

ORDINANCE No.

119428

me

Law Depa

COUNCIL BILL No.

112632

The City

Rush! for New

AN ORDINANCE relating to historic preservation, imposing controls upon the Space Needle, 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.

Honorable President:

Your Committee on _____

to which was referred the within Co report that we have considered the

20 pass 1/14

4-19-99 Full Co

(S)
(S)

COMPTROLLER FILE No.

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|---|--|
| Introduced: <i>APR 3 1999</i> | By: <i>LICATA</i> |
| Referred: <i>APR 5 1999</i> | To: <i>CULTURE ARTS & PARKS</i> |
| Referred: | To: |
| Referred: | To: |
| Reported: <i>4-19-99</i> | Second Reading: |
| Third Reading: <i>4-19-99</i> | Signed: <i>4-19-99</i> |
| Presented to Mayor: <i>4-19-99</i> | Approved: <i>APR 23 1999</i> |
| Returned to City Clerk: <i>APR 26 1999</i> | Published: <i>Full 4pp</i> |
| Vetoed by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

Law Department

The City of Seattle--Legislative Department

Rush! for Number

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

Committee on _____

was referred the within Council Bill No. _____

that we have considered the same and respectfully recommend that the same:

pass 4/14/99 (EH)

19-99 Full Council: Passed 9-0



Committee Chair

ORDINANCE

119428

1
2 AN ORDINANCE relating to historic preservation, imposing controls upon the Space Needle, a
3 Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the
4 Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in
5 Chapter 25.32 of the Seattle Municipal Code.

6 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
7 establishes a procedure for the designation and preservation of structures and areas
8 having historical, cultural, architectural, engineering or geographic importance; and

9 WHEREAS, The Landmarks Preservation Board after a public meeting on March 4, 1998, voted
10 to approve the nomination of the Space Needle at 219 Fourth Avenue North, in Seattle as
11 a Landmark under SMC Chapter 25.12; and

12 WHEREAS, after a public meeting on April 15, 1998, the Board voted to approve the
13 designation of the Space Needle as a Landmark under SMC Chapter 25.12; and

14 WHEREAS, on January 6, 1999, the Board and the owners of the designated property agreed to
15 controls and incentives; and

16 WHEREAS, the Board recommends to the City Council approval of controls and incentives;
17 Now, Therefore,

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

19 **Section 1. DESIGNATION.** That the designation by the Landmarks Preservation Board of the
20 Space Needle, more particularly described as:

21 D.T. Denny's Third Addition to North Seattle, Block 50, Lots 2 and 3.
22 Together with the east half of the alley vacated by Ordinance Number
23 902676 of the City of Seattle, lying between the westerly extensions of the
24 north line of said Lot 2 and the south line of said Lot 3.

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

- 20 A. It is the location of, or is associated in a significant way with, an historic event with a
21 significant effect upon the community, City, state or nation.
- 22 B. It is associated in a significant way with the life of a person important in the history of the
23 city, state, or nation;
- 24 C. It is associated in a significant way with a significant aspect of the cultural, political or
economic heritage of the community, city, state or nation.

- 1
- 2 D. It embodies the distinctive visible characteristics of an architectural style, period, or
- 3 method of construction.
- 4 E. It is an outstanding work of a designer or builder.
- 5 F. Because of their prominence of spatial location, contrasts of siting, age, or scale, they are
- 6 an easily identifiable visual feature of its neighborhood or the city and contributes to the
- 7 distinctive quality or identity of such neighborhood or the city;

8 is hereby acknowledged.

9 **Section 2. CONTROLS.** The following controls are hereby imposed on the features and

10 characteristics of the Space Needle, that were designated by the Board for preservation:

11 A. Except as provided in subsection B, below, a Certificate of Approval must be obtained

12 from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an

13 application for a Certificate of Approval must have expired, before the owners may make alterations or

14 significant changes to the exterior of the building, and the site.

15 B. No Certificate of Approval shall be required, and any changes may be permitted without

16 further review, for any in-kind maintenance or repairs of the features listed in A, above, for temporary

17 holiday ornamentation and/or other special event display on the exterior of the building, including

18 special lighting and painting, and temporary banners and other features, which cover up or obscure, but

19 do not harm controlled features; for adjustment of the color and scope of the exterior lighting on a

20 temporary basis for seasonal and promotional displays; and, for regular landscape maintenance and

21 minor landscape alterations, including the addition/removal of annuals and perennials, not to include tree

22 removal and alterations to pavement.

23

24

1 **Section 3. INCENTIVES**

2 A. Economic incentives may be made available as set forth in the Controls and Incentives
3 Agreement between the Owner and the Board, as they become available in the future.

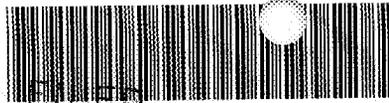
4 B. SMC Title 23 provides for authorization of uses not normally permitted in a particular
5 zoning classification by means of an administrative conditional use.

