City of
Bellevue
Post Office Box 90012 ▪ Bellevue, Washington ▪ 98009 9012

November 17, 2016

Re: Release of the Downtown Livability Draft Code Amendment for Public Review
15-123469 AD

Attached is a complete Draft Land Use Code Amendment developed to implement the Downtown Livability policies contained in the Comprehensive Plan. The goal of the Downtown Livability Initiative is to make Downtown Bellevue viable, livable, memorable, and accessible. This Draft Code Amendment is intended to translate the policy work accomplished to-date by the City Council, the Downtown Livability Citizens' Advisory Committee, the Planning Commission and numerous stakeholders into a regulatory framework that would be used to guide Downtown development into the future.

The Draft Land Use Code Amendment includes updated zoning maps, use charts, dimensional standards, development requirements, and design guidelines applicable to property located in the Downtown Subarea. The Draft Code Amendment describes the regulatory framework that would be used to review permits for development in Downtown, and provides new code flexibility provisions and opportunities for departures from standards and requirements contained in the code. Because the economic study for the amenity incentive section is not yet complete, the proposed basic floor area ratios and bonus value floor area ratios have not been included. This information will be posted to the project website as soon as it is available. Interested parties can sign up to receive website alerts at the following link. http://www.bellevuewa.gov/downtown-livability.htm

City staff welcomes your feedback on the Downtown Livability Draft Code Amendment, and on whether the Council, CAC and Planning Commission direction has been accurately captured in this draft. The Planning Commission is currently scheduled to hold study sessions on the Draft Code Amendment on December 7 and 14, in preparation for a public hearing that is anticipated to occur in early 2017. Mailed comments should be addressed to Trish Byers, Code Development Manager, Development Services Department, City of Bellevue, P.O. Box 90012, Bellevue WA 98009-9012. Email comments may be submitted to Trish Byers, Code Development Manager, at PByers@bellevuewa.gov and Emil King, Strategic Planning Manager, at EAKing@bellevuewa.gov.

Thank you for your interest and participation in the Downtown Livability Initiative.

Carol Helland, Land Use Director
Development Services Department

Part 20.25A Downtown

20.25A.010 General

A. Applicability of Part 20.25A

1. General. This Part 20.25A, Downtown (DNTN), contains requirements, standards, criteria and guidelines that apply to development and activity within the Downtown land use districts. Except to the extent expressly provided in this Part 20.25A and as referenced in subsection A of this section, the provisions of the Land Use Code, other development codes, the City development standards, and all other applicable codes and ordinances shall apply to development and activities in the Downtown land use districts.

2. Relationship to Other Regulations. Where there is a conflict between the Downtown land use district regulations and the Land Use Code and other City ordinances, the Downtown land use district regulations shall govern.

3. Land Use Code sections not applicable in Downtown. The following sections of the Land Use Code, Title 20 Bellevue City Code (BCC) now or as hereafter amended, do not apply in Downtown. Unless specifically listed below, all other sections apply.

   a. 20.10.400

   b. 20.10.440

   c. 20.20.005 through 20.20.025

   d. 20.20.060 and 20.20.070

   e. 20.20.120 and 20.20.125

   f. 20.20.135 and 20.20.140

   g. 20.20.190 and 20.20.192

   h. 20.20.250

   i. 20.20.400

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j. 20.20.520

k. 20.20.525

l. 20.20.560

m. 20.20.700 and 20.20.720

n. 20.20.750 through 20.20.800

o. 20.20.890 and 20.20.900

B. Organization of Part 20.25A Organization of Part 20.25A is composed of several regulatory layers that inform development in Downtown.

1. Purpose. Downtown Bellevue is the symbolic as well as functional heart of the Eastside Region. It is to be developed as an aesthetically attractive area of intense use. Toward this end, the City shall encourage the development of cultural, entertainment, residential, and regional uses located in distinct, mixed-use neighborhoods connected by a variety of unique public places and great public infrastructure. Development must enhance people orientation and facilitate pedestrian circulation, and provide for the needs, activities, and interests of people. The City will encourage land uses which emphasize variety, mixed uses, and unity of form within buildings or complexes. Specific land use districts have been established within the Downtown District to permit variation in use and development standards in order to implement the objectives of the Downtown Subarea Plan.

2. Land Use District Classifications. These are applied to each parcel of land in Downtown and determine uses, dimensional requirements (including Floor Area Ratio), and requirements for participation in the Amenity Incentive System. Specific sections of the Downtown code apply to the following land use classifications. See Figure 20.25A.060.A.2 for a map of the Downtown Land Use Classifications.

    a. Downtown-Office District 1 (DNTN-O-1). The purpose of the Downtown-O-1 Land Use District is to provide an area for the most intensive business, financial, specialized retail, hotel, entertainment, and urban residential uses. This district is limited in extent in order to provide the level of intensity needed to encourage and facilitate a significant level of transit service. Day and nighttime uses that attract pedestrians are encouraged. Transit and pedestrian facilities linking activities are encouraged; long-term parking and other automobile-oriented uses are discouraged.

    b. Downtown-Office District 2 (DNTN-O-2). The purpose of the Downtown-O-2 Land Use District is to provide an area for intensive business, financial, retail, hotel, entertainment, institutional, and urban residential uses and to serve as a transition between the more intensive Downtown-O-1 Land Use District and the less intensive Downtown-Mixed Use

Land Use District. The Downtown-O-2 District includes different maximum building heights for areas north of NE 8th Street, east of 110th Avenue NE, and south of NE 4th Street based on proximity to the Downtown Core and access to the regional freeway system and transit, creating the Downtown O-2 Districts North, East, and South (DNTN-O-2 North, DNTN-O-2 East, and DNTN-O-2 South).

c. Downtown-Mixed Use District (DNTN-MU). The purpose of the Downtown-MU Land Use District is to provide an area for a wide range of retail, office, residential, and support uses. Multiple uses are encouraged on individual sites, and in individual buildings, as well as broadly in the district as a whole. The Downtown-MU District allows for taller buildings and additional density in the Civic Center portion of the District east of 111th Avenue NE between NE 4th and NE 8th Street based on its proximity to the Downtown core and convenient access to the regional freeway system and transit. This area is called the Downtown Mixed Use District–Civic Center (DNTN-MU Civic Center) while the rest of the District is called Downtown-Mixed Use District (DNTN-MU).

d. Downtown-Residential District (DNTN-R). The purpose of the Downtown-R Land Use District is to provide an area for predominantly urban residential uses. Limited office and retail uses are permitted as secondary to residential use, in order to provide the amenity of shopping and services within easy walking distance of residential structures.

e. Downtown-Old Bellevue District (DNTN-OB). The purpose of the Downtown-OB Land Use District is to reinforce the character of the Old Bellevue area and assure compatibility of new development with the scale and intensity of the area. The social and historic qualities of this area are to be preserved.

f. Downtown-Office and Limited Business District (DNTN-OLB). The purpose of the Downtown-OLB Land Use District is to provide an area for integrated complexes made up of office, residential, and hotel uses, with eating establishments and retail sales secondary to these primary uses. The district abuts and has access to both I-405 and light rail transit service. The Downtown-OLB District differentiates maximum building heights and allowed density for areas north of NE 8th Street, between NE 4th and NE 8th Street, and south of NE 4th Street based on proximity to the Downtown Core and convenient access to the regional freeway system and transit. This creates three districts Downtown-OLB North, Downtown-OLB Central and Downtown-OLB South (DNTN-OLB North, DNTN-OLB Central, and DNTN-OLB South).

3. Perimeter Overlay Districts may impose more stringent dimensional requirements than are allowed by the underlying land use district to provide an area for lower intensity development that provides a buffer between less intense uses and more intensively developed properties in Downtown. Specific sections of the Downtown code apply to the following overlay districts. See Figure 20.25A.060.A.3 for a map of the Downtown Perimeter Overlay Districts.

a. Perimeter Overlay District A-Describe Perimeter A and B not 123

A-1

A-2

A-3

b. Perimeter Overlay District B

B-1

B-2

B-3

4. Neighborhood Design Districts are a key organizing principle to implement the Great Place Strategy of the Downtown Subarea Plan. These neighborhood design districts create a series of distinct, mixed-use neighborhoods (or districts) within Downtown that reinforce their locational assets and unique identities. More information can be found in the Downtown Subarea Plan of the Comprehensive Plan.

5. Right-of-Way Designations. The right-of-way designations provide design guidelines for Downtown streets that are organized by streetscape type. These designations are a representation of the Downtown vision for the future, rather than what currently exists. The designations creates a hierarchy of rights-of-way reflecting the intensity of pedestrian activity. The "A" Rights-of-Way are those streets that have the highest amount of pedestrian activity, while the "D" Rights-of Way would have a smaller amount of pedestrian activity. These guidelines are intended to provide activity, enclosure, and protection on the sidewalk for the pedestrian. See Figure 20.25A.170.B for a map of the Right-of-Way Designations.

   a. A Rights-of-Way- Pedestrian Corridor / High Streets

   b. B Rights-of Way- Commercial Streets

   c. C Rights-of-Way- Mixed Streets

   d. D Rights-of-Way- Neighborhood Streets

   e. E Rights-of-Way- Perimeter Streets

6. Major Pedestrian Corridor An alignment which is generally for exclusive pedestrian use providing a reasonably direct, but interesting pedestrian route in the immediate vicinity of NE 6th Street between 102nd Avenue NE and the east side of 112th Avenue NE.

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20.25A.020 Definitions (NEW)

A. Definitions Specific to Downtown

DT - Active Uses-Uses within a building that support pedestrian activity and promote a high degree of visual and physical interaction between the building interior and adjacent public realm. Entrance lobbies, private indoor amenity space, service uses, and enclosed privatized spaces are typically not considered active uses. (NEW)

DT - Build-To Line: A location along a designated block or right-of way where a building must be constructed. The build-to line is the back of the required sidewalk unless designated otherwise by the Director.

[INSERT GRAPHIC FOR BUILD-TO LINE]

DT - Building Height – The vertical distance measured from average of finished ground level adjoining the building at exterior walls to the highest point of a flat roof, or to the mean height between the tallest eave and tallest ridge of a pitched roof. Where finished ground level slopes away from the exterior walls, reference planes shall be established by the lowest points within the area between the building and the lot line, or back of sidewalk where back of sidewalk is the setback line. If lot line or back of sidewalk is more than 6 feet from the building, between the building and a point 6 feet from the building.

[INSERT GRAPHIC TO ILLUSTRATE 2ND SENTENCE OF BLDG HEIGHT]

DT - Floor Area Ratio (FAR) – A measure of development intensity equal to the gross floor area, excluding parking and mechanical floors or areas, divided by the net on-site land area in square feet. Net on-site area land includes the area of an easement and public right-of-way as provided in LUC 20.25A.070C.

DT - Floor Plate – Floor area in square feet within the surrounding exterior walls, measured from the interior wall surface and including all openings in the floor plate.

DT- Point of Interest-Elements of a building's façade at the street level or in the streetscape that contribute to the active enrichment of the pedestrian realm and design character of a building. Some examples include permanent public artwork, architectural elements, landscape features, special walkway treatments (e.g. pavement mosaic, inlaid art) and seating areas.

DT – Neighborhood Serving Uses- Uses which reinforce a diversity of uses that serve daily needs for surrounding residential neighborhoods. The primary clientele of a neighborhood serving use is comprised of customers who live or work nearby. A neighborhood serving use provides goods or services which are needed by residents and workers in the immediate vicinity to satisfy basic personal and household needs on a frequent and recurring basis, and which, if not available, will require trips outside of the neighborhood. Examples include but are not limited to:

restaurants, small retail outlets, small grocery stores, child care facilities, cleaners, community meeting rooms, and pharmacies.

DT - Pedestrian Scale-The quality of the physical environment that reflects a proportional relationship to human dimensions and that contributes to a person's comprehension of buildings or other features in the built environment.

DT - Project Limit- A lot, portion of a lot, combination of lots, or portions of combined lots treated as a single development parcel for purposes of the Land Use Code.

DT -Public Realm-Streets, parks and other open spaces and the accessible parts of private buildings.

DT-Setback – A space unoccupied by structures except where intrusions are specifically permitted by this Code. Front setbacks are measured from the back of the required sidewalk to face of the building. All other setbacks are measured from the property line.

DT-Stepback - A building setback of a specified distance measured from the façade below that occurs at a defined height above the average finished grade. No portion of the building envelope can intrude into the required stepback above the defined height, except where intrusions are specifically permitted by this code.

[INSERT GRAPHIC FOR SETBACK AND STEPBACK]

B. General Definitions not applicable to Downtown

Alley. LUC 20.50.010

Active Recreation Area. LUC 20.50.010

Floor Area Ratio (FAR). LUC 20.50.016.

20.25A.030 Review Required (NEW)

A. Applicable Review

1. Review is Required. All development in Downtown shall be reviewed by the Director consistent with the terms of this Part 20.25A through the administration of Part 20.30V LUC (Master Development Plan), Part 20.30F LUC (Design Review) and Part 20.30L (Development Agreement) using the applicable procedures of Chapter 20.35 LUC. A Master Development Plan is required where there is more than one building or where development of a project is proposed to be phased. Design review is required on all Downtown projects. A Development Agreement is required for departures from the code which are not permitted to be granted through an administrative process.

2. Effect of Approval. Approval of the Design Review, and the Master Development Plan and any Development Agreement where required, shall constitute the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for in this Chapter 20.25A LUC.

B. Master Development Plan

1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards and guidelines. Design, character, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following site development requirements, standards, and guidelines:

   a. Dimensional requirements pursuant to LUC 20.25A.060 as listed below:

      i. Setbacks;

      ii. Lot coverage;

      iii. Building height for each building identified in subsection B.1 of this section;

      iv. Floor area ratio for each building; and

      v. Open Space required to achieve maximum building heights above the trigger for additional height identified in LUC 20.25A.060.B Note 7 and Note 12, or the variable heights allowed by LUC 20.25A.060.B Note 13.

   b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the right of way as required pursuant to LUC 20.25A.090;

   c. Areas identified to accommodate street and pedestrian circulation pursuant to LUC 20.25A.090, including the anticipated location of any pedestrian corridor construction, and pedestrian bridges pursuant to 20.25A.100;

   d. Areas identified to accommodate Major Public Open Spaces and Minor Publicly Accessible Spaces pursuant to LUC 20.25A.090.

   e. Areas identified to accommodate landscape development pursuant to LUC 20.25A.110.

2. When Required. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a

Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.

3. For the purposes of this section, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:

   a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;

   b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;

   c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and

   d. Only a right-of-way meeting the requirements of LUC 20.25A.070.C.2 may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review

1. Scope of Approval. Design review is a mechanism by which the City shall ensure that the design, character, architecture and amenity components of a proposal are consistent with the Comprehensive Plan and any previously approved Master Development Plan, and meet all applicable standards and guidelines contained in City Codes including the terms of any departure granted pursuant to paragraph D of this section. Design review is a mechanism by which the City shall ensure that the site development components of a proposal are consistent with the Comprehensive Plan and meet all applicable standards and guidelines contained in City Codes when site development components were not approved as part of a Master Development Plan.

2. When Required. Design Review is required on all Downtown projects. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.

3. Compliance with an applicable Master Development Plan or Departure. In addition to the decision criteria in LUC 20.30F.145, each structure and all proposed site development shall comply with any approved Master Development Plan applicable to the project limit described in a Design Review application. If the application for Design Review contains elements inconsistent with an applicable Master Development Plan, the Director shall not approve the design review unless the Master Development Plan is amended to include those elements.

D. Departures

1. Administrative Departures. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built

spaces, strict application of the Land Use Code will not always result in the Downtown livability outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an administrative departure process to modify provisions of the Land Use Code when strict application would result in a Downtown development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Downtown Subarea Plan.

a. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25A.090, LUC 20.25A.110 and LUC 20.25A.140 through LUC 20.25A.180, or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this paragraph.

b. Decision Criteria. The Director may approve or approve with conditions a departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:

   i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of the Land Use Code; and,

   ii. The resulting design will be more consistent with the purpose and intent of the code; and,

   iii. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or code intent; and

   iv. Any administrative departure criteria required by the specific terms of the Land Use Code have been met; or

   v. The modification is reasonably necessary to implement or ensure consistency with a departure allowed through a Development Agreement with the City pursuant to LUC 20.25A.030.D.2.

c. Limitation on Authority. Administrative departures from the following dimensional requirements may only be granted consistent with the limitations contained in LUC 20.25A.060.B or through a variance granted under the terms of Part 20.30G LUC:

   i. Maximum Floor Plates;

   ii. Intrusions above the sidewalk;

   iii. Minimum setbacks/stepbacks;

   iv. Maximum building heights;

   v. Maximum Lot Coverage; and

   vi. Maximum floor area ratios.

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This paragraph does not limit the ability of an applicant to pursue legislative departures that are authorized through a Development Agreement (Part 20.30L) pursuant to the terms of LUC 20.25A.030.D.2.

2. Legislative Departures. There are unlimited opportunities for creativity and innovation in the design of Downtown projects that advance the vision and policy goals articulated in the Comprehensive Plan. The accommodation of iconic opportunities can be constrained by code Land Use Code provisions that were drafted to foster development of a livable Downtown while ensuring timely, predictable and consistent administration of regulations that are drafted to be applicable to a widely variable range of projects. The purpose of this subsection is to provide a legislative departure process to modify provisions of the Land Use Code, and to approve final construction design for privately developed spaces that function as part of the public realm.

a. Applicability. The City Council may, through a Development Agreement processed in accordance with Part 20.30L LUC:

i. Modify the following provisions of the Land Use Code:

(1) Uses prohibited under the terms of LUC 20.25A.040 and LUC 20.258A.050 when necessary to facilitate the adaptive reuse of a building that was in existence on [INSERT DATE of ordinance adoption]; and

(2) Amenities specifically identified for participation in the FAR Amenity Incentive System (LUC 20.25A.070) may be expanded to include a new Flexible Amenity subject to the terms of LUC 20.25A.070.D.18.

ii. Approve the final construction design for the following features that function as part of the public realm:

(1) Pedestrian Bridges identified in LUC 20.25A.100;

(2) Pedestrian Corridor Design Development Plans that depart from the conceptual designs contained in the Pedestrian Corridor Design Guidelines; and

(3) Major Public Open Space Design Development Plans that depart from the conceptual designs contained in the Major Public Open Space Design Guidelines.

b. Decision Criteria. The City Council may approve or approve with conditions a Legislative Departure from strict application of the Land Use Code consistent with the requirements of Part 20.30L LUC (Development Agreements).

c. Limitations on Modification.

i. Development Agreements are an exception, and not the rule and shall not be used to vary provisions of the Land Use Code which, by the terms of that Code, are not identified as appropriate for modification through Part 20.30L LUC (Development Agreements).

ii. Development Agreements may not be used to depart from the FAR bonus values adopted for the amenities specifically identified in LUC 20.25A.070.D.

iii. Development Agreements are not appropriate for proposals that are capable of being approved through administration of the Master Development Plan or Design Review processes using the flexibility tools such as administrative departures and variances that current exist in the code

iv. Development Agreements may not be used to vary the procedural provisions contained in Chapters 20.30 or 20.35 of the Land Use Code.

E. Procedural Merger

Within a Downtown land use district, any administrative decision required by this Part 20.25A or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:

1. Master Development Plan, Part 20.30V LUC;
2. Administrative Conditional Use Permit, Part 20.30E LUC;
3. Design Review, Part 20.30F LUC;
4. Variance, Part 20.30G LUC; and
5. Critical Areas Land Use Permit, Part 20.30P LUC

20.25A.040 Nonconforming uses, structures and sites. (Moved from 20.25A.025 and amended)

A. Nonconforming Uses.

1. A nonconforming use may be continued by successive owners or tenants, except where the use has been abandoned. No change to a different use classification shall be made unless that change conforms to the regulations of this Code.

2. If a nonconforming use of a structure or land is discontinued for a period of 12 months with the intention of abandoning that use, any subsequent use shall thereafter conform to the regulations of the district in which it is located. Discontinuance of a nonconforming use for a period of 12 months or greater constitutes prima facie evidence of an intention to abandon.

3. A nonconforming use may be expanded pursuant to an Administrative Conditional Use Permit.

B. Nonconforming Structures.

1. A nonconforming structure may be repaired or remodeled, provided there is no expansion of the building, and provided further, that the remodel or repair will not increase the existing nonconforming condition of the structure.

2. A nonconforming structure may be expanded; provided, that the expansion conforms to the provisions of the Land Use Code, except that the requirements of LUC 20.25A.140 through 20.25A.180 shall be applied as described in paragraphs B.3 and B.4 of this section.

3. For expansions made within any three-year period which together do not exceed 50 percent of the floor area of the previously existing structure, the following shall apply:

a. Where the property abuts a street classified as a 'D' or 'E' right-of-way, the expansion is not required to comply with LUC 20.25A.140 through 20.25A.180.

b. Where the property abuts a street classified as an 'A', 'B' or 'C' right-of-way the expansion shall be in the direction of the classified street so as to reduce the nonconformity of the structure, except that an expansion which is no greater than 300 square feet in floor area and which is for the purpose of loading or storage is exempted from this requirement.

4. For expansions made within any three-year period which together exceed 50 percent of the floor area of the previously existing structure, the structure shall be brought into conformance with LUC 20.25A.140 through 20.25A.180.

5. If a nonconforming structure is destroyed by fire, explosion, or other unforeseen circumstances to the extent of 100 percent or less of its replacement value, it may be reconstructed consistent with its previous nonconformity. Provided that, the reconstruction may not result in an expansion of the building, nor an increase in the preexisting nonconforming condition of the structure.

C. Nonconforming Sites.

1. A nonconforming site may not be changed unless the change conforms to the requirements of this Code, except that parking lots may be reconfigured within the existing paved surface. This paragraph shall not be construed to allow any parking lot reconfiguration that would result in a parking supply that does not conform to the minimum/maximum parking requirements for the Downtown, LUC 20.25A.080.

