

Title 20 Land Use Code

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Chapter 20.10 Land Use Districts

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20.10.400 Use chart described – Interpretation.

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

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

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

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20.10.440 Land use charts.

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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								P	P	P	P
...												

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

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

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Notes: Uses in land use districts – Services:

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(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.

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Chart 20.10.440

Uses in land use districts

Transportation and Utilities – Residential Land Use Districts

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

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(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.

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(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.

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Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Residential Land Use Districts

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

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Chart 20.10.440
Uses in land use districts

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

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

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

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

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~~(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.

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Chapter 20.20 General Development Requirements

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20.20.010 Dimensional requirements.

Chart 20.20.010

Dimensional Requirements in Land Use Districts

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Dimensional Requirements – Commercial and Mixed-Use land Use Districts

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

Rear Yard (18) (20)	25 (17)	0	0	0	(2) (17)	(2) (17)	0	0	0	0	0	0	0
Side Yard (18) (20)	20 (17)	0	0	0	(25) (17)	(25) (17)	0	0	0	0	0	0	0
2 Side Yards (18) (20)	40 (17)	0	0	0	(25) (17)	(25) (17)	0	0	0	0	0	0	0
Floor Area Ratio	(8)	1 (50)	1	2	(8)	(8)	2	3	4	2.5	5	4	
...													
Maximum Lot Coverage by Structures (percent) (13) (14)(16)	35(2 4)				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.~~

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20.20.025 Intrusions into required setbacks.

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D. Rockeries and Retaining Walls.

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

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20.20.030 Designation and measurement of required setbacks.

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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.

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

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~~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~~

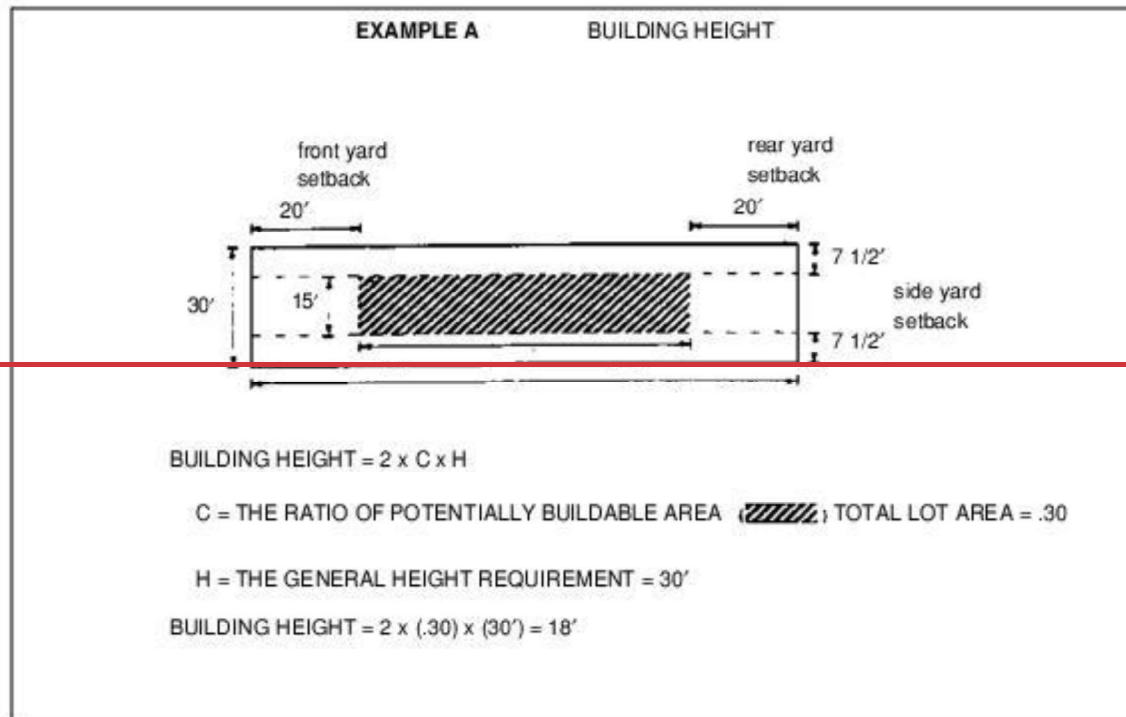
~~C = The ratio of potentially buildable area (lot area less the area of the lot's minimum setback requirements) to total lot area.~~

~~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.~~

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



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20.20.125 Accessory structures in residential districts – Detached.

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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.

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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.

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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

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20.20.130 Animal keeping and services.

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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)
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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.	<p>May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line.</p> <p>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:</p> <ol style="list-style-type: none"> 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 pets small domestic animal(s) or animals associated with a hobby kennel may be within 25 feet of a property line.
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20.20.170 Child care ~~centers~~ service-use.

A. **Purpose.**

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

B. **Applicability.**

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

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

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

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

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

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

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

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

~~i. A solid fence at least six feet high compatible with neighborhood character must be installed along each side and rear lot line.~~

~~ii. One sign, not exceeding four square feet and five feet in height, is permitted to identify the use notwithstanding the provisions of Chapter 22B.10 BCC. The sign may not be lighted. The City shall review the color, materials, design, location and character of the sign in determining compatibility with surrounding uses.~~

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4. Conditions.

a. The ~~City Director~~ may impose conditions to protect the public health, safety, and welfare. ~~to mitigate any potential adverse impact on surrounding uses.~~

~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~

~~c. The City shall establish the maximum number of children permitted in the child care service use at any one time.~~

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

1. General. The requirements of this subsection apply to each child ~~day~~ care center ~~use~~ located in a community facility.

2. Review or Registration Required. Each operator of a child ~~day~~ care center housed in a community facility must register with the ~~Bellevue~~ Development Services Department by filing a signed Child Care Registration Form as provided by the ~~Department Director~~ prior to initiation of the use. The operator must certify compliance with all applicable use requirements and conditions of this subsection as listed on the Registration form.

3. Use Requirements. The following requirements apply to each child ~~day~~ care center ~~use~~ located in a community facility:

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

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

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

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

~~e. The child day care center use may not display any sign in excess of the maximum number of signs and the maximum sign area allowed for the community facility in which the child care service use is housed.~~

4. Conditions.

a. The ~~City Director~~ may impose conditions to protect the public health, safety, and welfare. ~~to mitigate any potential adverse impact on surrounding uses.~~

~~b. The City shall specifically consider the need to limit the hours of operation of the use.~~

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20.20.195 Communication, broadcast, and relay facilities.

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E. Development Requirements for Wireless Communications Facilities.

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

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b. Height Limits.

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

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(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.

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20.20.255 Electrical utility facilities.

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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.

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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:

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- 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.

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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:

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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:

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- 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;

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20.20.425 Hard surface.

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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.

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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.

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20.20.455 Homeless services uses.

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C. Definitions.

1. Use Definitions.

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

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20.20.540 Multifamily play areas.

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

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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.](#)

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20.20.900 Tree retention and replacement.

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E. **Minimum Tree Density.**

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5. Dimensional Standard Modification for Tree Retention.

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

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6. Planted Trees.

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

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

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Chapter 20.25 Special and Overlay Districts

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Part 20.25A

20.25A.050 Downtown Land Use Charts.

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D. Use Charts.

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

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

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Services – Downtown Land Use Districts

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

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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.~~

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Transportation and Utilities – Downtown Land Use Districts

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

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

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

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

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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	<u>Gasoline ServiceVehicle Fueling and Charging Stations</u> (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	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR- MO/ MO-1	BR-OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
5	Trade (Wholesale and Retail) (1, 7, 15)							
...								
553	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

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

...

Notes: Uses in land use districts – Services:

...

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

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

...

20.25D.080 Dimensional Requirements.

...

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

...

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

...

20.25D.130 BelRed development standards.

...

D. Required Transition Edge Development.

...

4. Applicable Standards for Building Design.

...

~~e. 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 20.20.56~~10~~.

...

20.25P.050 Land Use Chart.

...

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

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

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 / ₇
...		

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

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

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

...

Chart 20.25P.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

...

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

...

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

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

...

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit oriented Development land use District

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

Notes: Uses in EG-TOD – Wholesale and Retail

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

...

Part 20.25Q East Main Transit Oriented Development Land Use District

...

20.25Q.020 Definitions specific to East Main.

...

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

...

20.25Q.050 Permitted uses.

...

D. Use Chart.

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

Notes: Uses in East Main Land Use Districts:

...

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

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

...

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

...

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

...

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

...

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

...

20.25Q.070 FAR and the amenity incentive system.

...

D. Amenity Incentive Program.

...

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

...

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

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

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

List of Bonusable Amenities	Applicable Land Use Districts and Bonus Ratios			
	East Main Transit-Oriented District Higher Density (EM-TOD-H)		East Main Transit-Oriented District Lower Density (EM-TOD-L)	
	Nonresidential	Residential	Nonresidential	Residential
	...			
Child Care ServiceCenters	8.9:1	7.4:1	8.9:1	7.4:1
	Criteria:			
	1. Up to 15,000 square feet per project is eligible for this bonus, any floor area beyond that limit shall not be eligible for amenity bonus points. 2. The floor area delineated for Child Care 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 ServiceCenters . 4. Spaces shall provide visual access from the street.			

...

Chapter 20.30 Permits and Decisions

...

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

...

20.30J.135 Decision criteria.

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

- 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.

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

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

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

20.35.120 Notice of application

...

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.

...

20.35.210 Notice of application.

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

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

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

...

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

...

20.35.227 Public meetings.

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

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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.

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20.35.510 Notice of application.

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

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- 3. Mailed notice of the application including at least the information required in subsection B.1 of this section to each person who has requested such notice for the calendar year and paid any 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

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20.50.012 B definitions.

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

...

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

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

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

...

20.50.016 D Definitions.

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

...

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

...

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

20.50.018 E definitions.

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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

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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.

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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.

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Lot, Parent. A lot that is, or may be, subdivided into unit lots through the unit lot subdivision process or the unit lot short subdivision process. A parent lot also includes a lot that is, or may be, divided in two through, ~~or~~ the administrative lot split process.

...

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

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

...

20.50.034 M definitions.

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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.

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

the site more than six months out of any given year, ~~and at no time receives rent for the owner-occupied unit.~~

...

20.50.040 P definitions.

...

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

...

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

...

20.50.048 T definitions.

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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.

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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.

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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).~~

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