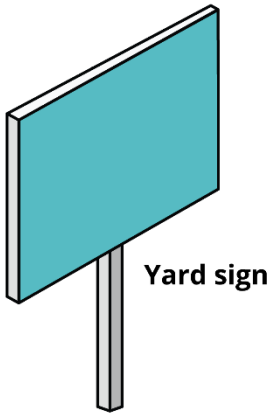
c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;

d. Be limited to one yard sign per enterprise in commercial and mixed-use land use districts;

e. Be limited to two yard signs per lot in residential land use districts; and

f. Be set back a minimum of 10 feet from any neighboring property and have a time limitation of 90 days.

Figure 22.10.070.B.7
Type G "yard sign"



8. Type H, "A-frame," temporary signs shall meet the following requirements:

a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;

b. Stand free on the ground with no permanent foundation;

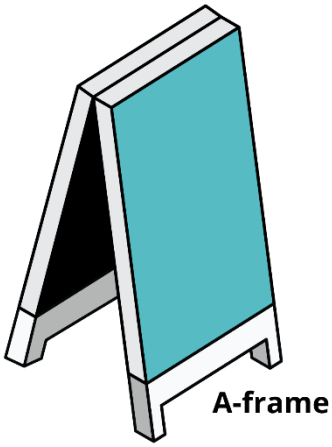
c. Be at least 10 feet apart from other temporary signage;

d. Be limited to one a-frame sign per street frontage per lot and have a time limitation of two weeks;

e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and

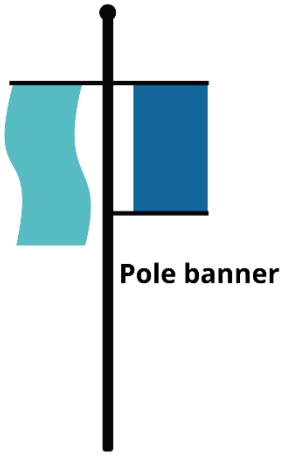
f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

Figure 22.10.070.B.8
Type H "A-frame"



9. Type I, "pole banner," temporary signs shall meet the following requirements:
    a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;
    b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;
    c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;
    d. Be constructed out of flexible materials such as cloth or vinyl;
    e. Be attached to light poles on private property;
    f. Be at least 10 feet apart from other temporary signage; and
    g. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts.

Figure 22.10.070.B.9
Type I "pole banner"



10. Type J, “feather banner,” temporary signs shall meet the following requirements:

    a. Be limited to a maximum sign area of 16 square feet and a maximum height of 10 feet;

    b. Be constructed out of durable fabric and a metal pole;

    c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;

    d. Be at least 10 feet apart from other temporary signage;

    e. Be limited to two feather banner signs per enterprise only displayed during hours of operation in commercial and mixed-use land use districts; and

    f. Be limited to one noncommercial feather banner sign per lot in residential land use districts.

Figure 22.10.070.B.10
Type J “feather banners”

11. Type K, “ground flag,” temporary signs shall meet the following requirements:

    a. Be limited to a maximum sign area of 20 square feet and maintain a minimum clearance of 10 feet;

    b. Be constructed out of durable fabric and pole;

    c. Be installed manually in a designated location, either pushed or hammered into the ground, with no permanent foundation;

    d. Be at least 10 feet apart from other temporary signage; and

    e. Be limited to three ground flag signs per lot.

Figure 22.10.070.B.11
Type K “ground flag”

Ground flag

12. Type L, “pole flag,” temporary signs shall meet the following requirements:

    a. Be limited to a maximum sign area of 20 square feet;

    b. Be constructed of durable fabric;

    c. Be attached to a permanently installed flag pole;

    d. Be set back a minimum of 10 feet from a front lot line and set back from neighboring parcels the same distance as the pole height; and

    e. Be limited to one pole flag sign per lot.

Figure 22.10.070.B.12
Type L “pole flag”

13. Type M, “sign walker,” temporary signs shall meet the following requirements:

    a. Be limited to a maximum sign area of 12 square feet;

    b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and

    c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

Figure 22.10.070.B.13
Type M “sign walker”

22.10.080 Signs Within the Public Right-of-Way

A. *General.* All signs and sign structures must be erected and attached totally within the site except when allowed to be placed or extend into the public right-of-way subject to the requirements of this chapter and the permitting and registration requirements outlined in BCC 22.10.130. If a type of sign is not explicitly mentioned in this section, then that type of sign is not permitted within the public right-of-way; provided that if the Director determines that type of sign is so

substantially similar to a type of sign mentioned below that it can be regulated in the same manner, then that type of sign may be permitted

B. Permanent Signs in the Public Right-of-Way

1. All permanent signs and permanent sign structures placed in or extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.

2. All permanent signs placed in or extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with the applicable requirements of this chapter. The applicable standards for permanent signage on private property apply, unless a modification is approved by the Transportation Director.

C. Signs Projecting into the Public Right-of-Way

1. All projecting signs and sign structures extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.

2. All projecting signs and sign structures extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with applicable requirements of this chapter The applicable standards for permanent signage on private property apply, unless a modification is approved by the Transportation Director.

D. Temporary Signs in the Public Right-of-Way

1. *Location*. Temporary signs may not be placed within roundabouts, medians, or in public right-of-way adjoining public property owned or under the control of the federal government, the state government, or a local government, unless otherwise approved by that governmental entity.

2. *Permitting.* All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit and right-of-way use permit, unless otherwise determined by the Transportation Director, or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements.

a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.

E. *Temporary Sign Types and Standards*. Temporary signs may be placed in the public right-of-way based on the following regulations regarding the time, place and manner of such placement and subject to the permitting requirements in BCC 22.10.130.C.

1. Type A, “one sheet,” temporary signs shall meet the following requirements:

a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;

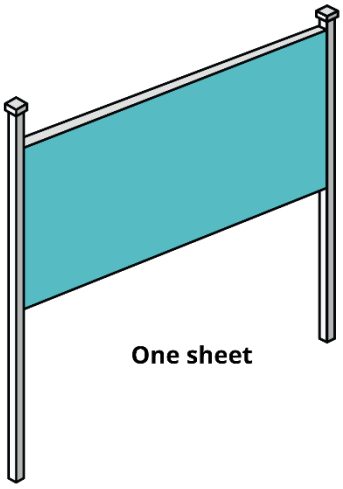
b. Be constructed out of durable materials including, but not limited to, wood, metal, or other materials of comparable strength and longevity;

c. Be installed with no permanent foundation;

d. Be limited to one “one sheet” sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts; and

e. Be limited to one “one sheet” sign per street frontage per lot and have a time limitation of six months in residential land use districts.

Figure 22.10.080.E.1
Type A “one sheet”



2. Type B, “half sheet,” temporary signs shall meet the following requirements:

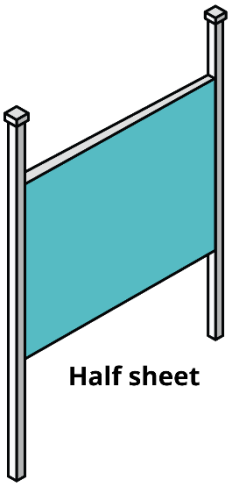
a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;

b. Be constructed out of durable materials including, but not limited to, wood, metal, or other materials of comparable strength and longevity;

c. Be installed with no permanent foundation; and

d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year.

Figure 22.10.080.E.2
Type B “half sheet”



3. Type C, “ground banner,” temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;

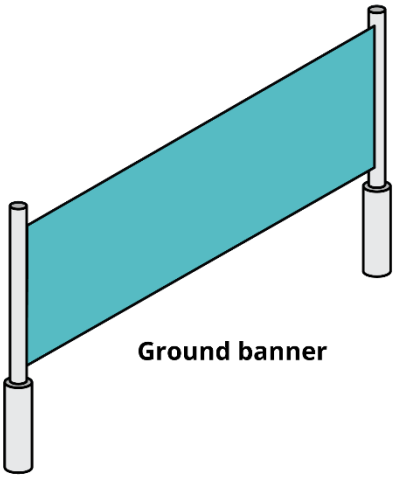
   b. Be constructed out of flexible materials such as cloth, paper, or vinyl;

   c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;

   d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present for the enterprise in commercial and mixed-use land use districts. If there is no primary sign present for the enterprise in such land use districts, then the time limitation is 30 days; and

   e. Be limited to one ground banner sign per street frontage per lot and have a time limitation of one year in residential land use districts.

Figure 22.10.080.E.3
Type C “ground banner”



4. Type E, “fence banner,” temporary signs shall meet the following requirements:

   a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;

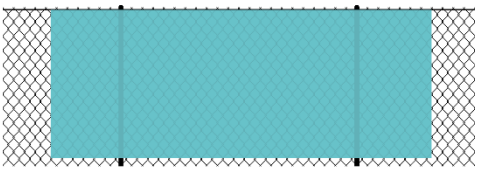
   b. Be attached or affixed to a fence structure; and

   c. Have a time limitation as follows:

      i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and

      ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for the associated site, or expiration of the final construction permit, whichever occurs first.

