



# Bellevue Planning Commission

**Wednesday, October 14, 2015**

6:30 to 8:30 p.m. ■ 1E-113

City Hall ■ 450 110th Avenue NE, Bellevue

## Agenda

Regular Meeting

- |           |   |        |
|-----------|---|--------|
| 6:30 p.m. | <b>1. Call to Order</b><br><i>Michelle Hilhorst, Chairperson</i>  |        |
|           | <b>2. Roll Call</b><br><i>Michelle Hilhorst, Chairperson</i>  |        |
|           | <b>3. Approval of Agenda</b>  |        |
| 6:35 p.m. | <b>4. Public Comment*</b><br><i>Limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic</i>  |        |
|           | <b>5. Communications from City Council, Community Council, Boards and Commissions</b>   |        |
|           | <b>6. Staff Reports</b>   |        |
|           | <b>7. Draft Minutes Review</b><br>September 23, 2015  |        |
|           | <b>8. Study Session</b>   |        |
| 6:45 p.m. | <b>A. Eastgate/I-90 Corridor Implementing Regulations</b><br>Discussion of uses in the proposed OLB-2 and NMU zones<br><i>Erika Rhett, Senior Planner</i>   | Pg. 1  |
| 7:25 p.m. | <b>B. Downtown Livability</b><br>Review Part 1 of the "Early Win" Code Amendment Topics<br><i>Patti Wilma, Community Development Manager</i><br><i>Emil King, Strategic Planning Manager</i><br><i>Patricia Byers, Code Development Manager</i> | Pg. 15 |
|           | <b>9. Public Comment* - Limited to 3 minutes per person</b>   |        |
| 8:30 p.m. | <b>10. Adjourn</b>  |        |

*Agenda times are approximate*

**Planning Commission members**

Michelle Hilhorst, Chair  
John deVadoss, Vice Chair  
Jeremy Barksdale  
John Carlson

Aaron Laing  
Anne Morisseau  
Stephanie Walter

John Stokes, Council Liaison

**Staff contacts**

Emil King, Strategic Planning Manager 425-452-7223  
Michael Kattermann, Acting Comprehensive Planning Manager 425-452-2042  
Michelle Luce, Administrative Assistant 425-452-6931

*\* Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation.  
Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance: 425-452-5262 (TDD) or 425-452-4162 (Voice). Assistance for the hearing impaired: dial 711 (TR).*



*October 6, 2015*

**SUBJECT**

Eastgate/ I-90 Land Use Implementation – Neighborhood Mixed Use and Office Limited Business- 2

**STAFF CONTACT**

Erika Rhett, AICP, Senior Planner, [erhett@bellevuewa.gov](mailto:erhett@bellevuewa.gov) 452-2898  
*Planning and Community Development*

**DIRECTION NEEDED FROM PLANNING COMMISSION**

- Action
- Discussion
- Information

At this study session, the Planning Commission is requested to provide direction on the uses to be allowed in the Neighborhood Mixed Use (NMU) and Office Limited Business -2 (OLB-2) zones. No formal action is requested at this time. This input will be used to draft the land use code that will return for Planning Commission review later this year. A public hearing will also be scheduled later in the year on the draft code.

**BACKGROUND**

In 2012 Council accepted the vision and recommendations of the Eastgate/I-90 Land Use and Transportation Project Citizen Advisory Committee (CAC). The Planning Commission recommended amendments to the Comprehensive Plan to implement the CAC's vision. These amendments supported a greater mix of uses for the corridor, a transit-oriented development area near the Eastgate Park and Ride and Bellevue College, multi-modal transportation options, and support for neighborhood commercial development. Amendments were adopted in conjunction with the Comprehensive Plan Update on August 3rd.

At the June 10<sup>th</sup> meeting, the Planning Commission initiated the final phase of the implementation process by reviewing the CAC vision and the proposed land use code amendment work program. At the last meeting the commission discussed land uses in the Light

Industrial (LI) and Eastgate Transit-Oriented Development (EG-TOD) zones. This meeting will continue that discussion of land use by examining alternatives in the NMU and OLB-2 zones.

Additional background information on this project is available on the web at:  
[www.bellevuewa.gov/eastgate-corridor.htm](http://www.bellevuewa.gov/eastgate-corridor.htm).

## **RECOMMENDATIONS**

### *Neighborhood Mixed Use*

Provide direction on manufacturing, residential, and retail uses within the Neighborhood Mixed Use zone.

### *Office Limited Business -2*

Provide direction on the expansion of retail uses within the OLB-2 zone.

## **NEXT STEPS**

This is the second of several sessions that will review proposed alternatives for land use code amendments to implement the Eastgate CAC recommendations. Future sessions will review:

- corridor design and form to identify potential development standards and design regulations
- redevelopment economics to explore maximum Floor Area Ratio and alternatives for an incentive system

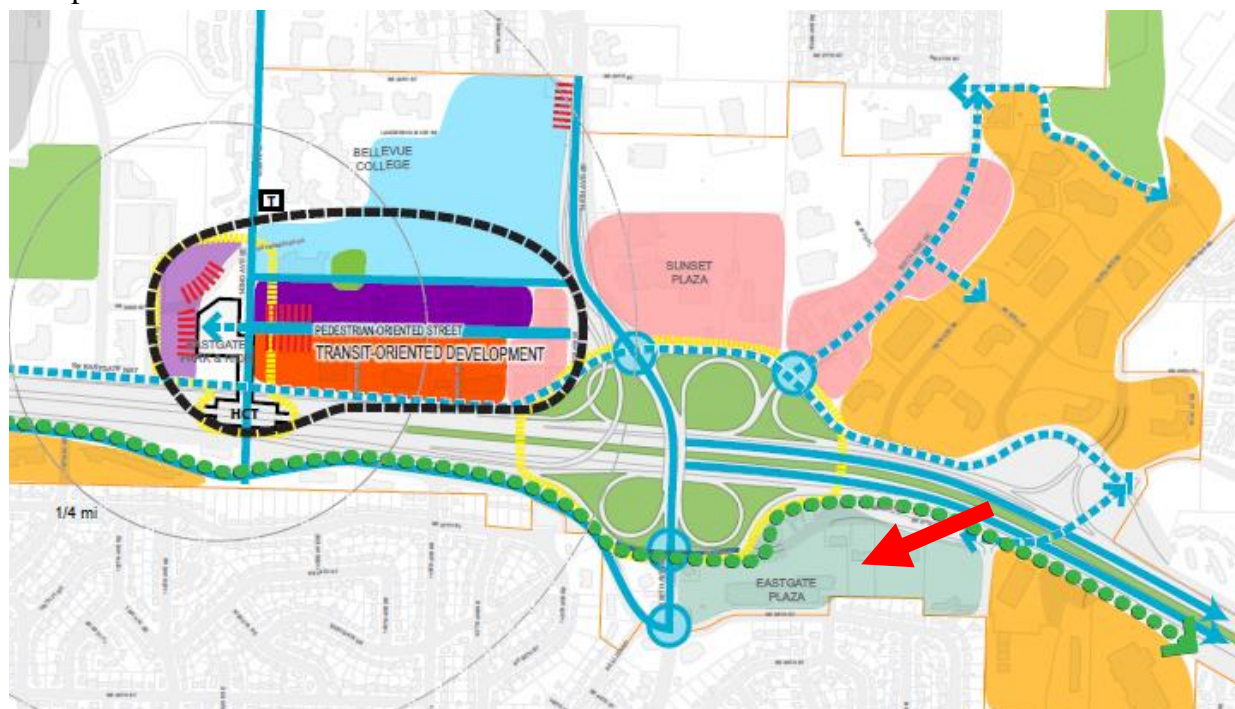
Planning Commission direction will be used to develop proposed land use code amendments that will return for commission review later in the year. There will be public outreach, including a public hearing, as part of the code amendment process.

## **ATTACHMENTS**

1. Neighborhood Mixed Use Land Use Analysis
2. Office Limited Business-2 Land Use Analysis

## EASTGATE/I-90 NEIGHBORHOOD MIXED USE LAND USE ANALYSIS

The Neighborhood Mixed Use (NMU) area is in the southeast corner of the Eastgate study area, shown in light blue on the map below. NMU land use is defined as: *A land use designation that provides for a mix of retail, service, office, and residential uses, with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby residential neighborhoods and to be easily accessible from the nearby office and residential uses that it serves.*<sup>1</sup> Currently NMU land use is unique to the Eastgate corridor, although the intention in creating the new land use designation was that it could be applied elsewhere in the city with a Comprehensive Plan Amendment.



### *Citizen Advisory Committee Vision and Recommendations*

The NMU area is currently dominated by the Eastgate Plaza shopping center, but it also includes surrounding retail properties, the Washington State Vehicle Emissions testing facility, and the Trails End RV Park. During the CAC process the public strongly favored neighborhood retail at this location. With the loss of the Safeway at Sunset Plaza (directly north of I-90) the public expressed interest in additional alternatives and choices for goods and services available in the neighborhood. Owners of Eastgate Plaza are unlikely to redevelop soon, but there is potential for redevelopment of the RV Park and the emissions testing facility that is planned to be phased out in a few years.

<sup>1</sup> This definition comes from the Comprehensive Plan, adopted August 3, 2015.

The CAC vision acknowledges that although automobile access will remain important for this area, good pedestrian connections that allow safe, convenient, and comfortable access for nearby neighborhoods and offices are important. Allowing increased intensity, with office or residential uses over ground floor retail and service uses, could encourage eventual redevelopment. However, after losing neighborhood retail to auto sales and leasing at Sunset Plaza, the CAC favored prohibiting auto sales uses in the neighborhood commercial area.

#### *Economic Development Plan*

As a neighborhood center, the NMU area does not have a direct linkage to the Economic Development Plan. However, one of the core business support strategies identified in the plan includes retaining existing business, attracting new businesses, and ensuring that the city functions well as a place. Redevelopment and enhancement of Eastgate Plaza and the surrounding area would support this strategy of retaining and attracting business at the neighborhood level as well as ensuring a well-functioning place to do business.

#### *Neighborhood Mixed Use (NMU) Use Analysis*

The NMU zone is envisioned as vibrant neighborhood center with a mix of uses and strong connections to the surrounding community. There are a handful of other zones in the city with a similar purpose that might be useful to compare in deciding which uses to allow in the NMU (see the chart on the following page).