6 C. When a development project is proposed adjacent to or across the street from the Space
7 Needle property, the City decisionmaker shall refer the proposal to the City's Historic Preservation
8 Officer for an assessment of any adverse impacts on the Space Needle and for comments on mitigating
9 measures. Mitigation may be required to insure the compatibility of the proposed project with the color,
10 material and architectural character of the Space Needle and to reduce impacts on the character of the
11 Space Needle, including sympathetic facade treatment, sympathetic street treatment, sympathetic design
12 treatment, and reconfiguration of the project and/or relocation of the project on the project site. *See*,
13 SMC 25.05.675.

14
15 **Section 4.** Enforcement of this Ordinance and penalties for its violation shall be as provided in
16 Section 25.12.910 of the Seattle Municipal Code.

17
18 **Section 5.** The Space Needle is hereby added to the Table of Historical Landmarks, VIII
19 Miscellaneous, contained in Chapter 25.32 of the Seattle Municipal Code.

20
21 **Section 6.** The City Clerk is hereby directed to record this ordinance with the King County
22 Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and
23 deliver one copy to the Director of the Department of Construction and Land Use.



19990721000803

PAGE 001 OF 005
07/21/1999 11:41
KING COUNTY, WA

CITY OF SEATTLE MISC 12.00

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104

99 NOV 10 PM 3:47

CITY CLERK

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

| |
|---|
| <p>Document Title(s) (or transaction contained therein): (all areas applicable to your document <u>must</u> be filled in.)</p> <p>1. ORDINANCE # 119428</p> |
| <p>Re - _____ of document.</p> |
| <p>Grantor(s) (Last name first, then first name and initials)</p> <p>1. City of Seattle</p> <p><input type="checkbox"/> Additional names on page ---- of document.</p> |
| <p>Grantee(s) (Last name first, then first name and initials)</p> <p>1. N/A</p> <p>2.</p> |
| <p>Legal description (abbreviated: i.e. lot, block, plat or section, township, range)</p> <p><input type="checkbox"/> Additional reference #'s on page ----- of document N/A</p> |
| <p>Assessor's Property Tax Parcel/Account Number/ N/A</p> <p><input type="checkbox"/> Assessor Tax # not yet assigned.</p> |

ORDINANCE 119428

1
2 AN ORDINANCE relating to historic preservation, imposing controls upon the Space Needle, a
3 Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the
4 Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in
5 Chapter 25.32 of the Seattle Municipal Code.

6 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
7 establishes a procedure for the designation and preservation of structures and areas
8 having historical, cultural, architectural, engineering or geographic importance; and

9 WHEREAS, The Landmarks Preservation Board after a public meeting on March 4, 1998, voted
10 to approve the nomination of the Space Needle at 219 Fourth Avenue North, in Seattle as
11 a Landmark under SMC Chapter 25.12; and

12 WHEREAS, after a public meeting on April 15, 1998, the Board voted to approve the
13 designation of the Space Needle as a Landmark under SMC Chapter 25.12; and

14 WHEREAS, on January 6, 1999, the Board and the owners of the designated property agreed to
15 controls and incentives; and

16 WHEREAS, the Board recommends to the City Council approval of controls and incentives;
17 Now, Therefore,

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

19 Section 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the
20 Space Needle, more particularly described as:

21 D.T. Denny's Third Addition to North Seattle, Block 50, Lots 2 and 3.
22 Together with the east half of the alley vacated by Ordinance Number
23 902676 of the City of Seattle, lying between the westerly extensions of the
24 north line of said Lot 2 and the south line of said Lot 3.

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

- 25 A. It is the location of, or is associated in a significant way with, an historic event with a
26 significant effect upon the community, City, state or nation.
- 27 B. It is associated in a significant way with the life of a person important in the history of the
28 city, state, or nation;
- 29 C. It is associated in a significant way with a significant aspect of the cultural, political or
30 economic heritage of the community, city, state or nation.



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- D. It embodies the distinctive visible characteristics of an architectural style, period, or method of construction.
- E. It is an outstanding work of a designer or builder.
- F. Because of their prominence of spatial location, contrasts of siting, age, or scale, they are an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

is hereby acknowledged.

Section 2. CONTROLS. The following controls are hereby imposed on the features and characteristics of the Space Needle, that were designated by the Board for preservation:

A. Except as provided in subsection B, below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to the exterior of the building, and the site.

B. No Certificate of Approval shall be required, and any changes may be permitted without further review, for any in-kind maintenance or repairs of the features listed in A, above, for temporary holiday ornamentation and/or other special event display on the exterior of the building, including special lighting and painting, and temporary banners and other features, which cover up or obscure, but do not harm controlled features; for adjustment of the color and scope of the exterior lighting on a temporary basis for seasonal and promotional displays; and, for regular landscape maintenance and minor landscape alterations, including the addition/removal of annuals and perennials, not to include tree removal and alterations to pavement.



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Section 3. INCENTIVES

A. Economic incentives may be made available as set forth in the Controls and Incentives Agreement between the Owner and the Board, as they become available in the future.

B. SMC Title 23 provides for authorization of uses not normally permitted in a particular zoning classification by means of an administrative conditional use.

C. When a development project is proposed adjacent to or across the street from the Space Needle property, the City decisionmaker shall refer the proposal to the City's Historic Preservation Officer for an assessment of any adverse impacts on the Space Needle and for comments on mitigating measures. Mitigation may be required to insure the compatibility of the proposed project with the color, material and architectural character of the Space Needle and to reduce impacts on the character of the Space Needle, including sympathetic facade treatment, sympathetic street treatment, sympathetic design treatment, and reconfiguration of the project and/or relocation of the project on the project site. See, SMC 25.05.675.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 25.12.910 of the Seattle Municipal Code.

Section 5. The Space Needle is hereby added to the Table of Historical Landmarks, VIII Miscellaneous, contained in Chapter 25.32 of the Seattle Municipal Code.

Section 6. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Construction and Land Use.



1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 19th day of April, 1999, and signed by me in open
5 session in authentication of its passage this 19th day of April, 1999.

6 [Signature]
7 President of the City Council

8 Approved by me this 23rd day of April, 1999.

9 [Signature]
10 Mayor

11 Filed by me this 26th day of April, 1999.

12 [Signature]
13 City Clerk

14 (Seal)

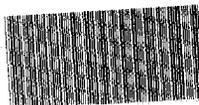
15 STATE OF WASHINGTON
16 COUNTY OF KING
17 CITY OF SEATTLE } ss

18 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
19 CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
20 COPY OF Ordinance No. 199928

21 AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT.

22 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
23 THE SEAL TO THE CITY OF SEATTLE, THIS 26th day of July, 1999

24 [Signature]
JUDITH E. PIPPIN
CITY CLERK
DEPUTY CLERK





The City of Seattle

Landmarks Preservation Board

700 Third Avenue · 4th floor · Seattle, Washington 98104 · (206) 684-0228

LPB 107/99

March 22, 1999

Councilmember Nick Licata
Chairman - Culture, Arts and Parks Committee
Seattle City Council
1100 Municipal Building
Seattle, WA 98104

Dear Councilmember Licata:

The Landmarks Preservation Board is submitting the following ordinance for consideration by the Culture, Arts and Parks Committee and the City Council:

Space Needle
219 4th North

A Controls and Incentives Agreement has been signed with the property owner and has been approved by the Landmarks Preservation Board.

Please contact Elizabeth Chave at 684-0380 if you have any questions. Thank you.

Sincerely,

Lorne McConachie
Chair, Landmarks Preservation Board

Enclosures

STATE OF WASHINGTON - KING COUNTY

105103
City of Seattle, City Clerk

—ss.

No. FULL ORDINAM

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 119428

was published on

05/05/39

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

[Handwritten signature]
Subscribed and sworn to before me on
05/05/39
[Handwritten signature]
Notary Public for the State of Washington,
residing in Seattle

TIME AND DATE STAMP

3/31/99

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Vic Licata

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

City of Seattle

ORDINANCE 119428

AN ORDINANCE relating to historic preservation, imposing controls upon the Space Needle, 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.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public meeting on March 4, 1998, voted to approve the nomination of the Space Needle at 219 Fourth Avenue North, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 15, 1998, the Board voted to approve the designation of the Space Needle as a Landmark under SMC Chapter 25.12; and

WHEREAS, on January 6, 1999, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the Space Needle, more particularly described as:

D. T. Denny's Third Addition to North Seattle, Block 50, Lots 2 and 3, Together with the east half of the alley vacated by Ordinance Number 932676 of the City of Seattle, lying between the westerly extensions of the north line of said Lot 2 and the south line of said Lot 3.

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

A. It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, City, state or nation.

B. It is associated in a significant way with the life of a person important in the history of the city, state, or nation.

C. It is associated in a significant way with a significant aspect of the cultural, political or economic heritage of the community, city, state or nation.

D. It embodies the distinctive visible characteristics of an architectural style, period, or method of construction.

E. It is an outstanding work of a designer or builder.

F. Because of their prominence of spatial location, contrasts of siting, age, or scale, they are an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city.

is hereby acknowledged.

SECTION 2. CONTROLS. The following controls are hereby imposed on the features and characteristics of the Space Needle, that were designated by the Board for preservation:

A. Except as provided in subsection B, below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to the exterior of the building, and the site.

B. No Certificate of Approval shall be required, and any changes may be permitted