



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: John C. McCullough

LOCATION OF PROPOSAL: 10777 Main St.

DESCRIPTION OF PROPOSAL: **Old Seattle Times Building** - 2017 Annual Amendments to the Comprehensive Plan, including a Work Program and proposed amendments to the Bellevue Comprehensive Plan for purposes of RCW 36.70A.130, assuring that the Plan continues to comply with the requirements of the GMA and including consideration of emerging local and regional needs, changes to state and federal laws, Bellevue's progress towards meeting GMA Goals, and whether the Plan is internally consistent. Map change of .95 acres from split Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to all DNTN-MU.

FILE NUMBERS: 17-121068 AC

PLANNER: Nicholas Matz AICP

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- ☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- ☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-4188.
- ☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


Environmental Coordinator

10/12/2017

Date

OTHERS TO RECEIVE THIS DOCUMENT:

- ☒ State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- ☒ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- ☒ Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- ☒ Attorney General ecyolyef@atg.wa.gov
- ☒ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



Planning Staff Report

DATE: October 12, 2017

TO: Chair Walter, Bellevue Planning Commissioners

FROM: Nicholas Matz AICP, Senior Planner 425 452-5371
nmatz@bellevuewa.gov

SUBJECT: Old Seattle Times Building Comprehensive Plan Amendment (17-121068 AC)
November 1, 2017 Final Review Public Hearing ([LUC 20.30I.A.1.b](#))

I. PROPOSAL

The Old Seattle Times Building CPA ([10777 Main St.](#)) proposes a .95-acre map change from split Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to all DNTN-MU. This site-specific proposal was initiated by the City Council on September 18, 2017, under their authority at LUC 20.30I.130.B.1. See Attachment A.

Permit Number: 17-121068 AC
Subarea: Downtown/Southwest Bellevue
Address: 10777 Main St.
Applicant(s): Surrey Building LLC

II. STAFF RECOMMENDATION SUMMARY

This proposal satisfies the Decision Criteria for a Comprehensive Plan Amendment and **staff recommends approval of the Comprehensive Plan Amendment to:** amend the map designation on .95 acres from a split Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to all DNTN-MU.

- ✓ The proposed amendment is **consistent with the Comprehensive Plan** because *it was the approach used to amend such split, similarly-situated designations through the 2015 major Comprehensive Plan Update; and it is consistent with "...a major objective of the Land Use Element to maintain the vitality, quality, and character of Bellevue's neighborhoods while recognizing that neighborhoods will continue to adapt even while maintaining their character."* ([Land Use Element - Residential Areas \(p. 42\)](#)). This is because *"the city's land use strategies work to ensure that new infill development appropriately fits into existing neighborhoods."*;
- ✓ The proposed amendment **addresses the interests and changed needs of the entire city** because *the city now has the policies and tools to successfully manage the hard line transitions between similarly situated Downtown neighborhoods and their adjacent, high-density neighborhoods; and it is adaptive to changing economic conditions by ensuring the city has the land use and building types that it needs to meet changing markets* ([Land Use Element - Vision p. 34](#));
- ✓ The proposed amendment **addresses significantly changed conditions (since the last time the pertinent CP map or text was amended)** affecting the subject property because *of changes related to the pertinent Plan map or text. The split designation has created a constraint—a changed condition, since implementing the Comp Plan should not prevent compatible redevelopment—on realizing the land use vision for Downtown and adjacent neighborhoods. Implementing this vision*

has been resolved for other similarly-situated property.

There is a strong public interest and established policy in having a stable and predictable boundary for the city center. These changes seek to create comparable circumstances for property to redevelop. But, the Comp Plan cannot function as an integrated whole if map designations attempt to implement one set of policies (protecting property) while preventing another set (redevelopment) for a specific area. This conflict should be addressed in the Comp Plan, through the amendment process, since stability and predictability need to go both ways.

- ✓ The proposed amendment **could be suitably developed** under the potential zoning classifications *because the amendment supports effective use of transition elements built into the Land Use Code;*

and

- ✓ The proposed amendment **demonstrates a public benefit** *because the amendment acknowledges community interest in making the boundary more regular and to resolve some of the odd parcel configurations while maintaining established policy direction of not extending Downtown development into the residential neighborhood to the south.*

III. BACKGROUND

The City Council directed Final Review of the site-specific Old Seattle Times Building Comprehensive Plan Amendment (CPA), initiating it into the work program on September 18, 2017.

During 2012 to 2014 scoping for the respective Downtown Livability and the major Comprehensive Plan Update (CPU) work programs, owners of property split by the southern Downtown boundary asked the city, based on previous individual Comprehensive Plan Amendment (CPA) submittals in 2008 and 2009, to examine the impact of adjusting the boundary. Council included the issue in the Comprehensive Plan Update work program, directing its examination in a more comprehensive way along this entire southern boundary. Unlike the clearly defined west, north and east Downtown boundaries, the south boundary is jagged, splitting some parcels and buildings as it makes its way between 100th Avenue and 108th Avenue.

How did the boundary come to be, specific to the split property? Today's property boundaries derive from the original platting decisions during historical platting laid over the area south of Main Street, and by zoning decisions to define a growing business and commercial area developing in "old" Bellevue. This development saw Main Street as a *spine* rather than an *edge*, where the latter is typical for the other Downtown boundaries.