Figure 22.10.080.E.4
Type E “fence banner”



5. Type G, “yard sign,” temporary signs.

   a. Temporary commercial yard signs shall meet the following requirements:

      i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;

      ii. Be constructed out of durable materials including, but not limited to, corrugated plastic, cardboard, metal, wood support, or other materials of comparable strength and longevity;

      iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and

      iv. Be limited to one yard sign per 5 feet of street frontage per block, not to exceed 10 yard signs per 100 feet of street frontage per block and have a time limitation of 90 days.

b. Temporary noncommercial yard signs shall meet the following requirements:

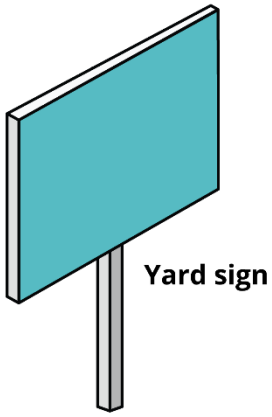
i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;

ii. Be constructed out of durable materials including, but not limited to, corrugated plastic, cardboard, metal, wood support, or other materials of comparable strength and longevity;

iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and

iv. Have a time limitation of 120 days.

Figure 22.10.080.E.5
Type G "yard sign"



6. Type H, "A-frame," temporary signs shall meet the following requirements:

a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;

b. Stand free on the ground with no permanent foundation;

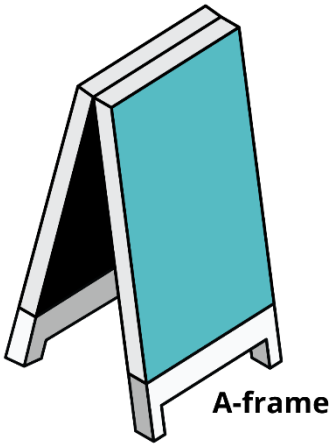
c. Be at least 10 feet apart from other temporary signage;

d. Be limited to three A-frame signs per 600 feet of street frontage. One additional A-frame sign shall be permitted for each additional 100 feet of street frontage beyond the initial 600 feet. Any such additional sign shall be subject to a maximum display period of two weeks;

e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and

f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

Figure 22.10.080.E.6
Type H "A-frame"



7. Type I, "pole banners," temporary signs shall meet the following requirements:

   a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;

   b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared-use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;

   c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared-use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;

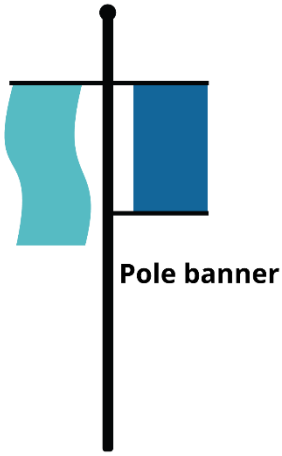
   d. Be constructed out of flexible materials such as cloth or vinyl;

   e. Be at least 10 feet apart from other temporary signage;

   f. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts; and

   g. Receive authorization for banner placement from the owner of the pole, or other structure, on which the pole banner is attached.

Figure 22.10.080.E.7
Type I "pole banners"



8. Type M, “sign walker,” temporary signs shall meet the following requirements:
   a. Be limited to a maximum sign area of 12 square feet;
   b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and
   c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

Figure 22.10.080.E.8
Type M “sign walker”

22.10.090 Nonconforming Signs

A. Applicability.

1. Except as provided in subsection A.2 below, this section applies to all signs that were legally established on or before [insert effective date of ordinance] and are now nonconforming to the requirements of this chapter.
2. This section does not apply to the following types of signs:

a. Signs that were illegally established on or before [insert effective date of ordinance];

b. Abandoned signs;

c. Signs for which a permit was granted on or before [insert effective date of ordinance] under conditions with which the permittee does not now comply;

d. Signs for which a permit was granted on or before [insert effective date of ordinance] and subsequently revoked;

e. Signs owned or controlled by the City, another local government, or by the state or federal government;

f. Signs that were legally established on or before [insert effective date of ordinance], are now nonconforming to the requirements of this chapter, but are subject to a legal agreement executed on or before [insert effective date of ordinance] that governs the maintenance, repair or replacement of such signs and that legally remains in effect;

g. Temporary signs.

B. Documentation. An applicant proposing an alteration to a nonconforming sign shall submit documentation which shows that the nonconforming sign was permitted when established and has not been abandoned. The Director shall determine based on subsections B.1 and B.2 of this section whether the documentation is adequate to support a determination that the sign constitutes a nonconforming sign subject to this section. The Director may waive the requirement for documentation when a nonconforming sign has previously been clearly established.

1. Sign permitted when established. Documentation that the sign was permitted when established includes, but is not limited to, the following:

a. Building, land use, or other development permits; and

b. Prior versions of this chapter.

2. Sign maintained over time. Documentation that the sign was maintained over time and not discontinued, destroyed, or abandoned. Documentation may include, but is not limited to, the following:

a. Building, land use, or other development permits;

b. Insurance policies;

c. Invoices or receipts relating to maintenance; and

d. Dated aerial photos.

C. Requirements Applicable to All Nonconforming Signs.

1. Ownership.

a. The status of a nonconforming sign is not affected by a change in ownership of the real property on which the nonconforming sign is erected.

b. The status of a nonconforming sign is not affected by a change in ownership of the nonconforming sign.

2. Location.

a. It is not a violation of this chapter for a nonconforming sign to remain at the location on which it was legally established.

b. If a nonconforming sign is moved to a new location, then the sign is no longer a nonconforming sign subject to this section and must instead be made to conform to the requirements of this chapter.

3. Alterations, Maintenance, and Repair.

a. If the following requirements are satisfied, then alterations may be made to a nonconforming sign:

i. Alterations may bring the sign into, or closer to, conformance with the requirements of this chapter;

ii. Alterations shall not increase the conditions that render the sign nonconforming; and

iii. Alterations that result in no changes to the conditions that render the sign nonconforming are allowed.

b. Routine maintenance of a nonconforming sign is allowed.

c. Routine repair of a nonconforming sign is allowed.

4. New Development – Single-Phase Project. If the value of development occurring on a site on which a nonconforming sign is located exceeds the replacement value of all existing structures on the site, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.

5. New Development – Multi-Phase Project. If the value of development occurring within a project limit of a phase in which a nonconforming sign is located exceeds the replacement value of all existing structures within that project limit, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.

6. Nothing in this section limits, or otherwise precludes, the individual or entity with ownership or control of the real property on which a nonconforming sign is located from requiring that the nonconforming sign be removed.

22.10.100 Prohibited Signs

A. *Applicability*. The following signs or displays are prohibited, except as indicated. Prohibited signs are subject to removal by the City at the owner's or user's expense (see BCC 22.10.120).

1. Off-premise signs, except as otherwise permitted as temporary signage in sections BCC 22.10.070 and 22.10.080;
2. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal;
3. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device;
4. Signs which rotate or have a part or parts which move or revolve;
5. Sign displays containing clusters of flags, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, and devices containing elements creating sound or smell;
6. Billboards;
7. Signs for which a permit has been granted under conditions with which the permittee does not comply;
8. Signs for which a permit has been granted and subsequently revoked for cause by the Director or Transportation Director;
9. Signs erected, altered, or relocated without a permit issued by the City or any other governmental agency which requires a permit by law; and
10. Neighborhood Identification Signs with a maximum sign height greater than 30 feet.

22.10.110 Variances

A. *Applicability.* This section applies to each application for a variance from the provisions of the sign code.

B. *Intent and Purpose.* A variance is a mechanism by which the City may grant relief from the provisions of the sign code where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code can be fulfilled. This section establishes the procedure and criteria that the City will use in making a decision upon an application for a variance from the provisions of the sign code.

C. *Who May Apply.* The property owner or their authorized agent may apply for a variance from the provisions of the sign code.

D. *Applicable Procedure.* The City will process an application for a variance from the provisions of the sign code through Process II, LUC 20.35.200 et seq.

E. *Submittal Requirements*. As part of any application for a variance under this section, the applicant shall submit the following information:

1. The Director shall specify the submittal requirements, including type, detail and number of copies, for a variance application to be deemed complete and accepted for filing.

2. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

F. *Decision Criteria.* The Director may approve or approve with modifications an application for a variance from the provisions of the sign code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon signage and uses of other properties in the same vicinity and zone; and

2. Such variance is necessary, and is the minimum necessary, because of special circumstances not resulting from the voluntary actions of the applicant, relating to the size, shape, topography, location, or surroundings of the subject property, in order to provide it with signage use rights and privileges permitted to other properties in the same vicinity and land use district; and

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same vicinity zone; and

G. *Limitation on Authority.* The Director may not grant a variance to:

1. Any dimensional requirement of the Sign Code that exceeds 40 percent of the applicable dimension.

2. The number of signs permitted.

H. Protection of Constitutional Rights. Where an applicant can demonstrate that the strict application of the regulations in this chapter would violate their constitutional rights, then the City may grant a variance that does not conform to all of the decision criteria in subsection F above. However, the applicant shall submit an application for a variance which provides their response to each of the decision criteria in subsection F. The City need not make findings that all of the decision criteria have been satisfied, but if not all of the criteria have been satisfied, then the variance may only be granted to the extent reasonably necessary to protect the applicant's constitutional rights. If a variance is granted under this subsection H, then it shall be treated as an approval of a variance for the purposes of this chapter.