<b>Zones</b>	<b>Purpose<sup>2</sup></b>	<b>Comparability</b>
Community Business (CB)	<i>Community Business Districts serve community markets and provide areas for the location of services and retail outlets, other than Downtown.</i>	This zone contains a wide mix of service and retail uses and is the current zoning of this area. <sup>3</sup>
Neighborhood Business (NB)	<i>Neighborhood Business Districts are small scale, mixed-use commercial areas that provide housing opportunities and retail and service businesses for the surrounding residential community. These sites may also accommodate a limited amount of administrative office space, provided that the office use does not interfere with the site's primary neighborhood-serving function. NB Districts front on designated primary or minor arterials and are generally 1,000 feet or more apart along the arterials. It is the intent of the City that any such district be located adjacent to existing or proposed residential areas. The maximum size of an NB District, composed of contiguous properties and located on one side of a street, is four and one-half acres. The maximum size is expanded to six acres for NB sites separated by a street.</i>	This zone provides a lower intensity zone than is envisioned for the NMU but it focuses on neighborhood uses.
BelRed Office/ Residential Transition (BR-ORT)	<i>The purpose of the Bel-Red-ORT Land Use District is to provide an area for low-intensity offices and uses and low density multifamily residential dwellings, developed in such a manner as to provide a buffer between residential and more intensively developed properties.</i>	This mixed use zone in BelRed considers the suitability of more intense development when it is located near residential areas.

*Manufacturing uses*

In the NB zone and the BR-ORT zone no manufacturing uses are allowed. However the CB zone allows handcrafted products manufacturing by right and most other manufacturing uses if subordinate to a permitted use. Currently there does not appear to be any manufacturing uses in the proposed NMU area, so disallowing the use should not impair any existing businesses. The question is whether manufacturing uses are appropriate neighborhood uses. Most manufacturing uses probably are not appropriate for a neighborhood center, but it could be useful to consider uses that would be appropriate if subordinate to another permitted use. For example, artisanal bakeries, breweries, or other food production when paired with a restaurant or handcrafted products such as pottery or furniture when paired with a gallery or showroom.

<sup>2</sup> From the Bellevue Land Use Code.

<sup>3</sup> There is a concomitant agreement in place for the Eastgate Plaza property that further restricts the uses on that property. It is anticipated that this concomitant agreement will be repealed with the rezoning action.

*Recreation uses*

Recreation uses provide activity and support community gathering, which are important function in a neighborhood center. The existing NB, CB, and BR-ORT zones show a high degree of consistency and allow a variety of such uses that seem suitable for the NMU including:

- Mid-size recreational facilities such as tennis courts, playfields, pools, and recreation centers (with a Hearing Examiner conditional use permit)
- Smaller recreational facilities such as: skating, bowling, health clubs
- Commercial amusements such as video arcades
- Private leisure and open space (catch-all category for uses not specified)
- Parks

The comparison zones also disallow a similar set of uses such as: larger recreational uses (mini-golf, go-cart tracks, driving ranges), marinas, stables, and kennels. These uses are also unlikely to be appropriate in a neighborhood center.

*Residential uses*

Community Business currently allows the full spectrum of residential uses, but the Neighborhood Business zone limits most residential uses and the BR-ORT zone limits most of the more intensive uses such as senior living facilities and lodging (see chart that follows). The CAC vision for the NMU area was to increase the intensity of this area slightly by allowing more opportunities for residential uses, including hotels and motels. Similarly, allowing different options for senior housing could help support people who wish to age in place by keeping them close to familiar friends and family but closer to goods and services available in the neighborhood center.

	<b>NB</b>	<b>CB</b>	<b>BR-ORT</b>
Single-Family Dwelling	P <sup>4</sup>	S	P
Two to Four Dwelling Units Per Structure	P <sup>4</sup>	P	P
Five or More Dwelling Units Per Structure	P <sup>4</sup>	P	P
Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities		C	
Rooming House		P	P
Senior Citizen Dwellings	P <sup>4</sup>	P	
Hotels and Motels		C	
Congregate Care Senior Housing	P	P	
Nursing Home	C	P	
Assisted Living	C	P	
Accessory Dwelling Unit	S	S	P
<i>P = permitted C= Hearing Examiner Conditional Use permit S = permitted if subordinate to a permitted use</i>			

<sup>4</sup> Only permitted above non-residential uses.



### *Resource production uses*

There is a high degree of consistency between the comparison zones in terms of resource uses. Food and fiber crops (which could allow community based agriculture, if desired in a neighborhood center) and veterinary clinics are permitted. These uses should be allowed in the NMU zone as well.

### *Service uses*

A full range of service uses are allowed in all the comparison zones. The only uses prohibited are: construction services, secure community transition facilities, and research and development. It is appropriate to limit these services in the NMU zone as well. Auto rental and leasing is allowed with some conditions in the CB and NB zone, to be consistent with the CAC recommendations, it should be prohibited in the NMU.

### *Transportation, utility, and communication uses*

Most of the uses in this category allow for the infrastructure needed to support development. As a result, it is not surprising to find that the comparison zones are highly consistent with each other. There are a few areas of departure, however, where the CB zone allows a use that is not allowed in the smaller, more limited NB zone, or the transitional BR-ORT zone. Bus terminals and taxi headquarters and radio and television broadcasting studios are allowed, and commercial parking lots and garages are allowed with a conditional use permit. None of these uses are currently in operation in the NMU area and they are not likely to be appropriate for a neighborhood center.

### *Trade uses (Retail and Wholesale)*

Community Business allows a wide variety of wholesale and retail uses because it defines most of the commercial areas outside downtown. Neighborhood Business and Bel-Red ORT are more restrictive. All of the comparison zones allow: food and convenience stores, restaurants, general retail (drugstores, florists, books, etc.); and they prohibit: wholesale, farm supplies, fuel yards, scrap materials, and truck and boat sales. The table that follows shows areas of departure that should be discussed further. In keeping with the CAC recommendation auto sales should be prohibited in the NMU.

	<b>NB</b>	<b>CB</b>	<b>BR-ORT</b>
Recycling Centers	P	P	
Lumber and Other Bulky Building Materials Including Preassembled Products		P	
Hardware, Paint, Tile and Wallpaper (Retail)	P	P	
General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)		P	
Automotive and Marine Accessories (Retail)		P	
Gasoline Service Stations	P	P	
Apparel and Accessories (Retail)		P	
Furniture, Home Furnishing (Retail)		P	
Adult Retail Establishments		P	
Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools	P <sup>5</sup>	P <sup>5</sup>	
Pet Shop (Retail and Grooming)	P	P	
Computers and Electronics (Retail)		P	

*Discussion Questions*

- What is the role of manufacturing in the NMU?
- Are food and beverage products manufacturing or handcrafted products manufacturing appropriate if paired with a retail use?
- Are any other manufacturing uses appropriate?
- Should the NMU residential uses follow the CB zone or should there be any additional restrictions or limitations on residential uses?
- Are the retail uses shown in the table appropriate for a neighborhood center?

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<sup>5</sup> Excludes large items such as rocks, trees, and bulk supplies.

## EASTGATE/I-90 OFFICE LIMITED BUSINESS-2 LAND USE ANALYSIS

The Office Limited Business area is located throughout the Eastgate corridor in the areas shown in gold. Office Limited Business (OLB) is a long-standing land use in Bellevue and in Eastgate. It was updated to allow a greater mix of uses: *A land use designation that provides areas for office, hotels, or motels. Uses such as eating establishments, retail sales, and services are permitted to provide the amenity of shopping and services within easy walking distance to support nearby businesses and employees.*<sup>1</sup> The land use designation is currently implemented citywide by the Office Limited Business (OLB) zone, as well as the Factoria-2 (F2) and Factoria-3 (F3) zones in the Factoria subarea. As part of the work on Eastgate the city will establish a new zone to implement OLB land use, temporarily named the Office Limited Business-2 (OLB-2) zone. Once this zone is established any property with OLB land use will theoretically be able to apply for OLB-2 zoning through the Hearing Examiner rezone process.



### *Economic Development Plan*

One of the foundational strategies of the Economic Development Plan is to cultivate attractive and diverse business districts. With about 17% of Bellevue's employment, Eastgate is the third largest employment area in the city, and much of the employment is within the OLB land use designation. When the Eastgate/I-90 land use and transportation project was launched the primary purpose was to investigate options for enhancing the economic vitality and character of the area. The CAC recommendations for changes to OLB land use directly address the issue of cultivating an attractive and diverse business district in Eastgate.

<sup>1</sup> This definition comes from the Comprehensive Plan, adopted August 3, 2015.

### *Citizen Advisory Committee Vision and Recommendations*

Office complexes are the primary form of existing office development in Eastgate. Some of the offices are set into large campuses, but there are individual office buildings as well. Most of the office development in the corridor is isolated from shopping, retail, and services to serve the thousands of employees working in the corridor. A couple office developments are near existing retail, services, and restaurants such as the Newport Corporate Campus (T-Mobile) perched on the hill just above the Factoria retail strip, or the I-90 Office Park just east of Sunset Plaza. However a lack of safe, convenient, and comfortable pedestrian connections can inhibit access and usability of these areas.

The Citizen Advisory Committee (CAC) for Eastgate envisioned a more vibrant office environment. The vision supports the integration of a greater mix of uses, goods and services to into office complexes in order to serve and support nearby workers and businesses. Forecast employment growth for Bellevue and market analysis of Eastgate indicates that there will be demand for additional office space in this area over the next 20 years. However, it is likely that existing office development will remain. As a result, the CAC recommended that growth be accommodated by allowing increased intensity and infill development in the corridor. Over time, redevelopment will result in an active and thriving network of ground floor retail and service uses that are integrated into the office environment.

### *Office Limited Business -2 Use Analysis*

The OLB-2 area presents an opportunity to create an active and attractive office environment infused with support services, restaurants, and daily goods. This is a departure from the existing OLB zone which is oriented toward an older idea about the separation of employment uses, permitting support uses only as accessory to an allowed use. There are also other zones in the city that support office development, or mixed use development with an office focus. It is useful to examine the uses allowed in these types of zones to help determine the appropriate uses for the OLB-2 zone. The following chart compares these zones.