The first modern zoning of the evolving business district can be traced to 1953. As zoning changed so did the extent of the commercial district. By 1971 the commercial, business and office uses had solidified along Main Street and to the south. Rezoning in the area kept up in this decade as offices and apartments "layered up" approaching the southern edges of the commercial areas. Central Business District-Old Bellevue (CBD-OB) and Central Business District-Mixed Use (CBD-MU) zonings were established in 1981, after the 1979 establishment of the Downtown Subarea Plan.

Today's southern Downtown boundary generally occurs where business, commercial and residential zoning diverged from this historical development pattern.

The city's 2015 major Comp Plan Update action amended four of the five identified split parcels along this line (this site was not included because attempts to contact the property owner did not receive any responses) acknowledging community interest in making the boundary more regular and to resolve some of the odd parcel configurations, while maintaining the established policy direction of not extending Downtown development into the residential neighborhood to the south. See Attachment B.

IV. DECISION CRITERIA

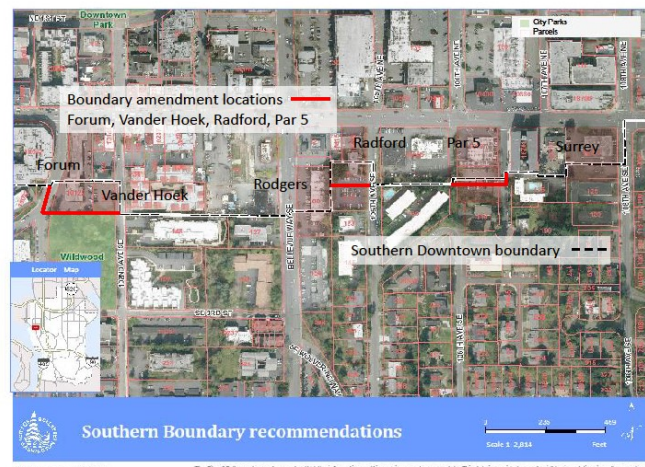
The Decision Criteria for a Comprehensive Plan Amendment are set forth in the Land Use Code, Section 20.30L.150. Based on the criteria, Department of Planning and Community Development staff recommends **approval** of the proposed amendment. This conclusion is based on the following analysis:

A. There exists obvious technical error in the pertinent Comprehensive Plan provision, or

Not applicable to this proposal.

B1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the city, the Countywide Planning Policies (CPP), the Growth Management Act and other applicable law; and

- ✓ *The proposed amendment is consistent with the Comprehensive Plan because it was the approach used to amend such split, similarly-situated designations through the 2015 major Comprehensive Plan Update; and it is consistent with "...a major objective of the Land Use Element to maintain the vitality, quality, and character of Bellevue's neighborhoods while recognizing that neighborhoods will continue to adapt even while maintaining their character." ([Land Use Element - Residential Areas \(p. 42\)](#)). This is because "the city's land use strategies work to ensure that new infill development appropriately fits into existing neighborhoods."*



There is a strong public interest in having a stable and predictable boundary for the city center. The burden of proof for change lies with the affected property to show that any change to the existing boundary is clearly in the public interest. Moreover, it is important to note that in no case is a change to a higher zoning designation for these properties needed for the City to have capacity to meet its growth targets; this is not a rationale for a change.

Given this strong public interest, the city through the extensive public engagement associated with the major Comprehensive Plan Update concluded that since the existing southern Downtown boundary is irregularly drawn—its split Comprehensive Plan designation should be examined on a

case by case basis, conceptualizing where the concern lies; and whether the property can reasonably be developed similar to other property.

Comprehensive Plan Policy Framework

In general, the Comprehensive Plan framework draws from the Downtown and Southwest Bellevue Subarea Plans and from the Urban Design Element to provide protection between the various neighborhood densities, and assures an urban design focus on the relationship between Downtown and surrounding land uses through consistent perimeter densities, building scaling and pedestrian access. It intends to create viable, livable and memorable places to live, shop and work regardless of location along the boundary:

- **Policy LU-1:** *Promote a clear strategy for focusing the city's growth and development as follows:*
 1. *Direct most of the city's growth to the Downtown regional growth center and to other areas designated for compact, mixed use development served by a full range of transportation options.*
 2. *Enhance the health and vitality of existing single family and multifamily residential neighborhoods.*
 3. *Continue to provide for commercial uses and development that serve community needs.*
- **Policy LU-20:** *Support Downtown's development as a regional growth center, with the density, mix of uses and amenities, and infrastructure that maintain it as the financial, retail, transportation, and business hub of the Eastside.*
- **Policy UD-3:** *Encourage a variety of site and building designs which are compatible and consistent with surrounding development and that implement the policies of this Plan.*
- **Downtown Urban Design Goal:** *To develop a functional and esthetically pleasing Downtown which creates a livable and highly pedestrian-oriented urban environment that is compatible with adjacent neighborhoods.*
- **Policy S-DT-38:** *Minimize the adverse impact of Downtown development on residential neighborhoods with consideration of through-traffic, views, scale, and land use relationships.*
- **Policy S-DT-7:** *Encourage Downtown to continue to serve surrounding residential areas as a neighborhood retail district.*
- **City Center South**
The City Center South District is emerging as a true mixed-use neighborhood. New and exciting restaurant, retail, and residential uses are adding a greater level of activity in this area. The proximity to the Surrey Downs and 108th Avenue neighborhoods provides an opportunity to have appropriately-scaled transitional uses along the edge of Downtown.