22.10.120 Administration and Enforcement

A. *Administration.* The Director shall be responsible for administration of this code. The Director may adopt rules for the implementation of this code as provided in LUC 20.40.100.

B. *Inspection of Director.* In accordance with BCC 1.18.065, the Director may enter or inspect any building, structure, or premises in the City, upon which, or in connection with which a sign, as defined by this code, is located for the purpose of inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this code.

C. *Violation – Penalty.*

1. The violation of, or failure to comply with, any provision of this chapter is declared to be unlawful.

2. Any violation of, or failure to comply with, any provision of this chapter is a civil violation as provided for in Chapter 1.18 BCC, for which a monetary penalty may be assessed and abatement may be required as provided therein.

22.10.130 Permits and Exempt Signs

A. Permit Requirements, Applications, Expiration, and Denial.

1. *Required Permits and Registrations*.

a. Except as provided in subsection B of this section, no permanent sign governed by this code shall be erected, altered, or relocated on or after [insert effective date of ordinance] without a permit issued by the City in accordance with this chapter.

b. Except as provided in subsections B or C of this section, no temporary sign governed by this code shall be erected, altered, or relocated on or after [insert effective date of ordinance] without a temporary sign permit or temporary sign registration issued by the City in accordance with this chapter.

2. *Applications for Required Permits and Registrations*

a. *Submittal Requirements.*

i. As part of any application for a permanent sign permit under this chapter, the Director shall specify the submittal requirements for an application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

ii. As part of any application for a temporary sign permit or temporary sign registration under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

b. *Expiration of Applications.*

i. An application for a sign permit for a permanent sign for which no permit is issued within one year following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law. The Director may, prior to expiration, extend the time for action by the applicant for a period not exceeding 180 days.

ii. An application for a temporary sign permit or temporary sign registration for which no permit or registration is issued within six months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law. The Director may, prior to expiration, extend the time for action by the applicant for a period not exceeding 90 days.

iii. The Director may cancel applications for permits or registrations under this chapter based on an applicant's nonresponsiveness for 60 calendar days following a request by the Director for revisions, corrections, or additional information. The Director may extend the response period beyond 60 calendar days if the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections, or other information needed by the Department.

3. *Approval or Denial of Applications for Permits and Registrations*.

a. If the application satisfies all applicable requirements of this chapter for the permit or registration at issue, then the Director may approve the permit or registration.

b. If the application would satisfy all applicable requirements of this chapter if certain conditions were satisfied, then the Director may approve the permit or registration with conditions.

c. If the application does not satisfy all applicable requirements of this chapter, then the Director may deny the permit or registration. When a sign permit is denied by the Director, they shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial.

4. *Expiration of Issued Permits and Registrations.*

a. A sign permit for a permanent sign shall expire if the work for which the permit was issued has not been completed within one year of its issuance. Any permanent sign or sign structure that has been erected with an expired sign permit for a permanent sign shall be removed by the owner of record, lessor, lessee, manager, or other person having lawful possession or control over real property on which the sign or sign structure is located.

b. A temporary sign permit shall expire at the end of the time limitation specified in this chapter for the temporary sign at issue. Any temporary

sign or sign structure that has been erected with an expired temporary sign permit shall be removed by the owner of record, lessor, lessee, manager, or other person having lawful possession or control over real property on which the sign or sign structure is located.

c. A temporary sign registration shall expire at the end of the time limitation specified in this chapter for the temporary sign at issue. Any temporary sign or sign structure that has been erected with an expired temporary sign registration shall be removed by the owner of record, lessor, lessee, manager, or other person having lawful possession or control over real property on which the sign or sign structure is located.

d. LUC 20.40.500 does not apply to permits or registrations issued under this chapter.

B. *Permit Exemptions.* The following signs and sign alterations are exempt from a sign permit. The area and number of such signs shall not be included in the area and number of signs permitted for any site or use, however, all other relevant requirements of this chapter shall apply:

1. Permanent signs having nine square feet or less of surface area;
2. Signs required by operation of the Bellevue City Code, the Land Use Code, state law, or federal law;
3. Exterior signs or displays not visible from streets or ways open to the public;
4. Signs in the interior of a building more than three feet from the closest window or not facing a window;
5. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City; and
6. Any paint-out, replacement, or change to copy displayed on a billboard; and
7. Routine repair and routine maintenance of conforming or legal nonconforming signs; and
8. Permanent signs that are completely within the public right-of-way that obtain a right-of-way use permit approved by the Transportation Director.
9. Temporary signs that are required to receive an approved temporary sign permit or registration as described in BCC 22.10.130.C or otherwise comply with the applicable standards of this section.
10. Sculptures, fountains, mosaics, murals, public art, and design features which do not otherwise constitute a sign.
11. Neighborhood Identification Signs with a maximum sign height of 30 feet.
12. Signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority for transportation-related purposes, to protect the public health, safety, or welfare, or to respond to an emergency.

13. Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority, of a temporary nature.

C. Temporary Sign Permits and Registrations.

1. *Applicability.* All temporary signs, unless otherwise exempt per this chapter, are required to receive either a temporary sign permit or temporary sign registration dependent on the sign type:

a. The following sign types, as described in sections BCC 22.10.070 and 22.10.080, are required to receive a temporary sign permit approved by the Director:

i. Type A, one sheet;

ii. Type B, half sheet;

iii. Type, C, ground banner;

iv. Type D, wall banner; and

v. Type E, fence banner.

b. Type G, yard signs, located within the public right-of-way as described in section 22.10.080, are not required to receive a temporary sign permit or a right-of-way use permit but shall have an approved temporary sign registration attached to the sign face, unless otherwise exempt in this section.

c. *Exemptions*. The following sign types, as described in sections BCC 22.10.070 and 22.10.080, must comply with the applicable standards of this Chapter but are not required to receive a temporary sign permit or temporary sign registration:

i. Type F, quarter sheet;

ii. Type G, yard signs placed on private property;

iii. Type H, A-frame;

iv. Type I, pole banner;

v. Type J, feather banner;

vi. Type K, ground flag;

vii. Type L, pole flag;

viii. Type M, sign walker; and

ix. Temporary signs placed for less than 48 hours.

D. Master Sign Plans

1. *Applicability.* This section applies to each application for a master sign plan relating to space in existing or new mixed use, multitenant building(s) or multitenant site development.
2. *Intent and Purpose.* This section provides a mechanism under which consideration can be given to signs which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property.
3. *Submittal Requirements.* As part of any application for a master sign plan under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

22.10.140 Appeals

The decision of the Director approving, approving with modifications, or denying a sign permit or interpreting the provisions of the sign code may be appealed using the appeal provisions of Process II, LUC 20.35.200 et seq.

22.10.150 Conflicting Provisions

If any provision of this code is found to be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the City, the provision which establishes the higher standard shall prevail.

22.10.160 Severability

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.

CITY COUNCIL AGENDA TOPIC

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.

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

Matt McFarland, Supervising Civil Attorney
City Attorney's Office

EXECUTIVE SUMMARY

ACTION

City Council consideration of 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. The Ordinance also declares an emergency and establishes a work plan for the city 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

Move to adopt Ordinance No. 6926

ANALYSIS

The Growth Management Act (GMA), at RCW 36.70C.390, and RCW 35A.63.220 allow 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.

The establishment, expansion, and development of detention centers have been proliferating around the country, including in the Puget Sound region in Washington State. In response to this increase in permitted, established, and/or proposed detention center use within local jurisdictions, multiple jurisdictions within King County and Pierce County have recently adopted moratoria on detention centers and detention facilities.

These moratoria provide a mechanism for the local jurisdictions to ensure sufficient time to study and develop appropriate permanent zoning and development regulations governing such detention center uses.

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. As a result of this gap in city zoning and land use controls, the establishment, expansion, or development of detention centers within the city could impact surrounding land uses, transportation, and the environment, as well as the health, safety, and welfare of City of Bellevue residents.

The council may determine that a moratorium is necessary while the city studies and evaluates updates to city code, zoning, and associated land use controls to address and mitigate the potential impacts associated with detention center uses. The proposed moratorium Ordinance contains a legislative work plan that provides the city with time to review, study, and potentially revise local zoning and land use controls while the moratorium remains in effect.

The proposed work plan and schedule will be incorporated into—and should not have significant impact on—the City's initiated, or anticipated, code and policy legislative work program. The work plan includes the following study and evaluation of current city zoning and land use controls during the pendency of the moratorium:

- 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 Bellevue residents.
- 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 council prior to expiration of the moratorium.
- Prior to expiration of the moratorium, the Department will prepare findings and recommendations for the 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.

Based on the foregoing, the council may find and declare 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. If adopted, the council will be required to hold a public hearing on this moratorium within 60 days of its adoption to take public testimony and consider adoption of further findings. The moratorium will remain in effect for a period of one-year and 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. The council retains the authority to terminate the moratorium prior to expiration of the initial one-year term through subsequent legislative action.

POLICY & FISCAL IMPACTS

Policy Impact

Council may find that the proposed moratorium is necessary to prevent potential harm to public health, safety, welfare, and peace. Further, the proposed 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 proposed moratorium or the legislative work plan established by the moratorium 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. Adopt the 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.
2. Do not adopt the Ordinance and provide alternative direction.

