

CITY COUNCIL AGENDA TOPIC

Public Hearing and action on Ordinance relating to an Interim Official Control on Part 20.25A of the Land Use Code (LUC) that reinforces historical and cultural qualities in the Downtown-Old Bellevue (DT-OB) Land Use District, along Main Street between 100th Avenue and Bellevue Way, and requires that new development is compatible with adjacent development, unique design features, and established small-scale and pedestrian-oriented street frontage in Old Bellevue; renewing the Interim Official Control for an additional six-month time period; amending the Interim Official Control to impose specified design standards, updated requirements to document historic property, and encourage voluntary preservation of façades; providing for severability; and establishing an effective date.

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EXECUTIVE SUMMARY

On February 10 the City Council adopted Ordinance 6903 imposing an Interim Official Control (IOC) for the Downtown-Old Bellevue (DT-OB) Land Use District, along Main Street between 100th Avenue and Bellevue Way (IOC area). The IOC required preservation and protection of façades of older buildings in Old Bellevue and imposed temporary design guidelines while the city processes and considers permanent development regulations for Old Bellevue. This IOC Ordinance is provided as Attachment A.

ACTION

Under the requirements of the Growth Management Act (GMA) the city may extend the IOC for an additional six-month period if a subsequent public hearing is held and findings of fact are made prior to each renewal.

The city is currently developing permanent regulations for the IOC area as part of the Downtown Livability 2.0 legislative workplan. Based on public comments and Council feedback received during the March 24 public hearing, the modified IOC Ordinance incorporates amendments to the IOC for the council's consideration. The proposed amendments will minimize costs associated with façade preservation by ensuring that preservation remains voluntary and will strengthen the incentive option to make it more attractive. The amendments also clarify the design standards, making them more objective and easier to administer.

RECOMMENDATION

Hold the public hearing and, following the public hearing, adopt Ordinance 6929.

BACKGROUND/ANALYSIS

Background

On February 10, the council adopted IOC Ordinance No. 6903 for Main Street within Old Bellevue. The IOC area extends from 100th Avenue NE to Bellevue Way NE. The council also provided direction to update the city's permanent development regulations for Old Bellevue as part of the Downtown Livability 2.0 Land Use Code Amendment (LUCA). The IOC includes the following provisions:

- A requirement to preserve and protect historic façades within the IOC area.
- A requirement to evaluate and document whether a façade that is more than 50 years old has historic or cultural significance before it may be demolished.
- Bonus floor area ratio (FAR) incentive for compliance with preserving a building façade.
- Design standards related to façade proportions, storefront entrances, windows, and openings.

On March 24, the council held a public hearing on the IOC. During the hearing, members of the public expressed concerns regarding the façade preservation and documentation requirements. Commenters noted that not all older façades contribute to the historic or cultural character of the area, yet the IOC requires documentation to demonstrate that a façade lacks such significance before demolition may occur. Commenters also raised concerns that the façade protection requirement could increase project costs and cause delay.

Other comments addressed the IOC's design standards, specifically provisions requiring façade designs to be "similar to those of adjacent façades" and entrances to align with those of "adjacent buildings." Commenters stated that these standards may lack sufficient clarity and objectivity, which could make them difficult to interpret and implement consistently.

While a majority of the council supported the IOC and recognized the unique design features and historic qualities of Old Bellevue, councilmembers also raised concerns regarding the lack of public process and stakeholder engagement inherent in the IOC process, as well as the costs associated with a strict façade preservation requirement. In response to these concerns, staff prepared an amended IOC ordinance for council consideration.

The amended IOC ordinance includes the following changes:

- Replaces the requirement to preserve and protect a building's historic façade with a stronger incentive to encourage façade preservation and protection. The modified incentive now encourages preservation of qualifying façades and other significant design features by raising the FAR bonus from 40 bonus points per \$1,000 of documented construction costs to 100 bonus points per \$1,000 of qualifying expenditures.
- Replaces the requirement to evaluate and document whether a façade is more than 50 years old and has historic or cultural significance before it may be demolished with a historic property documentation requirement prior to demolition.
- Revises the IOC design standards to establish clear and objective requirements that maintain the rhythm of bays, entrances, columns, windows, and other vertical façade elements to ensure the scale and pattern of the historic streetscape remain legible when redevelopment occurs.

If adopted, the proposed Ordinance would amend and renew the IOC and extend its expiration date through February 17, 2027. Upon expiration of the IOC, the permanent development regulations in Part 20.25A of the Land Use Code, as adopted by the council, will govern development within the IOC area. The council has directed staff to update the city's permanent regulations for Old Bellevue, including the IOC area, through the Downtown Livability 2.0 legislative workplan. Staff anticipate bringing those updates forward for council review and action during the first and second quarters of 2027.

Process Requirements

Under the GMA, at RCW 36.70A.390, IOCs remain in effect for a period of six months. An IOC may be renewed for additional six-month time periods, provided the city holds a subsequent public hearing and adopts findings of fact before each renewal.

The public hearing scheduled for July 14 will provide the council with an opportunity, consistent with the GMA, to consider public comment and testimony before extending and modifying the IOC. Holding the hearing and adopting the required findings will satisfy the procedural requirements necessary to extend the IOC for a second six-month period, through February 17, 2027.

This IOC is not intended to serve as a permanent development regulation for Downtown or to permanently replace the regulations in Part 20.25A LUC. Rather, it is a temporary measure to encourage preservation of historic façades and design features in the IOC area and to ensure that redevelopment remains compatible with the scale and pattern of the historic streetscape within Old Bellevue, consistent with council direction.

POLICY & FISCAL IMPACTS

Policy Impact

The Comprehensive Plan recognizes and encourages preservation and retention of the unique character of Old Bellevue, including but not limited to the historic façade treatments of older buildings in Old Bellevue, and also includes broader policies addressing historic resources protection:

- Policy S-DT-91: Encourage redevelopment to maintain some of the historic façade treatments of older buildings in this district.
- Policy S-DT-94: Reinforce the unique character of the Old Bellevue area by encouraging residential development, specialty retail, and other development with an emphasis on pedestrian activity.
- Policy UD-62: Preserve, enhance and interpret Bellevue's historical identity.
- Policy UD-63: Consider establishing a local preservation program to increase historic resources protections.
- Policy UD-64: Develop opportunities for preservation, rehabilitation and adaptive reuse of historically significant sites and structures and education about those sites.
- Policy UD-66: Establish a process of conducting historic surveys that identify, document and evaluate historic properties.

Fiscal Impact

There is no fiscal impact to the city associated with renewal and amendment of the IOC Ordinance or the public hearing on the IOC. There may be a fiscal impact associated with the future Downtown Livability 2.0 workplan, although it is anticipated that costs associated with developing and updating

regulations for Old Bellevue as part of that workplan will be within the scope of the city's budget for Downtown Livability 2.0.

OPTIONS

1. Hold the public hearing and, following the public hearing, adopt the Ordinance relating to an Interim Official Control on Part 20.25A of the Land Use Code (LUC) that reinforces historical and cultural qualities in the Downtown-Old Bellevue (DT-OB) Land Use District, along Main Street between 100th Avenue and Bellevue Way, and requires that new development is compatible with adjacent development, unique design features, and established small-scale and pedestrian-oriented street frontage in Old Bellevue; renewing the Interim Official Control for an additional six-month time period; amending the Interim Official Control to impose specified design standards, updated requirements to document historic property, and encourage voluntary preservation of façades; providing for severability; and establishing an effective date.
2. Do not hold the public hearing on Interim Official Control Ordinance and provide alternative direction.

ATTACHMENTS

A. IOC Ordinance 6903
Proposed Ordinance 6929

AVAILABLE IN COUNCIL LIBRARY

N/A