<b>Zones</b>	<b>Purpose<sup>2</sup></b>	<b>Comparability</b>
Office (O)	<i>Office Districts provide areas for business, financial and professional service offices, located on arterial or commercial access streets. In the proximity of other major business and commercial districts, this district may serve as a buffer between residential areas and more intensive commercial districts.</i>	This zone allows only about half the intensity of the proposed OLB-2 zone and is much more restrictive in its uses.
Office Limited Business (OLB)	<i>Office and Limited Business Districts provide areas for the location of integrated complexes made up of offices, hotels or motels, eating establishments and retail sales accessory to permitted uses. Such districts are located in areas that abut and have convenient access to freeways and major highways.</i>	This zone allows only about half the intensity of the proposed OLB-2 zone and restricts support uses. However, it is the existing zone for most of the property that will be rezoned OLB-2.
Factoria -2 (F2)	<i>Factoria, F2 District provides for intensive office, movie theater, and service uses adjacent to freeway corridors in the Factoria area.</i>	Nearly the same use profile as OLB (does not allow auto sales), but allows intensity of up to .75 FAR. <sup>3</sup> This zone is applied to one office complex north of Factoria Mall.
Factoria- 3 (F3)	<i>Factoria, F3 District provides for highly intensive office use in an integrated complex adjacent to freeway corridors in the Factoria area. This is the most intensive office district outside the Downtown.</i>	Nearly the same use profile as OLB (does not allow auto sales), but allows intensity of up to 1.26 FAR. <sup>3</sup> This zone is applied only to the Newport Corporate Campus (T-Mobile).
Downtown Office Limited Business (DNTN-OLB)	<i>The purpose of the Downtown-OLB Land Use District is to provide an area for the location of integrated complexes made up of offices, and hotels or motels, with eating establishments and retail sales secondary to these primary uses. The district abuts and has convenient access to the I-405 Freeway.</i>	This zone is used to define office development along the I-405 corridor, some of which is proximate to mixed use development in Downtown and some of which is not. It allows only about half the intensity of the proposed OLB-2 zone but has a similar use profile.
BelRed Office/Residential (BR-OR)	<i>The purpose of the Bel-Red-OR Land Use District is to provide an area for a mix of office, housing and retail uses, with office as the predominant use.</i>	The use profile of this zone is probably most like the use profile that is envisioned for the OLB-2 because it recognizes a mix of uses and has a 1.0 maximum FAR. <sup>3</sup>

<sup>2</sup> From the Bellevue Land Use Code

<sup>3</sup> Floor Area Ratio – a calculation of intensity often used for commercial or mixed use buildings. FAR is most simply a ratio of the square footage of the building compared to the square footage of the lot. Often non-occupied areas of the building, such as mechanical areas, emergency stairwells, structured parking, or elevator shafts, are excluded from the building square footage.

### *Manufacturing uses*

On the whole, manufacturing uses are prohibited in all of the comparison zones. The O, OLB, F2, and F3 zones permit the manufacturing of measuring, analyzing, and controlling instruments, photographic, medical and optical goods, watches and clocks manufacturing, and computer software. This use should probably continue to be allowed in the OLB because there are existing businesses in this category in Eastgate. Downtown allows handcrafted products manufacturing, but this is probably not an essential addition to the OLB-2 zone.

### *Recreation uses*

There is a great deal of similarity between all comparison zones in the types of recreational uses that are allowed. Libraries, art galleries, indoor public assembly uses (auditoriums and sports arenas), movie theaters, and parks are generally permitted. Larger facilities such as indoor recreation (for example: skating, gyms, health clubs) and activities like tennis courts, athletic fields and swimming pools are allowed as a conditional use. Very large facilities, or those inappropriate for a developed urban area such as fairgrounds, driving ranges, stables, and kennels are prohibited. O, OLB, F2, and F3 allow camping site and hunting clubs and aquariums, botanical gardens, and zoos, but since none of those are in existence now and they would probably be incompatible with an intensification of land use in the OLB-2 it would be appropriate to exclude them. Video arcades and electronic games are not allowed in any of the comparison zones, but would probably be an appropriate addition to the OLB-2.

### *Residential uses*

With the exception of DNTN-OLB, which only allows hotels and motels, the other comparison zones share a similar residential profile. Multi-family residential is allowed, as well as lodging, rooming houses, and a full range of senior housing options. Group quarters (which includes dormitories) are prohibited but they should be considered for the OLB-2 because of the proximity to Bellevue College.

### *Resource production uses*

The only resource use allowed in the BR-OR are veterinary clinics and hospitals. Even though the use is not currently allowed in the OLB, it should be allowed in the OLB-2 since it is the kind of service use that might be useful for nearby workers (especially as some offices allow employees to bring their dogs to work!). Agricultural production, forestry, and mining are allowed either outright or with a conditional use permit in the O, OLB, F2, and F3 zones, but there is no reason to include such uses in the OLB-2.

### *Service uses*

The following services are similarly permitted in all comparison zones: finance, insurance, and real estate, day care centers, business services, medical clinics, professional services, government services, education, technical and trade schools, religious uses, professional and labor organizations, social services, and administrative offices. OLB currently allows uses that are not allowed in the BR-OR, but should be allowed in the OLB-2, such as: computer programming, data processing, and other related services and research and development.

*Transportation, utility, and communications uses*

The profile of uses in this category is extremely similar between zones and is used primarily to allow the infrastructure needed to support development. The same profile should be used to establish these uses in the OLB-2.

*Trade uses (Wholesale and Retail)*

Retail uses are a key category for implementation of the CAC vision for Eastgate. Retail uses are nearly completely prohibited in the O zoning district. In the OLB, DNTN-OLB, F2, and F3 zones retail uses are limited, and even the uses that are allowed tend to be restricted through a use permit, size restriction, or use restriction. However, the BR-OR permits the following uses that should also be considered for the OLB-2 zone. Consider the uses below to determine which retail uses should be permitted in the OLB-2.

	O	OLB	F2	F3	DNTN OLB	BR-OR
Recycling Centers						P
Lumber and Other Bulky Building Materials						P <sup>4</sup>
Hardware, Paint, Tile and Wallpaper (Retail)						P <sup>4</sup>
General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)						P
Food and Convenience Store (Retail)					P <sup>5</sup>	P
Autos (Retail)		P <sup>6</sup>				
Gasoline Service Stations		A <sup>7</sup>	A <sup>7</sup>	A <sup>7</sup>	A <sup>7</sup> , S <sup>5</sup>	P
Apparel and Accessories (Retail)		S	S	S	P <sup>5</sup>	P
Furniture, Home Furnishing (Retail)						P
Eating and Drinking Establishments	P	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5, 8</sup>	P
Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies	P	S	S	S	P <sup>5</sup>	P
Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools						P

<sup>4</sup> If three or more retail uses are combined the use is limited to 50,000 sq.ft.

<sup>5</sup> Restaurant uses must be functionally integrated into a complex and are limited in size.

<sup>6</sup> Limited to existing auto sales locations

<sup>7</sup> Can include a convenience store

<sup>8</sup> No drive-thru windows allowed

	O	OLB	F2	F3	DNTN OLB	BR- OR
Pet Shop (Retail and Grooming)					P	
Computers and Electronics (Retail)						P
<i>P = permitted S = subordinate to an allowed use A = Administrative conditional use permit</i>						

*Discussion Questions*

- Are the uses appropriately characterized in the descriptions above?
- Which retail uses are appropriate in the OLB-2?





October 7, 2015

**SUBJECT**

Downtown Livability Early Land Use Code Amendment Recommendations Regarding Permitted Uses, Signage for Publicly Accessible Open Space, and Mechanical Equipment Location and Screening.

**STAFF CONTACTS**

Carol V. Helland, Land Use Director, [chelland@bellevuewa.gov](mailto:chelland@bellevuewa.gov) 452-2724

Patricia Byers, Code Development Manager, [pbyers@bellevuewa.gov](mailto:pbyers@bellevuewa.gov) 452-4241  
*Development Services Department*

Emil King, Strategic Planning Manager, [eaking@bellevuewa.gov](mailto:eaking@bellevuewa.gov) 452-7223

Patti Wilma, Project Development Manager, [pwilma@bellevuewa.gov](mailto:pwilma@bellevuewa.gov) 452-4114  
*Planning and Community Development*

**DIRECTION NEEDED FROM PLANNING COMMISSION**

Action

Discussion

Information

**INTRODUCTION**

On October 14 and 28, 2015, staff will present the early Downtown Livability amendments to the Land Use Code. The early amendments will be divided into two sets. The first set of early amendments cover permitted uses, signage for publicly accessible open space, and mechanical equipment location and screening. On October 28, 2015, staff will present the second set of recommended revisions including street tree and sidewalk planting criteria, and an amendment to Downtown's southern boundary for consistency with a Comprehensive Plan amendment adopted earlier this year. After these study sessions, a public hearing will be held for comment on the early amendments and another study session for the Planning Commission to formulate its recommendations to the Council.

**DISCUSSION**

On May 26, 2015, Council provided direction to the Planning Commission to review the Downtown Livability Citizen Advisory Committee's (CAC) recommendations for Downtown Land Use Code updates. It was anticipated that this work would take a number of months and involve significant review, analysis, Code development, and additional public engagement beyond the CAC process. As the Commission began their review of the CAC recommendations in June 2015, the idea of moving forward a set of "early wins" was discussed. On July 22, a list of potential early win code amendment topics was identified by the Commission, with confirmation of the list on September 23. The amendments include changes to the Downtown District Land Use Charts, signage for publicly accessible open space and through-block connections, mechanical equipment location and screening,

street trees and sidewalk planting criteria, and a modification to Downtown's southern boundary for consistency with a Comprehensive Plan amendment adopted earlier this year. The first three issues will be discussed on October 14 and the last two issues will be discussed on October 28. Though some of these provisions were required deletions from the general sections of the LUC, these proposed changes are specific to Downtown and all substantive amendments will be located in Part 20.25A Downtown.

### **1. Uses in Downtown Land Use Districts 20.25A.015 C.**

The changes to the uses in the Downtown districts are all focused on creating a more livable, walkable Downtown. For instance, many recreational activities would be permitted outright in the Downtown thereby creating a better place to live. Similarly, veterinary hospitals and clinics would be permitted in all Downtown districts, which make it easier for Downtown residents to find care for their pets.

### **Proposed Changes**

Some of the changes are proposed for readability. For instance, staff proposes to move the Downtown Land Use Chart from the general land use charts in LUC 20.10.440 to Part 20.25A Downtown. This format would be similar to the BelRed provisions where the land use charts are included in Part LUC 20.25D rather than LUC 20.10.440. When a code is moved from one area to another, the strikeout version would not be necessary. However in this instance, there have been some changes to the chart, so a copy of the strikeouts are included for the readers' convenience. Some housekeeping changes proposed for the Downtown provisions include removing subordinate uses from the chart and renumbering the notes. The subordinate uses are covered by a citywide provision contained in the LUC. However, there are proposed revisions for the Downtown Districts that are substantive. They are discussed below. These predominately involve a change in required permit process. Uses aligned with the Downtown vision have been permitted outright. Uses that currently require a full conditional use process (Process III) to address associated impacts, have been changed to administrative conditional use permits (Process II). If aligned with the Downtown vision, the Process II administrative conditional use permit can easily be consolidated with the requisite Process II Design Review.

There are a few instances where permitted uses would no longer be allowed upon adoption of these proposed regulations. The term nonconforming use means that the use of a structure or of land which does not conform to the regulations of the district in which the use exists due to changes in Code requirements. The nonconforming use may continue if it is not abandoned and may be transferred to another owner. However, once it is abandoned for more than one year, the new use of the property must conform to current use regulations for the district.

### **Manufacturing**

- Printing and publishing would be moved from the manufacturing chart to the services chart.
- The rest of the manufacturing chart would be deleted because manufacturing is not consistent with the vision for Downtown as a walkable, livable place with storefronts and open public spaces.

