

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6277

AN ORDINANCE amending the City of Bellevue Land Use Code to advance the Downtown Livability Initiative, improve clarity and usability of the code, ensure consistency with state law, and correct inaccuracies and outdated footnotes, which includes the following amendments: deleting Downtown use charts from Section 20.10.440; amending Section 20.25A.010 (General); adding a new Section 20.25A.015 (Permitted uses); amending Sections 20.25A.030.C.2 (directional signage), 20.25A.030.C.16 (Major Pedestrian Corridor), 20.25A.030 (Major Pedestrian Corridor Diagram), 20.25A.045 (Mechanical Equipment), and 20.25A.060 (walkways and sidewalks); adding a new paragraph 20.25A.060.B (overhead weather protection); amending Sections 20.25A.060.C (through-block pedestrian connections); adding new paragraphs 20.25A.060.D (conflicts), 20.25A.060.E (Minor Modifications) and 20.25A.060 Plate A (Planter strips and tree pits); amending Sections 20.25A.060 Plate B (Tree Species Plan) and 20.25A.100.E.5 (Minor publicly accessible spaces) amending 20.50.016 (Downtown Definition) and adding a map of Downtown; amending 20.50.034 (Major Pedestrian Corridor) and adding a map of the corridor; amending Section 20.50.044 (Recycling center definition); providing for severability; and establishing an effective date.

WHEREAS, the Council Principles adopted in January 2013 and the existing vision in the Downtown Subarea Plan served as guidance for work that was accomplished by the Downtown Livability Advisory Committee (CAC); and

WHEREAS, the CAC began its work on the Downtown Livability Initiative in May 2013 including public outreach such as open houses, community meetings and posting information on a website; and

WHEREAS, the CAC identified Land Use Code amendments that would implement the vision set forth in the Downtown Subarea and the City Councils principles and issued its final report in 2014; and

WHEREAS, on May 26, 2015, the City Council directed the Planning Commission to review the Downtown Livability CAC's recommendations and provide new land use code provisions that would further the goals of the Downtown Livability Initiative; and

WHEREAS, the Planning Commission identified a list of potential early win code amendment topics that could be adopted first and confirmed the Early Win list of amendments on September 23, 2015; and

WHEREAS, the Planning Commission, as requested by Council and consistent with guiding principles provided by the City Council, has developed draft permanent regulations for consideration by the City Council; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on November 18, 2015 after providing legally required public notice; and

WHEREAS, the Planning Commission, after holding said public hearing, recommended that the City Council approve the proposed amendments; and

WHEREAS the City Council finds that the proposed amendments meet the decision criteria of LUC 20.30J.135 and are consistent with the Comprehensive Plan, enhance the public safety and welfare, and are not contrary to the best interests of the citizens and property owners of the City of Bellevue, as more completely analyzed in the Staff Report for the amendments dated November 18, 2015; now, therefore,

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, (Chapter 22.02 BCC); now therefore,

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

Section 1. Section 20.10.440, Downtown District Land Use Charts are hereby deleted.

Section 2. Section 20.25A.010 is hereby amended to add paragraph D as follows:

D. Interpretation of Land Use Code by Director

1. Director's Authority. In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Director shall have the authority to make the final determination per LUC 20.10.420.

Section 3. A new Section 20.25A.015 is hereby added as follows:

## **20.25A.015 Permitted uses**

### **A. Permitted Uses**

Specific categories of uses are listed in Chart 20.25A.015.D. Section C of this section explains Chart 20.25A.015.C, and describes the applicable review procedures. The use chart description and interpretation provisions of LUC 20.10.400 do not apply to the Downtown land use districts.

### **B. Prohibited Uses**

The manufacturing use table has been removed from the Downtown because there are no manufacturing uses that are generally permitted in any Downtown district unless they have been specifically added to another chart such as wholesale and retail.

**C. Use Chart Described**

In Chart 20.25A.015.D, 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 Permits) and subordinate uses which are regulated under LUC 20.20.840.
2. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district-specific requirements of this Part 20.25A LUC.
3. If the symbol “C” appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B in addition to any applicable general requirements for the use and the land use district.
4. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and the land use district.
5. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.

**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.

**Culture, Entertainment, and Recreation – Downtown Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office Dis- trict 1	Down- town Office District 2	Down- town Mixed Use Dis- trict	Down- town Resid- ential District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
711	Library, Museum	P	P	P	A	A	P
7113	Art Gallery	P	P	P	P 3	P	P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office Dis- trict 1	Downtown Office District 2	Downtown Mixed Use Dis- trict	Downtown Resid- ential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
712	Nature Exhibitions: Aquariums and Botanical Gardens	P	P	P			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities	P	P	P	A 3	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs	P	P	P	A 3	A	P
7213	Drive-In Theaters						
	Adult Theaters 4	P	P	P			P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go- Cart Tracks, BMX Tracks and Skateboard Tracks <u>1</u>						
73	Commercial Amusements: Video Arcades, Electronic Games	P	P	P		P	P
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Miniature Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Pools <u>2</u>	P	P	P	P5	P	P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office Dis- trict 1	Downtown Office District 2	Downtown Mixed Use Dis- trict	Downtown Resid- ential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
744	Marinas, Yacht Clubs						
7413 7414 7415 7417 7425	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreational Instruction	P	P	P	A/P 3,5	P	P
7491 7515	Camping Sites and Hunting Clubs						
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P5	P	P
	Public/Private Park	P	P	P	P5	P	P
	Stables and Riding Academies						
	Boarding or Commercial Kennels 6						
	City Park 5	P	P	P	P	P	P

**Notes: Uses in Downtown land use districts – Culture, Entertainment, and Recreation**

- (1) For carnivals, see LUC 20.20.160.
- (2) Limited to a maximum of 2,000 gross square feet per establishment.
- (3) Nonresidential uses are permitted in Downtown-R Districts only when developed in a building which contains residential uses.
- (4) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (5) Outdoor recreation facilities that include lighted sports and play fields or sports and play fields with amplified sound require administrative conditional use approval when located in the Downtown-R zone.
- (6) Boarding and commercial kennels are allowed as subordinate uses to a veterinary clinic or hospital meeting the criteria of LUC 20.20.140.

**Chart 20.25A.015.D Uses in Downtown Land Use Districts**

**Residential – Downtown Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residen- tial District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Two or more Dwelling Units Per Structure	P	P	P	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	P
13 15	Hotels and Motels	P	P	P	P	P	P
	Congregate Care Senior Housing (1)	P	P	P	P	P	P
6516	Nursing Home, Assisted Living			P	P	P	P

**Notes: Uses in Downtown land use districts – Residential**

(1) An agreement must be recorded with the King County Department of Records and Elections and filed with the Bellevue City Clerk, restricting senior citizen dwellings or congregate care senior housing to remain for the life of the project.

Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residen- tial District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
61	Finance, Insurance, Real Estate Services	P10	P 10	P 10	P 4, 5, 11	P 11	P 10
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P 4, 5	P	P 4
6241	Funeral and Crematory Services						
6262	Cemeteries						
	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
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies, Employment, and Printing and Publishing	P	P	P	P 4, 5	P	P
634	Building Maintenance and Pest Control Services						

Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residen- tial District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools	P	P	P			P
641	Auto Repair and Washing Services			P 3, 8			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services (12)	P	P	P	P 4, 5	P 4	P
	Professional Services: Other	P	P	P	P 4, 5	P 4	P
	Pet Grooming and Pet Day Care (9)	P	P	P	P/A 11	P	P
6513	Hospitals (12)			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						



Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residen- tial District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P 5	P 5	P
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions 6	P	P	P	P 5	P 5	P
674 675	Military and Correctional Institutions						
	Secure Community Transition Facility (23,24)						
681	Education: Primary and Secondary (25) 7	A	A	A	A/C	A	A
682	Universities and Colleges	P	P	P			P

Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residen- tial District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P/A 5,11	P 5	P
691	Religious Activities	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	P	P	P	C	C	P
692 (B)	Social Service Providers	P	P	P	C	C	P
	Administrative Office – General	P	P	P	P 4, 5	P	P
	Computer Program, Data Processing and Other Computer- Related Services	P	P	P	P 4, 5	P	P
	Research, Business Incubation, Development and Testing Services	P	P	P	P 4, 5	P	P

**Notes: Uses in Downtown land use districts – Services**

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

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

(3) Auto repair and washing services are permitted only if washing services are a subordinate use pursuant to LUC 20.20.840. All auto repair must be performed in a structure.

(4) Limited to a maximum of ~~1,500~~ 2,000 gross square feet per establishment.

(5) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.

(6) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.

