



DATE: April 9, 2025

TO: Chair Goepple and Members of the Planning Commission

FROM: Nick Whipple, Code and Policy Director, 452-4578
Kirsten Mandt, Senior Planner, 452-4861
Development Services Department

SUBJECT: Proposed Land Use Code Amendment (LUCA) to revise the Land Use Code (LUC) to accommodate more housing choice by adopting middle housing regulations to implement House Bills (HB) 1110 and 1337. File No. 25-103771-AD.

I. BACKGROUND

In 2023, the Washington State Legislature passed, and the Governor signed into law, House Bills (HB) 1110 and HB 1337, amending the Growth Management Act, Chapter 36.70A RCW (GMA). These amendments require many cities to update their codes to allow additional densities and housing typologies in predominantly residential land use districts, along with several other associated requirements to help encourage the development of these housing types.

Before this GMA amendment, the City Council already initiated work on the middle housing code updates in January 2023 as a part of the “Next Right Work” program to boost housing supply in the city. Now, Bellevue is required to adopt necessary amendments to comply with these new GMA requirements by June 30, 2025.

Bill Overview

HB 1110 (middle housing) requires Bellevue to:

- Allow a diverse mix of housing types on all residential lots, including: multiplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.
- Permit at least four housing units on all residential lots.
- Allow at least six housing units on residential lots that:
 - Are within a quarter mile of a major transit stop, or
 - Include at least two affordable units.
- Allow for separate ownership of units.
- Not require off-street parking for lots within ½ mile of a major transit stop.
- Not require more than one off-street parking space on lots 6,000 square feet or less.
- Not require more than two off-street parking spaces on lots greater than 6,000 square feet.

HB 1337 (accessory dwelling units) requires Bellevue to:

- Allow at least two accessory dwelling units (ADUs) on any lot zoned for single-family housing, attached or detached.
- Not assess impact fees greater than 50 percent of the fees that would be imposed on the principal unit.
- Not restrict an ADU size below 1,000 square feet.
- Not restrict an ADU height below 24 feet.
- Not require off-street parking within ½ mile of a major transit stop.
- Not require more than one off-street parking space on lots 6,000 square feet or less.
- Not require more than two off-street parking spaces on lots greater than 6,000 square feet.
- Allow conversion of existing structures.
- Not require public street improvements.

II. PROPOSED LUCA

New Residential Land Use District Names

The draft proposes to rename the existing Residential (R) land use district as shown in the table below. Middle housing density is based off units per lot (DU/lot), which makes retaining land use district names based off dwelling units per acre (DU/AC) alone misleading. The proposed change bases the land use district names off the future land use designations rather than either DU/AC or DU/lot to align with the recently adopted Comprehensive Plan.

| Future Land Use Map | Proposed Land Use District Name | Current Land Use District Name |
|----------------------------------|--|---------------------------------------|
| Large Lot Residential (LL) | LL-1 | R-1 |
| | LL-2 | R-1.8 |
| Suburban Residential (SR) | SR-1 | R-2.5 |
| | SR-2 | R-3.5 |
| | SR-3 | R-4 |
| | SR-4 | R-5 |
| Low Density Residential (LDR) | LDR-1 | R-7.5 |
| | LDR-2 | R-10 |
| | LDR-3 | R-15 |
| Medium Density Residential (MDR) | MDR-1 | R-20 |
| | MDR-2 | R-30 |

Proposed Residential Densities

Additional revisions have been made to the March LUCA strike-draft to reflect feedback

from the community and Planning Commission. This updated strike-draft is included as Attachment A. The below table provides additional information as to where six units are proposed to be allowed by-right in key geographies throughout the city. An updated map showing where these geographies intersect is included below. The areas within the dashed lines show the Regional and Candidate Countywide Growth Centers.

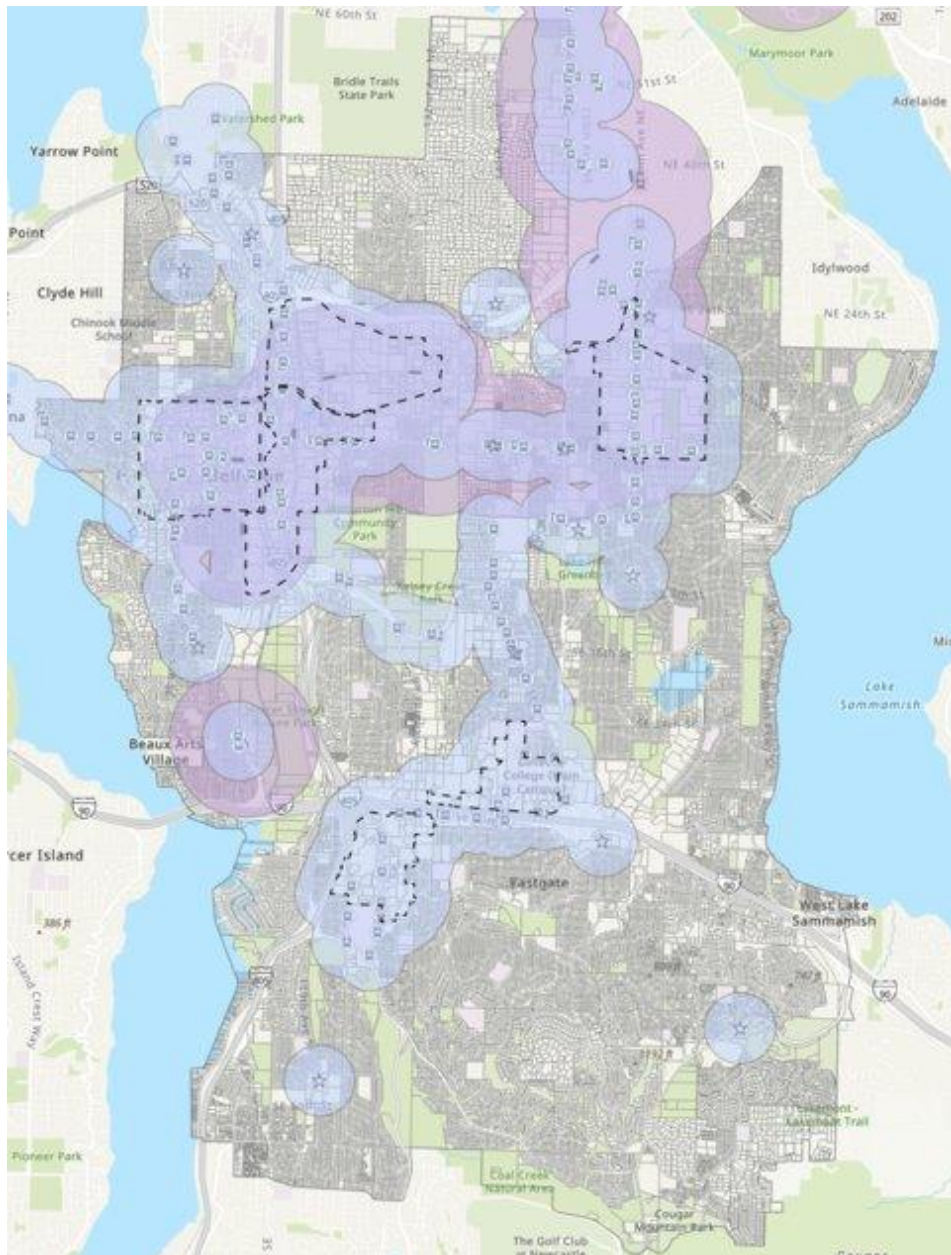


Figure 1 – Map showing ¼ mile boundary from frequent transit service and centers and ½ mile boundary from major transit stops

| | | |
|----------------------------|---------------------------|----------------------------------|
| Four Units By-Right | Six Units By-Right | Six Units with Incentives |
|----------------------------|---------------------------|----------------------------------|

| | | |
|---|---|--|
| <ul style="list-style-type: none"> • Citywide in all R districts | <ul style="list-style-type: none"> • ¼ Mile of Frequent Transit • ¼ Mile of Neighborhood Centers • ¼ Mile of Regional Growth Center • ¼ Mile of Countywide Growth Centers • ½ Mile of Major Transit Stops | <ul style="list-style-type: none"> • With two affordable units • Option to pay a fee in-lieu of providing two affordable units |
|---|---|--|

The walking distances to these transit stops and geographies will be required to be confirmed as a part of the application process, and the draft code utilizes language similar to existing code language that allows for parking reductions within certain distances of frequent transit. The language in section LUC 20.20.538.C.2 of the draft code reads:

2. *Walking Distance. If a physical impediment exists that would require pedestrians to walk more than one-quarter or one-half mile to the station, stop, or center, as applicable, from the location of the middle housing dwelling units, then the Director may determine that the location does not meet the requirements of the applicable tier.*

Floor Area Ratio (FAR)

An additional revision has been included in the updated strike-draft reflecting feedback heard from additional engagement with the development community as well as from Planning Commission at the second study session on March 12. Below is the current FAR proposal for single-family and middle housing. For one unit proposed on one lot, the 0.3 FAR is proposed to apply only to the square footage of a lot above 10,000 square feet. The strike draft still includes the proposal that ADUs not count towards total FAR, and that cottage housing not be limited based on DU/lot, but rather letting structure size, site development standards, and the overall FAR for six units drive development potential.

| Number of units | Floor Area Ratio |
|------------------------|-------------------------|
| 1 | 0.5/0.3 |
| 2 | 0.5 |
| 3 | 0.6 |

| | |
|---|------|
| 4 | 0.7 |
| 5 | 0.75 |
| 6 | 0.9 |

Middle Housing Development Regulation Flexibilities

The strike draft includes proposed flexibilities for some middle housing development regulations. These include:

- Reductions to setbacks, primarily in the front and rear yard areas
 - Includes zero side yard setbacks for structures proposed to be developed on adjacent lots
- Increase to building height up to 38 feet
- Increase in lot, impervious, hard surface, and alternative hard surface coverage by five percent.

Cottage and Courtyard Site Design

A few key requirements for cottage and courtyard site design are included in the draft, which include:

- Required open space for cottage and courtyard projects
- Maximum cottage square footage of 1,750 square feet
 - Exemption of up to 250 square feet for garage area.
- U- or L-shaped building form for courtyard buildings
- Orientation around open space
- Consolidated parking areas where feasible

ADUs

The strike draft proposes an allowance of up to two ADUs on any lot zoned to permit single-family use, which is consistent with the state requirements of HB 1337. These may be attached or detached units in any combination. The strike draft includes the additional revision:

- Maximum Detached ADU square footage of 1,200 square feet
 - Exemption of up to 250 square feet for garage area
- One required parking space per ADU in alignment with proposed parking reductions for middle housing and multifamily units detailed below.

Unit Lot Subdivisions

The current land use code provides an avenue by which attached multifamily dwelling units may be subdivided into “unit lots” from a “parent lot” without requiring compliance with minimum lot sizes. This process allows for individual units to be owned in fee simple. Fee simple ownership means absolute title in improvements of the unit and the land. The proposed strike-draft would expand this ownership option and subdivision process, and the HB 1110 requirement that we permit zero lot line subdivisions for middle housing, to all middle housing units.

Transition Area Design District

The current transition area design district requires multifamily and mixed-use land use districts to “provide transition” to single-family land use districts through various restrictions. However, HB 1110 mandates that middle housing types cannot be subjected to stricter development regulations than single-family homes. Because of this, the code can no longer include the provision that the R-10 through R-30 districts provide transition to R-1 through R-7.5 with regards to middle housing projects.

The current draft includes revisions that retain some of the landscaping transition provisions for projects that qualify as multifamily projects, which would be projects that include seven or more units.

Parking

HB 1110 requires that we not impose more than one parking space per unit for lots under 6,000 square feet. To better support residential development in mixed-use areas, the Housing Opportunities in Mixed-use Areas (HOMA) project proposes a minimum parking standard of one space per unit for projects including two or more residential units. The proposed middle housing strike draft also includes residential parking at this rate to align with the HOMA project proposal for middle housing units, multifamily units, and ADUs and to ensure consistency with HB 1110.

III. REVIEW PROCESS

The City Council initiated this LUCA as part of the “Next Right Work” program in January 2023 to increase housing supply in the City.

At the Planning Commission’s October 9, 2024 study session, staff provided an overview of HB 1110 and 1337 in the context of the proposed strike-draft and citywide approach to implementing these mandates. The overview included the proposed scope of work and engagement plan for November and December.

On February 12, the Planning Commission reviewed the initial proposal for many of the key elements of the LUCA to provide staff feedback to be incorporated into the strike draft released later that month. On March 12, the Planning Commission reviewed the full strike draft, provided comment, and directed staff to schedule the public hearing for April 9. Following the public hearing, the Planning Commission will be asked to make a recommendation for transmittal to the City Council for final action. The state deadline to adopt regulations complying with HB 1110 and 1337 is June 30, 2025.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The application for SEPA review was noticed together with the notice of application for the Middle Housing LUCA on February 27, 2025. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal for the Middle Housing LUCA. A Determination of Non-significance (DNS) was issued on March 20, 2025, pursuant to the threshold determination requirements in WAC 197-11-310.

V. PUBLIC ENGAGEMENT

Required Public Notice

The notice required for City Council Legislative Actions (Process IV) is governed by LUC 20.35.415 through 20.35.450. Public notice of the LUCA application was provided on February 27, 2025 and notice of the public hearing was published in the Weekly Permit Bulletin on March 20, 2025, and availability of the Weekly Permit Bulletin was noticed in the Seattle Times.