### Recreation, Culture, and Entertainment

- Recreational activities such as miniature golf, tennis courts, community clubs, athletic fields, play fields, recreations centers and swimming pools would be permitted in all Downtown districts.
- Other recreational activities such as skating, bowling, gymnasiums, athletic clubs, health clubs, and recreational instruction would be permitted in all Downtown Districts except the DNTN-R District, where the use is permitted only when developed in a building which contains residential uses. Currently, these uses in all but the Downtown Mixed Use (DNTN-MU) district require an administrative conditional use permit, and those recreational uses proposed in the DNTN-R must be developed in a building that also contains residential uses.
- City Parks would be generally permitted. However, when located in the DNTN-R District will require an administrative conditional use permit, rather than a conditional use permit if the park will have lighted sports fields, amplified sound or a community recreation center. Nonrecreation uses in a City Park in the DNTN-R would require a conditional use permit. A nonrecreation use means a commercial, social service or residential use located on park property, but not functionally related to park programs and activities.

### Residential

- Single-family residences are currently permitted in all but Downtown Office and Limited Business District. (DNTN-OLB) but are proposed to be disallowed in all Downtown districts. The stated purpose of Downtown in LUC 20.10.370 is to provide the financial and business hub of the community that is an aesthetically attractive area of intense use. Single family residences are not consistent with this purpose, nor do they respond to increasing market pressure for more intense uses such as multi-family condominiums and office buildings.
- Multi-family dwellings would be permitted in all Downtown Districts with the proposed addition of allowing multi-family dwellings in the DNTN-OLB.

### Resources

- Veterinary clinic and hospitals would be permitted in all Downtown Districts rather than only being permitted in DNTN-MU. They must meet the requirements of LUC 20.20.130, which have additional standards for animal keeping and services.

### Services

- In the Downtown-Office 2 (DNTN-O2), Downtown-Office 1 (DNTN-O1), DNTN-MU and DNTN-OLB Districts; drive-ins and drive-throughs for finance, insurance, and real estate uses would be 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. Previously, they were allowed outside in all districts, rather than within a structured parking facility. This is proposed because drive-in banks are not consistent with the idea of a walkable Downtown. They cater solely to the vehicles, take up storefront space, and cause traffic issues.
- Pet grooming and daycare would be added as permitted uses. In the DNTN-R, these establishments are limited to 1,500 gross square feet. Also, they must meet the general requirements of LUC 20.20.130, which have additional requirements for animal services.

### Transportation and Utilities

- Park and rides, sometimes called park and pools in the LUC, would no longer be allowed because park and ride facilities are intended to provide suburban parking to people who are

commuting on mass transit to the Downtown for work or other purposes. The idea is to encourage fewer single-occupancy vehicle trips into the Downtown, and park and rides would be inconsistent with this objective.

- On-site hazardous waste treatment and storage facilities are currently permitted with an administrative conditional use permit. Staff proposes to remove this use from the Downtown districts entirely because it is inconsistent with a livable, safe Downtown.
- Figure UT.5a has been updated to Map UT-7 to be consistent with the new Comprehensive Plan updates passed in August 2015. Both depict new or expanding electrical facilities.

### Wholesale and Retail

- Recycling centers would be permitted outright in the DNTN-OLB district where they are currently not permitted at all. In the DNTN-R and DNTN-OB districts, recycling centers were permitted with a conditional use permit, but staff recommends an administrative conditional use permit. A recycling center is defined as “A collection point for small refuse items, such as bottles and newspapers, located either in a container or a small structure,” and applies to stand-alone facilities. Recycling areas that service tenants within a building are permitted outright.
- Automobile and motorcycle retail sales would be permitted in all districts but DNTN-R and DNTN-OB, but no outdoor storage or loading in the right-of-way will be allowed. Currently, these sales may only occur in the DNTN O-1 and DNTN O-2 districts.
- Currently, commercial trucks may not be sold in any Downtown district, this will not change. However, the word “commercial” was added to distinguish between those trucks that would be sold at a retail automobile establishment versus those used in heavy duty, commercial activities.
- Garden supply stores would be permitted in DNTN-R, DNTN-OB, and DNTN-OLB districts. Currently, they are only permitted in the DNTN-MU. This change would encourage livability for those who want to live Downtown and grow gardens on their decks, patios, and rooftops.
- Size restrictions, either a maximum of 1,500 or 3,000 gross square feet, would be eliminated for many uses in the DNTN-R district including hardware, general merchandise, food and convenience stores, apparel stores, furniture stores, drug stores, and pet shops.
- Pet shop grooming would be moved from the wholesale and retail chart to the services chart.
- Microbreweries would be allowed so long as they are combined with an eating and drinking establishment. There would no longer a requirement that the microbrewery is a subordinate use occupying 50 percent or less of the square footage of the entire establishment. The percentage was impossible for microbrewery owners to meet and remain viable, so staff proposes to remove the percentage.
- 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.

## **2. Signage for Publicly Accessible Open Space**

The Land Use Code calls for a number of spaces and pathways in Downtown to be open to the public including plazas, through-block connections, and minor publicly accessible spaces. Each of these spaces has different characteristics and are used by the public for different reasons. Some spaces offer passive or active recreation, others provide a walkway to a destination. These amendments focus on standardizing signage needed to inform the public as to the availability of these spaces.

Plazas earn FAR amenity points that translate into bonus building square footage for new buildings if they are open to the public and meet certain design guidelines. Mid-block connections (proposed to be renamed to through-block connections) may be indoors or outdoors, so there is no specific time for them to be open. If outdoors, they are typically open at all times. If they are indoors, they typically remain open during the operating hours of the buildings through which they pass. Minor publicly accessible spaces (MPASs) provide relief from urban development, serve as gateways or opportunities for active or passive recreation. They are currently required to be open during normal business hours. Staff proposes to change this requirement so that MPAs are open from 6 a.m. to midnight or the hours of the adjacent development, whichever is greater. This is currently the requirement for pedestrian bridges. If MPASs and pedestrian bridges had the same hours, it would add predictability to the pedestrian environment.

All these open space features are designed to be open to the public, but individual site configuration and location of the features often do not communicate that these spaces are either public or accessible. Spaces are open at different times, which often adds to the confusion as to when and where the public is welcome. Some newer spaces and through-block connections have been willingly identified by property owners as open to the public. In these instances, wayfinding standards help to direct the public to these important Downtown amenities.

During staff work with the CAC and focus groups, creation of clarity was often mentioned as a necessary step to help pedestrians navigate the Downtown and make the Downtown more livable.

### Proposed Changes

Staff proposes wayfinding signage for publically accessible open space consistent with the CAC’s recommendations. The CAC stated that public open space should be signed in a way that makes them feel as though they are a part of the public realm. The Downtown has three different kinds of publicly accessible open space that will be addressed with these code changes. They are plazas, midblock connections, and minor publicly accessible spaces (MPASs). The following chart shows the characteristics of these spaces and the proposed amendments.

<b>Type of Publicly Accessible Open Space</b>	<b>Characteristics</b>	<b>Proposed Amendments</b>
Plazas	<ul style="list-style-type: none"> <li>• Continuously open</li> <li>• Designed for people, not as a setting for a building</li> </ul>	<ul style="list-style-type: none"> <li>• Wayfinding signage requirement</li> </ul>
Walkways – Midblock (renamed “Through-Block Connections”)	<ul style="list-style-type: none"> <li>• Continuously open</li> <li>• Required in each superblock to permit movement to and from sidewalks, public spaces, buildings and parking areas</li> </ul>	<ul style="list-style-type: none"> <li>• Wayfinding signage requirement</li> <li>• Renamed for clarity</li> </ul>

Type of Publicly Accessible Open Space	Characteristics	Proposed Amendments
Minor Publicly Accessible Spaces (MPASs)	<ul style="list-style-type: none"> <li>• Along Bellevue Way and 108th Ave NE at their intersections with NE 8th, NE 6th and NE 4th. Also 2 spaces in each superblock</li> <li>• Provide opportunities for active and passive recreation.</li> <li>• Currently limited to normal business hours</li> <li>• Are not required to permit movement to and from sidewalks, public spaces, buildings and parking areas.</li> <li>• Outdoor or enclosed</li> <li>• Must be developed as a plaza, art or landscape feature</li> <li>• May use FAR amenity bonus</li> </ul>	<ul style="list-style-type: none"> <li>• Wayfinding signage requirement</li> <li>• Change from normal business hours to pedestrian bridge hours which are 6 a.m. to 12 midnight or the hours of operation of the adjacent uses, whichever is greater.</li> <li>• If FAR amenity points were received for a plaza, then it must remain open at all times. (A plaza can be an MPAS)</li> </ul>

The wayfinding signage would be visible from all points of access and be consistent with respect to color, size, type, verbiage, and placement. The Director would have flexibility to approve alternate signage if the required signage is not feasible, so long as project design and signage objectives are met. This provides uniform application for property owners and predictability for pedestrians.

Staff proposes to change the name of the “Walkways – Midblock” section to “Through-Block Connections” because it better describes the spaces. Staff also proposes to model the MPAS requirements after the pedestrian bridge requirements. Currently, MPASs must remain open during “normal business hours.” However, pedestrian bridges must remain open from 6 a.m. to midnight or during the hours of operation of the adjacent uses, whichever is greater. The new provisions would also require the execution of an agreement with the City that the property is subject to a nonexclusive right of pedestrian use and access by the public during hours of MPAS operation and recording that agreement with King County Division of Records and Elections and Bellevue City Clerk. This provision would ensure that the MPAS would remain available to the public even if the property ownership changes.

### 3. Mechanical Equipment Location and Screening

Mechanical equipment screening requirements were added to the Land Use Code in 1983. These requirements applied to all new development and placement of new mechanical equipment on existing buildings. The intent behind location and screening criteria to ensure mechanical equipment does not detract from the appearance of the building or development.

Many of the older buildings that were built prior to the initiation of code requirements have no screening for multiple units scattered over roofs. However, many newer commercial and residential high-rise buildings have successfully integrated mechanical penthouses or parapets into the architecture of their buildings as screening for mechanical equipment. When built consistently with the architectural design intent and with the same finish materials, the screening provides transition between the building and the mechanical equipment.

Mechanical equipment located at grade is required to be screened from all sides and not interfere with the pedestrian environment. Those designing projects are beginning to think about using art as a screening element, especially for exhaust pipes. As building heights increase, screening from above may also be required. An exposed roof is considered the fifth elevation of a building design.

Noise, exhaust velocity, and odors from garage vents can have a negative impact on the sidewalk environment and quality of life for all. Restaurant equipment is not often contemplated early in building design because tenanting decisions are not made early in design development. However, when a restaurant is a tenant in these large buildings, exhaust venting becomes an issue. When restaurant kitchen equipment is vented, it is often directed toward the sidewalk or a public space. The vents emit strong odors and warm exhaust onto passing pedestrians or those enjoying a public plaza, resulting in an unpleasant experience. Pedestrians modify their walking patterns to avoid such conditions. As Downtown becomes an increasingly attractive place to live and play, exposure to mechanical equipment noise, odor, and appearance can impact the pedestrian experience and quality of life.