Growth Management Act

The proposed amendment is consistent with GMA urban growth planning goals encouraging development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Countywide Planning Policies

The proposed amendment is consistent with Countywide Planning Policies' Urban Design vision: "...intended to integrate urban development into existing built and natural environments in ways that enhance both the urban and natural settings. These elements include high quality design, context sensitive infill and redevelopment, historic preservation, and the interdependence of urban and rural and agricultural lands and uses."

Goal statement: *The built environment in both urban and rural settings achieves a high degree of high quality design that recognizes and enhances, where appropriate, existing natural and urban settings.*

DP-39: *Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.*

DP-44: *Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.*

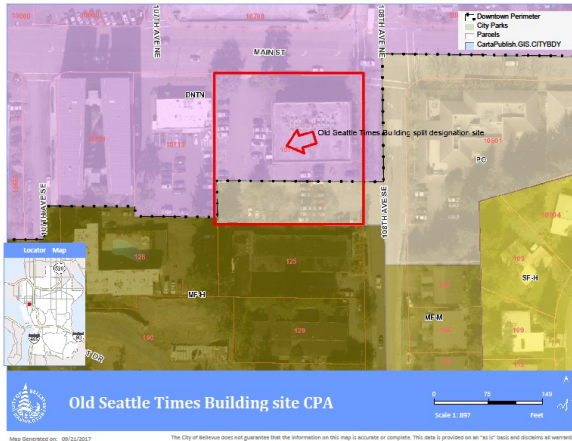
B2. The proposed amendment addresses the interests and changed needs of the entire city as identified in its long-range planning and policy documents because *the city now has the policies and tools to successfully manage the hard line transitions between similarly situated Downtown neighborhoods and their adjacent, high-density neighborhoods; and it is adaptive to changing economic conditions by ensuring the city has the land use and building types that it needs to meet changing markets ([Land Use Element - Vision p. 34](#));*

B3. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 [below] for the definition of "significantly changed conditions"; and

Significantly changed conditions are defined as: Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. *This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046).*

The proposed amendment addresses significantly changed conditions affecting the subject property because of changes related to the pertinent Plan map or text. The split designation has created a constraint—a changed condition, since implementing the Comp Plan should not prevent compatible redevelopment—on realizing the land use vision for Downtown and adjacent neighborhoods. Implementing this vision has been resolved for other similarly-situated property.

There is a strong public interest and established policy in having a stable and predictable boundary for the city center. These changes seek to create comparable circumstances for property to redevelop. But, the Comp Plan cannot function as an integrated whole if map designations attempt to implement one set of policies (protecting property) while preventing another set (redevelopment) for a specific area. This conflict should be addressed in the Comp Plan, through the amendment process, since stability and predictability need to go both ways.



B4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and

The proposed amendment could be suitably developed under the potential zoning classifications because the amendment supports effective use of transition elements built into the Land Use Code; and

B5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the city.

The proposed amendment demonstrates such benefit and enhancement because the amendment acknowledges community interest in making the boundary more regular and to resolve some of the odd parcel configurations while maintaining established policy direction of not extending Downtown development into the residential neighborhood to the south.

V. STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant adverse environmental impacts. A final threshold determination of non-significance (DNS) was issued on October 12, 2017.

VI. PUBLIC NOTICE AND COMMENT

Notice of the November 1, 2017, Final Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on October 12, 2017.

Public comment letters received – if any – will be provided to the Planning Commission in their desk packet for the November 1 hearing.

Pursuant to the requirements of the Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Comprehensive Plan. A list of the 2017

amendment to the Bellevue Comprehensive Plan was provided to state agencies on September 18, 2017, for review.

VII. NEXT STEPS

We request you conduct and close the public hearing, study the proposal, and make a recommendation.

VIII. ATTACHMENTS

- A. Applicant letter requesting initiation
- B. Split sites map
- C. SEPA Threshold Determination

McCULLOUGH HILL LEARY, PS

September 14, 2017

VIA ELECTRONIC MAIL

The Honorable Mayor John Stokes
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004
Email: council@bellevuewa.gov

RE: Old Seattle Times Building – 10777 Main Street
Request for Council-Initiated Comprehensive Plan Amendment

Dear Mayor Stokes and Councilmembers:

We write on behalf of the Surrey Building, LLC (“Owner”), who owns the Surrey Building at 10777 Main Street (“Property”) in the City of Bellevue (“City”). The Property, formerly known as the Seattle Times Building, is located on the corner of Main Street and 108th Avenue NE. *Attachment A*.

The Property is currently split zoned between Downtown-Multiple Use (“DT-MU”) and Professional Office (“PO”). *Id.* As a general principle, split zoning of a single parcel is disfavored.

Importantly, the Property is buffered to the south by an existing high-density multifamily residential zoned area. This multifamily residential zoning buffer – which is currently developed with the Avalon and Bel-Art Apartments and Main Street Duplexes – provides a graceful zoning and scale transition between the Downtown core and the single-family residential neighborhoods to the south.