Department of Commerce Notice

Pursuant to the Washington State Growth Management Act, proposed amendments to the LUC must be sent to the Washington State Department of Commerce to review and comment on the proposed amendments to the LUC. The required notice to the Department of Commerce and the initial draft LUCA were transmitted on March 20, 2025 and a copy of both documents is available for review in the code amendment file. No comments have been received by Commerce as of the date of this report.

Public Comments

Engagement work related to middle housing began with the Comprehensive Plan in 2022 and includes a November 2022 [engagement questionnaire](#) with 567 participants. Key findings from that report include an overall interest in expanding housing options throughout the city, particularly near neighborhood centers and major access corridors. Further middle housing engagement on the eastside includes [a report from A Regional Coalition for Housing \(ARCH\) in partnership with Eastside Housing for All](#), which included

228 Bellevue residents. Results from that report also showed general support for middle housing options in the city.

Staff held a total of six outreach events for this project between November 2024 and March 2025. The first three events included two virtual sessions and one in-person event at Stevenson Elementary School. The second series of three events also included two virtual sessions and one in-person event at City Hall. A total of around 250 attendees participated in the first series and around 175 attendees participated in the second series. The goal of these events was to provide information on the middle housing and ADU state legislation, describe the proposed scope and approach to the project, and answer questions and take feedback from attendees.

Additional engagement was conducted via [an online StoryMap](#) that provided information on middle housing with a focus on the proposed densities included in the scope. The StoryMap included interactive webmaps showing the geographies in the city where both additional densities are proposed, as well as what is required by the state. A questionnaire was provided in this StoryMap asking the public to provide feedback on the proposed additional densities, including the location, distances from certain features such as transit stops, and the number of additional units that should be supported. The questionnaire was available to the public for around two months, and notification of the tool was provided via e-mail communication to a list of around 20,000 individuals on two occasions one month apart. A summary of the results of this questionnaire was provided to Planning Commission at the [March 12 study session](#) and included a total of 60 respondents. Those respondents were generally supportive of providing additional housing units in the depicted geographies.

Overall staff heard feedback on many topics including concerns over additional density and potential impacts to critical areas, parking, and traffic. Residents had questions about covenants and the applicability of city code to their neighborhoods. Many residents both at these events and in questions staff received via email and phone communication are interested in building middle housing and ADUs and had questions about the process and requirements. Staff also heard questions about how to determine walking distance, and the unit lot subdivision code and process. Suggestions on how to increase middle housing feasibility were also provided.

VI. DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of these proposed amendments to them, are discussed below:

- A. The amendment is consistent with the Comprehensive Plan; and

Finding: The proposed LUCA is consistent with the Comprehensive Plan. The City of Bellevue has adopted the following comprehensive plan policies that encourage the production of a diverse array of housing types, increasing opportunities for affordable housing, and promoting land use and housing policies that site housing near transit, and mixed-used areas that provide access to jobs, services, and retail:

Policy LU-4: Promote a land use pattern integrated with a multimodal transportation system.

Policy LU-10: Work toward a land use pattern that makes it possible for people to live closer to where they work regardless of household income.

Policy LU-20: Support development of compact, livable and walkable mixed-use centers in BelRed, Eastgate, Factoria, Wilburton, East Main and Crossroads

Policy LU-28: Provide for a mix of housing, office, service and retail uses in a compact walkable development pattern that optimizes the benefits of transit investment in Bellevue's mixed-use areas.

Policy LU-47: Implement land use patterns that promote walking, bicycling, or other active transportation modes in order to increase public health.

Policy HO-17: Allow attached and detached accessory dwelling units in residential and mixed-use areas with the ability to be rented or sold individually.

Policy HO-18: Promote housing density, choice and affordability in areas served by the frequent transit network, businesses serving the community's day-to-day needs and significant nodes of employment.

Policy HO-19: Ensure that policies and regulations allow for middle scale housing, such as duplexes, triplexes, fourplexes, townhomes, small apartment buildings, cottage housing, and courtyard apartments.

Policy HO-35: Create opportunities to require or incentivize affordable housing when increases to development capacity are made.

B. The amendment enhances the public health, safety or welfare; and

Finding: This LUCA will enhance public health, safety, and welfare by allowing an increase in the availability of a diverse array of housing types in the city in order to help meet our established housing target of 35,000 new housing units by 2044.

- C. The amendment is not contrary to the best interests of the citizens and property owners of the City of Bellevue.

Finding: The proposed LUCA is not contrary to the best interests of the citizens and property owners of the City of Bellevue. The LUCA serves the best interests of Bellevue's citizens and property owners by providing more opportunity and flexibility in the ability for properties to develop housing.

VII. RECOMMENDATION

Staff has concluded that the Middle Housing LUCA, as drafted in Attachment A, is consistent with the decision criteria required for adoption of amendments to the text of the LUC, pursuant to Part 20.30J LUC. Staff recommends that the Planning Commission recommend adoption of the proposed LUCA.

ATTACHMENT:

- A. Middle Housing LUCA Strike-Draft

Attachment A
Draft Middle Housing LUCA
March 20, 2025 Draft

Title 20 Land use Code

Chapter 20.10 Land Use Districts

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

| District | Designation |
|--|-----------------------|
| Single-Family Large Lot Residential 1 Estate | R-4LL-1 |
| Large Lot Residential 2 | R-4.8LL-2 |
| Single-Family Suburban Residential 1 | R-2.5SR-1 |
| Suburban Residential 2 | R-3.5SR-2 |
| Suburban Residential 3 | R-4SR-3 |
| Suburban Residential 4 | R-5SR-4 |
| Low Density Residential 1 | R-7.5LDR-1 |
| Multifamily Residential Low Density Residential 2 | R-10LDR-2 |
| Low Density Residential 3 | R-15LDR-3 |
| Medium Density Residential 1 | R-20MDR-1 |
| Medium Density Residential 2 | R-30MDR-2 |

20.10.180 ~~Single-Family Residential Estate Districts (R-1, R-1.8LL-1 through MDR-2).~~

~~Single-Family Residential Estate Districts provide for a range of low to high density residential environments and associated compatible activities depending on location and scale of residential density (1 and 1.8 dwellings per acre) which may serve to protect steep slopes or unstable land from overdevelopment and may include agricultural uses and activities compatible with low residential density.~~

~~Properties in this district with an affordable housing (AH) suffix may provide attached residential dwellings when consistent with the requirements of LUC 20.20.128.~~

20.10.200 ~~Single-Family Residential Districts (R-2.5, R-3.5, R-4, R-5, R-7.5).~~

~~Single-Family Residential Districts provide for residential areas of low to moderate densities (2.5, 3.5, 4, 5 and 7.5 dwellings per acre), and permit compatible, related activities.~~

~~Properties in this district with an affordable housing (AH) suffix may provide attached residential dwellings when consistent with the requirements of LUC 20.20.128.~~

20.10.220 ~~Multifamily Residential Districts (R-10, R-15, R-20, R-30).~~

~~Multifamily Residential Districts provide areas for attached residential dwellings of low density (10 units per acre) and of moderate density (15, 20, and 30 dwellings per acre). The R-20 and R-30 Districts are intended to be convenient to centers of employment and have primary access to arterial streets. The R-~~

Attachment A
Draft Middle Housing LUCA
March 20, 2025 Draft

~~10 and R-15 Districts are more restrictive and may be utilized as a buffer between Suburban Residential Districts and moderate density residential or commercial districts.~~

...

20.10.380 Evergreen Highlands Design District (EH).

...

B. The Evergreen Highlands Design District is divided into four performance areas as delineated by the Evergreen Highlands Zoning Map. These performance areas constitute separate land use districts and permit variation in use and development standards in order to implement the goals and policies of the Evergreen Highlands Subarea Plan, and to ~~ie~~ensure attention to specific environmental features of the various performance areas.

1. Evergreen Highlands Performance Area A (EH-A). The purpose of this performance area is to provide a location for Medium Density Multifamily development, not exceeding 11 units per gross acre. This performance area is intended to provide housing opportunities, and to serve as a transition to the ~~single-family~~ lower density residential housing adjacent to the Evergreen Highlands Design District.

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20.10.440 Land use charts.

Chart 20.10.440
Uses in land use districts
 Manufacturing – Residential Districts

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R-1L <u>1</u> | R-1S <u>L-2</u> | R-2S <u>R-1</u> | R-2L <u>R-2</u> | R-3S <u>3</u> | R-3L <u>4</u> | R-4S <u>DR-1</u> | R-4L <u>DR-2</u> | R-5S <u>DR-3</u> | R-5L <u>DR-1</u> | R-6M <u>DR-2</u> |
|-----------------------------------|----------------------------|-----------------------------|-------------------------------|-------------------------------|-------------------------------|-----------------------------|-----------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| 2 and 3 | Manufacturing (1,4) | | | | | | | | | | | |

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Chart 20.10.440
Uses in land use districts
 Recreation – Residential Districts

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R-1L <u>1</u> | R-1S <u>L-2</u> | R-2S <u>R-1</u> | R-2L <u>R-2</u> | R-3S <u>3</u> | R-3L <u>4</u> | R-4S <u>DR-1</u> | R-4L <u>DR-2</u> | R-5S <u>DR-3</u> | R-5L <u>DR-1</u> | R-6M <u>DR-1</u> |
|-----------------------------------|----------------------------|-----------------------------|-------------------------------|-------------------------------|-------------------------------|-----------------------------|-----------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
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Attachment A
Draft Middle Housing LUCA
March 20, 2025 Draft

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|---------|---------------------|--|--|--|--|--|--|--|--|--|--|--|
| 2 and 3 | Manufacturing (1,4) | | | | | | | | | | | |
| ... | | | | | | | | | | | | |

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Notes: Uses in land use districts – 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~~ the Suburban Residential, Low Density Residential, and Medium Density Residential Districts.

...

(10) City parks are generally permitted in all zones, with the exception of the following types of uses or facilities:

(a) Lighted sports and play fields, sports and play fields with amplified sound, and community recreation centers located in City parks ~~in single-family or R-10 zones~~ all Large Lot, Suburban Residential, and LDR-1 and LDR-2 districts require conditional use approval pursuant to Part 20.30B LUC.

(b) City beach parks in all Large Lot, Suburban Residential, and LDR-1 and LDR-2 districts ~~single-family or R-10 zones~~ located on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake and not identified in a Council-adopted Master Plan require approval through the Conditional Use Permit process pursuant to Part 20.30B LUC. However, a City park as described in this note is a permitted use when established consistent with applicable Shoreline Master Program requirements (refer to Part 20.25E LUC).

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Chart 20.10.440
Uses in land use districts
 Residential – Residential Districts

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R-1L-1 | R-1.8L-2 | R-2.5S-1 | R-3.5S-2 | R-4SR-3 | R-5SR-4 | R-7.5L-DR-1 | R-10L-DR-2 | R-15L-DR-3 | R-20M-DR-1 | R-30M-DR-2 |
|-----------------------|--|-------------------|---------------------|---------------------|---------------------|--------------------|--------------------|------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 1 | Residential | | | | | | | | | | | |
| | Single-Family Dwelling (3) | P | P | P | P | P | P | P | P | P | P | P |
| | Two-One to Four Dwelling Units per Structure Lot (3) | PD (19) (21) | PD (19) (21) | PD (19) (21) | PD (19) (21) | PD (19) (21) | PD (19) (21) | PD (19) (21) | P | P | P | P |
| | Five or More Dwelling Units | PD (21) | PD (21) | PD (21) | PD (21) | PD (21) | PD (21) | PD (21) | P | P | P | P |

Commented [A1]: Clarification that units may be attached or detached

Attachment A
Draft Middle Housing LUCA
March 20, 2025 Draft

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|--|---------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | per Structure Lot | | | | | | | | | | | |
| | | | | | ... | | | | | | | |
| | Accessory Dwelling Unit (9) | S P | S P | S P | S P | S P | S P | S P | S P | S P | S P | S P |
| | | | | | ... | | | | | | | |

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Notes: Uses in land use districts – Residential:

...
 (2) ~~Intentionally deleted. Structures with five or more dwelling units per lot are only permitted where the middle housing density allows five or more units per LUC 20.20.538, or as permitted by the underlying density or other applicable code allowance.~~

...
 (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) ~~Except in transition areas, the~~ allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by 1 story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.

...
 (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. Accessory dwelling units are permitted subject to the provisions of LUC 20.20.120.

...
 (18) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845 and as provided below.

a. In ~~Single-Family Residential~~ Land Use Districts (~~R-4LL-1 to R-7.5MDR-2~~), the Supportive Housing development shall comply with all standards and requirements applicable to ~~single-family~~the residential use in the underlying Single-Family Residential Land Use District.

~~b. In Multifamily Residential Land Use Districts (R-10 to R-30), the Supportive Housing development shall comply with all standards and requirements applicable to multifamily residential use in the underlying Multifamily Residential Land Use District.~~

b. In Nonresidential Land Use Districts, Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(19) ~~Affordable housing duplexes and triplexes are permitted within subdivisions when the requirements of LUC 20.20.128 are met.~~

...
 (21) Multiple dwelling units per structure are permitted ~~without a planned unit development~~ on properties with an AH suffix when consistent with the requirements of LUC 20.20.128.I.

