

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6930

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

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

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

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

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

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

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

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

WHEREAS, on June 9, 2026, the City Council held a study session on the 2026 Omnibus Amendments and reviewed the text amendments to the Bellevue City Code contained in this Ordinance; and

WHEREAS, in accordance with Chapter 43.21C RCW and Chapter 22.02 BCC, the Environmental Coordinator for the City of Bellevue determined that the text amendments to the Land Use Code contained in this Ordinance will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on April 29, 2026; and

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

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

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

WHEREAS, the City Council finds that the proposed text amendments to the Land Use Code contained in this Ordinance meet the decision criteria of LUC 20.30J.135 in that the amendments: (A) are consistent with the Comprehensive Plan; (B) enhance the public health, safety, and welfare; and (C) are not contrary to the best interests of the citizens and property owners of the City of Bellevue; Now, therefore:

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

Section 1. The foregoing recitals are hereby adopted by the City Council as findings of fact supporting and explaining the legislative intent behind the adoption of this ordinance.

Section 2. Subsection 20.10.400.A of the Land Use Code is hereby amended to read as follows:

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

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

Section 3. Subsection 20.10.440 of the Land Use Code, including Chart 20.10.440, is hereby amended to read as follows, with all other provisions of Section 20.10.440 and Chart 20.10.440 that are omitted below, as indicated by an ellipsis, remaining unchanged:

20.10.440 Land use charts.

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

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

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

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

...

Notes: Uses in land use districts – Services:

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(3) Intentionally Deleted.

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

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

...

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

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Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Residential Land Use Districts

STD LAN D USE CO DE REF	LAND USE CLASSIFICA TION	LL- 1	LL- 2	SR- 1	SR- 2	SR- 3	SR- 4	LD R-1	LD R-2	LD R-3	MD R-1	MD R-2
5	Trade (Wholesale and Retail)											
...												
	Vehicle Fueling and Charging Stations (40)											
...												

...

Chart 20.10.440

Uses in land use districts

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

STD LAN D USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business Mixed Use: 16 Story	Factoria Land Use District 1	Factoria Land Use District 3
		P O	O	OL B	OL B 2	LI	G C	NB	MU 8	NM U	CB (36)	MU1 6	F1
5	Trade (Wholesale and Retail)												
...													
	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) Vehicle fueling and charging stations may include subordinate convenience stores.

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(39) Intentionally deleted.

(40) Battery exchange stations are ancillary to vehicle fueling and charging stations, and are permitted through the applicable review process as a component of that use.

Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

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

20.20.010 Dimensional requirements.

Chart 20.20.010

Dimensional Requirements in Land Use Districts

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Dimensional Requirements – Commercial and Mixed-Use land Use Districts

	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Mixed Use: 8 Story	Neighborhood Mixed Use	Community Business	Mixed Use: 16 Story	Factoria Land Use District
	PO	O	OL B	OL B 2	LI	GC	NB	MU 8	NM U	CB	MU 16	F3 ₃
DIMENSIONS		(52, 54)	(52, 54)	(52, 54)			(52, 54)	(52, 54)	(54)	(52, 54)	(52, 55)	(52, 54)
...												
Front Yard Minimum Setback of Structures (feet) (18)(20)	30	0	0	0	15	15	0	0	0	0	0	0
Rear Yard Minimum Setback of Structures (feet) (18) (20)	25	0	0	0			0 (5)	0	0	0	0	0

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

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

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

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(8) Intentionally deleted.

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

D. Rockeries and Retaining Walls.

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

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

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

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

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

- A.** An individual nonconforming lot legally created pursuant to LUC 20.20.060 may be used for a building site if:
1. There are no restrictions on development imposed by prior permits or land use approvals; and
 2. The lot satisfies either subsection A.2.a or A.2.b of this section:
 - a. The lot does not lie within a Residential Land Use District; or
 - b. The lot lies within a Residential Land Use District and one of the following conditions is satisfied:
 - i. The area, width and depth of the lot each meet or exceed 70 percent of the minimum requirements for the Residential Land Use District in which it is located; or
 - ii. Although the area, width or depth of the lot, or a combination thereof, does not meet 70 percent of the minimum requirements of the Residential Land Use District in which it is located, the lot satisfies all of the following requirements:

(1) The lot's area meets or exceeds 3,000 square feet; and

(2) The lot's area meets or exceeds 3,000 square feet; and

(3) The lot's area meets or exceeds 3,000 square feet; and

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

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

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

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

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

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

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

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

B. Minimum Requirements.

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

Animal Regulations

Type of Animal/Use	Maximum Number (1)	Minimum Lot Size	Minimum Setback (5)
...			
2. Small Domestic Animals or Hobby Kennel (6)	10: 20,000 sq. ft. and an additional 1,500 sq. ft. for each animal; 6: 10,000 sq. ft. and an additional 1,500 sq. ft. for each animal over 6	20,000 sq. ft. or 10,000 sq. ft.	May not be restrained or enclosed outdoors so that the animal is able to come within 25 feet of a property line. This limitation does not prohibit the keeping of a small domestic animal within the following areas, provided it must be allowed to roam freely therein: 1) A lot which is fenced along all lot lines so as to enclose the entire lot, or 2) An enclosed portion of a lot which is bounded by fences along either the entire front lot line or entire rear lot line, and along a portion of both side lot lines, which utilizes the house or primary structure as one side of the enclosure and which may include all or a portion of either or both side yards. 3) No structure to house the small domestic animal(s) or animals associated with a hobby kennel may be within 25 feet of a property line.
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Section 11. Section 20.20.170 of the Land Use Code is hereby amended to read as follows:

20.20.170 Child care center.

A. Purpose.

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

B. Applicability.

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

C. Child Care Center.

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

- c. The child care center use must have been inspected by the Bellevue Fire Department, and the operator must have committed to implement all required corrective measures within the stated time period.
- d. The operator must have granted the City permission to enter the property, and to inspect the child day care center use for compliance with the requirements of the Land Use Code, and other applicable City ordinances.