(7) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in the DNTN-R District a Conditional Use Permit is required for:

(a) The siting of such educational facility on a site not previously developed with an educational facility; or

(b) The addition to or modification of a site previously developed with an educational facility where that addition or modification involves:

(i) An increase of 20 percent or more in the number of students occupying the school. The increase shall be measured against the number of students for which the school was designed prior to the addition or modification, without regard to temporary structures that may have been added to the site over time. If there is no information establishing the number of students for which the school was originally designed, then the increase shall be measured against the average number of students occupying the school in the three academic years immediately preceding the proposed addition or modification; or

(ii) A change in the age group of students occupying the school, or the addition of an age group where such age group was not previously served at the school, except that the addition of students younger than kindergarten age consistent with the definition of school in LUC 20.50.046 shall not be considered a change in the age group of students or an addition of an age group for purposes of this subsection. For purposes of this subsection, age group refers to elementary, middle, junior or high school, as defined and used by the school district operating the school; or

(iii) The addition of facilities or programs that may result in impacts not anticipated at the time the original school was developed, including, for example: development of lighted ballfields or the addition of lighting to existing ballfields; development of an exterior sound amplification system; development of fixed outdoor seating; or a proposal to increase the height of the facility pursuant to LUC 20.20.740.A.3.b.

(8) Battery Exchange Stations are ancillary to Auto Repair and Washing Services, 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.

(9) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care meeting the criteria of LUC 20.20.130.

(10) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space. Parking must comply with LUC 20.25A.050A.

(11) When the use occupies less than or equal to 2,000 square feet, the use is permitted outright. When the use occupies more than 2,000 square feet, an Administrative Conditional Use permit is required.

(12) Stand-alone emergency rooms shall only be allowed when affiliated with a hospital.

**Transportation and Utilities – Downtown Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Downtown Residen- tial District	Down- town Old Bellevue District	Down- town Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services						
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	A 3	A 3	A 4			A 3
	Accessory Parking 1, 2, 12	P	P	P	P 14	P	P
46	Auto Parking: Commercial Lots and Garages 12	P 5	P 5	P 5	A	P 5	P 5
	Park and Ride						
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal						

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Downtown Residen- tial District	Down- town Old Bellevue District	Down- town Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Highway and Street Right-of-Way 12	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility						
	Off-Site Hazardous Waste Treatment and Storage Facility						
	Essential Public Facility 9	C	C	C	C	C	C
	Regional Light Rail Transit Systems and Facilities 13	C/P	C/P	C/P	C/P	C/P	C/P
	Wireless Communication Facility (WCF): (without WCF Support Structures)	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	6, 7	6, 7	6, 7	6, 7	6, 7	6, 7
	Satellite Dishes 8	P	P	P	P	P	P
	Electrical Utility Facility 11	A/C	A/C	A/C	A/C	A/C	A/C

**Notes: Uses in Downtown land use districts – Transportation and Utilities\***

- (1) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.25A.050H.
- (2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.25A.015.
- (3) Aircraft transportation is limited in these districts to government heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (4) Aircraft transportation is limited in these districts to government and hospital heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (5) Design Review approval, Part 20.30F LUC is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.
- (6) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use; except WCFs are allowed on mixed-use buildings that include residential uses. This note does not prohibit locating WCF: on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.
- (7) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.
- (8) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.
- (9) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).
- (10) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.
- (11) 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 Map UT-7 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-7, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.
- (12) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.

(13) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A conditional use permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance, or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.

(14) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.

**Wholesale and Retail – Downtown Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residential District	Down- town Old Bellevue District	Down- town Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum						
5193	Scrap Waste Materials, Livestock						
	Recycling Centers (15)	P	P	P	A	A	P
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products						

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residential District	Down- town Old Bellevue District	Down- town Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
5251	Hardware, Paint, Tile and Wallpaper (Retail)	P	P	P	P 1	P 5	P
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P 1	P5	P
54	Food and Convenience Store (Retail) (3)	P	P	P	P 1	P 5	P
5511	Autos (Retail), Motorcycles (Retail)	P2	P 2	P 2			P 2
	Commercial Trucks, Recreational Vehicles (Retail)						
	Boats (Retail)	P2	P 2	P 2			P 2
552	Automotive and Marine Accessories (Retail)			P			P
553	Gasoline Service Stations (8)	P	P	P			P
56	Apparel and Accessories (Retail)	P	P	P	P 1	P 2	P
57	Furniture, Home Furnishing (Retail)	P	P	P	P 1	P 2	P
58	Eating and Drinking Establishments (4) (7)	P	P	P	P	P	P



STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residential District	Down- town Old Bellevue District	Down- town Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (12)	P	P	P	P 1	P 2	P
	Handcrafted Products (retail) (11)(14)	P	P	P	P 1	P	P
	Adult Retail Establishments (6)	P	P	P		P	P
59	Marijuana Retail Outlet	A10, 4	A 10,4	A 10,4		A 10, 4	A 10, 4
5961	Farm Supplies, Hay Grain Feed and Fencing, etc., (Retail)						
596	Retail Fuel Yards						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 13	P 13	P 13	P 13
5999	Pet Shop (Retail)	P	P	P	P 1	P 5	P
	Computers and Electronics (Retail)	P	P	P	P 1	P 5	P

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

(1) Nonresidential uses are permitted in Downtown-R Districts only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.

- (2) No on-site outdoor display or inventory storage. Loading and unloading shall not be permitted in the right-of-way.
- (3) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (4) Drive-in windows and drive-throughs are not permitted.
- (5) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.
- (6) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (7) Microbrewery manufacturing is permitted when combined with subordinate to an eating and drinking establishment.
- (8) 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 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.
- (10) See LUC 20.20.535 for general development requirements for marijuana uses.
- (11) Handcrafted product manufacturing is permitted subordinate to a retail establishment selling that product; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.
- (12) Drive-in and drive-through pharmacies are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.
- (13) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment.
- (14) No unreasonable threat to human health and the environment shall be caused by flammable, dangerous or explosive materials associated with this use.
- (15) A recycling center is allowed as a subordinate use if it is consistent with LUC 20.20.725.

## Resources – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Down- town Office District 1	Down- town Office District 2	Down- town Mixed Use District	Down- town Residential District	Down- town Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)						
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs						
	Marijuana Production						
8192	Other Horticultural Specialties: Medical Cannabis Collective Gardens. (4)						
821	Agricultural Processing						
	Marijuana Processing						
8221	Veterinary Clinic and Hospital (1)(3)	P	P	P	P	P/A 2	P
8222	Poultry Hatcheries						
83	Forestry, Tree Farms and Timber Production						
8421	Fish Hatcheries						
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction						

**Notes: Uses in Downtown land use districts – Resources**

(1) See LUC 20.20.130 for general requirements applicable to this use.

(2) When the veterinary clinic and hospital occupies less than or equal to 2,000 square feet, the use is permitted outright. When the veterinary clinic and hospital occupies more than 2,000 square feet, an Administrative Conditional Use permit is required.

(3) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic or hospital meeting the criteria of LUC 20.20.130.

(4) Medical cannabis collective gardens are prohibited in Bellevue.

Section 4. Paragraph 20.25A.030.C.2 in the chart is hereby amended to add Paragraph 11 under Design Criteria as follows:

FAR AMENITY STANDARDS	DOWNTOWN LAND USE DISTRICT												
AMENITY <sup>1</sup>	DNTN-O-1	DNTN-O-2	DNTN-MU	DNTN-R	DNTN-OB	DNTN-OLB	DESIGN CRITERIA						
<p>2. PLAZA</p> <p>A continuous open space, which is readily accessible to the public at all times, predominantly open above, and designed specifically for use by people as opposed to serving as a setting for a building.</p>	<p>When located on the ground level or at the upper level within the City Center District:</p> <table border="1" data-bbox="480 1247 1154 1318"> <tr> <td>8:1</td> <td>8:1</td> <td>6:1</td> <td>4:1</td> <td>6:1</td> <td>6:1</td> </tr> </table> <p>When located at the upper level outside of the City Center District:</p>						8:1	8:1	6:1	4:1	6:1	6:1	<p>1. Must abut and be within 3' in elevation of a perimeter sidewalk or pedestrian connection so as to be visually and physically accessible.</p> <p>2. Must provide protection from adverse wind, wherever practical.</p> <p>3. At least 10% of the plaza surface area must be landscaped.</p>
8:1	8:1	6:1	4:1	6:1	6:1								

	4:1	4:1	3:1	2:1	3:1	3:1	<p>4. Must provide at least one sitting space for each 100 sq. ft. of plaza.</p> <p>5. Must be enclosed on at least two sides by a structure or by landscaping which creates a wall effect.</p> <p>6. Minimum size is 500 sq. ft. in OB; 1,000 sq. ft. in other land use districts.</p> <p>7. Maximum size of bonusable plaza square footage is 1,500 sq. ft. in OB; 5,000 sq. ft. in other land use districts.</p> <p>8. Minimum horizontal dimension is 20 ft.</p> <p>9. Must provide opportunities for penetration of sunlight.</p> <p>10. May not be used for parking, loading or vehicular access.</p> <p>11. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require</p>
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FAR AMENITY STANDARDS	DOWNTOWN LAND USE DISTRICT						
AMENITY <sup>1</sup>	DNTN-O-1	DNTN-O-2	DNTN-MU	DNTN-R	DNTN-OB	DNTN-OLB	DESIGN CRITERIA
							<p>signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site.</p>

FAR AMENITY STANDARDS	DOWNTOWN LAND USE DISTRICT						
AMENITY <sup>1</sup>	DNTN-O-1	DNTN-O-2	DNTN-MU	DNTN-R	DNTN-OB	DNTN-OLB	DESIGN CRITERIA
16. MAJOR PEDESTRIAN CORRIDOR The major pedestrian corridor located on or in the immediate vicinity of NE 6th Street between 102nd Avenue and 110 <sup>th</sup> 112th Avenue NE.	16:1*	N/A	16:1*	N/A	N/A	N/A	Must comply with the requirements of LUC 20.25A.100.E.1.
*Bonus floor area may be achieved through the provision of this amenity only in conjunction with a permit to construct the Major Pedestrian Corridor in accordance with LUC 20.25A.100.E.1.							