Chart 20.10.440
Uses in land use districts
 Resources – Residential Districts

Attachment A
Draft Middle Housing LUCA
March 20, 2025 Draft

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R- <u>1LL- 1</u> | R- <u>1-8L L-2</u> | R- <u>2-5S R-1</u> | R- <u>3-5S R-2</u> | R- <u>4SR- 3</u> | R- <u>5SR- 4</u> | R- <u>7-5L DR- 1</u> | R- <u>10L DR- 2</u> | R- <u>15L DR- 3</u> | R- <u>20M DR- 1</u> | R- <u>30M DR- 2</u> |
|-----------------------------------|---|------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|------------------------------------|------------------------------------|--|---|---|---|---|
| 8 | Resource Production (Minerals, Plants, Animals Including Pets and Related Services) | | | | | | | | | | | |
| ... | | | | | | | | | | | | |

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Chart 20.10.440
Uses in land use districts
 Services – Residential Districts

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R- <u>1LL- 1</u> | R- <u>1-8L L-2</u> | R- <u>2-5S R-1</u> | R- <u>3-5S R-2</u> | R- <u>4SR- 3</u> | R- <u>5SR- 4</u> | R- <u>7-5L DR- 1</u> | R- <u>10L DR- 2</u> | R- <u>15L DR- 3</u> | R- <u>20M DR- 1</u> | R- <u>30M DR- 2</u> |
|-----------------------------------|----------------------------|------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|------------------------------------|------------------------------------|--|---|---|---|---|
| 6 | Services | | | | | | | | | | | |
| ... | | | | | | | | | | | | |

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Chart 20.10.440
Uses in land use districts
 Transportation and Utilities – Residential Districts

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | R- <u>1LL- 1</u> | R- <u>1-8L L-2</u> | R- <u>2-5S R-1</u> | R- <u>3-5S R-2</u> | R- <u>4SR- 3</u> | R- <u>5SR- 4</u> | R- <u>7-5L DR- 1</u> | R- <u>10L DR- 2</u> | R- <u>15L DR- 3</u> | R- <u>20M DR- 1</u> | R- <u>30M DR- 2</u> |
|-----------------------------------|---|------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|------------------------------------|------------------------------------|--|---|---|---|---|
| 6 | Transportation, Communication s and Utilities | | | | | | | | | | | |
| ... | | | | | | | | | | | | |

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Chart 20.10.440
Uses in land use districts
 Wholesale and Retail – Residential Districts

Attachment A
Draft Middle Housing LUCA
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| STD LAND USE CODE REF | LAND USE CLASSIFICATION | <u>R- 1LL- 1</u> | <u>R- 1-8L L-2</u> | <u>R- 2-5S R-1</u> | <u>R- 3-5S R-2</u> | <u>R- 4SR- 3</u> | <u>R- 5SR- 4</u> | <u>R- 7-5L DR- 1</u> | <u>R- 10L DR- 2</u> | <u>R- 15L DR- 3</u> | <u>R- 20M DR- 1</u> | <u>R- 30M DR- 2</u> |
|-----------------------------------|---|--------------------------|----------------------------|----------------------------|----------------------------|--------------------------|--------------------------|----------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| 5 | Trade (Wholesale and Retail) (39) | | | | | | | | | | | |

...

Chapter 20.20 General Development Requirements

...

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts – Dimensional Requirements

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | Residential | | | | | | | | | | |
|-----------------------------------|---|--------------------------|------------------------------|------------------------------|------------------------------|--------------------------|--------------------------|------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| | | <u>R- 1LL- 1</u> | <u>R- 1-8L L-2</u> | <u>R- 2-5SR -1</u> | <u>R- 3-5SR -2</u> | <u>R- 4SR- 3</u> | <u>R- 5SR- 4</u> | <u>R- 7-5LD R-1</u> | <u>R- 10LD R-2</u> | <u>R- 15LD R-3</u> | <u>R- 20M DR-1</u> | <u>R- 30M DR-2</u> |
| | DIMENSIONS | (43, 52) | (43, 52) | (43, 52) | (43, 52) | (43, 52) | (43, 52) | (43, 52) | (52) | (52) | (52) | (52) |
| | Minimum Setbacks of Structures (feet) Front yard (18)(20)(38)(39) | 35 | 30 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| | Rear Yard (11)(17)(18)(20)(38)(39) | 25 | 25 | 25 | 25 | 20 | 20 | 20 | <u>2520</u> | <u>2520</u> | <u>2520</u> | <u>2520</u> |
| | Side Yard (11)(17)(18)(20)(38)(39) | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5(4) |
| | 2 Side yards (17)(18)(20)(38)(39) | 20 | 15 | 15 | 15 | 15 | 15 | 10 | <u>1510</u> | <u>1510</u> | <u>1510</u> | <u>1510</u> |
| | Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)(39) | 35 | 20 | 13.5 | 10 | 8.5 | 7.2 | 4.7 | <u>8.5</u> | <u>8.5</u> | <u>8.5</u> (12) | <u>8.5</u> (12) |
| | Dwelling Units per Acre (15)(21)(22) | 1 (<u>1</u>) | 1.8 (<u>1</u>) <u>1</u> | 2.5 (<u>1</u>) <u>1</u> | 3.5 (<u>1</u>) <u>1</u> | 4 (<u>1</u>) | 5 (<u>1</u>) | 7.5 (<u>1</u>) <u>1</u> | 10 (<u>2</u>) | 15 (<u>2</u>) | 20 (<u>2</u>) | 30 (<u>2</u>) |
| | Minimum Dimensions (feet) Width of Street Frontage | 30 | 30 | 30 | 30 | 30 | 30 | 30 | <u>30</u> | <u>30</u> | <u>30</u> | <u>30</u> |
| | Width Required in Lot (4) | 100 | 90 | 80 | 70 | 65 | 60 | 50 | <u>70</u> | <u>70</u> | <u>70</u> | <u>70</u> |
| | Depth Required in Lot (4) | 150 | 80 | 80 | 80 | 80 | 80 | 80 | <u>80</u> | <u>80</u> | <u>80</u> | <u>80</u> |

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| | | | | | | | | | | | | |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|------------------|------------------|------------------------|------------------|
| Maximum in Building Height (feet) (10)(26)(45) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30/3 5 (44) | 30 40 | 30 40 | 30 (5)40 | 40 |
| Maximum Lot Coverage by Structures (percent) (13)(14)(16)(26)(27)(37)(39) | 35 | 35 | 35 | 35 | 35 | 35 | 40 | 40 | 35 40 | 35 40 | 35 40 | 35 40 |
| Maximum Hard Surface Coverage (percent) (37)(39)(47) | 75 (36) | 75 (36) | 75 (36) | 75 (36) | 75 (36) | 75 (36) | 80 (36) | 80 (36) | 90 | 90 | 90 | 90 |
| Maximum Impervious Surface (percent) (35) (37)(39) | 45 (36) | 45 (36) | 45 (36) | 45 (36) | 45 (36) | 45 (36) | 55 (36) | 55 (36) | 65 | 65 | 65 | 65 |
| Alternative Maximum Impervious Surface (percent) (35) (37)(39)(48) | 50 (36) | 50 (36) | 50 (36) | 50 (36) | 50 (36) | 50 (36) | 55 (36) | 55 (36) | 80 | 80 | 80 | 80 |
| Minimum Greenscape Percentage of Front Yard Setback (40)(51) | 50 (40) | 50 (40) | 50 (40) | 50 (40) | 50 (40) | 50 (40) | 50 (40) | 50 (40) | | | | |

Notes: Uses in land use districts – Dimensional requirements:

- ...
- (1) ~~Side yard setback in R-30 Districts increases to 20 feet on any side yard where structure exceeds 30 feet above finished grade. At a minimum, one single-family structure is permitted per lot, unless developing middle housing or for single-family developments within the critical areas overlay. See LUC 20.20.538 for dimensional requirements for middle housing projects. Dwelling units per acre for single-family developments located within the critical areas overlay shall be calculated pursuant to LUC 20.25H.045.~~
- (2) ~~All rear and side yards shall contain landscaping as required by LUC 20.20.520. The permitted number of dwelling units shall be either the units calculated in LUC 20.20.538 for middle housing projects or dwelling units per acre, whichever is larger. For sites located within the critical areas overlay, dwelling units per acre shall be calculated pursuant to LUC 20.25H.045.~~
- ...
- (5) ~~Except in transition areas, the maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.~~
- ...
- (7) ~~Intentionally deleted. Townhomes proposed on adjacent lots may be permitted to develop with zero side yard setbacks with an approved single site agreement.~~
- ...
- (10) ~~Except in transition areas, t~~he allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by 1 story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.
- ...

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~~(15) Except for sites in the Critical Areas Overlay District, if there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045~~

...

~~(35) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.~~

...

(37) Maximum hard surface, maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are excepted under LUC 20.20.460. All areas of impervious surface coverage shall be included in the calculation of total maximum hard surface. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface coverage and LUC 20.20.425 for exceptions and performance standards relating to hard surface coverage.

...

(40) The greenscape requirements of this section shall be imposed any time a permit, approval, or review, including land alteration or land development for Single-Family Land Use ~~Districts~~, is required by the Bellevue City Code or Land Use Code. Existing single-family front yard setbacks legally established on a site prior to January 1, 2008, which do not meet the minimum greenscape requirements set forth in Chart 20.20.010 shall not be considered nonconforming. The City shall not, however, approve proposals to decrease the greenscape percentage set forth in Chart 20.20.010 where a site already falls below the minimum greenscape requirements. Where an existing site falls below the minimum requirements set forth in Chart 20.20.010, the removal of greenscape shall not be approved unless an equal amount of existing impervious surface, pervious surface, or hardscape is removed, such that the net amount of greenscape is unchanged. The Director may modify the requirements of Chart 20.20.010 for nonconforming lots, corner lots, or lots with unique sizes and shapes. See LUC 20.50.022 for the definition of greenscape.

~~(41) See LUC 20.20.900.F for significant tree retention requirements relating to Single-Family Districts excluding, however, the R-1 Land Use District in the Bridle Trails Subarea which is otherwise governed by LUC 20.20.900.E.~~

...

(43) See LUC 20.20.390 for FAR requirements for single-family and middle housing developments. Floor Area Ratio (FAR) Threshold. Development which exceeds a gross Floor Area Ratio (FAR) threshold of 0.5 shall comply with the following requirements:

(a) Applicability: FAR threshold requirements are applicable to new single-family homes and additions to existing homes that result in a 20 percent or greater increase in gross square feet.

(b) Maintain a minimum structure setback of 7.5 feet for each side yard, and incorporate either daylight plane standards or a second story stepback of not less than five feet on each side of the building facing a side yard property line.

(c) Exemptions: New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are not subject to FAR threshold

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~~requirements. The Director may modify the FAR threshold requirements on either side of the structure where it can be demonstrated that the adjacent structure has been constructed at an FAR that exceeds the 0.5 threshold and the adjacent structure is built to dimensions which exceed the requirements noted in subsection (b) of this note.~~

(44) Maximum building height for single-family uses ~~in Single Family Residential Land Use Districts~~ is 30 feet measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or 35 feet to the ridge of a pitched roof. Refer to LUC 20.50.012 for definition of “Building Height – Single-Family Uses ~~in Single Family Land Use Districts.~~”

(45) For new single-family residential homes and additions ~~in Single Family Land Use Districts~~, the maximum height of any individual building ~~façade-façade~~ is 40 feet measured from the existing grade at the building wall to the ridge of a pitched roof or top of a flat roof. New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are exempt from this requirement.

...

~~(47) See LUC 20.20.425 for exceptions and performance standards related to hard surfaces.~~

...

(52) See LUC 20.20.128.F for modified dimensional requirements for affordable housing when the requirements of LUC 20.20.128 are met.

(53) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845.C.2.

...

20.20.017 Minimum lot size – Averaging in short plats and subdivisions.

In approved short plats and subdivisions, the individual lots shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the short plat or plat meets the minimum requirement for the district in which the short plat or plat is located, provided: (1) that no individual lot therein shall be reduced more than 10 percent from the district minimum required area, except that lots in zones ~~R-1, R-1.8, R-2.5, and R-3.5~~ ~~LL-1, LL-2, SR-1, and SR-2~~ may be reduced by up to 15 percent from the district minimum; (2) a reduction of five percent in the required lot width may be applied to 20 percent of the lots, provided no reduction in the required area is applied to these lots. The lot averaging described in this section shall not be allowed for conservation subdivisions or conservation short subdivisions where the required minimum lot size for such subdivision is reduced as allowed under LUC 20.45A.060 or 20.45B.055, as applicable.

...

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

A. An individual nonconforming lot legally created pursuant to LUC 20.20.060 may be used for a building site if:

1. There are no restrictions on development imposed by prior permits or land use approvals; and
2. The lot does not lie within a Residential (~~R-1—R-30~~ ~~LL-1 – MDR-2~~) Land Use District; or

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3. The lot lies within a Residential (~~R-1~~ ~~R-30LL-1~~ - MDR-2) Land Use District; and
 - a. The area, width and depth of the lot each meet or exceed 70 percent of the minimum requirements for the Residential (~~R-1~~ ~~R-30LL-1~~ - MDR-2) Land Use District in which it is located, or
 - b. Although the area, width or depth of the lot, or a combination thereof, do not meet 70 percent of the minimum requirements of the Residential (~~R-1~~ ~~R-30LL-1~~ - MDR-2) Land Use District in which it is located,

...

- C. Notwithstanding subsection A of this section, a nonconforming lot in a Residential (~~R-1~~ ~~R-30LL-1~~ - MDR-2) Land Use District failing to meet or exceed 70 percent of minimum area, width and depth requirements of the district in which it is located may not be used for a building site if at any time since the effective date of the ordinance which first established a minimum lot area, width, depth or street frontage requirement larger than the lot contains or annexation, whichever was later, has a person, partnership, corporation or marital community owning said lot simultaneously owning additional contiguous property. Such lots must be combined with additional contiguous property sufficient that the area, width and depth of the combined property each meets or exceeds 70 percent of the minimum requirements of the land use district in which the property is located. This subsection does not constitute a waiver of any of the requirements of boundary line adjustment procedure.