4. Conditions.

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

D. Child Care Center Located in a Community Facility.

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

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

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

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

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

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

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

expanded electrical utility facility serves a commercial and mixed-use land use district;

Section 15. Subsection 20.20.425.C.4 of the Land Use Code is hereby amended to read as follows:

4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not cemented or held together with an impervious material shall be exempt from the maximum hard surface limits.

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

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

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

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

6. Multifamily development in the F1 land use district.

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

20.20.790 Shopping carts.

A. Applicability.

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

B. Standards.

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

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

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

D. Use Charts.

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

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

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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
...							
6262	Cemeteries						
629	Child Care Center	P	P	P	P	P	P
...							

Notes: Uses in Downtown Land Use Districts – Services:

(1) Intentionally Deleted.

(2) Intentionally Deleted.

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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-6 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-6, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

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

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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
...							
552	Automotive and Marine Accessories (Retail)			P			P
	Vehicle Fueling and Charging Stations (9)	P	P	P			P
...							

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

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(8) Intentionally deleted.

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

...

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

20.25D.070 Land use Charts.

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

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Notes: Uses in land use districts – Residential:

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

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

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

...

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

...

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

...

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

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/No des	BelRed Residential Commercial	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR- MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR- GC	BR- CR	BR- ORT
5	Trade (Wholesale and Retail) (1, 7)							
...								
552	Automotive and Marine Accessories (Retail)					P 2		
553	Vehicle Fueling and Charging Stations (8, 16)		P/			P	P	
...								

...

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

...

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

...

(15) Intentionally deleted.

(16) Battery Exchange Stations are ancillary to Vehicle Fueling and Charging Stations, and are permitted through the applicable review process as a component of that use.

Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

...

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

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

...

Notes: Uses in land use districts – Services:

...

(2) Intentionally Deleted.

(3) Intentionally Deleted.

...

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

A. General.

...

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

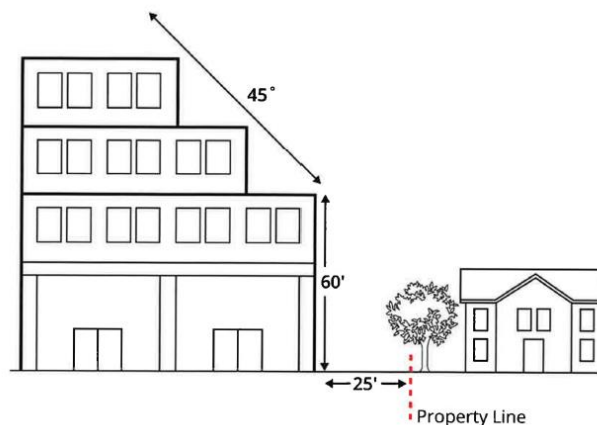
...

(10) Intentionally deleted.

...

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

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



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

20.25J.020 Permitted uses.

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

Medical District Land Use Chart

...

Footnotes:

...

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

...

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

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

20.25J.030 Dimensional requirements.

Dimensional Requirements in Medical Institution District

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

	NE 8th Street		12th Street			Above 40' Stepback				
...										
Hospital Perimeter (DA3)	N/A	N/A	0' (⁴)(⁶) (⁸)	N/A	20' (¹³)	N/A	75%	100' (¹⁵)	N/A	1.0

Footnotes:

...

(14) Intentionally deleted.

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

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

20.25L.020 Permitted land uses.

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

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

...

...

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

...

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

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

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

20.25P.050 Land Use Chart.

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

...

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

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

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

(1) Intentionally deleted.

(2) Intentionally deleted.

...

Chart 20.25P.050

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

...

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

...

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

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

...

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit oriented Development land use District

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

Notes: Uses in EG-TOD – Wholesale and Retail

(1) Intentionally deleted.

...

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

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

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

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

D. Use Chart.

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

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

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

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

Notes: Uses in East Main Land Use Districts:

...

(5) Intentionally deleted.

(6) Intentionally deleted.

...

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

...

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

...

(23) Intentionally deleted.

...

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

...

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

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

D. Amenity Incentive Program.

...

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

...

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

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

...

4. Amenity Incentive System.

Chart 20.25Q.070.D.4

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

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

20.30J.135 Decision criteria.

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

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

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

20.30N.115 Applicability.

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

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

20.30N.120 Purpose.

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

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

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

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

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

B. Additional Mailed Notice.

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

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

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

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

20.50.005 Applicability and Interpretation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 51. Section 20.50.034 of the Land Use Code is hereby amended to include a new definition of the term “Modular Construction” to read as follows. The City Clerk is hereby authorized to codify this new definition in Section 20.50.034 in a manner that maintains an alphabetical listing of defined terms.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 59. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

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

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

(SEAL)

Mo Malakoutian, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____