ATTACHMENTS

Proposed Ordinance No. 6926

AVAILABLE IN COUNCIL LIBRARY

N/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 _____ 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

_____
Matthew McFarland, Supervising Civil Attorney

Attest:

_____
Charmaine Arredondo, City Clerk

Published:_____

City of Bellevue

MANAGEMENT BRIEF

DATE: June 9, 2026

TO: Mayor Malakoutian and City Councilmembers

FROM: Emil King, Director
Thara Johnston, Assistant Director
Kate Nesse, Comprehensive Planning Manager
Zachary Luckin, Senior Planner
Community Development Department

SUBJECT: Cougar Mountain Annexation Petition Status

Background

Summary of the Annexation Process

King County, in its Countywide Planning Policies, identifies unincorporated areas within the urban growth boundary and assigns those areas to cities for future annexation. The City of Bellevue has grown through annexation for many decades. Bellevue's last remaining Potential Annexation Area (PAA) is adjacent to the Cougar Mountain neighborhood to the Southeast of the city (see Attachments A and B).

The Revised Code of Washington (RCW) 35A.14 outlines the process options for annexation. These include direct petition, the method employed in this case, and through an interlocal agreement between a city and county.

Under the direct petition method (35A.14.120 RCW):

- Property owners representing at least 10% of the assessed value of the area must first notify the city of their intent to petition for annexation, and the city must take action to proceed.
- A full petition is then circulated and must be signed by owners representing at least 60% of the assessed value.
- If the 60% threshold is met and after certification of signatures and a public hearing, the city may adopt an ordinance to notify the county of the city's intent to annex the PAA.
- This is then reviewed by the county Boundary Review Board. Upon the Boundary Review Board's approval, the city adopts an ordinance to annex the land.

For additional information on the annexation process and the direct petition method, please refer to the council memo from April 1, 2025.

History of Annexation of the Cougar Mountain PAA

Two property owners in the Cougar Mountain PAA initially submitted a Notice of Intent (NOI) for annexation on June 21, 2022. Council chose to reject the NOI on August 1, 2022, based on the implications for staff time and resources in multiple departments. The city was beginning the periodic update to the Comprehensive Plan at that time and council suggested that staff may have more time once that effort was complete. Since that time, both property owners have signed Pre-Annexation Agreements with the city, allowing for the extension of utilities, although utilities have not yet been extended.

On February 19, 2025, the city received a new NOI from the same property owners. Council accepted the NOI on April 1, 2025, and provided direction to evaluate two different zoning scenarios (Large Lot -1 or LL-1 and Suburban Residential -4 or SR-4) and to annex all properties in the PAA at once (the PAA is comprised of four smaller annexation areas). On November 25, 2025, petitions for annexation were mailed to all property owners in the PAA.

Parcels in the Potential Annexation Area

The PAA for Bellevue includes 27 parcels to the Southeast of the Cougar Mountain neighborhood totaling approximately 52 acres contained within four potential annexation areas – PAA A, B, C and D.

PAA	Assessed Value (2025)	Acres	Housing Units
PAA A: Cougar Mountain West	$13,112,500	41.1	2
PAA B: SE Cougar Mountain Drive West	$991,000	3.2	1
PAA C: SE Cougar Mountain Drive East	$2,640,000	5.9	1
PAA D: SE 60th Street	$1,005,000	1.9	1
Total	$17,748,500	52.1	5

Land Use

All parcels in the PAA are currently zoned R-1 by King County except one, which is zoned R-4. Comparable pre-annexation zoning of LL-1 and SR-2 has been established under Ordinance 6851 (implementing new regulations for “missing middle” and accessory dwelling units). These properties are currently not included in the Future Land Use Map in the Bellevue Comprehensive Plan.

Community Outreach and Engagement to Date

City staff have conducted outreach and engagement to affected properties and surrounding property owners throughout the pre-annexation process. This has included:

1. Sent a postcard to the property owners in the PAA alerting them to the Petition for Annexation.
2. Contacted all property owners via phone or email to make them aware of the potential annexation and answer any questions. All but a few responded.
3. Posted information on the city’s website.
4. Mailed a physical petition with cover letter outlining the annexation process.

5. Held a virtual community meeting on December 1, 2025 for the affected property owners and neighbors in Bellevue to explain the process and answer questions.

Petition Status

To date, the city has received signed petitions from four property owners. Three petitions were received from property owners in PAA A, accounting for 33% of the area's assessed value. One petition was received from PAA C, accounting for 26% of the area's assessed value. No petitions have been received from PAAs B or D. Petitions are valid for 180 days from the date signed. The first petition was received on December 5, 2025, and expired June 3, 2026.

PAA	Property Owner Petition Signatures	Percent of Assessed Value
PAA A: Cougar Mountain West	3	33%
PAA B: SE Cougar Mountain Drive West	0	0%
PAA C: SE Cougar Mountain Drive East	1	26%
PAA D: SE 60th Street	0	0%

Next Steps

None of the four PAAs have reached the 60% assessed value threshold. Given the extensive outreach and engagement to date, lack of enough property owner interest in annexation, and signatures starting to expire, staff will be shifting resources to other city initiatives. Future opportunities for annexation are not impacted by this approach.

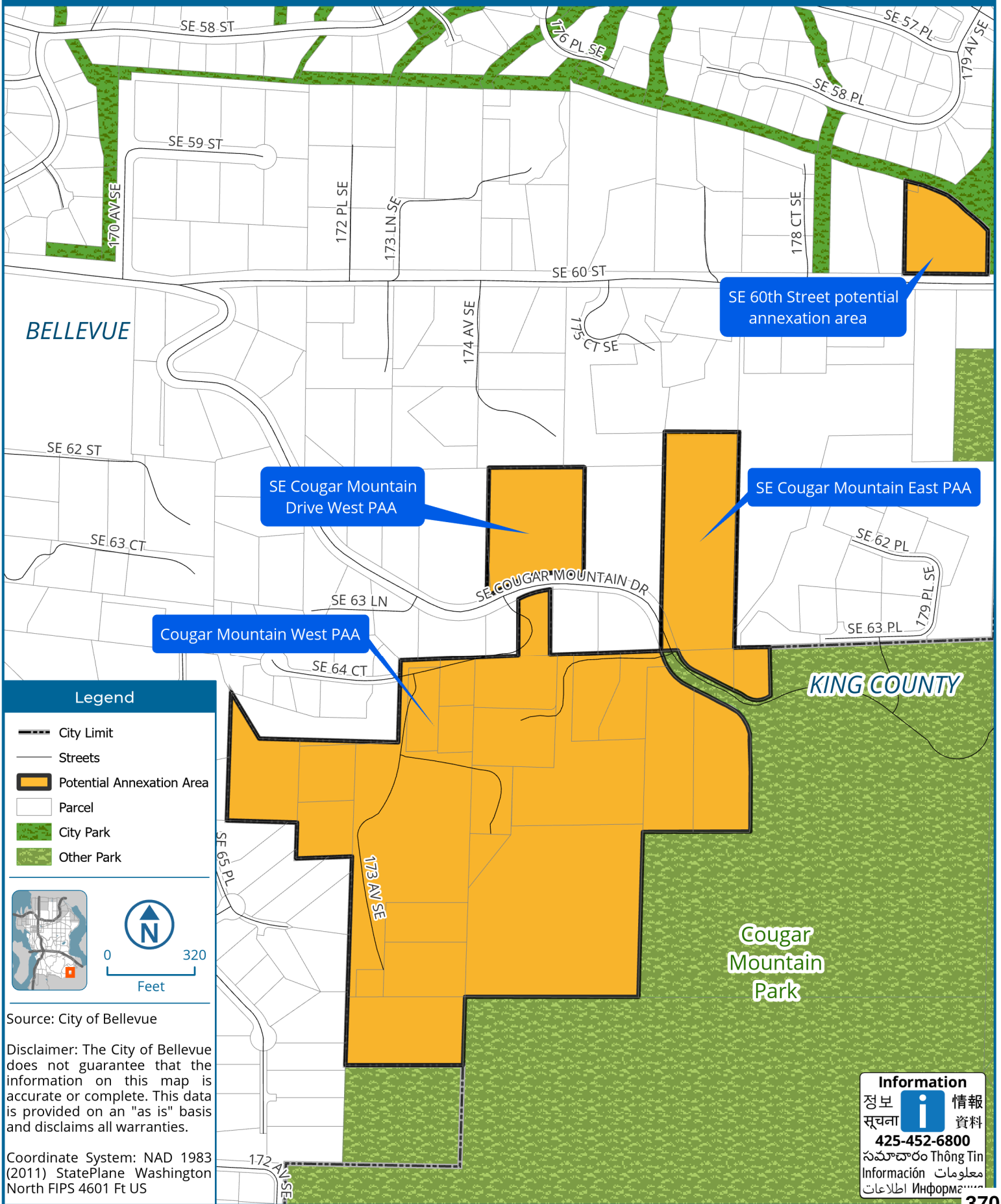
Policy and fiscal analysis associated with this annexation are included in Attachment C.