...

20.20.120 Accessory dwelling units.

~~A. General.~~

~~One accessory dwelling unit is permitted as subordinate to a single family dwelling provided the following criteria are met:~~

- ~~1. The accessory dwelling unit shall be located within the same structure as the principal residence and shall not be a detached structure or located within existing detached accessory structures such as garages, workshops, or guest cottages.~~
- ~~2. The floor area of the accessory dwelling unit shall be limited to the larger of 1,200 square feet or 40 percent of the gross floor area of the primary residence and accessory dwelling unit combined, excluding any related garage area.~~
- ~~3. In addition to any off street spaces required for the primary residence, and except when the property has frequent transit service as provided in LUC 20.20.590.L.1, off street parking shall be provided for accessory dwelling units as follows:~~
 - ~~a. No off street parking is required for accessory dwelling units less than 1,000 square feet in floor area (excluding any garage area).~~
 - ~~b. One off street parking space is required for accessory dwelling units between 1,000 and 2,000 square feet in floor area (excluding any garage area).~~

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- e. ~~For accessory dwelling units exceeding 2,000 square feet:~~
 - i. ~~One off-street parking space is required on lots smaller than 6,000 square feet.~~
 - ii. ~~Two off-street parking spaces are required on lots greater than 6,000 square feet.~~
 - iii. ~~For purposes of this subsection A.3.c, lot area shall refer to the square footage of a parent lot prior to any unit lot subdivision as described in LUC 20.45A.065 and 20.45B.057.~~
- 4. ~~The accessory dwelling unit shall meet all technical code standards, BCC Title 23, including building, electrical, fire, and plumbing code requirements.~~
- 5. ~~A site may not contain both an accessory dwelling unit and a business subject to the regulations in Part 20.30N LUC for a Home Occupation Permit.~~
- 6. ~~The creation of an accessory dwelling unit shall not satisfy the affordable housing requirements in LUC 20.20.128.~~

A. Purpose

The purpose of this section is to regulate both attached and detached accessory dwelling units.

B. Definitions.

- 1. Major Transit Stop. For the purposes of this section, major transit stop is as defined in RCW 36.70A.696.

C. Standards – Generally Applicable.

- 1. Up to two accessory dwelling units are permitted on each lot located in a land use district that allows a single-family dwelling to be located on that lot, provided that all applicable requirements of this section are met.
- 2. Until a certificate of occupancy is issued for the accessory dwelling unit, the accessory dwelling unit must be a subordinate use to a primary structure located on the same lot. Once a certificate of occupancy is issued, then the accessory dwelling unit shall become a permitted use.
- 3. The floor area of an accessory dwelling unit shall be limited to a maximum of 1,200 square feet, except that:
 - a. The Director may approve an increase in floor area beyond 1,200 square feet in the following circumstances:
 - i. Where the proposed accessory dwelling unit is located entirely on a single floor of the primary structure;
 - ii. Where the accessory dwelling unit is proposed as an addition to an existing or proposed detached accessory structure; or
 - iii. Where the accessory dwelling unit is proposed to be created through a conversion of an existing detached accessory structure.

Commented [A2]: Add language exemption 250 sf for garage

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b. Accessory dwelling units created through the conversion of a structure previously permitted as a guest cottage are exempt from the maximum floor area limit, provided that conversion does not constitute an expansion of the structure.

c. Up to 250 square feet per accessory dwelling unit used for parking or unheated storage space shall be exempt from the maximum floor area.

Commented [A3]: Added exemption for garage

4. Accessory dwelling units may be converted from existing structures, including but not limited to detached garages, regardless of whether the existing structure itself currently meets applicable setback and lot coverage dimensional requirements so long as the existing structure was otherwise a permitted use when constructed. An accessory dwelling unit resulting from such a conversion shall not constitute a nonconforming structure, and the site shall not constitute a nonconforming site, solely due to the existing structure's noncompliance with applicable setback and lot coverage dimensional requirements.

5. In addition to any off-street parking spaces required for the primary structure, and except when the property has frequent transit service as provided in LUC 20.20.590.L.1, off-street parking shall be provided for accessory dwelling units as follows:

a. No off-street parking is required for accessory dwelling units less than 1,000 square feet in floor area (excluding any garage area).

b. No off-street parking is required for accessory dwelling units located within one-half mile of a major transit stop as defined in this section.

c. One off-street parking space is required for accessory dwelling units between 1,000 and 2,000 square feet in floor area (excluding any garage area).

Commented [A4]: Update to align with proposed parking reductions for middle housing units to one space per unit

d. For accessory dwelling units exceeding 2,000 square feet:

i. One off-street parking space is required on lots smaller than 6,000 square feet.

ii. Two off-street parking spaces are required on lots greater than 6,000 square feet.

iii. For purposes of this subsection A.2.c, lot area shall refer to the square footage of a parent lot prior to any unit lot subdivision as described in LUC 20.45A.065 and 20.45B.057.

6. A site may not contain both an accessory dwelling unit and a business subject to the regulations in Part 20.30N LUC for a Home Occupation Permit.

C. Standards – Attached Accessory Dwelling Units.

1. Attached accessory dwelling units must be located within, or be attached to, the primary structure.

2. Attached accessory dwelling units shall be subject to the same height and setback requirements as the primary structure.

D. Standards – Detached Accessory Dwelling Units.

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1. Detached accessory dwelling units shall be limited to 24 feet in height or 28 feet in height when proposed as an addition over an existing or proposed accessory structure as measured to the highest point of the structure.
2. Detached accessory dwelling units shall be subject to the same setback requirements as middle housing projects per LUC 20.20.538, except that:
 - a. Detached accessory dwelling units may be sited at the lot line that abuts an alley

...

20.20.125 Accessory structures in residential districts – Detached.

...

B. Applicability.

This section applies to detached accessory structures located on lots less than 20,000 square feet within any residential land use district. ~~This section is not applicable to Guest Cottages regulated pursuant to LUC 20.20.250. This section is not applicable to detached accessory dwelling units regulated pursuant to LUC 20.20.120.~~ This section is not applicable to structures exempt from regulation under the International Building Code, as adopted and amended by the City of Bellevue; however, exempt structures (e.g., swimming pools, greenhouses, and similar structures) and parked or stored recreational vehicles, watercraft, and utility trailers (regulated pursuant to LUC 20.20.720 or 20.20.890) may intrude into side or rear yard setbacks pursuant to the process contained in paragraph F.3 of this section.

~~C. Definition of Detached Accessory Structure.~~

~~Detached accessory structure refers to buildings or structures which are secondary to and associated with a primary single family or multifamily structure.~~

~~D. Height Limitations.~~

~~Detached accessory structures are limited to a maximum height of 15 feet except as otherwise provided in paragraph F.1. of this section.~~

~~E. Limitations on Location and Lot Coverage.~~

...

2. Detached accessory structures are required to comply with the front and side setbacks required for the primary structure and are required to maintain a five-foot setback from the rear lot line except as otherwise provided in subsection F.3 of this section.

Note: The International Residential Code as adopted and amended by the City of Bellevue contains additional fire protection requirements that are applicable to some structures constructed within a side or rear yard setback.

...

~~F. Exception Process.~~

...

20.20.127 Adult entertainment uses.

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A. Adult entertainment uses are prohibited within 660 feet of any Residential Land Use District (~~R-1~~
~~R-30LL-1 – MDR-2~~), single or multiple-family residence, public or private school (preschool – twelfth
grade), religious facility, public park, child care service, child day care center, public library,
community youth center, massage parlor, or other adult entertainment use.

...

C. The 660-foot distance shall be a straight, horizontal line, measured from the nearest point of that
portion of a lot proposed to be used for an adult entertainment use (generally, the enclosed building
or indoor leased space, excluding, for example, parking areas, landscaping or tenant common areas)
to the nearest point of:

...

3. A Residential Land Use District (~~R-1~~~~R-30LL-1 – MDR-2~~).

...

20.20.128 Affordable housing.

A. Purpose and Administration

...

5. Annual Adjustments for Inflation. The Director is both authorized and directed to annually
increase or decrease the fees listed below by an adjustment necessary to reflect the then-
current published annual change in the Seattle Consumer Price Index for Wage Earners and
Clerical Workers:

a. The in-lieu fees contained in Table 20.20.128.J.4; ~~and~~

b. The in-lieu fee for nonresidential development contained in Chart 20.25Q.070.D.4-; and

c. The in-lieu fee for mixed-income multifamily development contained in Table
20.20.128.E.2.b.

...

B. Definitions.

1. “Mixed-income multifamily development” means a multifamily development project that
includes both market rate and affordable housing units in any land use district that permits
multifamily housing.

...

3. “Affordable housing suffix” means a suffix consisting of AH and a number, enclosed in
parentheses and appended to the Land Use District classification applied to a property. These
suffixes correspond to alternate ~~multifamily~~ Land Use Districts where multifamily housing is
permitted which are applicable to affordable housing development when consistent with the
requirements of subsection I of this section.

...

D. Eligibility.

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1. Density Bonus. The following residential development, including both new development and rehabilitation projects, shall be eligible to receive a density bonus and other modifications as provided in this section:
 - a. Mixed-Income Multifamily Development. Mixed-income multifamily development in any ~~applicable~~ land use district that permits multifamily housing when the development includes affordable housing; ~~and~~
 - b. Mixed-Income Middle Housing Development. Mixed-income multifamily development in any residential land use district (LL-1 – MDR-2) when the development includes affordable housing; and
 - ~~b.c.~~ Affordable Housing Development. The following ownerships and locations of residential development when all housing units are affordable housing:
 - i. Owned or controlled by a religious organization at the time that the land use application is deemed complete and located in ~~Single-Family~~ Residential Land Use Districts LL-1 through LDR-1; and
- ...
2. Affordable Housing Suffix Rezone. The following ownerships and locations of property shall be eligible to be rezoned under Part 20.30A LUC, adding an affordable housing suffix for multifamily development and other modifications as provided in this section:
...
 - b. Located in ~~any Single-Family~~ Residential Land Use Districts LL-1 through LDR-1; and
...

E. Density Bonus.

1. Mixed-income multifamily development as provided in subsection D.1.a of this section may exempt 1 bonus market rate unit for each equivalent-sized affordable unit provided, up to 15 percent above the maximum density allowed in the underlying land use district.
2. In any residential land use district, mixed-income middle housing development as provided in subsection D.1.b of this section may develop up to two bonus dwelling units above the maximum density allowed in the underlying residential land use district. To receive bonus dwelling units under this subsection, an applicant proposing mixed-income middle housing development shall comply with at least one of the following options:
 - a. Performance Option. If the applicant desires to develop the bonus dwelling units on-site with affordability requirements, then the bonus dwelling units shall be affordable to households as follows:
 - i. For bonus dwelling units intended for rent, the dwelling unit shall be affordable to households earning up to, and including, 60 percent of the area median income.
 - ii. For bonus dwelling units intended for sale, the dwelling unit shall be affordable to households earning up to, and including, 80 percent of the area median income.

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b. Payment Option. If the applicant desires to develop the bonus dwelling units on-site with no affordability requirements, then the applicant shall provide a cash payment to the City as follows:

- i. In-lieu fees shall be both assessed and collected at building permit issuance.
- ii. The payment amount shall be calculated by multiplying the applicable per-square foot fee provided in Table 20.20.128.E.2.b by the total square footage of the non-exempt gross floor area of the bonus dwelling units.

Table 20.20.128.E.2.b

| <u>Land Use District</u> | <u>In-Lieu Fee</u> |
|---|--------------------|
| <u>All residential land use districts</u> | |

Commented [A5]: Staff is working on developing a proposed in-lieu fee which will be presented to Planning Commission at the public hearing

c. Compliance through a Combination of Performance and Payment Options. To achieve the maximum of two bonus dwelling units, the applicant may earn one bonus dwelling unit by operation of the Performance Option and a second bonus dwelling unit by operation of the Payment Option.

23. Affordable housing development as provided in subsection D.1.b-c of this section may receive a bonus of 50 percent above the maximum density allowed in the underlying land use district.

F. Dimensional Standard Modification.

- 1. Mixed-Income Multifamily Development as provided in subsection D.1.a of this section may replace the nonresidential dimensional requirements in LUC Chart 20.20.010 with those in Chart 20.20.128.F.1. All other applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.1 shall continue to apply, including applicable footnotes.

