

Conformance Amendments



BELLEVUE CITY COUNCIL

STUDY SESSION, SEPTEMBER 17, 2018

PRESENTERS: CAROL HELLAND AND TRISNA TANUS

DEVELOPMENT SERVICES DEPARTMENT

Tonight's Agenda

- Introduction
- Review Process
- Decision Criteria for LUCA
- Staff Recommendation
- Direction Needed



Introduction

- This is a Study Session to introduce a package of Conformance Amendments to the **Land Use Code**, the **Noise Control Code**, the **Sign Code**, and the **Environmental Procedures Code**.
- The Conformance Amendments are necessary to:
 - Achieve consistency with the new Downtown Code, Part 20.25A LUC, Eastgate LUC amendments, and SEPA rules.
 - Incorporate the IBC and BCC amendments related to construction type for Factoria DA III; and
 - Clean-up and clarify to correct errors, omissions, and/or internal conflicts.

LUCA: Process IV

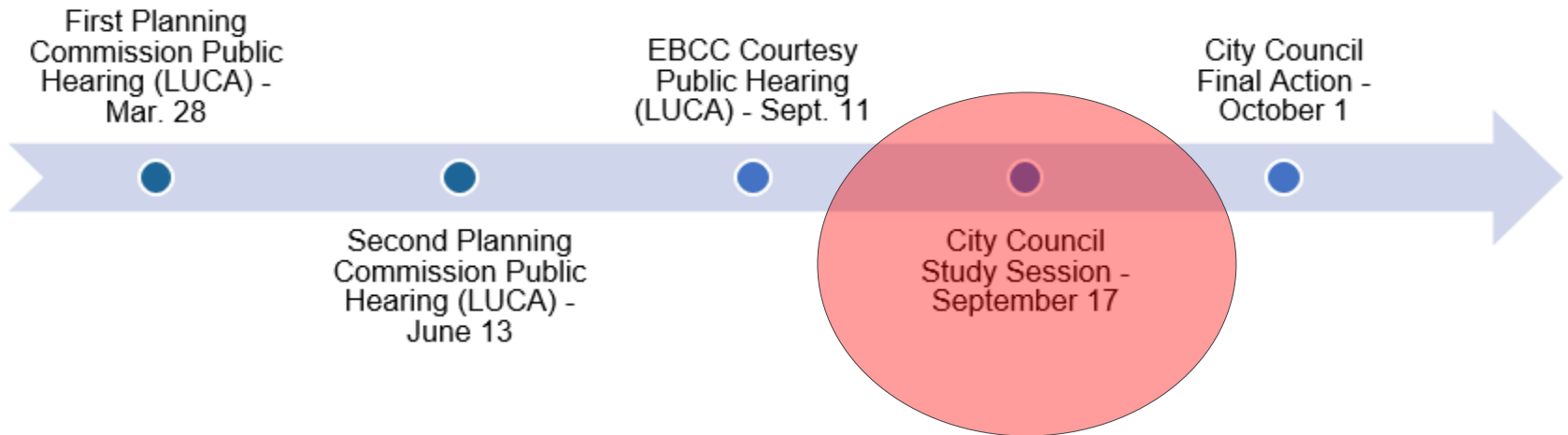
City Council Legislative Action

- **March 28 PC Study Session:** Introduction of the LUCA.
- **May 9 PC Public Hearing:** Discussion and recommendation to adopt.
- **May 16 PC meeting:**
Reconsideration and scheduling of another public hearing with new, more comprehensive noticing.
- **June 13 PC Public Hearing:**
Discussion and vote to transmit recommendation on the LUCA to Council.
- **September 11 EBCC Courtesy Public Hearing:** No comments.



Conformance Amendments Package Review Process: City Council

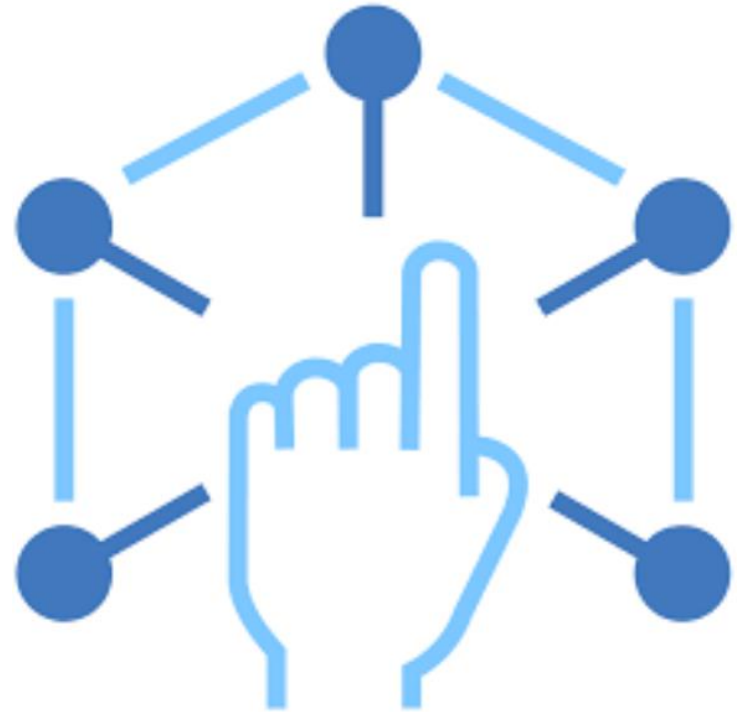
- September 17 City Council Study Session.
- October 1 City Council final action.



