

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118022

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4 AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dore
5 House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12
6 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks
7 contained in Chapter 25.32 of the Seattle Municipal Code.

8 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
9 establishes a procedure for the designation and preservation of sites, improvements, and
10 objects having historical, cultural, architectural, engineering, or geographic significance;
11 and

12 WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on November
13 14, 2012, voted to approve the nomination of the improvement located at 843 NE 100th
14 Street and the site on which the improvement is located (which collectively are referred
15 to as the "Chiarelli-Dore House" for the purposes of this ordinance) for designation as a
16 landmark under SMC Chapter 25.12; and

17 WHEREAS, after a public meeting on December 19, 2012, the Board voted to approve the
18 designation of the Chiarelli-Dore House under SMC Chapter 25.12; and

19 WHEREAS, on August 7, 2013, the Board and the owner of the designated landmark agreed to
20 controls and incentives; and

21 WHEREAS, the Board recommends that the City Council enact a designating ordinance
22 approving the controls and incentives; NOW, THEREFORE,

23 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

24 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the
25 Landmarks Preservation Board (Board) of the improvement located at 843 NE 100th Street and
26 the site on which the improvement is located (which collectively are referred to as the "Chiarelli-
27 Dore House" for the purposes of this ordinance) is hereby acknowledged.
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1 A. Legal Description. The Chiarelli-Dore House is located on the property legally
2 described as:

3 Lot 1 and the west 22 feet of Lot 2, acre 4, tract 95; and that portion of lot 3, acre
4 3, tract 95, Maple Leaf Addition to Green Lake Circle, as per plat recorded in
5 Volume 2 of plats, page 115, records of King County, described as follows:
6 Beginning on the south line of said Lot 3, at a point 24.32 feet east of the
7 southwest corner thereof; thence northerly to a point on the north line thereof, a
8 distance of 30.90 feet east of the northwest corner thereof; thence east, along said
9 north line to the northeast corner thereof; thence south, along the east line thereof
10 to the southeast corner thereof, thence west, along the south line to the point of
11 beginning; situate in the City of Seattle, County of King, State of Washington.
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13 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
14 the following specific features or characteristics of the Chiarelli-Dore House are designated:
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- 16 1. The site consisting of the property described in subsection 1.A on which the
17 improvement known as the Chiarelli-Dore House is located.
- 18 2. The exterior of the improvement known as the Chiarelli-Dore House.
- 19 3. The entry foyer, living room, and dining room.

20 C. Basis of Designation. The designation was made because the Chiarelli-Dore
21 House is more than 25 years old, has significant character, interest or value as a part of the
22 development, heritage or cultural characteristics of the City, state or nation, has integrity or the
23 ability to convey its significance, and satisfies the following from SMC 25.12.350:
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1. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Chiarelli-Dore House that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specific features or characteristics:
 - a. The site consisting of the property described in subsection 1.A on which the improvement known as the Chiarelli-Dore House is located.
 - b. The exterior of the improvement known as the Chiarelli-Dore House.
 - c. The entry foyer, living room, and dining room.
2. No Certificate of Approval is required for the following:
 - a. Any in-kind replacement, maintenance, or repairs of the features listed in subsection 2.A.1.
 - b. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs; perennials; and annuals.



- c. Installation, removal, or alteration of the following temporary site furnishings:
benches; statuary; and movable planter boxes.
- d. Installation or repair of underground utilities and irrigation, provided that the site is restored in-kind.
- e. Installation, removal, or alteration of floor coverings that do not damage the existing floor in the designated areas of the interior.
- f. Installation, removal, or alteration of temporary interior window coverings.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 according to the following procedure:
 - a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.
 - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.
 - c. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12.



- 1 2. The CHPO shall transmit a written decision on the owner's request to the owner
2 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
3 written decision constitutes approval of the request.
- 4 3. CHPO approval of alterations or significant changes to the features or
5 characteristics listed in subsection 2.A.1 is available for the following:
- 6 a. For the specified features and characteristics of the building, the addition or
7 elimination of ducts, conduits, HVAC vents, grilles, pipes, and other similar
8 wiring or mechanical elements necessary for the normal operation of the
9 building.
- 10 b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet
11 above ground.
- 12 c. Installation, removal, or alterations of exterior light fixtures, exterior security
13 lighting, and security system equipment.
- 14 d. Interior alterations.
- 15 e. Replacement of front door.
- 16 f. Replacement of door from living room to rear deck.

17 Section 3. INCENTIVES: The following incentives are hereby granted on the features
18 or characteristics of the Chiarelli-Dore House that were designated by the Board for
19 preservation:

20 A. Uses not otherwise permitted in a zone may be authorized in a designated
21 landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.



1 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC
2 Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant
3 to the applicable provisions thereof.

4 C. Special tax valuation for historic preservation may be available under RCW
5 Chapter 84.26 upon application and compliance with the requirements of that statute.

6 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
7 SMC 25.12.910.

8 Section 5. The Chiarelli-Dore House is hereby added alphabetically to Section I,
9 Residences, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

10 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
11 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
12 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
13 directed to provide a certified copy of the ordinance to the owner of the landmark.

14 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
15 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
16 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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1 Passed by the City Council the ____ day of _____, 2014, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2014.