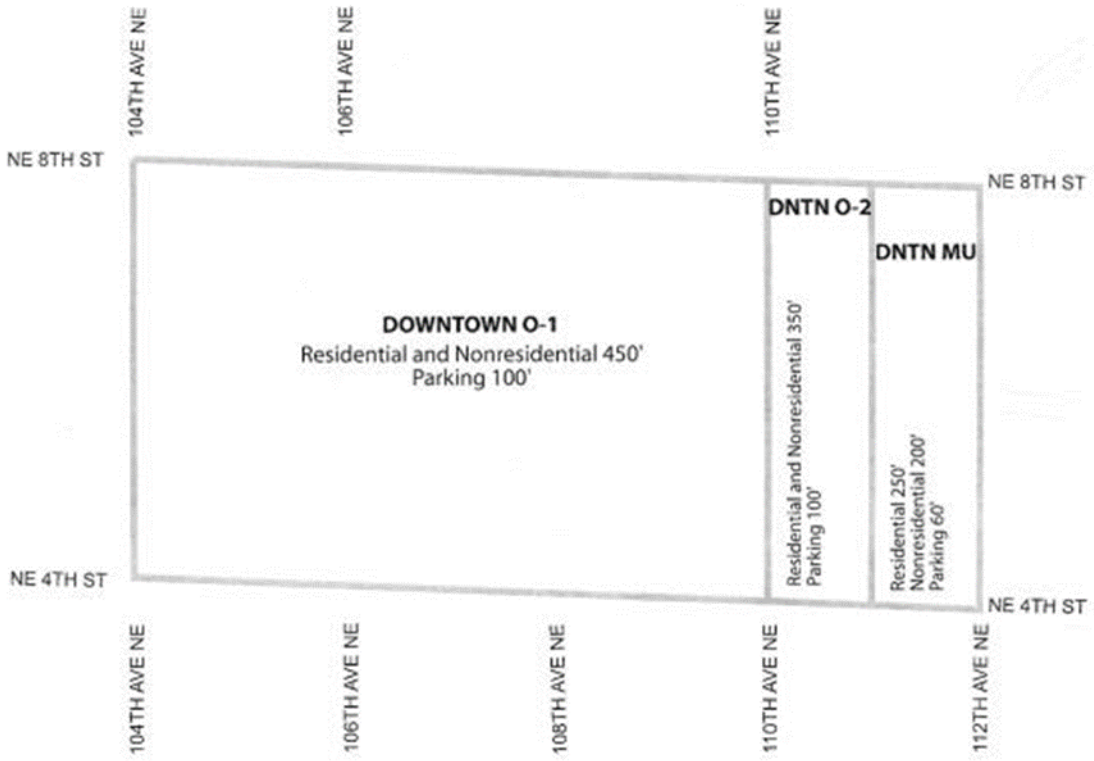
Section 5. Paragraph 20.25A.030.C.16 the chart is hereby amended as follows:

FAR AMENITY STANDARDS	DOWNTOWN LAND USE DISTRICT						
AMENITY <sup>1</sup>	DNTN-O-1	DNTN-O-2	DNTN-MU	DNTN-R	DNTN-OB	DNTN-OLB	DESIGN CRITERIA
16. MAJOR PEDESTRIAN CORRIDOR The major pedestrian corridor located on or in the immediate vicinity of NE 6th Street between 102nd Avenue and 110 <sup>th</sup> 112th Avenue NE.	16:1*	N/A	16:1*	N/A	N/A	N/A	Must comply with the requirements of LUC 20.25A.100.E.1.
*Bonus floor area may be achieved through the provision of this amenity only in conjunction with a permit to construct the Major Pedestrian Corridor in accordance with LUC 20.25A.100.E.1.							

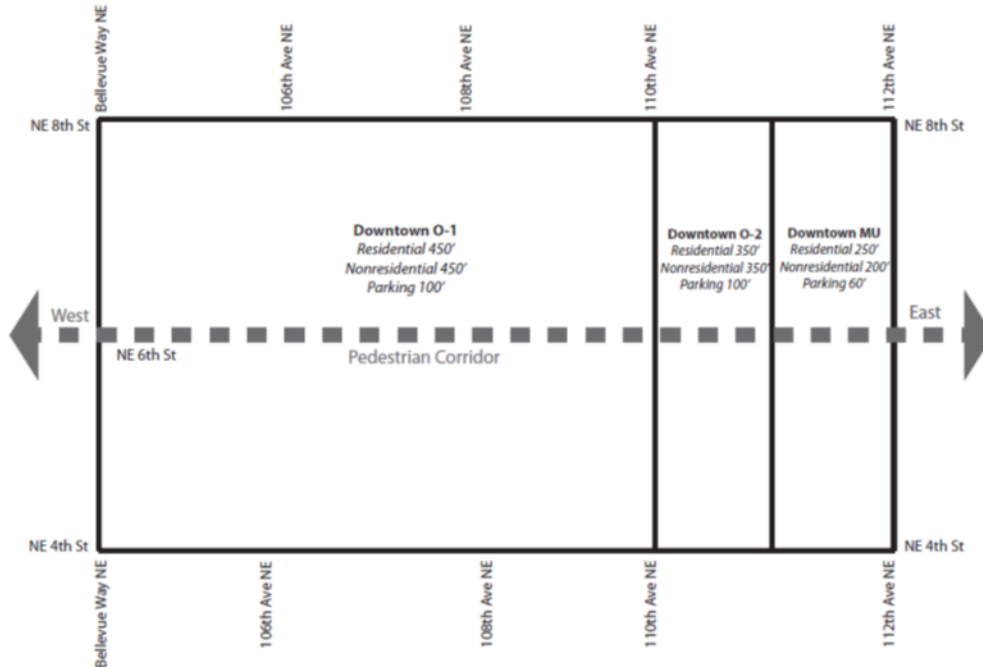
Section 6. Paragraph 20.25A.030 is hereby amended to delete the current diagram and replace as follows:

DELETE FOLLOWING DIAGRAM





INSERT NEW DIAGRAM BELOW.



Section 7. Part 20.25A is hereby amended to add 20.25A.045 as follows:

**20.25A.045 Mechanical Equipment Screening and Location**

A. Applicability.

The requirements of this section shall be imposed for all new development, and construction or placement of new mechanical equipment on existing buildings. Mechanical equipment shall be installed so as not to detract from the appearance of the building or development.

B. Location Requirements ~~Design Objectives.~~

~~The following objectives apply to the type and placement of mechanical equipment proposed:~~

1. To the maximum extent reasonable and consistent with building and site design objectives, mechanical equipment shall be located at or below grade rather than mounted on the roof of a structure in the building, below grade, or on the roof.

2. Where the equipment must be located on the roof, it ~~should~~shall be consolidated to the maximum extent reasonable rather than scattered.

3. Mechanical equipment shall not be located adjacent to a sidewalk, through-block pedestrian connection, or area designated open to the public, such as a plaza.