### **Proposed Changes**

Staff proposes several changes to the provisions for mechanical equipment location and screening. These changes revolve around making mechanical equipment less visible and less intrusive to those living, working, and visiting Downtown. The placement of mechanical equipment and exhaust air discharges can create pedestrian environments that are filled with physical obstacles, ugly equipment, noise, and unwanted odors. The additions and revisions below are proposed to address these concerns.

#### Location

- Staff recommends that mechanical equipment be located below grade or on the roof rather than the current provision which allows mechanical equipment to be located at grade.
- Staff recommends that no mechanical equipment may abut a public walkway, through-block pedestrian connection, or areas open to the public like a plaza. The current code does not address this. Poorly located mechanical equipment can significantly diminish the walkability and pedestrian experience in the Downtown by separating the pedestrian from the commercial and open spaces, creating an eyesore, and creating a physical barrier to free passage. Currently the code structure does not drive proper location to avoid impact of equipment on the pedestrian environment. As a result mitigation is often addressed after-the-fact through an enforcement case here compliance measures are expensive, less effective, and more apt to create a diminished design result.

#### Screening

- The design and materials used for the visual barrier or structure shall be consistent with the architecture of the building.
- Vegetation used for screening will provide for 50 percent coverage upon installation and 100 percent coverage in 3 years. The previous provision only stated that there must be screening within 2 years. It should be noted that vegetation is not an appropriate noise mitigation measure.

### Exhaust (All new)

- Staff proposes that exhaust equipment be located so that it does not discharge on a sidewalk or area designated accessible to the public.
- Exhaust air discharges or outlets would be located a minimum of 16 feet above the sidewalk or public way.
- Exhaust location and discharge would be listed in order of preference:
  - On the building rooftop,
  - Service drive or alley, or other façade that would not be adjacent to a public street, sidewalk, or right of way,
  - Located above a driveway or service drive to the property such as a parking garage or service court, or
  - Located adjacent to the public street or easement so long as it is not directly above an element that has earned an FAR Amenity Incentive System points.

### **NEXT STEPS**

Steps necessary to complete development and adoption of the early Downtown Livability revisions are shown below.

1. Planning Commission study session – second set of early revisions (October 28)
2. Planning Commission public hearing (Contingent on the Planning Commission’s direction, the public hearing may be held as early as November 18)
3. Planning Commission study session and recommendation transmittal to Council (date to be determined)
4. Council study session – transmittal from Planning Commission
5. Council action on proposed revisions

### **ATTACHMENTS**

- A. Land Use Chart – Draft Land Use Code Amendment**
- B. Signage for Publicly Accessible Open Space - Draft Land Use Code Amendment**
- C. Public Space and Wayfinding Locations Map**
- D. Public Space Wayfinding – Rationale for Improved Wayfinding**
- E. Mechanical Equipment Location and Screening - Draft Land Use Code Amendment**
- F. Map of Downtown Districts**

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## **Draft Land Use Code Amendment**

### **Uses in Downtown Bellevue Land Use Districts**

#### **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 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 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 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.

Attachment A

The Manufacturing Table will be deleted.

Manufacturing – Downtown Districts

STD LAND USE CODE REF	LAND-USE CLASSIFICATION	Downtown Office District-1	Downtown Office District-2	Downtown Mixed-Use District	Downtown Residential 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
2 and 3	Manufacturing (1,4)						
21	Food and Beverage Products Mfg.						
22	Textile Products Mfg.						
23	Apparel, Fabric, Accessories and Leather Goods Mfg.						
24	Lumber and Wood Products Mfg.						
25	Furniture and Fixtures Mfg.						
26	Paper Products Mfg.						
27	Printing, Publishing and Allied Industries	S	S	S			
28	Chemicals and Related Products Mfg.						
31	Rubber Products Mfg.						
314	Misc. Plastic Products Mfg.						
321 322 324 325 327	Light Stone, Clay, and Glass Products Mfg.; Glass, Pottery and China Ceramic Products, Stone Cutting and Engraving						
329	Handcrafted Products Mfg.	S	S	S	S	S	S
3427	Computers, Office Machines and Equipment Mfg.						
3433 3434 3435 3436 3437	Electrical Equipment Mfg.; Appliances, Lighting; Radio, TV Communications; Equipment and Component Parts						
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating						
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches						

# Attachment A

		and Clocks Mfg.; Computer Software						
3997		Signs and Advertising Display Mfg.						
3999		Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified						

### Notes: Uses in land use districts – Manufacturing

- (1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mill
- (2) Paper products manufacturing excludes paper and pulp manufacturing in LI Districts.
- (3) Manufacture of flammable, dangerous or explosive materials is excluded in LI Districts.
- (4) An office is permitted if accessory and subordinate to a manufacturing
- (5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.

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

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
711	Library, Museum	P	P	P	A	A	P
7113	Art Gallery	P	P	P	P 4, 5 <u>2, 3</u>	P	P
712	Nature Exhibitions: Aquariums <u>and</u> Botanical Gardens <u>and</u> Zoos	P 6	P6	P 6			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities	P	P	P	A 5 <u>3</u>	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs	P	P	P	A 5 <u>3</u>	A	P
7213	Drive-In Theaters						
	Adult Theaters 4	P	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			<u>P</u>
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: <u>Miniature</u> Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools <u>2</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>AP</u>	<u>AP</u>

# Attachment A

744	Marinas, Yacht Clubs						
7413 7414 7415 7417 7425	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreational Instruction	<u>AP 8</u>	AP8	P	<u>AP 3</u>	AP8	AP 8
7491 7515	Camping Sites and Hunting Clubs						
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P	P	P
	Public/Private Park	P	P	P	P	P	P
	Stables and Riding Academies						
	Boarding or Commercial Kennels <u>6</u>						
	City Park (10) <u>5</u>	P/C	P/C	P/C	<u>P/C5</u>	P/C	P/C

\*Not effective within the jurisdiction of the East Bellevue Community Council.

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

(1) Cultural activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 Districts

(2) (1) For carnivals, see LUC 20.20.160.

(3) Recreation activities do not include athletic clubs in O, LI and GC Districts.

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

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

(6) Excludes zoos.

(7) (4) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.

(8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use.

(9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site.

(10) (5) City parks are generally permitted in all districts. However, the following types of uses or facilities in in City parks in single-family or R-10 zones require conditional administrative conditional use approval when located in the Downtown-R zone: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Nonrecreation uses in City parks located in the Downtown-R district requires in all zones outside the Downtown require conditional use approval, except that the permit requirements for wireless communication facilities shall be as set forth in LUC 20.20.195. For purposes of this requirement, “nonrecreation use” means a commercial, social service or residential use located on park property but not functionally related to City park programs and activities.

(6) Boarding and commercial kennels are allowed as subordinate uses to a veterinary clinic or hospital meeting the criteria of LUC 20.20.140.

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Attachment A

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

		Residential – Downtown Districts					
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
	Single Family Residential(3)	P	P	P	P	P	
	Two to Four or more Dwelling Units Per Structure	P	P	P	P	P	<u>P</u>
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	<u>P</u>
13 15	Hotels and Motels	P	P	P	P	P	P
	Congregate Care Senior Housing (4) (7*)	P	P	P	P	P	<u>P</u>
6516	Nursing Home, Assisted Living (1)-(4) (7*)			P	P	P	<u>P</u>
	Assisted Living (4,7*)			P	P	P	
	Accessory Dwelling Unit (9)			S	S	S	

\*—Not effective within the jurisdiction of the East Bellevue Community Council.

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

(1) ~~No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.~~

(2) ~~(Deleted by Ord. 4999).~~

(3) ~~A boardinghouse or bed and breakfast is permitted in a single-family dwelling, provided the requirements of LUC 20.20.140 are met.~~

(4) (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, or assisted living to remain in perpetuity as senior housing.~~

(5) ~~Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.~~

(6) ~~Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street is not allowed. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.~~

(7) ~~In Planning Districts A and B of the Crossroads Subarea and in Planning District E of the Crossroads Subarea north of NE 8th Street, existing legal nonconforming multifamily uses can be converted to senior citizen housing, congregate care senior housing, assisted living or nursing homes. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.\*~~

(8) ~~These residential uses are permitted in NB Districts only if located on the second floor and above the permitted ground floor nonresidential uses.~~

(9) ~~Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.~~

(10) ~~(Deleted by Ord. 4999).~~

(11) ~~(Deleted by Ord. 4999).~~

(12) ~~(Deleted by Ord. 4999).~~

(13) ~~(Deleted by Ord. 4999).~~

# Attachment A

(14) ~~(Deleted by Ord. 4999).~~

(15) ~~One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District.~~

(16) ~~For Single-Family Land Use Districts, "building height" is defined as the vertical distance measured from the average existing grade around the building to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof, provided this measurement does not apply to flag poles and short wave radio antennas. Refer to the definition of building height for Single-Family Land Use Districts at LUC 20.50.012.~~

\* ~~Not effective within the jurisdiction of the East Bellevue Community Council.~~

## Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
61	Finance, Insurance, Real Estate Services	P <del>43</del> <u>10</u>	P <del>43</del> <u>10</u>	P <u>10</u>	P <del>11, 12</del> <u>4, 5, 11</u>	P <u>11</u>	P <u>10</u>
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P <del>11, 12</del> <u>4, 5</u>	P	P <u>4, 20</u>
6241	Funeral and Crematory Services						
6262	Cemeteries						
	Family Child Care Home in Residence <u>1</u>	P	P	P	P	P	P
629	Child Day Care Center <u>1, 2</u>	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies, and Employment, and Printing and Publishing	P	P	P	P <del>11, 12</del> <u>4, 5</u>	P	P
634	Building Maintenance and Pest Control Services						
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools	<u>P</u>	<u>P</u>	P			<u>SP</u>
641	Auto Repair and Washing Services <del>(26)</del>			P <del>8</del> <u>3, 8</u>			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P	P <del>11, 12</del> <u>4, 5</u>	P <del>11</del> <u>4</u>	P
	Professional Services: Other	P	P	P	P <del>11, 12</del> <u>4, 5</u>	P <del>11</del> <u>4</u>	P
	<u>Pet Grooming and Pet Day Care (9)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> <u>4</u>	<u>P</u>	<u>P</u>
6513	Hospitals			C	C		

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66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P 11, 12 5	P 11 5	-AP
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	AP
	Limited Governmental Services: Protective Functions (21)						
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22) 6	P	P	P	P 12 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
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools			P	P 11, 12 4,5	P 11 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 11, 12 4, 5	P	P
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P 11, 12 4, 5	P	P
	Research, Business Incubation, Development and Testing Services	P	P	P	P 11, 12 4, 5	P	P

\*Not effective within the jurisdiction of the East Bellevue Community Council.