Attachments

A. Cougar Mountain Potential Annexation Area Parcel Map
B. Map LU-4. Potential Annexation Area
C. Policy and Fiscal Analysis

Attachment A

Cougar Mountain Potential Annexation Area



Legend

- City Limit
- Streets
- Potential Annexation Area
- Parcel
- City Park
- Other Park

N

0 320

Feet

Source: City of Bellevue

Disclaimer: The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: NAD 1983 (2011) StatePlane Washington North FIPS 4601 Ft US

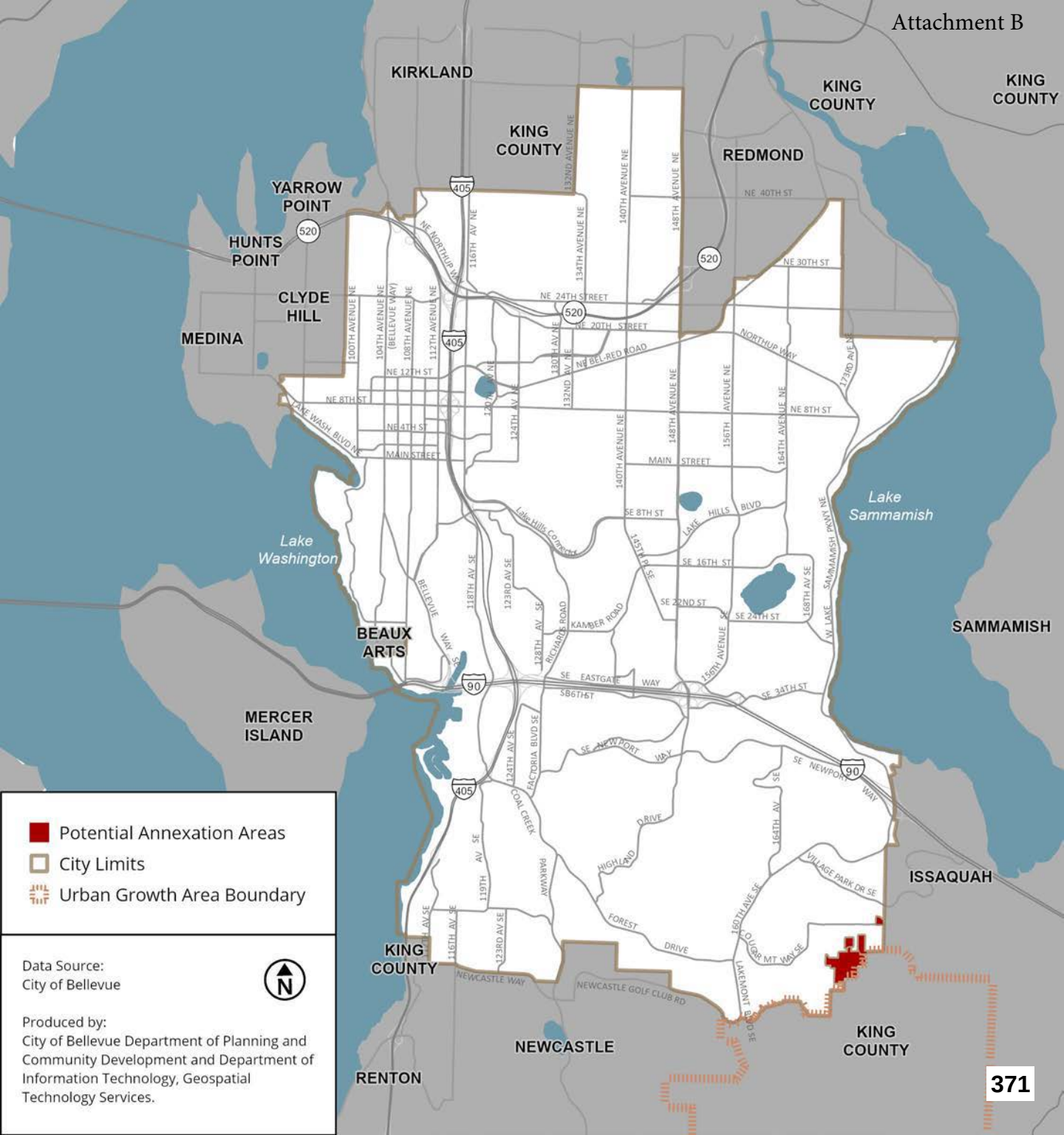
Information

정보 情報 सूचना 資料

425-452-6800

సమాచారం Thông Tin Información معلومات اطلاعات Информ

Date: 9/9/2025 File Name: V:\Planning\ArcGISPro\ProposedCougarMountainAnnxation\ProposedCougarMountainAnnxation\ProposedCougarMountainAnnxation.aprx


KIRKLAND
KING COUNTY
KING COUNTY
KING COUNTY
REDMOND
YARROW POINT
HUNTS POINT
CLYDE HILL
MEDINA
BEAUX ARTS
MERCER ISLAND
SAMMAMISH
ISSAQUAH
NEWCASTLE
RENTON
KING COUNTY
KING COUNTY
Lake Washington
Lake Sammamish
405
520
90
NE 40TH ST
NE 30TH ST
NE 24TH STREET
NE 20TH STREET
NE 12TH ST
NE 8TH ST
NE 4TH ST
MAIN STREET
SE 8TH ST
SE 16TH ST
SE 22ND ST
SE 24TH ST
SE 34TH ST
SE EASTGATE WAY
SE NEWPORT WAY
NE BEL-RED ROAD
NORTHUP WAY
LAKE WASH. BLVD NE
LAKE HILLS BLVD
KAMBER ROAD
NEWCASTLE WAY
NEWCASTLE GOLF CLUB RD
LAKEMONT BLVD SE
VILLAGE PARK DR SE
FOREST DRIVE
HIGHLAND DRIVE
COAL CREEK PARKWAY
100TH AVENUE NE
104TH AVENUE NE (BELLEVUE WAY)
108TH AVENUE NE
112TH AVENUE NE
116TH AV NE
124TH AV NE
130TH AV NE
132ND AV NE
133RD AVENUE NE
134TH AVENUE NE
140TH AVENUE NE
148TH AVENUE NE
156TH AVENUE NE
164TH AVENUE NE
173RD AVE NE
118TH AV SE
123RD AV SE
128TH AV SE
145TH PL SE
156TH AVENUE
164TH AV SE
168TH AV SE
SAMMAMISH PKWY NE
W LAKE SAMMAMISH PKWY NE
124TH AV SE
119TH AV SE
116TH AV SE
123RD AV SE
160TH AVE SE
Potential Annexation Areas
City Limits
Urban Growth Area Boundary
Data Source:
City of Bellevue
Produced by:
City of Bellevue Department of Planning and Community Development and Department of Information Technology, Geospatial Technology Services.

Cougar Mountain Potential Annexation Area
Policy and Fiscal Analysis

Analysis

When Council accepted the Notice of Intent from the Cougar Mountain property owners on April 1, 2025, staff was asked to conduct an analysis of the implications of the annexation under two different zoning scenarios (LL-1 and SR-4). The following is the analysis of the impacts.

Policy Impact

Annexation of this area is consistent with the Comprehensive Plan.

- LU-49. Support the comprehensive annexation of the city's remaining Potential Annexation Area.
- LU-50. Require owners of land annexing into the city to be subject to their proportionate share of the city's bonded indebtedness.
- LU-51. Make every effort to ensure that land within Bellevue's Potential Annexation Area develops according to Bellevue Comprehensive Plan policies and development standards.
- LU-52. After annexation, transfer all review authority for all land currently undergoing development review in King County to the City of Bellevue.

In addition, the annexation of the PAA is consistent with the Newcastle Subarea Plan (the subarea plan that covers the Cougar Mountain neighborhood, adjacent to the PAA). Policy S-NC-2 supports the annexation of the entire PAA at once. If annexed, the Cougar Mountain PAA will be subject to the policies of the Newcastle Subarea Plan.

- S-NC-1. Encourage and provide incentives for the annexation of vacant property within the Potential Annexation Area prior to its development.
- S-NC-2. Encourage the joining together of properties under one annexation proposal whenever possible.
- S-NC-3. Require that annexing properties develop to Bellevue standards and that any service facilities provided by the proposal are consistent with Bellevue standards.
- S-NC-4. Encourage and support cost sharing of needed facility improvements among affected property owners interested in annexation and, when appropriate, include existing owners of undeveloped properties in Bellevue or affected jurisdictions who may receive benefits from such improvements.

The Cougar Mountain PAA is identified in the Comprehensive Plan (Map LU-4).

Fiscal Impact

Staff conducted a technical analysis to evaluate the fiscal impacts of the proposed annexation on City of Bellevue departments. The analysis assesses anticipated changes in service obligations, operating costs, and revenues under a range of potential development scenarios. Overall fiscal impacts are primarily driven by the intensity of future development within the annexation area, with long-term operating and maintenance costs increasing commensurate with buildout.

At the April 1, 2025, meeting, Council directed staff to evaluate fiscal impacts under two zoning conditions: (1) maintaining zoning equivalent to existing LL-1 standards and (2) applying the zoning requested by the petitioners, which would upzone properties to SR-4 with full implementation of the Missing Middle Housing (MMH) allowance. In response, staff analyzed a range of buildout scenarios reflecting these zoning assumptions. The low-end scenario assumes one dwelling unit per lot, consistent with existing zoning, resulting in an estimated 33 dwelling units, while the high-end scenario assumes up to four units per lot under SR-4 zoning, resulting in an estimated 540 dwelling units across the annexation area.