- (November 6 EBCC Meeting: Approve/disapprove LUCA)

Decision Criteria for LUCA

- The Amendment is consistent with the Comprehensive Plan; and
- The Amendment enhances the public health, safety or welfare; and
- The Amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.



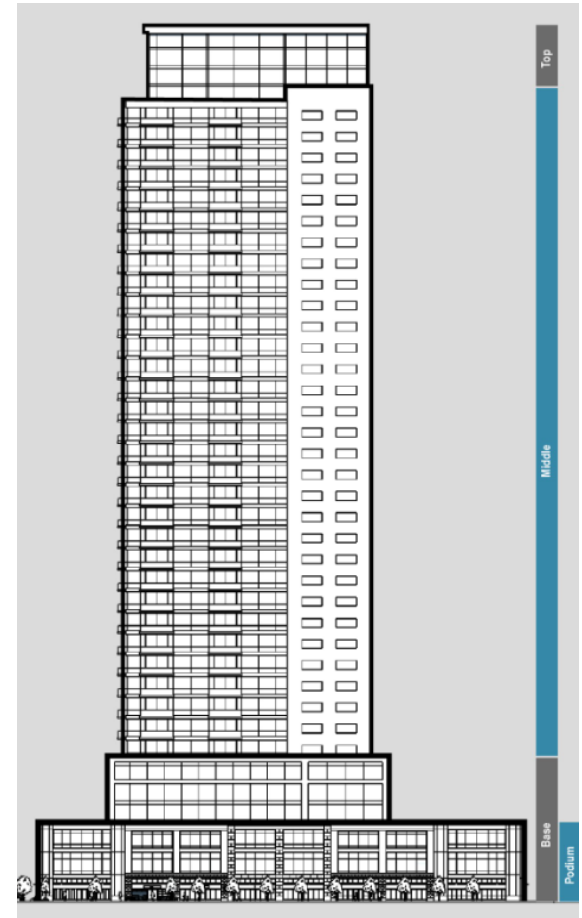
Options & Staff Recommendation

1. **Direct staff to bring the ordinances as drafted for final action on October 1** (Staff Recommendation).
2. Direct staff to bring the ordinances with modifications for final action on October 1.
3. Provide an alternative direction to staff.

Questions

Downtown Code – Drafting Artifact

- Dimensional charts in LUC 20.25A.060.A.4 have two numbers (1) Maximum Building Height, and (2) Maximum Building Height **with Mechanical Equipment**.
- LUC 20.25A.060.B.3 allows a 20-foot height intrusion for mechanical equipment through an Administrative Departure.
- Planning Commission did not intend for the 20-foot administrative intrusion opportunity in addition to the Maximum Building Height with Mechanical Equipment.
- Delete 20-foot administrative intrusion provided in LUC 20.25A.060.A.4.