### C. Screening Requirements

1.3. Exposed mechanical equipment ~~should~~ shall be visually screened by a predominantly solid, non-reflective visual barrier that equals or exceeds the height of the mechanical equipment. The design and materials of the visual barrier or structure shall be consistent with the following requirements:

### C. Implementation.

~~1.—Mechanical equipment located at or below grade may be placed within a required rear or side setback area unless that setback is in a single-family residential land use district, directly abuts a residential land use district, or that setback is within a critical area, critical area buffer, or critical area structure setback required by Part 20.25H LUC.~~

~~2.—Mechanical equipment associated with new single-family residential homes and homes adding more than 1,000 gross square feet in single-family residential land use districts shall be located in the rear yard or, if placed in the side yard outside of the side structure setback, shall provide sound screening to attenuate noise impacts. Mechanical equipment located in the rear yard shall not be placed less than five feet from any property line.~~

~~3.—Mechanical equipment located at or below grade will not be included for purposes of calculating lot coverage.~~

~~4. Mechanical equipment shall be visually screened by a solid, non-reflective visual barrier that equals or exceeds the height of the mechanical equipment provided, that the function of a large satellite dish antenna or an antenna array may not be compromised by the screening requirement. The barrier may consist of the following:~~

~~a. Architectural features, such as parapets, screen walls, trellis systems, or mechanical penthouses shall be consistent with the design intent and finish materials of the main building, and as high or higher than the equipment it screens; or~~

~~b.—Walls or solid fencing, of a height at least as high as the equipment it screens;~~

~~e.b. Vegetation and/or a combination of vegetation and view-obscuring fencing, shall be of a type and size ~~which~~ that ~~will~~ provides a dense visual barrier at least as high as the equipment it screens and ~~will~~provides 50% screening at the time of planting and 100% screening a dense visual barrier within ~~two~~three years from the time of planting;~~ or

~~d. The natural topography of the site or the adjoining property or right-of-way.~~

~~5.2. Where screening from above is required, m~~ Mechanical equipment shall be screened from above by incorporating one of the following measures, in order of preference:

- a. A solid non-reflective roof. The roof may incorporate non-reflective louvers, vents, or similar penetrations to provide necessary ventilation or exhaust of the equipment being screened;
- b. Painting of the equipment to match or approximate the color of the background against which the equipment is viewed;

~~6. 3. For development which requires approval of a discretionary land use permit, the City may modify the screening requirements of subsections C.4 and C.5 of this section subject to the criteria set forth in subsection C.7 of this section.~~

~~7.c. 3. Mechanical Equipment Installed on Existing Roofs. The Director may approve alternative screening measures not meeting the specific requirements of this section if the applicant demonstrates that:~~

- ~~a. The proposed alternative screening measures will achieve the design objectives of subsection B of this section and produce an equal or better result than the requirements of subsection C.4 1 or C.5 2 of this section; or~~
- ~~b. When screening of mechanical equipment on an existing roof is required:~~
  - i. The existing roof structure cannot safely support the required screening, or
  - ii. The integrity of the existing roof will be so compromised by the required screening as to adversely affect any existing warranty ~~of~~ on the performance of the roof.

#### D. Exhaust Control Standards

1. Purpose. Where technically feasible, exhaust equipment shall be located so as not to discharge onto a sidewalk, right-of-way, or area designated accessible to the public; including but not limited to a plaza, through-block connection, pedestrian bridge, and minor publically accessible space.

~~a. Exhaust air discharges or outlets shall never be located within 16 feet above finished grade sidewalk, street, easement or other area designated accessible to the public.~~

~~b. Where exhaust discharges or outlets abut a sidewalk or right-of-way, the discharge must be deflected away from the public space.~~

2. Exhaust Location Order of Preference. Mechanical exhaust equipment shall be located and discharged based on the following order of preference:

- a. On the building roof,
- b. On the service drive, alley, or other façade that does not abut a public street, sidewalk or right-of-way,
- c. Located above a driveway or service drive to the property such as a parking garage or service court, or
- d. Location that abuts a public street or easement, provided that the exhaust discharge is not directly above an element that has earned FAR Amenity Incentive System points, such as a public plaza.

3. If mechanical exhaust equipment is located as provided in LUC 20.25A.045.D.2.c or d, then it shall be deflected from such public space and located at least 16 feet above finished grade, street, easement or other area designated accessible to the public.

3.4. Exhaust outlets shall not be allowed to discharge to an area that has earned FAR Amenity Incentive System points, such as a public plaza.

#### E. Modifications

The location and screening of mechanical equipment and exhaust systems is subject to review and approval at the time of land use review. The Director may allow modifications to the requirements in this section if the applicant demonstrates that the alternate location or screening measures provide an equal or better result than the requirements of this section.

#### F. Noise Requirements

1. Mechanical equipment shall meet the requirements of Chapter 9.18 BCC Noise Control.

2. The applicant shall be required to demonstrate the mechanical system compliance with the requirements of Chapter 9.18 BCC prior to issuance of Certificate of Occupancy.

Section 8. Section 20.25A.060.A shall be amended as follows:

#### **20.25A.060 Walkways and sidewalks.**

A. ~~Minimum Width~~—Walkways and Sidewalks - Perimeter.

##### 1.1. Minimum Width.

a. ~~4. The minimum width of perimeter walkway or sidewalk is 12 feet plus four feet in which the streets are to be planted on the streets identified in this paragraph is 16 feet plus a 6 inch curb. plus a 6 inch curb along. Included within that 16 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed by LUC 20.25A.060 – Plate A:~~

- a.i. NE 6th between 110th Avenue NE and 112th Avenue NE; and
- b.ii. 106th Avenue NE between NE 4th and NE 8th; and
- c.iii. 108th Avenue NE between NE 4th and NE 8th; and
- d.iv. 110th Avenue NE between NE 4th and NE 8th.

2. ~~b.~~ The minimum width of a perimeter walkway or sidewalk is 12 feet plus four feet of planter strip plus six inches curb along:

- a.v. Bellevue Way between Main and NE 12th; and
- b.vi. NE 4th between 100th Avenue NE and 112th Avenue NE; and
- c.vii. NE 8th between 100th Avenue NE and 112th Avenue NE.

b. 3. ~~c.~~ The minimum width of a perimeter walkway or sidewalk, excluding the area required for street trees in paragraph B.2 of this section, is eight feet plus four feet in which street trees are to be planted plus six inches curb along any other street. Along any other street not otherwise described, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6 inch curb, and includes an including the area adjacent to the curb for planter strips or tree pits as prescribed in LUC 20.25A.060, Plate A below plus a 6 inch curb. Along any other street not listed in the paragraph above, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6 inch curb. Included in that 12 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed in LUC 20.25A.060 – Plate A.

c. Within the width of the walkway or sidewalk, at least 6 feet of unobstructed travel path shall be maintained for safe pedestrian access.

d. Planter Strips and Tree Pits.

Planter strips shall be at least 5 feet wide and tree pits shall be at least 5 feet wide by 40 feet long. Planter strips shall be at least 5 feet wide and as long as the street frontage, excluding curb cuts, driveways and spacing for utilities. Planter strips and tree pits shall be located adjacent to the curb between the street improvement and the walkway or sidewalk unless precluded by existing utilities which cannot be reasonably relocated. The width of the planter strip or tree pit shall be included in the total width of the sidewalk above. Tree pits may shall be covered with protective grate or pavers.

B. 2. Street Trees and Landscaping Required – Perimeter.

4. a. Tree Species. The property owner shall install street trees and other required vegetation, in addition to any landscaping required by LUC 20.25A.040, according to the requirements of LUC 20.25A.060, Plate B as now or hereafter amended and this section. ~~or as approved by the Director unless a minor modification is approved by the Director.~~

~~2.— Except for the streets listed in paragraph A.2 of this section, the area in which street trees are planted must be at least four feet wide, and located between the street improvement and the walkway or sidewalk unless precluded by existing utilities which cannot reasonably be relocated. Any street tree planting area must be at least four feet by six feet or five feet by five feet or smaller area as approved by the Director, unless upon request of the applicant minor modification of this requirement is approved by the Director, and protected by an approved decorative grate. This grate may intrude into the sidewalk.~~

~~3.b. Installation. Street trees, at least ~~three~~ two and a half (2.5) inches in caliper or as approved by the Director, must be planted at least three feet from the face of the street curb, and a maximum of 25 feet on center and a maximum of 20 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. The size of the tree shall be determined by LUC 20.25A.060 Plate B, as now or hereafter amended. ~~Unless upon request of the applicant a minor modification of this requirement is approved by the Director, and conforms to the sight distance requirements of BCC 14.60.240.~~ A street tree planting area may also include decorative paving and other plant materials except ~~turf.~~ grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.~~

~~c. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and ~~or~~ sidewalk planting strip landscaping located in a required planter strip or tree pit. The irrigation system shall be served by a separate water meter installed by the applicant and served by city-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.~~

~~4.d. Street Landscaping On the streets listed in paragraph A.2 of this section, street trees shall be planted and placed as required in paragraph B.3 of this section. These Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. ~~The planter strip must be at least four feet wide unless a smaller width is approved by the Director.~~ Vegetation included in the planter strip shall be able to withstand urban conditions, urban in character, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.~~

Section 9. Section 20.25A.060.B shall be amended as follows:

B. Overhead Weather Protection. Overhead weather protection shall be provided per right-of-way designation in the Design Guidelines, Building/Sidewalk Relationships:

1. In Right-of-Way Designations A, B, and C, 75% of the building frontage shall have overhead weather protection.

2. In Right-of-Way Designations D, and D/R, 50% of the building frontage shall have overhead weather protection.

3. In Right-of-Way Designation E, overhead weather protection shall be provided at all entries.

4. Overhead weather protection includes arcades, awnings, and marquees as provided in 20.25A.030.C. If these features meet the design criteria of the Amenity Incentive System, they shall be eligible for FAR Amenity Incentive System points. Overhead weather protection meeting the definition of LUC 20.50.038, but not the design criteria of the Amenity Incentive System may also be used to meet this requirement, but shall not be eligible for the FAR Amenity Incentive System points.