The buildout scenarios incorporate the following assumptions to inform fiscal estimates:

- Development would not include affordable housing provisions that allow up to six units per lot;
- Based on surrounding, similarly zoned areas, approximately 10% of subdividable land would be reserved for right-of-way dedication;
- Antenna and utility properties are assumed to remain in their current use and would not be redeveloped; and
- Existing single-family residences are assumed to remain, although additional units may be constructed on those properties consistent with zoning allowances.

Utilities

The annexation would extend Bellevue Utilities' service responsibility to the annexation area. New utility infrastructure required to serve future development is assumed to be constructed and funded by private developers and subsequently transferred to the City for ownership, operation, and maintenance. Ongoing utility operations are assumed to be funded through adopted rate revenues and one-time connection charges. Based on 2026 adopted rates and charges and the range of development scenarios evaluated, the estimated annual fiscal impact to Bellevue Utilities ranges from approximately $135,000 under the low-end buildout scenario to approximately $2.2 million under the high-end buildout scenario. Sewer service may require more complex infrastructure investments over time, including potential extension through private properties and construction of a pump station, while water service extensions are anticipated to be more straightforward due to the proximity of existing reservoirs.

Transportation

The annexation would not immediately add new public roadways to the City's

transportation system, as existing private roads would remain privately maintained. New roadways constructed as part of future development may be public or private, depending on development approvals, and any new public roads would be maintained by the City consistent with existing standards. Based on estimated roadway infrastructure associated with the evaluated buildout scenarios, the annual fiscal impact to the Transportation Department is estimated to range from approximately $12,000 under the low-end scenario to approximately $29,000 under the high-end scenario. Cougar Mountain Drive is anticipated to serve as the primary collector for future development, and increased traffic volumes and safety considerations may warrant further evaluation as zoning and development proposals advance.

Fire Department

The annexation area is already within the Fire Department's service response area. As a result, annexation is not expected to materially change service delivery or staffing requirements in the near term. Based on current service conditions and projected development levels, the fiscal impact on the Fire Department is anticipated to be minimal and absorbable within existing resources.

Police Department

In the short term, annexation would require administrative updates to police service districts and coordination with NORCOM to revise dispatch and response boundaries. These changes are not expected to result in significant immediate operating costs. Over time, as development occurs, a modest increase in call volume is anticipated, primarily related to construction activity and property-related incidents. Based on comparable areas and existing land uses, full buildout could result in an estimated 30 to 40 additional calls per year. This level of increase is not expected to require additional staffing under current assumptions but would be monitored as development progresses.

Parks & Community Services

The annexation area is well served by existing regional park facilities, including Cougar Mountain Regional Wildland Park in King County, which is within or adjacent to the area and meets the city's access level-of-service standards. No immediate park capital improvements are identified as necessary to support annexation. Given the relatively small projected population increase, annexation is not expected to generate significant new demand for recreation programs, human services, or park maintenance. As a result, fiscal impacts on Parks & Community Services are anticipated to be minimal.

Development Services Department

The Development Services Department does not anticipate a substantial increase in permit or entitlement activity as a direct result of annexation. Any additional workload associated with future development would be funded through permit fees based on project valuation and square footage, consistent with the city's Council-approved full cost recovery policy. Under current assumptions, existing staffing levels are expected to be sufficient to manage anticipated workload. Exact fiscal impacts cannot be determined until specific development proposals are submitted.

Revenue

Annexation would allow the city to collect additional property tax revenues from parcels within the annexation area. Upon annexation, these parcels would also assume their proportionate share of the city's outstanding indebtedness. Property tax impacts were estimated using the city's 2026 budgeted property tax levy of $95.5 million and vary depending on zoning and development intensity. Estimated revenue impacts by zoning scenario are summarized in the accompanying table. If annexation moves forward, property tax revenue would range from approximately $55,000 - $812,000, depending on final buildout.

PAA	Estimated Tax Revenue by Zoning District			
	LL-1	SR-4	LL-1 MMH*	SR-4 MMH*
PAA A: Cougar Mountain West	$38,458	$145,906	$132,369	$583,625
PAA B: SE Cougar Mountain Drive West	$4,513	$15,042	$18,050	$60,168
PAA C: SE Cougar Mountain Drive East	$10,529	$42,117	$42,117	$168,469
PAA D: SE 60th Street	$1,504	$ -	$6,017	$ -
Total:	$55,004	$203,065	$198,553	$812,262

** Assumes full implementation of Missing Middle Housing*

City of Bellevue

MANAGEMENT BRIEF

DATE: June 9, 2026

TO: Mayor Malakoutian and City Councilmembers

FROM: Genesee Adkins, Deputy City Manager
Katie Halse, Assistant Director of Intergovernmental Relations
City Manager's Office

SUBJECT: Intergovernmental Affairs Monthly Update as of May 31, 2026

DISCUSSION/ACTION ITEMS

Included in this packet is a selected group of reports from the City's work with other levels of government on City business. They include updates from the federal, state and regional levels. Staff are always available to follow up to discuss any matters in greater detail.

LEGISLATIVE STATUS REPORTS

State Legislative Session Update: State lawmakers are examining major policy issues ranging from carbon sequestration and hazardous waste stewardship to a potential ballot initiative that would repeal the recently enacted high-income tax. The Governor and state agencies have also launched significant efforts on long-term water planning and on creating a new Department of Housing, both involving extensive stakeholder engagement ahead of the next legislative session. Additional statewide processes, including rulemaking under the Climate Commitment Act and regional water-supply roundtables, will continue through the summer.

Federal Legislative Update: Congress is advancing multiple major fiscal year 2027 funding bills, including the Transportation, Housing and Urban Development bill that contains Bellevue's $250,000 Safer Signals request, while also navigating parallel efforts such as the Farm Bill reauthorization, transportation reauthorization, and housing legislation. At the same time, lawmakers continue to work through immigration-related budget packages, including a second reconciliation bill and the potential for a third, though progress has been slowed by internal disagreements and a tight election-year calendar. The Administration is pursuing regulatory and policy changes on issues such as disaster response and federal grantmaking.

STAFF REPORTS / INFORMATION ITEMS

Monthly Council Summary Background Briefings: Included are updated summary background briefings on the King County regional committees and those of the Puget Sound Regional Council (PSRC).

City of Bellevue | City Manager's Office

DATE: June 9, 2026

SUBJECT: State Legislative Update, May 2026

Legislative Work Session: On May 18, the House Environment and Energy Committee held a work session on carbon sequestration, the process of capturing carbon and storing it in underground geological formations, and extended producer responsibility for hazardous materials. The presentations on carbon sequestration build upon House Bill 2285 introduced in 2025, to propose a way to decarbonize industries that are unlikely to move to electricity. These industries continuing to use natural gas would also alleviate growing pressure on the electric grid.

Several other states have adopted a regulatory framework to facilitate carbon sequestration. The Washington State Department of Ecology (Ecology) is conducting rulemaking on sequestered carbon exemptions under the Climate Commitment Act. Questions from legislators included potential concerns about unknown impacts — hundreds of years into the future — if carbon is injected into the state's basalt geographies.

The Committee also heard a presentation on household hazardous waste, highlighting that there is a limited number of collection sites in the state and outlined interest in the state adopting extended product stewardship for these substances. King County indicated that they are working with stakeholders on legislation for 2027. Vermont recently enacted extended producer responsibility (EPR) for household hazardous waste.

Income Tax Repeal Initiative: Initiative 26-645 is a proposed measure backed by *Let's Go Washington* and filed by Brian Heywood that would repeal Senate Bill 6346, the recently passed legislation establishing a 9.9% tax on household income above $1 million beginning January 1, 2028, with collections set to begin in 2029. The proposal has been cleared for signature gathering and could appear on the November 3 ballot as an Initiative to the People. Organizers are also considering an initiative to the Legislature, which could place the issue before voters in 2027. To make it to the ballot this November, the initiative will need over 300,000 signatures submitted by July 2. This measure comes on the heels of the Washington Supreme Court's rejection of a referendum challenge and falls amid ongoing legal, political and economic debate. Opponents say the tax represents a significant expansion of state taxing authority, may raise constitutional concerns and could affect the business climate. Supporters purport it would make Washington's tax system less regressive, generate more than $3 billion annually for education and health care, and provide relief for lower-income residents and some small businesses.

Washington's Water Future: Governor Bob Ferguson and Ecology announced the launch of a new statewide initiative, *Washington's Water Future*, on May 6 to ensure Washington has stable water supply into the future. Ecology will host a series of regional roundtables with local and

Tribal governments, industries, utilities, environmental groups and community groups to inform new water supply policies and recommendations for Ecology to submit to the Governor before the next legislative session. More details about the regional roundtables and opportunities for cities to engage in them are anticipated soon.