Chart 20.20.128.F.1

Modified Dimensional Requirements for Mixed-Income Multifamily Development

| STD LAND USE CODE REF | LAND USE CLASSIFICATION | Residential | | | | | | | | | | |
|-----------------------------------|--|----------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|---------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | | R-1L 1 | R-1S L-2 | R-2S R-1 | R-3S R-2 | R-4SR 3 | R-5SR 4 | R-7-5L DR-1 | R-10L DR-2 | R-15L DR-3 | R-20M DR-1 | R-30M DR-1 |
| | DIMENSIONS | | | | | | | | | | | |
| | Minimum Lot Area (Thousands of Sq. Ft.) | 30.4 | 17.4 | 11.7 | 8.7 | 7.4 | 6.3 | 4.1 | 8.5 | 8.5 | 8.5 | 8.5 |
| | Dwelling Units per Acre | 1-2 | 2-1 | 2-9 | 4-0 | 4-6 | 5-8 | 8-6 | 11.5 | 17.3 | 23 | 34.5 |
| | Maximum Lot Coverage by Structures (percent) | 35 | 35 | 35 | 35 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |

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| | | | | | | | | | | | | |
|--|---|----|----|----|----|----|----|----|----|----|----|----|
| | Maximum Hard Surface Coverage (percent) | 75 | 75 | 75 | 75 | 80 | 80 | 90 | 90 | 90 | 90 | 90 |
| | Maximum Impervious Surface (percent) | 45 | 45 | 45 | 45 | 55 | 55 | 55 | 70 | 70 | 70 | 70 |

| STD LAND USE CODE | LAND USE CLASSIFICATION | Residential – Nonresidential Districts | | | | | | |
|----------------------------|--|--|------|----------|-----|-----|-----|-----|
| | | O | OLB | OLB 2 | NB | CB | F2 | F3 |
| REF | | | | | | | | |
| | DIMENSIONS | | | | | | | |
| | Minimum Lot Area (Thousands of Sq. Ft.) | 30.4 | 17.4 | 11.7 | 8.7 | 7.4 | 6.3 | 4.1 |
| | Dwelling Units per Acre | 1.2 | 2.1 | 2.9 | 4.0 | 4.6 | 5.8 | 8.6 |
| | Maximum Lot Coverage by Structures (percent) | 35 | 35 | 35 | 35 | 40 | 40 | 40 |
| | Maximum Hard Surface Coverage (percent) | 75 | 75 | 75 | 75 | 80 | 80 | 90 |
| | Maximum Impervious Surface (percent) | 45 | 45 | 45 | 45 | 55 | 55 | 55 |

- ...
2. Affordable housing development as provided in subsection D.1.b-c of this section may replace the dimensional requirements in LUC Chart 20.20.010 with those in Chart 20.20.128.F.2. Applicable dimensional requirements in LUC Chart 20.20.010 but not included in Chart 20.20.128.F.2 shall continue to apply, including applicable footnotes.
- ...

G. Modification of Other Applicable Requirements.

For eligible residential development as provided in subsection D of this section, the following requirements of this Code may be modified through the procedures outlined in subsection C of this section, to the extent necessary to accommodate affordable housing units on site:

...

2. Building Height. Except in transition areas and the Shoreline Overlay District, the maximum building height in ~~R-10LDR-2~~, ~~R-15LDR-3~~, ~~R-20MDR-1~~, and ~~R-30MDR-2~~ Land Use Districts and for properties with an AH suffix may be increased by up to 12 feet for those portions of the building(s) at least 20 feet from any property line.
- ...

~~H. Attached Housing Within Subdivisions.~~

~~Affordable housing development as provided in subsection D.1.b of this section may be permitted as attached multifamily dwelling units in single-family land use districts when meeting the following criteria:~~

- ~~1. The attached multifamily dwelling units shall be reviewed through a subdivision, Chapter 20.45A LUC, or short subdivision, Chapter 20.45B LUC, process, provided nothing in this subsection shall~~

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... affect the allowance to build attached multifamily dwelling units through a planned unit development, Part 20.30D LUC;

- 2. Multifamily dwelling units within a subdivision or short subdivision may be considered as unit lot subdivision, with each lot accommodating attached multifamily dwelling units as a parent lot and individual unit lots created for the attached multifamily dwelling unit, and shall also be reviewed for compliance with LUC 20.45A.065 for subdivisions or LUC 20.45B.057 for short subdivisions;
- 3. A proposal to create a Unit Lot Subdivision with a Parent Lot and Unit Lots may be reviewed as part of a single proposal for a subdivision or short subdivision;
- 4. An attached multifamily dwelling unit shall not be placed on or across any parent lot line within the subdivision or short subdivision;
- 5. The attached multifamily dwelling units may only be duplexes and triplexes;
- 6. No more than 50 percent of the units within the subdivision or short subdivision shall be attached multifamily dwelling units; and
- 7. The attached multifamily dwelling structure shall comply with all applicable dimensional requirements.

H. Affordable Housing Suffix.

- ...
- 3. Rezone Criteria. Owners of property meeting all eligibility criteria of subsection D.2 of this section may apply for a rezone, under Part 20.30A LUC, to append an affordable housing suffix to the property’s existing Land Use District.
- ...

Table 20.20.128.I.1.
Affordable Housing Suffix Eligibility

| Reference Land Use District | Associated Affordable Housing Suffix |
|---|--------------------------------------|
| R-10 LDR-2, PO | (AH-1) |
| R-15 LDR-3, NB | (AH-2) |
| R-20 MDR-1, O, GC | (AH-3) |
| R-30 MDR-2, BR-CR, BR-ORT, BR-RC, CB, DT (Any), EG-TOD, EM (Any), F1, F2, F3, LI, NMU, OLB, OLB 2, NMU | (AH-4) |

- 4. Development with Suffix.
 - a. Increased Density. Development on a property with an affordable housing suffix may conform to the associated ~~multifamily~~ Land Use District identified in Chart 20.20.128.I.2, including associated dimensional standard modifications identified in subsection F.2 of this section, instead of the underlying Land Use District when all housing units are affordable housing.

Table 20.20.128.I.2.
Alternate Land Use Districts Associated with Affordable Housing Suffixes

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| Affordable Housing Suffix | Associated Land Use District |
|---------------------------|------------------------------|
| (AH-1) | R-10LDR-2 |
| (AH-2) | R-15LDR-3 |
| (AH-3) | R-20MDR-1 |
| (AH-4) | R-30MDR-2 |

...

20.20.170 Child care service use.

...

D. Child Day Care Center.

- ...
2. Review or Registration Required.
- a. If located in an [R-10LDR-2](#) or [R-15LDR-3](#) Land Use District, a child day care center requires a Conditional Use Permit prior to the initiation of the use.

...

20.20.190 Churches, clubs, and similar use structures.

In [Residential](#) Districts ([LL-1 – MDR-2](#)), churches, institutions, clubs and community recreation buildings shall have side and rear yard required setbacks of a minimum of 50 feet each. Automobile traffic to and from such a use and its parking area shall be from an arterial street, unless other access is approved through a Conditional Use Permit.

...

20.20.195 Communication, broadcast, and relay facilities.

...

E. Development Requirements for Wireless Communications Facilities.

- a. Allowed Locations.
- i. In ~~the Residential~~ ([R-1LL-1](#) through [R-30MDR-2](#)) and BR-R Land Use Districts, WCFs may only be deployed in the following locations:
- ...
- (5) Undeveloped sites and sites developed with residential or mixed uses in the [R-20MDR-1](#) and [R-30MDR-2](#) Land Use Districts.
- ii. WCFs located outside of Residential ([R-1LL-1](#) through [R-30MDR-2](#)) and BR-R Land Use Districts may be deployed in any location, subject to the requirements under this section.

...

20.20.250 Cottage ~~guest~~ Housing Development.

~~One detached cottage for the use of guests or domestic employees or the residents of the main residence may be permitted on any lot having at least 13,500 square feet in lot area and having a single-family residence as the principal use of the lot.~~

A. General.

1. The size of a cottage unit shall be limited to 1,750 square feet, measured as the area within the roofline, ~~excluding eaves~~, except that:
- a. Up to 25% of the square footage of any cottage structure utilized for covered porches may be exempted from the maximum square footage.

Commented [A6]: Added provision that excludes eaves from the maximum square footage for cottage housing units

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B. Site Design Standards.

1. Total Open Space. Total open space includes all of the open space provided on-site for a cottage housing development subject to the following requirements:
 - a. Total open space shall be provided at a minimum of 20% of the lot size. This may include common open space, private open space, setbacks, critical areas, or other open space; and
 - b. Total open space shall be consolidated into a common area to the maximum extent possible.
2. Common Open Space. Common open space shall be included in the calculation of the total open space. Common open space shall be provided subject to the following requirements and is intended for common use by the residents of a cottage housing development:
 - a. A minimum of 100 square feet provided per cottage as common open space;
 - b. Common open space shall be bordered by cottages on at least one side for developments with four or fewer cottages and at least two sides for developments with five or more cottages;
 - c. Common open space shall not include critical areas, critical area buffers, or critical area structure setbacks;
 - d. Common open space shall have a minimum dimension of 15 feet on any side; and
 - e. Total Common open space shall be developed consistent with LUC 20.20.520, including a mix of landscaping, pedestrian paths, and other amenities. Impervious surfaces shall be limited to 75% of the total open space.
3. Private open space. Any designated private open space areas shall have a minimum dimension of 5 feet on any side.
4. The minimum required distance between cottages shall be limited to the minimum required by building and fire code.
5. On-site required parking shall be consolidated to the maximum extent feasible.

Commented [A7]: Reduced minimum dimension of open space to 15 feet from 20 feet

20.20.252 Courtyard Housing Development.

A. General

1. Courtyard housing developments that contain up to nine dwelling units shall be subject to the requirements of this subsection and the development regulations in Chart 20.20.538.B.2.
2. Courtyard housing shall be in an L- or U-shaped configuration.

B. Site Design Standards.

1. Courtyard housing shall include a central courtyard area providing primary or secondary access to all units.
2. The central courtyard shall have a minimum dimension of 20 feet in any direction

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3. On-site required parking shall be consolidated to the maximum extent feasible

...

20.20.255 Electrical utility facilities.

...

C. Required Review.

For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT-7-6 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT-7-6, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC.

1. Conditional Use Permit. In addition to the requirements set forth in Part 20.30B LUC ~~and Part 20.25B LUC (if applicable)~~, the applicant shall:

...

2. Administrative Conditional Use. In addition to the requirements set forth in Part 20.30E LUC ~~and Part 20.25B LUC (if applicable)~~, the applicant shall comply with all decision criteria and design standards set forth in this section, provided the applicant is not required to complete the alternative siting analysis set forth in subsection D of this section.

D. Alternative Siting Analysis.

In addition to the requirements set forth in Part 20.30B LUC, ~~Part 20.25B LUC (if applicable)~~, and the decision criteria and design standards set forth in this section, the applicant shall identify alternative sites, provide required content showing analysis relating to identified sites, describe technologies considered, and describe community outreach conducted for proposals relating to new or expanding electrical utility facilities on sensitive sites as described in this section.

...

2. Content of Alternative Siting Analysis. Upon submittal of the Conditional Use Permit application required pursuant to subsection C of this section, the applicant shall submit results of the siting analysis which:

...

b. Map the location of the sites identified in subsection D.1 of this section and depict the proximity of the sites to Neighborhood Business Land Use Districts, ~~and Residential Land Use Districts, and Transition Areas.~~

c. Describe which of the sites analyzed are considered practical or feasible alternatives by the applicant, and which of the sites analyzed are not considered practical or feasible, together with supporting information that justifies the conclusions reached. For sites located within a Neighborhood Business Land Use District, Residential Land Use District, and/or Transition Area ~~(including the BelRed Office/Residential Transition (BR-ORT))~~, the applicant shall:

...

d. Identify a preferred site from the alternative locations considered for the proposed new or expanding electrical utility facility. The following location selection hierarchy shall be considered during identification of the preferred site alternative: (i) nonresidential land use districts ~~not providing transition~~, (ii) ~~nonresidential Transition Areas (including the BelRed Office/Residential Transition (BR-ORT))~~, and (iii) residential areas. The applicant may identify a preferred site alternative in a Residential Land Use District or ~~Transition Area (including~~

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the BelRed Office/Residential Transition (BR-ORT) upon demonstration that the location has fewer site compatibility impacts than a nonresidential land use district location.

...
E. Decision Criteria.

In addition to the requirements set forth in Part 20.30B LUC, Part 20.30E LUC, [Part 20.25B LUC \(if applicable\)](#), and other applicable provisions of this section, all proposals to locate or expand electrical utility facilities shall comply with the following:

...
F. Design Standards.

In addition to the requirements set forth in Part 20.30B LUC, Part 20.30E LUC, [Part 20.25B LUC \(if applicable\)](#), and other applicable provisions of this section, all proposals to locate or expand an electrical utility facility shall comply with the following:

...
20.20.350 Essential public facilities (EPF).

C. Decision Criteria.

In addition to the decision criteria applicable to any permit required to construct or modify the EPF, the City may approve, or approve with modifications, a proposal to construct or modify an EPF if:

- ...
 4. An EPF may be permitted in a Neighborhood Business or Residential Land Use District (~~R-1 through R-30~~), only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;

...
20.20.390 Floor Area Ratio, Single-Family and Middle Housing.

A. Applicability.

[The requirements of this section apply to the following:](#)

- [1. All new single-family and middle housing developments, except for accessory dwelling units which are exempt from floor area ratio provisions; and](#)
- [2. Additions to existing single-family dwelling that result in a 20 percent or greater increase in gross square feet.](#)

B. Maximum Floor Area Ratio for Single-Family and Middle Housing.

[The maximum residential floor area ratio as defined in LUC 20.50.020, Floor Area Ratio \(FAR\) – Single-Family and Middle Housing Dwelling, for qualifying development is listed in Table 20.20.390.B.1, and shall be determined by the quantity of dwelling units on the lot. For multi-family projects proposing seven or more dwelling units, floor area ratio shall be determined by the dimensional requirements in Chart 20.20.010 or, where applicable, as regulated by a special or overlay district.](#)

Commented [A8]: Updated definition for multifamily to seven or more units

Table 20.20.390.B.1
Maximum Floor Area Ratio for Single-Family and Middle Housing

| Number of dwelling units(1) | Floor Area Ratio |
|---|----------------------------------|
|---|----------------------------------|

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| | |
|----------|-------------------|
| <u>1</u> | <u>0.3/0.5(2)</u> |
| <u>2</u> | <u>0.5</u> |
| <u>3</u> | <u>0.6</u> |
| <u>4</u> | <u>0.7</u> |
| <u>5</u> | <u>0.75</u> |
| <u>6</u> | <u>0.9(3)</u> |

(1) Up to 250 square feet per unit of middle housing used for parking or unheated storage space shall be exempt from FAR.