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

(1) Finance, insurance, real estate services are permitted only if commercially or industrially related in LI Districts.

(2) Personal services are permitted in LI Districts only if located in a multiple function building or complex.

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

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

(5) These uses are permitted in LI Districts only if located in a multiple function building or complex.

(6) Automobile rental and leasing services require administrative conditional use approval and are subject to the decision criteria in LUC 20.20.135.

(7) Rental services are restricted to autos and furniture in CB and F1 Districts and to truck, trailer, and tool rentals, provided the site has two street frontages.

(8) (3) Auto repair and washing services are permitted only if washing services are a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible spaces to a permitted or special use in Downtown-MU Districts.

(9) Professional services are permitted in LI Districts only if located in a multiple function building or complex.

(10) Governmental services include maintenance shops in LI and GC Districts.

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

## Attachment A

- ~~(12)~~ (5) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.
- ~~(13)~~ Drive-in facilities may be permitted through Design Review, Part 20.30F LUC, at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:
- ~~(a)~~ On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.
  - ~~(b)~~ The design of the vehicular access is compatible with high-volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
  - ~~(c)~~ The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
  - ~~(d)~~ Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.
  - ~~(e)~~ Walk-up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.
- ~~(18)~~ Rental services limited to truck, trailer and tool rentals are permitted in NB Districts with administrative conditional use approval, provided the site has two street frontages
- ~~(19)~~ Auto repair and washing services are permitted with administrative conditional use approval only in NB sites that have two street frontages.
- ~~(20)~~ Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility
- ~~(21)~~ Uses are limited to neighborhood community police stations of 1,000 square feet or less.
- ~~(22)~~ (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.
- ~~(23)~~ No portion of a property on which a Secure Community Transition Facility is proposed to be located may be within 300 feet of the boundary of any land use district within which the SCTF use is prohibited. The required 300 feet shall be measured in accordance with the policy guidelines established by the Department of Social and Health Services pursuant to RCW 71.09.285(4), now or as hereafter amended.
- ~~(24)~~ Secure Community Transition Facilities are subject to the regulations for Secure Community Transition Facilities in LUC 20.20.750.
- ~~(25)~~ (7) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in all residential land use districts and 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.
- ~~(26)~~ (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.
- ~~(27)~~ (9) See LUC 20.20.130 for general requirements applicable to this use.
- (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.
- (11) Drive-in windows and drive-throughs are not permitted.



Attachment A

Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
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 (23)	S	S	S			S
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	A 44-3	A 44-3	A 42-4			A 44-3
	Accessory Parking (4) (6) (24) 1, 2, 12	P	P	P	P 14	P	P
46	Auto Parking: Commercial Lots and Garages (24) 12	P 43-5	P 43-5	P 43-5	A	P 43-5	P 43-5
	Park and Ride (5) (24)			A			A
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal (19)						
	Highway and Street Right-of-Way (24)-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 (7)	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)						
	Essential Public Facility (20) 9	C	C	C	C	C	C
	Regional Light Rail Transit Systems and Facilities (25) 14	C/P	C/P	C/P	C/P	C/P	C/P
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21 6, 7, 10	14, 16, 21 6, 7, 10	14, 16, 21 6, 7, 10	14, 16, 21 6, 7, 10	14, 16, 21 6, 7, 10	14, 16, 21 6, 7, 10
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16 6, 7	14, 16 6, 7	14, 16 6, 7	14, 16 6, 7	14, 16 6, 7	14, 16 6, 7
	Satellite Dishes (18)-8	P	P	P	P	P	P
	Electrical Utility Facility (22)-11	A/C 22-10	A/C 22-10	A/C 22-10	A/C 22-10	A/C 22-10	A/C 22-10

\*—Not effective within the jurisdiction of the East Bellevue Community Council

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

~~(1) (Deleted by Ord. 5086).~~

~~(2) Intentionally deleted.~~

~~(4)(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.~~

~~(5) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.~~

~~(6)(2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.40.440-20.25A.015.~~

~~(8) Off site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.~~

~~(9) (Deleted by Ord. 5086).~~

~~(10) These uses are permitted only if located in a multiple function building or complex.~~

~~(14)(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.~~

~~(12)(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.~~

~~(13)(5) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.~~

~~(14)(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. This note does not prohibit locating WCF: a) on any residential structure or undeveloped site in R-20 or R-30 Land Use Districts; or b) 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.~~

~~(15) Intentionally deleted.~~

~~(16)(7) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.~~

~~(17) Intentionally deleted.~~

~~(18)(8) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.~~

~~(19) Refer to LUC 20.20.820 for general requirements applicable to solid waste disposal facilities.~~

~~(20)(9) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).~~

~~(24)(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.~~

~~(22)(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 Figure UT-5a of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-7 Figure UT-5a, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.~~

~~(23) Battery Exchange Stations are ancillary to Motor Vehicle Transportation, 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.~~

~~(24)(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.~~

~~(25)(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.~~

~~(3) (14) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.~~

Attachment A

Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)						
5193	Scrap Waste Materials, Livestock						
	Recycling Centers	P	P	P	GA	GA	P
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)						
5251	Hardware, Paint, Tile and Wallpaper (Retail)	P	P	P	P 21, 23-1	P 30-5	P
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P 22, 23-1	P 30 5	P
54	Food and Convenience Store (Retail) (27)-(3)	P	P	P	P 22, 23-1	P 30 5	P 38
5511	Autos (Retail), <u>Motorcycles (Retail)</u>	P 24-2	P 24-2	P 2			P 2
	<u>Commercial Trucks, Motorcycles, Recreational Vehicles (Retail)</u>	P 24, 25	P 24, 25	P			
	Boats (Retail)	P 24-2	P 24-2	P 24 2			P 2
552	Automotive and Marine Accessories (Retail)			P			P
553	Gasoline Service Stations (40)-(8)	A, S-P	A, S-P	P			A 34, S 38 P
56	Apparel and Accessories (Retail)	P	P	P	P 21, 23-1	P 30-2	P 38
57	Furniture, Home Furnishing (Retail)	P	P	P	P 21, 23-1	P 30-2	P
58	Eating and Drinking Establishments (37) (4) (7)	P 28	P 28	P-28	P 23, 28	P 28	P 28, 38
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (12)	P	P	P	P 21, 23 1	P 30 2	P 38
	<u>Handcrafted Products (retail) (11)(14)</u>	P	P	P	P 21, 23-1	P	P
	Adult Retail Establishments (34)-(6)	P	P	P		P	S-P

## Attachment A

59	Marijuana Retail Outlet	A 44-10	A 44-10	A 44-10		A 44-10	A 44-10
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	<u>P 13</u>	<u>P 13</u>	<u>P 13</u>
5999	Pet Shop (Retail and Grooming)	P	P	P	P 21, 23-1	P 30 5	P-38
	Computers and Electronics (Retail)	P	P	P	P 21, 23-1	P 30 5	<u>P</u>

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

- (1) ~~Wholesale trade includes sales offices for these goods.~~
- (2) ~~Wholesale trade of motor vehicles, primary and structural metals, and bulk petroleum includes sales offices for these goods and excludes tank farms.~~
- (3) ~~Bulk retail includes sales offices for these goods.~~
- (4) ~~Automobile (retail) is subject to the decision criteria in LUC 20.20.135.~~
- (5) ~~Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and 2) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of the ordinance codified in this chapter are exempt from the ACUP requirements.~~
- (6) ~~Retail auto sales are permitted only in the following locations:~~
- a. ~~The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405; and~~
- b. ~~Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE.~~
- (7) ~~Motorcycle (retail) requires administrative conditional use approval in LI Districts.~~
- (8) ~~(Deleted by Ord. 5089).~~
- (9) ~~(Deleted by Ord. 5089).~~
- (10) ~~(Deleted by Ord. 5089).~~
- (11) ~~Furniture and home furnishings are limited to uses with on-site warehousing in LI Districts.~~
- (12) ~~Computer supplies are permitted as a subordinate use to computer sales in LI and GC Districts.~~
- (13) ~~Eating and drinking establishments are excluded in transition areas in O Districts.~~
- (14) ~~Eating and drinking establishments are permitted in the OLB, F2 and F3 Districts subject to the following criteria:~~
- (a) ~~Such uses are physically integrated within a structure primarily used as a hotel or motel; office building; charitable, social, professional and labor organization; fraternal lodge; recreational facility or institution such as a public assembly (indoor).~~
- (b) ~~Such uses do not exceed 20 percent of the gross floor area of the structure or structures.~~
- (c) ~~The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.~~
- (15) ~~Eating and drinking establishments are permitted in LI Districts only if located in a multiple function building or complex.~~
- (16) ~~Eating and drinking establishments may include liquor sales only if operated under a Class A or C liquor license issued by the Washington State Liquor Control Board. Eating and drinking establishments with other classes of liquor licenses require administrative conditional use approval.~~
- (17) ~~Other retail trade is limited to drugstores only in O Districts.~~
- (18) ~~Intentionally deleted.~~
- (19) ~~Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet.~~
- (20) ~~Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment.~~
- (21) ~~Limited to a maximum of 1,500 gross square feet per establishment.~~

## Attachment A

~~(22) Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.~~

~~(23)(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.~~

~~(24)(2) No on-site outdoor display or inventory storage. Loading and unloading shall not be permitted in the right of way.~~

~~(25) Motorcycles only.~~

~~(26) Only pet grooming is permitted in the LI and GC Districts.~~

~~(27)(3) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.~~

~~(28)(4) Drive-in windows and drive-throughs are not permitted.~~

~~(29) No more than one eating and drinking establishment is permitted in any building.~~

~~(30)(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.~~

~~(31)(6) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.~~

~~(32) (Reserved).~~

~~(33) (Deleted by Ord. 5089).~~

~~(34) Gasoline service stations may include subordinate convenience stores.~~

~~(35) Any business which combines two or more permitted retail sales uses and also includes subordinate retail sales uses shall be limited in size to 50,000 square feet.~~

~~\*(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, and Wilburton.~~

~~(37)(7) Microbrewery manufacturing is permitted when combined with subordinate to an eating and drinking establishment. ; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.~~

~~(38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District, provided the following criteria are met:~~

~~(a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.~~

~~(b) The uses do not exceed 30 percent of the total floor area of the building or complex.~~

~~(c) Each individual retail use is limited to 15,000 gross square feet in area.~~

~~(d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.~~

~~(39)(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.~~

~~(40)(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.~~

~~(41)(10) See LUC 20.20.535 for general development requirements for marijuana uses.~~

~~(42)(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.~~

~~\* Not effective within the jurisdiction of the East Bellevue Community Council.~~

~~(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.~~

## Attachment A

(14) No unreasonable threat to human health and the environment shall be caused by flammable, dangerous or explosive materials associated with this use.