Section 10. Section 20.25A.060.C shall be amended as follows:

C. ~~Walkways~~ Mid-Block Through-Block Pedestrian Connections.

1. Purpose. A through-block pedestrian connection provides an opportunity for increased pedestrian movement through superblocks in Downtown.

2. Location. Except as set forth in paragraph C.4 of this section, through-block pedestrian connections are required in each superblock. These through-block pedestrian connections must be provided to permit movement through the superblock from a perimeter walkway or sidewalk to publicly accessible spaces, adjoining structures or development, or parking areas, and other perimeter walkways or sidewalks. The Director may modify or eliminate the requirement for these pedestrian connections for projects with expanded lot coverage and floorplates as allowed pursuant to LUC [20.25A.065](#).C where providing such connections is not feasible due to structure and site size.

3. Design Guidelines. The following criteria apply to review of a proposed pedestrian through-block connection.

a. Through-block ~~P~~pedestrian connections must be developed as an internal walkway or sidewalk, an arcade, a pedestrian skybridge as permitted by LUC 20.25A.130, and may meander.

b. Through-block ~~P~~pedestrian connections must comply with the applicable definitions in Chapter [20.50](#) LUC.

c. Through-block ~~P~~pedestrian connections must be designed to form logical routes from origins to destinations.

d. Through-block ~~P~~pedestrian connections must offer diversity in terms of activity and pedestrian amenity along pedestrian routes.

e. Through-block ~~P~~pedestrian connections must meet construction code handicapped requirements.



- f. Through-block ~~P~~pedestrian connections should use trees and landscaping to provide definition and enclosure.
- g. Through-block ~~P~~pedestrian connections should provide for weather protection from rain through use of sheltered walkways or sidewalks, canopies, multiple building entrances, lobbies, and entries of sufficient size and accessibility.
- h. Directional signage shall identify circulation routes for all users and state that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.

4. Old Bellevue.

- a. Development abutting the streets identified below shall provide mid-block connections between:
  - i. Main Street and NE 1st Street at approximately 101st Avenue NE; and
  - ii. 102nd and 103rd Avenues approximately mid-block between Main Street and NE 1st Street; and
  - iii. Main Street at approximately 103rd Avenue and 102nd Avenue SE at approximately SE 1st Street.
- b. A through mid-block pedestrian connection must be developed as a walkway or a combination walkway and vehicular lane. The connection shall incorporate decorative lighting and seating areas.
- c. If a combination walkway and vehicular lane does not have a separate raised walkway, the walkway surface must be paved with unit paver blocks or other unique paving surface to denote that it is a pedestrian area.

Section 11. Section 20.25A.060 shall hereby be amended to add paragraph D as follows:

D. Conflicts

To the extent that this section of the Land Use Code conflicts with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, this section of the Land Use Code shall control.

Section 12. Section 20.25A.060 shall hereby be amended to add paragraph E as follows:

E. Minor Modifications

If the requirements of this section are not feasible, the Director may approve minor modifications that achieve equal or better results; pProvided that the sight distance requirements of BCC 14.60.240 and widths of the sidewalks, walkways, and curbs shall not be modified pursuant to this paragraph.

Section 13. Section 20.25A.060 shall hereby be amended to add Plate A as follows:

ADD TITLE AND TABLE

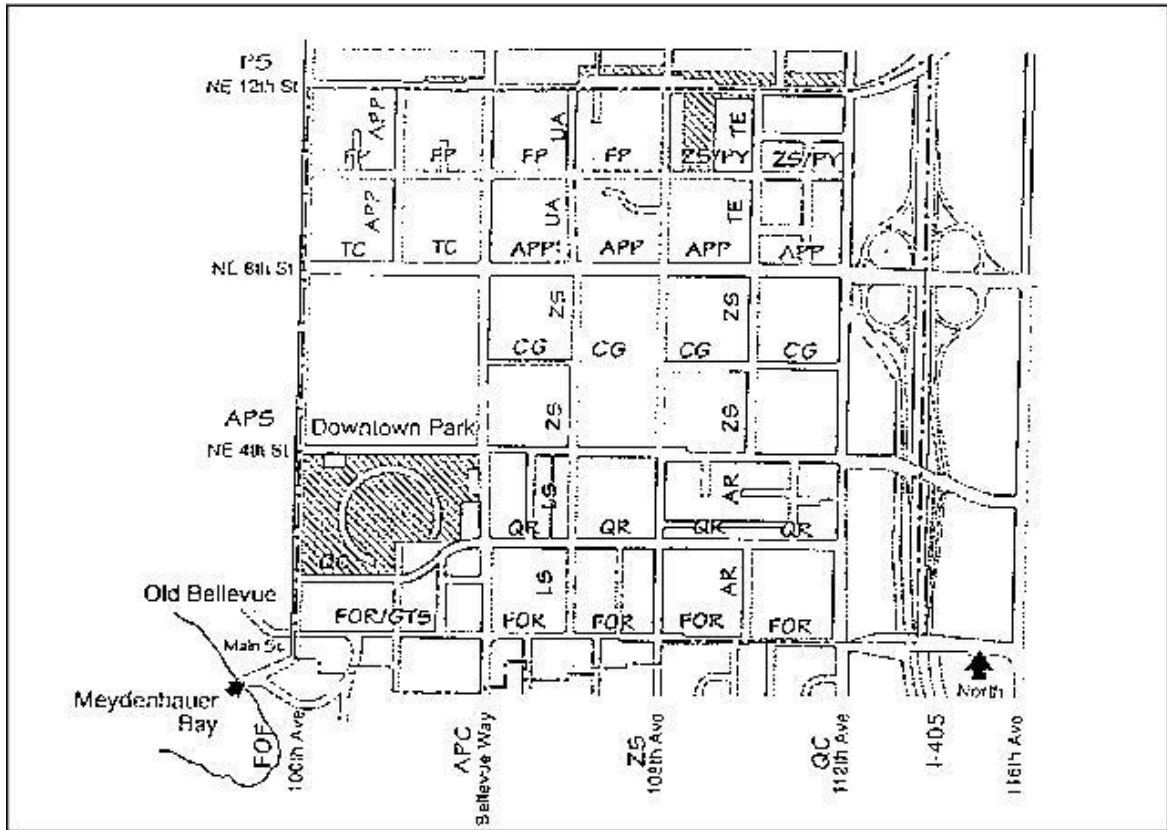
Plate A - Downtown Bellevue Planter Strip/Tree Pits Required

East-West	Planter Strip /Tree Pits
NE 12th (102nd to I-405)	Planter Strip
NE 11th (110th to 112th)	Planter Strip
NE 10th (100th to 106th)	Planter Strip
NE 10th (106 to I-405)	Planter Strip
NE 9th (110th to 111th)	Tree Pits
NE 8th (100th to 106th)	Planter Strip
NE 8th (106th to 112th)	Planter Strip
NE 6th (Bellevue Way to 106th)	See Pedestrian Corridor Design Guidelines
NE 6 <sup>th</sup> (106 <sup>th</sup> to 108 <sup>th</sup> )	See Pedestrian Corridor Design Guidelines
NE 6 <sup>th</sup> (108 <sup>th</sup> to 110 <sup>th</sup> )	Tree Pits
NE 6th (110th to 112th)	Planter Strip on the south side, Tree Pits on the north side.
NE 4th (100th to I-405)	Planter Strip
NE 3rd PI (110th to 111th)	Tree Pits
NE 2nd PI (108th to 111th)	Planter Strip
NE 2nd (Bellevue Way to I-405)	Planter Strip
NE 1st/2nd (100th to Bellevue Way)	Planter Strip
NE 1st (103rd to Bellevue Way)	Tree Pits
Main St (100th to Bellevue Way)	Tree Pits
Main St (Bellevue Way to I-405)	Planter Strip
North-South	
100th (NE 12th to Main)	Planter Strip
100th (NE 10th to NE 1st)	Planter Strip
100th (NE 1st to Main)	Planter Strip
101st (near NE 10th)	Tree Pits
101st Ave SE (south of Main St)	Tree Pits
102nd (NE 12th to NE 8th)	Planter Strip
102nd (NE 1st to south of Main St)	Tree Pits
103rd (near NE 10th)	Tree Pits