For the reasons discussed below, we respectfully request that the City Council initiate the review of a Comprehensive Plan amendment to eliminate the Property’s split zones and bring the entirety of the Property into the Downtown boundary under LUC 20.30I.130.B at the September 18th meeting.

I. Background.

In March 2016, the City Council unanimously revised the downtown land use map as part of the “Early Wins” Downtown Livability ordinance to “clean-up” similarly situated split-zoned parcels on the southern portion of Downtown. *Attachment B* (Ordinance No. 6277 excerpt). These split-zoned parcels were brought into the Downtown. However, the Property was not included in this clean-up effort. We understand that the City staff reached out to the Owner, but was not able to connect to confirm their interest. Therefore, the City omitted this Property from the “Early Wins” package.

II. Request for Council-Initiated Comp Plan Amendment.

Fast forward to today, the Owner now understands (and fully supports) the Downtown Livability Initiative. The Owner is exploring redevelopment of the Property under the new Downtown Code. The split zoning between Downtown-Mixed Use and Professional Office results in a significantly reduced number of dwelling units – potentially up to 30 fewer units under a split-zoned scenario. We believe this is a missed opportunity for density, especially on a prominent Downtown corner.

In talking with the City Manager, Planning Director and Planning & Community Development staff, we have heard agreement that eliminating the Property's split zoning is common sense, especially since the City addressed other similarly situated parcels as part of last year's "Early Wins" package.

In order to achieve that outcome for the Property, a Comprehensive Plan amendment is required. The Planning Commission is scheduled to begin its evaluation of the proposed 2017 Comprehensive Plan amendments on September 27, 2017. We understand from City staff that the Planning Commission has capacity to review the Owner's proposal as part of the current amendment cycle.

We believe that the proposed "clean-up" of the Property's split zoning makes sense from a planning perspective, especially given the City Council's unanimous approval of the "Early Wins" package addressing similarly situated parcels. Moreover, the existing multifamily zoning and development to the south of the Property will remain unchanged under the proposal. As the City Council knows from driving south on 108th Avenue NE, this existing multifamily development already provides a graceful sense of transition and buffering from the Downtown into the single-family neighborhoods.

While the Owner has not finalized their redevelopment plans, the Owner shares to City's vision for Downtown as a more vibrant, livable and equitable community for the next 100 years. In that spirit, the Owner is evaluating how this proposal could further the City's adopted affordable housing goals.

First, the Owner is committed to evaluating potential participation in the City's Multifamily Tax Exemption ("MFTE") program as a component of any future redevelopment. Second, the Owner is currently engaged with the City and ARCH to explore whether some level of voluntary contribution by the Owner could help leverage the City's current affordable housing funds. In sum, the Owner is open to conditioning the City Council's approval of the initiation of the Comprehensive Plan review on either a commitment to: (1) explore MFTE participation of any future project in good faith; and/or (2) work with the City and ARCH to identify a voluntarily contribution level that could support the City's current affordable housing efforts. We recognize that these potential benefits concepts are both novel ideas. Thus, we would welcome the City Council's feedback on either.

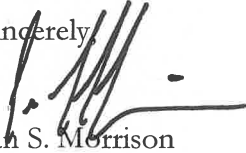
III. Conclusion.

For these reasons, we respectfully request that the City Council act at the September 18th meeting to initiate a Comprehensive Plan amendment as part of the City's 2017 amendment review cycle to clarify the Property's land use designation pursuant to LUC 20.30I.130.B.1. We understand from

City staff that City Council action by this date will be necessary to ensure that the Planning Commission has time to consider the proposal as part of its September 27th substantive review.

As always, thank you for your consideration. Please feel free to contact me with any questions.