Department of Housing Task Force: The Governor's task force to establish a Department of Housing under Executive Order 25-12 is continuing their work to develop recommendations for a new cabinet-level housing agency focused on expanding housing supply, better aligning state housing programs and addressing housing needs across Washington. To support their work by a November 15 deadline, the task force solicited input from stakeholders via survey and requests for comments. The City of Bellevue's Office of Housing provided comments to the task force with recommendations on areas for improvement and focus of this new agency to advance housing goals with lessons learned from the development of Bellevue's own centralized housing department. The task force's next meeting is scheduled for June 10 with more information on the Department of Housing Task Force webpage.

June Look Ahead

- Final day to submit Referendum Measure petition signatures on June 10
- Laws enacted in the regular legislative session become effective on June 11
- The Association of Washington Cities (AWC) Legislative Priorities Committee meets on June 25 during AWC's Annual Conference in Spokane to continue their work of developing AWC's 2027 Legislative Priorities.

City of Bellevue | City Manager's Office

DATE: June 9, 2026

SUBJECT: Federal Legislative Update, May 2026

OVERVIEW:

Reconciliation 2.0

Passage of the fiscal year 2026 Department of Homeland Security funding bill is the first part of the Republican strategy to maintain immigration enforcement funding after Democrats opposed additional money for Immigration and Customs Enforcement (ICE) and Border Patrol without reforms. The second part of the plan is a reconciliation package designed to secure ongoing enforcement funding. Reconciliation is a budget procedure that allows the Senate to bypass the 60-vote threshold needed to avoid a filibuster, but proposals must have a direct budgetary impact. Last year, Republicans used reconciliation to pass the One Big Beautiful Bill Act.

The Senate's current reconciliation package provides $71.7 billion for Homeland Security and Justice Department immigration and customs enforcement programs, including $38.2 billion for ICE and $26 billion for Customs and Border Protection, with funding available through fiscal year 2029.

Republicans planned to advance the package before the Memorial Day recess, but progress stalled due to concerns regarding the President's proposals for the White House ballroom project and a proposed $1.7 billion "anti-weaponization" fund. The President has called for the bill to reach his desk by June 1.

To address concerns within their caucus and keep this package focused on immigration, Republicans began discussing a possible third reconciliation bill. This additional package could incorporate other tax and budget priorities, as well as proposals facing resistance in the current bill. However, a third round would face tight timelines in an already compressed election-year calendar.

Fiscal Year 2027 Budget and Bellevue's Federal Funding Request Update

President Donald Trump officially kicked off consideration of federal funding for FY 27 with the release of his $2.2 trillion budget proposal in April. Over the last two months, Congress has been moving through its consideration of the 12 annual appropriations bills with hearings featuring each of the federal agencies and the House has begun consideration of bills.
The House passed its first FY 27 appropriations bill — the Military Construction-VA bill — before the Memorial Day recess. The House Appropriations Committee is more than halfway through preparing the rest of the FY 27 bills for floor action. Five additional bills are ready for floor action: Agriculture-FDA, National Security-State, Financial Services, Commerce-Justice-Science, and Energy & Water. The Interior-Environment and Transportation, Housing & Urban

Development (THUD) appropriations bills are scheduled for full committee mark-ups on June 3 and 4. Labor-HHS, Homeland Security, and Defense bills are scheduled for mark-ups the week of June 8.

- Bellevue submitted one federal funding request — known as Congressionally Directed Spending or a Community Funding Project — for fiscal year 2027. The Safer Signals project was submitted through the THUD account. Congressman Smith has sponsored the project at the $250,000 level following consultation with Congresswoman DelBene's office. The request must still be approved by both the full House and Senate before funds can be awarded.

The Senate typically follows the House in the appropriations process and is expected to start consideration of its bills in June.

OTHER LEGISLATION:

Farm Bill

The House passed a long-delayed Farm Bill reauthorization package. Farm Bill programs had been relying on temporary extensions since 2018. The latest extension expired in 2023. Several key programs under the bill were reauthorized under the One Big Beautiful Bill (HR 1). This House passed bill (HR 7567) will reauthorize the remaining programs, including farm aid, food assistance, conservation, trade, energy, and other federal programs, through 2031. For Supplemental Nutrition Assistance Program (SNAP), this package simply reauthorizes the program, leaving in place the changes to eligibility and funding that were enacted under HR 1.

The bill passed in the House on a mostly party-line vote of 224-200. It is expected to face an uphill battle in the Senate where it will likely be changed to reflect the different priorities and dynamics of the closely divided Senate.

Transportation Reauthorization (BUILD America 250 Act)

The House Transportation and Infrastructure Committee has approved a five-year surface transportation reauthorization package, the *BUILD America 250 Act*. Current authorization for federal highway, transit, aviation and a host of other federal infrastructure programs is set to expire September 30.

The $580 billion reauthorization proposal approved by the House Transportation and Infrastructure Committee increases overall funding authorization from $550 billion authorized in the 2021 *Bipartisan Infrastructure Law*. It does not, however, include additional advance funding and it reduces overall funding for the Federal Transit Administration (FTA) and Housing and Urban Affairs Department (HUD). The major policy themes of the package appear to be shoring up the Highway Trust Fund, streamlining transportation project delivery and safety.

- Provides a discretionary total of $28.29 billion to the Department of Transportation, which is $1.177 billion above the Fiscal Year 2026 enacted level and $1.464 billion above the President's budget request.

- $16.51 billion in total budgetary resources for the FTA, which is $201 million below the FY26 enacted level.
- Provides a net discretionary total of $71.377 billion for HUD, which is $5.942 billion below the FY 2026 enacted levels.
- Community Development Block Grants (CDBG) funds are held at FY 26 levels; HOME Assistance Grants are reduced from $4.4B to $4.1B; HOME grant program sees a big cut to $500M.
- Establishes first-ever rules for commercial autonomous vehicles.
- Big focus of repurposed or increased funding is on safety programs, especially for the Federal Aviation Administration and railroads. Transit agencies are required to spend at least 1% of funds on crime prevention.
- Another key policy objective is streamlining permitting and speeding up project delivery for transportation projects, including tightening agency approval deadlines and expanding exclusions.
- The bill includes a new $130 annual registration fee on electric vehicles and $35 fee on plug-in hybrids. The new fees are designed to supplement the Highway Trust Fund, which relies primarily on gas taxes for revenue. The Congressional Budget Office projects that, by 2033, outlays from the Highway Trust Fund will exceed trust fund reserves by a cumulative $181 billion for the highway account and by $60 billion for the mass transit account.

In the Senate, the Environment and Public Works Committee will take the lead on most of the surface transportation reauthorization bill. The Senate Commerce Committee is also expected to contribute to a Senate bill. Key Senate Democrats have pushed back on the House committee's proposals to impose EV fees and boost rail safety measures opposed by railway unions. It is highly anticipated that Congress will need to pass a short-term extension of current law since it's unlikely that a final package will emerge and pass both chambers before the September 30 expiration.

Housing

Housing legislation aimed to ease the affordable housing supply shortage continues to progress, but the House and Senate have not yet brokered a compromise deal that can pass in the other chamber.

Making some concession to the Senate, the House recently passed an amended version of its bi-partisan housing legislation, the *21st Century Road to Housing Act* (HR 6644), by a vote of 396-13. The House moved the original bill back in February but ran into opposition on its bill from the Senate.

Rather than negotiate a compromise to the House bill, the Senate passed competing legislation by a bipartisan vote of 89-10. The Senate's *ROAD to Housing Act of 2025* (S. 2651) passed in

March with President Trump's endorsement because it includes a proposal to ban institutional investors from buying single-family homes.

The recent amended version of the House bill is now endorsed by the White House, but it remains at odds with the Senate in two key areas:

- Institutional investors: the Senate bill requires institutional investors to sell properties within seven years or pay a penalty. The House does not include a cap.
- Community provisions: the House bill does not reauthorize the CDBG Disaster Recovery program; the Build Now Act, which authorizes CDBG funds to areas that exceed the median rate of homebuilding; and mortgage disclosure measures for veterans.

Politically, all sides are motivated to see housing legislation move as an answer to the growing affordability problem plaguing American families.

ADMINISTRATION:

FEMA Disaster Response

The Administration's task force for reforming the Federal Emergency Management Agency (FEMA) released a summary of its recommendations in early May. The final report detailing specific recommendations will be released by the White House for public comment in the coming months. The recommendations summarized by the task force propose to change how the federal government responds to natural disasters, including reforming the National Flood Insurance Program.

Local Government Funding Awards

The Office of Management and Budget (OMB) is unveiling a proposed new rule to reform the federal funding awards process for local governments, organizations and institutions. The proposed regulation would allow federal agencies to terminate grants when the award no longer advances federal agency priorities or the national interest. It would also allow for the withholding of funds from organizations promoting diversity concepts and expand the role of political appointees in the grantmaking process. The rule is expected to be officially published in the Federal Register on May 29. A 45-day comment period will be provided.

JUNE LOOK AHEAD:

- June 3 – 4: Mayor Malakoutian, Deputy Mayor Hamilton and Deputy City Manager Genesee Adkins will travel to Washington, D.C. for visits with Bellevue's federal delegation and the US Department of Transportation to share Bellevue's key federal priorities.
- June 3: The House Appropriations Committee will mark up the FY27 THUD bill, which was previously advanced by its subcommittee in May. The THUD bill includes $250,000 for Bellevue's Safer Signals project, including in Bellevue's key federal priorities.