(2) FAR for lots that are 10,000 square feet or less shall be 0.5. For lots that are greater than 10,000 square feet, 0.5 FAR shall apply to the first 10,000 square feet, and square footage over 10,000 square feet shall be subject to the 0.3 FAR.

(3) Cottage housing developments may utilize the highest FAR and there is no limit on the maximum allowable units, subject to the development regulations in LUC 20.20.250.

Commented [A9]: Removed FAR for seven to nine units consistent with the overall middle housing unit reduction from nine to six

Commented [A10]: Added square footage exemption for garages

Commented [A11]: Revision to FAR for one unit on one lot to clarify that the 0.3 FAR only applies to the square footage above 10,000 square feet

...

20.20.400 Fences.

...

C. Electric Fences.

Electric fences are not permitted in a Residential Land Use District, except where additional fencing or other barriers prevent access to the fence by small children on the adjacent property. Otherwise, electric fences are permitted provided they comply with the following requirements: (1) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp, current; (2) An electric fence using continuous current shall be limited to 1,500 volts at 7 milliamp, current. All electric fences shall be posted with permanent signs a minimum of 36 square inches in area at intervals of 15 feet stating that the fence is electrified. Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency.

...

20.20.460 Impervious Surface Coverage

...

D. Exemptions.

The following are exempted from determining maximum impervious surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

...

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

...

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20.20.520 Landscape development.

...

B. Applicability.

The requirements of this section shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage or impervious surface, or a change in the area devoted to parking and circulation is required by this Code, or by the International Building Code, as adopted and amended by the City of Bellevue. ~~However, t~~This section does not apply to a permit for a single-family dwelling ~~or middle housing projects as defined in LUC 20.50.034, except where required for open space in cottage and courtyard housing developments unless restrictions on the removal of significant trees on individual single family lots have been imposed through prior City approval.~~

...

F. Site Landscaping.

1. Perimeter Landscaping Requirements for Use Districts. The applicant shall provide site perimeter landscaping either according to the following chart and subject to subsections F.2 and F.6 of this section; or in conformance with subsection J of this section.

Perimeter Landscaping Requirements for Use Districts

| Land Use District in Which the Subject Property is Located ³ | Street Frontage (Type and Minimum Depth) | Interior Property Lines (Type and Minimum Depth) ¹ |
|---|---|---|
| R-10LDR-2, 15LDR-3, 20MDR-1, 30MDR-2 | Type III, 10' but if located in a transition area, and directly abutting S/F² abutting a single-family use, see Part 20.25B LUC for requirements subsection F.9 of this section. | Type III, 8' but if located in a transition area, and directly abutting S/F² abutting a single-family, see Part 20.25B LUC for requirements subsection F.9 of this section. |
| NB, PO, O, OLB, OLB 2, OLB-OS | Type III, 10' but if located in a transition area, and directly abutting S/F³, R-10, 15, 20 or 30 abutting a single-family use, see Part 20.25B LUC for requirements;subsection F.9 of this section. ⁴ | Type III, 10' but if located in a transition area, and directly abutting S/F³, R-10, 15, 20 or 30 abutting a single-family use, see Part 20.25B LUC for requirements;subsection F.9 of this section. ⁴ |
| LI, GC, CB, NMU | Type III, 10' but if located in a transition area, and directly abutting S/F³, R-10, 15, 20 or 30 abutting a single-family use, see Part 20.25B LUC for requirements;subsection F.9 of this section. | Type III, 8' but if located in a transition area, and directly abutting S/F³, R-10, 15, 20 or 30 abutting a single-family use, see Part 20.25B LUC for requirements;subsection F.9 of this section. |

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...
~~(2) S/F includes the R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, and R-7.5 Land Use Districts.~~

(32) Notwithstanding the provisions of this paragraph, landscape development requirements for specific uses are listed in paragraph F.2 of this section.

(43) Landscape development requirements for the OLB-OS District may be modified pursuant to Part 20.25L LUC.

2. Planting Requirements for Specific Uses. Notwithstanding the provisions of paragraph F.1 of this section, the uses listed in this paragraph require specific landscaping as follows:

...

c. Subject to paragraph F.6 of this section, equipment and vehicle storage yards require 15 feet of Type I landscaping on all sides if ~~in a transition area, or~~ visible from a public right-of-way. Alternative landscaping may be approved by the Director of the Development Services Department if the requirements of subsection J of this section are met.

...

9. Landscaping, Open Space, and Buffers for Multifamily, Mixed-Use, and Nonresidential Developments Abutting Single-Family Uses.

1. Landscaping. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable and, in addition, may be used to modify up to 5 feet of required street frontage landscaping.

2. Buffer.

a. A landscaped buffer, at least 10 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a district receiving transition and along the interior property line abutting the district receiving transition.

b. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:

i. Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in subsections C.2.c.ii and iii of this section to effectively buffer development from adjacent residential properties; and

ii. Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center; and

iii. Living groundcover planted to cover the ground within three years; and

iv. Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs

Commented [A12]: Some landscaping standards from the Transition Area Design District overlay embedded into citywide landscaping requirements for multifamily developments abutting single family uses

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and groundcover required in subsections C.2.c.ii and iii of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8.

c. Where an LI, GC or CB zoned property abuts a residential district on an interior property line, an evergreen hedge a minimum of four feet in height at planting and capable of achieving a continued visual screen with a height of five feet within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.

d. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

...

H. Limitation of Landscaping Requirements.

1. ~~Except in a transition area,~~ The total buildable area of the subject property which is required to be landscaped is limited as follows. The location of this landscaping within the buildable area must meet the purpose and intent of subsections A, F.1 and G of this section.

...

20.20.525 Mechanical Equipment

...

C. Implementation.

1. Mechanical equipment located at or below grade may be placed within a required rear or side setback area unless that setback is in a ~~single family~~ residential land use districts LL-1 through LDR-1, directly abuts a residential land use district, or that setback is within a critical area, critical area buffer, or critical area structure setback required by Part 20.25H LUC.
2. Mechanical equipment associated with new single-family residential homes and homes adding more than 1,000 gross square feet in ~~single family~~ residential land use districts LL-1 through LDR-1 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.

...

20.20.535 Marijuana uses.

...

F. Limitations on Uses.

The following limitations shall apply to all marijuana producers, processors, and retailers, unless stated otherwise:

...

2. A marijuana retailer shall not be located within 100 feet of ~~the following land~~ residential use districts: ~~all single family and multifamily districts (R-1 through R-30).~~

...

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6. No marijuana producer, processor, or retailer shall be allowed in single family and multifamily residential land use districts, ~~(R-1—R-30; DT-R, and BR-R)~~.

20.20.538 Middle Housing

A. Applicability.

This section outlines the dimensional requirements applicable to middle housing developments as defined in LUC 20.50.034. For dimensional standards applicable to single-family development and multi-family development see Chart 20.20.010 in LUC 20.20.010. For additional site design regulations for cottage housing see LUC 20.20.250. For additional site design regulations for courtyard housing see LUC 20.20.252.

B. Definitions.

1. Major Transit Stop. For the purposes of this section, major transit stop is as defined in RCW 36.70A.030
2. Frequent Transit Service. For the purposes of this section, frequent transit service means:
 - a. A stop that receives transit service at least four times per hour for twelve or more hours per day.

C. Standards.

1. Middle Housing Development Requirements. Middle housing developments are subject to the development requirements in Table 20.20.538.C.1.

Table 20.20.538.C.1.
Development Requirements for Middle Housing.

| STD LAND USE CODE REF | Middle Housing | | | | | | | | | | | |
|--|----------------|------|------|------|------|------|-------|-------|-------|-------|-------|-----|
| | LL-1 | LL-2 | SR-1 | SR-2 | SR-3 | SR-4 | LDR-1 | LDR-2 | LDR-3 | MDR-1 | MDR-2 | |
| DIMENSIONS | (1) | (1) | (1) | (1) | (1) | (1) | (1) | (1) | (1) | (1) | (1) | (1) |
| Dwelling Units per Lot (2)(3)(4) | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 | 4/6 |
| Minimum Setbacks of Structures (feet) | 25 | 20 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Front yard | | | | | | | | | | | | |
| Rear Yard | 15 | 15 | 15 | 15 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Side Yard (6) | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Maximum in Building Height (feet) | 38 | 38 | 38 | 38 | 38 | 38 | 38 | 38 | 38 | 38 | 38 | 38 |
| Maximum Lot Coverage by Structures (percent) | 40 | 40 | 40 | 40 | 40 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |

Commented [A13]: Updated to remove allowance of up to nine units with ½ mile of a Major Transit Stop

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| | | | | | | | | | | | |
|--|----|----|----|----|----|----|----|----|----|----|----|
| Maximum Hard Surface Coverage (percent) | 80 | 80 | 80 | 80 | 80 | 85 | 85 | 90 | 90 | 90 | 90 |
| Maximum Impervious Surface (percent) | 50 | 50 | 50 | 50 | 50 | 60 | 60 | 65 | 65 | 65 | 65 |
| Alternative Maximum Impervious Surface (percent) | 50 | 50 | 50 | 50 | 50 | 55 | 55 | 80 | 80 | 80 | 80 |

- (1) See Chart 20.20.010 for standards related to minimum lot area, minimum street frontage width, lot width, and lot depth.
- (2) Lots located within ½ mile of a major transit stop as defined in subsection B.1, and lots located within ¼ mile of frequent transit service as defined in subsection B.2 may develop up to six units per lot.
- (3) When providing two affordable units any lot located in a residential land use district may develop up to six units. See LUC 20.20.128.E.2 for density bonuses where affordable units are provided in middle housing projects.
- (4) Lots located within ¼ mile of a Neighborhood Center, Regional Growth Center, or Countywide Growth Center as mapped in the Land Use Element of the Comprehensive Plan may develop up to six units per lot.
- (5) See Chart 20.20.010 for the maximum allowable dwelling units per acre for land use districts LDR-2 through MDR-2. When calculating site density, the greater of the middle housing units per lot density or the dwelling units per acre density may be utilized.
- (6) Townhome units located on adjacent lots may reduce the applicable setbacks between structures to zero when consolidating the subject lots or where a unit lot subdivision is proposed.

2. **Walking Distance.** If a physical impediment exists that would require pedestrians to walk more than one-quarter or one-half mile to the station, stop, or center, as applicable, from the location of the middle housing dwelling units, then the Director may determine that the location does not meet the requirements of the applicable tier.

Commented [A14]: Added clarifying language regarding walking distance compliance.

20.20.590 Parking, circulation, and walkway requirements.

F. Minimum/Maximum Parking Requirement by Use.

- 1. Specified Uses. Subject to subsections G, H, and L of this section, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

| Use | Minimum Number of Parking Spaces Required | Maximum Number of Parking Spaces Allowed |
|-----|---|--|
| ... | | |

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| | | | |
|-----|------------------------------|----------|---------|
| m. | Residential (3): | | |
| | Single-family detached | 2:unit | No max. |
| | Multiple-unit structure (4): | 1:unit | No max. |
| | One-bedroom or studio unit | 1.2:unit | No max. |
| | Two-bedroom unit | 1.6:unit | No max. |
| | Three or more bedroom unit | 1.8:unit | No max. |
| ... | | | |

...

[\(4\) Middle housing projects, as defined in LUC 20.50.034, are exempt from minimum parking requirements when located within one-half mile of a major transit stop as defined in LUC 20.20.538.B.1, and subject to the walking distance requirements in LUC 20.20.538.C.2.](#)

...

K. Parking Area and Circulation Improvements and Design.

Parking of vehicles for all uses is only permitted in parking areas that meet the requirements of this section; except that, vehicles on residential lots may also be parked in areas that meet the requirements of LUC 20.20.720 and 20.20.890 relating to the storage of recreational vehicles and trailers.

...

3. Driveways.

- a. Entrances and Exits. The Director of the Transportation Department shall fix the location, width, and manner of approach of vehicular ingress and egress from a parking area in conformance with Chapter 14.60 BCC. The Director of Transportation may require the property owner to alter ingress or egress as necessary to control traffic in the interest of public safety and general welfare. ~~Wherever available, the property owner shall provide access from commercial or multifamily property onto streets which do not abut R-1, R-1.8, R-2.5, R-3.5, R-4, R-5, or R-7.5 Districts.~~

...

8. Internal Walkways.

- a. When Required. The property owner shall install internal walkways in each new development or substantial remodel of existing development in ~~R-10LDR-2, R-15LDR-3, R-20MDR-1, R-30MDR-2~~, NB, NMU, PO, O, OLB, OLB 2, OLB-OS, CB, LI, GC, MI, EG-TOD, or Downtown Land Use Districts, except for middle housing developments that are not cottage or courtyard developments. In addition, schools in all land use districts shall install internal walkways in each new facility or substantial remodel of an existing facility.

...

L. Minimum Parking for Residential Uses with Frequent Transit Service.

...

1. Applicability

...

- c. For accessory dwelling units, see the parking requirements in LUC 20.20.120~~frequent transit service shall be defined as:~~
 - i. ~~Within one-half mile of a transit stop that receives transit service at least 4 times per hour for 12 or more hours per day; or~~

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- ii. ~~Within one half mile of a future light rail or bus rapid transit station scheduled to begin service within two years.~~

...

20.20.720 Recreational vehicles, watercraft, and utility trailers.

- A. Parking or storage of recreational vehicles, watercraft (whether mounted on trailers or unmounted), or utility trailers, except for loading and unloading activities completed within a three-day period within any given two-week period, is not permitted within a Residential Land Use District ~~(R-1—R-30)~~, unless there is compliance with the following:

...