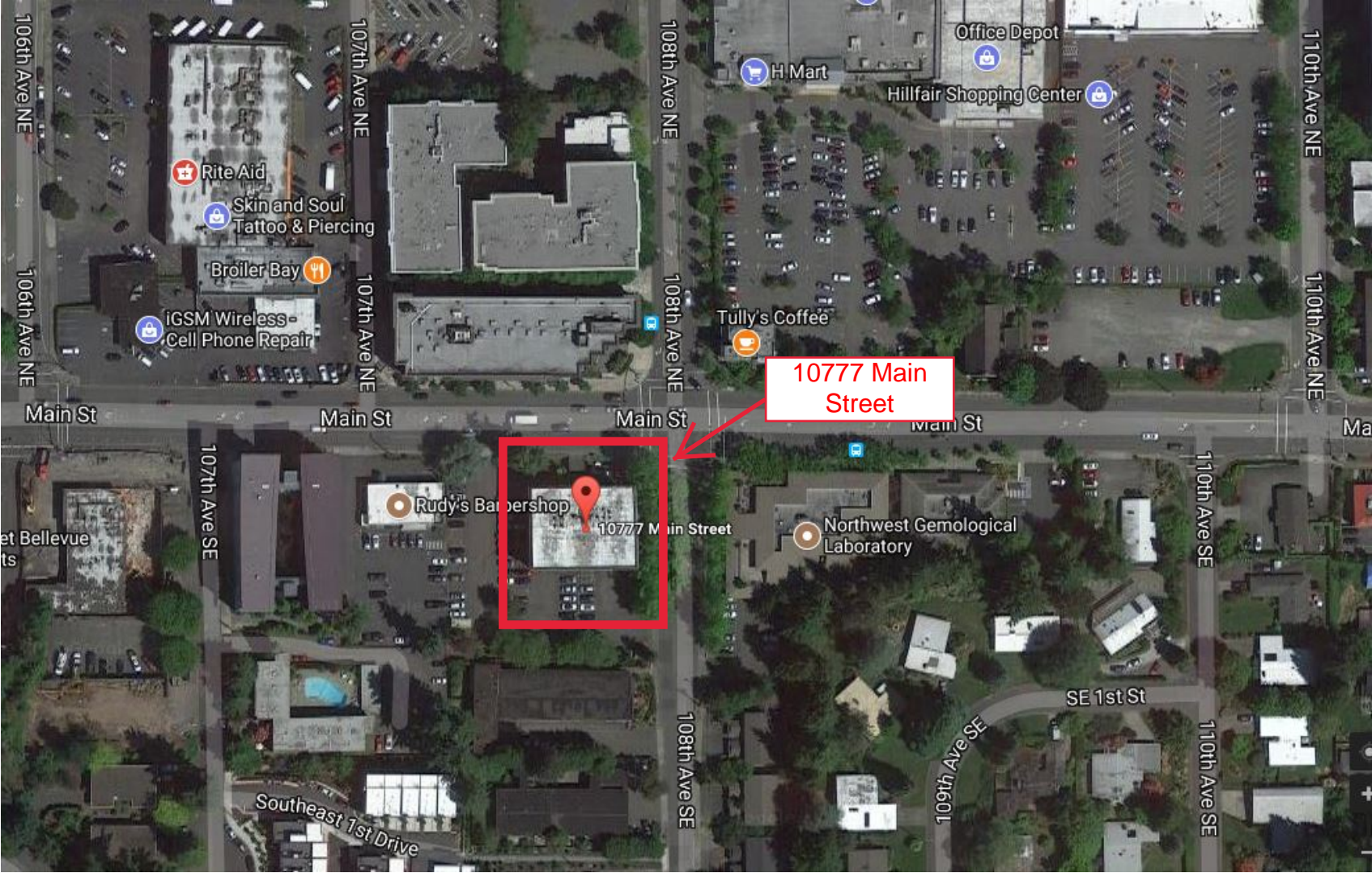
Sincerely,

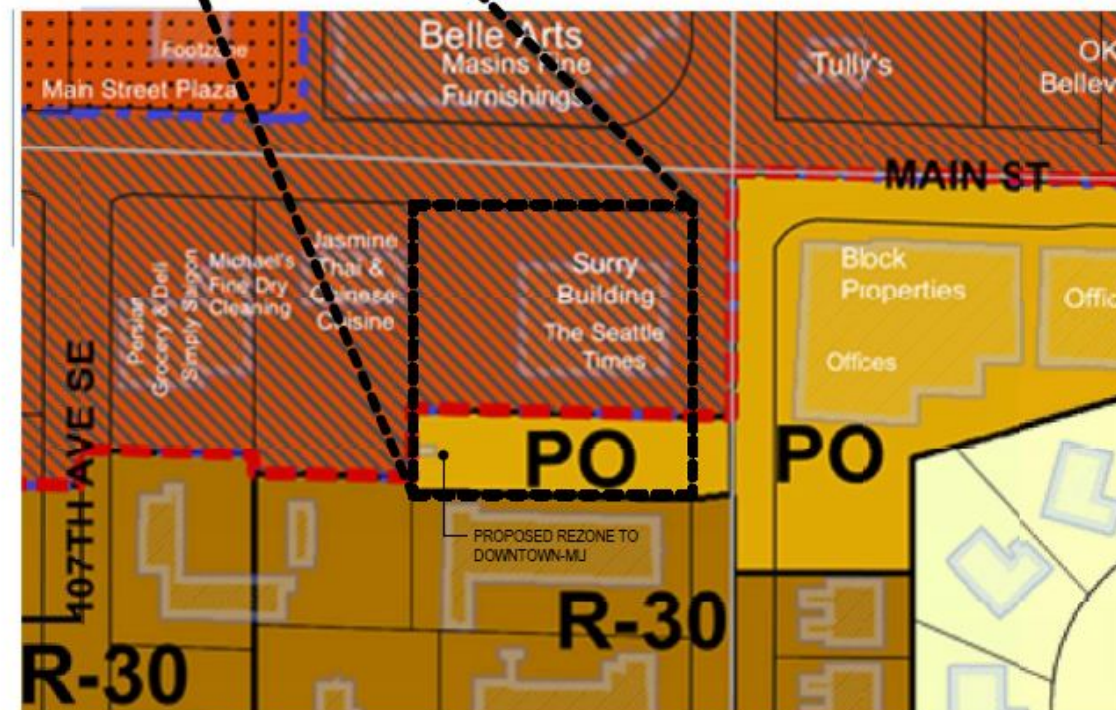
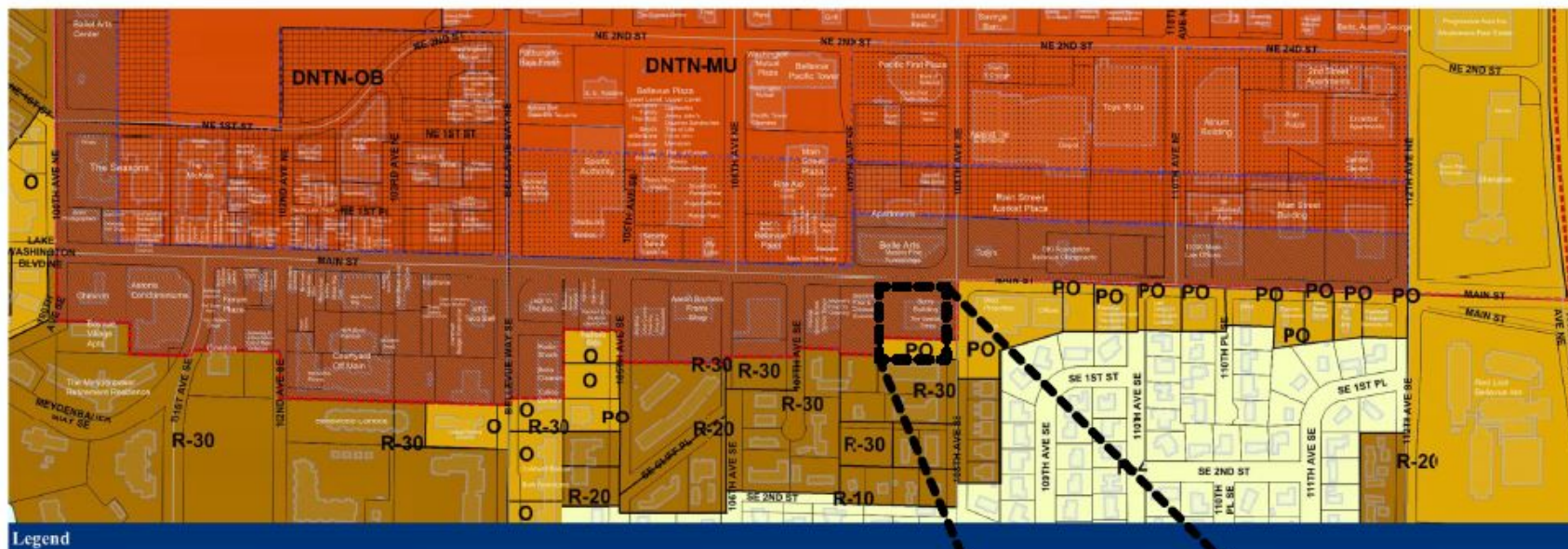
A handwritten signature in black ink, appearing to read 'Ian S. Morrison', with a horizontal line extending to the right.