103rd (NE 2nd to Main St)	Tree Pits
Bellevue Way (NE 12th to NE 10th)	Planter Strip
Bellevue Way (NE 10th to NE 4th)	Planter Strip
Bellevue Way (NE 4th to Main)	Planter Strip
Bellevue Way (Main to Downtown Boundary)	Planter Strip
105th (NE 4th to NE 2nd)	Planter Strip
North-South (continued)	
105th SE (near Main St)	Planter Strip
106th (NE 12th to NE 8th)	Planter Strip
106th (NE 8th to NE 4th)	Tree Pits
106th (NE 4th to Main)	Planter Strip
106th PI NE (near NE 12th)	Tree Pits
107th (NE 2nd to south of Main)	Tree Pits
108th (NE 12th to NE 8th)	Tree Pits
108th (NE 8th to NE 4th)	Tree Pits
108th (NE 4th to south of Main)	Tree Pits
109th (near NE 10th)	Planter Strip
110th (NE 12th to NE 8th)	Planter Strip
110th (NE 8th to NE 4th)	Planter Strip
110th (NE 4th to Main)	Planter Strip
111th (NE 11th to NE 9th)	Planter Strip
111th (NE 4th to NE 2nd)	Planter Strip
112th (NE 12th to Main)	Planter Strip

Section 14. Section 20.25A.060 shall hereby be amended to delete the current Plate B and add a new Plate B as follows:

DELETE MAP BELOW



DELETE TABLE BELOW

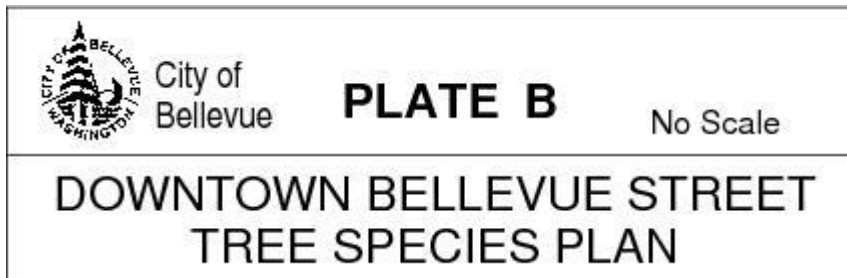


Existing parkland - - - -

Downtown Boundary Symbol	Latin Name/Common Name	Symbol	Latin Name/Common Name
APC	<i>Acer platanoides</i> 'Cleveland'/Cleveland Maple	LS	<i>Liquidambar styraciflua</i> /Sweet Gum
APP	<i>Acer platanoides</i> 'Parkway'/Parkway Maple	PS	<i>Prunus serrulata</i> 'Kwanzan'/Kwanzan Cherry
APS	<i>Acer platanoides</i> 'Superform'/Superform Maple	PY	<i>Prunus yedoensis</i> 'Akebono'/Akebono Cherry
AR	<i>Acer rubrum</i> /Red Maple	PC	<i>Pyrus calleryana</i> 'Bradford'/Bradford Pear

Downtown Boundary Symbol	Latin Name/Common Name	Symbol	Latin Name/Common Name
CJ	Cercidiphyllum japonicum/Katsura Tree	QC	Quercus coccinea/Scarlet Oak
FOR	Fraxinus ornus 'Raywood'/Raywood Ash	QR	Quercus robur/English Oak
FOF	Fraxinus oxycarpa 'Flame'/Flame Ash	TC	Tilia cordata/Little Leaf Linden
FP	Fraxinus pennsylvanica 'Marshall'/Marshall Seedless Ash	TE	Tilia euchlora 'Redmond'/Redmond Linden
GTH	Gleditsia triacanthos inermis/Thornless Honey Locust	UA	Ulmus americana 'Homestead'/Homestead Elm
GTS	Gleditsia triacanthos 'Skyline'/Skyline Honey Locust	ZS	Zelkova serrata/Zelkova
CG	See street tree requirements in the NE 6th Street Pedestrian Corridor Guidelines		

Delete title directly below



ADD TABLE BELOW

Plate B. Downtown Bellevue Street Tree Species Plan

East-West	Proposed Street Trees	Tree Size
NE 12th (102nd to I-405)	Pear: Pyrus calleryana 'Glens form'	Small
NE 11th (110th to 112th)	Katsura: Cercidiphyllum japonicum	Large
NE 10th (100th to 106th)	Tupelo: Nyssa sylvatica 'Firestarter'	Medium
NE 10th (106 to I-405)	Zelkova serrata 'Village Green'	Medium
NE 9th (110th to 111th)	Katsura: Cercidiphyllum japonicum	Large
NE 8th (100th to 106th)	Honeylocust: Gleditsia tricanthos 'Shademaster'	Medium

NE 8th (106th to 112th)	Pac Sunset Maple: <i>Acer truncatum x platanoides</i> 'Warrenred'	Medium
NE 6th (Bellevue Way to 106th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
NE 6th (106th to I-405)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
NE 4th (100th to I-405)	Autumn Blaze Maple: <i>Acer x Freemanii</i> 'Jeffersred'	Large
NE 3rd Pl (110th to 111th)	Tupelo: <i>Nyssa sylvatica</i> 'Firestarter'	Large
NE 2nd Pl (108th to 111th)	Persian ironwood: <i>Parrotia persica</i> 'Vanessa'	Medium
NE 2nd (Bellevue Way to I-405)	English oak: <i>Quercus robur</i> 'Pyramich'	Large
NE 1st/2nd (100th to Bellevue Way)	Hungarian oak: <i>Quercus frainetto</i> 'Schmidt'	Large
NE 1st (103rd to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (100th to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (Bellevue Way to I-405)	Tupelo: <i>Nyssa sylvatica</i> 'Afterburner'	Medium
North-South		
100th (NE 12th to NE 10th)	Pear: <i>Pyrus calleryana</i> 'Aristocrat'	Small
100th (NE 10th to NE 1st)	Scarlet oak: <i>Quercus coccinia</i>	Large
100th (NE 1st to Main)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
101st (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
101st Ave SE (south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
102nd (NE 12th to NE 8th)	Miyabe maple: <i>Acer miyabei</i> 'Rugged Ridge'	Large
102nd (NE 1st to south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
103rd (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
103rd (NE 2nd to Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
Bellevue Way (NE 12th to NE 10th)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
Bellevue Way (NE 10th to NE 4th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
Bellevue Way (NE 4th to Main)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
105th (NE 4th to NE 2nd)	Sweetgum: <i>Liquidambar styraciflua</i> 'Worplesdon'	Large
North-South	Proposed Street Trees	Tree Size

105th SE (near Main St)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
106th (NE 12th to NE 8th)	Elm: Ulmus propinqua 'Emerald Sunshine'	Large
106th (NE 8th to NE 4th)	Elm: Ulmus Americana 'Jefferson'	Large
106th (NE 4th to Main)	Elm: Ulmus 'Morton Glossy'	Large
106th PI NE (near NE 12th)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
107th (NE 2nd to south of Main)	Hornbeam: Carpinus caroliniana 'Palisade'	Medium
108th (NE 12th to NE 8th)	Persian ironwood: Parrotia persica 'Ruby Vase'	Medium
108th (NE 8th to NE 4th)	Sweetgum: Liquidambar styraciflua 'Worplesdon'	Large
108th (NE 4th to south of Main)	Zelkova serrata 'Green Vase'	Medium
109th (near NE 10th)	Linden: Tilia cordata 'Chancole'	Large
110th (NE 12th to NE 8th)	Linden: Tilia americana 'Redmond'	Large
110th (NE 8th to NE 4th)	Zelkova serrata 'Village Green'	Medium
110th (NE 4th to Main)	Red maple: Acer rubrum 'Somerset'	Large
111th (NE 11th to NE 9th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
111th (NE 4th to NE 2nd)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
112th (NE 12th to Main)	Scarlet oak: Quercus coccinia	Large

Section 15. Section 20.25A.100.E.5 shall hereby be amended as follows:

- a. Purpose. Minor publicly accessible spaces provide relief from high intensity urban development, serve as visual gateways to the intensive Downtown Core, and provide opportunities for active or passive recreation.
- b. Location. Minor publicly accessible spaces shall be located along Bellevue Way and 108th Avenue NE approximately at their intersections with NE 8th Street, NE 6th Street and NE 4th Street. Additionally, at least two spaces shall be located in each superblock based on coordination of design and proximity to other publicly accessible spaces, or pedestrian connections.
- c. Design Guidelines
  - i. Minor publicly accessible spaces may be outdoors or enclosed as long as adequate access is provided and their existence is easily identifiable.

ii. A minor publicly accessible space must be open at least during the hours of 8 a.m. to 10 p.m. midnight, or during the hours of operation of adjacent uses, whichever is lesser. normal business hours.

iii. A minor publicly accessible open space must be developed as a plaza, enclosed plaza, or art or landscape feature. The design criteria of LUC 20.25A.030.C must be met, and the FAR amenity bonus may be utilized.

iv. Directional signage shall identify circulation routes for all users and state that the space is accessible to the public at the times specified by paragraph c.ii. of this section. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.

d. Public Access – Legal Agreement

1. Owners of property that is used for a minor publicly accessible open space shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of operation.