Attachment A

Resources – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential 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
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						
821	Agricultural Processing						
8221	Veterinary Clinic and Hospital (1)(3)	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P 2</u>	<u>P</u>
8222	Poultry Hatcheries						
83	Forestry, Tree Farms and Timber Production						
8421	Fish Hatcheries						
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction						

\* ~~Not effective within the jurisdiction of the East Bellevue Community Council.~~

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

~~(1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.~~

~~(2) Agriculture processing excludes grain mill products manufacturing and slaughtering in LI Districts.~~

~~(3) Veterinary clinics and hospitals are limited to 5,000 square feet per use in NB Districts.~~

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

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

~~(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.~~





# **Draft Land Use Code Amendment**

## **Signage for Publicly Accessible Open Space**

20.25A.030 FAR Amenity Standards

20.25A.030.C. Amenity

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><b>2. PLAZA</b></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>	When located on the ground level or at the upper level within the City Center District:						<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>
	8:1	8:1	6:1	4:1	6:1	6:1	<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> <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>
	When located at the upper level outside of the City Center District:						<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. <u>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 specify sign requirements including color, size, type, verbiage, placement and any other necessary specification. If the signage requirements are not feasible, the applicant may propose an alternative that is</u></p>
	4:1	4:1	3:1	2:1	3:1	3:1	

Attachment B

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
							consistent with this provision and achieves the design objectives for the building and the site.

20.25A.060.C ~~Walkways~~ Through-Block Connections ~~Mid-Block~~.

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

## Attachment B

- e. Through-block Pedestrian connections must meet construction code handicapped requirements.
- f. Through-block Pedestrian connections should use trees and landscaping to provide definition and enclosure.
- g. Through-block 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 specify sign requirements including color, size, verbiage, type, placement and any other necessary specification. 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.

### LUC 20.25A.110.E.5 Minor Publicly Accessible Spaces.

- 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.

## Attachment B

ii. A minor publicly accessible space must be open at least during the hours of 6 a.m. to midnight, or during the hours of operation of adjacent uses, whichever is greater. ~~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 specify sign requirements including color, size, verbiage, type, placement, and any other necessary specification. 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.

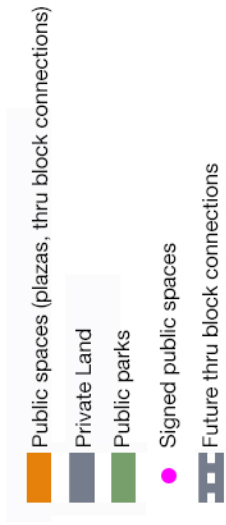
3. Owners of property subject to this legal agreement will maintain the pedestrian access route and may adopt reasonable rules and regulations for the use of this space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access, and are consistent with this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

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

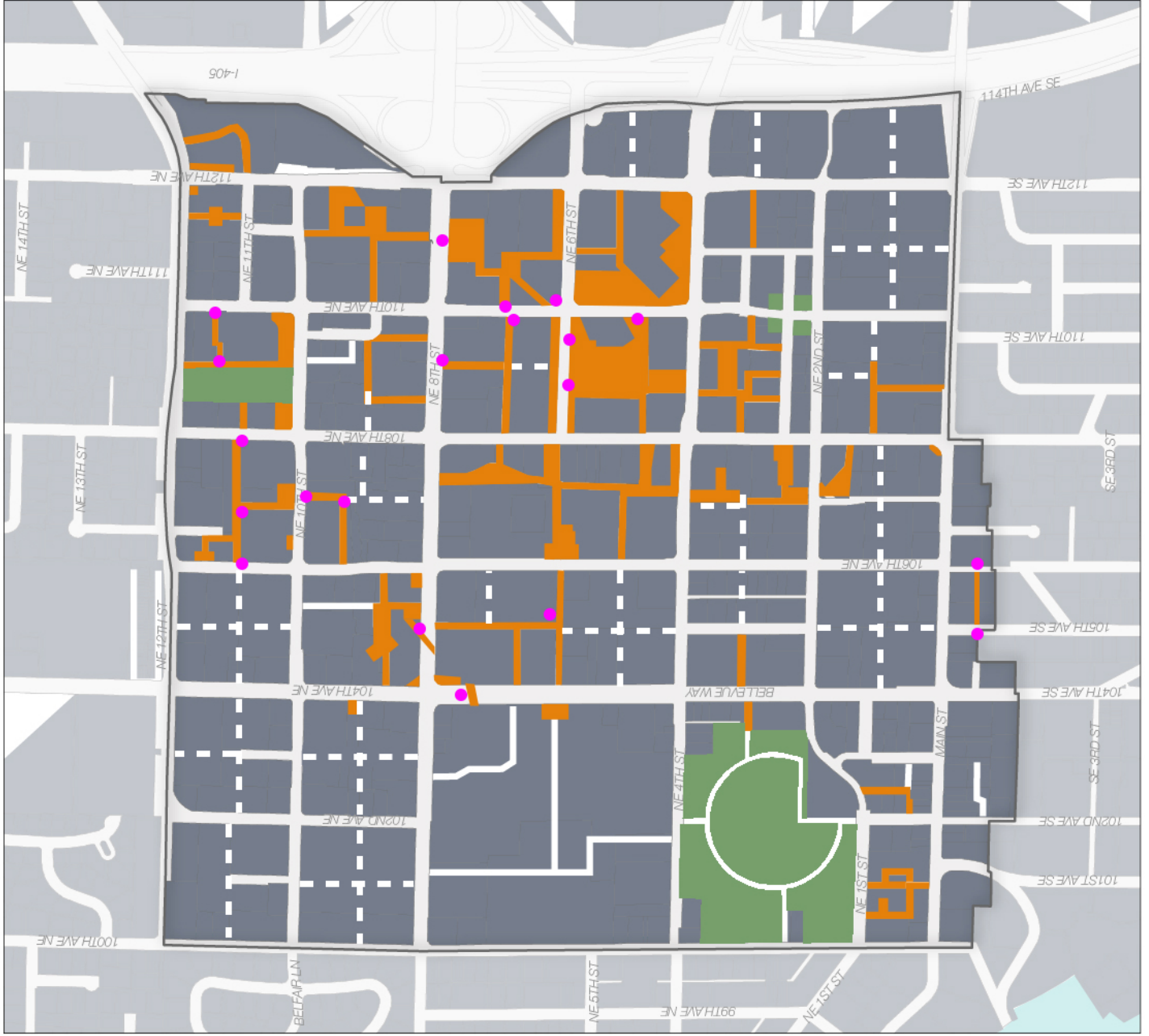
# Attachment C

City of Bellevue  
DOWNTOWN LIVABILITY STUDY

## Public Space and Wayfinding Locations



Downtown subarea





# Public Space Wayfinding

## Downtown Livability

October 14th, 2015



### Rationale for Improved Signage

1. Consistent branding to improve identification of public spaces within Downtown.
2. Improve the overall use of public spaces and urban amenities through enhanced wayfinding.
3. Consistent communication of operating hours.
4. Directional information to urban amenities.
5. Enhance visibility of public spaces within private buildings.
6. Enhanced visibility and functionality of thru block connections.







## **Draft Land Use Code Amendment**

### **Mechanical Equipment Screening and Location**

#### **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:

##### G. ~~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~~

## Attachment E

~~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 provide a dense visual barrier at least as high as the equipment it screens and will provide 50% screening at the time of planting and 100% screening 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, mMechanical equipment shall be screened from above by incorporating one of the following measures, in order of preference:~~

~~a. A solid nonreflective roof. The roof may incorporate nonreflective louvers, vents, or similar penetrations to provide necessary ventilation or exhaust of the equipment being screened;~~

## Attachment E

- 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. 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 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 shall be located and discharged based on the following order of preference:

## Attachment E

- 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. 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.





## Planning Commission Schedule

October 14, 2015

The Bellevue Planning Commission typically meets on the second and fourth Wednesdays of each month. Meetings begin at 6:30 p.m. and are held in the Council Conference Room (Room 1E-113) at City Hall, unless otherwise noted. Public comment is welcome at each meeting.

The schedule and meeting agendas are subject to change. Please confirm meeting agendas with city staff at 425-452-6931. Agenda and meeting materials are typically posted the Monday prior to the meeting date on the city's website at:

<http://www.bellevuewa.gov/planning-commission-agendas-2015.htm>

<b><u>Date</u></b>	<b><u>Tentative Agenda Topics</u></b>
Oct 28	Downtown Livability/Land Use Code
Nov 9	Placeholder date for joint City Council-Planning Commission workshop regarding Downtown Livability/Incentive Zoning System
Nov 11	<i>No meeting – Veterans Day</i>
Nov 18	Eastgate Land Use Code Downtown Livability/Land Use Code
Nov 25	<i>No meeting – Day before Thanksgiving</i>
Dec 9	Eastgate Land Use Code Downtown Livability/Land Use Code
Dec 23	<i>No meeting</i>

September 29, 2015

Bellevue City Council Members  
Bellevue Planning Commission

We moved to Bellevue in 1961 to a growing city. Today it is particularly alarming that our current city government is pushing hard to facilitate big development projects. Bellevue general planning, zoning and design ordinances have been carefully crafted over the years.

These ordinances were the very reason our town was so attractive and brought our exploding population. It has been a jewel, however with the population explosion, growth is evident.

This city was built by small entrepreneurs. There was an ambience of a village on Main Street. Why are the buildings now built out to the sidewalk with no plazas or setbacks which provide sun instead of shutting it out? The high rises are now surrounding that tiny street.

We need the growth for the people moving here but what about our historic character and protection of our neighborhoods-----a primary concern when Maria Cain was a political figure.

How many of Bellevue's residents feel the same way? Do we have planners that have lost the vision for the City of Bellevue making traffic and parking intolerable or is the \$ dollar the focus.

Sincerely,

A handwritten signature in cursive script that reads "Delores Smith".

Delores Smith  
13426 NE 25<sup>th</sup> Street  
Bellevue, Washington 98005

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

September 23, 2015  
5:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Barksdale, Morisseau, Walter

COMMISSIONERS ABSENT: Commissioner Carlson, deVadoss, Laing

STAFF PRESENT: Emil King, Patti Wilma, Department of Planning and Community Development; Camron Parker, Department of Parks and Community Services

COUNCIL LIAISON: Not present.

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. WALKING TOUR OF SOUTHERN PORTION OF DOWNTOWN BELLEVUE

The meeting was opened with a quorum present at 5:36 p.m.

2. COMPLETE WALKING TOUR/SHORT BREAK

The Commission returned from its walking tour at 7:00 p.m.

3. CALL TO ORDER

The meeting was called to order at 7:06 by Chair Hilhorst who presided.

4. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Carlson, deVadoss and Laing, all of whom were excused.

5. APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Walter. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

6. PUBLIC COMMENT

Mr. Phil McBride, 11040 Main Street, chief operating officer for John L. Scott Real Estate, said he would like to see the zoning restrictions increased for the properties across the street from the light rail station at the corner of 112th Avenue SE and Main Street to permit transit-oriented development.

Ms. Jacqui Ramsay, 500 106th Avenue NE, spoke representing the Bellevue Towers Livability Committee. She said her goal was to ensure an ongoing dialog between downtown residents and the Planning Commission regarding how Bellevue can best secure the benefits of the



development and growth while preserving and improving the quality of life for residents. Residents are already concerned about current development, but the projected growth through 2030 is even more concerning given that it could have a negative impact on livability. There is opportunity to make radical improvements to the infrastructure in the downtown and hopefully the Commission will take advantage of the opportunities that exist before it is too late. The conclusions from the Bellevue Towers survey previously presented to the Commission were referenced and it was stressed that residents are more concerned about transportation, safety and parking than about public spaces and design outcomes. Even given the recommendations of the Downtown Livability Citizen Advisory Committee (CAC), residents expect Bellevue to be much worse in five years. The recommendations relative to the downtown core are of particular concern. Public communication was inadequate. No significant changes to transportation infrastructure are anticipated to address the forecasted increase in population and work force. The CAC recommendations do not reflect community feedback. There are no visible projects or plans to address the current infrastructure concerns. The Commission should review the feedback provided by the residents during the CAC process along with the Bellevue Towers livability survey results. Development and planning decisions should be tied directly to resident livability priorities for transportation, parking and safety. The Commission should develop and assure the execution of a specific plan to address the already needed infrastructure improvements as a priority before considering any additional rezoning that would put additional pressure on the downtown infrastructure. Since traffic and safety are top concerns, density should be developed outside the downtown core. Higher density buildings and parking structures should be built closer to the freeway exits and adjacent to the forthcoming light rail stations. Alternative forms of commuting should be encouraged by providing shuttle transportation to the downtown core from parking and transit stations. More protected bike lanes should be built. The city should also get serious about developing more affordable housing so that more people who work in Bellevue can also live in Bellevue.

Answering a question asked by Commissioner Walter, Ms. Ramsay said the fact that residents are more concerned about transportation, safety and parking than public spaces and design outcomes was arrived at based on the results of the Bellevue Towers survey. She said that is not to say the residents do not feel park space is of no importance, but the imperative should be on building infrastructure to handle all of the added workers and projected growth.

7. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None
8. STAFF REPORTS

Strategic Planning Manager Emil King called attention to information in the Commission packet relating to the ARCH awards. He noted that the Commission has been invited to have a Commissioner participate in the award selection process. The same ask has gone out to other city boards and commissions as well.

Mr. King informed the Commission that a low-impact development website was recently launched. He said the site includes a good introduction to the low-impact development topic and lists the upcoming public meetings and workshops. The site also includes a document library covering issues relating to low-impact development.

The Commissioners were reminded that City Manager Brad Miyake is encouraging all members of the city's boards and commissions to participate in cultural competence training. He noted that the training will be offered from 5:00 p.m. to 9:00 p.m. on both November 12 and December 17.

Mr. King said an agenda was been developed for the upcoming September 30 Commission retreat at the Impact Hub Facility on 116th Avenue NE. He said there will be a tour given of the

Impact Hub Facility, then following dinner the Commission's accomplishments of the past year will be reviewed; key initiatives and the upcoming work program will be highlighted; staff support and Commission training will be discussed; and there will be a panel discussion on the topic of smart cities.

9. DRAFT MINUTES REVIEW

A. September 9, 2015

There was agreement to put off approval of the September 9, 2015 minutes to the next meeting. It was noted that the minutes were dated 2012 rather than 2015.

Chair Hilhorst asked staff to review their notes to clarify who actually asked the question ascribed to her in the fourth paragraph on page 2 of the minutes, and what the question was.

With regard to the motions to approve the July 8, 2015, and July 22, 2015, meeting minutes, Chair Hilhorst asked to have the minutes reflect that those who abstained from voting did so because they had not been present for those meetings.

10. STUDY SESSION

A. Downtown Livability

Community Development Manager Patti Wilma called attention to the Commission-identified list of early wins included on page 6 of the Commission packet, noting that the items on the list were deemed the most achievable based on previous discussion. The topics on the list included the range of permitted uses; mechanical equipment location and screening; solid waste location and screening; signage for publically accessible public open space; vacant sites and buildings; sidewalk café location criteria/intrusion into required walkways; and reference to best management practices and updating the plant list, with identification of the streets that are to have curbside planting.

Ms. Wilma said things are moving ahead quickly relative to the range of uses, mechanical equipment, and public access signage. The solid waste issue is taking more effort than initially thought because it must be trued up with the contract with the city's solid waste collection company. The intent is to have code language ready for the Commission's October 14 meeting for the first, second and fourth issues on the list. Then on October 28 the focus will be on the remaining issues with the exception of the vacant sites and buildings topic which the staff are not sure can be addressed in the early win review window. The Commission will be asked to consider a November 18 public hearing date at its October 14 meeting.

B. Bellevue Parks and Open Space System Plan Update

Senior Planner Camron Parker with the Department of Parks and Community Services reminded the Commissioners that the city's Parks and Open Space System Plan is updated about every six years. The current plan was last updated in 2010. A public outreach and engagement process is currently under way as part of the effort to update the plan again.

Mr. Parker said the Department of Parks and Community Services has a very broad scope that includes the physical makeup of the city's parks facilities and a wide variety of community services and programs, all of which falls under the umbrella goal of building a healthy community.

The Parks and Open Space System Plan is a functional plan of the newly updated Comprehensive Plan. As the Parks and Open Space System Plan is updated, particular attention will be paid to making sure it fully reflects the cross connecting policies in the various elements of the Comprehensive Plan. Park users are being asked how they use the parks to gain a sense of the overall picture; they are also being asked what they would like to see more of in the future.

Commissioner Walter said she loves Bellevue's city parks and uses primarily Robinswood, Downtown Park, and the trail system. At Robinswood, if one does not pay attention to when people are leaving the park, the lights shut off unexpectedly. The walking trails are well maintained and are safe. Ashwood Park is a great urban park and lots of fun things happen there. It would be good to see periodic panic buttons located along Bellevue trails as a way of helping people feel more secure. In the downtown, transportation, parking and safety are all important, but without open space the downtown will lose its livability.

Commissioner Morisseau said she uses the parks primarily with her children. She said they love the beach parks of Newcastle Beach, Chisholm and Medina. It is wonderful to be able to sit on the grass and watch the children play at the edge of the water. The kids playground areas are wonderful. She said in the future she would like to see paved areas in some parks where small children could learn to ride their bikes without having to share the trail system with more efficient bike riders. She added that she often picnics with friends in parks during the summer months.

Commissioner Barksdale said he uses Enatai Beach Park, which is a good place to go swimming. He said he also uses bike trails but has found it is not always easy to know how to access the trails that connect the various open spaces, so improved signage would be a plus. He added that in his community there are kids who ride around and play in the apartment parking lots because there is park or open space nearby, so when new apartment communities are built they should take the needs of kids into account.

Chair Hilhorst said she is a big fan of Bellevue parks. She said in 2009 she advocated for a park facility in her neighborhood and now uses it frequently to walk her dog. She said she also uses Newport Hills Park, including to rent the entire baseball field, and often walks and hikes on the trails. One issue is that soccer is played into the fall, but all the bathrooms close on October 1. The activities that occur in the parks should be fully supported, including with bathroom facilities. She agreed that better connections need to be made for the benefit of bikers. It would be great for residents in the neighborhoods be able to ride their bikes to the downtown or Meydenbauer Bay Park.

Mr. Parker said as part of the Parks and Open Space System Update a web survey has been live for the past six weeks or so. To date about 550 people have filled it out with observations about how they use the parks and what they would like to see in the future. At the same time, there is another survey being fielded which is a statistically valid random sample survey of Bellevue residents. Both surveys ask similar questions and serve as key sources of public information. The difference between the two is that the random sample survey does not include data from individuals under the age of 18 and non-residents who may work in Bellevue and use the parks. The current web survey is open to anyone willing to take it. Seventy percent of the web survey respondents indicate they use the trail system six or more times per year; 87 percent say they use the trails two or more times per year. Trails, open areas for unstructured play, beach parks and playgrounds are listed as being used the most throughout the year. When given a choice between placing a priority on acquiring new park lands and natural areas or developing currently owned parks, there was no clear majority.

Chair Hilhorst said when a property was considered for acquisition for a park in her neighborhood, the majority of those who commented on it indicated they just wanted to see the city obtain the land and leave it as open space.

Mr. Parker said data from the random sample survey is just starting to come in, but it has more of a preference for developing and improving currently owned parks, though it is all within the margin of error.

Commissioner Barksdale asked if the survey data will be broken down by geographic area. Mr. Parker said it will be to about the zip code level, but not down to the neighborhood area level.

Mr. Parker noted that the highest priorities highlighted by the survey respondents align with what people tend to use the most. In other words, those who use the trails a lot tend to call for improvements to the trail system, and those who use the beach parks want to see them improved. The top priorities are trails, playgrounds, off-leash areas for dogs, and another swimming pool.

Mr. Parker stressed the importance of drafting the Parks and Open Space System Plan in a way that will support the work and goals of the Planning Commission. The plan will also be written to align fully with the Comprehensive Plan. The concept of urban parks was new when the current plan was drafted and it came about as a result of the planning work done for the BelRed corridor. The bulk of Bellevue residents continue to see parks as large programmed areas or large open spaces. Urban parks can involve much smaller areas, sometimes paved, spread out throughout the urban landscape. There are very few such facilities currently in Bellevue's inventory, but there is the potential to bring many of them online in the future as the city continues to urbanize. Parks facilities can also serve as infrastructure fulfilling the purposes of carbon storage, water storage, and controlling storm water runoff, a notion that will be explored a bit more as the process moves forward.

Commissioner Barksdale and Chair Hilhorst agreed with the need for another pool for Bellevue residents to use. Chair Hilhorst asked if the city could work with other jurisdictions in developing a regional facility. Mr. Parker said that concept has been raised in the past and explored to some extent. Nothing has gelled to date. The city of Sammamish recently built a pool, and Kirkland is working toward doing the same. Large competition-type pools do not pay for themselves and require subsidies in order to operate.

Chair Hilhorst noted that at Whistler B.C. there is a community center that has a pool on one side and a hockey rink on the other side. Having more than one sport may be the way to make such a facility pencil out.

11. PUBLIC COMMENT – None

12. ADJOURN

A motion to adjourn was made by Commissioner Walter. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 8:16 p.m.