Ian S. Morrison

cc: City Council
Brad Miyake, City Manager
Mac Cummins, Planning Director

Attachment





Attachment
(Ordinance 6277 Excerpt)

ORIGINAL

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.

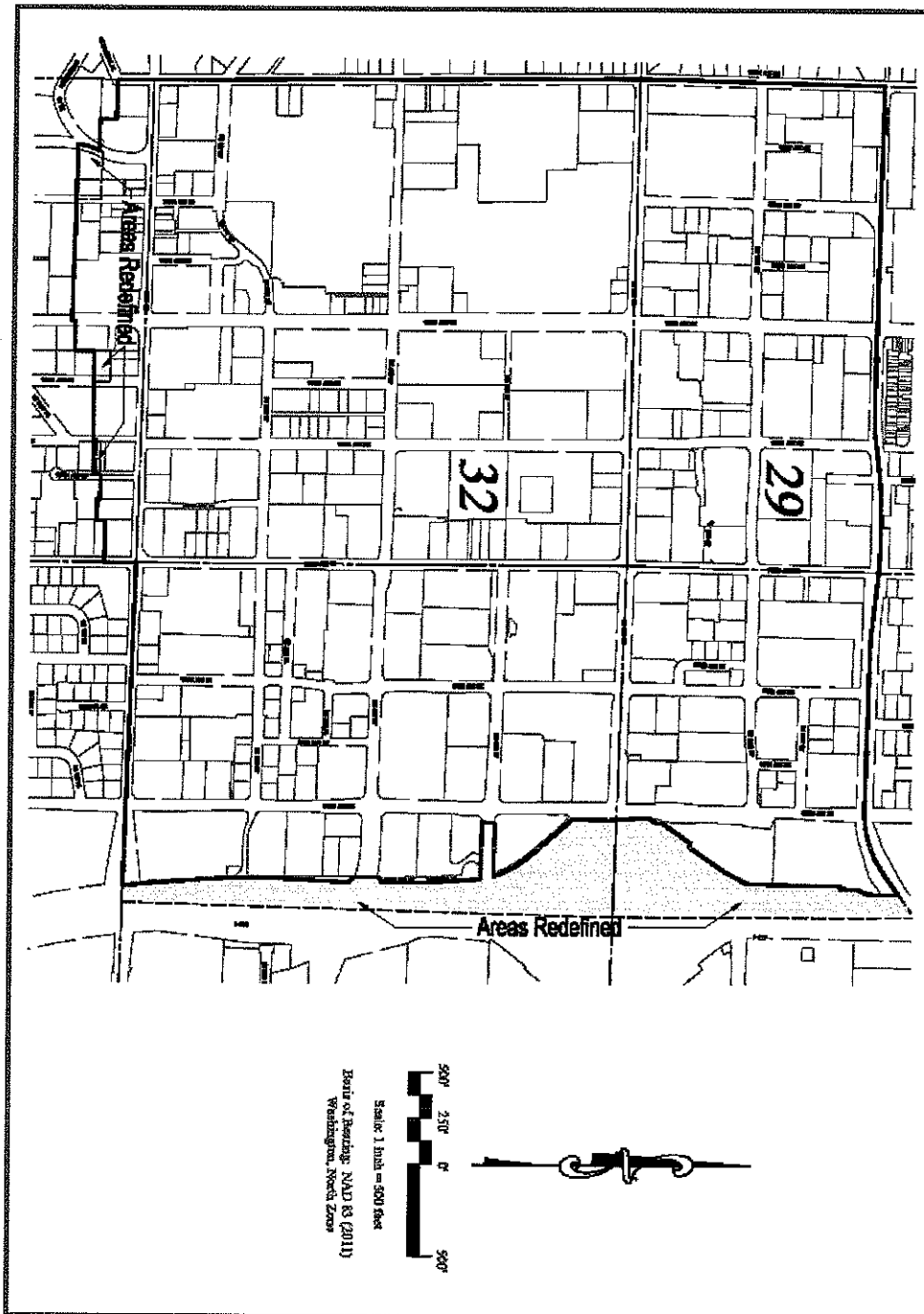
B. Prohibited Uses

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.

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 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 Maxwellton 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 Maxwellton 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 Maxwellton 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 Maxwellton 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, T.25 N., R.5 E., W.M.
 King County, Washington

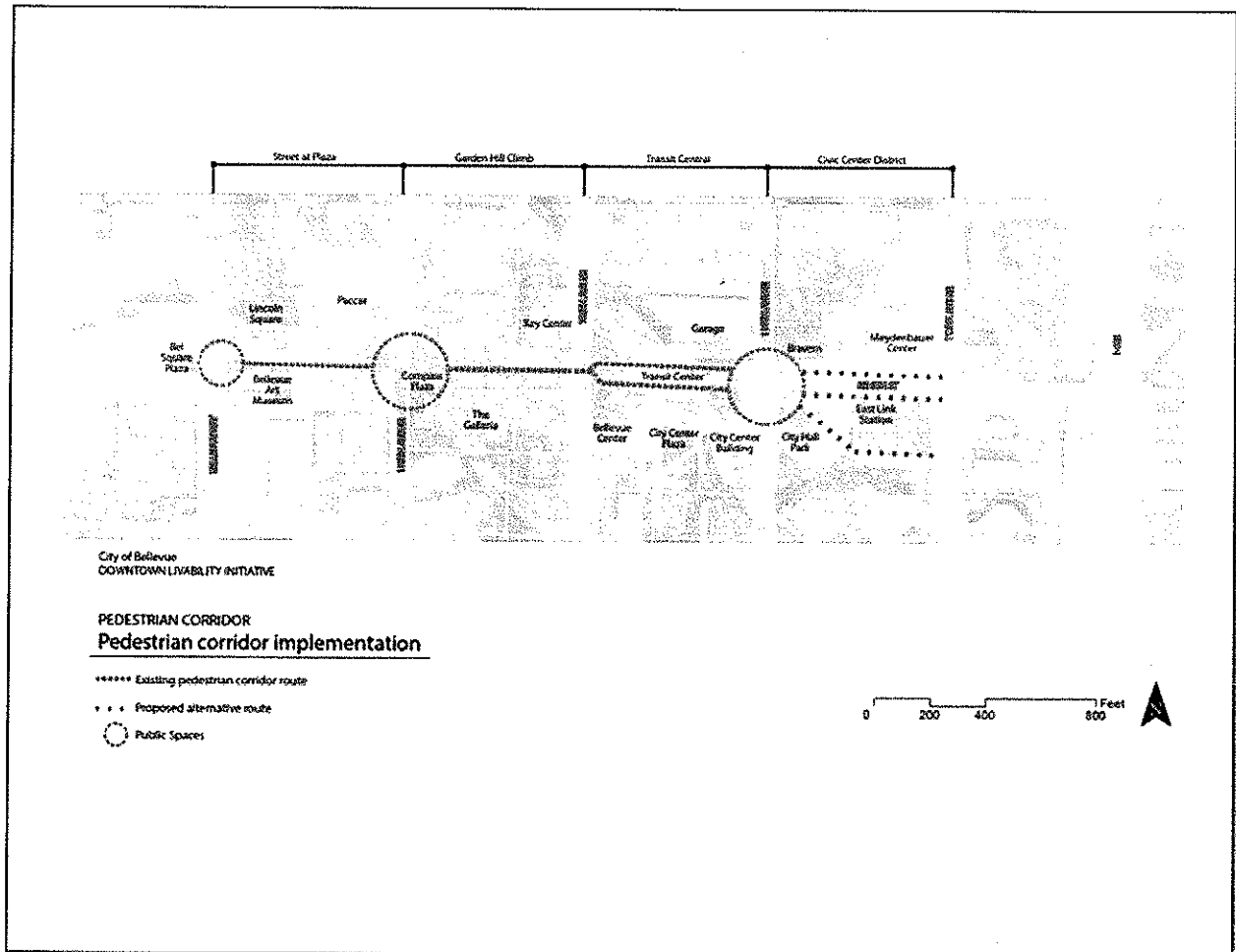


City of Bellevue
 Civic Services Department

DATE	BY	FOR
10/1/11	10/1/11	10/1/11
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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 6th Street between 102nd Avenue NE and the east side of 112th 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.