2. A structure located on a nonconforming site may be repaired or remodeled, provided there is no expansion of the building, and provided further, that the remodel or repair will not increase the existing nonconforming condition of the site.

3. For expansions of a structure on a nonconforming site made within any three-year period which together exceed 20 percent of the replacement value of the previously existing structure:

a. Easements for public sidewalks shall be provided, unless the Director of the Department of Transportation determines such easements are not needed; and

b. A six-foot-wide walkway shall be provided from the public sidewalk or street right-of-way to the main building entrance, unless the Director determines the walkway is not needed to provide safe pedestrian access to the building. The Director may allow modification to the width of walkways so long as safe pedestrian access to the building is still achieved.

4. Expansions of a structure located on a nonconforming site, made within any three-year period which together do not exceed 50 percent of the previously existing floor area, do not require any increase in conformance with the site development provisions of this Code, except as otherwise provided in B.3 of this section.

5. Expansion of a structure located on a nonconforming site made within any three-year period which together exceed 50 percent of the floor area of the previously existing structure shall require compliance with the site development provisions of this Code.

20.25A.050 Downtown Land Use Charts (Moved from 20.25A.015, Early Wins, and amended one footnote)

A. Permitted Uses.

Specific categories of uses are listed in Chart 20.25A.050.D. Paragraph C of this section explains Chart 20.25A.050.D, and describes the applicable review procedures. The use chart description and interpretation provisions of LUC 20.10.400 do not apply to the Downtown land use districts.

B. Prohibited Uses.

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

C. Use Chart Described.

In Chart 20.25A.050.D, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permits) and subordinate uses which are regulated under LUC 20.20.840.

2. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district-specific requirements of this Part 20.25A LUC.

3. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B in addition to any applicable general requirements for the use and the land use district.

4. If the symbol "A" appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and the land use district.

5. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.

D. Use Charts.

The following charts apply to Downtown. The use charts contained in LUC 20.10.440 do not apply within the Downtown land use districts.

Chart 20.25A.050.D – Uses in Downtown Land Use Districts

Culture, Entertainment, and Recreation – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
711	Library, Museum	P	P	P	A	A	P
7113	Art Gallery	P	P	P	P 3	P	P
712	Nature Exhibitions: Aquariums and Botanical Gardens	P	P	P			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities	P	P	P	A 3	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs	P	P	P	A 3	A	P
7213	Drive-In Theaters						

Culture, Entertainment, and Recreation – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Adult Theaters (4)	P	P	P			P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks (1)						
73	Commercial Amusements: Video Arcades, Electronic Games	P	P	P		P	P
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Miniature Golf, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Pools (2)	P	P	P	P 5	P	P
744	Marinas, Yacht Clubs						
7413 7414 7415 7417 7425	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreational Instruction	P	P	P	A/P 3, 5	P	P
7491 7515	Camping Sites and Hunting Clubs						
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P 5	P	P
	Public/Private Park	P	P	P	P 5	P	P
	Stables and Riding Academies						
	Boarding or Commercial Kennels (6)						
	City Park (5)	P	P	P	P	P	P

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

(1) For carnivals, see LUC 20.20.160.

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

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

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

(5) Outdoor recreation facilities that include lighted sports and play fields or sports and play fields with amplified sound require administrative conditional use approval when located in the Downtown-R Zone.

(6) Boarding and commercial kennels are allowed as subordinate uses to a veterinary clinic or hospital meeting the criteria of LUC 20.20.130.

Residential – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Two or More Dwelling Units Per Structure	P	P	P	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	P
13 15	Hotels and Motels	P	P	P	P	P	P
	Congregate Care Senior Housing (1)	P	P2	P	P	P	P
6516	Nursing Home, Assisted Living			P	P	P	P

Notes: Uses in Downtown land use districts – Residential

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

(2) Where it is ancillary to Congregate Care Senior Housing, a maximum of forty percent of the area of a Congregate Care Senior Housing facility may be dedicated to a nursing home use, assisted living use, or a combination of both uses.

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
61	Finance, Insurance, Real Estate Services	P 10	P 10	P 10	P 4, 5, 11	P 11	P 10
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P 4, 5	P	P 4
6241	Funeral and Crematory Services						
6262	Cemeteries						
	Family Child Care Home in Residence (1)	P	P	P	P	P	P
629	Child Day Care Center (1, 2)	P	P	P	P	P	P
629	Adult Day Care	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies, Employment, and Printing and Publishing	P	P	P	P 4, 5	P	P
634	Building Maintenance and Pest Control Services						
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools	P	P	P			P
641	Auto Repair and Washing Services			P 3, 8			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services (12)	P	P	P	P 4, 5	P 4	P

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Professional Services: Other	P	P	P	P 4, 5	P 4	P
	Pet Grooming and Pet Day Care (9)	P	P	P	P/A 11	P	P
6513	Hospitals (12)			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P 5	P 5	P
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (6)	P	P	P	P 5	P 5	P
674 675	Military and Correctional Institutions						
	Secure Community Transition Facility						
681	Education: Primary and Secondary (7)	A	A	A	A/C	A	A
682	Universities and Colleges	P	P	P			P
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P/A 5, 11	P 5	P
691	Religious Activities	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	P	P	P	C	C	P
692 (B)	Social Service Providers	P	P	P	C	C	P

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Administrative Office – General	P	P	P	P 4, 5	P	P
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P 4, 5	P	P
	Research, Business Incubation, Development and Testing Services	P	P	P	P 4, 5	P	P

Notes: Uses in Downtown land use districts – Services

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

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

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

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

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

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

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

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

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

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

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

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

(8) Battery exchange stations are ancillary to auto repair and washing services, and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

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

(10) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space. Parking must comply with LUC 20.25A.080.A.

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

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

Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services						
43	Aircraft Transportation:	A 3	A 3	A 4			A 3

Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Airports, Fields, Terminals, Heliports, Storage and Maintenance						
	Accessory Parking (1, 2, 12)	P	P	P	P 14	P	P
46	Auto Parking: Commercial Lots and Garages (12)	P 5	P 5	P 5	A	P 5	P 5
	Park and Ride						
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal						
	Highway and Street Right-of-Way (12)	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility						
	Off-Site Hazardous Waste Treatment and Storage Facility						
	Essential Public Facility (9)	C	C	C	C	C	C
	Regional Light Rail Transit Systems and Facilities (13)	C/P	C/P	C/P	C/P	C/P	C/P
	Wireless Communication Facility (WCF): (without WCF Support Structures)	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10	6, 7, 10
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	6, 7	6, 7	6, 7	6, 7	6, 7	6, 7
	Satellite Dishes (8)	P	P	P	P	P	P
	Electrical Utility Facility (11)	A/C	A/C	A/C	A/C	A/C	A/C

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

(1) The location of an off-site parking facility must be approved by the Director. See LUC 20.25A.080.D.

(2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to this section.

(3) Aircraft transportation is limited in these districts to government heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.

(4) Aircraft transportation is limited in these districts to government and hospital heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.

(5) Design Review approval, Part 20.30F LUC, is required to establish a commercial parking facility. Refer to LUC 20.25A.080.E for additional development requirements.

(6) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use; except WCFs are allowed on mixed-use buildings that include residential uses. This note does not prohibit locating WCF: on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.

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

(8) Refer to LUC 20.20.730 for general requirements applicable to large satellite dishes.

(9) Refer to LUC 20.20.350 for general requirements applicable to essential public facilities (EPF).

(10) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.

(11) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Map UT-7 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-7, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.

(12) Electric vehicle infrastructure, excluding battery exchange stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.

(13) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A Conditional Use Permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance,

or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.

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

Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum						
5193	Scrap Waste Materials, Livestock						
	Recycling Centers (15)	P	P	P	A	A	P
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products						
5251	Hardware, Paint, Tile and Wallpaper (Retail)	P	P	P	P 1	P 5	P
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P 1	P 5	P
54	Food and Convenience Store (Retail) (3)	P	P	P	P 1	P 5	P
5511	Autos (Retail), Motorcycles (Retail)	P 2	P 2	P 2			P 2
	Commercial Trucks, Recreational Vehicles (Retail)						
	Boats (Retail)	P 2	P 2	P 2			P 2
552	Automotive and Marine Accessories (Retail)			P			P
553	Gasoline Service Stations (8)	P	P	P			P

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Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
56	Apparel and Accessories (Retail)	P	P	P	P 1	P 2	P
57	Furniture, Home Furnishing (Retail)	P	P	P	P 1	P 2	P
58	Eating and Drinking Establishments (4, 7)	P	P	P	P	P	P
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (12)	P	P	P	P 1	P 2	P
	Handcrafted Products (Retail) (11, 14)	P	P	P	P 1	P	P
	Adult Retail Establishments (6)	P	P	P		P	P
59	Marijuana Retail Outlet	A 4, 10	A 4, 10	A 4, 10		A 4, 10	A 4, 10
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)						
596	Retail Fuel Yards						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 13	P 13	P 13	P 13
5999	Pet Shop (Retail)	P	P	P	P 1	P 5	P
	Computers and Electronics (Retail)	P	P	P	P 1	P 5	P

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

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

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

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

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

(5) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.

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

(7) Microbrewery manufacturing is permitted when combined with an eating and drinking establishment.

(8) All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

(9) Battery exchange stations are ancillary to gasoline service stations, and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

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

(11) Handcrafted product manufacturing is permitted subordinate to a retail establishment selling that product; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.

(12) Drive-in and drive-through pharmacies are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.

(13) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment.

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

(15) A recycling center is allowed as a subordinate use if it is consistent with LUC 20.20.725.

Resources – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8	Resource Production (Minerals, Plants, Animals Including						

Resources – Downtown Districts

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

Notes: Uses in Downtown land use districts – Resources

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

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

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

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

20.25A.060 Dimensional Charts (Moved from 20.25A.020 and amended)

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A. Dimensional Requirements in Downtown Districts.

1. General. The provisions of this section set forth the dimensional requirements for each land use district and Perimeter Overlay District in the Downtown as depicted in Figures 20.25A.060.A.2 and 3. Each structure, development, or activity in a Downtown Land Use District shall comply with these requirements except as otherwise provided in this Part. In Downtown, front setbacks rarely apply. Buildings are built to the "build-to" line which is either the property line or the right-of-way line unless otherwise determined by the Director.

2. Land Use District Map. Figure 20.25A.060.A.2 illustrates the locations of the Downtown Land Use Districts within the boundaries of the Downtown Subarea.

Figure 20.25A.060.A.2 -

NOTE: Please review both Figures 20.25A.060.A.2 and 3 for a complete overview of zoning on a parcel. A parcel may be located in both a Land Use District and a Perimeter Overlay District.

3. Perimeter Overlay District Map. Figure 20.25A.060.A.3 illustrates the locations of the Downtown Perimeter Overlay Districts within the boundaries of the Downtown Subarea in relationship to the Downtown Land Use Districts.

Figure 20.25A.060.A.3

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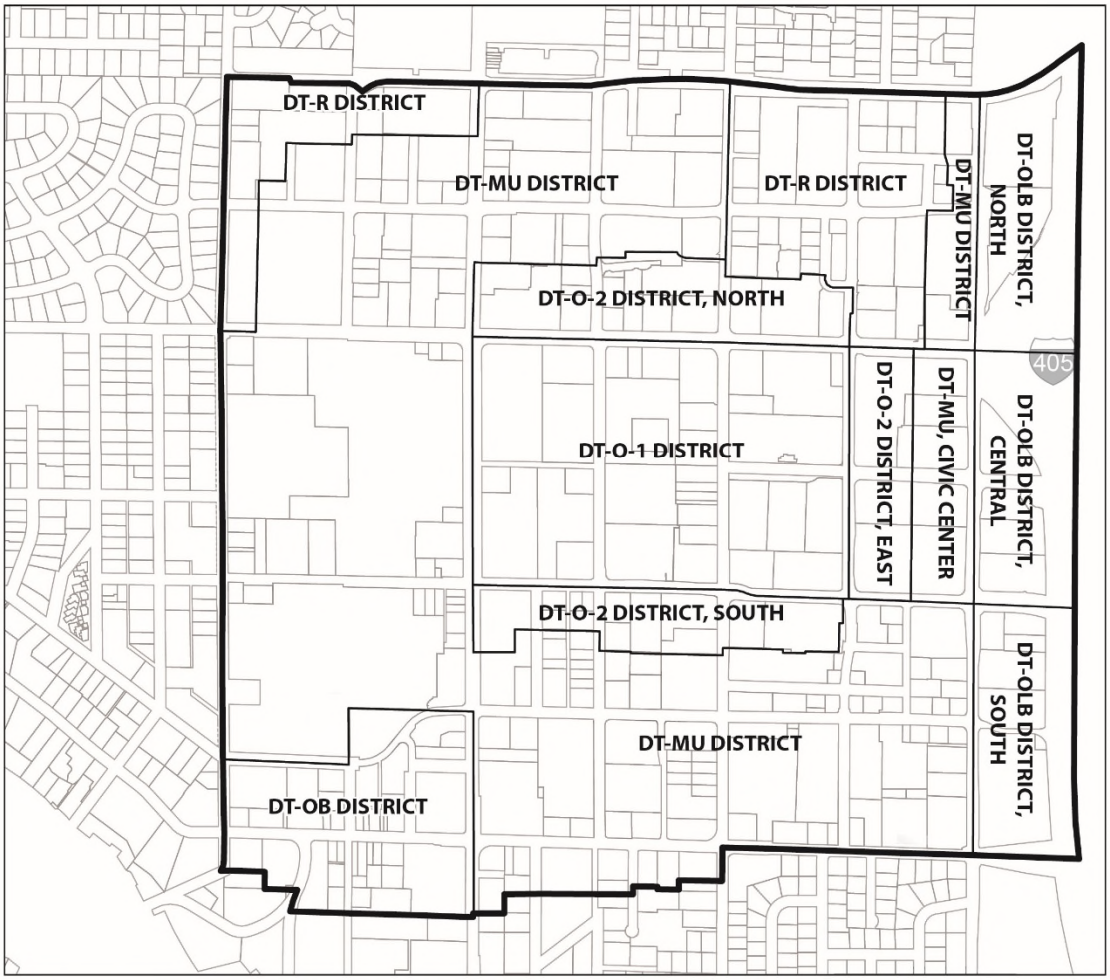


LAND USE DISTRICT CLASSIFICATIONS

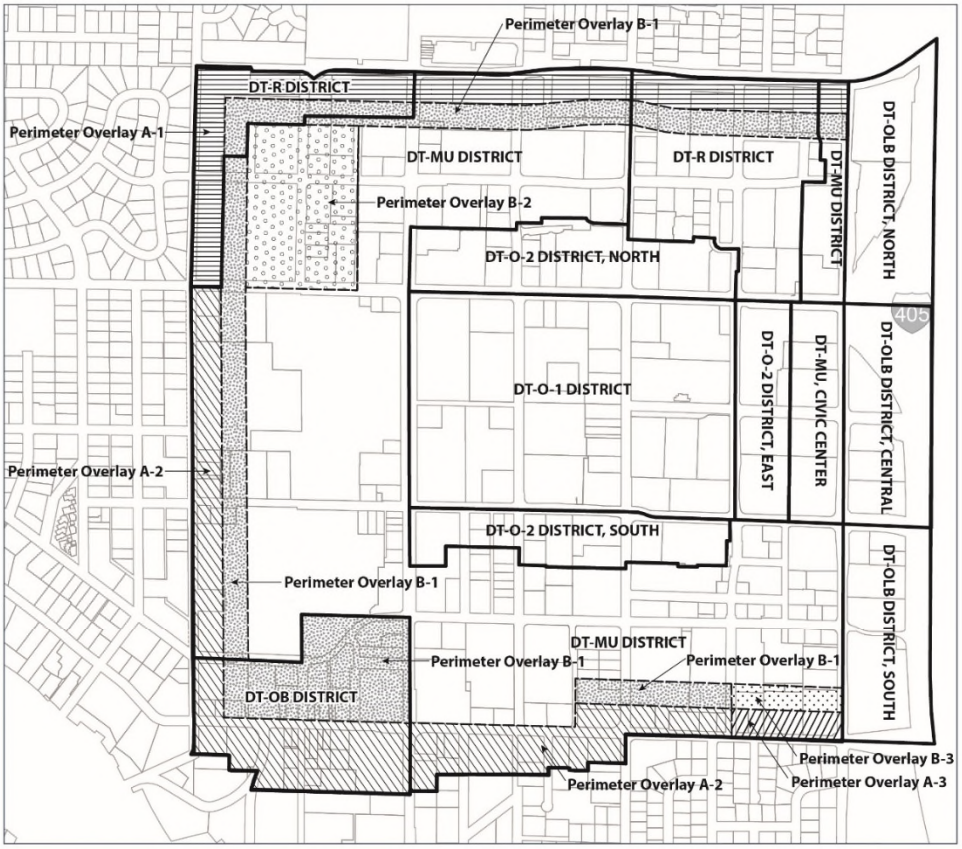
LEGEND

- Land Use District
- Parcels
- Downtown Boundary

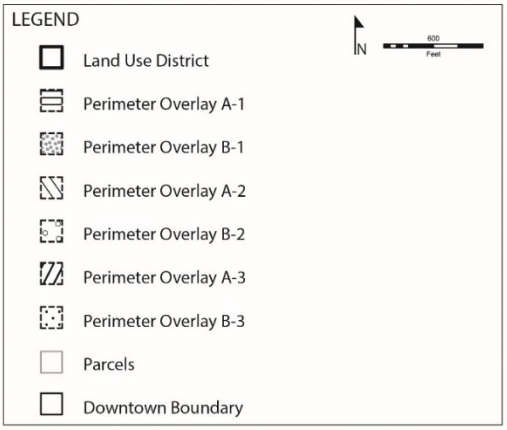
N

600 Feet

Date: September 2016



DOWNTOWN PERIMETER OVERLAY AND LAND USE DISTRICTS



Date: September 2016

4. Dimensional Chart. Chart 20.25A.060.A.4 sets forth the dimensional requirements applicable to each Land Use District and Perimeter Overlay District that are mapped in Figures 20.25A.060.A.2 and 3 above.

Note: For the purposes of this dimensional chart, the DT-O-2, DT-MU, and DT-OLB are divided into smaller areas. The rest of this Part 20.25A does not divide these Districts into smaller areas.

[THE LAST COLUMN, "TRIGGER FOR ADDITIONAL HEIGHT," HAS BEEN INCREASED BY 15% OR 15' EXCEPTION WHICHEVER IS GREATER.]

Dimensional Requirements in Downtown Districts

Downtown Land Use District	Building Type (2)(5)	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (14)	~~Maximum Building Height~~	Maximum Height [with 15 Feet or 15%]	Floor Area Ratio: Basic / Maximum (3)	Minimum Upper Level Stepback above 45' Where Building Height Exceeds 75 ' (4)	Tower Separation Above 45' (11)	Trigger for additional height (7)
DT-O-1	Nonresidential	24,000 gsf/f	24,000 gsf/f	100%	~~600'~~	600' (8)	TBD / 8.0	20'	80'	345
	Residential	22,000 gsf/f	13,500 gsf/f	100%	~~600'~~	600' (8)	TBD / 10.0	20'	80'	450'
	Above-Grade Parking	20,000 gsf/f	20,000 gsf/f	100%	~~100'~~	100' (9)	N/A	20'	80'	N/A (10)
DT-O-2 North of NE 8th St.	Nonresidential	24,000 gsf/f	24,000 gsf/f	100%	~~400~~	460'	TBD / 6.0	20'	80'	~~250'~~288'
	Residential	22,000 gsf/f	13,500 gsf/f	100%	~~400~~	460'	TBD / 6.0	20'	80'	~~250'~~ 288'
	Above-Grade Parking	20,000 gsf/f	20,000 gsf/f	100%	~~100'~~	100' (9)	TBD / 6.0	20'	80'	N/A (10)
DT-O-2 East of 110th Ave. NE	Nonresidential	24,000 gsf/f	24,000 gsf/f	100%	~~350~~	403'	TBD / 6.0	20'	80'	~~250'~~ 288'
	Residential	22,000 gsf/f	13,500 gsf/f	100%	~~350~~	403'	TBD / 6.0	20'	80'	~~250'~~ 288'
	Above-Grade Parking	20,000 gsf/f	20,000 gsf/f	100%	~~100'~~	100' (9)	TBD / 6.0	20'	80'	N/A (13)
DT-O-2 South of NE 4th	Nonresidential	24,000 gsf/f	24,000 gsf/f	100%	~~300~~	345'	TBD / 6.0	20'	80'	~~250'~~ 288'
	Residential	22,000 gsf/f	13,500 gsf/f	100%	~~300~~	345'	TBD / 6.0	20'	80'	~~250'~~ 288'
	Above-Grade Parking	20,000 gsf/f	20,000 gsf/f	100%	~~100'~~	100' (9)	TBD / 6.0	20'	80'	N/A (10)
DT-MU	Nonresidential	22,000 gsf/f	20,000 gsf/f	100%	~~200'~~	230'	TBD / 5.0	20' (9)	80'	~~100'~~ 115'
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~250'~~	288'	TBD / 5.0	20'(9)	80'	~~200'~~ 230'
	Above-Grade Parking	20,000 gsf/f	N/A	75%	~~60'~~	60' (9)	N/A	20'(9)	NA	N/A(10)
DT-MU Civic Center	Nonresidential	22,000 gsf/f	20,000 gsf/f	100%	~~350'~~	403'	TBD / 6.0	20'	80'	~~100'~~ 115'
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~350'~~	403'	TBD / 6.0	20'	80'	~~200'~~ 230'
	Above-Grade Parking	20,000 gsf/f	N/A	75%	~~60'~~	60' (9)	N/A	20'	N/A	N/A (10)
DT-OB	Nonresidential	20,000 gsf/f	13,500 gsf/f	100%	~~100'~~	115'	TBD / 1.0	20'	80'	N/A (10)
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~200'~~	230'	TBD / 5.0	20'	80'	N/A (10)
	Above-Grade Parking	N/A	N/A	75%	~~40'~~	40' (9)	N/A	N/A	N/A	N/A (10)
DT-R	Nonresidential	20,000 gsf/f	NA	75%	~~65'~~	75	0.5 / 0.5	20'	N/A	N/A(10)
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~200'~~	230'	TBD / 5.0	20'	80'	N/A(10)