City of Bellevue | City Manager's Office

DATE: June 9, 2026

SUBJECT: King County Regional Committees Update, May 2026

Regional Policy Committee (RPC)

At its May 13 meeting, the RPC:

- **Approved receipt of the 2024 Crisis Care Center (CCC) Levy Implementation Report.** The committee acted to acknowledge receipt of the report and forwarded the recommendation on to the King County Council for final action. This is the first annual report for the levy that was approved in 2023. There were several questions and a robust discussion about fiscal management and confidence in meeting the goals of the nine-year levy.

- **Heard an update from King County Solid Waste**. The division director provided an update on organizational changes, rates and updating the comprehensive plan. Members expressed interest in extracting revenue from existing assets such as selling old sites, leases for battery storage or recreation on landfills.

The next RPC meeting is scheduled for June 10. Councilmember Lynne Robinson serves on the RPC representing the Sound Cities Association.

Regional Transit Committee (RTC)

The RTC did not meet in May. The next RTC meeting is scheduled for June 17. Councilmember Vishal Bhargava serves on the RTC.

Regional Water Quality Committee (RWQC)

At its May 6 meeting, the RWQC:

- **Heard a briefing on Proposed Ordinance 2026-0066 regarding the capacity charge methodology.** The capacity charge is assessed directly by King County on new sewer system connections and is intended to ensure that new customers pay the growth-related costs of expanding the wastewater system. The proposed updated methodology responds to a 2016 King County Auditor report that recommended simplification to the approach and improved transparency. The proposal was referred to RWQC as a mandatory dual referral and is expected to be voted on at the June 5 meeting. After that vote, it will advance to the King County Council for final approval.

- **Recommended that RWQC draft a letter to the King County Council regarding the proposed 2027 sewer rate and capacity charge, to be considered at the June 5 meeting.** Executive Zahilay proposed a rate increase of 12.75% for 2027. WTD provided information that they are considered "low" or "medium burden" depending on the affordability metrics used. RWQC members discussed affordability concerns and ongoing work to reduce future rate increases. Seattle Councilmember Lin discussed a letter from Seattle requesting a rate of 10.75% percent — 2% lower than the Executive proposed rate — to address affordability for ratepayers. The King County Council must adopt a wholesale sewer rate by June 30.

- **Heard about an updated timeline for the Regional Wastewater Services Plan (RWSP) and was briefed on the policy analysis on Asset Renewal and Replacement options.** RWQC members requested more comprehensive financial information, including who benefits and who contributes financially to the system, as well as the policy options to more fully understand the impacts of proposed policy options.

The next RWQC meeting is scheduled for June 3. Deputy Mayor Dave Hamilton serves on the RWQC representing the Sound Cities Association.

Affordable Housing Committee (AHC)

At its May 7 meeting, the AHC:

- **Received a briefing on committee membership**. There are two vacant seats for organizational (non-governmental) members. Committee members support the staff recommendation to seek members with expertise in revenue for affordable housing and serving extremely low-income households. Several members expressed interest in adding seats to allow for more viewpoints and areas of expertise.

- **Adopted a revised 2026 work plan and meeting schedule.** The meeting dates and work plan have shifted to accommodate the new quarterly schedule for 2026. Some work items have shifted to 2027, but no items have been dropped from the committee's work plan.

- **Discussed the Regional Affordable Housing Task Force (RAHTF) Action Plan Update**. County staff shared proposed principles to guide the RAHTF Action Plan update, including using a data informed approach, lessons learned from the past RAHTF process and focusing on extremely low-income households. There was general support for the principles. Committee members asked for clarity on AHC's role as the update process moves forward.

The next AHC meeting is scheduled for July 9. Councilmember Claire Sumadiwirya serves on the AHC representing the Sound Cities Association.

Growth Management Planning Council (GMPC)

At its May 27 meeting, the GMPC:

- **Heard a federal legislative update**. Puget Sound Regional Council staff provided an update on federal legislation, including reauthorization of Surface Transportation funding, and work to reconcile the House and Senate version on a housing bill. *See the Federal Report in the IA packet for more information.*

- **Heard a state legislative update**. Washington State Department of Commerce staff provided a recap of the 2026 state legislative session with a focus on new state law and funding that impacts long range land use and transportation planning.

- **Supported approval of a revised 2026 work plan**. The revised 2026 work plan was supported by all in attendance but could not be acted upon for lack of quorum. The revised work plan reflects the new meeting schedule — four meetings in 2026 — and defers climate work, tribal coordination and a VISION 2050 check-in to 2027.

- **Heard an update on housing monitoring**. Affordable Housing Committee (AHC) staff provided an overview of housing monitoring work completed and work forthcoming. Bellevue and ARCH provide data annually to participate in the monitoring efforts and meet county requirements.

- **Heard an update from the AHC**. AHC staff provided a recap for the May committee meeting. *See AHC recap on the previous page for more information.*

The next GMPC meeting is scheduled for June 24. Councilmember Jared Nieuwenhuis serves on the GMPC representing Bellevue.

City of Bellevue | City Manager's Office

DATE: June 9, 2026

SUBJECT: Puget Sound Regional Committees Update, May 2026

Growth Management Policy Board (GMPB)

At its May 21 meeting, the GMPB:

- **Acted to redesignate the region's ten Manufacturing/Industrial Centers (MICs)**. Several MICs have planning conditions that require review in 2028. Bellevue does not have a regionally designated MIC and no areas in the city meet the minimum criteria.

- **Heard a briefing on data analysis of homelessness and shelter needs in the region**. PSRC staff shared data on unhoused individuals in the region and service and housing models in other parts of the country. Board members cited lack of funding as the major hurdle to providing more beds and resources.

- **Discussed VISION 2050 implementation and the forthcoming update.** VISION 2050 is the region's long-range plan for growth. It informs the countywide planning policies (CPPs) and Bellevue's comprehensive plan. PSRC staff walked through key implementation milestones since VISION 2050 was adopted in 2020 including adoption of the Regional Housing Strategy, Sound Transit openings, tribal coordination, and ongoing data monitoring. Board members were asked about what they see as key issue areas for the next VISION update. Board members discussed the need to better address physical and social infrastructure.

The next GMPB meeting is scheduled for June 18. Councilmember Vishal Bhargava represents Bellevue on the GMPB.

Transportation Policy Board (TPB)

The TPB did not meet in May. The next TPB meeting is scheduled for June 11. Councilmember Jared Nieuwenhuis represents Bellevue on the TPB.

Executive Board

The Executive Board did not meet in May, in lieu of the PSRC annual General Assembly.

The next Executive Board meeting is scheduled for June 25. Mayor Mo Malakoutian represents Bellevue on the Executive Board.

General Assembly

The Puget Sound Regional Council (PSRC) General Assembly includes all mayors, county executives, commissioners and councilmembers of PSRC member jurisdictions. Each elected representative is a voting member of the General Assembly, which meets at least annually to vote on major decisions, establish the budget and elect new officers. At the May 28 General Assembly, attendees:

- **Adopted the Fiscal Year 2026-2027 Supplemental Biennial budget and work plan.** The proposed FY 2026-2027 Supplemental Biennial Budget and Work Program is $45.6 million. The budget contains the following elements: Planning Management, Regional Growth Planning, Transportation Planning, Economic Development, Data, Council Support, Communications and Administrative Services.

- **Adopted the 2026 Regional Transportation Plan (RTP).** Adoption of the draft Plan benefits Bellevue by keeping PSRC eligible for federal funding, which Bellevue competes for. The following priority areas of the RTP are aligned with adopted Bellevue transportation plans and policies:
    - **Health and Safety** – this is aligned with Bellevue's Vision Zero policies, which aim to eliminate traffic deaths and serious-injury collisions on city streets by 2030.
    - **Multimodal Mobility** – this supports Bellevue's Transit Master Plan, which was adopted by City Council in 2014 and Bellevue City Council's 2024-2026 Vision and Priorities.
    - **System and Performance** – this is aligned with Council's 2024-2026 Vision and Priorities, which state that "Regional road capacity handles the movement of goods and vehicles, limiting the impact on neighborhoods from cut-through traffic. A state-of-the-art intelligent transportation system provides a predictable travel experience to improve mobility, increase safety and reduce emissions."

- **Elected Snohomish County Executive Dave Somers as PSRC President and Pierce County Executive Ryan Mell as PSRC Vice President.** This is a second one-year term for both.

- **Heard a discussion on regional mobility from TPB Chair Mayor Ralph, Kent and Vice Chair Mayor Putansuu, Port Orchard**. See RTP item above.

- **Heard a panel discussion from Challenge Seattle on work to develop a Regional Economic Strategy.** Former Governor Chris Gregoire, CEO of Challenge Seattle, introduced a conversation on the future of the Puget Sound economy with a presentation by Boston Consulting Group. A fireside chat featured Erik Nordstrom, CEO of Nordstrom; Kerri Schroeder, Pacific Northwest Region Chair of JPMorgan Chase; and Brad Smith, Vice Chair and President of Microsoft and was moderated by PSRC Executive Director Josh Brown.

The next General Assembly will take place in May 2027, date to be announced.