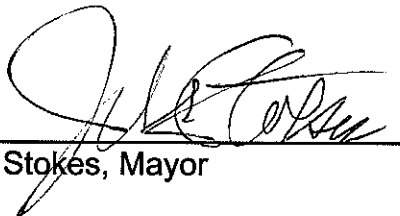
Section 19. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

ORIGINAL

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 7th day of March, 2016
and signed in authentication of its passage this 7th day of March,
2016.

(SEAL)


John Stokes, Mayor

Approved as to form:

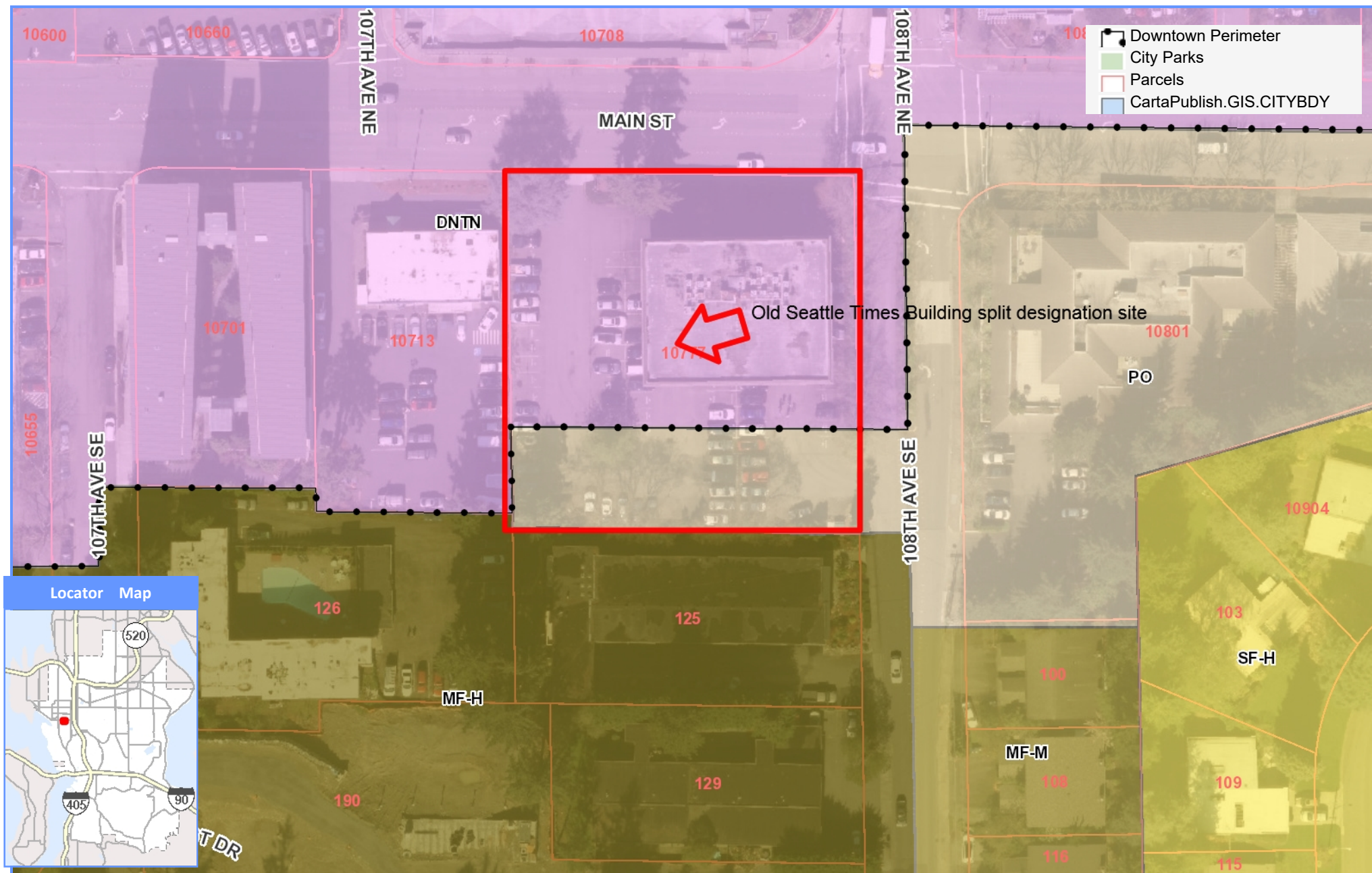
Lori M. Riordan, City Attorney


Catherine A. Drews, Assistant City Attorney

Attest:


Kyle Stannert, Acting City Clerk

Published March 10, 2016



Old Seattle Times Building site CPA