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Downtown Land Use District	Building Type (2)(5)	Maxi-mum Floor Plate Above 40' (4)	Maxi-mum Floor Plate Above 80' (4)	Maxi-mum Lot Cover age (14)	~~Maximum Building Height~~	Maximum Height [with 15 Feet or 15%]	Floor Area Ratio: Basic / Maxi mum (3)	Minimum Upper Level Stepback above 45' Where Building Height Exceeds 75 ' (4)	Tower Separation Above 45' (11)	Trigger for additional height (7)
	Above-Grade Parking	N/A	N/A	75%	~~40'~~	40' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB North (between NE 8th Street and NE 12th Street)	Nonresidential	30,000 gsf/f	20,000 gsf/f	100%	~~75'~~	86'	TBD / 3.0	20'	80'	N/A (10)
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~90'~~	104'	TBD / 3.0	20'	80'	N/A (10)
	Above-Grade Parking	20,000 gsf/f	N/A	75%	~~45'~~	45'(9)	N/A	N/A	N/A	N/A (10)
DT-OLB Central (between NE 4th Street and NE 8th Street)	Nonresidential	30,000 gsf/f	20,000 gsf/f	100%	~~350'~~	403	TBD / 6.0	20'	80'	~~75'~~ 90
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~350'~~	403	TBD / 6.0	20'	80'	~~90'~~ 105
	Above-Grade Parking	20,000 gsf/f	N/A	75%	~~45'~~	45' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB South (between Main Street and NE 4th Street)	Nonresidential	30,000 gsf/f	20,000 gsf/f	100%	~~200'~~	230'	TBD / 5.0	20'	80'	~~75'~~ 90'
	Residential	20,000 gsf/f	13,500 gsf/f	100%	~~200'~~	230'	TBD / 5.0	20'	80'	~~90'~~ 105'
	Above-Grade Parking	20,000 gsf/f	N/A	75%	~~45'~~	45' (9)	N/A	N/A	N/A	N/A (10)

Additional Dimensional Requirements in Downtown Perimeter Overlay Districts

Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (14)	~~Building Height: Maximum (5)~~	Maximum Building Height (with 15% or 15')	Floor Area Ratio: Basic / Maximum (3)	Triggers for Additional Height (7)
Perimeter Overlay A-1	Nonresidential	20' (6)	75%	~~40'~~	40' (8)	TBD / 1.0 in DT-MU and DT-OB; 0.5 in DT-R	N/A (10)
	Residential	20' (6)	75%	~~55'~~	55' (8)	TBD / 3.5	N/A (10)
	Above-Grade Parking	20' (6)	75%	~~40' (9)~~	40' (9)	N/A	N/A (10)
Perimeter Overlay A-2	Nonresidential	20' (6)	75% in DT-MU 100% in DT-OB	~~40'~~	40'(8)	TBD / 1.0	N/A (10)
	Residential	20' (6)	75% in DT-MU 100% in DT-OB	~~70' (26)~~	70'(8) (12)	TBD / 3.5	55' (9)
	Above-Grade Parking	20' (6)	75%	~~40' (9)~~	40' (9)	N/A	N/A (10)
Perimeter Overlay A-3	Nonresidential	20' (6)	75%	~~70'~~	70' (8)	TBD / 1.0	40'
	Residential	20' (6)	75%	~~70'~~	70' (8)	TBD / 5.0	55'
	Above-Grade Parking	20' (6)	75%	~~40' (9)~~	40' (9)	N/A	N/A (10)

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Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (14)	~~Building Height: Maximum (5)~~	Maximum Building Height (with 15% or 15')	Floor Area Ratio: Basic / Maximum (3)	Triggers for Additional Height (7)
Perimeter Overlay B-1	Nonresidential	N/A	75% in DT-MU and DT-R 100% in DT-OB	~~65'~~	72'	TBD / 1.5 in DT-MU; 1.0 in DT-OB; 0.5 in DT-R	N/A (10)
	Residential	N/A	75% in DT-MU and DT-R 100% in DT-OB	~~90'~~	99'	TBD / 5.0	~~90'~~ 99'
	Above-Grade Parking	N/A	75%	~~40'~~	40' (9)	N/A	N/A (10)
Perimeter Overlay B-2	Nonresidential	N/A	75%	~~65' (12)~~	72'	TBD / 1.5 in DT-MU; 0.5 in DT-R	N/A (10)
	Residential	N/A	75%	~~160'-240'~~	176'-264' (13)	TBD / 5.0	~~90'~~-105'
	Above-Grade Parking	N/A	75%	~~(45)~~	40' (9)	N/A	N/A (10)
Perimeter Overlay B-3	Nonresidential	N/A	75%	~~40'~~	72'	TBD / 1.5	N/A(10)
	Residential	N/A	75%	~~65'~~	220'	TBD / 5.0	~~90'~~ 105'
	Above-Grade Parking	N/A	75%	~~200'~~	40' (9)	N/A	N/A (10)

[INSERT GRAPHIC FOR ADDITIONAL HEIGHT TRIGGER]

20.25A.060

Notes: Dimensional requirements in Downtown Districts and Perimeter Overlay Districts

(1) Minimum setbacks from Downtown boundary are subject to required landscape development. See LUC 20.25A.110.

(2) A single building is considered residential if more than 50 percent of the gross floor area is devoted to residential uses. See LUC 20.50.020 for the definition of "floor area, gross."

(3) The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System, LUC 20.25A.070. Where residential and nonresidential uses occur in the same building, the FAR is limited to the maximum FAR for the building type as determined in accordance with Note (2).

(4) See paragraph B of this section for exceptions to the minimum stepback and maximum building floor plate requirements.

(5) Hotels and motels shall be considered as residential structures for all dimensional standards except for maximum floor plate where they shall be considered nonresidential.

(6) On lots that are bisected by the Downtown boundary, the Director may allow the minimum setback from the Downtown boundary to be measured from the perimeter property lines abutting other lots located outside the Downtown boundary. The modification must be consistent with the Perimeter District purpose statement contained in 20.25A.010.B. This provision may be used to modify only the setback location and not the minimum setback size.

(7) Building heights exceeding the trigger for additional height shall be subject to a 10% reduction in the applicable maximum n the allowed floor plate and shall provide 10% of the project limit area for publicly accessible open space that is at grade level. The applicant shall participate in the Amenity Incentive System using the required open space as an amenity. Participation in the Amenity Incentive System shall not be precluded if the required open space does not equal or exceed 4,000 square feet.

(8) No additional building height allowed. All standards must be met.

(9) No additional height allowed for parking garages. Any mechanical equipment shall be placed inside the structure.

(10) No additional building height above the maximum shall be permitted through the administrative departure process.

(11) Tower spacing may be reduced, where a maximum of 10% of the façade is within the required tower spacing distance of another building's façade but does not affect light, air or privacy of the buildings' users.

(12) Within Perimeter Overlay A-2, any building exceeding 55 feet is subject to upper level stepback above 40 feet and shall provide 5% of the project limit area for publicly accessible open space that is located at grade. The applicant shall participate in the Amenity Incentive System using the requisite open space as an amenity. The 4,000 square foot minimum open space requirement for participation in the Amenity Incentive System shall not apply in this instance.

(13) Within Perimeter Overlay B-2, multiple tower projects are allowed variable tower heights of 176 feet to 264 feet with an average of no more than 225 feet. Master Development Plan approval is required. Single tower projects within the Perimeter Overlay B-2 shall be limited to 160 feet unless the Director approve an Administrative Departure pursuant to LUC 20.25A.030.D.

(14) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.

B. Exceptions to Dimensional Requirements. Exceptions authorized pursuant to this paragraph shall be reviewed as administrative departures subject to the terms of LUC 20.25A.030.D.1.

1. Floor Plate Exceptions.

a. Connecting Floor Plates. For structures that do not exceed 70 feet in height (as defined by the International Building Code, as adopted and amended by the City of Bellevue), the Director may allow the connection of floor plates above 40 feet such that those floor plates exceed the "Maximum Building Floor Area per Floor Above 40 Feet; " provided, that:

i. The connection is to allow for safe and efficient building exiting patterns;

ii. The connecting floor area shall include required corridor areas;

iii. The alternative design results in a building mass that features separate and distinct building elements;

iv. The connection shall extend from the grade to the roofline and be a minimum of 10 feet in depth and a minimum of 15% of the façade length; and

v. The connecting floor area must comply with the design guidelines for Connecting Floor Plates.

[INSERT GRAPHIC FOR CONNECTING FLOOR PLATE]

b. Performing Arts Centers may have unlimited floorplates up to 100 feet in height, measured from average finished grade, provided that:

i. The floor plate exception applies only to that portion of the building which contains the performing arts use;

ii. The area is the minimum area necessary to accommodate the performing arts use;

iii. Subordinate uses do not exceed 25 percent of the total area; and

iv.. The ground floor design is consistent with the design guidelines for "A" rights-of-way, excluding the arcade provision.

2. Intrusions into Required Dimensional Standards.

a. Intrusions over the Sidewalk

i. Marquees or awnings which comply with the requirements of 20.25A.170.A.2.b are permitted to extend over the public right-of-way upon approval of the Director of the Transportation Department and the Director notwithstanding the provisions of the Sign Code, Chapter 22B.10 BCC, or any other City Code.

ii. External decks and balconies are permitted to extend over the right-of-way upon approval of the Director and shall be a minimum clearance of 20 feet above the right-of-way, and no greater in depth that 50%of the width of the required sidewalk.

b. Intrusions into Setbacks

i. Marquees or awnings which comply with the requirements of LUC 20.25A.170.A.2.b are permitted to extend over the setback upon approval of the Director.

ii. External decks and balconies that intrude into the right-of-way are permitted to extend over the setback upon approval of the Director and shall be a minimum of 20 feet above average finished grade.

c. Intrusions into Stepbacks

i. The Director may allow modifications to the minimum required stepback if:

(1) The applicant can demonstrate that the resulting design will be more consistent with the Design Guidelines of 20.25A.140 through 20.25A.180; and

(2) The intrusions for building modulation or weather protection features shall be a maximum of twenty percent of the length of the whole façade, twenty five percent of the depth of the required stepback, and a maximum of ten feet in length per intrusion.

ii. Stepbacks may be modified, but shall not be eliminated except where the adjacent roadway width is greater than 70 feet. Otherwise, the maximum modification is 60% of the depth of the required stepback.

iii. The Director may allow modifications to the stepback requirements for performing arts centers if:

(1) Interesting roof forms, significant floor plate modulation, significant façade modulation, or other such unique architectural features are provided to minimize impacts to abutting structures.

[INSERT GRAPHIC FOR INTRUSIONS]

3. Height Exceptions.

a. The Director may allow mechanical equipment such as elevator overruns, may intrude a maximum of 20 feet or as necessary to accommodate new technology above the maximum height limit if the following conditions are met:

i. The applicant can demonstrate that the intrusion is the minimum necessary to serve the needs of the building.
ii. Maximum of twenty percent of the rooftop can be covered with mechanical structures or housings.
iii. All mechanical equipment must be clustered at the center of the roof.
iv. Equipment and housing shall be integrated into the design of the rooftop.

[INSERT GRAPHIC FOR MECHANICAL EQUIPMENT HEIGHT]

[THE EXCEPTION BELOW HAS BEEN EMBEDDED IN THE DIMENSION CHART FOR TRANSPARENCY PURPOSES.]

~~b. The applicant may increase the building height with one of two provisions below, but may not use both provisions in the same project.~~

~~i. The maximum building height for nonresidential and residential buildings may be increased by 15% or 15 feet, whichever is greater, if the additional height provides architecturally integrated mechanical equipment and interesting roof form, Not applicable in the O-1 District or Perimeter Overlays A-1, A-2, and A-3; and limited to a maximum of 10% (9 feet) in Perimeter Overlay B-1; or~~

~~ii. The maximum building height can be exceeded if the right-of-way is dedicated as provided by subsection B.5 but only to the extent of the floor area earned as a result of the dedication. The increase over maximum building height shall not be increased more than 10 percent or 15 feet whichever is larger, as a result of the is subsection. This is not applicable in the Perimeter Overlay Districts.~~

20.25A.070 Floor Area Ratio and Amenity Incentive System (Moved from LUC 20.25A.030 and amended)

A. General.

A building may exceed the basic floor area ratio permitted for development within a Downtown Land Use District pursuant to LUC 20.25A.060.A.4 only if it complies with the requirements of this section. In no case may the building exceed the maximum floor area ratio permitted for the district unless expressly permitted by the terms of this code.

B. Required Review.

The Director may approve an amenity which complies with subsection C of this section if:

1. The design criteria established for the amenity have been met; and

2. A public benefit will be derived from the development of the proposed amenity in the proposed location.

C. How to Calculate FAR. For purposes of applying the Amenity Incentive System, a level shall be considered the ground level so long as less than half of that ground level story height is located above or below the average finished grade of the adjacent public right-of-way or pedestrian connection. The two stories immediately above the ground level story and intended to activate the ground level pedestrian environment through demonstrated compliance with the Upper Level Retail design guidelines contained in LUC 20.25A.170.D.

1. Exemptions from Maximum FAR

a. Ground Level Floor Areas Meeting the Definition of Active Uses. Each unit of measurement (square feet, linear feet, etc.) on the ground level may only be used to gain one (1.0) floor area ratio bonus, except where specifically provided by the terms of this code.

b. Upper Level Floor Areas Meeting the Definition of Active Uses. Each unit of measurement (square feet, linear feet, etc.) on the upper level may only be used to gain half (0.5) floor area ratio bonus, except where specifically provided by the terms of this code.

c. Affordable Housing

[DEFERRED PENDING THE CONCLUSION OF THE AFFORDABLE HOUSING TECHNICAL ADVISORY GROUP WORK.]

[INSERT GRAPHIC FOR HOW FAR EXEMPTION WORKS]

2. Floor Area Earned from Special Dedications

a. General. Land which is dedicated to the City of Bellevue for right-of-way or to accommodate the linear alignment of an RLRT system without compensation to the owner in conformance with subsection 2.b of this section is included in land area for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio (FAR) contained in 20.25A.020.A.

b. Special Dedications.

i. A property owner may make a special dedication by conveying land identified for right-of-way or linear alignment of an RLRT system acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council or the Capital Investment Program Plan to the City of Bellevue by an instrument approved by the City Attorney.

ii. A property owner may also make a special dedication by conveying land identified by the Director of Transportation as necessary for safety or operational improvement projects.

c. Recording Requirements. The applicant must record the amount (square footage) of floor area earned by area dedicated in conformance this paragraph with the King County Recorder's Office or its successor agency.

D. Specific Requirements.

For purposes of applying the FAR Amenity Incentive System, the "City Center District" shall mean that area of the Downtown bounded by 100th Avenue NE, 112th Avenue NE, NE 4th Street and NE 8th Street.

1. Major Pedestrian Corridor: The Major Pedestrian Corridor located on or in the immediate vicinity of NE 6th Street between Bellevue Way and 112th Avenue NE.								Pedestrian Corridor improvements must comply with the requirements of LUC 20.25A.090.C.1.
2. Outdoor Plaza: A publically accessible, continuous open space, predominantly open from above, and designed to relate to the surrounding urban context. Outdoor plazas prioritize pedestrian use and serve as opportunities to activate the downtown for residents and users.								1. Minimum plaza size is 4,000 square feet with a maximum bonusable area of 20% of the gross lot area. Plazas larger than 10,000 square feet may earn additional bonus points if they are designed in a manner to provide for activities to promote general public assembly. 2. Minimum plaza size may be met through the linking of smaller plaza spaces in a cohesive, logical manner with a strong design narrative. 3. Minimum seating provided shall be 1 linear foot of seating space per 30 square feet of plaza space. 4. A minimum of 20 percent of the area eligible for bonus amenity points in the plaza must be landscaped. 5. Plaza amenities to enhance the users experience must be provided, e.g. art and water elements. 6. Provide physical and visual access to the plaza from the sidewalk and be located within

DRAFT

								thirty inches of adjacent sidewalk grade. 7. Provide for sense of security to users through well-lit and visible spaces. 8. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. 9. Plazas must be open to the public at all times. 10. Plazas must meet all design criteria for design guidelines for public open spaces.
3. Donation of Park Property: Property which is donated to the City, with no restriction, for park purposes.								1. The need for such property in the location proposed must be consistent with City-adopted policies and plans. 2. The minimum size of a donated park parcel is 4,000 square feet. 3. Donated park parcels must be located within the Downtown, but need not be contiguous with the site for which development is proposed.
4. Improvement of Public Park Property: Improvements made to City-owned community, neighborhood, and mini-parks within the Downtown Subarea.								1. Improvements made to a City-owned community, neighborhood, and mini-park must be consistent with the Downtown Subarea Plan. 2. Improvements made to City-owned parks must be constructed by the developer

DRAFT

								consistent with applicable City plans.
5. Enhanced Streetscape: A continuous space between the back of the curb and the building face which allows internal activities to be externalized or brought out to the sidewalk. This space is provided along the building front and activated by residential patios or stoops, small retail, restaurant, and other commercial entries.								1. Space between back of curb and building face shall meet the minimum sidewalk and landscape dimensions and provide an additional 6-8-foot frontage zone. 2. Frontage zone shall contain street furniture, including movable tables and chairs, and may be used for retail and food vendor space. 3. Applicant must provide three of the five design standards below: a. Additional landscaping such as seasonal pots and plantings. b. Decorative paving. c. Small artistic elements. d. Additional weather protection. e. Other features suggested that assist in activating the space. 4. Visual access shall be provided into abutting commercial spaces. For residential use this may be provided through a private patio or stoop.
6. Active Recreation Area: An area which provides active recreational facilities for tenants of the development of which it is a part and for the general public. Does not include health or athletic clubs.								1. May not be used for parking or storage. 2. May be located indoors or outdoors. 3. Recreational facilities include, but are not limited to, sport courts, child play areas, climbing wall, open space for play, and dog relief areas. 4. May be fee-for-use but not exclusively by membership. 5. The maximum bonusable area is 1,500 square feet.
7. Enclosed Plaza: A publicly accessible, continuous open space located within a building and covered to provide overhead weather protection while admitting substantial amounts of								1. Must be open and accessible to the public during the same hours that the building in which it is located is open. 2. Must provide signage to identify the space as open to the public as provided per the Bellevue Transportation

DRAFT

natural daylight (atrium or galleria). Enclosed Plazas function as a "Third Place", and are "anchors" of community life and facilitate and foster broader, more creative interaction.								Department Design Manual. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. 3. Must be visually and physically accessible from a publically accessible space. 4. At least 5% of the area must be landscaped. Landscape requirements may be modified if an equal or better result is provided through the use of interesting building materials, art, and architectural features which soften and enhance the enclosed plaza area. 5. The minimum sitting space shall be 1 linear foot of seating per 30 square feet of enclosed plaza space. More than 50 percent of the seating shall be provided in the form of movable chairs and furniture. 6. Minimum horizontal dimension is 20 feet. 7. Minimum area is 750 square feet.
8. Alleys with Addresses: Pedestrian oriented ways off the main vehicular street grid that provide an intimate pedestrian experience through a combination of residential, small retail, restaurant, and other commercial entries with meaningful transparency along the frontage building walls.								1. Must be open to the public 24 hours a day and 7 days a week. 2. May not be enclosed. 3. Must provide a finer scaled building design at the pedestrian level to emphasize the pedestrian realm and to provide scale relief from the primary massing. 4. Alley frontage must meet guidelines for C Rights-of-Way,

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This area does not have a "back of house" feel.								Mixed Streets in LUC 20.25A.170.B. 5. Residential use must provide a strong connection to the alleyway through the use of patios or stoops. 6. Must provide pedestrian scaled lighting. 7. Must provide signage to show open to the public and the hours. 8. Automobile access and use shall be secondary to pedestrian use and movement. 9. Must meet design guidelines at LUC 20.25A.170.C.
9. Free-standing canopies at street corners and transit stops (non-building weather protection)								Location of free standing canopies shall be approved by Transportation Department. Design must be consistent with design adopted through a Transportation Director's Rule.
10. Pedestrian bridges: Pedestrian bridges over the public right-of-way at previously designated mid-block locations meeting specific design criteria.								This bonus shall apply only to pedestrian bridges meeting the location and design criteria of LUC 20.25A.100.
11. Performing Arts Space: Space containing fixed seating for public assembly for the purpose of entertainment or cultural events (live performances only).								This bonus shall apply only to performing arts spaces that are less than 10,000 square feet.
12. Public Art: Any form of permanent artwork that is outdoors and publicly accessible or visible from a public place.								1. Must be located outside in areas open to the general public or visible from adjacent public right-of-way, perimeter sidewalk. or pedestrian way. 2. May be an object or integrated feature of the building's exterior or other visible infrastructure such as paving, hand railings, walls, seating or other elements visible to the public or in publicly accessible areas. 3. Public art can include murals, sculptures, art elements integrated with infrastructure,

DRAFT

								and special artist designed lighting. 4. Stand alone or landmark artworks should be at a scale that allows them to be visible at a distance. 5. Value of art to be determined through appraisal accepted by Bellevue Arts Program. 6. Maintenance of the art is the obligation of the owner of that portion of the site where the public art is located for the life of the project. *Measured in units of $100.00 of appraised value.
13. Water Feature: A fountain, cascade, stream water, sculpture, or reflection pond. The purpose is to serve as a focal point for pedestrian activity.								1. Must be located outside of the building, and be publicly visible and accessible at the main pedestrian entrance to a building, or along a perimeter sidewalk or pedestrian connection. 2. Water must be maintained in a clean and non-contaminated condition. 3. Water must be in motion during daylight hours. *Measured in units of $100.00 of appraised value, or actual construction cost, whichever is greater.
14. Historic Preservation of Physical Sites/Buildings: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.								1. Voluntary protection of historic façades or other significant design features when redevelopment occurs.
15. Historic and Cultural Resources Documentation: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.								1. Use plaques and interpretive markers to identify existing and past sites of historic and cultural importance. 2. Space dedicated to collect, preserve, interpret, and exhibit items that document the history of Downtown Bellevue.