2. The agreement shall provide that the public right for pedestrian use shall be enforceable by the City of Bellevue, and the City shall have full rights of access to the minor publicly accessible space and associated circulation routes for purposes of enforcing the rights of the public under this agreement.

3. Owners of property subject to this legal agreement will maintain the pedestrian access route and may adopt reasonable rules and regulations for the use of this space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access, and are consistent with this section.

4. The agreement shall be recorded with the King County Division of Records and Elections and the Bellevue City Clerk.

Section 16. Section 20.50.016 shall hereby be amended as follows:

~~**Downtown.** The area of the City located generally from I-405 on the east to 100th Avenue NE on the west and from NE 12th Street on the north to approximately Main Street on the south, specifically within the boundaries described as follows:~~

~~Beginning at the NW corner of Section 32, Township 25 North, Range 5 east, which is the intersection of NE 8th Street and 100th Avenue NE the true point of beginning; thence south along the western margin of said section on 100th Avenue NE to the intersection of Main Street; thence continuing south along 100th~~

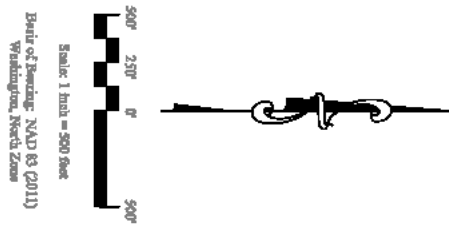
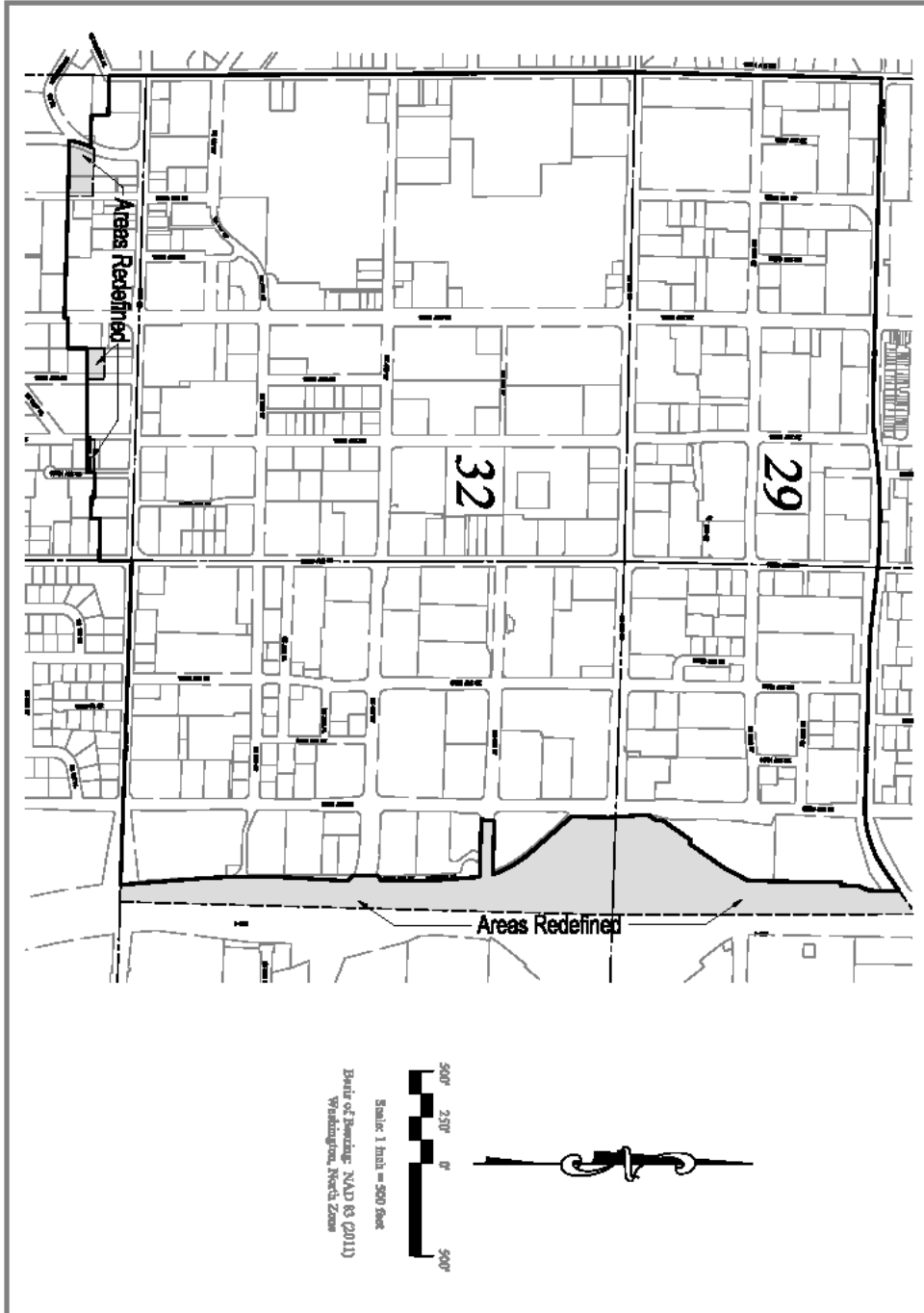


~~Avenue SE to a point which is 200 feet south of the north line of the SW quarter of Section 32, TWP 25, Range 5E, measured at right angles to said north line; thence easterly 215 feet parallel to the said north line; thence southerly 90 feet parallel with the east line of said section to a point that is on the north line of lot 82 of Bellevue acre and half acre tracts; thence easterly along the north line of lot 82 to the centerline of Bellevue Way SE; thence northeasterly along the arc of the centerline to a point which is the intersection of the centerline with a westerly projection of the south line of lot 4 of Bellevue acre and half acre tracts; thence easterly along said south line along the south lines of lots 4 and 5 of Bellevue acre and half acre tracts to the centerline of 102nd Avenue SE; thence southerly along said centerline to a point which is the intersection of the centerline with a westerly projection of the south line of lot 49 of Bellevue acre and half acre tracts; thence easterly along the south lines of lots 49 and 14 to the centerline of 104th Avenue SE; thence northerly along said centerline to a point which is the intersection of the centerline with a westerly projection of the south line of lot 14 of Maxwellton Braes; thence easterly along said south line to the SE corner of said lot; thence northerly along the east line of said lot 14 and lot 13 of Maxwellton Braes to the centerline of vacated SE 1st St. as in vacation Ordinance 713; thence easterly along the centerline of said vacated street to the centerline of 105th Avenue SE; thence southerly along said centerline to a point which is the intersection of the centerline with a westerly projection of the south line of lot 58 of Maxwellton Braes; thence easterly along the south lines of lot 58 and 101 of Maxwellton Braes to the west line of lot 2 of Trinwith Add; thence northerly along said west line of lot 2 to a point on the north limits of the southerly 2/3 of lot 2 of Trinwith Add; thence easterly from this point parallel with the south line of lot 2 to the centerline of 107th Avenue SE; thence southerly along said centerline to a point which is the intersection of the centerline with a westerly projection of the south line of lot 15 of Trinwith Add; thence easterly along said south line 103.00 feet to the southeast corner of lot 15; thence southerly to a point that is the southwest corner of the east 343.09 of the north 227.07 of said quarter section; thence easterly 113.09 feet parallel with the north boundary of said quarter section; thence northerly parallel with the east boundary of said quarter section to a point which is the southwest corner of the north 176.42 feet of the east 230 feet of the said quarter section; thence easterly 230 feet parallel to the north boundary of said quarter section to the centerline of 108th Avenue SE; thence 230 feet measured at right angles to the east boundary to the centerline of 108th Avenue SE; thence northerly along said centerline to the intersection of 108th Avenue SE and Main Street; thence easterly along the centerline of Main Street to the intersection of Interstate~~

~~Highway 405; thence north along I-405 to the centerline intersection of NE 12th Street; thence westerly along the centerline of NE 12th Street to its projected intersection with the centerline of 100th Avenue NE; thence south along the centerline of 100th Avenue NE to the true point of beginning.~~

**Downtown.** The area of the City located generally from I-405 on the east to 100th Avenue NE on the west and from NE 12th Street on the north to approximately Main Street on the south, specifically within the boundaries described as follows:

**Beginning** at the Northwest corner of the Northwest quarter of Section 32, Township 25 North, Range 5 East, W.M., also being the centerline intersection of NE 8th Street and 100th Avenue NE; thence south along the west line of said Northwest quarter and along the centerline of 100th Avenue NE to the Northwest corner of the Southwest quarter of said Section 32 and the intersection of Main Street; thence south along the west line of said Southwest quarter and the centerline of 100th Avenue SE to a point being 200 feet south of, as measured at right angles to, the north line of said Southwest quarter of Section 32; thence easterly parallel with said north line 215 feet; thence southerly parallel with the west line of said Southwest quarter 90 feet to a point on the north line of Lot 82 of Bellevue Acre and Half Acre Tracts; thence easterly along the north line of Lot 82 to the centerline of Meydenbauer Way SE; thence southwesterly along the arc of the centerline of Meydenbauer Way SE and diverging southerly along the centerline of 101st Avenue SE to a point being the intersection of the centerline with the westerly projection of the south line of Lot 50 of Bellevue Acre and Half Acre Tracts as shown on that certain Condominium (THE FORUM) recorded under V.13, P.47-48 and Amended under V.18, P.8; thence easterly along the south line of Lot 50 to the centerline of 102nd Avenue SE; thence continuing easterly along the south lines of Lots 49 and 14 of Bellevue Acre and Half Acre Tracts to the centerline of 104th Avenue SE; thence northerly along said centerline to a point being the intersection of the centerline with the westerly projection of the south line of Lot 14 of Maxwelton Braes; thence easterly along the south line of Lot 14 to the Southeast corner thereof; thence northerly along the east line of Lot 14 to the Southwest corner of Lot 57 of Maxwelton Braes; thence easterly along the south line of Lot 57 to the centerline of 105th Avenue SE; thence continuing easterly along the south lines of Lots 58 and 101 of Maxwelton Braes to the centerline of 106th Avenue SE, and also being 15 feet westerly of the west line of Lot 2 of Trinwith Addition; thence continuing easterly along the prolongation of the south lines of Lots 58 and 101 of Maxwelton Braes to the centerline of 107th Avenue SE; thence northerly along said centerline to a point being the intersection of the centerline with the westerly projection of the south line of Lot 15 of Trinwith Addition; thence easterly along the south line of Lot 15 to the Southeast thereof; thence southerly to the south line of the North 227.07 feet of the Southwest quarter of said Section 32; thence easterly along said south line to the west line of the East 230 feet of said Southwest quarter; thence northerly along said west line to the south line of the North 176.42 feet of said Southwest quarter; thence easterly along said south line to the east line of the Southwest quarter of said Section 32 also being the centerline of 108th Avenue SE; thence northerly along said centerline to the intersection of 108th Avenue SE and Main Street; thence easterly along the centerline of Main Street to its intersection with the westerly right of way margin of SR 405 as shown on WSDOT Right of Way plan set titled SR 405 S.E. 30TH ST. VIC. TO N.E. 40TH ST. VIC., Sheets 17 through 24, approved and adopted February 11, 2005; thence northerly along said westerly margin to its intersection with the easterly right of way margin of 112th Avenue NE; thence northerly along said easterly right of way margin to its intersection with the westerly right of way margin of SR 405; thence northerly along said westerly margin to its intersection with the centerline intersection of NE 12th Street; thence westerly along the centerline of NE 12th Street to its projected intersection with the west line of the Southwest quarter of Section 29 Township 25 North, Range 5 East, W.M., also being the centerline intersection of 100th Avenue NE; thence south along the west line of said Southwest quarter and along the centerline of 100th Avenue NE to the **Point of Beginning**, and there ending, all in King County, Washington.



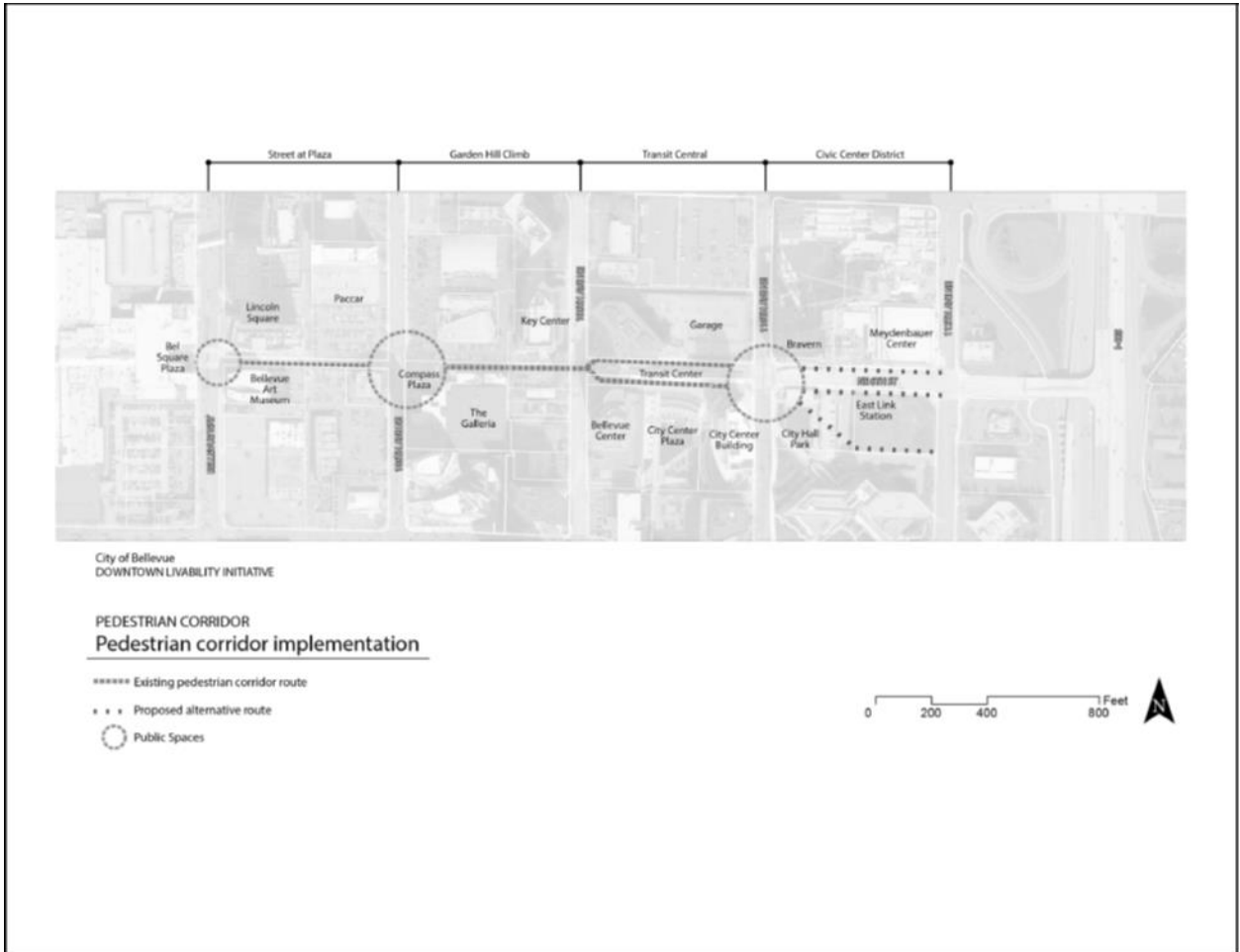
**Zoning Exhibit**  
Downtown Definition  
Secs. 29 & 32, T25 N., R.5 E., W.M.  
King County, Washington



DATE	BY
12/15/2015	...
1/14/2016	...
2/11/2016	...
3/1/2016	...

Section 17. Section 20.50.034 shall hereby be amended as follows:

**Major Pedestrian Corridor.** An alignment which is generally for exclusive pedestrian use providing a reasonably direct, but interesting pedestrian route in the immediate vicinity of NE 6<sup>th</sup> Street between 102<sup>nd</sup> Avenue NE and 440<sup>th</sup> the east side of 112<sup>th</sup> Avenue NE as depicted in the Pedestrian Corridor Implementation Map.



Section 18. Section 20.50.044 is hereby amended as follows:  
23.50.044 R definitions.

...

**Recycling Center.** A collection point for small refuse items, such as bottles and newspapers, located either in a container or a small structure. Size limits are provided by LUC 20.20.725.

Section 19. 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.

1509-ORD  
3/03/2016

Section 20. Effective Date. This ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016  
and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_,  
2016.

(SEAL)

\_\_\_\_\_  
John Stokes, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

\_\_\_\_\_  
Catherine A. Drews, Assistant City Attorney

Attest:

\_\_\_\_\_  
Kyle Stannert, Acting City Clerk

Published \_\_\_\_\_