4 _____
5 _____
6 President _____ of the City Council

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8 Approved by me this ____ day of _____, 2014.

9 _____
10 _____
11 Edward B. Murray, Mayor

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13 Filed by me this ____ day of _____, 2014.

14 _____
15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Erin Doherty/206-684-0380	Forrest Longman/206-684-0331

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dore House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Summary of the Legislation:

The attached legislation acknowledges the designation of the Chiarelli-Dore House as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Chiarelli-Dore House to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Chiarelli-Dore House was built in 1949 and is located in the Maple Leaf neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the site, the exterior of the building, and portions of the interior, but do not apply to any in-kind maintenance or repairs of the designated features.

X This legislation does not have any financial implications.

Other Implications:

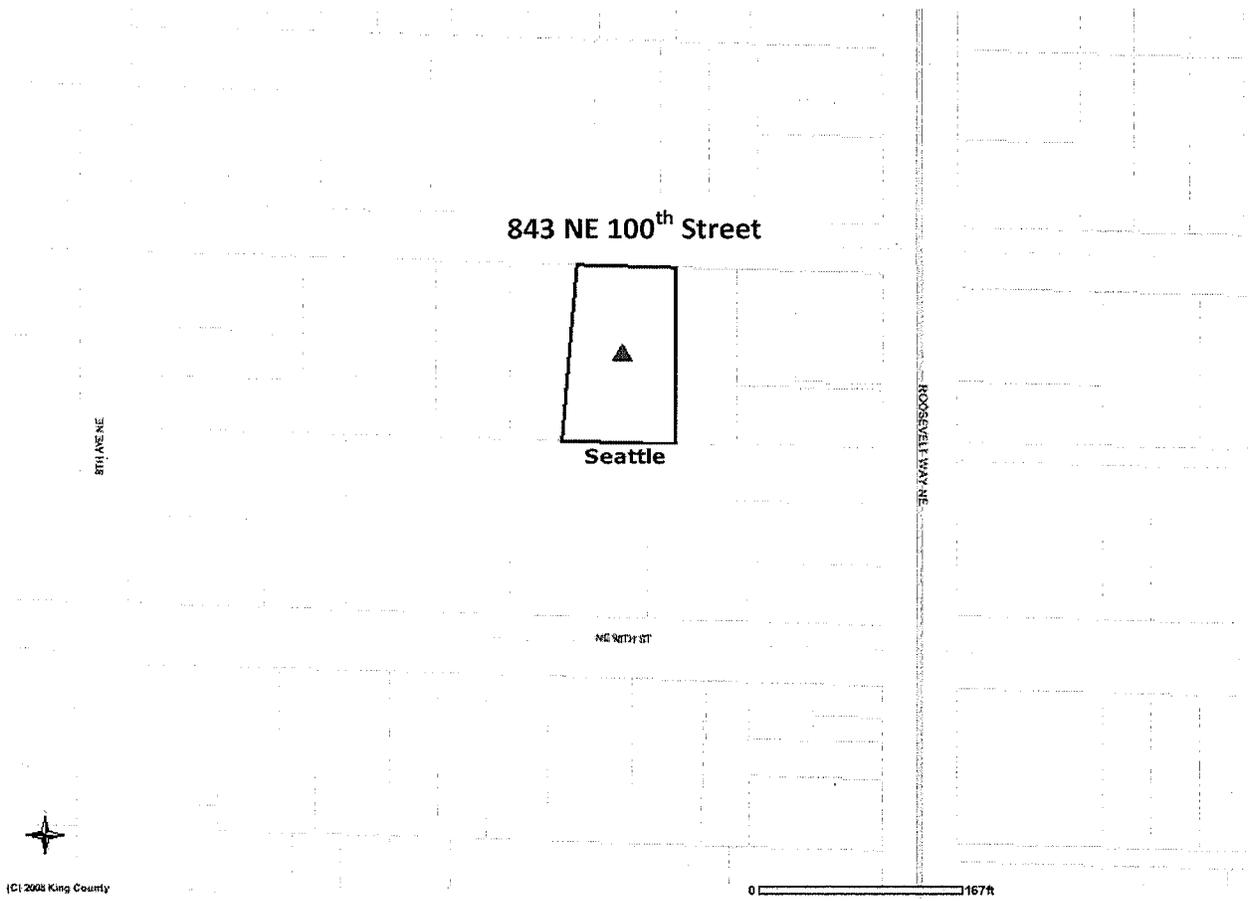
- a) Does the legislation have indirect financial implications, or long-term implications?
No.
- b) What is the financial cost of not implementing the legislation?
None.
- c) Does this legislation affect any departments besides the originating department?
No.
- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?
None.



- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
Yes.
- h) **Other Issues:**

List attachments to the fiscal note below:

Exhibit A – Vicinity Map of the Chiarelli-Dore House



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.





City of Seattle
Office of the Mayor

December 10, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that designates the Chiarelli-Dore House as a historic landmark, imposes controls, grants incentives and adds the Chiarelli-Dore House to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the site, the exterior of the building, and portions of the interior, but do not apply to any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Erin Doherty, Department of Neighborhoods, at 206-684-0380.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