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16. Neighborhood Serving Uses: Allocation of space for specifically neighborhood serving uses to encourage uses in the Downtown that bolster livability for residents.								1. Up to 5,000 square feet per project are eligible for this bonus, any floor area beyond that limit will not be eligible for amenity bonus points. 2. The floor area delineated for these uses will be required to remain dedicated to Neighborhood Serving Uses for the life of the project. 3. Applicant shall record with King County Recorder's Office or its successor agency a binding document allocating those spaces only for neighborhood serving uses for the life of the building. 4. No other uses shall be approved for future tenancy in those spaces if they are not consistent with the uses outlined in the definition of Neighborhood Serving Uses in LUC 20.25A.020.A. 5. Tenant spaces must remain open to the public and may not require fees or admissions to enter. 6. Spaces must provide visual access from the street.
17. Sustainability Certification: The City has a vested interest in supporting sustainable building practices and provides amenity bonus points commensurate with the level of sustainability provided in each building. Bonus FAR will be earned according to the level of rating applicant completes.	1. Living Building Challenge : Full Certification or Petal Certification for Net Zero Energy. 2. LEED Platinum.							1. Buildings shall meet minimum criteria for LEED or Living Building Challenge certification in chosen category. 2. A performance bond equivalent to the value of the bonus shall be provided to the City by the developer. In the event the project does not achieve the planned rating, all or part of the money shall be used for environmental improvements identified by the City.
18. Flexible Amenity: This line item envisions the applicant having a grand vision that will substantively increase livability in the Downtown and have a public benefit. Credit	Values for this amenity will be set through the Development Agreement Process.							1. Bonus proposal must be approved by City Council through the Development Agreement process. 2. Proposed bonus must have merit and value to the community.

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will be determined depending on the request and the alignment of the proposal with the City's Comprehensive Plan.		3. Proposed bonus must be outside of the anticipated amenity bonus structure. 4. Proposed bonus shall not be in conflict with existing Land Use Code regulations.

20.25A.080 Parking Standards (Moved from 20.25A.050 and amended)

A. General.

The provisions of LUC 20.20.590, except as they conflict with this section, apply to development in the Downtown Land Use Districts.

B. Minimum/Maximum Parking Requirement by Use – Specified Uses.

This subsection supersedes LUC 20.20.590.F.1. Subject to LUC 20.20.590.G and 20.20.590.H, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below unless modified pursuant to applicable departure allowances contained in this section:

Downtown Parking Requirements

			Downtown Zones			
			-O-1,-O-2		**-R,-MU,-OB, -OLB**	
Land Use		**Unit of Measure**	**Min.**	**Max.**	**Min.**	**Max.**
a.	Auditorium/Assembly Room/Exhibition Hall/Theater/Commercial Recreation (1)	per 8 fixed seats or per 1,000 nsf (if there are no fixed seats)	1.0 (10.0)	2.0 (10.0)	1.5 (10.0)	2.0 (10.0)
b.	Financial Institution	per 1,000 nsf	3.0	4.0	4.0	5.0
c.	Funeral Home/Mortuary (1)	per 5 seats	1.0	1.0	1.0	no max.
d.	High Technology/Light Industry	per 1,000 nsf	2.0	3.5	2.0	3.5
e.	Home Furnishing/Retail/Major Appliances – Retail	per 1,000 nsf	1.5	3.0	1.5	3.0
f.	Hospital/In-Patient Treatment Facility/Outpatient Surgical Facility	per 1.5 patient beds	1.0	2.0	1.0	2.0
g.	Manufacturing/Assembly (Other than High Technology/Light Industrial)	per 1,000 nsf	0.7	1.0	1.0	1.5
h.	Office (Business Services/Professional Services/General Office)(3)	per 1,000 nsf	2.0	2.7	2.5	3.0
i.	Office (Medical Dental/Health Related Services)	per 1,000 nsf	3.0	4.0	4.0	5.0

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			Downtown Zones			
			-O-1,-O-2		-R,-MU,-OB, -OLB	
Land Use		Unit of Measure	Min.	Max.	Min.	Max.
j.	Personal Services:					
	Without Fixed Stations	per 1,000 nsf	2.0	2.0	2.0	3.0
	With Fixed Stations	per station	0.7	2.0	1.0	1.5
k.	Residential (6)	per unit	0	2.0	1.0(5)	2.0
l.	Restaurant	per 1,000 nsf	0	15.0	10.0(4)	20.0
m.	Retail	per 1,000 nsf	3.3	5.0	4.0(4)	5.0
n.	Retail in a Mixed Development (except Hotel)(2)	per 1,000 nsf	0	3.3	2.0(4)	4.0
o.	Senior Housing:					
	Nursing Home	per patient bed	0.4	0.8	0.4	0.8
	Senior Citizen Dwelling or Congregate Care	per living unit	0	1.0	0.33	1.0

nsf = net square feet (see LUC 20.50.036)

Notes to Parking Requirements:

(1) Room or seating capacity as specified in the International Building Code, as adopted and amended by the City of Bellevue, at the time of the application is used to establish the parking requirement.

(2) If retail space in a mixed development exceeds 20 percent of the gross floor area of the development, the retail use parking requirements of subsection B of this section apply to the entire retail space.

(3) Special Requirement in Perimeter Overlay District. The Director may require the provision of up to 3.5 parking stalls per 1,000 net square feet for office uses within the Perimeter Overlay District to avoid potential parking overflow into adjacent land use districts outside Downtown.

(4) Parking for existing buildings in Downtown-OB shall be provided according to the criteria set forth in this Note (4).

(a) Existing Building Defined. For this Note (4), "existing building" shall refer to any building in existence as of December 31, 2006, or any building vested as of December 31, 2006, per LUC 20.40.500, and subsequently constructed consistent with the 2006 vesting.

(b) First 1,500 Net Square Feet of a Restaurant or Retail Use – No Parking Required. The first 1,500 net square feet of a restaurant or retail use located in an existing building shall have a minimum parking ratio of zero (0).

(c) Restaurant or Retail Uses in Excess of 1,500 Net Square Feet. A restaurant or retail use that exceeds 1,500 net square feet and is located within an existing building shall

provide parking according to the above table for any floor area in excess of 1,500 net square feet.

(d) Limitation on Applicability of Note (4).

(i) Buildings that do not meet the definition of an existing building shall provide parking for all uses according to the above table.

(ii) Parking in existing buildings for uses other than restaurant and retail uses shall be provided according to the above table.

(5) The minimum requirement for studio apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with the King County Recorder's Office or its successor agency.

(6) Visitor parking shall be provided in residential buildings at a rate of 1 stall per 20 units, but in no case will the visitor parking be less than 1 stall.

C. Shared Parking.

1. General. In the Downtown, this subsection supersedes LUC 20.20.590.I.1.

2. Subject to compliance with other applicable requirements of this Code, the Director may approve shared development or use of parking facilities located on adjoining separate properties or for mixed use or mixed retail use development on a single site through approval of an administrative departure pursuant to LUC 20.25A.030.D.1 and if:

a. A convenient pedestrian connection between the properties or uses exists; and

b. The availability of parking for all affected properties or uses is indicated by directional signs, as permitted by Chapter 22B.10 BCC (Sign Code).

3. Number of Spaces Required.

a. Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements for the uses served reduced by 20 percent of that total number; provided, that the Director may approve a further reduction of that total number pursuant of the provisions of 20.25A.080.H; and

b. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.

4. Documentation Required. Prior to establishing shared parking or any use to be served thereby, the property owner or owners shall file with the King County Recorder's Office or its successor agency, a written agreement approved by the Director providing for the shared parking use. A copy of the written agreement shall be retained by the Director in the project file. The agreement shall be recorded on the title records of each affected property.

D. Off-Site Parking Location.

1. General. In the Downtown, this subsection supersedes LUC 20.20.590.J. Except as provided in paragraph D.2 of this section, the Director may authorize a portion of the approved parking through approval of an administrative departure pursuant to LUC 20.25A.030.D.1 for a use to be located on a site other than the subject property if:

a. Adequate visitor parking exists on the subject property; and

b. Adequate pedestrian, van or shuttle connection between the sites exists; and

c. Adequate directional signs in conformance with Chapter 22B.10 BCC (Sign Code) are provided.

2. District Limitations – Downtown-R Limitations. Parking located in the Downtown-R District may only serve uses located in that district unless otherwise permitted through Design Review, Part 20.30F LUC, and then, only if such parking is physically contiguous and functionally connected to the use which it serves in an adjacent land use district.

3. Short-Term Retail Parking Facilities. The Director may approve the development of short-term retail parking facilities (see definition at LUC 20.50.040) not associated with a specific use. Upon the separate approval of an administrative departure pursuant to LUC 20.25A.030.D.1 by the Director, a property owner or owners may satisfy all or a portion of the parking requirement for a specified retail use through an agreement providing parking for the use at a designated short-term retail parking facility; provided, that:

a. Adequate pedestrian, van or shuttle connection exists between the sites; and

b. Adequate directional signs in conformance with Chapter 22B.10 BCC (Sign Code) are provided.

4. Documentation Required. Prior to establishing off-site parking or any use to be served thereby, the property owner or owners shall file with the King County Recorder's Office or its successor agency and with the Bellevue City Clerk a written agreement approved by the Director providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

E. Commercial Use Parking.

1. Any parking facilities or parking stalls located in the Downtown and developed to meet the requirements of the Land Use Code for a particular use may be converted to commercial use parking (see definition at LUC 20.50.040); provided, that the property owner shall:

a. Comply with all parking and dimensional requirements and with the performance standards for parking structures of this Code.

b. If the parking facility or parking stalls proposed for commercial use were approved for construction subsequent to the effective date of Ordinance 2964 (enacted on March 23, 1981), the commercial use parking facility or parking stalls shall comply with all landscaping requirements set forth at LUC 20.25A.110.

c. If the parking facility or parking stalls proposed for commercial use were approved for construction prior to the effective date of Ordinance 2964 (enacted on March 23, 1981), and the commercial use parking facility occupies more than 30 spaces, the minimum landscaping

requirements of this Code shall be deemed met where the property owner installs landscaping in compliance with an approved landscaping plan which achieves the following objectives:

i. Surface parking areas shall be screened from street level views to a minimum height of four feet by a wall, hedge, berm or combination thereof.

ii. The minimum width of any hedge planting area shall be three feet.

iii. Visual relief and shade shall be provided in the parking area by at least one deciduous shade tree (12 feet high at planting) for every 20 parking stalls, provided such trees shall not be required in covered or underground parking. Each tree planting area shall be at least 100 square feet in area and four feet in width, and shall be protected from vehicles by curbing or other physical separation. If irrigation is provided, the planting area may be reduced to 40 square feet.

iv. The proposed landscaping plan shall be reviewed by the Director for compliance with these objectives and shall be approved by the Director prior to initiation of the commercial use parking.

2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure conformance with the requirements and intent of this subsection.

F. Parking Area and Circulation Improvements and Design.

1. Landscaping. Paragraph F.1 of this section supersedes LUC 20.20.590.K.7. The property owner shall provide landscaping as required by LUC 20.25A.110.

2. Compact Parking. Paragraph F.2 of this section supersedes LUC 20.20.590.K.9. The Director may approve through an administrative departure pursuant to 20.25A.030.D.1, the design and designation of up to 65 percent of the spaces for use by compact cars.

3. Vanpool/Carpool Facilities. The property owner must provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths. The facility must be adjacent to an entrance door to the structure and must be consistent with all applicable design guidelines.

4. Performance Standards for Parking Structures. The Director may approve a proposal for a parking structure through Design Review, Part 20.30F LUC and an administrative departure through LUC 20.25A.030.D.1. The Director may approve the parking structure only if:

a. Driveway openings are limited and the number of access lanes in each opening is minimized.

b. The structure exhibits a horizontal, rather than sloping, building line.

c. The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided.

d. The parking structure complies with the requirements of LUC 20.25A.140 through 20.25A.180.

e. A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure. Screening from above is provided to minimize the appearance of the structure from adjacent buildings.

f. Safe pedestrian connection between the parking structure and the principal use exists.

g. Loading areas are provided for vanpools/carpools as required by paragraph F.3 of this section.

h. Vehicle height clearances for structured parking must be at least eight feet for the entry level to accommodate accessible van parking.

G. Bicycle Parking.

Office, residential, institutional, retail, and education uses are required to provide bicycle parking pursuant to the following standards:

1. Ratio.

a. One space per 10,000 nsf for nonresidential uses greater than 20,000 nsf.

b. One space per every 10 dwelling units for residential uses.

2. Location. Minimum bicycle parking requirement shall be provided on site in a secure location.

3. Covered spaces. At least 50 percent of required parking shall be protected from rainfall by cover.

4. Racks. The rack(s) shall be securely anchored and a bicycle six feet long can be securely held with its frame supported so the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.

5. Size Requirement. Each required bicycle parking space shall be accessible without moving another bicycle.

H. Director's Authority to Modify Required Parking.

Through approval of an administrative departure pursuant to LUC 20.25A.030.D.1, the Director may modify the minimum or maximum parking ratio for any use in LUC 20.25A.080.B as follows:

1. The modified parking ratio is supported by a parking demand analysis provided by the applicant including but not limited to:
   a. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
   b. Evidence in available planning and technical studies relating to the proposed use; or
   c. Required parking for the proposed use as determined by other compatible jurisdictions.

2. Periodic Review. The Director may require periodic review of the proposed review of the reduced parking supply to ensure the terms of the approval are being met.
3. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection F.1 of this section.
4. Shared or off-site parking is not available or adequate to meet demand; and
5. Any required Transportation Management Program will remain effective.

20.25A.090 Street and Pedestrian Circulation Standards

A. Walkways and Sidewalks – Standards and Map (Moved from 20.25A.060 and amended. Includes Early Wins)

1. Sidewalk Widths.
The minimum width of a perimeter walkway or sidewalk shall be as prescribed in Figure 20.25A.090A.1 of this section, plus a 6 inch curb. A planter strip or tree pit shall be included in within the prescribed minimum width of the walkway or sidewalk as provided in Plate 20.25A.090A.1of this section.

Figure 20.25A.090.A.1

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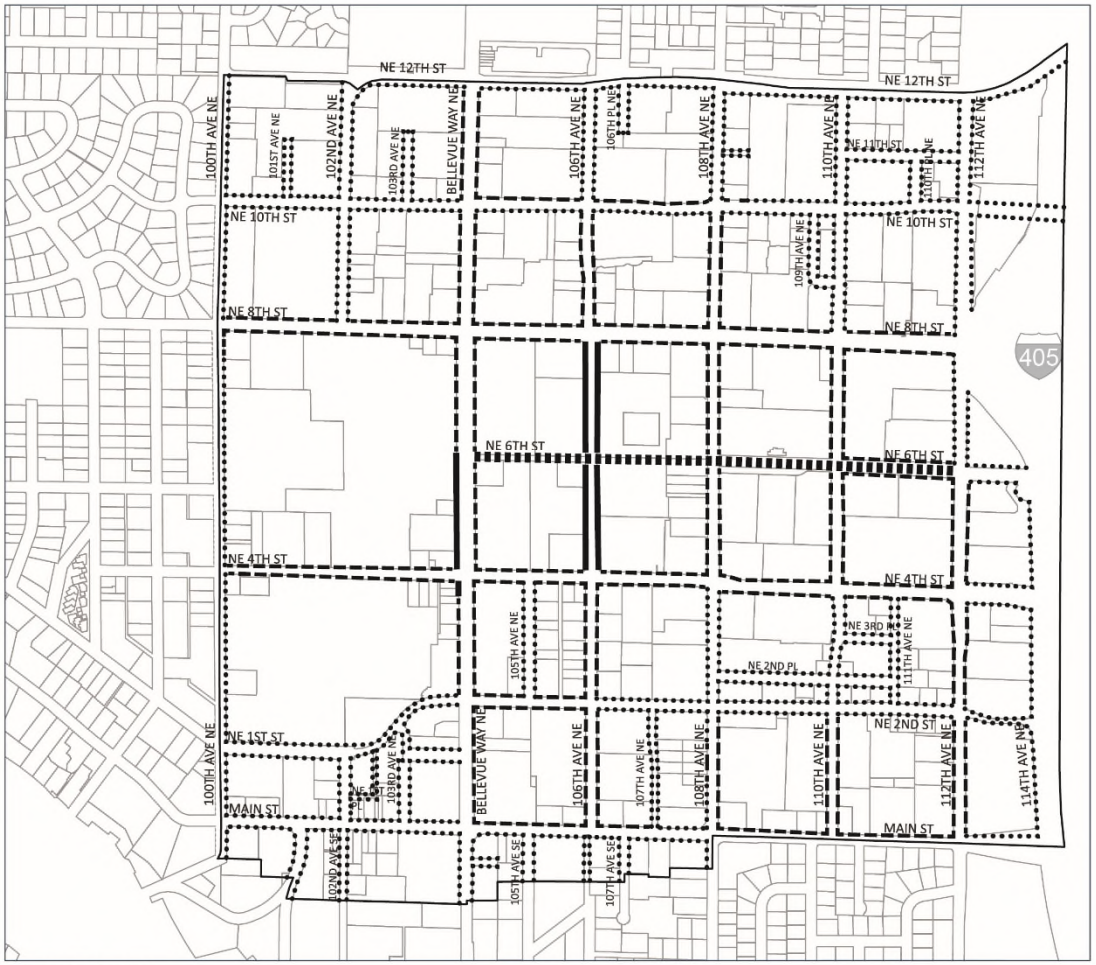

Date: September 2016

DOWNTOWN SIDEWALK DIMENSIONS

LEGEND

- Pedestrian Corridor
- 20' sidewalk width
- 16' sidewalk width
- 12' sidewalk width
- Parcels
- Downtown Boundary

N 600 Feet

20.25A.090A.1 Plate A

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

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

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

100th (NE 10th to NE 1st)	Planter Strip
100th (NE 1st to Main)	Planter Strip
101st (near NE 10th)	Tree Pits
101st Ave SE (south of Main St)	Tree Pits
102nd (NE 12th to NE 8th)	Planter Strip
102nd (NE 1st to south of Main St)	Tree Pits
103rd (near NE 10th)	Tree Pits
103rd (NE 2nd to Main St)	Tree Pits
Bellevue Way (NE 12th to NE 10th)	Planter Strip
Bellevue Way (NE 10th to NE 4th)	Planter Strip
Bellevue Way (NE 4th to Main)	Planter Strip
Bellevue Way (Main to Downtown Boundary)	Planter Strip
105th (NE 4th to NE 2nd)	Planter Strip
105th SE (near Main St)	Planter Strip
106th (NE 12th to NE 8th)	Planter Strip
106th (NE 8th to NE 4th)	Tree Pits
106th (NE 4th to Main)	Planter Strip
106th Pl NE (near NE 12th)	Tree Pits
107th (NE 2nd to south of Main)	Tree Pits
108th (NE 12th to NE 8th)	Tree Pits
108th (NE 8th to NE 4th)	Tree Pits
108th (NE 4th to south of Main)	Tree Pits
109th (near NE 10th)	Planter Strip
110th (NE 12th to NE 8th)	Planter Strip

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

110th (NE 8th to NE 4th)	Planter Strip
110th (NE 4th to Main)	Planter Strip
111th (NE 11th to NE 9th)	Planter Strip
111th (NE 4th to NE 2nd)	Planter Strip

2. Minimum Width. Along any other street not listed in of this section, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6-inch curb. Included in that 12 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed in Plate A of this section.

3. Unobstructed Travel Path. Within the width of the walkway or sidewalk, at least six feet of unobstructed travel path shall be maintained for safe pedestrian access.

B. Planter Strips and Tree Pits.

Planter strips shall be at least five feet wide and as long as the street frontage, excluding curb cuts, driveways and spacing for utilities. Planter strips and tree pits shall be located adjacent to the curb unless precluded by existing utilities which cannot be reasonably relocated. Tree pits shall be covered with protective grates or pavers. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized. Pursuant to LUC 20.25A.030.D.1, the Director may approve an administrative departure for the location or size of tree pits and planter strips if the applicant is unable to meet the requirements of this subsection due to utility placement or other obstruction that is out of the applicant's control.

C. Downtown Core. **[Moved from 20.25A.090.E and citations updated]**

1. Major Pedestrian Corridor.

a. Purpose. The major pedestrian corridor is to serve as a focus for pedestrian use.
b. Location. The alignment of the major pedestrian corridor is defined as the area within 30 feet of the extension of the north line of Lots 3 and 4, Block 2 of Cheriton Fruit Gardens Plat No. 1 recorded in the King County Department of Records and Elections in Volume 7 of Plats at page 47, extending from the eastern edge of the enclosed portion of Bellevue Square to 108th Avenue NE and the area within 30 feet north of the north curb and 30 feet south of the south curb of the Bellevue Transit Center traffic lanes as hereafter approved by the City, extending across the 108th Avenue NE right-of-way and to 110th Avenue NE. This alignment may be modified by the Bellevue Pedestrian Corridor Guidelines or by a Corridor Development Design Plan for a specific property.

c. Bellevue Pedestrian Corridor Guidelines. Each development abutting the Pedestrian Corridor as described in paragraph C.1.c.v of this section must comply with the provisions of this paragraph and the Bellevue Pedestrian Corridor Guidelines and Major Open Space Design Guidelines as adopted by the City Council, or as the same may hereafter be amended. The Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines consist of general design guidelines consistent with provisions of this paragraph.

i. The corridor must present a coordinated design. The City will consider coordinated design features such as uniform treatment of signing, landscaping and lighting over the entire length of the corridor. Variety in design will be allowed and in some cases encouraged in order to provide visual interest and harmony with adjacent development. The corridor must incorporate numerous pedestrian amenities such as seating areas, landscaping, art features, weather protection and pedestrian scale lighting.

ii. The major pedestrian corridor must provide predominantly continuous pedestrian-oriented frontage, plazas, pedestrian ways, street arcades, landscape features, or enclosed plazas along its entire length.

iii. The entire corridor must be open to the public 24 hours per day. Segments of the corridor may be bridged or covered for weather protection, but not enclosed. Temporary closures will be allowed as necessary for maintenance purposes.

iv. Pedestrian movement across 104th Avenue NE, 106th Avenue NE or 108th Avenue NE shall be at grade.

v. The major pedestrian corridor width is established as part of the Bellevue Pedestrian Corridor Guidelines. The corridor width shall average 60 feet and in no case be less than 40 feet over each superblock west of 108th Avenue NE, and shall average 30 feet and in no case be less than 20 feet on each side over the superblock extending from the western edge of the 108th Avenue NE right-of-way to 110th Avenue NE.

All subdivisions or short subdivisions hereafter approved or permits for any structure or permanent parking or circulation area shall be reviewed for compatibility with the alignment of the major pedestrian corridor and major public open space as specified in paragraph C.1.b of this section or in the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines if any lot line, structure or permanent parking or circulation area is within:

(1) 330 feet of the centerline of the major pedestrian corridor if west of 108th Avenue NE; or

(2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in paragraph C.1.c.v(1) of this section to 110th Avenue NE.

d. Preservation of the Major Pedestrian Corridor.

i. Prior to the issuance of a Building Permit for any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided, that all new floor area is devoted to pedestrian-oriented uses; located within the major pedestrian corridor as defined in paragraph C.1.b of this section, the following conditions must be met:

(1) The alignment of the major pedestrian corridor related to the proposed structure or permanent parking or circulation area must be established by the execution and recording of a legal agreement in accordance with paragraph C.1.e.i or ii of this section.

(2) A Design Development Plan for the section of the corridor required to be constructed under paragraph C.1.c.iii of this section. Corridor must be approved by the Director as required by paragraph C.1.e.ii of this section. Construction must begin prior to the issuance of certificate of occupancy or a temporary certificate of occupancy for the structure other than surface parking as required by paragraph C.1.e.iii(2) of this section.

ii. Building Permits for surface parking areas to be located in this corridor as defined in paragraph C.1.b of this section may be granted for up to a five-year period, subject to the landscape requirement for surface parking areas in the Downtown-MU Land Use District, as specified in LUC 20.25A.110.B. Building Permits for parking areas may be renewed only if the Director finds that an extension is necessary to meet the maximum Code requirements for parking and the extension is necessary for the construction of a building requiring utilization of the surface parking area.

e. Provision of the Corridor.

i. If the property owner wishes to at any time obtain bonus FAR for construction of the major pedestrian corridor, the City may approve the subdivision or short subdivision of property resulting in any interior lot line which is within the distances specified in paragraph C.1.c.v of this section only if:

(1) The owner of the property to be subdivided or short subdivided executes a legal agreement providing that all property that he/she owns within the superblock in which any of property to be subdivided or short subdivided is located and which is within the alignment of the major pedestrian corridor established under paragraph C.1.b, C.1.c or C.1.e.iii of this section (hereafter the "Corridor Property") shall be subject to a nonexclusive right of pedestrian use and access by the public. The agreement shall legally describe and shall apply to only that property of the owner located within the distances specified in paragraph C.1.c.v of this section. Such an agreement shall further provide that:

(a) The public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the corridor property for purposes of enforcing the rights of the public under this agreement.

(b) The obligations under the agreement shall run with the corridor property. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then existing public need for pedestrian use and access of the corridor for subsequent 50-year terms.

(c) The owner will design and construct the corridor within such corridor property in accordance with the requirements of paragraph C.1 of this section.

(d) The agreement shall be recorded with the King County Department of Records and Elections.

(e) The owner will maintain the portion of the corridor located on the corridor property and keep the same in good repair.

(f) The City will provide adequate police protection.

(g) No modifications may be made to the corridor without approval of the City in accordance with paragraph C.1.e.ii of this section.

(h) The alignment of any such portion of the pedestrian corridor established by a legal agreement may be modified or terminated by the property owner and the City if the alignment of any section of the major pedestrian corridor changes pursuant to paragraph C.1.e.ii of this section.

(i) The owner may adopt reasonable rules and regulations for use of his/her portion of the corridor; provided, that the same may not be inconsistent with the requirements or intentions of this section.

(j) Any other terms and conditions that the owner(s) and the City agree to.

ii. Corridor Design Development Plan. Prior to the issuance of a Building Permit for the construction of any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided, that all new floor area is devoted to pedestrian-oriented uses; on the property, any portion of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section, a Design Development Plan for the section of the corridor required to be constructed under paragraph C.1.e.iii of this section must be submitted to and approved by the Director, through Design Review, Part 20.30F LUC. If the owner constructs a temporary pedestrian linkage under paragraph E.1.e.iii of this section, preparation of the Corridor Design Development Plan will not be required until the property to be developed is located within:

(1) 130 feet of the centerline of the major pedestrian corridor, west of 108th Avenue NE; or

(2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in paragraph C.1.e.ii(1) of this section to 110th Avenue NE. The proposed plan must specify the following elements:

(a) Landscaping,

(b) Lighting,

(c) Street furniture,

(d) Color and materials,

(e) Relationship to building frontage,

(f) Specific alignment for property on which the corridor will have to be constructed by the applicant proposing development,

(g) Any other physical element which the Director and the City Council, in their review, determine is necessary for and consistent with the Design Development Plan for a specific section of the major pedestrian corridor, not including specific

requirements to construct structures containing retail uses abutting the corridor.

iii. The City may issue a permit for the construction of a structure other than surface parking and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided, that all new floor area is devoted to pedestrian-oriented uses; on property any part of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section at the time of the adoption of Ordinance No. 2945 only if:

(1) The owner complies with paragraph C.1.e.i(1)(a) through (j) of this section if that owner wishes to earn bonus FAR for construction of the major pedestrian corridor; and

(2) The owner files a Building Permit application to construct his/her section of the corridor on (a) land he/she owns within the corridor and within the superblock of the subject construction permit for a structure, and (b) on one-half the width of any abutting City-owned land in the corridor (except for intersections listed below). The City shall initiate or abutting property owners may initiate a street vacation for right-of-way the City owns between 104th Avenue NE and 106th Avenue NE at NE 6th Street in conjunction with or prior to an owner application to construct the major pedestrian corridor. Actual construction of the corridor must begin prior to the issuance of a certificate of occupancy or temporary certificate of occupancy for the structure other than surface parking. The City shall construct the corridor at the street intersections of the corridor and 104th Avenue NE, 106th Avenue NE, and 108th Avenue NE. The width of the corridor that would have to be constructed under the requirements of paragraph C.1.e.iii of this section may be modified when the final alignment of the corridor is established as part of Corridor Design Development Plan (paragraph C.1.e.ii of this section). Notwithstanding this potential change in the width of the corridor that would have to be constructed under paragraph E.1.e.iii of this section, property owners shall at a minimum be required to construct the section of the corridor as specified in paragraph C.1.e.iii(2)(a) of this section. Building Permits for surface parking areas to be located on property any part of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section at the time of the adoption of the ordinance codified in this chapter may be issued subject to the conditions specified in paragraph C.1.d.ii of this section. Notwithstanding any other requirement of this section, if a temporary pedestrian linkage is constructed as specified in paragraph C.1.f of this section, construction of the corridor will not be required unless the property to be developed is located within the distances specified in paragraph C.1.e.ii of this section.

f. Temporary Pedestrian Linkage.

i. Any temporary pedestrian linkage developed under paragraph C.1.c.iii of this section shall at a minimum include a combination of paving, landscaping and lighting to permit safe pedestrian movement at night.

ii. The City Council must approve a plan for any temporary pedestrian linkage to be prepared as part of a Corridor Design Planning process approved through a Development Agreement (Part 20.30L LUC).

iii. Any owner constructing a temporary pedestrian linkage under paragraph C.1.e.iii of this section must construct the linkage across all lands that he/she owns within the superblock where development is proposed that abut or are within the alignment of the corridor.

g. Maintenance. Each segment of the major pedestrian corridor shall be maintained by the property owners abutting it. The City shall maintain the intersections of all public streets with the corridor.

h. Bonus Floor Area for Major Pedestrian Corridor Construction. Bonus floor area associated with the major pedestrian corridor, LUC 20.25A.070, shall be awarded to owners of property within the distances specified in paragraph C.1.c.v of this section through Design Review, Part 20.30F LUC, and according to the provisions of paragraph C.1.e.iii(2) of this section, in conjunction with an application for a permit to construct a structure, permanent parking, or circulation area within the major pedestrian corridor and the provision of a legal agreement establishing the public right of pedestrian use pursuant to paragraph C.1.e.i(1)(a) through (j) of this section.

i. Exempt Activity/Use. Notwithstanding the provisions of paragraph C.1 of this section, the following activities and uses may occur on property within the distances specified in paragraph C.1.c.v of this section without concurrent construction of the major pedestrian corridor, the temporary pedestrian linkage or the intermediate pedestrian corridor:

i. Surface parking approved pursuant to paragraph C.1.d.ii of this section;

ii. Landscape development;

iii. Street, access and sidewalk improvements, including the Transit Center as provided for in paragraph C.2 of this section;

iv. Any interior remodel;

v. Any exterior remodel; provided, that if exterior dimensions are enlarged new floor area may not exceed a total of 20 percent of the gross floor area of the structure as it existed on the effective date of this provision; and provided, that all new pedestrian level floor area is devoted to pedestrian-oriented uses;

vi. Development of the temporary pedestrian linkage or the intermediate pedestrian corridor.

j. Intermediate Pedestrian Corridor.

i. Notwithstanding any provision of this Code which requires construction of the major pedestrian corridor, a property owner may phase construction of that section of the major pedestrian corridor otherwise required to be built by delaying any portion not directly

abutting or adjacent to the project limit which triggered the construction requirement if the owner provides an intermediate pedestrian corridor for that delayed portion of the corridor property which:

(1) Is at least 16 feet in width from the centerline of the major pedestrian corridor west of 108th Avenue NE, or extending outward from the exterior edge of the north or south curblines of the Bellevue Transit Center traffic lanes. This space shall be designed to include a minimum four feet edge separating and defining the space, a minimum eight feet pedestrian movement area and a minimum four feet recreation/activity area.

(2) Incorporates lighting, planting, seating, and scored or decorative paving.

(3) Provides a sense of enclosure along the exterior edge of the space by the use of a design element which both physically and visually separates the intermediate corridor from abutting property. Nonexclusive examples of such an element sculptural wall, dense planting, or berm.

(4) Is consistent with the applicable provisions of the Bellevue Pedestrian Corridor Guidelines, as determined by the Director.

ii. Design for any intermediate pedestrian corridor must be approved through Design Review, Part 20.30F LUC, in conjunction with the Design Development Plan for the major pedestrian corridor required to be constructed.

iii. An intermediate pedestrian corridor satisfies any requirement of this Code to construct the temporary pedestrian linkage.

iv. Space developed as an intermediate pedestrian corridor must be replaced by the major pedestrian corridor at the time of development on any project limit abutting or adjacent to the major pedestrian corridor. Construction of the major pedestrian corridor must be in conformance with all requirements of paragraph C.1.e of this section.

2. Major Public Open Spaces.

a. Purpose. Major public open spaces serve as focal points for pedestrian activity within the Downtown Core Design District, and are design elements fully integrated with the major pedestrian corridor.

b. Location. The major public open spaces are to be located at or near the junction of the major pedestrian corridor and:

i. Bellevue Way;

ii. 106th Avenue NE;

iii. 110th Avenue NE.

c. Design. Each development abutting a location of the major open public spaces as defined in paragraph C.2.b of this section must comply with the provisions of this paragraph and the Bellevue Pedestrian Corridor Guidelines and Major Public Open Space Guidelines as adopted by the City Council, or as the same may hereafter be amended.

The Bellevue Pedestrian Corridor and Major Open Space Design Guidelines consist of general design guidelines consistent with provisions of this paragraph.

i. The major public open spaces must be designed with numerous pedestrian amenities such that these areas serve as focal points. Pedestrian amenities include elements such as seating, lighting, special paving, planting, food and flower vendors, artwork and special recreational features. Design must be coordinated with that of the major pedestrian corridors.

ii. The major public open spaces at or near 106th Avenue NE and 110th Avenue NE shall be a minimum of 30,000 square feet in size. A maximum of 37,000 square feet is allowed for the purpose of obtaining bonus floor area. The major public open space at or near Bellevue Way shall be a minimum of 10,000 square feet in size. A maximum of 15,000 square feet is allowed for the purpose of obtaining bonus floor area.

iii. Area devoted to a major public open space must be in addition to any area devoted to the major pedestrian corridor.

iv. Pedestrian-oriented frontage is required on at least two sides of a major public open space unless the major public space is linear in design, in which case pedestrian-oriented frontage is required on at least one side.

d. Specific Development Mechanism.

i. General. The provisions of paragraph C.4.d of this section establish alternative development mechanisms and specific requirements for each of the major public open spaces. Each affected property owner must comply with the major public open space design and construction requirements. Only those property owners who establish public access through a recorded legal agreement may utilize the FAR bonus for these open spaces.

ii. Ownership. The owners of property to be devoted to a major public open space will retain fee ownership of that property.

iii. Public Access – Legal Agreement.

(1) Each owner of property to be devoted to a major public open space who chooses to participate in the FAR bonus system for a major public open space shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.

(2) The agreement shall further provide that the public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the major public open space for purposes of enforcing the rights of the public under the agreement.

(3) The agreement shall be recorded with the King County Recorder's Office and Bellevue City Clerk.

(4) The obligations under the agreement shall run with the land devoted to a major public open space. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then-existing public need for pedestrian use and access of a major public open space for subsequent 50-year terms.

(5) The owner of property to be devoted to a major public open space will maintain that portion of the major public open space and keep the same in good repair.

(6) The owners of property to be devoted to a major public open space may adopt reasonable rules and regulations for the use of that space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access and the intention of paragraph C.2.d.iii of this section.

iv. Arrangement of Space. The general apportionment, location, and major design features of at least the minimum area of a major public open space shall be established as part of the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines. The specific apportionment and specific design of a major public open space on each affected parcel shall be established through the Design Development Plan described in paragraph C.4.d.x of this section.

v. Development Rights. Space above and beneath the area to be devoted to a major public open space may be developed by the property owner so long as that development is not in conflict with any established pedestrian use of and access to the major public open space, the intentions of paragraph C.2.d.iii of this section, if applicable, and the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines.

vi. Floor Area Ratio.

(1) Basic. Area to be devoted to a major public open space may at any time be used to calculate the basic floor area ratio of development for any project limit which incorporates that major public open space, or of development on property in the same ownership which abuts property which incorporates the major public open space. For purposes of this provision, abutting property includes all property in the same ownership separated from the major public open space by only a single public right-of-way. Any transfer of basic floor area to an abutting property must be recorded with the King County Division of Records and Elections and Bellevue City Clerk.

(2) Bonus.

(a) Bonus floor area at the ratio of 16 square feet of floor area to one square foot of major public open space will be awarded to owners of property to be devoted to the major public open space who provide a recorded legal agreement pursuant to paragraph C.2.d.iii of this section upon approval of an application to construct that major public open space.

(b) Bonus floor area earned for construction of a major public open space may be:

(i) Transferred to any other property within the area of the Downtown bounded on the west by Bellevue Way, on the east by 112th Avenue NE, on the south by NE 4th Street and on the north by NE 8th Street. Properties may utilize transferred floor area only to the extent that the building height does not exceed maximum height limits established for the applicable Land Use District. Each transfer must be recorded with the King County Recorder's Office and Bellevue City Clerk; and

(ii) Utilized to exceed the maximum building height of structures on the project limit incorporating the major public open space, or of structures to which the bonus floor area is transferred, subject to the limitations in paragraph C.4.d.vi(2)(b)(i) of this section.

vii. Construction Required. Subject to paragraph C.4.d.viii of this section, construction by the property owner of all or part of a major public open space on property in that ownership at the location identified in the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines is required in conjunction with any development on property in that ownership within:

(1) 175 feet of the intersection of the eastern edge of the 106th Avenue NE right-of-way and the centerline of the major pedestrian corridor, but including only that area east of the 106th Avenue NE right-of-way; or

(2) 175 feet of the intersection of the centerline of the 110th Avenue NE right-of-way and the centerline of the major pedestrian corridor, or the extension thereof; or

(3) 175 feet of the intersection of the centerline of the Bellevue Way right-of-way and the centerline of the major pedestrian corridor.

viii. Exempt Activity/Use. Notwithstanding the provisions of paragraph C.4.d.vii of this section, the following activities and uses may occur on property described therein without concurrent construction of the major public open space:

(1) Surface parking, subject to the landscape development provisions of this Code, for a period of not more than five years;

(2) Temporary major pedestrian corridor improvements in conformance with the Interim Corridor Design Plan;

(3) Landscape development;

(4) Street improvements;

(5) Any interior remodel;

(6) Any exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added, and all new floor area is devoted to pedestrian-oriented uses.

ix. Major Public Open Space Design.

(1) Prior to issuance of a Building Permit for any structure which requires construction of all or part of a major public open space, or prior to actual construction of all or part of a major public open space, whichever comes first, the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines shall contain an illustrative design generally apportioning the minimum required amount of major public open space for that entire open space. Each major public open space may have a separate illustrative design.

(2) The property owners shall record the approved illustrative design with the King County Recorder's Office and Bellevue City Clerk.

x. Design Development Plan.

(1) Prior to issuance of a Building Permit for any structure which requires construction of all or part of a major public open space, or prior to actual construction of all or part of a major public open space, whichever comes first, a Design Development Plan for that portion to be constructed must be submitted to and approved by the Director.

(2) The Director shall review the plan, or amend any approved plan through Design Review, Part 20.30F LUC. Plans that depart from the conceptual design in the Pedestrian Corridor and Major Public Open Space design guidelines shall be approved by the City Council through a Development Agreement (Part 20.30L LUC).A plan approved by the Council through the City Council Design Review process may be amended by the Director through Part 20.30F LUC.

(3) The proposed plan must specify the following elements:

(a) Landscaping;

(b) Lighting;

(c) Street furniture;

(d) Color and materials;

(e) Relationship to building frontage;

(f) Specific location of the major public open space;

(g) All design features required pursuant to paragraph C.4.c of this section;

(h) Relationship to and coordination with other portions of the major public open space, and with the major pedestrian corridor;

(i) Any other physical element which the Director determines is necessary for and consistent with the Major Public Open Space Design Plan.

3. Minor Publicly Accessible Spaces.

a. Purpose. Minor publicly accessible spaces provide relief from high intensity urban development, serve as visual gateways to the intensive Downtown Core, and provide opportunities for active or passive recreation.

b. Location. Minor publicly accessible spaces shall be located along Bellevue Way and 108th Avenue NE approximately at their intersections with NE 8th Street, NE 6th Street and NE 4th Street. Additionally, at least two spaces shall be located in each superblock based on coordination of design and proximity to other publicly accessible spaces, or pedestrian connections.

c. Design Guidelines.

i. Minor publicly accessible spaces may be outdoors or enclosed as long as adequate access is provided and their existence is easily identifiable.

ii. A minor publicly accessible space must be open at least during the hours of 8:00 a.m. to 10:00 p.m., or during the hours of operation of adjacent uses, whichever is lesser.

iii. A minor publicly accessible open space must be developed as a plaza, enclosed plaza, or art or landscape feature. The design criteria of LUC 20.25A.070.D.2 must be met, and the FAR amenity bonus may be utilized.

iv. Directional signage shall identify circulation routes for all users and state that the space is accessible to the public at the times specified by subsection C.3.c.ii. of this section. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.

d. Public Access – Legal Agreement.

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

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

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

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

20.25A.100 Downtown Pedestrian Bridges (Moved from 20.25A.130 and amended.)

A. Where Permitted.

Pedestrian bridges over the public right-of-way may be allowed at or near the mid-block in the following locations; provided, that no more than one bridge may be allowed on any side of a 600-foot superblock:

1. On NE 4th Street between Bellevue Way and 110th Avenue NE;

2. On NE 8th Street between Bellevue Way and 110th Avenue NE; and

3. On Bellevue Way between NE 4th Street and NE 8th Street.

Above-grade pedestrian crossings over the public right-of-way in existence at the time of adoption of the ordinance codified in this section shall not be considered nonconforming, and may be repaired or replaced in their current locations without compliance with this section.

B. Location and Design Plan.

The City Council shall review any Downtown Pedestrian Bridge Location and Design Plan, by entering into a Development Agreement pursuant to the terms of LUC 20.25A.030.D.2.

1. Prior to issuance of any permits for a proposed Downtown pedestrian bridge, a Downtown Pedestrian Bridge Location and Design Plan must be submitted to and approved by the City Council, through a development agreement process pursuant to Part 20.30L LUC.

2. A Downtown Pedestrian Bridge Location and Design Plan shall identify the location of the Downtown pedestrian bridge, include a finding by Council that the proposal satisfies the public benefit test set forth in paragraph C of this section, be consistent with the development standards of paragraph D of this section, and be consistent with the Comprehensive Plan.

3. The Director shall ensure that the approved Downtown pedestrian bridge is constructed consistent with the Design Plan. Modification to the location of the Downtown pedestrian bridge, or to the articulated public benefits requires approval by the City Council pursuant to this section. Modifications to the design of the crossing that do not modify the location or public benefits, and that are consistent with the intent of the Design Plan may be approved by the Director through the process set forth in Part 20.30F LUC.

4. The property owners shall record the approved Design Plan with the King County Recorder's Office or its successor agency and Bellevue City Clerk.

C. Public Benefit Required.

The Council may approve, or approve with modifications, a proposed Downtown pedestrian bridge if it finds that the bridge provides a public benefit. For the purposes of this section, a Downtown pedestrian bridge shall be determined to provide a public benefit when it meets all of the following criteria:

1. The bridge improves pedestrian mobility; and

2. The bridge does not detract from street level activity; and

3. The bridge functions as part of the public realm.

D. Development Standards.

Each proposed Downtown pedestrian bridge must be developed in compliance with the following standards:

1. The bridge must be open from at least 6:00 a.m. to midnight, or during the hours of operation of adjacent uses, whichever is greater. Signs shall be posted in clear view stating that the pedestrian bridge is open to the public during these hours;

2. The bridge connects upper-level publicly accessible space to upper-level publicly accessible space and provides a graceful and proximate connection between the sidewalk and bridge level that is visible and accessible from the sidewalk. The vertical connection should occur within 50 feet of the sidewalk;

3. Vertical circulation elements must be designed to indicate the bridge is a clear path for crossing the public right-of-way;

4. Directional signage shall identify circulation routes for all users;

5. Structures connected by the bridge shall draw pedestrians back to the sidewalk at the ground level immediately adjacent to both ends of the pedestrian bridge;

6. It is preferred that the bridge remain unenclosed on the sides, but allow enclosure or partial enclosure if the applicant demonstrates it is necessary for weather protection;

7. Visual access shall be provided from the sidewalk and street into the bridge;

8. Bridge may not diverge from a perpendicular angle to the right-of-way by more than 30 degrees;

9. The interior width of the bridge, measured from inside face to inside face shall be no less than 10 feet and no more than 14 feet;

10. Bridge shall be located at the second building level, with a minimum clearance of 16 feet above the grade of the public right-of-way;

11. Impacts on view corridors, as described in LUC 20.25A.150.D, shall be minimized;

12. Impacts on the function of City infrastructure, including but not limited to utilities, lighting, traffic signals, etc., shall be avoided or mitigated;

13. Lighting shall be consistent with public safety standards;

14. Signage on the exterior of the bridge, or on the interior of the bridge that is visible from a public sidewalk or street is not permitted;

15. Bridge must be architecturally distinct from the structures that it connects; and

16. Bridge must exhibit exemplary artistic or architectural qualities.

E. Public Access – Legal Agreement.

1. Owners of property that is used for pedestrian bridge circulation and access between the bridge and public sidewalk shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of bridge operation.

2. The agreement shall provide that the public right for pedestrian use shall be enforceable by the City of Bellevue, and the City shall have full rights of access for the pedestrian bridge and

associated circulation routes for purposes of enforcing the rights of the public under this agreement.

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

4. The agreement shall be recorded with the King County Recorder's Office or its successor agency and Bellevue City Clerk.

20.25A.110 Landscape Development (Moved from 20.25A.040 and amended)

A. Street trees and landscaping – Perimeter – Plate B (Moved from 20.25A.060 and amended, Early Wins)

1. Tree Species. The property owner shall install street trees, in addition to any landscaping required by LUC 20.25A.110.B, according to the requirements of 20.25A.110.A.1 Plate B of this section as now or hereafter amended.

20.25A.110A.1 Plate B

Plate B – Downtown Bellevue Street Tree Species Plan

East-West	Proposed Street Trees	Tree Size
NE 12th (102nd to I-405)	Pear: Pyrus calleryana 'Glens form'	Small
NE 11th (110th to 112th)	'Katsura: Cercidiphyllum japonicum'	Large
NE 10th (100th to 106th)	Tupelo: Nyssa sylvatica 'Firestarter'	Medium
NE 10th (106 to I-405)	Zelkova serrata 'Village Green'	Medium
NE 9th (110th to 111th)	Katsura: Cercidiphyllum japonicum	Large
NE 8th (100th to 106th)	Honeylocust: Gleditsia tricanthos 'Shademaster'	Medium
NE 8th (106th to 112th)	Pac Sunset Maple: Acer truncatum x platanoides 'Warrenred'	Medium
NE 6th (Bellevue Way to 106th)	Honeylocust: Gleditsia tricanthos 'Shademaster'	Medium
NE 6th (106th to I-405)	Katsura: Cercidiphyllum japonicum	Large
NE 4th (100th to I-405)	Autumn Blaze Maple: Acer x Freemanii 'Jeffersred'	Large
NE 3rd Pl (110th to 111th)	Tupelo: Nyssa sylvatica 'Firestarter'	Large

NE 2nd Pl (108th to 111th)	Persian ironwood: Parrotia persica 'Vanessa'	Medium
NE 2nd (Bellevue Way to I-405)	English oak: Quercus robur 'Pyramich'	Large
NE 1st/2nd (100th to Bellevue Way)	Hungarian oak: Quercus frainetto 'Schmidt'	Large
NE 1st (103rd to Bellevue Way)	Ginkgo: Ginkgo biloba 'Magyar'	Medium
Main St (100th to Bellevue Way)	Ginkgo: Ginkgo biloba 'Magyar'	Medium
Main St (Bellevue Way to I-405)	Tupelo: Nyssa sylvatica 'Afterburner'	Medium
North-South	**Proposed Street Trees**	**Tree Size**
100th (NE 12th to NE 10th)	Pear: Pyrus calleryana 'Aristocrat'	Small
100th (NE 10th to NE 1st)	Scarlet oak: Quercus coccinia	Large
100th (NE 1st to Main)	Ginkgo: Ginkgo biloba 'Magyar'	Medium
101st (near NE 10th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
101st Ave SE (south of Main St)	Katsura: Cercidiphyllum japonicum	Large
102nd (NE 12th to NE 8th)	Miyabe maple: Acer miyabei 'Rugged Ridge'	Large
102nd (NE 1st to south of Main St)	Katsura: Cercidiphyllum japonicum	Large
103rd (near NE 10th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
103rd (NE 2nd to Main St)	Katsura: Cercidiphyllum japonicum	Large
Bellevue Way (NE 12th to NE 10th)	Tulip tree: Liriodendron tulipifera 'JFS-oz'	Large
Bellevue Way (NE 10th to NE 4th)	Honeylocust: Gleditsia tricanthos 'Shademaster'	Medium
Bellevue Way (NE 4th to Main)	Tulip tree: Liriodendron tulipifera 'JFS-oz'	Large
105th (NE 4th to NE 2nd)	Sweetgum: Liquidambar styraciflua 'Worplesdon'	Large
105th SE (near Main St)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
106th (NE 12th to NE 8th)	Elm: Ulmus propinqua 'Emerald Sunshine'	Large
106th (NE 8th to NE 4th)	Elm: Ulmus Americana 'Jefferson'	Large
106th (NE 4th to Main)	Elm: Ulmus 'Morton Glossy'	Large
106th Pl NE (near NE 12th)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
107th (NE 2nd to south of Main)	Hornbeam: Carpinus caroliniana 'Palisade'	Medium

108th (NE 12th to NE 8th)	Persian ironwood: Parrotia persica 'Ruby Vase'	Medium
108th (NE 8th to NE 4th)	Sweetgum: Liquidambar styraciflua 'Worplesdon'	Large
108th (NE 4th to south of Main)	Zelkova serrata 'Green Vase'	Medium
109th (near NE 10th)	Linden: Tilia cordata 'Chancole'	Large
110th (NE 12th to NE 8th)	Linden: Tilia americana 'Redmond'	Large
110th (NE 8th to NE 4th)	Zelkova serrata 'Village Green'	Medium
110th (NE 4th to Main)	Red maple: Acer rubrum 'Somerset'	Large
111th (NE 11th to NE 9th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
111th (NE 4th to NE 2nd)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
112th (NE 12th to Main)	Scarlet oak: Quercus coccinia	Large

2. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

3. Installation and Irrigation

a. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, must be planted at least 3 feet from the face of the street curb, and spaced a maximum of 20 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. The size of the tree shall be determined by Plate B of this section, as now or hereafter amended. A street tree planting area may also include decorative paving and other native plant materials, except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

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

4. Species substitution. If a designated tree species is not available due to circumstances such as spread disease or pest infestation, it may be substituted with a different species or cultivar as

approved by the Director as an administrative departure pursuant to LUC 20.25A.030.D.1. The substitution shall be of the same size and canopy spread as the tree species that is being replaced.

B. On-site landscaping (Moved from 20.25A.040)

1. The provisions of LUC 20.20.520, except as they conflict with this section, apply to development in the Downtown Land Use Districts.

2. Site perimeter and parking structure landscaping shall be provided in Downtown Land Use Districts according to the following chart, Landscape Development Requirements. In addition, street trees may be required by LUC 20.25A.110.A.1.

20.25A.110 Landscape Development Requirements

Land Use District	Location On-Site		
	Street Frontage	**Rear Yard**	**Side Yard**
Downtown-O-1 Downtown-O-2 Downtown OB	If buffering a parking area – 8′ Type III (1)	None Required	None Required
Downtown-MU Downtown-R Downtown OLB Perimeter Overlay Districts	If buffering a parking area – 8′ Type III (1)	If buffering a surface vehicular access or parking area – 5′ Type III	If buffering a surface vehicular access or parking area – 5′ Type III

(1) An alternative design may be approved through Alternative Landscape Option, LUC 20.20.520.J through the Administrative Departure process contained in LUC 20.25A.030.D.1.

C. Linear Buffer (Moved from 20.25A.090.D.4 and amended)

1. General. The standards of this paragraph supplement other landscape requirements of this Part 20.25A and LUC 20.20.520 for development in the Perimeter Overlay District.

2. Linear Buffers.

a. General. Any development situated within Perimeter Overlay A shall provide a linear buffer within the minimum setback from the Downtown boundary required by LUC Chart 20.25A.060.A.4. The purpose of this feature is to produce a green buffer that will soften the visual impact of larger buildings as viewed from the lower intensity Land Use Districts adjacent to Downtown. These design standards are minimum requirements for the size and quantity of trees and other linear buffer elements. The specific design of the linear buffer for each project will be determined through the Design Review Process. Design considerations include, but are not limited to, the placement of elements and their relationship to adjacent property as well as to the proposed development. Different sets of design standards apply to each of the locational conditions.

3. Requirements for All Linear Buffers. All linear buffers:

a. Shall have a minimum width of 20 feet;

b. Shall not be used for parking, and vehicular access drives shall be no more than 25 percent of the total are of the linear buffer;
c. Must include seasonal color in an amount of at least 10 percent of the perimeter setback area; and
d. Must utilize native species for at least 50 percent of the plantings located within the perimeter setback area.

4. Linear Buffers that are Adjacent to Rights-of-Way or Public Property shall have:
a. Three deciduous trees, with a minimum caliper of 2.5 inches, per each 1,000 square feet of the perimeter setback area;
b. Two flowering trees, with a minimum caliper of two inches, per each 1,000 square feet of perimeter setback area;
c. Ten evergreen shrubs, minimum five-gallon size, per 1,000 square feet of the perimeter setback area;
d. Living ground cover that provides cover of unpaved portion of buffer within three years.
e. Walls and fences that do not exceed 30 inches.
f. Accessibility both visually and physically abutting the sidewalk and being within three feet of the sidewalk or providing alternative access.
g. Seventy-five percent of the buffer must be planted. The other 25 percent may be paved with pervious pavement, brick, stone or tile in a pattern and texture that is level and slip-resistant. The paved portion of the buffer may be used for private recreational space and residential entries.

5. Where the Downtown boundary abuts property outside the Downtown other than right-of-way or public property, the minimum setback from the Downtown boundary (or perimeter property lines when the setback has been relocated pursuant to Note 6 of subsection 20.25A.060.A.4 shall be landscaped as follows:
a. The entire setback shall be planted except for allowed paved portions. No portion may be paved except for vehicular entrance drives, required mid-block pedestrian connections, patios that do not exceed 25 percent of the area of the required setback, and residential entries that do not exceed 25 percent of the area of the required setback.
b. The setback shall be planted with:
i. Evergreen and deciduous trees, with no more than 30 percent deciduous, a minimum of 10 feet in height, at intervals no greater than 20 feet on center; and
ii. Evergreen shrubs, a minimum of two-gallon in size, at a spacing of three feet on center; and
iii. Living ground cover so that the entire remaining area will be covered in three years.

20.25A.120 Green and Sustainability Factor (NEW)

A. All new development shall provide landscaping and other elements that meets a minimum Green and Sustainability Factor score. All required landscaping shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth of soil, and the use of drought-tolerant plants. The Green and Sustainability Factor score shall be calculated as follows:

2. Identify all proposed elements, presented in 20.25A.120, Table A.

3. Multiply the square feet, or equivalent square footage where applicable, of each landscape element by the multiplier provided for that element in Table A according to the following provisions:

    a. If multiple elements listed in 20.25A.120, Table A occupy the same physical area, they may be all be counted. For example, groundcover and trees occupying the same physical space may be counted under the ground cover element and the tree element.

    b. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted.

    c. Elements listed in 20.25A.120, Table A that are provided to satisfy any other requirements of this Code may be counted.

    d. For trees, large shrubs and large perennials, use the equivalent square footage of each tree or shrub provided in 20.25A.120, Table B.

    e. For green walls, use the square footage of the portion of the wall that will be covered by vegetation at three years. Green walls must include year-round irrigation and a submitted maintenance plan to be included as an element in the calculation for a project's Green and Sustainability Factor Score.

    f. All vegetated structures, including fences counted as green walls shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage.

    g. For all elements other than trees, large shrubs, large perennials, green walls, structural soil systems and soil cell system volume; square footage is determined by the area of the portion of the horizontal plane that lies over or under the element.

    h. All permeable paving and structural soil credits may not count for more than one third of a project's Green and Sustainability Factor Score.

3. Add together all the products calculated in subsection Figure 20.25A.120.A.5 below to determine the Green and Sustainability Factor numerator.

4. Divide the Green and Sustainability Factor numerator by the lot area to determine the Green and Sustainability Factor score.

5. The Director has the final authority in determining the accuracy of the calculation of the Green and Sustainability Factor score.

Figure 20.25A.120.A.5

A. Landscape Elements		Multiplier
	1. Bioretention Facilities (horizontal square footage) and/or Soil Cells. (Must comply with Bellevue's Storm and Surface Water	1.2

	Engineering Standards. Volume of soil cell systems may be calculated up to 3 feet in depth.)	
	2. Structural Soil Systems (Volume of structural soil systems can be calculated up to 3 feet in depth.)	0.2
	3. Landscaped areas with soil depth less than 24 inches	0.1
	4. Landscaped areas with soil depth of 24 inches or more	0.6
	5. Preservation of existing trees – calculated at 20 square feet per inch d.b.h. (Trees mush have a minimum diameter of 6 inches at d.b.h. Existing street trees proposed for preservation must be approved by the Director or designee.)	1.0
	6. Preservation of landmark tree bonus – calculated at 20 square feet per inch d.b.h. Trees must meet the City's definition for Landmark Trees.	0.1
	7. Preservation of existing evergreen trees bonus- calculated at 20 square feet per inch d.b.h. Preserved evergreen trees shall have a minimum diameter of 6 inches at d.b.h.	0.1
	8. Ground cover or other low plants –Calculated at less than or equal to 2 feet at maturity.	0.1
	9. Shrubs or Large Perennials-Calculated at 12 square feet per plant greater than 2 feet tall at maturity.	0.4
	10. Small Trees-Calculated at 90 square feet per tree with a canopy spread of 10 feet to 15 feet at maturity.	0.3
	11. Medium Trees – Calculated at 230 square feet per tree with a canopy spread 18 square feet to 24 square feet at maturity.	0.3
	12. Large Trees-calculated at 360 square feet per tree with a canopy spread 26 ft. or larger.	0.4
B. Green Roofs		
	1. Area planted with at least 2 inches of growth medium but less than 4 inches of soil.	0.4
	2. Area planted with at least 4 inches of growth medium.	0.7
C. Green Walls		
	1. Façade or wall surface obstructed with vines calculate with an estimate of 3 years' growth.	0.2
	2. Façade or wall surface planted with a green wall system with have year-round irrigation and maintenance plan.	0.7

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D. Landscape Bonuses		
	1. Landscaped areas for food cultivation.	0.2
	2. Landscaped areas planted with native or drought-tolerant plants.	0.1
	3. Landscape areas at sidewalk grade.	0.1
	4. Rainwater harvesting for landscape irrigation shall be calculated as a percentage of total water budget times total landscape area.	0.2
E. Permeable Paving		
	1. Permeable paving over a minimum 6 inches and less than 24 inches soil or gravel.	0.2
	2. Permeable paving over at least 24 inches of soil or gravel.	0.5
F. Bicycle Parking		
	1. Bicycle racks in publically accessible locations – calculated at 9 square feet per bike locking space and must be visible from sidewalk or public area.	1.0
	2. Bicycle lockers in publically accessible locations – calculated at 12 square feet per locker, and must be visible from public areas and open for public use.	1.0
G. Green Building Incentives		
	Tier 1 - Living Building Full Certification, Living Building Petal Certification, Living Building Net Zero, Built Green Emerald Star –Calculated with entire parcel area.	0.3
	Tier 2 - Built Green 5 Star, LEED Platinum – Calculated with entire parcel area.	0.1
	Tier 3 – Built Green 4 Star, LEED Gold – Calculated with entire parcel area.	0.05

Figure 20.25A.120.6
Equivalent square footage of trees and large shrubs

Shrub/Tree	**Equivalent Square Feet**
Large shrubs or large perennials	12 square feet per plant
Small trees (1)	90 square feet per tree
Medium trees (1)	230 square feet per tree

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Large trees (1)	350 square feet per tree
Existing large trees	20 square feet per inch of trunk diameter 4.5 feet above grade

(1) The Director or his designee will determine which tree species are small, medium and large within the meaning of this table.

[INSERT GRAPHIC SHOWING HOW GREEN FACTOR WORKS/APPLIES]

Heritage Trees and Landmark Trees -TBD

20.25A.130 Mechanical Equipment Screening and Location Standards. (Moved from 20.25A.045, Early Win)

A. Applicability.

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

B. Location Requirements.

1. To the maximum extent reasonable and consistent with building and site design objectives, mechanical equipment shall be located in the building, below grade, or on the roof.

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

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

C. Screening Requirements.

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

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

b. Vegetation or a combination of vegetation and view-obscuring fencing shall be of a type and size that provides a visual barrier at least as high as the equipment it screens and provides 50 percent screening at the time of planting and a dense visual barrier within three years from the time of planting.

c. Screening graphics may be used for at-grade utility boxes.

2. Mechanical equipment shall be screened from above by incorporating one of the following measures, in order of preference:

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

b. Painting of the equipment to match or approximate the color of the background against which the equipment is viewed;

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

i. The existing roof structure cannot safely support the required screening, or

ii. The integrity of the existing roof will be so compromised by the required screening as to adversely affect any existing warranty on the performance of the roof.

[INSERT GRAPHIC FOR MECHANICAL SCREENING]

D. Exhaust Control Standards.

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

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

a. On the building roof;

b. On the service drive, alley, or other façade that does not abut a public street, sidewalk or right-of-way;

c. Located above a driveway or service drive to the property such as a parking garage or service court; or

d. Location that abuts a public street or easement; provided, that the exhaust discharge is not directly above an element that has earned FAR Amenity Incentive System points, such as a public plaza.

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

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

E. Modifications.

The location and screening of mechanical equipment and exhaust systems is subject to review and approval at the time of land use review. The Director may approve an administrative departure pursuant to LUC 20.25A.030.D.1. if the applicant demonstrates that the alternate location or screening measures provide an equal or better result than the requirements of this section.

F. Noise Requirements.

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

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

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20.25A.140 Downtown Design Guidelines Introduction. (New)

The Downtown Design Guidelines have the following predominant goals:

A. To ensure that Downtown is viable, livable, memorable, and accessible.
B. To promote design excellence, innovation, and reinforce a sense of place for Downtown.
C. To improve the walkability, streetscapes, and public spaces for Downtown residents, employees and visitors.
D. To foster a vibrant pedestrian environment by providing a welcoming streetscape with Active Uses, open spaces, street furniture, landscaping, and pedestrian-scaled amenities.
E. To improve connectivity through Downtown and from Downtown to adjacent neighborhoods.
F. To encourage sustainable and green design features, including those that promote water, resource, and energy conservation.
G. To encourage the design of attractive rooftops that contribute to a memorable Downtown skyline.
H. To advance the theme of "City in a Park" for Downtown, create more green features and public open space, and promote connections to the rest of the park and open space system.

20.25A.150 Context. (New)

A. Relationship to Height and Form of Other Development.

1. Intent. Each new development provides an opportunity to enhance the aesthetic quality of Downtown and its architectural context. The relationship has to its environment is a part of creating a well-designed, accessible, vibrant community.

2. Guidelines.

a. Architectural elements should enhance, not detract from, the area's overall character;
b. Locate the bulk of height and density in multi-building projects away from lower intensity land use districts;
c. Minimize offsite impacts from new development, such as lights and noise, by directing them away from adjacent properties and less intense uses;
d. Incorporate architectural elements used at a scale and level of detailing proportionate to the size of the building; and
e. Use forms, proportions, articulation, materials, colors and architectural motifs that are suggested by and complement adjacent buildings.

[INSERT GRAPHIC RELATIONSHIP TO OTHER DEVELOPMENT]

B. Relationship to Publicly Accessible Open Spaces

1. Intent. Publicly accessible open spaces are provided for public enjoyment and are an area of respite for those who live and work in the area. Publicly accessible open spaces provide numerous benefits for people including: active and passive recreation, a place to sit and gather, a place for events, and relief from the built environment. Any negative impacts from new projects to adjacent publicly accessible spaces should be minimized.