2016 IBC Amendments – Consistency



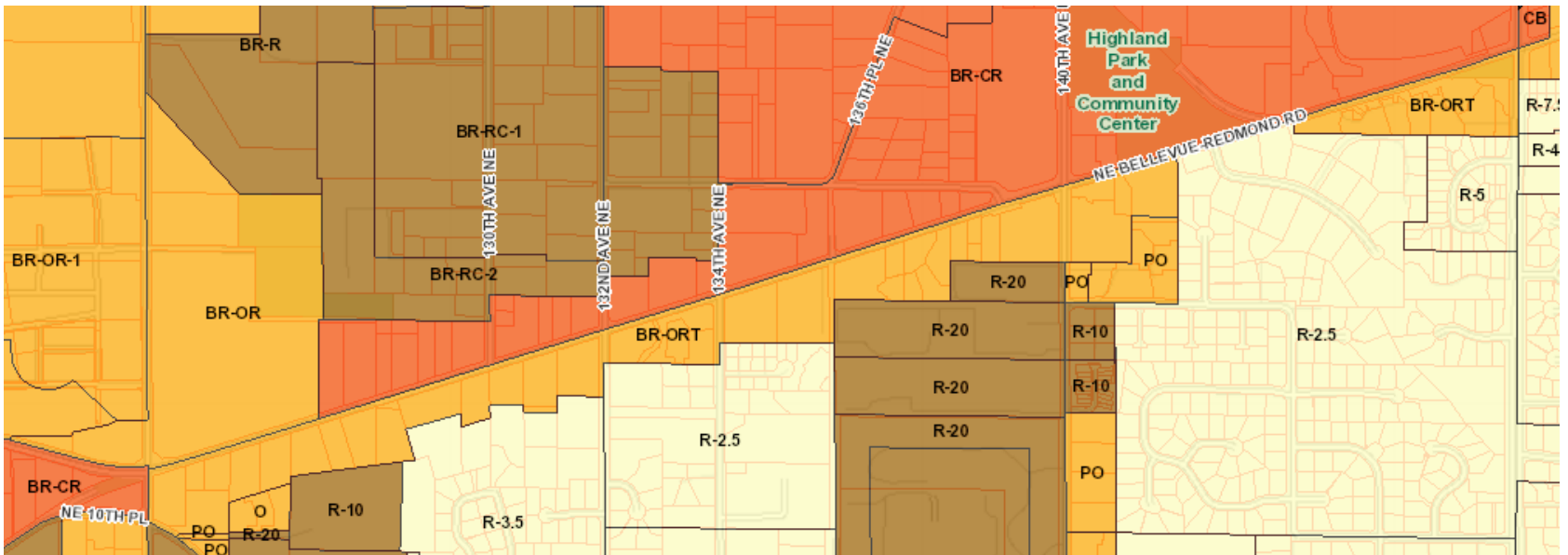
- 2016 IBC now allows for 5 levels (wood) over 2 levels (concrete) construction.
- 5 over 2 construction is more cost effective, flexible, and is ideally 75' high.
- 5 over 2 construction was not permitted in 2007 → Factoria DA III max. ht. 60'.
- LUCA would integrate the IBC and the BCC with the LUC, increasing the maximum height to 75 feet (LUC 20.25F.140), consistent with the height limit in DA II.
- Intensity and total number of dwelling units allowed do not change.

BelRed – Clarification

- Landscape buffer (LUC 20.25D.110.C) is intended to provide transition and visual separation between different land use districts.
- Original:
 2. Where Required. A 20-foot landscape buffer shall be provided **along the interior property line of a district abutting** BR-R and BR-ORT Land Use Districts.
- Conflict: Non-BelRed Land Use Districts abuts BR-ORT; and BelRed Code only applies to BelRed → gap for BR-ORT locations abutting non-BelRed sites.

BelRed – Clarification (con't)

- Amended:
 2. Where Required. A 20-foot landscape buffer shall be provided along the interior property line of a district abutting BR-R **Land Use District** and **along the interior property line of the** BR-ORT Land Use Districts **District abutting any non-BelRed Land Use District.**



Sign Code and Noise Control Code

- Clean ups and clarifications to correct cross-references and for consistency with new codes.

Section ____ Section 22B.10.025.E.1.d of the Bellevue City Code is hereby amended to read as follows:

d. Signage is prohibited at the upper levels of high-rise buildings, except with exceptions for hotel/motel uses when the design is compatible with building architecture, and for enterprises occupying at least ~~180,000~~ 75,000 net square feet, ~~or corporate headquarters occupying at least 120,000 net square feet,~~ of building area as permitted by BCC 22B.10.030(E.)(2), as now or hereafter amended.



Tanus, Trisna

Drafting artifact—should have been amended by Ordinance No. 6288.



Section ____ Section 9.18.025.B of the Bellevue City Code is hereby amended to read as follows:

B. The land use districts listed in the city of Bellevue Land Use Code, BCC Title 20, as now or hereafter amended, are classified for the purposes of this chapter as follows:

1. Residential land use districts: R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30.
2. Commercial land use districts: PO, O, OLB, OLB-2, OLB-OS, EG-TOD, NMU, NB, CB, ~~DNTNDT~~-O-1, ~~DNTNDT~~-O-2, ~~DNTNDT~~-MU, ~~DNTNDT~~-R, ~~DNTNDT~~-OB, ~~DNTNDT~~-OLB, F1, F2, F3, MI, BR-R, BR-MO, BR-MO-1, BR-OR, BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2, BR-RC-3, BR-CR, BR-ORT.

Correcting Citations, Updated SEPA rules

- DOE completed administrative updates to the SEPA rules (Chapter 197-11 WAC) in response to the 2012 Natural Resources Reform Bill (2ESSB 6406) .
- Chapter 22.02 BCC—Environmental Procedures Code adopts SEPA rules by reference.
- Clean-ups are needed for consistency with the updated SEPA rules.



D. The following categorical exemptions [in WAC 197-11-800, as now or hereafter amended](#), do not apply within any critical area described in subsection C of this section: