

# AGENDA

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## A joint meeting of the PLANNING COMMISSION and LANDMARK PRESERVATION BOARD For the City of Bothell

Bothell City Hall, 18415 101st Avenue NE  
Wednesday, November 20, 2019, 6:00 PM

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1. CALL TO ORDER

2. JOINT MEETING PURPOSE

3. PUBLIC COMMENTS

A chance for members of the audience to address the Board and Commission on a topic NOT scheduled for a public hearing on this evening's agenda. Please limit comments to 3 minutes per speaker.

4. JOINT STUDY SESSION

A. Title 22 Code Amendments - Michael Kattermann, Sarah Desimone

B. Historic Resources Inventory - Sarah Desimone

C. BMC Section 12.64.504 and 505 Amendments: Architectural Styles and Historic Resources Regulations - Dave Boyd, Sarah Desimone

5. JOINT MEETING WRAP-UP

6. ADJOURNMENT - LANDMARK PRESERVATION BOARD ONLY

**\*\*PLANNING COMMISSION MEETING CONTINUES\*\***

7. STUDY SESSION

Canyon Park Subarea Update - Bruce Blackburn

8. APPROVAL OF MINUTES - November 6, 2019

9. OLD BUSINESS

None

10. REPORTS FROM STAFF

Review of December and January calendars

11. REPORTS FROM MEMBERS

12. ADJOURNMENT

Official tapes of meetings are available through the Community Planning Division.

**SPECIAL ACCOMMODATIONS:** The City of Bothell strives to provide accessible meetings for people with disabilities. If special accommodations are required, please contact the ADA Coordinator at 425-806-6150 at least three days prior to the meeting.

## Projected Schedule of Land Use Items as of November 15, 2019

**City Council (CC)** meetings, shown in **bold**, start at 6 p.m. unless otherwise noted.  
*Planning Commission (PC)* meetings, shown in *italics*, start at 6 p.m. unless otherwise noted.  
 Other Board meetings shown in normal text, start at 6 p.m. unless otherwise noted.  
 Meetings are held in the **City Hall building at 18415 101<sup>st</sup> Avenue NE** unless otherwise noted.  
For planning purposes only: schedule subject to change without notice

### December 2019

Monday	Tuesday	Wednesday	Thursday	Friday
2	3 <b>Public Hearing Minimum Density and Intensity Plan and Code amendments</b>  <b>Public Hearing Traffic impact fee</b>  <b>Continued Public Hearing School Impact fees</b>	4 <i>Public Hearing Downtown Public Space Code amendments</i>  <i>Briefing Traffic Impact Fee</i>  <i>Study Session 2020 Planning Docket</i>	5	6
9	10	11	12	13
16	17 <b>Study Session Canyon Park Plan Update Staff Briefing</b>	18 <i>Public Hearing Downtown Historic District Code amendments</i>  <i>Study Session PROS (Parks Plan) Update briefing</i>	19	20
23	24	25	26	27
30	31			

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# Minutes

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**BOTHELL PLANNING COMMISSION**

**REGULAR MEETING** – November 6, 2019

**COMMISSIONERS PRESENT:** Patrick Cabe, Carston Curd, Jason Hampton, Kevin Kiernan, Brad Peistrup, David Vliet

**COMMISSIONERS ABSENT AND EXCUSED:** None

**STAFF PRESENT:** Community Development Director Michael Kattermann, Senior Planner Bruce Blackburn and Senior Planner David Boyd.

**CALL TO ORDER:** The Regular Meeting of the Bothell Planning Commission was called to order by Chair David Vliet on November 6, 2019, at 6:00 p.m. in the Council Chambers at the Bothell Town Hall, 18415 101<sup>st</sup> Avenue NE.

**NON-AGENDA PUBLIC COMMENTS:** None

**APPROVAL OF MINUTES:**

**CURD MOVED TO APPROVE THE MINUTES FOR SEPTEMBER 18, 2019 AND OCTOBER 2, 2109. HAMPTON SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.**

**NEW BUSINESS:** Community Development Director Michael Kattermann shared potential December meeting dates.

Discussion ensued and it was determined that meetings will be held on Dec 4 and Dec 18.

**PUBLIC HEARING:**

Chair Vliet opened the Public Hearing regarding the Downtown Public Space Code amendments (continued from September 18). Vliet introduced David Boyd, Senior Planner.

Boyd shared a presentation regarding the Downtown Public Open Space Code amendments.

Discussion ensued.

**HAMPTON MOVED TO CONTINUE THE DOWNTOWN PUBLIC OPEN SPACE CODE AMENDMENTS HEARING UNTIL DECEMBER 4, 2019. KIERNAN SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.**

Commissioner Hampton recused himself from discussion and vote on the next agenda item regarding Minimum Density Code amendments due to potential conflict of interest from his employment with Sound Transit.

Chair Vliet opened the Public Hearing regarding the Minimum Density Code amendments. Vliet introduced Bruce Blackburn, Senior Planner.

Blackburn shared a brief update regarding the Minimum Density code amendments.

**PUBLIC TESTIMONY:**

(See video recording on City of Bothell website for detailed testimony).

Robert Fitzmaurces, 17215 NE 98<sup>th</sup> Ct, Redmond  
Roger Belanich, 22020 17<sup>th</sup> Ave SE, Bothell  
Tim McHarg, 719 2<sup>nd</sup> Ave, Suite 1150, Seattle  
Gary Yao, 401 S Jackson St, Seattle  
Amanda Olson, Bothell

Discussion ensued.

**KIERNAN MOVED TO CLOSE THE PUBLIC HEARING ON THE MINIMUM DENSITY & INTENSITY PLAN & CODE AMENDMENT. CABE SECONDED AND THE MOTION PASSED WITH ALL PRESENT IN FAVOR.**

**CURD MOVED TO APPROVE THE PLANNING COMMISSION RECOMMENDATION REGARDING THE MINIMUM DENSITY AND INTENSITY PLAN AND CODE AMENDMENT FOR ACTIVITY CENTERS WITHIN THE CANYON PARK AND NORTH CREEK/NE 195<sup>TH</sup> ST SUBAREAS. KIERNAN SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR**

**STUDY SESSION:** None

**OLD BUSINESS:** None

**REPORTS FROM STAFF:**

Director Kattermann reported on the following:

- Resignation of Commissioner Moreau-Cook.
- Packet from Cary Westerbeck.
- Planning Conference in Tacoma was well attended by staff and Commissioner Curd was in attendance as well.

**REPORTS FROM MEMBERS:**

Commissioner Curd reported on the Missing Middle conference that he attended in Kenmore as well as the Planning conference in Tacoma.

**ADJOURNMENT:**

**KIERNAN MOVED TO ADJOURN. PEISTRUP SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.**

The meeting was adjourned at 8:29 p.m.

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**Joint Study Session with Landmark  
Preservation Board:  
Title 22 and Downtown  
Architectural Styles and Historic  
Resources Regulations  
amendments**

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# MEMORANDUM

## Community Development Department



City of Bothell

**DATE:** November 20, 2019

**TO:** Planning Commission & Landmark Preservation Board

**FROM:** Sarah Desimone, Historic Preservation Consultant  
Michael Kattermann, Community Development Director

**SUBJECT: Title 22 Amendments**

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### **Purpose/Action**

Recent amendments to Title 11 of the Bothell Municipal Code (BMC) require the Landmark Preservation Board (Board) to consult with the Planning Commission (Commission) on amendments to BMC Title 22, Landmark Preservation, before making a recommendation to City Council.

The purpose of this joint study session on the proposed BMC Title 22 amendments is to solicit the Commission's feedback on specific changes that could affect the Commission's future work programs.

### **Background**

In the 2018 Planning Docket, Council initiated amendments to the "Downtown Historic Resources Regulations and possibly Title 22, Landmark Preservation, to preserve historic buildings/facades on Main Street and in the historic downtown core." As part of that docket item, and due to prior interest in designating a historic district, the Board and the City's Historic Preservation Consultant drafted amendments to Title 22 to establish the requirements and process for designating historic districts within Bothell.

In the course of reviewing the drafts, staff identified many sections of Title 22 that were outdated, ambiguous, confusing, or inconsistent with previous amendments that had occurred over many years. The result was a more comprehensive review and set of amendments that are noted in track changes (additions, ~~deletions~~) in Attachment 1. The Board reviewed these proposed amendments at their regular meeting on October 22. The next step in the Board's process is to consult with the Commission on the proposed amendments.

### **Discussion**

The full text of Title 22, including proposed amendments and explanatory text, is provided for the Commission's information. However, the focus of the Board's consultation and solicitation of feedback is in chapter 22.24, in particular section 22.24.040 Requirements of Designation. This is a new section that establishes the requirements for designating historic districts and creates a role for the Commission in that process.

Under the proposed process and requirements, the Board would recommend designation of landmarks and historic districts to the Council for final action. In the case of historic districts section 22.24.040 requires specific design standards that would be included with the Board's recommendation to Council:

"In the case of historic districts, design standards specific to each historic district shall be compiled as part of the designation process and used as a basis for approving or modifying any proposed construction plans and development proposals for both contributing and non-contributing properties and new construction within the district boundaries. Upon adoption by City Council, these standards shall supersede the city's corresponding development and design standards within the historic district. All actions within the boundaries of the historic district that affect a condition upon which historic landmark designation was granted and that also require a city permit shall be subject to Landmark Preservation Board review prior to issuance of said permit."

Design standards specific to each historic district would be adopted as part of Title 12, Zoning, and require Commission approval and recommendation to Council. It is anticipated that these standards would be drafted by the City's Historic Preservation Consultant and staff and reviewed and approved by the Board before being considered by the Commission. The Commission's review and recommendation is an important part of the process because the Commission will be considering the design standards in terms of which regulations would be superseded and how the new requirements would work with the remainder of the development regulations in Title 12.

The other important reason for the Commission to be aware of these proposed amendments and requirements is because specific design standards could become another tool for preservation of historic buildings or facades along Main Street. Another item on the agenda for the joint meeting is an initial briefing by staff on existing downtown design standards and the possible changes to preserve the look and feel of the historic part of Main Street.

The Board is anticipated to formulate a recommendation on the proposed Title 22 amendments at their next regular meeting and forward the recommendation to Council for consideration in January.

### **Action**

The Commission is asked to provide feedback on the proposed BMC Title 22 amendments, primarily section 22.24.040 that could affect the Commission's future work programs.

### **Attachments**

1. Proposed Title 22 amendments with explanatory notes.

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><b>Chapters:</b></p> <ul style="list-style-type: none"> <li><b>22.04 General Provisions</b></li> <li><b>22.08 Definitions</b></li> <li><b>22.12 Landmark Preservation Board Created</b></li> <li><b>22.16 Designation Criteria</b></li> <li><b>22.20 Nomination Procedures</b></li> <li><b>22.24 Designation Procedures</b></li> <li><b>22.28 Changes to Property on Register or Inventory</b></li> <li><b>22.32 Special Property Tax Valuation</b></li> </ul> <p>* Code reviser's note: Title 22 was recodified from Title 14 by Ord. 1635.</p>	<p>No amendments proposed in this Section.</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p style="text-align: center;"><b>Chapter 22.04</b> <b>GENERAL PROVISIONS</b></p> <p>Sections: 22.04.010 Short title. 22.04.020 Purpose.</p> <p><b>22.04.010 Short title.</b> The ordinance codified in this title shall be known as the Bothell landmark preservation ordinance. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.04.020 Purpose.</b> The purpose of this title is to provide for the identification, enhancement, perpetuation and use of historic resources within the city in order to:</p> <p>A. Safeguard the heritage of the city as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the city’s history;</p> <p>B. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the city’s history;</p> <p>C. Stabilize or improve the aesthetic and economic vitality and value of such sites, improvements and objects;</p> <p>D. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;</p> <p>E. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and</p> <p>F. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>No amendments proposed in this section.</p>

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.08 DEFINITIONS</b></p> <p>Sections:                      22.08.010 Generally.                      22.08.020 Bothell historic inventory.                      22.08.030 Bothell landmark preservation board.                      22.08.040 Bothell register of historic landmarks.                      22.08.050 Building.                      22.08.060 Certificate of appropriateness.                      22.08.065 Certified local government.                      22.08.070 Class of properties eligible for special valuation.  <u>22.08.071 <a href="#">Contributing Property</a></u></p>	<p>Addition of “Contributing Property” for historic districts.</p>
<p>                     22.08.075 Cost, rehabilitation.                      22.08.080 District.                      22.08.090 Emergency repair.                      22.08.095 Facade easement.                      22.08.100 Historic landmark.                      22.08.110 Incentives.                      22.08.120 National Register.  <u>22.08.125 <a href="#">Non-Contributing Property</a></u>                      22.08.130 Object.                      22.08.140 Ordinary repair and maintenance.                      22.08.150 Owner.                      22.08.155 Property.                      22.08.160 Significance or significant.                      22.08.170 Site.                      22.08.175 Special valuation for historic properties.                      22.08.180 State Register of Historic Places.                      22.08.190 Structure.                      22.08.200 Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties.</p>	<p>Addition of “Non-Contributing Property” for historic districts.</p>

Proposed Amendments	Explanatory Comments
<p><b>22.08.010 Generally.</b> Within the context of this title, the terms, phrases, words and their derivations shall be interpreted as contained in this chapter. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.020 Bothell historic inventory.</b> “Bothell historic inventory” or “inventory” means the <a href="#">database containing building descriptions and evaluations of potential historic resources</a> <del>comprehensive inventory of historic resources</del> within the city of Bothell and/or the planning area of the city. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.030 Bothell landmark preservation board.</b> “Bothell landmark preservation board” or “board” means the board created by BMC 22.12.010. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.040 Bothell register of historic landmarks.</b> “Bothell register of historic landmarks” or “register” means the local listing of properties <a href="#">and historic districts</a> provided for in Chapters 22.16, 22.20 and 22.24 BMC. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.050 Building.</b> “Building” means a structure as defined in the International Building Code, as adopted by the city. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.060 Certificate of appropriateness.</b> “Certificate of appropriateness” means the action of the board after it has reviewed the proposed changes to the exterior of a register property, <a href="#">or a property within a historic district</a>, or to the interior of a register property if interior features were a contributing factor in the property’s designation, and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation. The exterior of a property may include any significant outside features that contributed to the property’s listing, such as, but not limited to, outbuildings, garden features, etc. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.065 Certified local government.</b> “Certified local government” means a local government that has been certified by the State <a href="#">Historical-Historic</a> Preservation Officer as having established its own preservation commission</p>	<p>Clarification of definition, purpose and content of inventory.</p> <p>Adding “historic districts” to definition of “Bothell Register”</p> <p>Including reference to “historic district” for purposes of Certificate of Appropriateness.</p> <p>Scrivener’s error</p>

Proposed Amendments	Explanatory Comments
<p>and program meeting state and federal standards. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.070 Class of properties eligible for special valuation.</b>                      The class of properties eligible for special valuation pursuant to Chapter 84.26 RCW, as it now exists or is hereafter amended, shall be properties listed on the Bothell register of historic landmarks or properties certified as contributing to a Bothell register historic landmark district. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1484 § 1, 1992; Ord. 1258 § 1, 1987).</p> <p><b><u>22.08.071 Contributing Property</u></b>  <u>Any building, object, site or structure within the boundaries of a historic district that dates from the historic period of significance and contributes to the significance and character of the district through its historical associations and/or architectural values.</u></p>	<p>Addition of “Contributing Property” for historic districts.</p>

Proposed Amendments	Explanatory Comments
<p><b>22.08.075 Cost, rehabilitation.</b>                      “Cost” means the actual cost of rehabilitation, as defined by Chapter 84.26 RCW, which cost shall be at least 25 percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation. The costs shall be incurred within 24 months prior to the date of application and directly resulting from one or more of the following: (A) improvements to an existing building located on or within the perimeters of the original structure; or (B) improvements outside of but directly attached to the original structure which are necessary to make the building fully usable but shall not include rentable/habitable floor space attributable to new construction; or (C) architectural and engineering services attributable to the design of the improvements; or (D) all costs defined as “qualified rehabilitation expenditures” for purposes of the federal historic preservation investment tax credit. (Ord. 2069 § 2 (Exh. B), 2011).</p> <p><b>22.08.080 District.</b>                      “District” or “historic district” means a <u>designated</u>, geographically <del>definable</del>-<u>defined</u> area, urban or rural, small or large, possessing a significant concentration, linkage or continuity of buildings, objects, sites and/or structures united by past events or aesthetically by plan or physical development <u>that has been listed in the Bothell Register of Historic Landmarks.</u> (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.090 Emergency repair.</b>                      “Emergency repair” means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.095 Facade easement.</b>                      “Facade easement” is a use interest, as opposed to an ownership interest, in the land of another. The easement is granted by the landowner to the city and restricts the landowner’s exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure. (Ord. 2069 § 2 (Exh. B), 2011).</p> <p><b>22.08.100 Historic landmark.</b></p>	<p>Clarification of definition.</p>

Proposed Amendments	Explanatory Comments
<p>“Historic landmark” or “landmark” means a historic building, district, object, site or structure listed on the Bothell register of historic landmarks. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.110 Incentives.</b>                      “Incentives” are such rights or privileges, or combination thereof, which the city or other local, state or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of register properties. Examples of economic incentives include but are not limited to tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, beneficial placement of public improvements or amenities, or the like. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.120 National Register.</b>                      “National Register of Historic Places” means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering or cultural heritage. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b><u>22.08.125 Non-Contributing Property</u></b>  <u>Any building, object, site or structure within the boundaries of a historic district that does not date from the historic period of significance or due to alterations, or other factors, does not contribute to the district’s historic significance or character.</u></p> <p><b>22.08.130 Object.</b>                      “Object” means a thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.140 Ordinary repair and maintenance.</b>                      “Ordinary repair and maintenance” means work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenant thereto and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Addition of “Non-Contributing Property” for historic districts.</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><b>22.08.150 Owner.</b>  “Owner” of property means the fee simple owner of record as exists on the county assessor’s records, unless the property is being purchased and financed pursuant to a real estate contract. In that case the owner shall be the vendee of that contract. An owner may also be that person or entity that holds legal ownership of property other than real estate, as defined in BMC 22.08.155. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.155 Property.</b>  “Property” means something to which a person or entity has legal ownership, as in real estate, a structure, or an object. (Ord. 2069 § 2 (Exh. B), 2011).</p> <p><b>22.08.160 Significance or significant.</b>  “Significance” or “significant” used in the context of historic significance means the following: a property with local, state or national significance is one which helps in the understanding of the history of the local area, state or nation (whichever is applicable) by illuminating the local, statewide or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area can include the city of Bothell, King County, or western Washington, or a modest geographical or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.170 Site.</b>  “Site” means a place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of a ruined or now nonexistent building or structure if the location itself possesses historic, cultural or archaeological significance. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.175 Special valuation for historic properties.</b>  “Special valuation for historic properties” or “special valuation” means the local option program which when implemented makes available to property owners a special tax valuation for rehabilitation of historic properties under which the assessed value of an eligible historic</p>	<p>No amendments proposed in this section</p>

Proposed Amendments	Explanatory Comments
<p>property is determined at a rate that excludes, for up to 10 years, the actual cost of the rehabilitation. (Chapter 84.26 RCW). (Ord. 2069 § 2 (Exh. B), 2011).</p> <p><b>22.08.180 State Register of Historic Places.</b>                      “State Register of Historic Places” means the state listing of properties significant to the community, state or nation <del>but which do not meet the criteria of the National Register</del>. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.190 Structure.</b>                      “Structure” means a work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by human resources, it is often an engineering project. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.08.200 Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties.</b>                      “Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties” or “State Advisory’s Council’s Standards” means the rehabilitation and maintenance standards used by the Bothell Landmark Preservation Board as minimum requirements for determining whether or not a historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified, <del>as defined by the Secretary of the Interior’s Standards for Rehabilitation (Department of the Interior’s Regulations, 36 CFR 67)</del>. (Ord. 2069 § 2 (Exh. B), 2011).</p>	<p>Remove references to State and National register and Standards per DAHP recommendation.</p> <p>Remove references to State and National register and Standards per DAHP recommendation.</p>

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.12</b> <b>LANDMARK PRESERVATION BOARD CREATED</b></p> <p>Sections:                      22.12.010 Creation – Members – Terms.                      22.12.020 Vacancies.                      22.12.030 Meetings – Quorum – Rules and regulations.                      22.12.040 Powers and duties.</p> <p><b>22.12.010 Creation – Members – Terms.</b></p> <p>A. Creation. There is created a city of Bothell landmark preservation board.</p> <p>B. Members.</p> <p>1. The landmark preservation board shall consist of seven members. A majority of the board members shall be residents of the city. Members shall be residents of the city’s urban growth area; provided, however, the required professional members of said board may reside outside the city or the urban growth area or city planning area.</p> <p>2. Members shall have familiarity with the comprehensive plan and zoning codes of the city, have knowledge of the city’s history and demonstrate an interest and competence in historic preservation.</p> <p>3. The membership of the board shall always include at least two professionals selected from among the disciplines of engineering, history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography or American studies. Board action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or both of the professional positions, unless the board action is related to meeting certified local government responsibilities cited in the certification agreement between the city and the State Historic Preservation Officer.</p> <p>4. Members shall be appointed and subject to removal by the city council. No board member shall receive any compensation.</p> <p>C. Terms. Except as otherwise provided herein, a board member’s term of office shall be five years. All terms shall expire March 31st of the year of expiration for the individual term. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1781 § 1, 1999; Ord. 1766 § 1, 1999; Ord. 1763 § 1, 1999;</p>	<p>No amendments this section</p>

Proposed Amendments	Explanatory Comments
<p>Ord. 1677 § 7, 1997; Ord. 1544 § 1, 1994; Ord. 1510 § 3, 1993; Ord. 1484 § 2, 1992; Ord. 1464 § 4, 1992; Ord. 1428 § 3, 1991; Ord. 1258 § 1, 1987).</p> <p><b>22.12.020 Vacancies.</b>                      Vacancies in the board shall be filled for the unexpired terms or for new terms by the city council. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.12.030 Meetings – Quorum – Rules and regulations.</b>                      A regular meeting shall be held. A majority of the board constitutes a quorum for the transaction of business and the votes of a majority of the quorum shall be necessary to carry out any proposition. The board shall adopt rules for the transaction of its business and shall keep written minutes of its meetings and findings. Members of the board shall elect one of the members to serve as chair <u>and another member to serve as vice-chair. The vice-chair shall serve as chair in the absence of the chair.</u> (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Addition of board offices for purposes of clarification.</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><b>22.12.040 Powers and duties.</b>                      The major responsibility of the landmark preservation board is to identify and actively encourage the conservation of the city’s historic resources by initiating and maintaining a register of historic landmarks and reviewing proposed changes to register properties; to raise community awareness of the city’s history and historic resources; and to serve as the city’s primary resource in matters of history, historic planning and preservation.</p> <p>In carrying out these responsibilities, the landmark preservation board shall engage in the following:</p> <p>A. Conduct and maintain a comprehensive inventory of historic resources within the planning boundaries of the city (Bothell historic inventory); publicize and periodically update inventory results. Properties listed on the inventory shall be recorded on the official zoning records for historic inventory designation. This designation shall not change or modify the underlying zone classification;</p> <p>B. Initiate and maintain the Bothell register of historic landmarks. This official register shall be compiled of buildings, districts, objects, sites or structures identified by the board as having historic significance worthy of recognition by the city and encouragement of efforts by owners to maintain, rehabilitate and preserve properties;</p> <p>C. Review nominations to the Bothell register of historic landmarks according to the criteria in BMC 22.16.010 and adopt standards in its rules to be used to guide this review;</p> <p>D. Review proposals to construct, change, alter, modify, remodel, move, demolish and significantly affect properties on the register or within districts on the register as provided in Chapter 22.28 BMC and adopt standards in its rules to be used to guide this review and the issuance of a certificate of appropriateness;</p> <p>E. Provide for the review either by the board or its staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources or adjacent properties;</p> <p>F. Conduct all board meetings in compliance with Chapter 42.30 RCW, the Open Public Meetings Act, as it now exists or is hereafter amended, to provide for adequate public participation and adopt standards in its rules to guide this action;</p>	<p>No amendments proposed in this section.</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p>G. Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic resources;</p> <p>H. Provide information to the public on methods of maintaining and rehabilitating historic properties;</p> <p>I. Be informed about and provide information to the public and city departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties;</p> <p>J. Investigate and report to the city council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in the city;</p> <p>K. Establish liaison support, communication and cooperation with federal, state and other local government entities which will further historic preservation objectives, including public education, within the Bothell area;</p> <p>L. Review and comment to the city council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the city, other neighboring communities, the county, the state or federal governments, as they relate to historic resources of the city;</p> <p>M. Serve as the local review board for the purpose of approving applications for special property tax valuation per Chapter 84.26 RCW as it now exists or is hereafter amended and entering into an agreement with the property owner for the duration of the special valuation during which time the review board monitors the property for continued qualification for the special valuation per requirements of state law;</p> <p>N. Advise the city council generally on matters of city history and historic preservation;</p> <p>O. Perform other related functions assigned to the board by the city council;</p> <p>P. The board shall adopt rules of procedure to address subsections C, D and F of this section. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.16</b> <b>DESIGNATION CRITERIA</b></p> <p>Sections: 22.16.010 Criteria for historic landmark designation. <b>22.16.010 Criteria for historic landmark designation.</b> Any building, district, object, site or structure which is more than 50 years old may be designated for inclusion in the Bothell register if it is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the community. The property must also possess integrity of location, design, materials, workmanship and association and must fall into one or more of the following categories:</p> <p>A. It is associated with events that have made a significant contribution to the broad patterns of local, state or national history;</p> <p>B. It is associated with the lives of persons significant in the local, state or national history;</p> <p>C. It exemplifies or reflects special elements of the city’s cultural, political, special, aesthetic, engineering, architectural or economic history;</p> <p>D. It embodies the distinctive architectural characteristics of a type, style, period or method of designing or construction, or represents a significant and distinguishable entity whose components may lack individual distinction;</p> <p>E. It is the outstanding work of an architect, designer or builder who has made a substantial contribution to the art;</p> <p>F. It has yielded, or may be likely to yield, information important in prehistory or history;</p> <p>G. Because of its prominence of spatial location, contrasts of siting, age or scale, it is an easily identifiable visual feature of its neighborhood or the identity of such neighborhood or the city;</p> <p>H. It is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with a historic person or event;</p>	

Proposed Amendments	Explanatory Comments
<p>I. It is a birthplace or grave of a historical figure of outstanding importance and is the only surviving structure or site associated with that person;</p> <p>J. It is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns;</p> <p>K. It is a reconstructed building that has been executed in a historically accurate manner on the original site;</p> <p>L. It is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories;</p>	
<p><del>M. — It is on the State or National Register.</del></p> <p><u>M. It is a property achieving significance within the past 50 years if it is of exceptional importance or if it is an integral part of a district <del>eligibelf or eligible</del> for listing in the Bothell Register of Historic Landmarks</u>(Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Remove references to State and National register and Standards per DAHP recommendation. Add description of Bothell Register criteria.</p>

Proposed Amendments	Explanatory Comments
<p><b>Chapter 22.20 NOMINATION PROCEDURES</b> Sections: 22.20.010 <del>Bothell register nomination process</del><u>Source of nominations.</u> 22.20.020 <del>Bothell register submittal process</del><u>Submittal requirements.</u></p>	<p>Clarification</p>
<p><b>22.20.010 <del>Bothell register nomination process</del><u>Source of nominations.</u></b> <del>The board or Any any</del> person may nominate any building, district, object, site or structure for inclusion in the Bothell register. <del>In cases where the board nominates a building, district, object, site or structure with the consent of the property owner for inclusion in the State and/or National Register, or becomes aware via notification from the Washington State Office of Archaeology and Historic Preservation or other means of such a nomination submitted by another party, the board may initiate proceedings to nominate said building, district, object, site or structure for inclusion in the local register,</del> in accordance with BMC 22.20.020 and 22.24.010 through 22.24.090. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1946 § 5, 2005; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Remove references to State and National register per DAHP request.</p>
<p><b>22.20.020 <del>Bothell register s</del><u>Submittal process</u><del>requirements.</del></b> <u>A. _____</u> The city’s community development department shall provide a nomination form to the applicant. <u>For individual property nominations, the</u> application must bear the signature of <del>the private property owner(s). each property owner that would be reflected by a title report.</del> <u>For nomination of</u><del>In the case of</del> historic districts, a <u>simple</u> majority of <del>private property owners’ properties within the district will be adequate for</del> <u>owner consent</u> nomination. <u>Each property in the district will be allocated one (1) vote for such purpose regardless of the number of owners, but the application must be signed for each supporting property in the manner set forth above for individual properties. For district nominations, a complete listing of contributing and non-contributing properties is required.</u></p>	<p>Clarification of process, consent for individual and district nominations</p>
<p><u>B. _____</u> When the community development department is satisfied as to the completeness and accuracy of the information, the nomination shall be referred <del>within one month</del> to the board <del>for a at their next regular public</del> meeting. Once the nomination is scheduled for a public meeting, the community development department will notify the owner(s) and the applicant of the nominated property of the date of the meeting and of the benefits and conditions which may</p>	<p>Clarification of process</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
result from designation. Prior to the board’s meeting, the community development department shall transmit to board members copies of the nominations of properties to be considered for designation with any other appropriate materials. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1946 § 5, 2005; Ord. 1635 § 1, 1996; Ord. 1484 § 3, 1992; Ord. 1258 § 1, 1987).	

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.24</b></p> <p style="text-align: center;"><b>DESIGNATION PROCEDURES</b></p> <p>Sections:</p> <p>22.24.010 <del>Preliminary Board review of designation to the Bothell register</del><u>nomination.</u></p> <p><del>22.24.020 Contract agreement.</del></p> <p>22.24.030 <del>020</del> Findings of fact.</p> <p>22.24.040 <del>030</del> Notification of <del>results</del><u>recommendation.</u></p> <p><del>22.24.040 Requirements of designation.</del></p> <p>22.24.050 Council action.</p> <p>22.24.060 Appeal.</p> <p>22.24.070 Effects of listing on the register.</p> <p>22.24.080 Economic incentives and negotiated standards.</p> <p>22.24.090 Removal <u>of designation.</u></p>	<p>Clarify and reflect changes in chapter 22.24</p>
<p><b>22.24.010 Preliminary designation to the Bothell register</b><u>Board review of nomination.</u></p> <p>At a public <del>meeting</del><u>hearing</u>, the board shall take testimony concerning the nomination and, based on findings of fact, shall make a recommendation to the council as to the designation. The board may decide to:</p> <p>A. Recommend approval of the designation <del>of the property</del>;</p> <p>B. Recommend approval of the designation with conditions;</p> <p>C. <u>Recommend denial of the</u> <del>Deny</del> designation <del>of the property</del>; or</p> <p>D. Defer the consideration of the nomination to a continued public <del>meeting or a public</del> hearing, if necessary, <u>in order to receive additional information or testimony or take additional time to prepare a recommendation.</u> (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Change title for purposes of clarification Addition of public hearing requirement for nominations</p> <p>Clarification</p> <p>Clarification of process</p> <p>Clarification of process</p>

Proposed Amendments	Explanatory Comments
<p><del><b>22.24.020 Contract agreement.</b></del></p> <p><del>A. Any owner(s) who desires to have their property designated individually as a historic landmark shall enter into a contractual agreement with the city upon the approval of the city council. The owner(s) shall agree to appropriate management standards for the exterior of the property, including those listed in BMC 22.28.010, or to the interior of a register property if interior features were a contributing factor in the property’s designation, in consideration for the board’s recommendation that the owner’s property be designated in the Bothell register. The exterior of a property may include any significant outside features that contributed to the property’s listing, such as, but not limited to, outbuildings, garden features, etc. The contractual arrangement may include economic incentives and negotiated standards as specified in BMC 22.24.080.</del></p> <p><del>B. In the case of historic districts, an inventory identifying contributing and non-contributing properties shall be adopted upon designation of each historic district. Design standards specific to each historic district for historic districts shall be compiled as part of the designation process and be included in the contract agreement and used as a basis for approving or modifying any proposed construction plans and development proposals for both contributing and non-contributing properties and new construction within the district boundaries. Upon adoption by City Council, these standards guidelines shall supersede the city’s core development and design standards within the historic district. All permitted actions within the boundaries of the historic district that affect a condition upon which historic preservation was granted and that also require a city permit within the boundaries of the historic district shall be subject to Landmark Preservation Board review prior to issuance of said permit. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</del></p>	<p>Move to 22.24.040 to reflect process.</p> <p>Modify to address requirements of designation for individual and district designations.</p>
<p><b>22.24.030020 Findings of fact.</b></p> <p>After the public <del>meeting</del>hearing, the board shall enter findings of fact with reference to the designation criteria. These findings of fact will be forwarded, along with the recommendation, to the council with the <del>proposed contract</del>requirements of designation. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Modify to reflect new public hearing requirement and language in 22.24.010</p>

Proposed Amendments	Explanatory Comments
<p><b>22.24.040030 Notification of <del>results</del> recommendation.</b>                      The community development department shall inform the owner(s) of the board’s recommendation and reasons therefor and provide a copy of all materials forwarded to the council, <u>including</u>. <del>The owner(s) shall also be notified of the recommended requirements of the designation. necessity of applying for a certificate of appropriateness for action which would alter the exterior of the property if the recommendation is for approval, or to the interior of a register property if interior features were a contributing factor in the property’s designation. The exterior of a property may include any significant outside features that contributed to the property’s listing, such as, but not limited to, outbuildings, garden features, etc.</del> All interested parties of record and all affected city agencies shall be informed of the <del>preliminary designation recommendation</del> and, if the recommendation is for approval, of any responsibilities they may have in regard to a certificate of appropriateness. The owner(s) shall be informed of any incentives which may be available for the maintenance of the property. <u>Recommendations that include specific design standards that will be codified shall be reviewed and approved by the Planning Commission prior to Council action on the board’s recommendation.</u> (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1484 § 5, 1992; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p> <p>Addition of Planning Commission review requirement for design standards</p>
<p><b>22.24.040 Requirements of designation.</b>  <u>A. Any owner(s) who desires to have their property designated individually as a historic landmark shall enter into a contractual agreement with the city upon the approval of the city council. The owner(s) shall agree to appropriate management standards for the exterior of the property, including those listed in BMC 22.28.010, or to the interior of a register property if interior features were a contributing factor in the property’s designation, in consideration for the board’s recommendation that the owner’s property be designated in the Bothell register. The exterior of a property may include any significant outside features that contributed to the property’s listing, such as, but not limited to, outbuildings, garden features, etc. The contractual arrangement may include economic incentives and negotiated standards as specified in BMC 22.24.080.</u>  <u>B. In the case of historic districts, <del>an inventory identifying contributing and non-contributing properties shall be adopted upon designation of each historic district. Design design standards specific to each historic district shall be compiled as part of the designation process and used as a basis for approving or modifying any proposed construction plans and development proposals for both contributing and non-contributing properties and new construction within the district boundaries. Upon adoption by City Council, these standards</del></u></p>	<p>Clarification to reflect process</p> <p>Clarification of individual designation requirements</p> <p>Clarification of historic district designation requirements</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><u>shall supersede the city's corresponding development and design standards within the historic district. All actions within the boundaries of the historic district that affect a condition upon which historic landmark designation was granted and that also require a city permit shall be subject to Landmark Preservation Board review prior to issuance of said permit. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</u></p>	

Proposed Amendments	Explanatory Comments
<p><b>22.24.050 Council action.</b></p> <p>A. The council should act on the recommendation of the board within <del>30</del> <u>9120</u> days of the recommendation. Once a final decision is made, the community development department shall notify the board, the property owner and affected city agencies.</p> <p>B. <u>Final designation occurs when the City Council executes a</u> <del>After a</del> contractual agreement <u>for an</u> <del>is executed</del> individual property, <u>or adopts</u> <del>–a</del> district inventory and specific design standards for a historic district <del>submitted, final designation shall.</del> <u>Upon such designation, the</u> <del>–be made and the</del> property, <del>or district,</del> shall be placed upon the Bothell register of historic landmarks. Properties listed on the Bothell register of historic landmarks shall be recorded on official zoning records with an “HR” for historic register designation. This designation shall <del>not change or modify</del> <u>be in addition to</u> the underlying zone classification. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1484 § 5, 1992; Ord. 1258 § 1, 1987).</p>	<p>Lengthen time period to allow for staff and Planning Commission review of design standards for historic districts</p> <p>Clarification, reflects changes to district designation requirements</p>
<p><b>22.24.060 Appeal.</b></p> <p>The action of the city council approving or disapproving a designation to the historic register shall be final and conclusive unless <del>within 10 days of the date of the decision the applicant or adverse party makes application to the superior court for a writ of certiorari, writ of prohibition or writ of mandamus. Upon granting the writ the city clerk shall prepare, at the expense of the appellant, a certified copy of the record of the city and file the same with the clerk of the superior court under the case number of the application for writ</del> <u>appealed to the superior court.</u> (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Reflective of current process</p>

Proposed Amendments	Explanatory Comments
<p><b>22.24.070 Effects of listing on the register.</b>                      Prior to the commencement of any work on an <u>individual</u> register property <u>or property within a historic district</u>, excluding the exemptions listed in BMC 22.28.020, the owner shall request a certificate of appropriateness from the board for the proposed work. <u>A certificate of appropriateness could be required for work including, but not limited to, altering the exterior of the property or to the interior of a register property if interior features were a contributing factor in the property’s or district’s designation. The exterior of a property may include any significant outside features that contributed to the property’s listing, such as, but not limited to, outbuildings, garden features, etc.</u> No required building or other construction-level permits shall be issued by the city prior to issuance of a certificate of appropriateness, <u>if required</u>. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Added for purposes of clarification</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><b>22.24.080 Economic incentives and negotiated standards.</b>            In order to promote the preservation, restoration, and rehabilitation of historic landmarks, the city may grant property owners certain economic incentives and/or negotiate the relaxation or modification of certain land use or design standards. Opportunities include (but are not limited to):</p> <p>A. Properties on the register or within a historic district may apply for tax relief through the special property tax valuation, Chapter 22.32 BMC.</p> <p>B. Properties on the register or within a historic district may apply for a change of use through the zoning special exception, BMC 22.28.055.</p> <p>C. Properties on the register or within a historic district may be eligible, if requested by the private property owner, for relaxation of certain building code requirements through the application of the 2009 International Existing Building Code (IEBC). However, no such application shall cause any building or structure to be more hazardous, based on life safety, fire safety, and sanitation, than the existing building.</p> <p>D. Properties on the register or within a historic district may be eligible for further negotiation and flexibility in the easing of other building construction, design, and zoning regulations on a case-by-case basis. In such cases, the board may make a recommendation to the city council and the council should consider this information prior to determining whether to grant the requested action.</p> <p>E. Properties on the register or within a historic district may be eligible for certain grants. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>No amendments proposed in this section</p>
<p><b>22.24.090 Removal <u>of designation.</u></b>            In the event that any property is no longer deemed appropriate for designation as a historic landmark, such designation may be removed by the same procedure as provided for establishing the designation, except that owner consent is not needed. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p>

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.28</b></p> <p style="text-align: center;"><b>CHANGES TO PROPERTY ON REGISTER OR INVENTORY</b></p> <p>Sections:</p> <p>22.28.010 <del>Changes to properties on register — Changes to properties on inventory</del><u>Applicability.</u></p> <p>22.28.020 Exemptions from review requirements for register properties.</p> <p>22.28.030 Requests for review and issuance of a certificate of appropriateness.</p> <p>22.28.040 <del>Transmittal</del><u>Submittal</u> of request.</p> <p>22.28.050 Board review.</p> <p>22.28.055 Zoning special exception.</p> <p>22.28.060 <del>Requests for Demolition demolition — Consideration of alternatives — Applicable process for properties on the historic register or within a district on the historic register — Applicable process for properties on the historic inventory but not on the register.</del></p> <p>22.28.070 Appeal of <del>certificate of appropriateness</del><u>board action.</u></p> <p>22.28.080 Appeal of council action.</p>	<p>Clarification</p> <p>Clarification</p> <p>Clarification</p> <p>Reflective of changes proposed for 22.28.060</p>

Proposed Amendments	Explanatory Comments
<p><b>22.28.010 <del>Changes to properties on register – Changes to properties on inventory</del> <u>Applicability</u>.</b></p> <p>A. No person shall construct any new building or structure or reconstruct, alter, restore, remodel, repair, move or demolish any existing property on the register or within a historic district on the register without review by the board and without receipt of a certificate of appropriateness, or, in the case of demolition, a waiver, as a result of the review. The review shall apply to all exterior <u>and interior</u> features of the property that contribute to its designation.</p> <p>B. Any proposal to demolish a property which is on the Bothell historic inventory but not on the register or within a historic district on the register shall not require a waiver of a certificate of appropriateness but shall be subject to the applicable regulations in BMC 22.28.060 through the permit review process. Any other change to a property which is on the inventory but not on the register or within a historic district on the register is not subject to the regulations in this chapter. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1798 § 1, 2000; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p>
<p><b>22.28.020 Exemptions from review requirements for register properties.</b></p> <p>The following activities are exempt from review and a certificate of appropriateness:</p> <p>A. Proposals to change the color of a building or structure;</p> <p>B. Proposals to perform ordinary maintenance or repair. Materials used to perform such maintenance and repairs should replicate those present on the structure;</p> <p>C. Emergency repairs;</p> <p>D. Any property interior unless character-defining features of the interior or other applicable areas were specified in the landmark <u>nominations designation</u>. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1798 § 1, 2000; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p>

Proposed Amendments	Explanatory Comments
<p><b>22.28.030 Requests for review and issuance of a certificate of appropriateness.</b>  Any time the owner of property which is designated as a historic landmark <u>or is within a historic district</u> submits an application to the city for an action requiring a certificate of appropriateness, a request shall be made to the board for review of the proposed action. <del>The request may be made by the city agency charged with jurisdiction for permitting or denying the application or by the property owner prior to approaching the city.</del> No permits which will affect a register property as listed in BMC 22.28.010 will be issued until a certificate of appropriateness or waiver has been issued. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1798 § 1, 2000; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p> <p>Clarification of process</p>
<p><b>22.28.040 <del>Transmittal</del> <u>Submittal</u> of request.</b>  <del>Copies of t</del>he request for a certificate of appropriateness and any supplemental information shall be <del>forwarded submitted</del> to the <del>board</del><u>community development department</u>. <u>The community development department will review the material for completeness and request additional information from the applicant as necessary. Upon determination of a complete application, community development staff shall forward the materials to the board,</u> property owner(s) and/or applicant and interested parties of record prior to the board meeting. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p> <p>Clarification of process</p>
<p><b>22.28.050 Board review.</b>  At its next scheduled meeting, the board should review the request and decide whether to issue a certificate of appropriateness. The board shall transmit its findings <u>of fact</u> to the appropriate administrator. Any conditions agreed to by the applicant in this review process shall become conditions of the approval of the permits granted. If the owner agrees to the board's recommendations, a certificate of appropriateness shall be awarded by the board according to the standards established in the board's rules. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Clarification</p>

Proposed Amendments	Explanatory Comments
<p><del><b>22.28.055 Zoning special exception.</b></del>  <del>A change to any use other than a use listed as permitted in the underlying zoning may be considered for a zoning special exception if all of the following criteria are met:</del></p> <p><del>A. The property is listed on the local historic register or within a district on the historic register.</del></p> <p><del>B. All proposed changes to the property have been approved by the board as being compatible with the historical designation of the property through the board’s certificate of appropriateness process, as detailed elsewhere in this chapter.</del></p> <p><del>C. The change in use is demonstrated as necessary to ensure that the historic nature of the property/district will be preserved, considering all uses allowed in the underlying zone.</del></p> <p><del>D. Zoning special exceptions are permitted, provided the community development director determines on a case by case basis that such use possesses no characteristics which would adversely impact surrounding neighborhoods, or that any potentially adverse characteristics can be adequately minimized and/or mitigated so as not to be materially detrimental to the community. Zoning special exceptions can vary widely in their characteristics, depending upon the type of use being sought. Accordingly, certain types of zoning special exception may require the imposition of extensive conditions to mitigate potential adverse impacts to the community, while others may not; in some cases, adequate mitigation of impacts may not be feasible, and a proposed zoning special exception consequently may not be allowed. The community development director shall therefore have the authority to approve, approve with conditions, or deny a request for a zoning special exception, after consideration of the performance criteria set forth herein.</del></p> <p><del>1. Process.</del></p> <p><del>a. A zoning special exception permit shall be required prior to the commencement of such a use.</del></p> <p><del>b. A zoning special exception permit is a Type II action and shall be processed accordingly, as set forth in BMC Title 11, Administration of Development Regulations, except that the community development director shall determine whether a pre-application conference shall be required. Proposed zoning special exception applications meeting the requirements for transportation concurrency review in</del></p>	<p>No amendments proposed in this section            Move to 22.28.085 for clarification</p>

Proposed Amendments	Explanatory Comments
<p><del>accordance with Chapter 17.03 BMC shall obtain concurrency approval prior to a zoning special exception being approved. The permit fee for a zoning special exception shall be established by resolution of the city council.</del></p> <p><del>2.— Performance Criteria.</del></p> <p><del>a.— Parking Requirements.</del></p> <p><del>(1) — The layout, design and sizing of parking areas shall be consistent with the requirements of Chapter 12.16 BMC;</del></p> <p><del>(2) — Shared parking as provided for within BMC 12.16.040 may be used to satisfy the parking requirements;</del></p> <p><del>(3) — No on-street parking shall be allowed.</del></p> <p><del>b.— Architectural standards shall be addressed as part of the board’s certificate of appropriateness process, as specified elsewhere in this chapter.</del></p> <p><del>c.— Landscaping Standards. Zoning special exception uses shall be required to install landscaping as required under Chapter 12.18 BMC. Modifications may be made by the community development director to match a specific historic-based landscape design, to preserve existing trees, or to ensure compatibility with the surrounding neighborhood.</del></p> <p><del>d.— Other Structures. Outdoor recreation facilities such as decks, patios, or sports facilities shall be oriented away from adjacent detached residential properties. Exterior patios and decks shall be screened with landscaping and solid fencing at the discretion of the community development director.</del></p> <p><del>e.— Lighting. Outdoor lighting fixtures for uses approved under the zoning special exception shall be directed away from single family residences and kept as low in elevation as is consistent with providing adequate light levels for safety and security while minimizing the impact on single family residences.</del></p> <p><del>f.— Signage. Any signage associated with a zoning special exception shall comply with Chapter 12.22 BMC, Signs, except that the director shall have the authority to</del></p>	<p>No amendments proposed in this section Move to 22.28.085 for clarification</p>

Proposed Amendments	Explanatory Comments
<p><del>make minor modifications to Chapter 12.22 BMC as appropriate to ensure compatibility with the surrounding neighborhood.</del></p> <p><del>g. Hours of Operation. The director shall determine whether proposed hours of operation associated with a zoning special exception are compatible with the surrounding neighborhood and shall have the authority to modify any proposed hours of operation.</del></p> <p><del>h. The performance criteria detailed above are the minimum necessary to provide compatibility with surrounding neighborhoods. The community development director may require additional mitigation measures if they are deemed necessary to provide such compatibility. (Ord. 2069 § 2 (Exh. B), 2011).</del></p>	<p>No amendments proposed in this section Move to 22.28.085 for clarification</p>

Proposed Amendments	Explanatory Comments
<p><b>22.28.060 <del>Requests for Demolition</del>—<del>Consideration of alternatives</del>—<del>Applicable process for properties on the historic register or within a district on the historic register</del>—<del>Applicable process for properties on the historic inventory but not on the register.</del></b></p> <p>A. Anyone applying for a demolition permit for a property on the historic register or within a district on the historic register, or for a property on the historic inventory but not on the historic register, shall <del>prepare</del> <u>submit the following information with the request for demolition.</u></p> <ol style="list-style-type: none"> <li>1. <del>a</del> <u>A report documenting the structure as a whole and its individual architectural features in photographs, drawings, and text in accordance with Bothell’s Property Research Guide as maintained by the community development department;</u></li> <li>2. <u>For properties on the historic inventory but not on the historic register, staff will make a determination of eligibility for the <del>National, State or Bothell registers</del> based on the documentation above;</u></li> <li>3. <u>For contributing properties within a historic district, or for properties on the historic register or eligible for the historic register, the report shall also contain a thorough, deliberative analysis of each of the <del>analyzing the</del> following alternatives (listed in descending order of preference) as to their feasibility:</u> <ol style="list-style-type: none"> <li><u>a. 1.—Redesigning the project to avoid any impact to the structure or its setting;</u></li> <li><u>b. 2.—Incorporating the structure into the overall design of the project;</u></li> <li><u>c. 3.—Converting the structure into another use (adaptive reuse);</u></li> <li><u>d. 4.—Relocating the structure on the property;</u></li> <li><u>e. 5.—Relocating the structure to another property within the city of Bothell or its planning area; <del>or</del></u></li> <li><u>f. 6.—<del>Relocating the structure to another property within</del> King <del>and</del> Snohomish County; <del>or</del></u></li> <li><u>g. 7.—<del>Relocating the structure to another property within</del> Washington State;</u></li> <li><u>h. 8.—Salvaging from the structure historically significant architectural features and building materials;</u></li> <li><del>9.— Documenting the structure as a whole and its individual architectural features in photographs, drawings, and/or text in accordance with Bothell’s the Property Research Guide as maintained by the Community Development Department. Such documentation shall be submitted to, and archived by, the city, prior to the issuance of a demolition permit or review by the Landmark Preservation Board.</del></li> </ol> </li> </ol>	<p>Clarification of title</p> <p>Require a historical report for all demolition applications</p> <p>Strengthen requirements for historical reports</p> <p>Require staff determination of Bothell Register eligibility, use staff determination to determine process</p> <p>Remove requirement that all demolition permit applications include an analysis of alternatives to demolition</p> <p>Require an analysis of alternatives to demolition for properties that contribute to a historic district, are on the Bothell register or are eligible for the Bothell Register</p> <p>Remove from nine alternatives, require for all applications</p>

Proposed Amendments	Explanatory Comments
<p><del>The report shall consist of thorough, deliberative analyses of each of the alternatives, explaining why each alternative is or is not feasible and shall include documentation of the structure in accordance with alternative 9 above.</del></p> <p><del>In rare circumstances where public safety is a concern, the report requirement may be waived by the Director of Community Development in consultation with the City Attorney, when there are narrow, objective and definite concerns to be reviewed. In the case of properties listed on the Bothell Register of Historic Landmarks, the National Register of Historic Places, the Washington Heritage Register, or those located within the boundaries of a historic district, the report requirements may not be waived.</del></p>	<p>Remove, address in 22.28.060(F)</p>
<p>B. Any application for a demolition permit for a property on the historic register or within a historic district on the register shall be referred to the landmark preservation board for consideration of a waiver of a certificate of appropriateness prior to any action on the demolition permit. Such waiver shall be processed as follows:</p> <ol style="list-style-type: none"> <li>1. An applicant for a permit to demolish a historic landmark shall meet with the board in an attempt to find alternatives to demolition of the property. Alternatives to be considered include but are not limited to those identified in subsection A of this section. These negotiations may last no longer than 45 days from the initial meeting of the board, unless either party requests an extension.</li> <li>2. If no such request for an extension is made and no alternative to demolition has been agreed to, the board shall act and advise the official in charge of issuing a demolition permit of the approval or denial of the waiver of a certificate of appropriateness for demolition.</li> <li>3. Conditions in the case of granting a demolition permit may include allowing the board up to 45 additional days to consider alternatives to demolition, including but not limited to the alternatives set forth in subsection A of this section.</li> <li>4. When issuing a waiver, the board may require the landowner to mitigate the loss of the historic landmark by means determined by the board at the meeting.</li> </ol>	<p>No amendments proposed in this section</p>

Proposed Amendments	Explanatory Comments
<p>5. After the property is demolished, the board shall initiate removal of the property from the register.</p>	
<p>C. Any application for a demolition permit for a property <u>on the historic inventory that meets the criteria necessary to be listed on the local has been determined to be eligible for the National, State or Bothell registers</u> (BMC 22.16.010) <u>but has not been listed</u> shall be referred to the board <u>for negotiation of alternatives to demolition. At at</u> the next regularly scheduled meeting <u>of the board shall meet with the applicant in an attempt to find alternatives to demolition of the property.</u> These negotiations may last no longer than 45 days unless both parties agree to an extension. If no alternative to demolition can be found, the board may take up to 45 additional days to develop <u>mitigative mitigating</u> measures (e.g., <u>to encourage the landowner to salvage significant architectural features of the building, or require install historical markers or plaques, prepare publications, etc. that provide historical context for the site</u>) and to <u>require confirm sufficient</u> documentation of the building as set forth in subsection (A)(9) of this section before the demolition permit is issued.</p>	<p>Clarification, reflect proposed changes in 22.28.060; remove references to State and National registers per DAHP</p> <p>Clarification of process; reflect proposed changes in 22.28.060;</p>
<p>D. Subsequent to issuance of the waiver of certificate of appropriateness or the director's determination, a demolition permit may be issued; provided, that a building permit has been issued for a new structure on the property occupied by the structure to be demolished; <del>and provided further, that the applicant provides proof of construction financing for said new structure.</del> In the case where a demolition permit is sought because the structure has deteriorated to the point where it has become a safety hazard, this subsection shall not apply.</p>	<p>Remove, per legal department</p>
<p>E. No public funds shall be used to cause or contribute to the demolition of a property on the historic register, within a historic district on the register, or on the historic inventory unless and until all alternatives to demolition have been explored in accordance with this section. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1798 § 1, 2000; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>No amendments proposed in this section</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<u>F. In circumstances where an imminent threat to public safety has been documented, the report requirement may be waived by the director of community development in consultation with the city attorney.</u>	Addition for purposes of public safety

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
<p><b>22.28.070 Appeal of <del>certificate of appropriateness</del>board action.</b>  The board's decision granting, denying or waiving a certificate of appropriateness <u>or</u> <u>conditioning a demolition permit</u> may be appealed to the council within 10 days of the board's decision. The appeal must state the grounds upon which appeal is based. The appeal shall be reviewed by the council only on the records of the board. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>Modification to reflect proposed changes to demolition permit process</p>
<p><b>22.28.080 Appeal of council action.</b>  The action of the council ruling on the board's decision on a certificate of appropriateness may be challenged only pursuant to the method set out in BMC 22.24.060. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p>	<p>No amendments proposed in this section</p>

Proposed Amendments	Explanatory Comments
<p><b><u>22.28.085 Zoning special exception.</u></b>  <u>A change to any use other than a use listed as permitted in the underlying zoning may be considered for a zoning special exception if all of the following criteria are met:</u></p> <p><u>A. The property is listed on the local historic register or within a district on the historic register.</u></p> <p><u>B. All proposed changes to the property have been approved by the board as being compatible with the historical designation of the property through the board’s certificate of appropriateness process, as detailed elsewhere in this chapter.</u></p> <p><u>C. The change in use is demonstrated as necessary to ensure that the historic nature of the property/district will be preserved, considering all uses allowed in the underlying zone.</u></p> <p><u>D. Zoning special exceptions are permitted, provided the community development director determines on a case-by-case basis that such use possesses no characteristics which would adversely impact surrounding neighborhoods, or that any potentially adverse characteristics can be adequately minimized and/or mitigated so as not to be materially detrimental to the community. Zoning special exceptions can vary widely in their characteristics, depending upon the type of use being sought. Accordingly, certain types of zoning special exception may require the imposition of extensive conditions to mitigate potential adverse impacts to the community, while others may not; in some cases, adequate mitigation of impacts may not be feasible, and a proposed zoning special exception consequently may not be allowed. The community development director shall therefore have the authority to approve, approve with conditions, or deny a request for a zoning special exception, after consideration of the performance criteria set forth herein.</u></p> <p><u>1. Process.</u></p> <p><u>a. A zoning special exception permit shall be required prior to the commencement of such a use.</u></p> <p><u>b. A zoning special exception permit is a Type II action and shall be processed accordingly, as set forth in BMC Title 11, Administration of Development Regulations, except that the community development director shall determine whether a pre-application conference shall be required. Proposed zoning special exception applications meeting the requirements for transportation concurrency review in</u></p>	<p>No amendments proposed in this section  Move from 22.28.055 for purposes of organization</p>

Proposed Amendments	Explanatory Comments
<p><u>accordance with Chapter 17.03 BMC shall obtain concurrency approval prior to a zoning special exception being approved. The permit fee for a zoning special exception shall be established by resolution of the city council.</u></p> <p><u>2. Performance Criteria.</u></p> <p><u>a. Parking Requirements.</u></p> <p><u>(1) The layout, design and sizing of parking areas shall be consistent with the requirements of Chapter 12.16 BMC;</u></p> <p><u>(2) Shared parking as provided for within BMC 12.16.040 may be used to satisfy the parking requirements;</u></p> <p><u>(3) No on-street parking shall be allowed.</u></p> <p><u>b. Architectural standards shall be addressed as part of the board’s certificate of appropriateness process, as specified elsewhere in this chapter.</u></p> <p><u>c. Landscaping Standards. Zoning special exception uses shall be required to install landscaping as required under Chapter 12.18 BMC. Modifications may be made by the community development director to match a specific historic-based landscape design, to preserve existing trees, or to ensure compatibility with the surrounding neighborhood.</u></p> <p><u>d. Other Structures. Outdoor recreation facilities such as decks, patios, or sports facilities shall be oriented away from adjacent detached residential properties. Exterior patios and decks shall be screened with landscaping and solid fencing at the discretion of the community development director.</u></p> <p><u>e. Lighting. Outdoor lighting fixtures for uses approved under the zoning special exception shall be directed away from single-family residences and kept as low in elevation as is consistent with providing adequate light levels for safety and security while minimizing the impact on the surrounding neighborhood.</u></p> <p><u>f. Signage. Any signage associated with a zoning special exception shall comply with Chapter 12.22 BMC, Signs, except that the director shall have the authority to</u></p>	<p>No amendments proposed in this section Move from 22.28.055 for purposes of organization</p>

Proposed Amendments	Explanatory Comments
<p><u>make minor modifications to Chapter 12.22 BMC as appropriate to ensure compatibility with the surrounding neighborhood.</u></p> <p><u>g. Hours of Operation. The director shall determine whether proposed hours of operation associated with a zoning special exception are compatible with the surrounding neighborhood and shall have the authority to modify any proposed hours of operation.</u></p> <p><u>h. The performance criteria detailed above are the minimum necessary to provide compatibility with surrounding neighborhoods. The community development director may require additional mitigation measures if they are deemed necessary to provide such compatibility. (Ord. 2069 § 2 (Exh. B), 2011).</u></p>	<p>No amendments proposed in this section Move from 22.28.055 for purposes of organization</p>

Proposed Amendments	Explanatory Comments
<p style="text-align: center;"><b>Chapter 22.32</b></p> <p style="text-align: center;"><b>SPECIAL PROPERTY TAX VALUATION</b></p> <p>Sections:</p> <p>22.32.010 Eligible properties.                  22.32.020 Applications.                  22.32.030 Board approval.                  22.32.040 Requirements.                  22.32.050 Time lines.                  22.32.060 Notification.                  22.32.070 Appeals.</p> <p><b>22.32.010 Eligible properties.</b>                  The class of properties eligible for special valuation shall be limited to properties listed on the Bothell register of historic landmarks or properties certified as contributing to a Bothell register historic landmark district. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1484 § 6, 1992; Ord. 1258 § 1, 1987).</p> <p><b>22.32.020 Applications.</b>                  Applications for special property tax valuation in connection with substantial improvement of historic properties as defined in Chapter 84.26 RCW or as hereafter amended shall be submitted to the board by the county assessor within 10 days of filing. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.32.030 Board approval.</b>                  The board shall approve applications, agreements and supporting documentation (as required by WAC 254-20-090(4)) for special valuation if the property meets the criteria of Chapter 84.26 RCW or as hereafter amended, and is not altered in a way which adversely affects those elements which contribute to its designation and the owner(s) enters into an agreement with the board which requires the owner(s) for the 10-year period of classification to:</p> <p>A. Monitor the property for its continued qualification for special valuation;</p>	<p>No amendments to this section</p>

Proposed Amendments	Explanatory Comments
<p>B. Comply with rehabilitation plans and minimum standards of maintenance as defined in the <u>special valuation</u> agreement;</p> <p>C. Make the historic aspects of the property accessible to public view one day a year, if the property is not visible from the public right-of-way;</p> <p>D. Apply to the board for approval or denial of any demolition or alteration;</p> <p>E. Comply with any other provisions in the original agreement as may be appropriate. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.32.040 Requirements.</b> Once an agreement between an owner and the board has become effective pursuant to Chapter 84.26 RCW or as hereafter amended, there shall be no changes in standards of maintenance, public access, alteration or report requirements, or any other provisions of the agreement, during the period of the classification without the approval of all parties to the agreement. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.32.050 Time lines.</b> An application for classification as an eligible historic property shall be approved or denied by the board before December 31st of the calendar year in which application is made. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).</p> <p><b>22.32.060 Notification.</b> The community development department shall notify the county assessor and the applicant of the board’s approval or denial of the application. If the board determines that the property qualifies as an eligible historic property, the board shall certify the fact in writing and the community development department shall file a copy of the certificate with the county assessor within 10 days of the determination and no later than December 31st. The certificate shall state the facts upon which the approval is based. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1484 § 7, 1992; Ord. 1258 § 1, 1987).</p> <p><b>22.32.070 Appeals.</b> Any decision of the board, acting as the local review board on any application for classification as historic property eligible for special valuation, may be appealed to the superior court under RCW 34.04.130 in addition to any other remedy of law. Any decision on the disqualification of</p>	<p>Clarification</p>

<b>Proposed Amendments</b>	<b>Explanatory Comments</b>
historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1258 § 1, 1987).	

# MEMORANDUM

## Community Development



City of Bothell

**DATE:** November 20, 2019

**TO:** Landmark Preservation Board, Planning Commission

**FROM:** Sarah Desimone, Historic Preservation Consultant  
Dave Boyd, Senior Planner

**SUBJECT:** Downtown Landmark and Historic District Feasibility Study - Joint Planning Commission and Landmark Preservation Board Study Session

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### **DOWNTOWN LANDMARK AND HISTORIC DISTRICT FEASIBILITY STUDY**

#### **Purpose/Action**

Present Historic Resources Inventory (HRI) analysis to both boards, to inform both potential future historic district and landmark designations and potential amendments to the Downtown Architectural Styles and Historic Resources Regulations sections.

No action required at this time.

#### **Background**

In light of the rapid development happening in Bothell's downtown, the Landmark Preservation Board applied for a grant last year to conduct a study of the historic buildings that remain downtown. The study area encompasses the Downtown Special Review Area (DSRA) which is the area between Bothell Way NE on the west and 104<sup>th</sup> Avenue NE on the east and from SR 522 / Woodinville Drive on the south to NE 185<sup>th</sup> Street on the north.

The purpose of the study is to answer the following questions:

1. How many buildings in the DSRA were built in 1980 or earlier\*
2. Of the buildings built in 1980 or earlier, how many are individually eligible for the Bothell Register of Historic Landmarks (BRHL)
3. Of the buildings built in 1980 or earlier, how many would be contributing properties in a potential downtown historic district
4. Are there enough contributing properties to establish one or more historic districts in the DSRA
5. What financial incentives for rehabilitation would be available to individually eligible and contributing properties

\* Surveys like this one are not bound by a specific "50 year" criterion. Part of the purpose is to determine a period of significance for downtown.. From the beginning, it was known there were a couple of late-1970s buildings on Main, so the 1980 date was set to include them in the analysis. Broad surveys like this and the Bothell Inventory are meant to capture everything that might be significant now and in the near future.

### Bothell Register of Historic Landmarks (BRHL)

The BRHL is the local listing of properties (buildings, sites, structures and objects) that are significantly associated with Bothell's history, architecture, archaeology, engineering or cultural heritage. In order to be eligible for the BRHL, a property must fall into one of the thirteen categories outlined in Bothell Municipal Code Section 22.16.010 and retain enough integrity of location, design, materials, workmanship and association to convey its significance. In other words, it must not have been altered so much that it no longer represents its original appearance, or its remodeled appearance if the remodel occurred more than fifty years ago.

Properties can be individually eligible or eligible as a "contributing property" in a historic district. To be individually eligible, the property needs to have a fairly high level of integrity and historical significance on its own. Contributing properties can have a slightly lower level of integrity and historical significance because the properties in the district are evaluated collectively and as such, the integrity and significance evaluation applies to all of the properties in the district rather than just a single property.

Historic Districts are made up of multiple properties and can be large or small in terms of both geographic area and number of resources. Properties in a district have a historic context and development period or periods in common, referred to as the "period of significance," from which most of the properties gain their significance. In a district, properties are identified as either contributing or non-contributing. Contributing properties fall within the period of significance and contribute to the architectural and historical significance of the district. Contributing properties may or may not be individually eligible for the BRHL. Non-contributing properties are those that do not contribute to the significance of the district for some reason, typically either because they are built outside of the period of significance or have been modified such that they no longer reflect their original architectural style. In the case of downtown Bothell, some of the properties do not rise to the level of individual BRHL eligibility but would be considered contributing properties in a historic district.

### Financial Incentives

Certain historic properties are eligible to receive financial incentives for rehabilitation if it is done in accordance with the *Secretary of the Interior Standards for Rehabilitation*. "Rehabilitation" in historic preservation terms means "[altering or adding to a historic property] to meet continuing or changing uses while retaining the property's historic character." Historic buildings are often not suitable for contemporary use and need to be modified to meet current codes and purposes. *The Secretary of the Interior Standards for Rehabilitation* provide guidance for how to modify a historic property to meet current needs without irreparably damaging its historic character.

Three types of financial incentives are available for the rehabilitation of historic properties located in King County: Special Tax Valuation, 4Culture Landmarks Capital Grants and Federal Historic Tax Credits.

Special Tax Valuation is a program that reduces a property owner's property tax liability by subtracting qualified rehabilitation expenditures from the assessed value of a property for ten years. 4Culture Landmarks Capital grants provide up to \$30,000 for rehabilitation to owners of properties listed in the BRHL. While other conditions apply, both of these programs require that the property must be listed in the BRHL either individually or as a contributing property in a historic district and rehabilitation must be performed in accordance with the *Secretary of the Interior Standards*. Many properties in the DSRA are potentially eligible for these programs but it is important to note that each project as a whole would have to qualify based on these and other factors. A blanket determination of eligibility for financial incentives cannot be made for any property.

The Federal Historic Tax Credit program provides a credit for qualified rehabilitation expenditures. This program is more difficult to qualify for because properties must be eligible for listing in the National Register of Historic Places which is an honorary list of nationally significant properties. The integrity and significance bars are set higher for the National Register but a few properties in the DSRA *may* qualify. Eligibility for this program cannot be determined at the local level.

## **Study Results**

The study found that within the DSRA there are 53 properties that were built in 1980 or earlier. The study included a 54<sup>th</sup> property that was built in 1984 because the King County Assessor listed its date of construction as 1980 but research confirmed a later build date. Of the 54 properties studied, 34 would be contributing properties in a historic district and of those, 24 are individually eligible for the BRHL. *\*Note: two additional properties could be considered contributing properties if the proposed Title 22 amendments are accepted allowing properties in a historic district to be less than fifty years old.*

The majority of the eligible and/or contributing properties within the study area are commercial properties. Just six of the eligible and/or contributing properties, all located in the northeastern most part of the survey area, have a single-family form. Of those, most have been converted to commercial use but all maintain their single-family form. Although these residential properties were built within the period of significance, their historic context and significance differs from that of the commercial buildings in the survey area. There is also a clear geographic separation between the properties with commercial forms, largely centered around Main Street, and the properties with single-family forms such that establishing separate commercial and residential historic districts may be the most appropriate course of action. A potential residential historic district could include the properties in this study that have single-family forms as well as those along the north side of NE 185<sup>th</sup> Street and further north to NE 190<sup>th</sup> Street and beyond. Further study would be needed to determine if properties in that area would meet the requirements for inclusion in a historic district as it was not part of this study.

A downtown commercial historic district could include properties between Bothell Way NE and NE 104<sup>th</sup> Street, along Main Street and primarily the south side of NE 183<sup>rd</sup> St. with the addition

of the Christian Science Society Building (site #5) at the northeast corner of NE 183<sup>rd</sup> St. and 102<sup>nd</sup> Ave. NE.

The attached chart lists each property that was built in 1980 or earlier; whether it is individually eligible, contributing or non-contributing; and which financial incentives it *may* qualify for, if any (SVA=special tax valuation; FHTC=federal tax credits; LCG=landmarks capital grant).

### **Next Steps**

The results of this study will be used by both the Planning Commission and the Landmark Preservation Board to inform their discussion of the Downtown Historic Resource Guidelines. Through the Downtown Plan, the City has identified the DSRA as an area where the historic character is important and worthy of safeguarding.

There are basically three ways that character can be maintained:

1. Preservation of the existing historic buildings in whole
2. Preservation of the historic facades
3. Sympathetic new construction

When looking at potential amendments to the Downtown Historic Resource Regulations one should keep in mind what the goals of the regulations are. The study results can help determine which of the above approaches is most appropriate by providing an overview of the existing buildings and their level(s) of significance both individually and as a whole.

If preserving the existing buildings in their entirety is a goal, the LPB and PC may want to consider establishing a historic district. Design guidelines could be set that curtail inappropriate renovations and guide sympathetic new construction. However, this would need to have support of a majority of property owners in the district which may be difficult to gain.

### **Relevant Attachments**

1. BMC 22.16.010, Criteria for historic landmark designation
2. Secretary of the Interior Standards for Rehabilitation
3. Map of Contributing Properties
4. Map of BRHL-Eligible Properties
5. Financial Incentives Chart

## Chapter 22.16 DESIGNATION CRITERIA

Sections:

[22.16.010](#) Criteria for historic landmark designation.

### **22.16.010 Criteria for historic landmark designation.**

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Any building, district, object, site or structure which is more than 50 years old may be designated for inclusion in the Bothell register if it is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the community. The property must also possess integrity of location, design, materials, workmanship and association and must fall into one or more of the following categories:

- A. It is associated with events that have made a significant contribution to the broad patterns of local, state or national history;
- B. It is associated with the lives of persons significant in the local, state or national history;
- C. It exemplifies or reflects special elements of the city's cultural, political, special, aesthetic, engineering, architectural or economic history;
- D. It embodies the distinctive architectural characteristics of a type, style, period or method of designing or construction, or represents a significant and distinguishable entity whose components may lack individual distinction;
- E. It is the outstanding work of an architect, designer or builder who has made a substantial contribution to the art;
- F. It has yielded, or may be likely to yield, information important in prehistory or history;
- G. Because of its prominence of spatial location, contrasts of siting, age or scale, it is an easily identifiable visual feature of its neighborhood or the identity of such neighborhood or the city;
- H. It is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with a historic person or event;
- I. It is a birthplace or grave of a historical figure of outstanding importance and is the only surviving structure or site associated with that person;
- J. It is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns;
- K. It is a reconstructed building that has been executed in a historically accurate manner on the original site;
- L. It is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories;
- M. It is on the State or National Register. (Ord. 2069 § 2 (Exh. B), 2011; Ord. 1635 § 1, 1996; Ord. 1258 § 1, 1987).

**The Bothell Municipal Code is current through Ordinance 2281, passed August 13, 2019.**

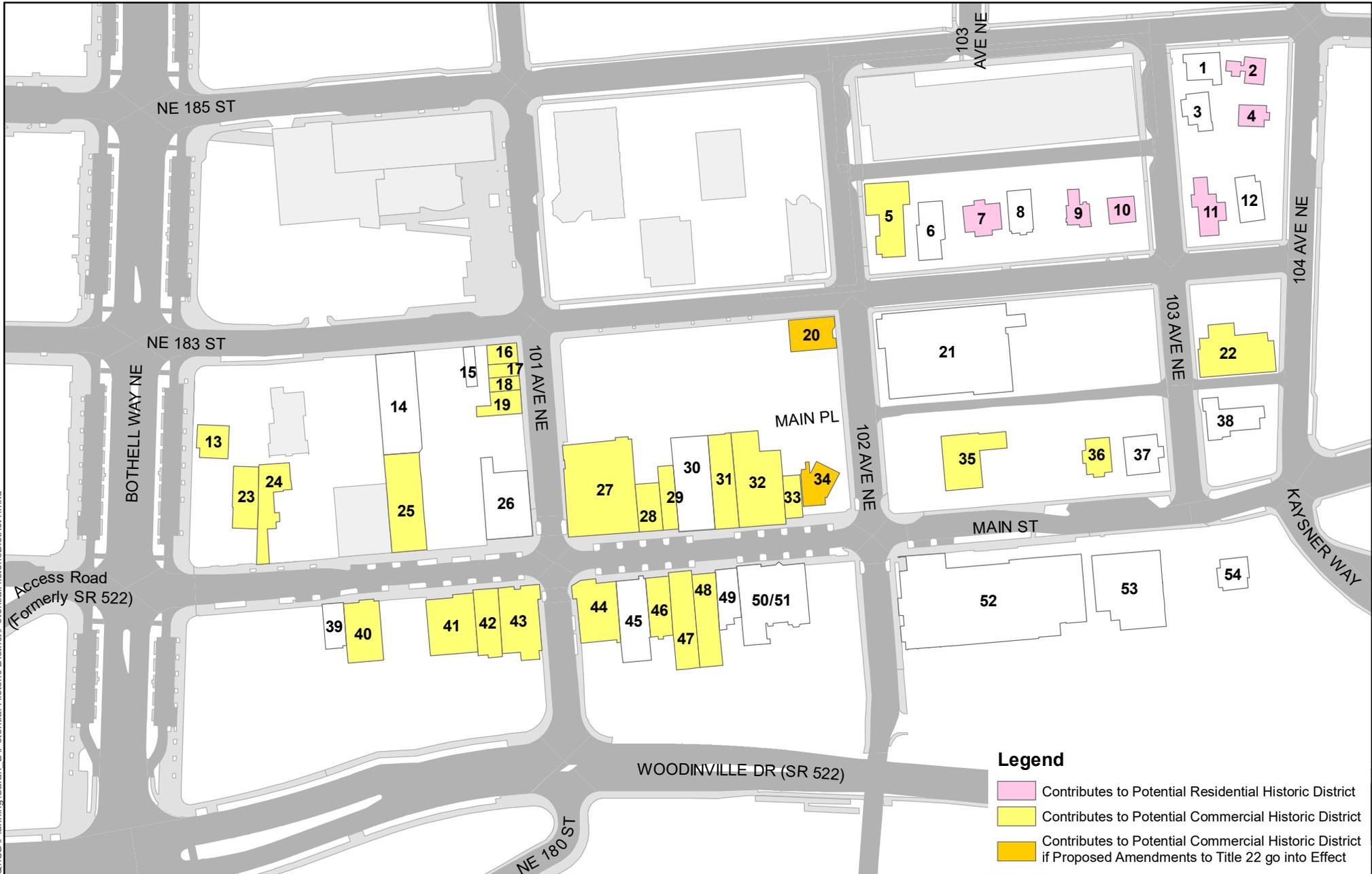
Disclaimer: The City Clerk's Office has the official version of the Bothell Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

## The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

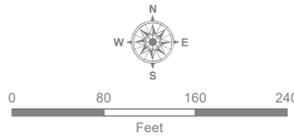


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Access Road (Formerly SR 522)

### Bothell Downtown Landmark and Historic District Feasibility Study Landmark Preservation Board, 2019

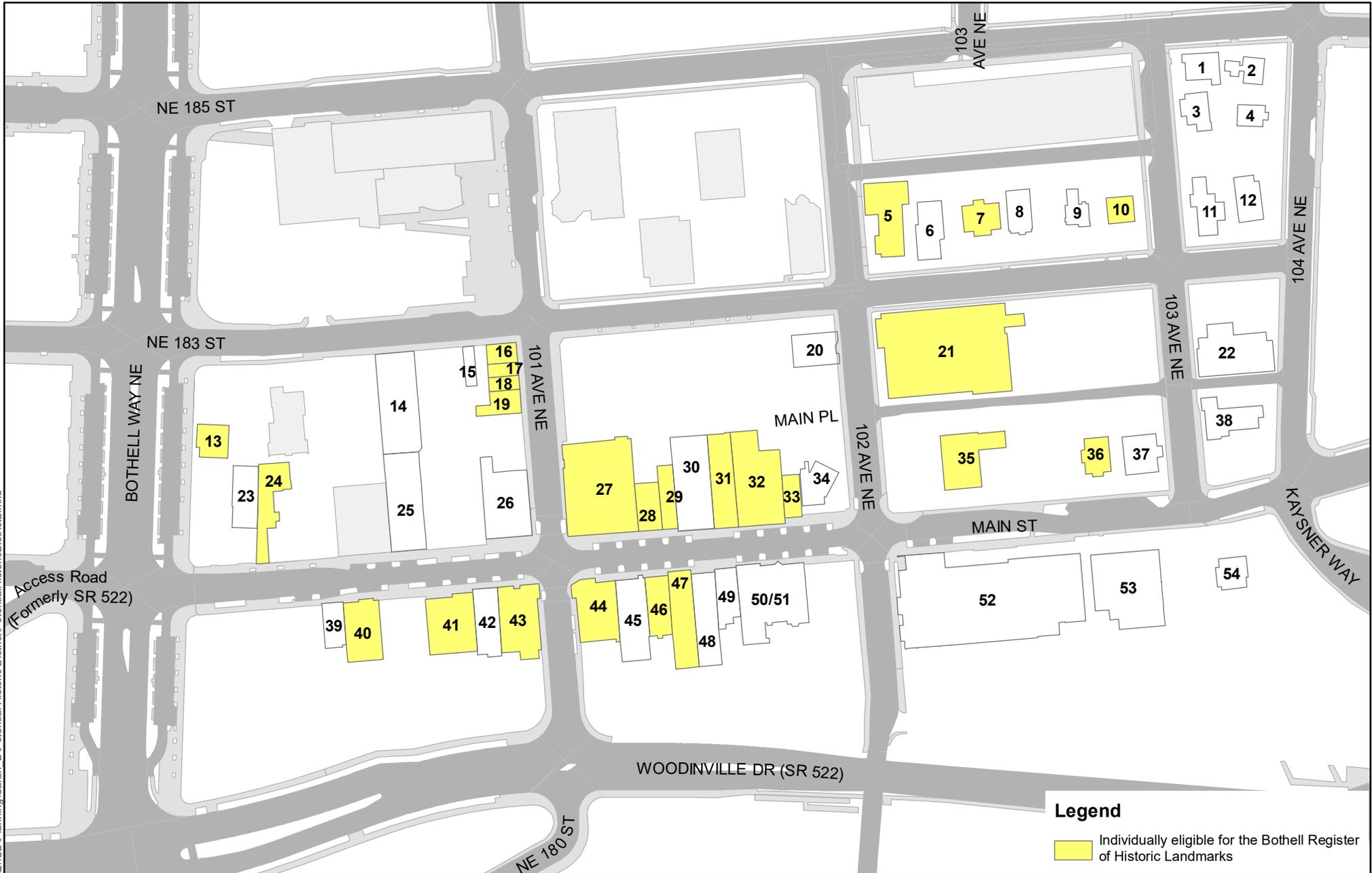
## Potential Contributing Properties



The City of Bothell delivers this data (map) in an AS-IS condition. GIS data (maps) are produced by the City of Bothell for internal purposes. No representation or guarantee is made concerning the accuracy, currency, or completeness of the information provided.

Date: 11/13/2019

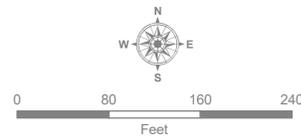




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Bothell Downtown Landmark and Historic District Feasibility Study  
Landmark Preservation Board, 2019

**Individually Eligible Properties**



The City of Bothell delivers this data (map) in an AS-IS condition. GIS data (maps) are produced by the City of Bothell for internal purposes. No representation or guarantee is made concerning the accuracy, currency, or completeness of the information provided.

Date: 11/13/2019



City of Bothell

**FINANCIAL INCENTIVES CHART**

(SVA=special tax valuation; FHTC=federal tax credits; LCG=landmarks capital grant).

<b>Survey No.</b>	<b>Property Address</b>	<b>Historic Name</b>	<b>Financial Incentives (SVA, FHTC, LCG)</b>	<b>Contributing/Eligible</b>
1	18422 103 <sup>rd</sup> Ave. NE	M.E. Church of North America	N/A	Non-contributing
2	18421 104 <sup>th</sup> Ave. NE	Matt Matson Residence	LCG, SVA	Non-contributing
3	18414 103 <sup>rd</sup> Ave. NE	Schroeder's Restaurant	N/A	Non-contributing
4	18415 104 <sup>th</sup> Ave. NE	Harry Harris Residence	LCG, SVA	Contributing
5	18404 102 <sup>nd</sup> Ave. NE	Christian Science Society	LCG, SVA	Contributing/BRHL Eligible
6	10208 NE 183 <sup>rd</sup> St.	George Bosley Residence	N/A	Non-contributing
7	10216 NE 183 <sup>rd</sup> St.	R.O. Gibbs Residence	LCG, SVA	Contributing/BRHL eligible
8	10222 NE 183 <sup>rd</sup> St.	Jacob Carlson Residence	N/A	Non-contributing
9	10230 NE 183 <sup>rd</sup> St.	Casper Rockness Residence	LCG	Contributing
10	10234 NE 183 <sup>rd</sup> St.	Arthur E. Kimball Residence	LCG, SVA	Contributing/BRHL eligible
11	18402 103 <sup>rd</sup> Ave. NE	Huntley Residence	LCG, SVA	Contributing
12	10308 NE 183 <sup>rd</sup> St.	Floyd McNeil Residence	N/A	Non-contributing
13	18218 Bothell Way NE	Bothell Zesto	LCG, SVA	Contributing
14	10021 183 <sup>rd</sup> St.	Phillips Center #2	N/A	Non-contributing
15	10035 183 <sup>rd</sup> St.	Walt Hinz Insurance	LCG	Contributing
16	18227 101 <sup>st</sup> Ave. NE	Worthington Building	LCG, SVA	Contributing
17	18225 101 <sup>st</sup> Ave. NE	Bothell Ice Creamery & Delicatessen	LCG, SVA	Contributing
18	18223 101 <sup>st</sup> Ave. NE	Worthington Building	LCG, SVA	Contributing
19	18221 101 <sup>st</sup> Ave. NE	Bothell Radio and TV	LCG, SVA	Contributing
20	18221 102 <sup>nd</sup> Ave. NE	Elhart, Corning and Frits	LCG, SVA	Contributing

21	10207 NE 183 <sup>rd</sup> St.	Bothell First Lutheran Church	LCG, SVA, FHTC	Contributing/BRHL Eligible
22	18224 103 <sup>rd</sup> Ave. NE	Bothell Funeral Home	LCG	Contributing
23	18206 Bothell Way NE	Bluhm's Mobil Service	LCG	Contributing
24	10010 Main St.	Hillcrest Bakery	LCG, SVA	Contributing/BRHL Eligible
25	10038 Main St.	Phillips Center #1	LCG, SVA	Contributing
26	10042 Main St.	Safeway Store #1	N/A	Non-contributing (modifications)
27	10100 Main St.	George Ericksen Building	LCG, SVA	Contributing/BRHL Eligible
28	10112 Main St.	Puget Sound Power & Light	LCG, SVA	Contributing/BRHL Eligible
29	10114 Main St.	Bothell State Bank #1	LCG, SVA	Contributing/BRHL Eligible
30	10116 Main St.	Keeney & Mohn	N/A	Non-contributing (modifications)
31	10120 Main St.	Mohn Furniture & Hardware	LCG, SVA	Contributing/BRHL Eligible
32	10124 Main St.	Harry Given Store	LCG, SVA	Contributing
33	10130 Main St.	Washington Federal Savings & Loan Association of Bothell	LCG, SVA	Contributing/BRHL Nominated
34	10134 Main St.	Franklin Savings and Loan Association	LCG, SVA	Contributing
35	10210 Main St.	Northshore First National Bank	LCG, SVA	Contributing
36	10228 Main St.	A. Dean Worthington Residence	LCG, SVA	Contributing/BRHL Eligible
37	10234 Main St.	New Amsterdam Restaurant	N/A	Non-contributing (modifications)

38	10304 Main St.	Bank of Northshore	N/A	Non-contributing (age)
39	10007 Main St.	Main Street Travel Agency	N/A	Non-contributing
40	10015 Main St.	Cliff's	LCG, SVA	Contributing/BRHL Eligible
41	10027 Main St.	Bothell State Bank #2	LCG, SVA	Contributing/BRHL Eligible
42	10031 Main St.	Powell, Johnson & Livengood	LCG, SVA	Contributing
43	10037 Main St.	Ashler Masonic Lodge #121	LCG, SVA	Contributing/BRHL Eligible
44	10105 Main St.	Loretta's Favorite Apparel	LCG, SVA, FHTC	Contributing/BRHL Eligible/NRHP recommended eligible
45	10107 Main St.	Nim's Electric	N/A	Non-contributing (modifications)
46	10109 Main St.	Keystone Tavern	LCG, SVA	Contributing/BRHL Eligible
47	10115 Main St.	Ristine Building	LCG, SVA	Contributing
48	10117 Main St.	Sears Catalog Store	LCG, SVA	Contributing
49	10121 Main St.	Schrotke Building	N/A	Non-contributing (modifications)
50	10125 Main St.	Sidie Pharmacy	N/A	Non-contributing (modifications)
51	10127 Main St.	Paul Richards Clothing	N/A	Non-contributing (modifications)
52	18120 Main St.	Bothell Cooperative Mercantile	N/A	Non-contributing (modifications)
53	10205 Main St.	Bothell Telephone Exchange	N/A	Non-contributing (modifications)
54	10303 Main St.	AA Rentals	N/A	Non-contributing (modifications)

# MEMORANDUM

## Community Development Department



City of Bothell

**DATE:** November 20, 2019

**TO:** Planning Commission and Landmark Preservation Board

**FROM:** Dave Boyd, Senior Planner  
Sarah Desimone, Historic Preservation Consultant

**SUBJECT: Proposed Code Amendments (BMC 12.64.504 and 505) Architectural Styles and Historic Resources Regulations**

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### Purpose/Action

The purpose of this portion of the joint study session is to present potential amendments to the Architectural Styles and Historic Resources Regulations sections of the Downtown Subarea Regulations.

The underlying purpose is to promote the preservation and restoration of Bothell's downtown core, particularly along historic Main Street. The order of preference for preservation is:

1. Preserving and restoring historic structures in their entirety.
2. Preserving historic facades, while allowing new development.
3. Providing for new development that evokes or, at a minimum, respects and complements the historic downtown fabric.

No action is required. Staff is seeking feedback from the Landmark Preservation Board and the Planning Commission. The Planning Commission will consider the feedback from this study session in a future recommendation to Council.

### Background

In the 2018 Planning Docket, Council initiated amendments to the Downtown Historic Resources Regulations and possibly Title 22, Landmark Preservation, to preserve historic buildings/facades on Main Street and in the historic downtown core, in coordination with the Downtown Landmark and Historic District Feasibility Study to "pinpoint all register-eligible buildings in the Downtown Special Review Area, determine financial incentives and identify potential historic districts."

### Analysis

The stated purpose of the Downtown Historic Resources Regulations in BMC 12.64.505.A.1 is "to preserve and enhance the historic character and architectural heritage of Downtown Bothell and therefore the overall community character." In 2018, some minor amendments were made to these regulations to update the boundary and map of the Downtown Special Review Area (DSRA) and ensure timely participation by the Landmark Preservation Board in reviewing projects in the DSRA or involving historic register properties throughout the Downtown Subarea. More substantive amendments were deferred to the 2019 Docket, to coordinate with the Downtown Landmark and Historic District Feasibility Study.

In reviewing the Historic Resources Regulations, aspects of the preceding section 12.64.504, Architectural Styles, were identified as potentially benefiting from some amendments as well.

Initial potential amendments of both sections are included in **Attachment 1**. The focus of these initial potential amendments is to:

- Clarify and correct use of terminology.
- Clarify and strengthen provisions to be requirements rather than guidelines to better encourage preservation and restoration of historic buildings and facades to better encourage preservation and restoration of historic buildings and facades.
- Address issues that are not adequately covered in the current regulations.

The Architectural Styles section is not meant to be a complete anthology of downtown Bothell historical styles, and it doesn't include specific regulations for new development. It is intended to identify the main styles found in downtown and provide some examples, both historic and contemporary, for developers to use as references for their projects. Some suggested revisions to the categories and terminology used are described below and included in **Attachment 1**.

The Downtown Subarea Regulations include both requirements and guidelines, and in the rest of the regulations the requirements are listed first, followed by the guidelines. The Historic Resources Regulations do not currently follow that format, and staff's review of the regulations has identified a number of guidelines – measures that “should” be taken – that would be appropriate to include as requirements – provisions that “shall” be done. To make these initial potential amendments easier to read, the requirements and guidelines have not been segregated or re-ordered.

In reviewing the regulations, a couple of issues that are not adequately addressed have been identified:

- There are provisions for awnings (typically fabric covered structures added to a façade), but not for canopies (solid structures typically made of metal, wood and or glass). Other sections of the Downtown Subarea Regulations, like the signage regulations, address these elements differently, and adding separate subsections in this section is suggested.
- On the north side of Main Street, between 10042 and 10130 Main Street, the buildings are set back four feet from the property line. This area is in the Downtown Core district, which has a zero minimum and maximum setback. If any of these properties were to redevelop, the setback regulations would require the buildings to extend four feet further into the street space, potentially introducing an awkward, uneven street frontage. The intent of the zero setback is to create an even street front along blocks of the same district. The best place to transition this building line is at street intersections, so the potential amendments establish the existing building line as the setback line for the 10100 block of Main Street.

## Potential Code Amendments

Architectural Styles: The reference to the Landmark Preservation Board's **City of Bothell Design Guidelines, Building Styles and Features** is revised to include the most recent revision. An explanatory note is added prior to the subsections on styles to explain the ordering.

A new “Mid-20<sup>th</sup> Century Styles” section is added and the date range for “Contemporary Styles” is changed to fill in a gap in the commercial styles and more accurately reflect the range of styles, and subsequent sections are re-numbered accordingly. Potential changes and additions to the photos illustrating the styles are noted in [brackets].

Historic Resources Regulations: Minor edits are made to the introductory section to reflect changed street names and accurately reference historic register properties and regulations.

A minor edit is made to the section on Character-Defining Features of Downtown Special Review Area, which is otherwise included unchanged for context.

More extensive amendments are suggested for the Building Regulations for Rehabilitation and New Construction section, including:

- Clarification that subsequent renovations can have historical significance of their own.
- Addition of canopies to the section on awnings, along with a requirement to remove inappropriate ones when exterior renovations are done.
- Addition of a guideline regarding saving remnants of original masonry, where possible.
- Change of some guidelines to requirements.
- Addition of a requirement to maintain the predominant street façade line on the north side of the 10100 block of Main Street.

Similarly, the Building Materials and Elements section has suggested amendments to:

- Change some guidelines to requirements to better encourage preservation and restoration of historic buildings and facades.
- Encourage restoring original bulkheads where possible.
- Adding canopies to awnings, addressing roll-out awnings, and encouraging flat canopies that provide weather protection while minimizing impacts to historic facades.
- Adding obscure glass to prohibited storefront window options.

In addition, minor typographical errors are corrected throughout.

### **Action**

No action is requested at this time. Staff is seeking feedback from both the Planning Commission and Landmark Preservation Board on the potential code amendments. This will be the Landmark Preservation Board's primary opportunity to provide direct feedback to the Planning Commission. Subsequent review of these code amendments and a recommendation to Council is scheduled to go through the Planning Commission, though the Landmark Preservation Board may be asked to provide further input as the process continues.

Specific questions include:

- Feedback on the potential changes to the Architectural Styles section.
- Feedback on potential changes to the Historic Resources Regulations.
- Feedback on whether to segregate requirements and guidelines, or just list requirements first, followed by guidelines, for each subsection.

### **Attachment**

1. Potential Downtown Architectural Styles and Historic Resources Regulations Code Amendments

## Potential Architectural Styles and Historic Resources Regulations Amendments

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Relevant sections are included below, including sections that may not need amendment, but are included for context. Text in [brackets] describes insertions and is not part of the proposed code. Draft amendments are shown in underline/~~strikethrough~~ format below. Skipped sections are indicated by three asterisks: \* \* \*

### 12.64.504 Architectural Styles

This section contains a discussion of a range of the predominant architectural styles found among existing buildings in downtown Bothell. A small number of buildings designed in other styles, from different periods or displaying a degree of stylistic influence from other styles (for example, 1930s Art Deco influence on decorative elements of the Anderson Building) can be found in downtown, but detailed descriptions of those styles have not been included here. The **City of Bothell Design Guidelines, Building Styles and Features** by the Bothell Landmark Preservation Board, 2007 or most recent revision, may be consulted for further detail on these and other architectural styles. Within individual style descriptions below, the dates shown indicate the historic period of initial popularity of the style. With the goal of strengthening downtown Bothell’s “sense of place” and architectural character and building on its heritage in mind, the Architectural Styles discussed here are included to provide a basis for reinforcing and strengthening the character of predominant building fabric in the project area in the design of new buildings and development, whether through the full emulation and/or interpretation of one of the predominant building styles. Alternatively, where a predominant downtown architectural style is not used, the information is intended to provide guidance for architects and developers to make sensitive reference to, incorporate, and/or harmonize with characteristics of predominant architectural styles such as (but not limited to) massing, horizontal and vertical scale increments, façade composition, roof form, architectural elements, materials, and colors.

The sections below list predominantly commercial and mixed use styles first, followed by predominantly residential styles.

\* \* \*

#### **B. MID-20<sup>TH</sup> CENTURY STYLES (1930-1970)**

Reflecting “machine age” design and in protest to the styles of the earlier Victorian period, architectural styles of the mid-20<sup>th</sup> century were influenced by Frank Lloyd Wright’s Usonian house plans in the United States and the Bauhaus school in Europe. Mid-20<sup>th</sup> century styles found in the Downtown Subarea include Art Deco, Art Moderne/Streamline Moderne, Contemporary, Wrightian, New Formalism, Northwest Regional and Ranch. Generally, they are comprised of horizontal lines, large expanses of glass, multiple planes and mixed materials but each style has very distinctive attributes. See the **City of Bothell Design Guidelines, Building Styles and Features** by the Bothell Landmark Preservation Board for further information on mid-20<sup>th</sup> century styles.

[Use photo of First Lutheran Church and insert Logsdon Building and Gallo de Oro?]

**BC. CONTEMPORARY STYLES (~~1950S~~ 1970 – PRESENT)**

1. For the purposes of this Plan, Contemporary Styles comprise those architectural styles that draw on Modernism, Post-Modernism, and other current styles in practice today. Most Contemporary Styles have drawn upon contemporary building materials, modern construction methods to create a visual identity that is distinct from historic architectural styles.

\* \* \*

**CD. QUEEN ANNE (CIRCA 1885-1905)**

\* \* \*

**DE. CRAFTSMAN (CIRCA 1900-1930)**

\* \* \*

**12.64.505 Historic Resources Regulations**

**A. INTRODUCTION**

\* \* \*

**1. Purpose**

- a. The purpose of these Historic Resources Regulations is to preserve and enhance the historic character and architectural heritage of Downtown Bothell and therefore the overall community character. These regulations apply to an area that is labeled the Downtown Special Review Area (DSRA), see Fig.12.64.505 A.1, which is bounded by ~~SR 527~~Bothell Way NE, SR 522, NE 185th Street and 104th Avenue NE, and select individual historic properties within the Downtown Subarea. Adherence to the Regulations will ensure that new elements and features constructed or modified are compatible with existing and desirable historic elements.

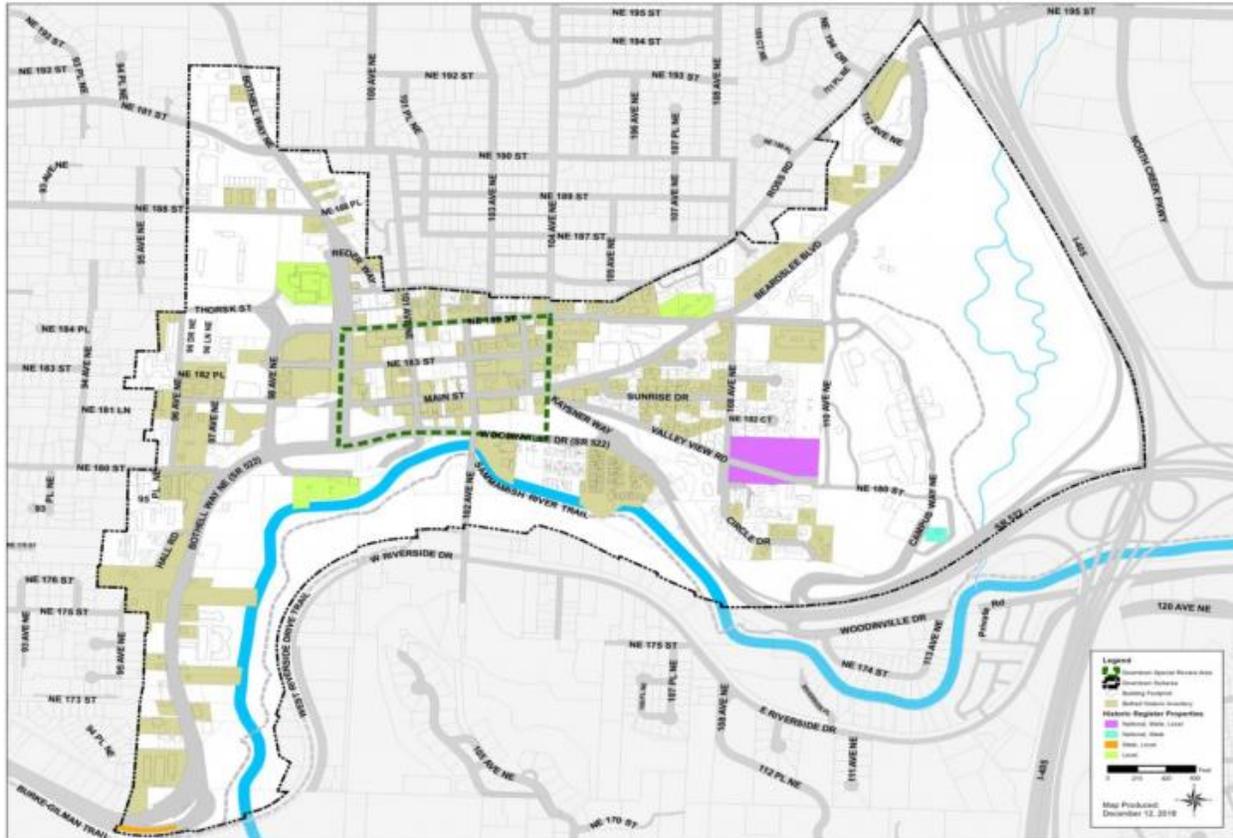


Fig.12.64.505.A.1 Historic Resources and Downtown Special Review Area (DSRA) Boundary

## 2. Applicability

These regulations will be used by the City's planners and Landmark Preservation Board to review the appropriateness of proposed new construction, exterior alterations to buildings, and demolition. This section is intended to provide guidance for the modifications to existing structures and new construction within the DSRA, and for those structures within the Downtown Subarea that are listed on the National, State or local Registers of Historic Places.

## 3. Design Review Process

- a. The review process begins when an owner (or an owner's representative) proposes any exterior work on a building that is within the boundaries described above, that has been nominated for local landmark status, or that is a listed historic structure on the Bothell Register of Historic Landmarks. These guidelines should regulations shall be used when contemplating a project, to help establish the appropriate direction for repairs, alterations, or new construction.
- b. The Landmark Preservation Board will review each proposal in terms of the basic principles and for conformance with the stated regulations. The review process shall be as described in Bothell Municipal Code Chapter 22. In order to promote compliance with the regulations in this section, any development proposal within the DSRA which would exceed the threshold for categorical exemptions under the State Environmental Policy Act (SEPA) shall be submitted to the Landmark

Preservation Board for review and comment in a public meeting prior to application for any building permit.

## **B. REQUIREMENTS AND GUIDELINES**

These Historic Resources Regulations are based on principles set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties, widely accepted as the preservation and rehabilitation principles when considering and implementing changes to historically significant properties. Divided into four sections – preservation, rehabilitation, restoration, and reconstruction – the standards provide technical advice for activities and methods for property owners and stewards of historic properties. The primary intent of the Standards is to provide direction for the protection of the historic character of the buildings through a combination of mandatory requirements and advisory guidelines. Additionally, new uses should be compatible with the buildings' character, and retain open views through the storefronts into interior spaces. The basic principles include the following:

### **1. Basic Principles**

- a. Retain original building materials and distinctive architectural features whenever possible. Removal of or alteration of these original features is strongly discouraged.
- b. Repair deteriorated original or significant features. If repair is infeasible, replace materials in kind to match original material, quality, and detailing.
- c. Do not cover original building materials or architectural features. Where they have been covered or obscured by alterations, re-expose original materials and features. NOTE: Alterations to a building may have gained significance over time, and may not necessarily need to be removed. This will be ascertained by the Landmark Preservation Board during the review process.
- d. Replacement of missing original features should be undertaken based on accurate and defensible historical documentation and/or physical evidence. Where documentation does not exist or restoration is otherwise infeasible, new features may be contemporary in character and detailing and must be compatible with the scale, complexity, material, and color of the historic building materials.
- e. Decorative elements that create a false sense of history or change the original architectural style of the building should not be added to a façade.
- f. Surface cleaning should be undertaken with the gentlest means possible. Sandblasting is not permitted. (See Section C, Resources and References, below for additional resources on recommended surface cleaning practices.)
- g. Demolition of structures on the Bothell Historic Register is strongly discouraged, and must be approved by the Landmark Preservation Board. (See Bothell Municipal Code Chapter 22 for demolition review process.)

### **2. Character-Defining Features of Downtown Special Review Area**

Bothell's Main Street, especially on the block between 101st Avenue NE and 102nd Avenue NE, and the streets within one block south and two blocks north, are characterized by a limited number of commercial architectural styles, common façade materials, distinct façade elements, consistent

property setbacks, and variable lot widths. This creates both a consistency and diversity that forms the unique character of Bothell's historic commercial district. (See Section 12.64.504 for Architectural Styles.)

The character-defining features of the existing buildings within the DSRA are those historic visual elements that give the space its particular "feel." Things such as overall building shape, materials, craftsmanship, and decorative details are the features that provide the particular character of each building.

Listing them here provides a context within which to evaluate changes or additions to historically designated structures or to properties within the Downtown Special Review District. While each building has distinctive elements, the common historic features are the character-defining features of the area as a whole:

- a. Full public frontage coverage (meaning the buildings generally occupy the full area of the street frontages with no setbacks from the property line. This results in the following:
  - i. Continuous row of storefronts, located immediately adjacent to the edge of sidewalk. This feature is consistent with the Private Frontage regulations applicable to the Districts within the DSRA.
  - ii. Blank side walls between parcels, characterized by no fenestration, openings, or decorative features. This feature is also consistent with the side yard setbacks for the Districts within the DSRA, but does not incorporate windows.
- b. One- and two-story buildings with variable lot dimensions. The variation in storefront width and height is a significant characteristic that gives Main Street its distinctive rhythm (This varies from the taller building height limits that may be allowed in other areas of the Downtown). Main Street buildings exhibit the following characteristics:
  - i. Variable building heights which range from approximately 18' for the single story structures to 36' for the two-story structures (including parapet).
  - ii. Storefront dimensions which vary from 20' to 90' wide, with most approximately 30'-40' wide.
  - iii. Buildings with rectangular plans with relatively flat façades and sidewalls. Some have angled or recessed entries (see below).
  - iv. Upper levels are clearly distinguishable from the lower, street level floors in their differing use of opaque and glazed materials. Opaque, solid materials dominate at the upper floors; conversely the lower floors are composed predominately of transparent glazing.
- c. Fenestration and Doors
  - i. Where extant at upper floors, windows are placed symmetrically in the façade.
  - ii. Windows are typically large, narrow, double hung, with arched or articulated heads, and projecting sills.
  - iii. Doors are often paneled, with side-lights.

d. Materials. The commercial buildings are made up of brick and stone masonry, stone veneer, painted wood trim, limited wood siding, glazed storefronts, and a wide variety of awning shapes and materials.

i. Brick and stone: These were the original major façade materials.

(A) Brick masonry, typically laid in running bond, sometimes with decorative patterning at the parapet, constitutes the majority of the facades. Soldier courses at window headers are common. Brick palette consists of a range of reds and browns.

(B) There is limited use of stone and light-weight cultured stone, a manufactured stone veneer cast from molds of real stone, present primarily in 1950s buildings, or those buildings that were renovated in the 1950s.

ii. Wood cladding

(A) Wood buildings that characterized Bothell's early Main Street are no longer extant. (Note: Some of the original free-standing structures were moved to Bothell Landing.)

(B) Wood cladding is limited to areas below the storefront glazing and sheathing at some upper façade areas. (Generally, the use of the residential-scale wood sheathing or siding on the upper sections of the building facades is not historically appropriate.)

e. Glazed storefronts with transom band

i. Original storefront systems typically used wood, aluminum, or steel as the supporting elements, with wood or brick bulkheads below the storefront frames.

ii. The plate glass storefronts are undivided or may have one narrow muntin to divide a wider storefront, and generally extended nearly the full width of the façade.

iii. A glazed transom band runs above the width of the storefront assembly and consists of a series of divided lights. These windows provide additional light to the interior, and are sometimes operable to provide natural ventilation.

iv. Individual storefronts are divided into distinct, usually symmetrical or balanced bays.

f. Recessed entries

Main entry doors are typically recessed from the plane of the storefront. The recess accommodates the outward swing of doors, provides shelter at the entry, and lends an articulation at the pedestrian level.

g. Parapets

A parapet gives the feeling of extra building height, particularly at the primary façade. Most parapets on Bothell's Main Street are simple, either straight across or with just one or two steps in the center of the façade. More elaborate parapets are no longer extant.

h. Articulated cornice and/or flush brick patterning

i. Cornices were typically of wood or sheet metal, shaped to provide a visual "cap" to the building.

- ii. Areas below the parapets and above the transom windows often include bricks laid in a pattern.

### 3. Building Regulations for Rehabilitation and New Construction

These regulations take into account the existing historic fabric and changes to the façades and buildings over time. They should be used as the basis of design for proposed changes to existing façades and in the design of new construction along Main Street. They acknowledge that buildings have individual unique characteristics and existing conditions as related to construction, ownership, maintenance, and use which need to be taken into consideration when making proposals for change, preservation, or rehabilitation. In some cases, a later renovation may have historical significance of its own, in which case either restoring the original façade or the renovated façade that has historical significance may be appropriate. Suggested façade treatments, which draw on the traditional features of the area's commercial buildings, include the following:

#### a. Rehabilitation

##### i. Awnings and Canopies

- (A) Removal of existing, inappropriate awnings is encouraged, and required when exterior renovations are done. (See Paragraph ~~(4)(b)~~ below for appropriate awnings.)
- (B) Awning or canopy installations shall not damage or obscure significant existing building features.
- (C) Awning or canopy design should include consideration of the overall composition of the individual building façades and in context with the adjacent buildings.
- (D) All awnings or canopies on a single building must be of the same type, material, color, and size. (i.e., when a single building houses more than one business, the businesses must coordinate awnings.)

##### ii. Cladding

- (A) Unpainted masonry shall remain unpainted.
- (B) Where wood siding has been installed over original masonry, owners are encouraged to remove ~~the~~ siding and restore original masonry. Where part of original masonry has been removed and cannot be replicated, retain as much of the original masonry as possible.
- (C) Removal of existing materials that obscure original architectural features is strongly encouraged.

##### iii. Storefronts and Sidewalls

- (A) Transom bands ~~should~~ shall be re-exposed where covered, and restored to glass, where possible.
- (B) Original bulkhead materials ~~should~~ shall be retained, maintained, or uncovered where possible.

- (C) Storefront divisions or design elements should be symmetrical ~~and or~~ balanced. The proportions of original storefront divisions should be retained.
- (D) Cornice lines should be continued, and original parapets reconstructed if possible.
- (E) Contemporary storefront modifications that utilize traditional elements and proportions, or simplified interpretations of missing elements, may be used if the original is missing. New designs ~~should shall~~ be compatible with the desirable historic features of adjacent buildings, and retain the transparent character of the façade.
- (F) Sidewalls between parcels may be blank, and without fenestration or added detailing.
- (G) Sidewalls, or secondary facades, when abutting a public way should not be devoid of openings or fenestration, and should include elements and divisions that are compatible with the primary façade.

iv. Doors and Windows

- (A) Original placement, arrangement, and function of doors and windows should be preserved where possible.
- (B) Closing or filling in original openings ~~should shall~~ be avoided; and restoration of original openings is encouraged, except where a later façade has gained significance in its own right.
- (C) Maintain recessed entries.
- (D) Replacement elements ~~should shall~~ match originals as closely as possible.

b. New Construction

- i. New buildings ~~should shall~~ respect the district in which they are located, and be compatible with or complement the desirable surrounding architectural character.
- ii. New construction ~~should shall~~ utilize traditional character-defining features and materials, in a contemporary and/or simplified fashion.
- iii. Building footprints shall be rectangular and shall fill the entire streetfront at the first two levels, with the front façade located at the front edge of the property line, or at the predominant street façade line on the block. New construction on the north side of the 10100 block of Main Street shall maintain the current predominant street façade line. Recessed or notched façades are not permitted, with the exception that appropriately scaled recessed entries may be permitted.
- iv. Building heights shall be consistent with those in the District Requirements of the Downtown Subarea Plan & Regulations, and compatible with adjacent buildings. Variation in building height is encouraged.
- v. Storefront divisions shall be compatible in scale and proportion with the building's width and height, and compatible with the adjacent buildings.

- vi. Buildings wider than those traditionally constructed on the block shall include variation in wall plane, articulation and spaced structural bays to provide a scale that is compatible with the original building widths.
- vii. Primary entrances shall be oriented toward the street.
- viii. Roof forms along the portion of Main Street between 101st Avenue NE and 104th Avenue NE shall be flat, and shall not have corner accents or turrets. See Section 12.64.500 Architectural Regulations for areas outside this boundary.
- ix. See Section 12.64.504 for Roof Equipment and Screening. Equipment mounted to rooftops shall be screened from view using elements integrated into the building's architectural features, without the need for special screening elements.

#### 4. Building Materials and Elements

Exterior façade elements are the key components that give a building its style and visual character. Elements include cladding, trim and moldings; storefront systems and windows, doors and transom; supplementary items such as signage and awnings; and color selection.

- a. Storefront Materials - High quality materials, consistent with historic materials on Main Street
  - i. Metal or wood storefront system with plate glass; with proportions, heights, and profiles appropriate to prevailing existing storefronts.
  - ii. If a new storefront is required, it ~~should~~ shall be designed to fit inside the original framed opening.
  - iii. False divided lights or “snap in” muntins/mullions are not permitted.
  - iv. Transom glazing may be clear, beveled, leaded, etched, or prism glass.
  - v. Contemporary flush doors or residential-style doors are not appropriate.
  - vi. New bulkheads shall be constructed of a material appropriate to the storefront and building on which it is installed. Wood panels and brick veneer were the most common original bulkhead materials on Main Street. New bulkheads should be compatible with surrounding storefronts. Where possible, original bulkheads should be restored.
  - vii. Wall or window air conditioners are not permitted on the front façade of a building.
- b. Awnings or canopies may be installed to provide pedestrian weather protection, signage, and visual character.
  - i. Traditional shed awnings with free hanging valance or flat awnings are appropriate awning shapes. Shed awnings may have valance returns, but side panels are not permitted.
  - ii. Bubble type, quarter-round, dome, box-like shapes, shingled-canopy types, and other contemporary commercial designs are not historically appropriate and are not permitted.
  - iii. Awnings shall not conceal significant architectural features and should be mounted within the building elements that frame the storefront, typically directly below or above the transom.

- iv. Installation of awnings shall not damage the structure. Clamps and fasteners used to attach awning frames should penetrate mortar joints rather than brick or other masonry surfaces. Care should be taken when attaching new backboards or rollers, not to damage transoms or other building elements.
- v. Material for shed awnings should be canvas, canvas blends, acrylic that resembles canvas, or similar. Vinyl or other shiny, high-gloss material is not appropriate. Returns shall be open, except valence returns are allowed.
- vi. Roll-out awnings are appropriate, especially where they were used in the original storefronts.
- vi. Flat canopies, supported by brackets or hug by cables, rods or chains, may be a period-appropriate way to provide weather protection, even on buildings that did not originally have them. The structural depth of canopies should be minimized to reduce obscuring other historical elements. Use of glass is encouraged to reduce shading of storefronts and allow upper facades to be visible from below.

c. Color

- i. Neon or ultra-bright colors are not permitted.
- ii. When choosing colors, consider compatibility with original finishes as well as with neighboring buildings.

d. Transparency, Signage, Building Lighting, and Street Furnishings (See also 12.64.600 Signage Regulations)

- i. Storefront display window glazing shall be transparent to promote visibility into businesses. Mirrored, translucent, obscure or dark-tinted glass that prohibits visibility into the building interiors is not permitted.
- ii. Business displays shall be designed to allow views into the building interiors, and to avoid a sense of clutter and disorder.
- iii. Signage shall be compatible and in balance with the architectural style and visual character of the building on which is it located.
- iv. Consideration of projecting blade signage or flush-mounted signage that is integrated with the overall building façade composition is strongly encouraged. Use of historic sign bands and locations are also strongly encouraged.
- v. Street furnishings and building lighting shall be simple, should not convey a false sense of history, and should be limited to a maximum of two designs.
- vi. Business signage is permitted on the front valance of an awning but not on valance returns.
- vii. Internal illumination of awnings to backlight awning signage shall not be permitted.

**5. Parking and Curb Cuts**

- a. No new driveway curb cuts shall be permitted on Main Street between Bothell Way NE and Kaysner Way, except as provided for in Section 12.64.403.B.1.c.
- b. Whenever possible, existing driveway curb cuts within this segment of Main Street should be removed.

## 6. Demolition

Demolition of designated properties, or historic inventory buildings, is strongly discouraged. (For demolition review process, see BMC 22.28.060.)

## C. RESOURCES AND REFERENCES

### 1. Washington State Department of Archaeology and Historic Preservation (DAHP)

- a. The State website provides information, documents, maps, photographs and tools regarding historic sites, local government programs, regulations, tax incentives and other useful data.
- b. <http://www.dahp.wa.gov/>

### 2. National Parks Service

- a. The Secretary of the Interior's Standards for the Treatment of Historic Properties, and associated guidelines, provide guidance for the treatment of historic resources.  
[http://www.nps.gov/history/hps/tps/standguide/overview/using\\_standguide.htm](http://www.nps.gov/history/hps/tps/standguide/overview/using_standguide.htm)
- b. Preservation Briefs are a series of publications to assist property owners, preservation professionals, and others in preserving, rehabilitating, and restoring historic buildings. They are available online.
  - i. <http://www.nps.gov/history/hps/tps/briefs/presbhom.htm>
  - ii. Select, relevant individual briefs are listed below:
    - 01: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings
    - 02: Repointing Mortar Joints in Historic Masonry Buildings
    - 03: Conserving Energy in Historic Buildings
    - 06: Dangers of Abrasive Cleaning to Historic Buildings
    - 09: The Repair of Historic Wooden Windows
    - 10: Exterior Paint Problems on Historic Woodwork
    - 11: Rehabilitating Historic Storefronts
    - 14: New Exterior Additions to Historic Buildings: Preservation Concerns
    - 15: Preservation of Historic Concrete: Problems and General Approaches
    - 16: The Use of Substitute Materials on Historic Building Exteriors
    - 17: Architectural Character - Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character

- 18: Rehabilitating Interiors in Historic Buildings - Identifying Character-Defining Elements
- 24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches
- 32: Making Historic Properties Accessible
- 33: The Preservation and Repair of Historic Stained and Leaded Glass
- 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing
- 38: Removing Graffiti from Historic Masonry
- 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings
- 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront
- 42: The Maintenance, Repair and Replacement of Historic Cast Stone
- 44: The Use of Awnings on Historic Buildings: Repair, Replacement and New Design

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**Study Session:**  
**Staff Briefing Canyon Park Subarea**  
**Plan Update - Preferred alternative**

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# MEMORANDUM

## Community Development



City of Bothell

**DATE:** November 20, 2019

**TO:** Planning Commission

**FROM:** Bruce Blackburn, Senior Planner

**SUBJECT:** Briefing on Canyon Park - Preferred Alternative

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### Objective

Provide a briefing to the Planning Commission regarding options for a preferred alternative. Selection of a preferred alternative is a critical decision point because the preferred alternative will be the foundation of the Canyon Park Subarea Plan and implementing regulations.

### Action

No action is requested this evening. Staff is asking for input and comments from the Planning Commission on steps toward selecting a preferred alternative.

### Policy Consideration and Connection to Council Goals:

An update of the Canyon Park Regional Growth Center and Subarea Plan is a key component of the Council's Economic Development Goal.

### Background:

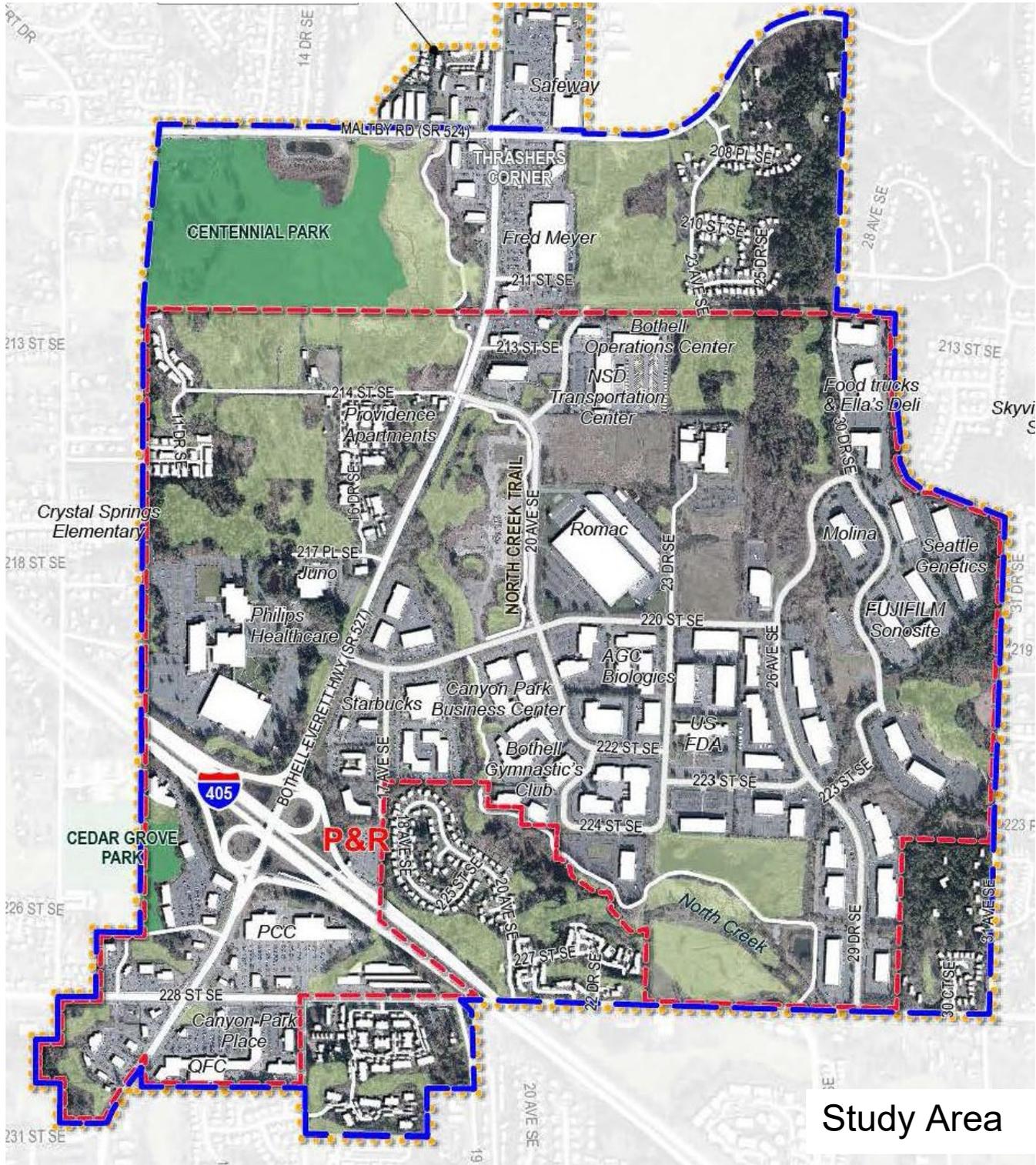
Canyon Park contains one of 29 regional growth centers (RGC) designated by the Puget Sound Regional Council (PSRC). The study area, including the subarea as well as the existing and proposed RGC boundaries is depicted on Page 2. PSRC adopted revised criteria for these centers in 2018 that call for a minimum of 18 existing activity units and a planned capacity of 45 activity units per acre. Activity units are defined as the number of people that reside and/or are employed within the designated center. Attaining these growth criteria is a fundamental objective of this action.

A Draft Planned Action Environmental Impact Statement (DEIS) will be issued this fall (target date: November 27, 2019) which will analyze the environmental impacts of four alternative growth scenarios described below:

- No Action - Existing Comprehensive Plan (Page 4)
- Live/Work – Mix of 32% residential and 68% employment (Page 5)
- Business Plus – Mix of 20% residential and 80% employment (Page 6)
- *Mitigated* (565 acres) Live/Work – Mix of 36% residential and 64% employment (Page 7)
- Alternative RGC Boundaries of 733, 613 and 565 acres (Page 8)

The existing Comprehensive Plan can accommodate approximately 8,200 more people by 2035, the Live/Work and Business Plus Alternatives represent about 16,000 more people by the year 2043; about 8,000 to 9,000 more than the existing 2015 Comprehensive Plan or the no action alternative. Once DEIS

comments are received and after additional public engagement, a preferred alternative will be selected which will be the basis for the updated Canyon Park Subarea Plan.



**Discussion**

Draft descriptions of the three alternatives are provided below:

- **No Action**, a SEPA Required Alternative, assumes growth according to current trends and the planned capacities of the *Imagine Bothell... Comprehensive Plan*. This includes about 4,500 net new residents and about 4,800 net new jobs. This alternative retains current Land Use designations and zoning, which allows a mix of employment and residential uses throughout the study area. The current RGC boundaries are 733 acres and include areas of wetlands, streams and associated buffers.
- **The Business Plus Alternative**, a business-focused alternative, includes about 4,500 residents but a much higher number of jobs at 17,350. This alternative focuses most future growth in employment with mixed-uses focused in shopping areas in Thrasher’s Corner and to the southwest of I-405. The RGC boundary would be revised to 613 acres and would include some lands within unincorporated Snohomish County.
- **The Live/Work Alternative**, a mixed-use approach includes net capacities of nearly 6,700 residents and a job count of about 15,200. This alternative has the most mixed-use residential and retail or residential and office. Revisions to the RGC boundary would be the same as the Business Plus Alternative at 613 acres.
- **Mitigated Live/Work Alternative** was developed with net capacities of approximately 4,224 residents and 9,500 jobs. The RGC would be 565 acres. This alternative has the lowest level of impacts but still meets the PSRC RGC framework criteria of 45 activity units per acre.

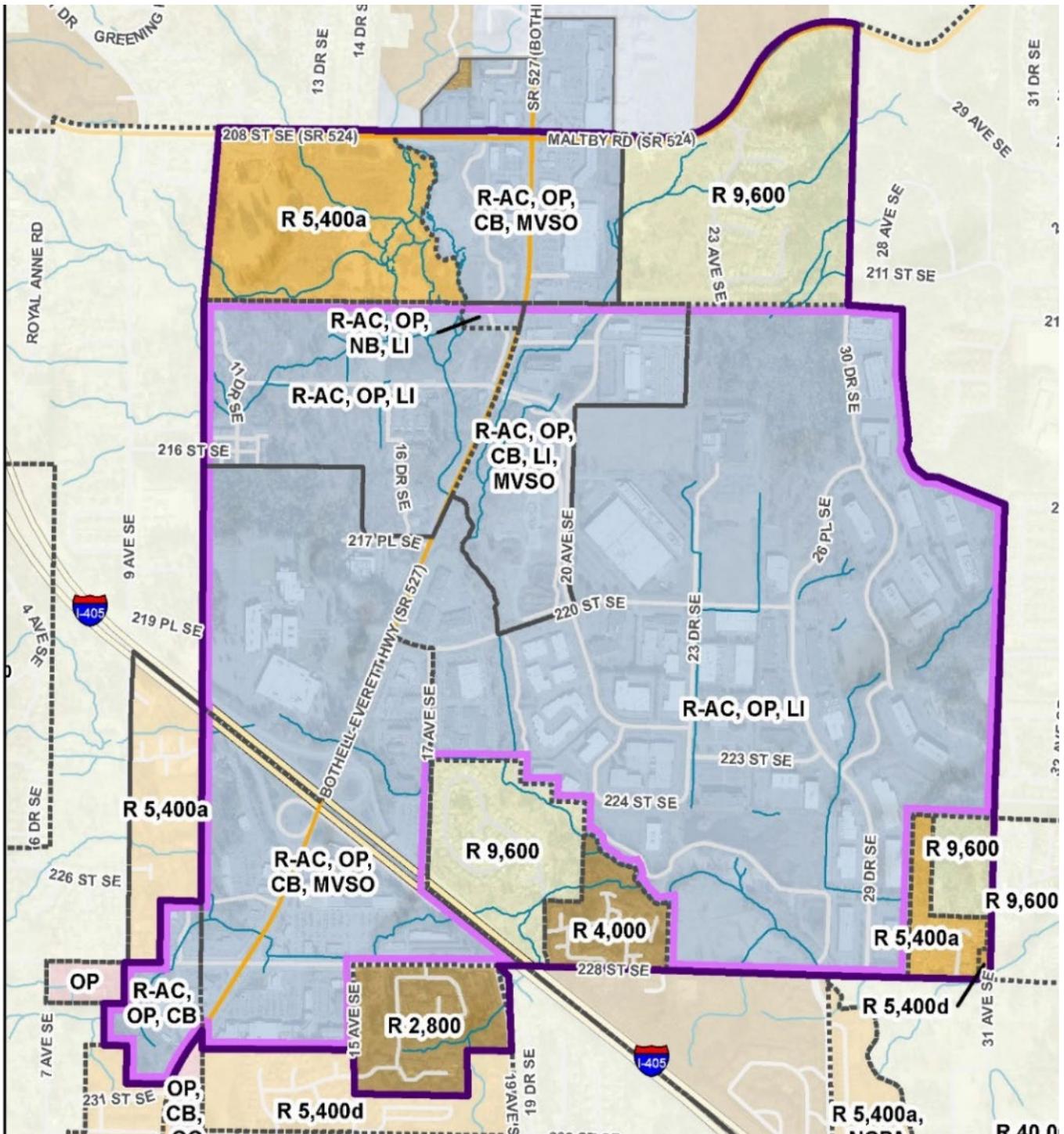
Staff is providing comparison information on each alternative as a means of informing the Commission of the differences between the Alternatives. Table 1 below recaps the capacity differences of each alternative

**Table 1. Draft Net New Housing, Population, and Jobs Capacity**

Alternative	Regional Growth Center (RGC)			Total	Existing	Total Capacity
	Dwelling Capacity	Population Capacity	Job Capacity			
<b>No Action</b>	1,856	3,712	4,530	8,242	12,600	20,842
<b>Live/Work Mitigated</b>	2,816	4,225	9,458	13,683	12,600	26,283
<b>Business Plus</b>	2,687	4,012	17,209	21,221	12,600	33,821
<b>Live/Work</b>	4,498	6,732	15,143	21,875	12,600	34,475

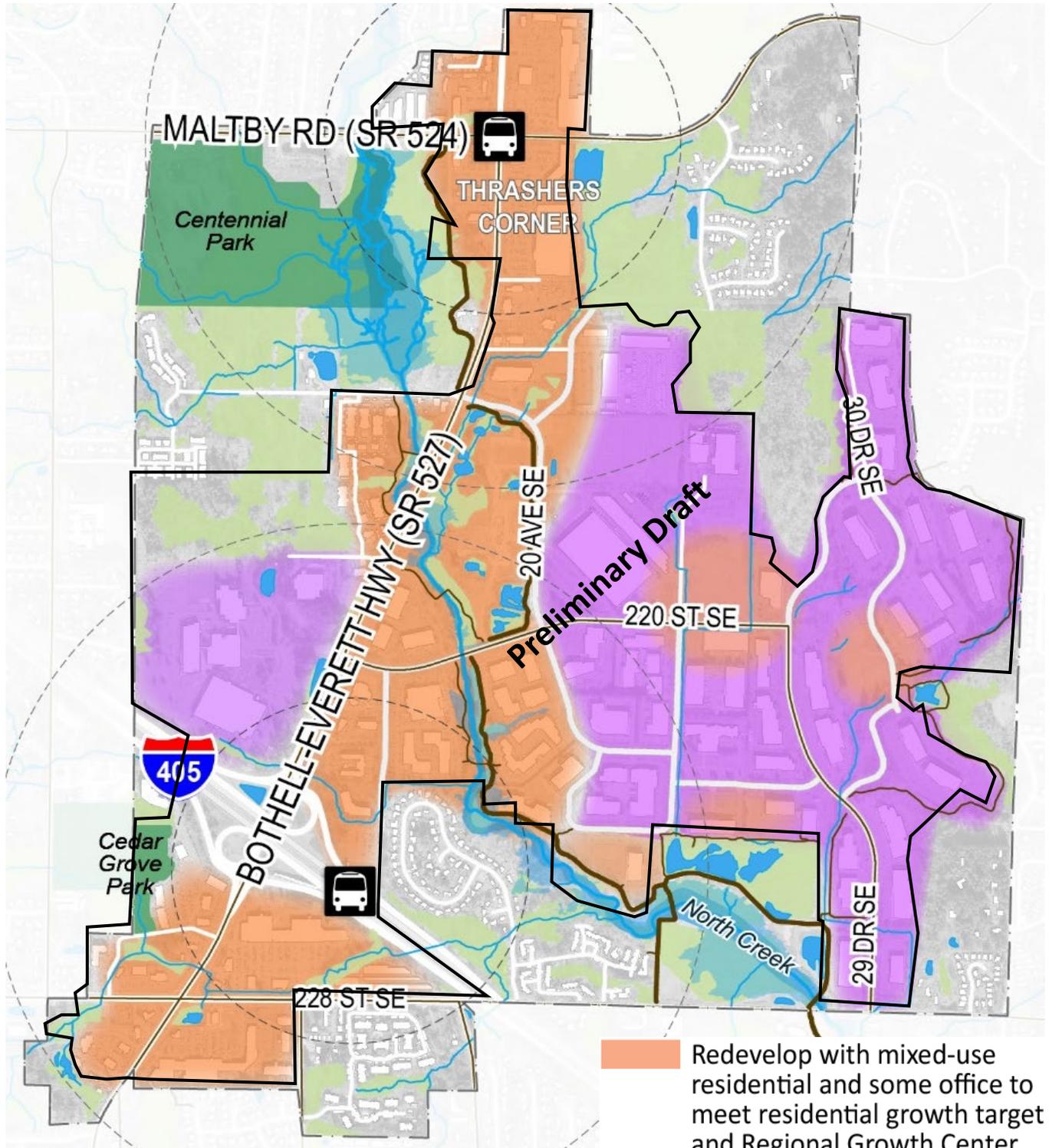
Source: Makers, 2019; BERK, 2019.

Maps of the four alternatives are on the following pages.



**No Action Alternative – Status Quo**

- 733 acres – 12,600 existing Activity units (AU)
- Does not meet PSRC RGC new framework criteria of 45 AU/ac
- Current Plan - 30 AU/ac
- Existing AU – 18 AU/ac
- 21% population
- 79% Employment

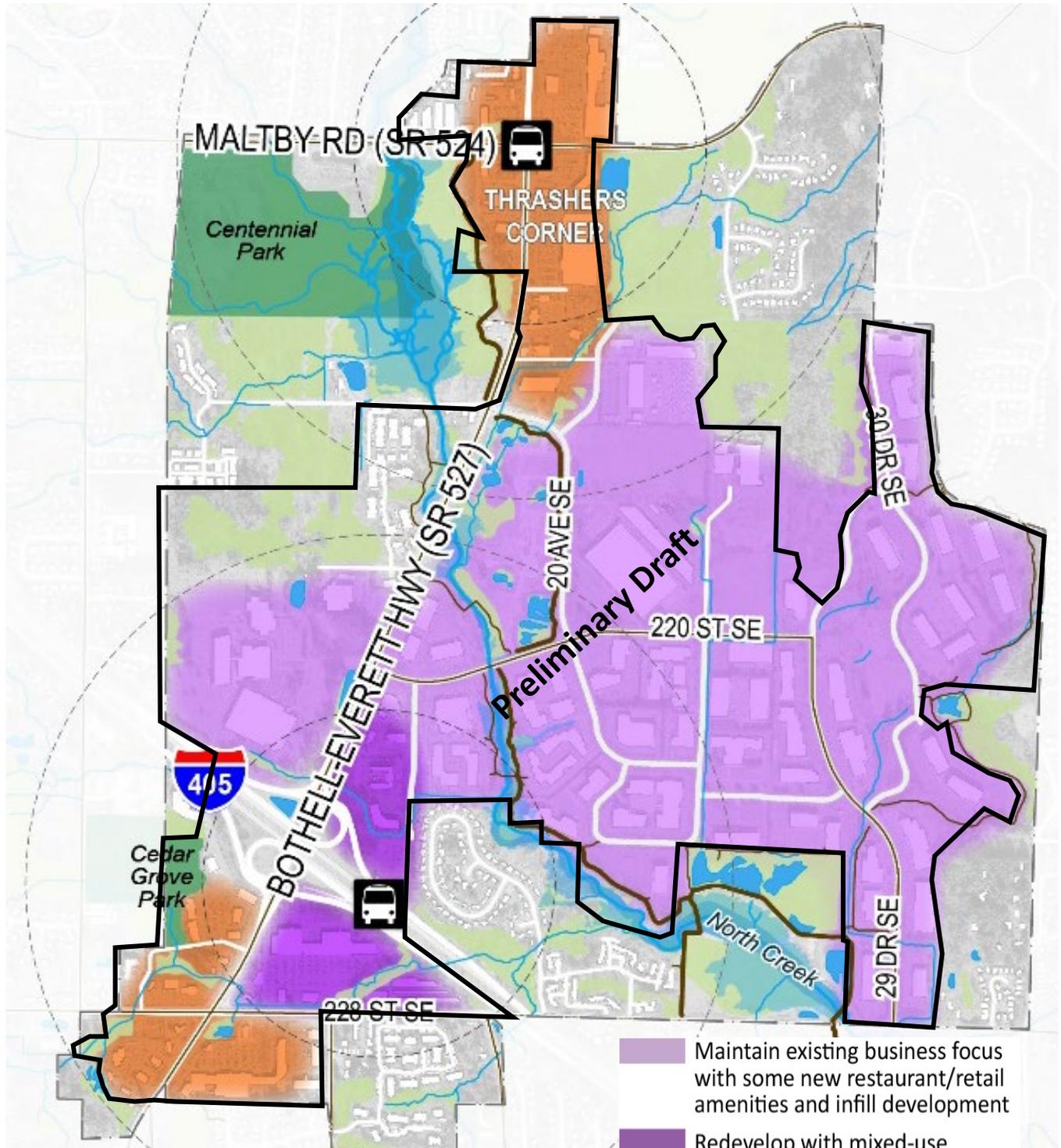


**Live/Work alternative**

- 613 acres
- Provides 56 AU/ac
- 32% population
- 68% employment

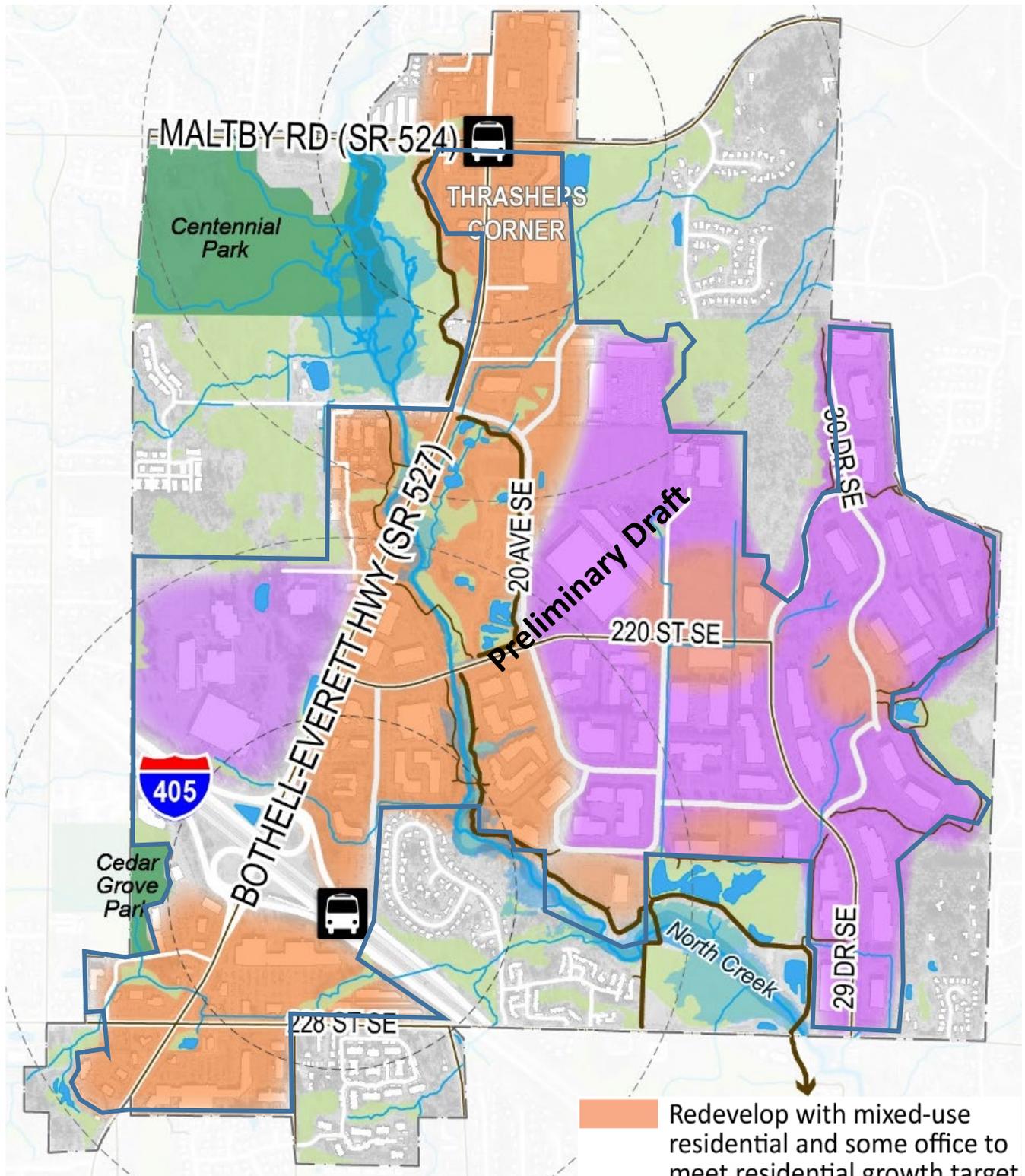
Redevelop with mixed-use residential and some office to meet residential growth target and Regional Growth Center target (locations not yet determined)

Infill with office/flexible business space



**Business Plus Alternative**

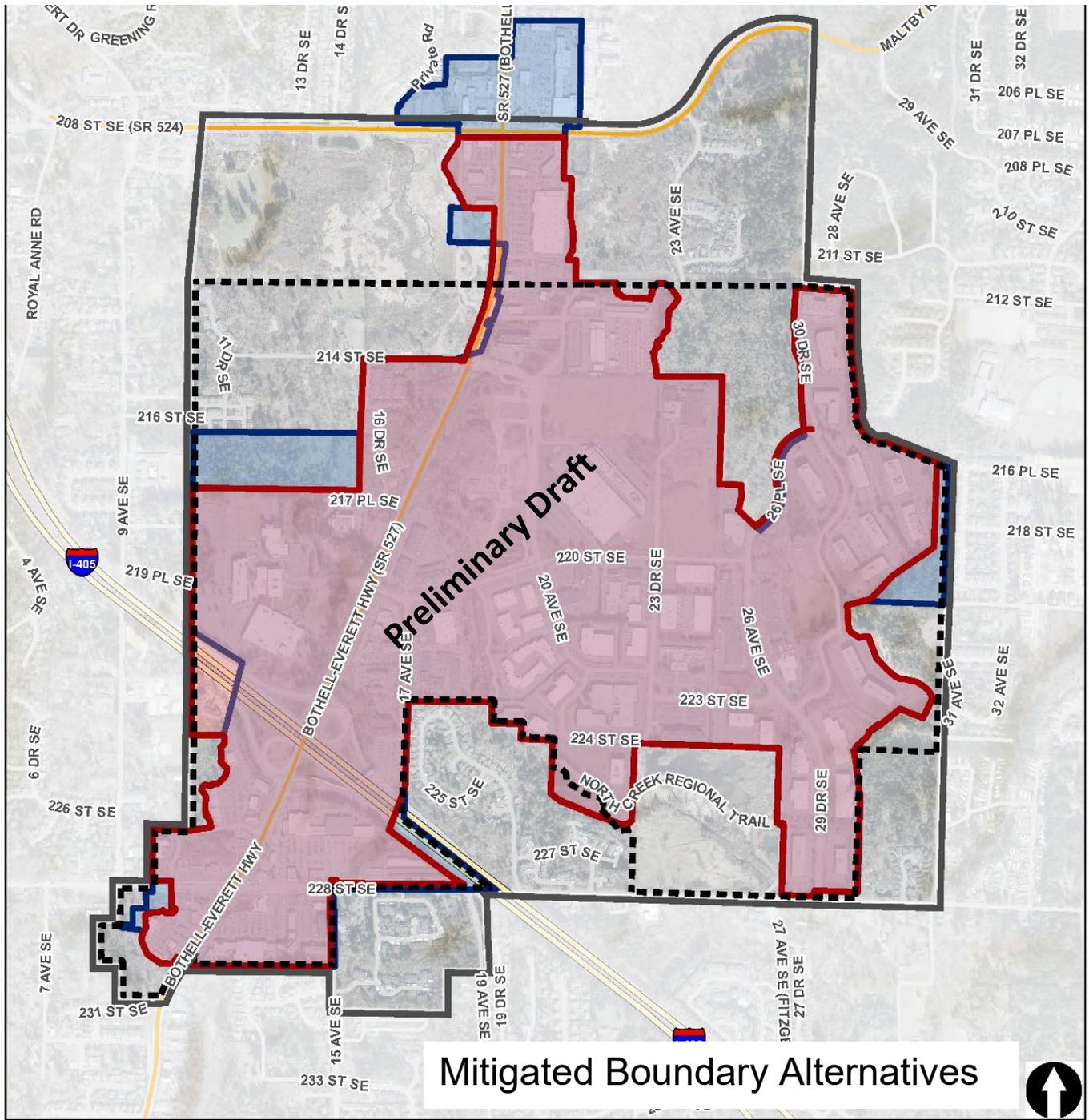
- 613 acres
- Provides 56 AU/ac
- 20% population
- 80% employment



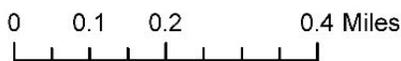
**Mitigated Live/Work**

- 565 acres
- Provides 46 AU/ac
- 36% Population
- 64% employment

-  Redevelop with mixed-use residential and some office to meet residential growth target and Regional Growth Center target (locations not yet determined)
-  Infill with office/flexible business space



## Canyon Park Subarea



- 733 ac  Canyon Park Subarea
- 613 ac  Adopted Regional Growth Center (RGC)
- 565 ac  Proposed RGC - Live/Work Mitigated Alternative
- Proposed RGC - EIS Action Alternative

Potential features of each Alternative are provided below

**Table 2. Potential Features of each Alternative**

<b>Features</b>	<b>No Action Alternative: Current Canyon Park Subarea Plan</b>	<b>Business Plus Alternative</b>	<b>Live-Work Alternative / Mitigated</b>
<b>Potential Changes to Land Use</b>	Per current Comprehensive Plan and Zoning.	<p>Allow a range of employment and residential uses, focus employment in the central portion Mixed-uses in shopping center areas.</p> <p>Remove residential as a permitted use from employment-oriented areas</p> <p>Require affordable housing or a fee in-lieu and/or incentives for affordable housing.</p>	<p>Allow a range of employment and residential uses,</p> <p>Mixed-use nodes in the north, central, and south near transit facilities.</p> <p>Employment focused in the west, central, and east.</p> <p>Remove residential as a permitted use from business-oriented areas</p> <p>Require affordable housing or a fee in-lieu and/or incentives for affordable housing</p>
<b>Potential Changes to Development Standards</b>	Current plan and code.	Change height, floor area ratios, density, parking rates, and other standards to increase opportunities for job and housing investments.	
<b>Potential Investments in Transportation, Parks, Stormwater, and Business Retention/Expansion</b>	Implement current capital plans. Consider transferring some of the private roads into public ownership.	<p>Consider transferring some of the private roads into public ownership.</p> <p>Require small private parks, focal areas/gathering places, and active recreation</p> <p>Consider reducing required open space standard for residential.</p> <p>Consider a regional stormwater treatment system</p> <p>Offer tools to help retain and expand existing businesses, such as technical assistance, relocation programs, and small business grant/loan programs.</p>	
<b>Regional Growth Center</b>	Keep current subarea plan. Retain current boundaries of about 733 acres.	<p>Prepare a new subarea plan.</p> <ul style="list-style-type: none"> <li>▪ Live-Work: Provide RGC of about 613 acres.</li> <li>▪ Mitigated Live-Work: Provide RGC of about 565 acres.</li> </ul>	

Features	No Action Alternative: Current Canyon Park Subarea Plan	Business Plus Alternative	Live-Work Alternative / Mitigated
<b>Potential Growth Above Current Approximate 15,000 Employees and Residents in Full Study Area (12,600 in RGC)</b>	Combined jobs and population capacity  Full area: 9,271  RGC: 8,242.*	Combined jobs and population added: <ul style="list-style-type: none"> <li>▪ Full Area: 21,817</li> <li>▪ RGC: 21,875</li> </ul>	Combined jobs and population added: <ul style="list-style-type: none"> <li>▪ Full Area: 22,472</li> <li>▪ RGC: 21,220 Mitigated Live/Work - Combined jobs and population added:</li> <li>▪ Full Area: 15,302</li> <li>▪ RGC: 13,683</li> </ul>

Source: Makers, 2019; BERK, 2019.

**Table 3. Balance of Population and Jobs Combined Capacity, Full Study Area, All Alternatives**

Alternative	Net Growth		Full Growth	
	Population	Jobs	Population	Jobs
<b>No Action</b>	56%	44%	21%	79%
<b>Business Plus</b>	20%	80%	31%	69%
<b>Live/Work Mitigated</b>	36%	64%	21%	79%
<b>Live/Work</b>	32%	68%	28%	72%

Source: Makers, 2019; BERK, 2019.

**Table 4. Draft Potential Development Standard Proposals**

Development Standard	No Action Alternative	Business Plus Alternative	Live-Work Alternative/ Mitigated
<b>Allowed Uses</b>	Current allowances	Fine tune residential use locations to promote business retention and business focus (larger in this alternative).	Fine tune residential use locations to promote business retention and business focus (smaller in this alternative).
<b>Maximum Height</b>	Northeast of I-405: <ul style="list-style-type: none"> <li>▪ 65 feet for buildings containing residential uses;</li> <li>▪ 100 feet for nonresidential uses;</li> </ul>	Business park (light purple areas): <ul style="list-style-type: none"> <li>▪ Retain current standards.</li> </ul>	Business park (light purple areas): <ul style="list-style-type: none"> <li>▪ Retain current standards.</li> </ul>

Development Standard	No Action Alternative	Business Plus Alternative	Live-Work Alternative/ Mitigated
	<ul style="list-style-type: none"> <li>▪ Up to 150 feet for certain manufacturing processes.</li> <li>▪ Southwest corner of subarea:</li> <li>▪ 35 feet unless underbuilding parking is provided at 40%, and 10% of the gross floor area is in retail – then up to 65 feet.</li> </ul>	<p>Southwest of I-405, 17th Ave SE area, and Thrasher’s Corner (dark purple and orange areas):</p> <ul style="list-style-type: none"> <li>▪ 75 feet for mixed-use office (and some residential)</li> <li>▪ Refine requirements for ground floor retail and structured parking;</li> <li>▪ Apply transitional height and setback standards adjacent to residential areas.</li> </ul>	<p>Southwest of I-405, 17th Ave SE area, and Thrasher’s Corner (orange areas):</p> <p>75 feet for mixed-use residential</p> <p>Refine the requirements for ground floor retail and structured parking. Apply transitional height and setback standards adjacent to residential areas.</p> <p>Live-Work Mitigated propose a similar mix of uses and standards.</p>
<b>Density</b>	Current standards (35 DU/ac / 0.5 FAR)	<p>Apply minimum and maximum employment and residential densities:</p> <ul style="list-style-type: none"> <li>▪ Within ¼ mile of a bus rapid transit (BRT) stop: minimum density of 0.6 floor area ratio (FAR) or 90 dwelling units (du)/acre and target of 3.0 FAR or 133 du/acre</li> <li>▪ Between ¼ mile and ½ mile of BRT stop: minimum density of 0.5 FAR or 45 du/acre and target of 1.5 FAR or 57 du/acre</li> <li>▪ Beyond ½ mile from BRT stop: minimum density of 35 or 25 du/acre and target of 0.5 FAR or 25 du/acre</li> </ul>	
<b>Affordable Housing</b>	Current standards	Throughout, require 5% or 10% of units to be affordable to moderate income households, or for non-residential uses, 5% of gross floor area or pay a fee-in-lieu (\$11.20/GSF). (See Bothell code for downtown and SR 522 Corridor)	
<b>Affordable Commercial Space</b>	No requirements	<p>Remove residential as an allowed use to support business:</p> <ol style="list-style-type: none"> <li>1) Set a maximum retail space size and provisions for flexible commercial space to accommodate co-ownership and/or growing businesses.</li> <li>2) Encourage flexible commercial space to accommodate co-ownership and/or growing businesses.</li> <li>3) Add design guidelines that encourage neighborhood-oriented small businesses on main streets.</li> </ol>	

Development Standard	No Action Alternative	Business Plus Alternative	Live-Work Alternative/ Mitigated
<b>Parking</b>	<p>Current standards:<sup>1</sup></p> <p><u>Residential</u></p> <ul style="list-style-type: none"> <li>2 stalls per dwelling unit, plus 1 guest parking stall for every 5 dwelling units</li> </ul> <p><u>Commercial</u></p> <ul style="list-style-type: none"> <li>1 stall per 300 square feet (SF)</li> <li>Restaurants: 1 stall per 75 SF in dining or lounge areas; 1 stall per 300 SF elsewhere</li> <li>Manufacturing / warehousing: .9 stalls per 1,000 SF</li> <li>Retail: 1 stall per 300 SF</li> </ul>	<p>Relax parking requirements with transit to allow for greater employment or housing productivity and affordability and respond to changing mobility trends and investments:</p> <p><u>Residential</u></p> <ul style="list-style-type: none"> <li>TOD mixed-use residential/commercial (within ¼ mile of bus rapid transit stop (BRT)): 1 stall per 450 SF retail + 1 stall per studio or 1-bedroom unit; 1.5 stalls per 2-bedroom unit; and 2.2 stalls per 3-bedroom unit (approximate average 1.25 stalls per unit)</li> <li>Higher density multifamily (between ¼ and ½ mile from BRT): 1.1 stall per studio or 1-bedroom unit; 1.6 stalls per 2-bedroom unit; and 2.4 stalls per 3-bedroom unit (approximate average 1.5 stalls per unit)</li> <li>Residential Mixed-Use beyond ½ mi: 2 stalls per unit</li> </ul> <p><u>Commercial</u></p> <ul style="list-style-type: none"> <li>TOD mixed-use office/retail (within ¼ mile of BRT): 1 stall per 500 SF office/retail</li> <li>TOD office/light industrial (within ¼ mile of BRT): 1 stall per 500 SF office/retail + .9 stalls per 1,000 SF light industrial</li> <li>Office/light industrial (further than ¼ mile from BRT): 1 stall per 400 SF office + .9 stalls per 1,000 SF light industrial</li> </ul>	
<b>Mid-block Connections</b>	None	Require through-block pedestrian connections at least every 300 feet. Where possible, align connections to connect a grid.	
<b>Neighborhood Center Street</b>	None	<p>Encourage a “main street” with neighborhood-serving businesses and a lively environment through form-based code and/or design standards:</p> <ul style="list-style-type: none"> <li>Require active ground floors.</li> <li>Require frequent entries (e.g., every 30 feet) to enliven the street and ensure space for small businesses.</li> <li>Encourage creative space options to accommodate small and growing businesses, such as flexible commercial space for co-ownership.</li> </ul> <p>Set maximum retail size limits (except for grocery and hardware) or average area to ensure a diversity of sizes.</p>	
<b>Residential Transition</b>	Current standards	Continue requiring step backs and setbacks adjacent to exclusively residential zones to prevent shadows and respect privacy.	

Development Standard	No Action Alternative	Business Plus Alternative	Live-Work Alternative/ Mitigated
<b>Landscape</b>	Current standards	Throughout the area: <ul style="list-style-type: none"> <li>▪ Require street trees in planting strips between the street and sidewalk.</li> <li>▪ Consider a “green factor” or other method of ensuring vegetation replacement.</li> <li>▪ Require common Usable Public Space for all development. Require private recreation space only in Residential Mixed Use Areas.</li> </ul>	

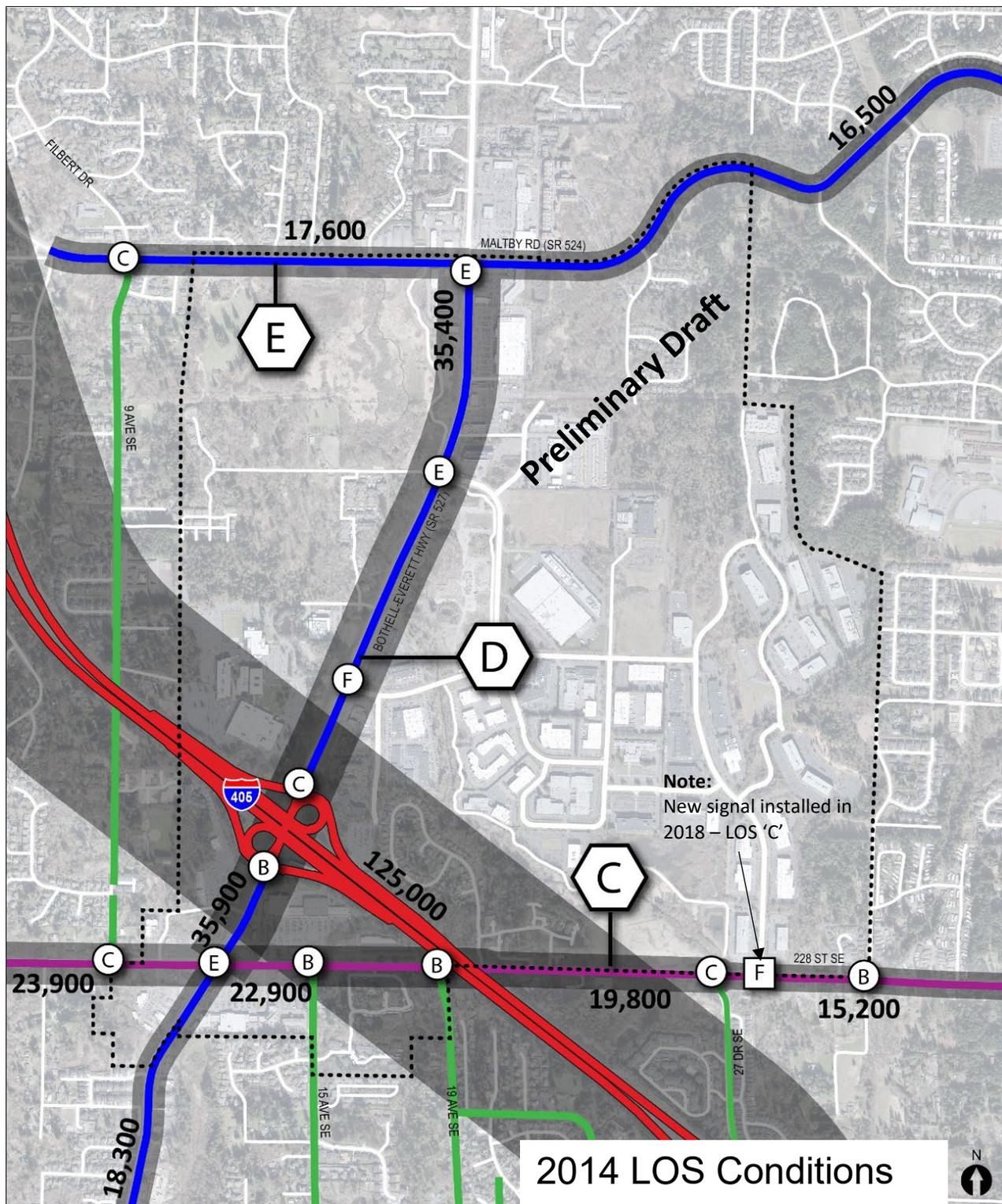
<sup>1</sup>BMC 12.16.030

Source: Makers, 2019; BERK, 2019.

**Table 5. Draft Estimated New PM Peak Hour Trips (In/Out/Total), All Alternatives**

Area	No Action	Business Plus	Live/Work	Mitigated Live Work w/ TDM
1. Canyon Park Main Area	980 / 1,630 / 2,600	1,490 / 4,300 / 5,790	2,800 / 4,860 / 7,660	1,890 / 3,700 / 5,590
2. South of I-405/SR 527 Interchange	560 / 620 / 1,180	1,030 / 1,200 / 2,230	1,080 / 1,130 / 2,210	650 / 680 / 1,330
3. Thrasher's Corner/North of SR 524	90 / 80 / 170	560 / 480 / 1,040	560 / 480 / 1,040	330 / 280 / 610
<b>Total</b>	<b>1,630 / 2,330 / 3,960</b>	<b>3,080 / 5,980 / 9,060</b>	<b>4,430 / 6,470 / 10,900</b>	<b>2,870 / 4,650 / 7,520</b>

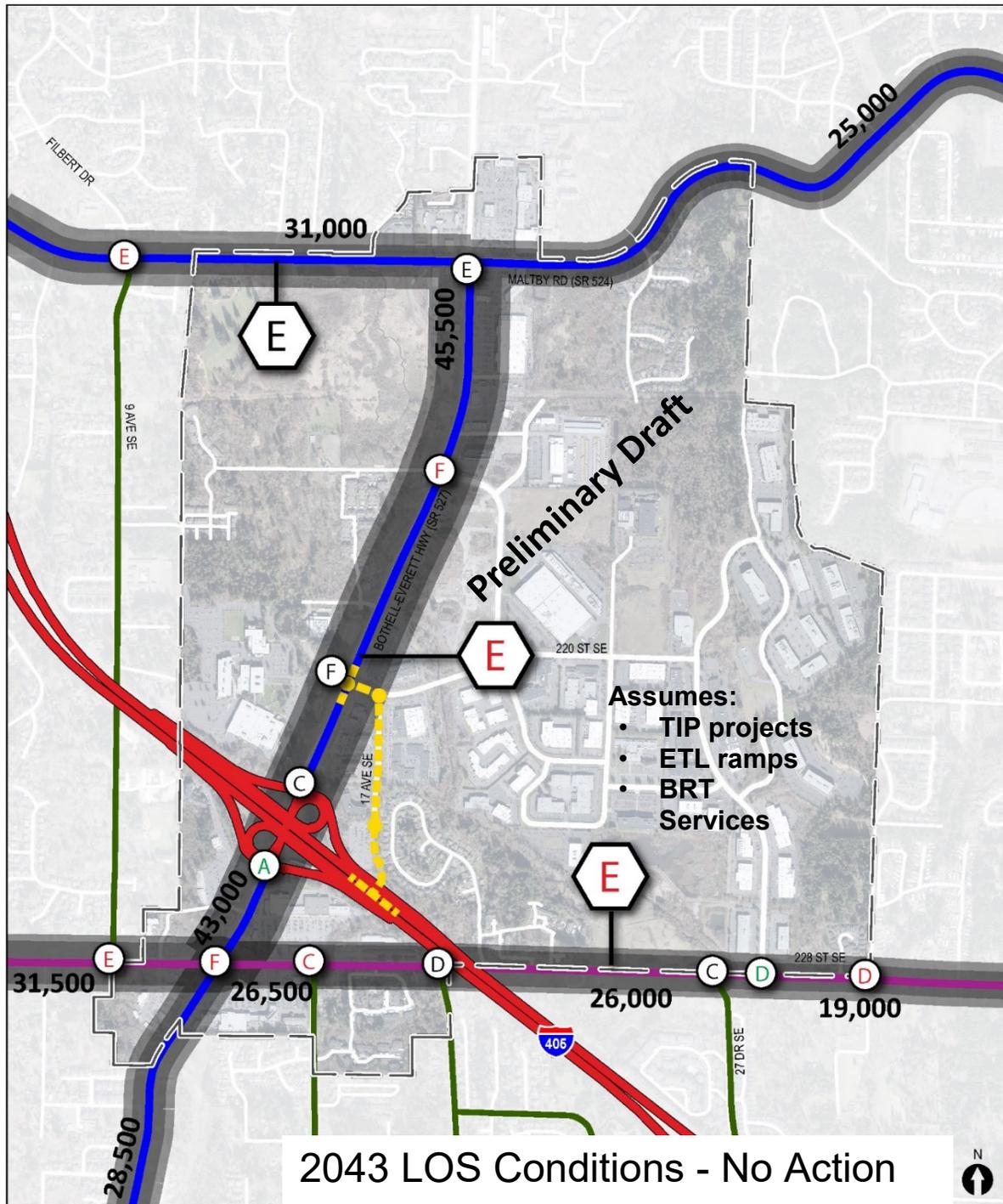
Source: Fehr & Peers, 2019.



**Canyon Park Study Area:  
Roadway Classification**



- Canyon Park Study Area
- Limited Access Highway
- Principal Arterial
- Minor Arterial
- Collector
- Signalized Concurrency Intersection
- Unsignalized Concurrency Intersection
- Corridor Level of Service
- 19,800** Avg Daily Vehicle Count (2014)
- Line weight represents traffic volume



### Canyon Park Roads & Traffic

Canyon Park Study Area

0 0.125 0.25 0.5 Miles

19,800

- Limited Access Highway
- Principal Arterial
- Minor Arterial
- Collector
- - - Future Express Toll Lane access and 220th St and 17th Ave improvements

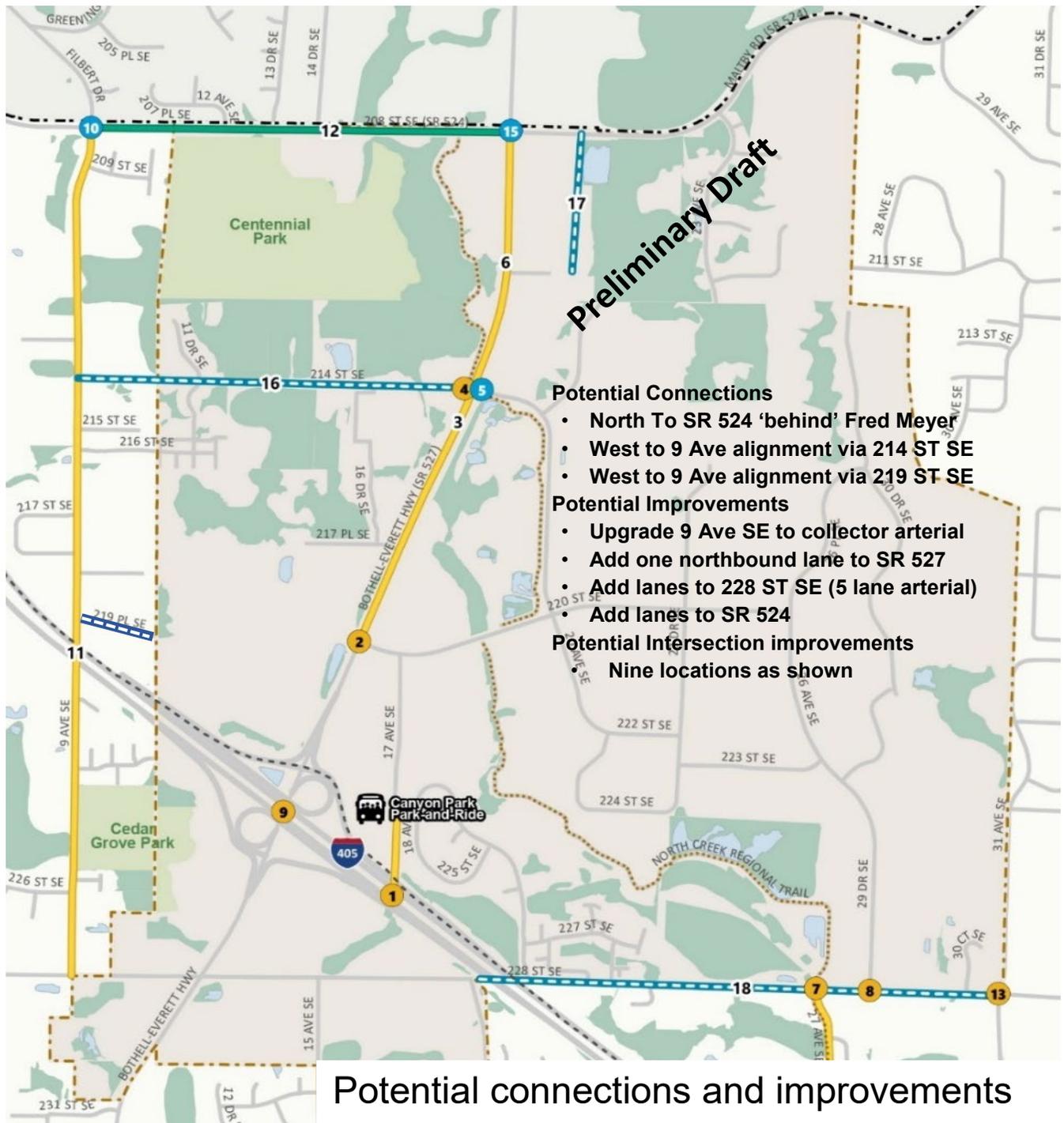
2035 Daily Vehicle Projection

Line width represents 2035 traffic volume; dark area shows 2014 volume

- Intersection LOS
- Corridor LOS
- LOS improvement
- LOS deterioration

The illustration on Page 15 shows that, by the year 2043, local, regional, and background traffic growth causes an SR527 Corridor Level of Service (LOS) of 'E' even with the installation of the transportation improvements identified within the Comprehensive Plan. Under any of the identified alternatives, the SR527 corridor LOS will likely degrade to an 'F'.

One strategy would be to provide additional connections to the surround street network of 228<sup>th</sup> ST SE, SR524, and 9<sup>th</sup> Ave SE, as shown below.



## **Next Steps**

### **November and December**

- Draft PAEIS issued for comment
- **Discussion of Preferred Alternative**
  - Planning Commission – November 20
  - City Council – December 18
  - Future dates
- Public engagement
  - Property / Business Owners
  - Surrounding neighborhoods
  - General Public
  - Boards and Commissions

### **January/February/March**

- Public engagement
- **Select Preferred Alternative**
- Subarea Plan and land use regulations
- Study sessions and public hearings

### **April/May/June**

- Public engagement
- **Subarea Plan and land use regulations**
- Study Sessions and public hearings
- Issue Final Environmental Impact Statement

### **July**

- Public engagement
- **Council Public Hearings and adoption**