- C. Parking or storage of recreational vehicles, watercraft or utility trailers for compensation is not permitted within a Residential Land Use District ~~(R-1—R-30)~~. This subsection does not apply to storage facilities provided exclusively for tenants of multifamily dwelling complexes.

...

- E. Recreational vehicles, watercraft and utility trailers which exceed 40 feet in length are not permitted in any Residential Land Use Districts ~~(R-1—R-30)~~.

...

20.20.725 Recycling and solid waste collection areas.

All new development for multifamily housing exceeding ~~four-six~~ units, commercial, office, and manufacturing uses shall provide on-site collection areas for recyclable materials and solid waste, as those terms are used in Chapter 9.26 BCC, as follows:

...

20.20.730 Large satellite dish antennas.

A. Large Satellite Dish Antennas in Nonresidential Land Use Districts.

Large satellite dish antennas in all nonresidential land use districts ~~(all land use districts except R-1 through R-30)~~ shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.

B. Large Satellite Dish Antennas in Residential Land Use Districts.

The requirements for screening of large satellite dish antennas in residential land use districts ~~(R-1 through R-30)~~ shall depend upon the nature of use and building type of the development.

1. Large satellite dish antennas in any residential development other than ~~detached or~~ single-family ~~attached or middle~~ housing shall be screened in accordance with the requirements of LUC 20.20.525.C for mechanical equipment screening.
2. Large satellite dish antennas in any residential development consisting of ~~detached or~~ single-family ~~attached or middle~~ housing shall be screened in accordance with subsection C of this section.

- C. Large satellite dish antennas in any residential development consisting of ~~detached or~~ single-family ~~attached or middle~~ housing as specified in subsection B.2 of this section are permitted subject to the following criteria, provided the Director may modify setback and screening requirements upon proof that strict application of the requirements is infeasible or renders use of an antenna impossible:

...

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20.20.740 Schools

A. Public and private schools are permitted as indicated by the charts in LUC 20.10.440 and use charts applicable to specific land use districts contained in Chapter 20.25 LUC, "Education: Primary and Secondary," provided the following standards are met:

...

5. Perimeter Landscaping. In lieu of the Perimeter Landscaping Requirements set forth in LUC 20.20.520.F.1, schools shall provide the following landscaping, subject to LUC 20.20.520.F.6:
- a. Schools in Residential Districts or ~~in Transition Areas as Described in Part 20.25B LUC and in the BelRed Office/Residential Transition (BR-ORT) Land Use District.~~

...

- i. Ten feet of landscaping meeting the following requirements ~~of LUC 20.25B.040.C.2.e~~ along interior property lines, unless more stringent requirements apply pursuant to this section.
 - (1) At least 50 percent native species;
 - (2) Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of 5 trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in subsections C.2.c.ii and iii of this section to effectively buffer development from adjacent residential properties;
 - (3) Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than 3 feet on center;
 - (4) Living groundcover planted to cover the ground within three years; and
 - (5) Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required in subsections A.5.a.i(3) and A.5.a.i(4) of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8.

...

7. Design Guidelines for Schools in Residential Districts ~~and in Transition Areas~~. Schools in residential land use districts ~~and in Transition Areas~~ shall meet the following site and building design standards ~~set forth in LUC 20.25B.040.D through G and 20.25B.050-;~~

...

20.20.760 Shelters and storage facilities – Temporary.

A. Purpose.

The purpose of this section is to prohibit use of temporary shelters or storage facilities in ~~Single-Family~~ Land Use Districts LL-1 through LDR-1, which are predominately visible from the right-of-way or any public or private street.

B. General.

Temporary shelters or storage facilities are not permitted in ~~Single-Family~~ Land Use Districts LL-1 through LDR-1 if predominately visible from the right-of-way or any public or private street.

...

20.20.800 Short term stay uses – Limitations and general requirements.

A. Definition.

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Short Term Stay Use. Transient lodging provided in a Planned Unit Development or multifamily dwelling unit located in a Residential (~~R-1 through R-30~~) land use district. Boarding houses and bed and breakfasts permitted to operate in Residential districts pursuant to a valid Home Occupation Permit, Part 20.30N LUC, group homes for children sited pursuant to the Group Home for Children Community Involvement Process, Chapter 9.19 BCC, and institutions housing persons under legal restraint or requiring medical attention or care are not included within the scope of this definition.

...

20.20.900 Tree Retention and Replacement

...

B. Applicability.

1. The requirements of this section shall be imposed any time a permit, approval, or review for Development Activity is required by the Bellevue City Code or Land Use Code.
2. The requirements of this section alone shall not reduce maximum allowed density, number of allowed lots, or preclude required access and utility connections.
- ~~3. Tree removal that is not associated with development activity is regulated by the Clearing and Grading Code (Chapter 23.76 BCC).~~
4. Trees ~~subject to the requirements of this section that are growing within or~~ overhanging any public right-of-way are also subject to the requirements of Chapter 14.06 BCC.
5. ~~Exceptions~~This section is inapplicable in the following circumstances:-
 - a. If there is not a permit, approval, or review for Development Activity, then this section does not apply. Tree removal, retention, or replacement that is not associated with development activity is regulated by Chapter 23.76 BCC, Clearing the Grading Code.
 - b. This section does not apply to development activity in the vegetation conservation area, as defined by LUC 20.25E.065.F.5, within the Shoreline Overlay District. The retention and replacement of trees~~Trees~~ located in the Shoreline Overlay District~~within the vegetation conservation area~~ are is regulated by Part 20.25E LUC, Shoreline Overlay District.
 - bc. This section does not apply to development activity in critical areas, critical area buffers, or critical area structure setbacks. The retention and replacement of trees~~Trees~~ located in critical areas, critical area buffers, or critical area structure setbacks ~~or their associated buffers are is~~ regulated by Part 20.25H LUC, Critical Areas Overlay District.
 - ed. This section does not apply to trees located entirely within any public right-of-way. The retention and replacement of trees located within any public right-of-way is regulated by Chapter 14.06 BCC. The portions of this section which require retention of Significant Trees or the planting of new trees are not applicable in any Downtown Land Use District or in the East Main Transit Oriented Development Land Use District.
 - e.—This section does not apply to development~~Development Activity in any Downtown Land Use District established under LUC 20.10.020 and described in LUC 20.25A.010.~~

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f. This section does not apply to development Development Activity in any East Main Transit Oriented Development Land Use District established under LUC 20.10.020 and described in LUC 20.25Q.010.

C. Definitions.

The following definitions are specific to this section. Where a term defined below is used in this section its meaning shall be as defined below.

1. "Development Activity" means any alteration or development regulated by the Bellevue City Code or Land Use Code, including subdivisions, short subdivisions, planned unit developments, changes in lot coverage, changes in the area devoted to parking and circulation, and additions to impervious surface areas that exceed 20 percent.
1. "Development Activity" means the following:
 - a. Any alteration or development regulated by the Bellevue City Code or Land Use Code proposed to occur through one or more of the following:
 - i. An application for a subdivision under Chapter 20.45A LUC;
 - ii. An application for a short subdivision under Chapter 20.45B LUC; or
 - iii. An application for a planned unit development under Part 20.30D LUC.
 - b. Any alteration or development regulated by the Bellevue City Code or Land Use Code proposed to occur through one or more of the following:
 - i. Any application that proposes changes in lot coverage that exceed 20 percent of the existing lot coverage;
 - ii. Any application that proposes changes in the area devoted to parking and circulation; or
 - iii. Any application that proposes additions to impervious surface areas that exceed 20 percent of existing impervious surface areas.
 - c. If an application listed under subsection C.1.a was deemed complete on or after July 16, 2024 and was reviewed for compliance with this section, then subsequent applications listed under subsection C.1.b of this section shall not constitute "Development Activity" for the purposes of this section so long as they relate to the initial construction of the alterations or development described in the application reviewed under subsection C.1.a.

...

3. "Hazardous Tree" means a tree that, in the written opinion of a Qualified Tree Professional who also has the International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ), meets all of the following criteria:
 - a. The tree has a combination of structural defects, disease, or both structural defects and disease that makes it subject to a high probability of failure;

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- b. The location of the tree is in proximity to areas where, with moderate to high frequency, persons or property are likely to be located that could be injured or damaged by tree failure;
- c. The assessed tree has a high to extreme risk rating using the International Society of Arborists Tree Risk Assessment Qualification method in its most current form; and
- d. The hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices.

...

- 5. “Tree Canopy Site Area” means, for the purpose of determining the minimum tree density required for a site, the area of a site remaining after subtracting the following areas from the gross site area:
 - a. Critical areas, [critical area buffers](#), and [critical area structure setbacks](#) ~~and their buffers~~ (as [may be](#) modified pursuant to Part 20.25H LUC, if applicable); ~~and~~
 - b. Shoreline vegetation conservation areas; ~~and~~
 - c. Public rights-of-way; ~~and~~
 - d. Private roads in separate tracts; ~~and~~
 - e. Submerged lands (lands waterward of the ordinary high water mark); [and](#)
 - f. [Utility easements](#).

...

E. Minimum Tree Density

- 1. The applicant shall maintain in the Tree Canopy Site Area at least the minimum tree density, measured in tree credits, as provided in this subsection [E](#). Tree credits may be provided by retained Significant Trees, retained Landmark Trees, planted trees, or a combination of the foregoing.
 - i. [Subdivisions and Short Subdivisions. A Tree Canopy Site Area shall be determined for each lot proposed to be created by an application for a Subdivision or Short Subdivision deemed complete on or after July 16, 2024. Within each proposed lot’s Tree Canopy Site Area, the applicant must maintain at least the minimum tree density, measured in tree credits, as provided in this subsection E.](#)
 - ii. [Unit Lot Subdivision and Unit Lot Short Subdivision. A Tree Canopy Site Area shall be determined for the parent lot proposed to be divided into unit lots through an application for a Unit Lot Subdivision or Unit Lot Short Subdivision deemed complete on or after July 16, 2024. Within the parent lot’s Tree Canopy Site Area, the applicant must maintain at least the minimum tree density, measured in tree credits, as provided in this subsection E.](#)

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2. Minimum Tree Credits by Land Use District. Minimum tree credits are determined based on the Land Use District, Land Use, and Tree Canopy Site Area. The minimum tree credits required are calculated by dividing the Tree Canopy Site Area, measured in square feet, by 1,000 then multiplying by the applicable rate identified in Table 20.20.900.E.1. [If this calculation would result in a fractional requirement, and that fraction is 0.5 or greater, then the number of required tree credits shall be equal to the next higher whole number. Otherwise, where that fraction is less than 0.5, then the number of required tree credits shall be equal to the next lower whole number.](#)

Table 20.20.900.E.1.
Minimum Tree Credits per 1,000 Square Feet of Tree Canopy Site Area

| Land Use District | One Dwelling Unit per Lot | Two to Six Dwellings Units per Lot | Two-Seven or More Dwelling Units per Lot | Commercial, Office, Light Industrial, and All Other Nonresidential Land Uses |
|------------------------------|---------------------------|--|--|--|
| R-1 | 5 | | 4 | 1 |
| R-1.8 | | | | |
| R-2.5 | | | | |
| R-3.5 | 2 | | 1.5 | 0.75 |
| R-4 | | | | |
| R-5 | | | | |
| All Other Land Use Districts | 1 | | 0.75 | 0.5 |

Commented [A15]: Additional flexibilities for middle housing units are being considered

4. Retained Trees.

- b. Tree Credits for Retained Trees. Each retained Significant Tree provides a tree credit value determined by its d.b.h. or Landmark Tree classification, as identified in Table 20.20.900.E.2. When determining tree credits for a Significant Tree that is an alder or cottonwood, the applicable tree credit value identified in Table 20.20.900.E.2 shall be reduced by 50 percent.

Table 20.20.900.E.2. Tree Credits for Retained Trees

| DBH | 6"-10" | Larger than 10" | Larger than 12" | Larger than 14" | Larger than 16" | Larger than 18" | Larger than 20" | Larger than 22" | 24" or greater and |
|-----|--------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------------|
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| | | | | | | | | | |
|-----------------|---|------------------|------------------|------------------|------------------|------------------|------------------|----------------------|------------------------|
| | | and up to 12" | and up to 14" | and up to 16" | and up to 18" | and up to 20" | and up to 22" | and less than 24" | all Landm ark Trees |
| Tree Credits | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

- c. Exceptions. The following shall not provide any tree credits if retained:
 - i. Invasive or Noxious Species.
 - ii. Trees located outside the Tree Canopy Site Area.
 - iii. Trees in areas devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC).
 - iv. Trees located wholly or partially on a property line.

d. Trees on Property Lines. A Significant Tree located wholly or partially on a property line may only be removed if all of the following criteria are satisfied:

- i. The Significant Tree constitutes a Hazardous Tree; and
- ii. All property owners with an ownership interest in the Significant Tree provide written certification, in a form acceptable to the Director, that they consent to the removal; Provided, that the Director may waive this requirement where, in the written opinion of a Qualified Tree Professional, the tree poses an imminent danger to the public health, safety, or welfare.

6. Planted Trees.

e. Relationship to Other Requirements. Any trees planted or retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, shall count towards the minimum required tree credits. The number of trees required to be planted or retained to meet other requirements shall not be reduced if exceeding the required minimum tree credits.

- i. Any significant tree retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, may provide tree credits towards the minimum required tree credits in an amount calculated pursuant to subsection E.4 of this section.
- ii. Any tree planted to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area, including LUC 20.20.520, may provide tree credits towards the minimum required tree credits in an amount calculated pursuant to subsection E.6.a of this section.