2. Guidelines.

a. Organize buildings and site features to preserve and maximize solar access into existing public open spaces wherever possible;

b. When designing a project base or podium, strive to enhance the user's experience of an adjacent public open space. For example, views of an adjacent public open space can be framed by new development; and
c. Promote use and accessibility of publicly accessible open spaces through site and building design.

C. Relationship to Transportation Elements

1. Intent. Downtown residents, employees, and visitors depend on safe, inviting, efficient transportation options. New development is a key link in creating a reliable transportation system with connections to different modes of transportation that place an emphasis on safety for the pedestrian.

2. Guidelines.

a. Create logical connections to transit options, walking and biking trails, pedestrian routes, and streets; and
b. Coordinate service and parking access to maximize efficiency and minimize negative impacts on adjacent land uses and the public realm.

[INSERT GRAPHIC OF PLAN VIEW OF CONNECTIVITY AND GATEWAYS]

D. Emphasize Gateways

1. **Intent:** Entrances and transitions into and within Downtown should be celebrated.
2. **Guideline:** Use architectural and landscape elements to emphasize gateways. Pedestrians, cyclists, transit passengers, and motorists should experience a sense of "entering" or moving into Downtown, as well as entry into unique neighborhoods in Downtown. Refer to the Gateways and Wayfinding section of the Downtown Subarea Plan in the City of Bellevue Comprehensive Plan for a map of gateways.

E. Maximize Sunlight on Surrounding Area

1. Intent. Outdoor spaces are more enjoyable and functional if they are filled with sunlight. Loss of sunlight and sky view reduces the comfort, quality, and use of publicly accessible open space. Trees and vegetation need sunlight to thrive.

2. Guidelines.

a. Evaluate alternative placement and massing concepts for individual building sites at the scale of the block to secure the greatest amount of sunlight and sky view in the surrounding area;
b. Maximize sunlight and sky view for people in adjacent developments and streetscape; and
c. Minimize the size of shadows and length of time that they are cast on pedestrians in the streetscape.

[INSERT GRAPHIC-SITE TO SITE /SHADE AND SHADOW]

20.25A.160 Site Organization. (New)

A. Introduction

Downtown Bellevue is unique in its 600-foot superblock configuration. These large blocks, which constitute the majority of the blocks in Downtown, create greater flexibility in site design. However, they create a greater need to provide for street activation and coordinated internal circulation.

B. On-Site Circulation

1. Intent. The vitality and livability of Downtown is dependent on a safe, walkable environment that prioritizes the pedestrian and reduces conflicts between pedestrians and other modes of transportation. The design should encourage the free flow of pedestrians, cyclists and cars onto, off, and through the site. Walkability includes the creation of through-block pedestrian connections and other paths that offer attractive and convenient connections away from heavy arterial traffic. These connections also break down superblocks into a pedestrian-friendly grid.

2. Guidelines.

a. Site Circulation for Servicing and Parking.

i. Provide access to site servicing and parking at the rear of the building from a lane or shared driveway, if possible;

ii. Provide access to site servicing, such as loading, servicing, utilities, vehicle parking, either underground or within the building mass and away from the public realm and public view;

iii. Minimize the area of the site used for servicing through the use of shared infrastructure and shared driveways;

iv. Provide service access through the use of through-lanes rather than vehicle turnarounds, if possible; and

v. Locate above-ground mechanical and site servicing equipment away from the public sidewalk, through-block connections, and open spaces.

b. On-site Passenger and Guest Loading Zones, Porte Cocheres, and Taxi Stands

i. Plan for increased activity found in passenger and guest loading areas during site plan development. Loading functions must take place on private property, except as provided below;

ii. Locate passenger and guest loading zones and taxi stands so that the public right-of-way will remain clear at all times;

iii. Locate passenger and guest loading zones and taxi stands to minimize conflicts with pedestrians and other modes of transportation. Limit the number and width of curb cuts and vehicular entries to promote street wall continuity and reduce conflicts with pedestrians, bicyclists, and other modes of transportation;

iv. Walkways shall be placed to provide pedestrian access from the public sidewalk to the building entry without requiring pedestrians to walk in the driveway or come into conflict with vehicles;

v. Pull-through drives should have one lane that is one way where they enter from and exit to the street;

vi. Long-term parking is not allowed in passenger and guest loading areas;

vii. If private bus activity is anticipated, provide an off-street passenger loading area for this size of a vehicle. Passenger loading functions may not take place in the public right-of-way; and

viii. Passenger loading functions for hotels, other than guest arrival and departure, are allowed on streets with moderate intensity, such as a C Right-of-Way, via a curb setback loading area. Provided: the loading area must have a direct relationship to the building entry, and the required streetscape (curb, sidewalk, and planting strip) widths must be maintained between the loading area and building entries, and the Director of Transportation has approved the configuration.

[INSERT GRAPHIC LOADING AREA]

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c. Pedestrian and Cycling Connections

i. Include direct, logical, safe, and continuous routes for pedestrians and cyclists;

ii. Provide pedestrian access through the site that is available to all and consistent with the Americans with Disabilities Act;

iii. Include landscaping, pedestrian-scale lighting, and other amenities that enhance use of such connections during every season; and

iv. Locate bicycle parking so that it has direct and visible access to the public street, building entrances, transit, and other bicycle infrastructure.

[INSERT GRAPHIC VIGNETTE OF PEDESTRIAN/CYCLING CONNECTIONS]

C. Building Entrances

1. Intent. Direct access from the public sidewalk to each building animates the street and encourages pedestrian activity to occur in the public realm rather than inside the building.

2. Guideline. Ensure that the primary building entrances front onto major public streets, are well-defined, clearly visible, and accessible from the adjacent public sidewalk.

D. Through-Block Pedestrian Connections. (Moved from 20.25A.060 Amended and Early Wins)

1. Through-Block Pedestrian Connection Map.
Figure 20.25A.160D.1

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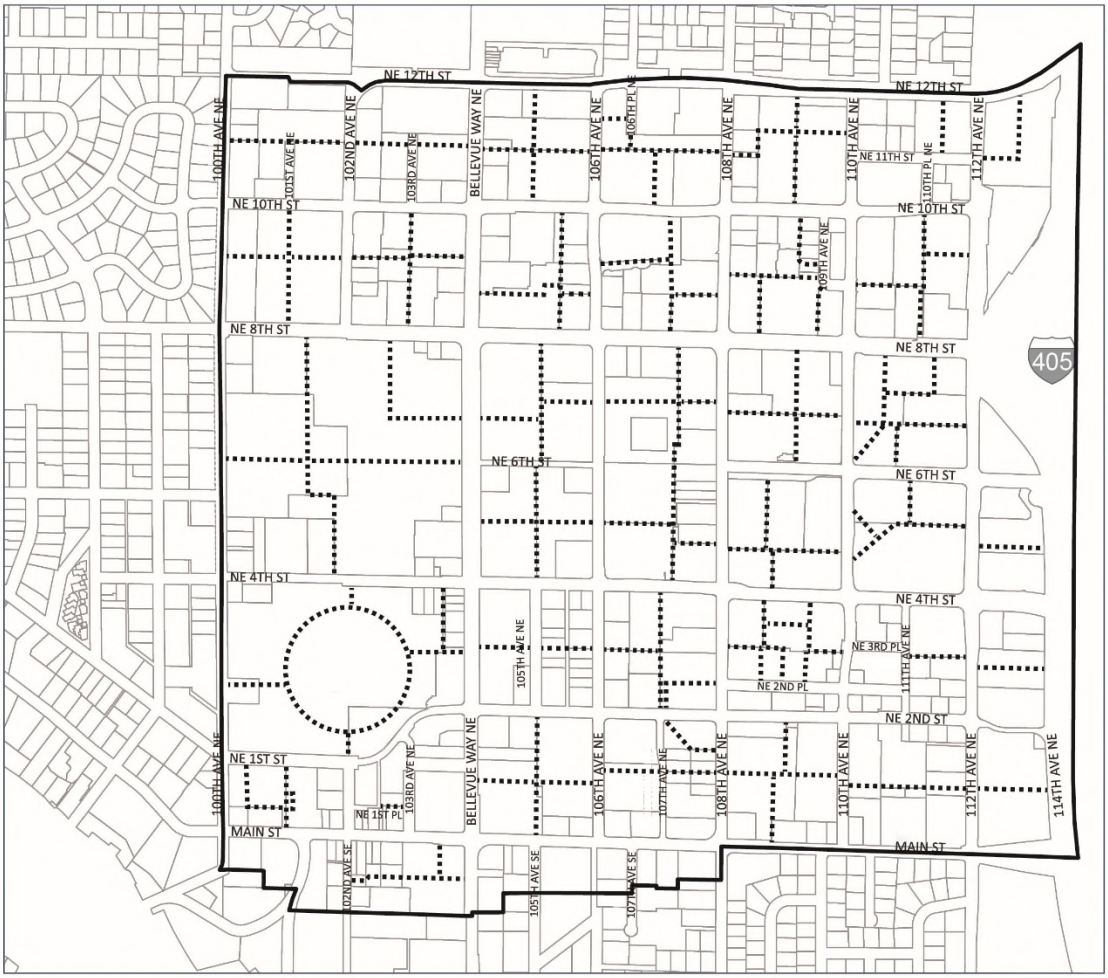

Date: September 2016

DOWNTOWN THROUGH-BLOCK CONNECTIONS

LEGEND

- Through-Block Connections
- Parcels
- Downtown Boundary

N

600 Feet

2. Intent. A through-block pedestrian connection provides an opportunity for increased pedestrian movement through superblocks in Downtown and helps to reduce the scale of the superblocks.

3. Standards.

a. Location. Through-block pedestrian connections are required in each superblock as provided in the map above. A through-block pedestrian connection shall be outdoors, except where it can only be accommodated indoors. The Director may approve a location shift on a through-block pedestrian connection provided that it provides similar pedestrian access as would have been required in the map above.

b. Proportionate Share. If a new development is built adjacent to a required through-block pedestrian connection as provided in the map in 20.25A.160.D.1, the applicant shall construct a proportionate share of the through-block pedestrian connection.

c. Hours. A through-block pedestrian connection shall be open to the public 24 hours a day. Provided, if the through-block pedestrian connection is within a building, its hours shall coincide with the hours during which the building is open to the public.

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

3. Guidelines. A through-block pedestrian connection should:

a. Form logical routes from its origin to its destination;
b. Offer diversity in terms of activities and pedestrian amenities;
c. Incorporate design elements of the adjacent right-of-way, such as paving, lighting, landscaping, and signage to identify the through-block pedestrian connection as a public space;
d. Accentuate and enhance access to the through-block pedestrian connection from the right-of-way by use of multiple points of entry that identify it as a public space;
e. Be identified as a public space through clear, visible signage;
f. Provide lighting that is pedestrian-scaled, compatible with the landscape design, and that improves safety;
g. Provide high quality design and durable materials;
h. Provide landscaping to define and animate the space wherever possible; Incorporate trees and landscaping to provide enclosure and soften the experience of the built environment;
i. The use of artistic elements and water features is encouraged to provide moments of interest for the user;
j. Provide access that complies with the Americans with Disabilities Act, additional access may be provided through the building, if necessary to meet this requirement;
k. Provide weather protection for pedestrians at key intersections, building entrances, or points of interest;
l. Be developed as a walkway or a combination walkway and vehicular lane. If the combination walkway and vehicular lane does not have a separate raised walkway,

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the walkway surface must be paved with unit paver blocks or other unique paving surface to indicate that it is a pedestrian area;

m. Incorporate decorative lighting and seating areas; and

n. Be visible from surrounding spaces and uses. Provide windows, doorways and other devices on the through-block connection to ensure that the connection is used and not isolated from view.

E. Open Space

1. **Intent:** Open space is an integral part of a livable urban environment because it provides people a place for recreation, gathering, and reflection in a built environment. A vibrant Downtown includes open space that encourages active and passive recreation, spontaneous and planned events, and the preservation of the natural environment.
2. **Guidelines.**
   a. Site and building design should capitalize on significant elements of the natural environment, planned parks, and open space. Designs should incorporate open space amenities for residents, employees, and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments;
   b. Orient gathering places and walkways toward parks and open spaces. Provide clear and convenient public access to open space amenities;
   c. Include elements that engage the natural environment where the sight, sound, and feel of nature can be directly experienced;
   d. Locate buildings to take maximum advantage of adjacent open spaces.
   e. Create attractive views and focal points;
   f. Use publicly accessible open space to provide through-block pedestrian connections where possible;
   g. Include features and programming opportunities to encourage year-round use;
   h. Define and animate the edges of publicly accessible open space with well-proportioned base buildings, permeable facades, and Active Uses at-grade;
   i. Provide access that complies with the Americans with Disabilities Act, additional access may be provided through the building if necessary to meet this requirement;
   j. Provide weather protection for pedestrians at key intersections, building entrances, and points of interest;
   k. Use artistic elements and water features where possible.
   l. Use design elements, such as surface materials, furnishings, landscaping and pedestrian-scale lighting that are high-quality, functional, and environmentally sustainable; and
   m. Maximize safety and comfort by including access to sunlight, clear views to and from adjacent streets and buildings, compliance with the Americans with Disabilities Act, and protection from wind and inclement weather; and
   n. Design for events where feasible by providing electrical hookups and areas for staging.
   o. Employ decorative lighting.

[INSERT GRAPHIC VISIBILITY FROM SIDEWALK OR THROUGH-BLOCK CONNECTION]

20.25A.170 Streetscape and Public Realm

A. Streetscapes

1. Define the Pedestrian Environment.

a. Intent.

A building should provide a continuous, visually rich pedestrian experience along its ground-floor street front.

b. Guidelines.

i. The most important part of a building to a pedestrian is its ground floor which a person experiences walking past or entering the building. This "pedestrian experience zone" should provide a sense of enclosure, and a continuous and comfortable street edge for the pedestrian. Ground floor building transparency should foster interaction between the public and private realms;
ii. Provide windows that are transparent or have displays at the street level;
iii. Create visual interest on walls by using a variety of forms, colors, and compatible cladding materials;
iv. Facades should provide a provide a varied pedestrian experience by using bays, columns, pilasters, or other articulation at the street level;
v. Weather protection should help to define the upper edge of the pedestrian experience zone. A change in materials and scale will further defined this zone; and
vi. Signs and lighting at the ground level should complement the pedestrian scale; and
vii. Provide building edges that maintain strong visual and physical connections to the sidewalk.

[INSERT GRAPHIC – STREETSCAPE "ROOM"]

2. Protect Pedestrians from the Elements.

a. Intent.

Provide pedestrians with protection from wind, sun, and rain.

b. Guidelines.

i. Awnings and marquees are encouraged along the ground floor of buildings to protect pedestrians from rain and provide shade in summer;
ii. The design of awnings and canopies should be an integral component of the building façade;
iii. Awnings should be in proportion to the building and sidewalk, and not so large as to impact street trees, light fixtures, or other street furniture;
iv. Awnings should assist in providing a sense of enclosure for the pedestrian;
v. Use durable materials for awnings;
vi. Awning and marquee designs must be coordinated with building design.
vii. Minimum height for awnings or marquees is 8 feet above finished grade, or 8 feet above the upper level walk except as otherwise required in the International Building Code, as adopted and amended by the City of Bellevue.
viii. Maximum height for awnings or marquees is 12 feet above finished grade or 12 feet above the upper level walk; and
ix. Weather protection should follow the pattern of storefronts.

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3. Create a Variety of Outdoor Spaces.

a. Intent.

Provide comfortable and inviting outdoor spaces for a variety of activities during all hours and seasons.

b. Guidelines.

i. Outdoor gathering spaces should be inviting and maximize opportunities for use. They should be spatially well-defined, inviting, secure, easy to maintain. They may be intimate and quiet or active and boisterous;
ii. All outdoor areas should work well for pedestrians and provide space for special events, as well as passive activities;
iii. Provide courtyards, squares, and plazas to enhance adjacent ground floor uses.
iv. Use buildings to surround green spaces and give the space visual definition. Vitality can be generated by active ground floor uses and programming within the space;
v. Use trees, shrubs, and plants to help define walkways, create transitions from open spaces to the street, and provide visual interest;
vi. Provide for outdoor spaces that can support active uses such as farmers' markets, festivals, and community events.
vii. Provide structures, pavilions, and seating areas that are easily accessible and feel safe and secure during day and evening hours; and
viii. Provide pedestrian walkways and courtyards in residential or office development areas.

[INSERT GRAPHIC VARIETY OF OPEN SPACES]

4. Provide Places for Stopping and Viewing.

a. Intent.

People-watching, socializing, and eating are restful and pleasurable activities for the pedestrian; providing special places where they can do these activities increases the pedestrian's sense of enjoyment. Seating and resting places can add vitality to the urban environment. People will use available seating in open, well-designed areas, not in secluded or highly exposed areas.

b. Guidelines.

i. Use formal benches, moveable seating, and informal seating areas such as wide steps, edges of landscaped planters and low walls;
ii. Provide more seating areas near active retail establishments especially outside eating and drinking establishments and near food vendors;
iii. Provide seating adjacent to sidewalks and pedestrian walkways;
iv. Create places for stopping and viewing adjacent to and within parks, squares, plazas, and courtyards; and
v. Create a sense of separation from vehicular traffic.
vi. Provide comfortable and inviting places where people can stop to sit, rest and visit.

5. Integrate Artistic Elements.

a. Intent.

Artistic elements should complement the character of a site, building or district as a whole. Art enriches the development by making buildings and open spaces more engaging and memorable. Art is integral to creating a memorable experience for those who live, work, and visit Downtown, especially when the art is integrated into the design of the building or outdoor space. To maximize the opportunities for art on a site, applicants are encouraged to include artists on design teams.

b. Guidelines.

i. Use art to provide a conceptual framework to organize open spaces including plazas, open spaces, setbacks, and streetscapes;
ii. Use art to mark entryways, corners, gateways and view termini;
iii. Integrate art into building elements, including but not limited to: facades, canopies, lighting, etc.;
iv. Designate a location for the artwork that activates the public realm and is in scale with its location;
v. Use materials and methods that will withstand public use and weathering if sited outdoors.

[INSERT GRAPHIC STREET WITH POTENTIAL SPACES FOR ART]

6. Orient Lighting toward Sidewalks and Public Spaces.

a. Intent.

Pedestrian-scaled lighting should be used to highlight sidewalks, street trees, and other features, and harmonize with other visual elements in the subarea.

b. Guidelines.

i. Pedestrian-scaled lighting should be provided along pedestrian walkways and public open spaces;
ii. Lighting should be compatible among projects within neighborhood districts to accentuate the subareas.
iii. Fixtures should be visually quiet as to not overpower or dominate the streetscape.
iv. Lighting may also be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas and to create an inviting and safe ambiance;
v. Use lighting to highlight landscape areas.
vi. Integrate and conceal fixtures into the design of buildings or landscape walls, handrails, and stairways;
vii. Install foot lighting that illuminates walkways and stairs;
viii. Use energy-efficient lighting, such as LED;
ix. Direct bollard lighting downward toward walking surfaces;
x. Provide festive lighting along signature streets on buildings and trees;
xi. Decorative lighting may be used in open spaces to make the area more welcoming.

7. Orient Hanging and Blade Signs to Pedestrians.

a. Intent.

Hanging signs should be oriented to the pedestrian and highly visible from the sidewalk. Hanging signs can contribute significantly to a positive retail and pedestrian environment and reinforce a sense of place.

b. Guideline.

i. Signs should not overwhelm the streetscape. They should be compatible with and complement the building's architecture, including its awnings, canopies, lighting, and street furniture;
ii. Sign lighting should be integrated into the facade of the building;
iii. Signs should be constructed of high-quality materials and finishes; and
iv. Signs should be attached to the building in a durable fashion.

[INSERT GRAPHIC –INTEGRATED SIGN]

B. Right-of-Way Designations

Introduction: The Right-of-Way Designations provide design guidelines for the streetscape organized by Downtown streets. These designations are a representation of the Downtown vision for the future, rather than what currently exists. The designations creates a hierarchy of rights-of-way reflecting the intensity of pedestrian activity. The "A" Rights-of-Way are those streets that have the highest amount of pedestrian activity, while the "D" Rights-of Way would have a smaller amount of pedestrian activity. These guidelines are intended to provide activity, enclosure, and protection on the sidewalk for the pedestrian.

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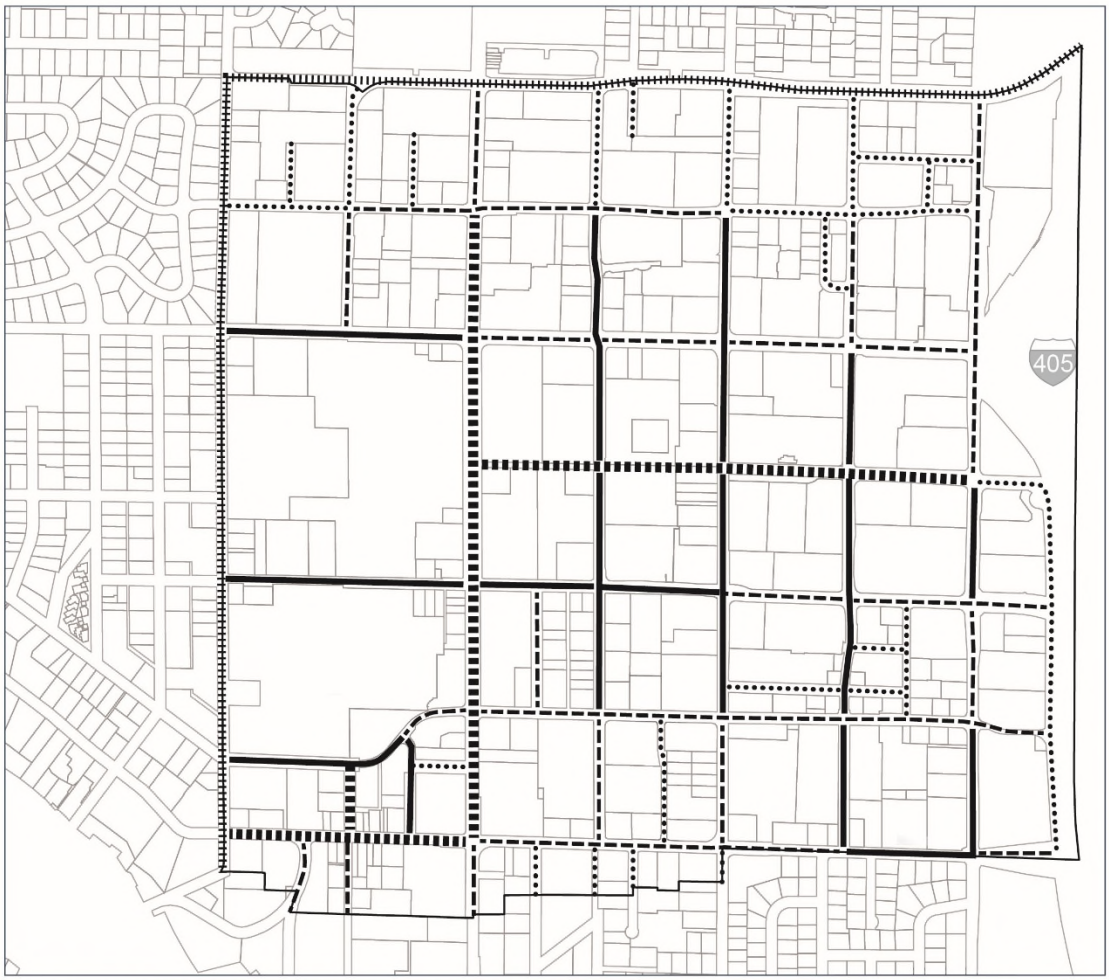
Figure 20.25A.170.B



DOWNTOWN BUILDING/SIDEWALK RELATIONSHIP DESIGNATIONS

LEGEND

N

600 Feet

- A - Pedestrian Corridor/High Street
- B - Commercial Street
- C - Mixed Street
- D - Neighborhood Street
- E - Perimeter Street
- Parcels
- Downtown Boundary

Date: September 2016

1. Pedestrian Corridor / High Streets - A Rights-of-Way

a. Intent. Rights-of-way designated 'A' shall have the highest orientation to pedestrians. This shall be achieved by emphasizing the design relationship between the first level of the structure and the space between the structure and the curb line. This relationship should emphasize to the greatest extent possible, both the physical and visual access into and from the structure, as well as the amenities and features of the outside pedestrian space. In order to achieve the intended level of vitality, design diversity, and people activity on an 'A' right-of-way, Active Uses shall be provided for in the design.

b. Standards and Guidelines

i. Transparency: 75% minimum.

ii. Weather Protection: 75% minimum, 6 feet deep. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation.

iii. Points of Interest: Every 30 linear feet of the façade, maximum;

iv. Vehicular Parking: No surface parking or vehicle access shall be allowed directly between sidewalk and main pedestrian entrance; and

v. 100 % of the street wall within the project limit shall incorporate Active Uses.

2. Commercial Streets - B Rights-of Way

a. Intent. Rights-of-way designated 'B' shall have moderate to heavy orientation to pedestrians. This shall be achieved by developing the design so that there is a close relationship between exterior and interior activities with respect to both physical and visual access. Design attention should be given to sidewalk related activities and amenities. 'B' rights-of-way are intended to provide a diverse and active connection between the Active Uses of 'A' rights-of-way and other Downtown streets.

b. Standards and Guidelines.

i. Transparency: 75% minimum;

ii. Weather Protection: 75% minimum, 6 feet deep minimum. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation;

iii. Points of Interest: Every 60 linear feet of the façade, maximum;

iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance; and

v. 100% of the street wall shall incorporate Active Uses and service uses, at least 50% percent of which shall be Active Uses.

3. Mixed Streets - C Rights-of-Way

a. Intent. Rights-of-way designated 'C' shall have moderate orientation to pedestrians. This shall be achieved by designing some relationship between exterior and interior

activities with respect to visual access. Design attention should be given to sidewalk related activities and amenities. 'C' rights-of-way are to provide a major pedestrian connection between the core area and residential areas surrounding Downtown.

b. Standards and Guidelines.

i. Transparency: 50%;
ii. Weather Protection: 75%. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation;
iii. Points of Interest: 75 linear feet of façade, maximum; and
iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.

4. Neighborhood Streets - D Rights-of-Way.

a. Intent. Rights-of-way designated 'D' shall have low to moderate orientation to pedestrians and shall complement residential uses. This shall be achieved be designing some relationship between exterior and interior activities with respect to visual access and by incorporating landscape features that soften the urban edge. Design attention should be given to sidewalk related activities and amenities that complement these areas' residential character and moderate the urban environment, while providing attractive visual access for pedestrians and other passersby.

b. Standards and Guidelines.

i. Transparency: Blank walls and inactive uses may occupy no more than 25% of the façade;
ii. Weather Protection: 50%. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation;
iii. Points of Interest: 90 linear feet of façade, maximum; and
iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.

5. Perimeter Streets – E Rights-of-Way.

a. Intent. Rights-of-way designated 'E' may have a lower volume of pedestrians. Such rights-of-way are intended to provide a visual buffer between the downtown and surrounding residential neighborhoods. Emphasis shall be placed on how the street is viewed from outside the Downtown. These streets should provide a graceful transition to adjacent residential districts.

b. Standards and Guidelines.

i. Transparency: Blank walls and inactive uses may occupy 25% of the façade;
ii. Weather Protection: At entries;
iii. Points of Interest: Every 90 linear feet of façade, maximum; and
iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.

[INSERT GRAPHICS FOR EACH KIND OF RIGHT-OF-WAY]

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C. Alleys with Addresses

1. Intent:

Alleys with Addresses act as active through-block connections and are faced with a mix of retail activity and residential uses. Alleys with Addresses shall have a high orientation to pedestrians with any vehicular activity being secondary to the pedestrian. This is achieved by emphasizing the relationship between the vertical street wall and the ground plane devoted to through-block access and the public right-of-way. This relationship should emphasize to the greatest extent possible, both physical and visual access into and from the structure at frequent intervals, as well as the amenities and features of the outside pedestrian space. In order to achieve the intended level of vitality, design diversity, and pedestrian activity on an Alley with an Address, retail restaurant, and other commercial entries shall be provided for in the design. Ground floor live/work units and residential units with stoops can also help to bring life to the paths with multiple entrances and meaningful transparency along the building frontage.

2. Standards:

a. At least one entire side of the Alley with an Address shall comply with guidelines i. through v. for 'A' rights-of-way.
b. Minimum dimension for an alley with an address should be 20 feet wide exclusive of drive lane widths.
c. Alleys with Addresses should be open to the public 24 hours a day and 7 days a week. Signs should be posted in clear view stating the Alley with an Address is open to the public during these hours.
d. Each tenant space should have an exterior entrance facing onto the alley and be addressed off the alley.

3. Guidelines:

a. Materials and design elements such as paving, lighting, landscaping, and signage should incorporate design elements of the adjacent right-of-way to identify it as part of the public realm.
b. The Alley with an Address may be covered in some areas but may not be predominantly enclosed.
c. Access from the public right-of-way should be encouraged and enhanced by multiple clear points of entry that identify the Alley as a public space. Access through the site should form a clear circulation logic with the street grid.
d. Wayfinding, signage, symbols and lighting should identify the alley as a public space.
e. Design of the ground level and upper level retail should relate to the alley and be distinct from the rest of the building. This can be achieved through the use of common architectural style, building materials, articulation, and color.
f. Variation shall be incorporated into the design by including dimensional and level changes at both the ground plain and building walls.
g. Pedestrian-oriented lighting should be provided that is compatible with the landscape design, improves safety and minimizes glare. Design should be high quality, and materials should be durable and convey a sense of permanence.
h. Landscaping shall be used to animate and soften the space. The use of art and water is also encouraged.
i. Alley design should not incorporate loading, refuse handling, parking, and other building and site service uses at the ground level facade, though such activities may

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be conducted in an Alley when reasonable alternatives are not available. Operational procedures should encourage the above-referenced activities after normal business hours.

j. Provide complete project design for all phases within a project limit to ensure coordinated design and construction across multiple phases.

[INSERT GRAPHIC-VIGNETTE OF ALLEY WITH ADDRESS]

D. Upper Level Retail

1. Intent.

Upper level retail is intended to activate the ground level pedestrian environment. This is accomplished through extensive visual access to the upper level from the exterior, convenient and frequent access from the street or Alley with an Address, clear line of sight from grade and visibility of ongoing activity within the upper level retail. Upper level retail should be designed and managed so as to draw the attention and interest of the pedestrian to the upper level and to increase opportunities for interaction and movement between the ground and upper levels. In order to achieve the intended level of vitality, design diversity, and people activity at upper level retail the following characteristics should be provided in the design.

2. Guidelines.

a. Architectural treatment of the upper level retail space should read as part of the ground level and be distinct from the architectural treatment of the building above.

b. Extensive visual access into the upper level retail space should be available from the sidewalk or the alley with an address with frequent clear lines of sight from grade.

c. Lighting and signage should be used to enliven and draw attention to upper level arcade or balcony, or directly through ground level retail for a multilevel single tenant.

3. Standards.

a. Points of physical vertical access between the ground level and upper levels should be located no more than 150 feet apart to facilitate frequent pedestrian access to upper level retail.

b. Each tenant space should have an exterior entrance.

c. Floor area and building facade directly below upper level retail must comply with guidelines for Pedestrian Corridor / High Streets - A rights-of-way.

d. Visual access should not be impaired by small, enclosed display windows, window coverings and tinted or reflective glazing.

[INSERT GRAPHIC VIGNETTE OF UPPER LEVEL RETAIL]

20.25A.180 Building Design (Base, Middle, and Top) (new)

A. Introduction

A tall building should consist of three carefully integrated parts: a building base, middle, and top.

B. Overall Building Design

1. Encourage High Quality Materials.

a. Intent.

Create a sense of permanence in Downtown through the use of high quality building materials. Quality facade materials can provide a sense of permanence and bring life and warmth to a neighborhood. Facade and building materials must enhance the street environment while complementing the aesthetic quality of adjacent buildings.

b. Guidelines.

i. Articulation of façade materials should be bold, with materials that demonstrate depth, quality and durability;
ii. It should be apparent that the materials have substance and mass, and are not artificial, thin "stage sets" applied only to the building's surface;
iii. Use natural high quality materials such as brick, finished concrete, stone, terra cotta, cement stucco, and wood in natural or subdued building colors; and
iv. Use varied, yet compatible cladding materials. Window and storefront trim should be well-defined and contribute to the overall aesthetic quality.

2. Provide Interesting Building Massing.

a. Intent.

Use scale-defining articulation and other techniques to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure and human scale by establishing a dynamic, continuous street edge.

b. Guideline.

i. The length and breadth of a building should be pedestrian-scaled. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and recesses. This results in larger elevations being reduced to human scale;
ii. Vertical and horizontal elements should be used to create a human scale and form a coherent aesthetic providing visual interest to the pedestrian;
iii. Reduce the scale of elevations both horizontally and vertically;
iv. Buildings over three stories should exhibit a vertically articulated tripartite facade division – base, middle, and top through material and scale; and
v. Design should feature vertical articulation of windows, columns, and bays.

C. Building Base (Podium)

1. Introduction. The role of the building base is to relate tall buildings to the human scale and fit harmoniously within the existing or planned street wall context; define the edges of adjacent streets, parks, and open space in good proportion; and maintain access to sunlight for pedestrians, open and public spaces, and adjacent properties.

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2. Articulate the building base with high-quality materials and design elements that fit with the aesthetic quality of neighboring buildings and contribute to the pedestrian scale and experience.

a. Intent.

The building façade should provide architectural expression that relates to its surroundings and include materials and elements that can be viewed and appreciated at the speed, scale, and proximity of the pedestrians.

b. Guidelines.

i. Provide architectural expression and design elements such as cornice lines, window bays, entrances, canopies, building materials, and fenestration, in a pattern, scale, and proportion that relate to neighboring buildings and engages pedestrians;
ii. Use high-quality, durable materials, an appropriate variety in texture, and carefully crafted details to achieve visual interest and longevity for the façade. Environmentally sustainable materials and construction methods are encouraged; and
iii. A building's profile should be compatible with the intended character of the area and enhance the streetscape. In some cases, it may be appropriate to mark an entryway with a distinct form, such as a tower, to emphasize the significance of the building entry;

3. Provide clear, unobstructed views into and out from ground floor uses facing the public realm.

a. Intent.

At street level a series of unobstructed views into and out of buildings enriches the urban experience for pedestrians and building occupants. Transparency enhances visual interest, vitality, and increases safety for all.

b. Guidelines.

i. Transparent windows should be provided on facades facing streets, parks, and open spaces;
ii. Views into and out from ground floor Active Uses may not be obstructed by window coverings, internal furnishings, or walls.
iii. Interior walls may be placed a minimum of 20 feet from the window on the façade where Active Uses are a part of a retail exemption in the FAR Amenity System.

[INSERT GRAPHIC FOR UNOBSTRUCTED VIEW]

4. Design Inviting Retail and Commercial Entries.

a. Intent.

Design retail and commercial entries to create an open atmosphere that draws customers inside, while creating opportunities to engage the public.

b. Guidelines.

i. Primary entries to retail and commercial establishments should be transparent, allowing passersby to see the activity within the building and bring life and vitality to the street;
ii. Architectural detail should be used to help emphasize the building entry including canopies, materials, and depth;
iii. Building lighting should emphasize entrances;
iv. Provide transom, side lights, or other combinations of transparency to create visual interest;
v. Provide double or multiple door entries; and
vi. Provide a diverse and engaging range of doors, openings and entrances to the street such as pivoting, sliding or roll up overhead entrances.

[INSERT GRAPHIC CAFÉ OPENING TO THE STREET]

3. Encourage Retail Corner Entries.

a. Intent.

Use corner entries to reinforce intersections as important places for pedestrian interaction and activity.

b. Guidelines.

i. Locate entry doors on the corners of retail buildings wherever possible. Entries at 45-degree angles and free of visual obstructions are encouraged;
ii. Locate primary building entrance at the corner;
iii. Use weather protection, special paving, and lighting, to emphasize corner entry;
iv. Use architectural detailing with materials, colors, and finishes that emphasize the corner entry; and
v. Use doors with areas of transparency and adjacent windows.

[INSERT GRAPHIC RETAIL CORNER ENTRY]

4. Encourage Inviting Ground Floor Retail and Commercial Windows.

a. Intent.

Use transparency to enhance visual interest and to draw people into retail and commercial uses.

b. Guideline.

i. Retail and commercial uses should use unobstructed windows that add activity and variety at the street level, inviting pedestrians into retail and commercial uses and providing views both in and out;
ii. Use clear window glazing;
iii. Provide operable windows that open by pivoting, sliding or shuttering for restaurants, cafes, retail and commercial activity;
iv. Install transom windows or other glazing combinations that promote visual interest.

5. Build Compatible Parking Structures.

a. Intent.

Use design elements to enhance the compatibility of parking structures with the urban streetscape.

b. Guidelines.

i. Parking structures should be designed so that their streetscape interface has a consistent aesthetic through massing and use of materials complementing the vision for the area;
ii. Any sidewalk facing parking garage frontages should be designed to appear like any other occupied buildings in the area;
iii. Where adjacent to the right-of-way or through-block pedestrian connections, a minimum of twenty feet of the first and second floors measured from the façade inward shall be habitable for commercial activity;
iv. Openings should be glazed to function as windows;
v. Stairways, elevators, and parking entries and exits should occur at mid-block;
vi. Design a single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated) and potential conflicts;
vii. Design should include vertical expression of building structure that provides continuity with the surrounding development; and
viii. Profiles of parking structure floors shall be concealed and not visible to the public through façade treatments and materiality.

[INSERT TWO GRAPHICS – HOW A PARKING GARAGE CAN APPEAR LIKE AN OCCUPIED BUILDING AND HOW TO CONCEAL PROFILES OF PARKING STRUCTURE FLOORS]

6. Integrate Building Lighting.

a. Intent.

Architectural lighting that enhances and helps articulate building design, including illumination of architectural features and entries, points of interest, uplighting and other effects.

b. Guideline.

i. Exterior lighting of buildings should be an integral component of the facade composition. Lighting should be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building;
ii. Lighting should not cast glare into residential units or onto adjacent development or streets;
iii. Use accent lighting for architectural features;
iv. Provide pedestrian-oriented lighting features;
v. Integrate lighting within the landscape; and
vi. Provide dimmable exterior lighting.

7. Sign Guidelines.

Intent.

Signs may provide an address, identify a place of business, locate residential buildings or generally offer directions and information. Their function should be architecturally compatible with and contribute to the character of the surrounding area. Signs can contribute significantly to a positive retail and pedestrian environment, improve public safety perceptions, and reinforce a sense of place.

8. Consider Size and Placement of Wall Signs.

a. Intent.

Signs should be sized and placed so that they are compatible with a building's architectural design and contribute to the character of the subarea.

b. Guidelines.

i. Signs should be proportional to the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification;
ii. Signs incorporated into the building architecture as embossing, low relief casting or application to wall surfaces;
iii. Signs should be made of durable and long lasting materials and should incorporate lighting as part of the design; and
iv. Signs may be located above storefronts, on columns or on walls flanking entrances.

9. Orient Hanging Signs to Pedestrians.

a. Intent.

To create hanging signs that are oriented to the pedestrian and highly visible from the sidewalk. Hanging signs can contribute significantly to a positive retail and pedestrian environment and reinforce a sense of place.

b. Guidelines.

i. The scale of signs should not overwhelm the streetscape. They should be compatible with and complement the building's architecture, including its awnings, canopies, lighting and street furniture;
ii. Integrate sign lighting into the facade of the building;
iii. Signs should be constructed of high-quality materials and finishes; and
iv. Signs should be attached to the building in a durable fashion.

D. Middle (Tower)

1. Tower Placement

a. Intent.

Tower placement can directly affect those on the ground plane by affecting wind conditions and the scale of the building as compared to the pedestrian. Thoughtful tower placement can minimize these effects.

b. Guidelines.

i. Place towers away from parks, open space, and neighboring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm.
ii. Coordinate tower placement with other towers on the same block and adjacent blocks to maximize access to sunlight and sky view for surrounding streets, parks, open space, and properties.

[INSERT GRAPHIC SITE ORGANIZATION]

2. Maximize energy efficiency in tower orientation and articulation.

a. Intent.

Tower orientation, articulation and other features should be designed to respond to maximize solar orientation and to reduce mechanical heating and cooling.

b. Guidelines.

i. Orient towers to improve building energy performance, natural ventilation, and daylighting, provided that access to sky view is maintained and adverse wind and shadow impacts are minimized;
ii. Vary the design and articulation of each tower façade to respond to changes in solar orientation. Where appropriate, adjust internal layouts, glazing ratios, balcony placement, fenestration, and other aspects of the tower design to manage passive solar gain and improve building energy performance;
iii. Where possible, include operable windows to provide natural ventilation and help reduce mechanical heating and cooling requirements; and
iv. When multiple towers are proposed, stagger the tower heights to create visual interest within the skyline, mitigate wind, and improve access to sunlight and sky view. In general, variation of five stories or more provides a difference in height that can be perceived at street level.

[INSERT GRAPHIC TOWER ORIENTATION]

3. Design tower to provide visual interest and articulation.

a. Intent.

Tower design should incorporate articulation, design excellence, and sustainable materials.

b. Guidelines.

i. Incorporate variation and articulation in the design of each tower façade to provide visual interest and to respond to design opportunities and different conditions within the adjacent context; and
ii. Articulate tall building towers with high-quality, sustainable materials and finishes to promote design excellence, innovation, and building longevity.

4. Design towers to accommodate changing occupancy requirements.

a. Intent.

Flexible floor plate and internal layout design features in towers will accommodate changing occupancy requirements.

b. Guideline.

Where possible, provide internal flexibility within the tower to accommodate changing floor layouts and uses over time. In residential and mixed-use buildings, the inclusion of "break-out" panels or other relevant construction techniques are encouraged to allow residential units to be converted or combined to meet changing occupancy requirements.

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5. Promote Visually Interesting Upper Floor Residential Windows.

a. Intent.

Upper floor residential windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.

b. Guidelines.

i. The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows;
ii. Windows should have multiple lights or divisions;
iii. Windows should be operable; and
iv. Windows should have trim round framed openings and be recessed from the building façade, not flush.

E. Top

1. Create Attractive Building Silhouettes and Rooflines.

a. Intent.

Building rooflines should enliven the pedestrian experience and provide visual interest with details that create dynamic and distinct forms.

b. Guidelines.

i. Building rooflines should be dynamic, fluid, and well-articulated to exhibit design excellence while creating a dynamic and attractive skyline;
ii. Include towers or similar vertical architectural expressions of important building functions such as entries;
iii. Vary roof line heights; and
iv. Incorporate well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines.

[INSERT GRAPHIC ARTICULATION]

2. Foster Attractive Rooftops.

a. Intent.

Integrate rooftop elements into the building design.

b. Guidelines.

i. Roof shape, surface materials, colors, and penthouse functions should all be integrated into the overall building design. LUC 20.25A.130 provides guidance for rooftop mechanical equipment;
ii. Provide rooftop terraces, gardens, and open spaces;
iii. Incorporate green roofs that reduce stormwater runoff; and
iv. Consolidate and screen mechanical units.

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v. Occupied rooftop amenity areas are encouraged provided that potential noise and light impacts on neighboring developments are minimized.

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