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iii. The number of trees required to be planted or retained to meet other Bellevue City Code or Land Use Code requirements within the Tree Canopy Site Area shall not be reduced if exceeding the required minimum tree credits.

...

- h. Locations. Planted trees providing credit toward the required minimum tree density shall be planted within the Tree Canopy Site Area in locations suitable for the planted trees to reach maturity, in the following order of priority:
 - i. Within required setbacks and transition areas.
 - ii. Adjacent to existing Groves.
 - iii. Other locations within the Tree Canopy Site Area.

iv.i. In-Lieu Fee. If the applicant demonstrates that all planting options have been considered and are infeasible, for each additional tree credit required, the applicant shall pay a fee-in-lieu equivalent to the cost of a tree meeting the requirements of this section for planted trees, installation (labor and equipment), maintenance for three years, and fund administration.

(4)i. As of July 16, 2024, the in-lieu fee rate shall be \$1,300 per tree credit. This rate shall be published in the City's fee rate schedule, shall be reviewed annually, and, effective January 1st of each year, the Director may administratively increase or decrease the rate by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.

(2)ii. In-lieu fee monies shall be used to support Bellevue's tree canopy and related initiatives including, but not limited to, one or more of the following: planting and maintaining individual trees (including supporting infrastructure), restoration activities, urban forestry education, or the purchase of land for reforestation or preservation.

7. Alternative Tree Density Option

- a. An applicant may request a modification of the minimum tree density requirement when the proposed Land Use is classified within transportation or utilities in the land use charts contained in LUC 20.10.440 or for other development activity of a linear nature.

...

F. Tree Protection.

...

- 2. Tree Protection Covenant. When a modification to development standards is granted under subsection E.5 of this section to avoid development within a TPZ, the applicant shall record with the King County Division of Records and Elections a covenant, in a form approved by the City

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~~Attorney's Office, prohibiting development on or within any portion of a TPZ located on the site that was avoided through the modification to development standards. The covenant shall include a site plan, prepared by a qualified professional, clearly delineating the TPZ(s) located wholly or partially on the site that were avoided through the modification to development standards. To the extent that any Significant Tree or Landmark Tree protected by the covenant becomes a Hazardous Tree, the covenant shall allow for the removal of Hazardous Trees and the planting of replacement trees within the Tree Canopy Site Area in a manner consistent with the ratios established in subsection E.6.d of this section.~~

- a. The applicant shall record with the King County Recorder's Office a covenant in the following circumstances:
 - i. When a modification to development standards is granted under subsection E.5 of this section to avoid development within a TPZ; or
 - ii. When required as a condition of approval for an application for a Subdivision, Short Subdivision, Unit Lot Subdivision, or Unit Lot Short Subdivision.
- b. The covenant shall be in a form approved by the Director and shall contain the following terms:
 - i. Where a modification to development standards is granted under subsection E.5. of this section to avoid development within a TPZ, the covenant shall prohibit development on or within any portion of a TPZ located on the site that was avoided through the modification to development standards.
 - ii. The covenant shall include a site plan, prepared by a qualified professional, clearly delineating the location of all retained or planted trees in the Tree Canopy Site Area. Where applicable, the site plan shall delineate the TPZ(s) located wholly or partially on the site that were avoided through the modification to development standards under subsection E.5 of this section.
 - iii. To the extent that any Significant Tree or Landmark Tree protected by the covenant becomes a Hazardous Tree, the covenant shall allow for the removal of Hazardous Trees and the planting of replacement trees within the Tree Canopy Site Area in a manner consistent with the ratios established in subsection E.6.d of this section.
 - iv. Any other terms and conditions that the Director finds to be reasonably necessary.

...

Part 20.25A Downtown

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20.25A.020 Definitions.

...

B. General Definitions Not Applicable to Downtown.

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The general definitions contained in Chapter 20.50 LUC apply unless specifically listed below as inapplicable to Downtown.

Active Recreation Area. LUC 20.50.010.

Alley. LUC 20.50.010.

Building Height. LUC 20.50.012.

~~Building Height – Transition Area Design Districts.~~ LUC 20.50.012.

...

Part 20.25B Transition Area Design District

Part 20.25B deleted in full

...

Chapter 20.30 Permits and Decisions

...

Part 20.30D Planned Unit Development

...

20.30D.150 Planned Unit Development plan – Decision criteria.

...

~~D. The perimeter of the Planned Unit Development is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes but is not limited to size, scale, mass and architectural design of proposed structures; and~~

~~ED. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by this code, LUC 20.20.520 and landscaping requirements applicable to specific districts contained in Chapter 20.25 LUC, and enhances the visual compatibility of the development with the surrounding neighborhood; and~~

~~FE. At least one major circulation point is functionally connected to a public right-of-way; and~~

~~GF. Open space, where provided to meet the requirements of LUC 20.30D.160.A.1, within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project; and~~

~~H. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and~~

~~I. That part of a Planned Unit Development in a transition area meets the intent of the transition area requirements, Part 20.25B LUC, although the specific dimensional requirements of Part 20.25B LUC may be modified through the Planned Unit Development process; and~~

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- ~~G.~~ Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- ~~H.~~ Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and
- ~~I.~~ Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment.

...

Part 20.30F Design Review

...

20.30F.175 Modification or addition to an approved Design Review project or decision.
C. Land Use Exemption for Design Review Approval.

...

- 2. The Director may determine that a new development outside the Downtown is exempt from review as a new application; provided, that the building form and scale of the new building or addition, regardless of size, is not visible from the right-of-way, or a public park ~~or zoned and developed single family residential property.~~

...

Chapter 20.45A Platting and Subdivisions

...

20.45A.065 Special requirements for unit lot subdivisions.
A. Applicability.

The provisions of this section apply exclusively to the unit lot subdivision of land proposed to be developed with attached or detached multifamily dwellings ~~in all land use districts in which multifamily dwellings are permitted.~~

~~**B. Definitions Specific to This Section.**~~

- ~~1. " Dwelling, attached multifamily " means a multifamily dwelling unit constructed in a group of two or more units attached by a common wall or walls in which each unit extends from foundation to roof.~~
- ~~2. " Lot, parent " means a lot which is subdivided into unit lots through the unit lot subdivision process.~~
- ~~3. " Lot, unit " means a subdivided lot within a development as created from a parent lot and approved through the unit lot subdivision process.~~

~~**C. General Requirements.**~~

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...

4. Within the parent lot, required parking ~~for an attached multifamily dwelling unit~~ may be provided on a different unit lot than the lot with the dwelling unit if the right to use that parking is formalized by an easement recorded with the King County Recorder's Office.

...

DC. Notes on Plat.

...

Chapter 20.45B Short Plats and Short Subdivisions
20.45B.057 Special requirements for unit lot short subdivisions.

A. Applicability.

The provisions of this section apply exclusively to the unit lot short subdivision of land proposed to be developed with attached ~~and detached~~ multifamily dwellings ~~and middle housing projects in all land use districts in which multifamily dwellings are permitted.~~

B. Definitions Specific to This Section.

1. ~~"Dwelling, attached multifamily" means a multifamily dwelling unit constructed in a group of two or more units attached by a common wall or walls in which each unit extends from foundation to roof.~~
2. ~~"Lot, parent" means a lot which is subdivided into unit lots through the unit lot short subdivision process.~~
3. ~~"Lot, unit" means a subdivided lot within a development as created from a parent lot and approved through the unit lot subdivision process.~~

CB. General Requirements.

...

4. Within the parent lot, required parking ~~for an attached multifamily dwelling unit~~ may be provided on a different unit lot than the lot with the dwelling unit if the right to use that parking is formalized by an easement recorded with the King County Recorder's Office.

...

DC. Notes on Short Plat.

...

Chapter 20.50 Definitions
20.50.010 A Definitions.

Accessory Dwelling Unit. A ~~subordinate~~ dwelling unit ~~that is, either attached or detached from a primary residential, incorporated within a single family~~ structure.

...

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[Accessory Structure, Detached. Buildings or structures which are secondary to and associated with a primary single family or multifamily structure. Detached accessory structures do not include accessory dwelling units.](#)

...

20.50.012 B definitions.

...

Building Height. The vertical distance measured from the average elevation of the finished grade around the building or building segment to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. Specifically excluded from this definition and from the regulation of maximum building height are structural elements not intended for habitation and not exceeding 15 feet above the maximum building height including penthouses for mechanical and elevator equipment, chimneys, wireless communication facility antenna arrays, smoke and ventilation stacks, flagpoles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment. This definition does not apply to projects located within [a Transition Area Design District \(refer to LUC 20.25B.040\)](#), the Shoreline Overlay District (refer to LUC 20.25E.280 – “Height”), [Single-Family Land Use Districts LU-1 through LDR-1](#) (refer to the definition of “Building Height – [Single-Family Residential Land Use Districts](#)” contained in this section; see also LUC 20.10.440, Note (16), and to the F1 Land Use District (refer to LUC 20.25F1.040, Footnote (6)).

...

Building Height – Single-Family and Middle Housing Uses in [Single-Family Residential Land Use Districts](#). The vertical distance measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or to the ridge of a pitched roof, provided this measurement does not apply to chimneys, wireless communication facility antenna arrays, shortwave radio antennas, smoke and ventilation stacks, and flag poles. This definition applies only to single-family [and middle housing residential structures](#), and structures accessory thereto, located in a [single-family residential land use district](#). For all other structures, regardless of land use district, see the definition of Building Height contained in this section.

~~[Building Height – Transition Area Design Districts. See LUC 20.25B.040.A.1 – Transition Area Design District Building Height definition.](#)~~

...

20.50.014 C definitions.

...

~~**Cottage Housing – Guest.** See [Guest Cottage, Guest House. Cottage dwelling units clustered on a lot with a common open space area that is either: \(a\) owned in common; or \(b\) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.](#)~~

[Courtyard Housing.](#) Attached dwelling units arranged on two to three sides of a shared central courtyard.

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...

20.50.016 D Definitions.

...

Dwelling, Multifamily Attached. ~~A building structure designed to house two~~ [containing seven or more families living independently of each other primary dwelling units, or where seven or more primary dwelling units share common walls on one or more sides where each unit extends from the foundation to the ceiling, and that provides separate front or rear access for each unit.](#)

Dwelling, Multifamily Detached. [A development site containing seven or more detached structures that are not located on fee simple lots.](#)

...

20.50.020 F Definitions.

...

Floor Area, Gross. The area included within the inside finished wall surface of the surrounding exterior walls of a building, excluding interior openings in floor plates (e.g., vent shafts, stair wells, and interior atriums), outdoor courts, [courtyards](#), and exterior balconies.

...

Floor Area Ratio (FAR) – Single-Family and Middle Housing Dwelling. A measure of development intensity equal to the gross floor area divided by net on-site land area (square feet). Included in the calculation of gross floor area is the floor area of the ground floor plus that of any additional stories of all buildings on the lot, including accessory structures. High-volume spaces – 18 feet or greater in height – are counted twice. Excluded in the calculation of gross floor area is the floor area or partially exposed lower levels that are less than five feet above finished grade, attic areas which are unfinished and nonhabitable, and carports, porches, and decks ~~that are open on at least two sides~~. See also LUC 20.20.010, Note (43).

...

20.50.032 L Definitions.

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Lot, Parent. [A lot that is subdivided into unit lots through the unit lot subdivision process.](#)

Lot, Unit. [A lot subdivided within a development created from a parent lot and approved through the unit lot subdivision process.](#)

...

20.50.034 M Definitions.

...

Middle Housing. [Residential buildings or developments that contain between two and six attached, stacked, or clustered units including townhouses, stacked flats, courtyard apartments, and cottage housing.](#)

...

20.50.040 P Definitions.

...

Primary Structure. The structure on a site that houses the principal use. For residential uses, the primary structure houses the dwelling unit(s) [or, for the purposes of applying development regulations relating to accessory dwelling units, constitutes the “principal unit” as defined under RCW 36.70A.696](#). For nonresidential uses, the primary structure houses the use undertaken on the site, as classified by LUC

Attachment A

Draft Middle Housing LUCA

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20.10.440 and district-specific land use charts contained in Chapter 20.25 LUC. Primary structures do not include structures that contain only certain functions or equipment that support the principal use, such as sheds, garages, or mechanical equipment structures.

...

20.20.700 R Definitions.

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[Residential Land Use District.](#) Residential land use districts are those described in LUC 20.10.180 and include LL-1, LL-2, SR-1, SR-2, SR-3, SR-4, LDR-1, LDR-2, LDR-3, MDR-1, and MDR-2.

...

20.50.046 S Definitions.

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Subordinate Use. A use which is secondary or incidental to a permitted or principal use. These uses are governed pursuant to LUC 20.20.840, [except that accessory dwelling units are governed pursuant to LUC 20.20.120.](#)

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20.50.048 T Definitions

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[Townhouse.](#) Buildings that contain multiple primary structures that are attached, which extend from the foundation to the roof and have a yard or public way on at least two sides. The definition has the same meaning as defined in RCW 36.70A.030.

...

~~[Tree, Large Diameter.](#) A tree having a mature spread of at least 50 feet.~~

~~[Tree, Small Diameter.](#) A tree having a mature spread of less than 50 feet.~~

...

Reasonable Accommodation

For alternate formats, interpreters, or reasonable modification requests please phone at least 48 hours in advance 425-452-4861 (voice) or email kmandt@bellevuewa.gov. For complaints regarding modifications, contact the City of Bellevue ADA, Title VI, and Equal Opportunity Officer at ADATitleVI@bellevuewa.gov