

Ordinance No. 121101

MAR

The City of Seattle Council Bill/Ordinance

Council Bill No. 114485

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Library, 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.

p-65 2-9

3-24-03 Passed

CF No. _____

Date Introduced: <i>MAR 2003</i>		
Date 1st Referred: <i>MAR 2003</i>	To: <i>Legislation, Arts & Civil Rights Committee</i>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <i>3-24-03</i>	Full Council Vote: <i>6-0</i>	
Date Presented to Mayor: <i>3-25-03</i>	Date Approved: <i>4/1/03</i>	
Date Returned to City Clerk: <i>4/1/03</i>	Date Published: <i>4/1/03</i>	T.O. <input type="checkbox"/> P.T. <input checked="" type="checkbox"/>
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

[Signature]
Councilmember

Committee Action:

passed 3-0 LH, RC 7/1/03 (LH)

3-24-03 Passed 6-0 (Excused: Compton, Drago, McIver)

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

(b)
City Clerk
Review

(E)
Electronic
Copy Loaded

Indexed

*(E) Done with
3/24/03
Full Council Index*

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2 C. It is associated in a significant way with a significant aspect of the cultural, political,
3 or economic heritage of the community, City, state or nation;
4
5 D. It embodies the distinctive visible characteristics of an architectural style, or period, or
6 of a method of construction;
7
8 E. It is an outstanding work of a designer or builder;

9
10 is hereby acknowledged.

11 Section 2. CONTROLS: The following controls are hereby imposed on the features and
12 characteristics of the Queen Anne Library and its site, that were designated by the Board for
13 preservation:

14 A. CERTIFICATE OF APPROVAL PROCESS

- 15 1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board
16 pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time for denying a
17 Certificate of Approval application must have expired, before the owner may make
18 alterations or significant changes to:

19 **The site, the exterior of the building, and the interior of the main floor of the
20 building excluding floor coverings and movable furniture.**

21 A Certificate of Approval is not required for the following:

- 22 a. Any in-kind maintenance or repairs of the features listed in subsection 1, and
23
24 b. The removal of existing partition walls of the staff/support area that existed prior to
25 March 20, 2002.
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1 B. ADMINISTRATIVE REVIEW

2 1. Administrative review and approval may be provided for the items listed in subsection 3
3 according to the following procedures. The Owner shall submit to the City Historic
4 Preservation Officer (CHPO) a written request for these alterations, including applicable
5 drawings and/or specifications. If the CHPO, upon examination of submitted plans and
6 specifications, determines that such alterations are consistent with the purposes of SMC
7 25.12 the alterations shall be approved without the need for any further action by the
8 Board. If the CHPO disapproves such alterations, the Owner may submit revised
9 materials to the CHPO, or submit in accordance with the Certificate of Approval process
10 set forth in SMC 25.12.

11 2. The CHPO shall submit his or her written decision on the Owner's submittal to the
12 Owner. Failure of the CHPO to approve or disapprove the request shall constitute
13 approval of the request.

14 3. Administrative review is available for the following:

15 *For the designated areas of the buildings, the addition or elimination of duct conduits,*
16 *HVAC vents, grilles, fire escapes, pipes, data/telecommunications wiring, and other*
17 *similar wiring or mechanical elements necessary for the normal operation of buildings.*

18 Section 3. INCENTIVES

19 Seattle Municipal Code Title 23 provides for authorization of uses in a designated
20 Landmark that are not normally permitted in a particular zoning classification by means
21 of an administrative conditional use.

22 A. Building and Energy Code exceptions on an application basis.

23 C. The availability of the Historic Preservation Special Tax Valuation (Chapter 84.26 RCW)
24 to all Seattle landmarks subject to controls imposed by designation ordinance, on an
25 application basis.



1 Section 4. Enforcement of this Ordinance and penalties for its violation shall be as
2 provided in SMC 25.12.910.

3
4 Section 5. The Queen Anne Library and the site are hereby added to the Table of
5 Historical Landmarks contained in SMC Chapter 25.32.

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

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

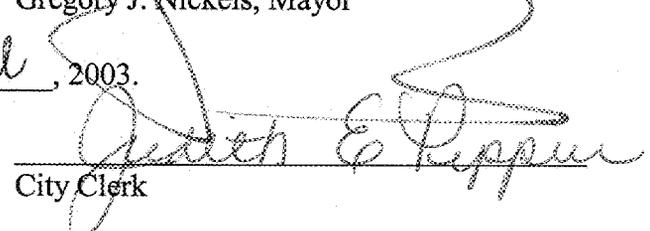
14
15 Passed by the City Council the 24th day of March, 2003, and signed by me in open
16 session in authentication of its passage this 24th day of March, 2003.

17
18 
19 President _____ of the City Council

20 Approved by me this 1st day of April, 2003

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22 
23 Gregory J. Nickels, Mayor

24 Filed by me this 1st day of April, 2003.

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26 
27 City Clerk

28 (Seal)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

January 28, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

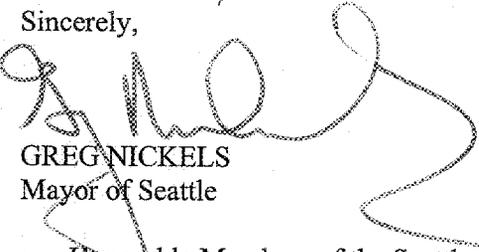
The attached ordinance acknowledges the designation of the Queen Anne Library as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the features of the library and its site; and adds the library and site to the Table of Historical Landmarks contained in SMC Chapter 25.32. The ordinance does not have financial implications.

Queen Anne Library is one of nine libraries recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Seattle Public Library in anticipation of the renovation of the library as part of the "Libraries for All" capital improvement program. The designation of Queen Anne Library as a City landmark was supported by the Seattle Public Library and the Queen Anne neighborhood. Queen Anne Library is also listed in the National Register of Historic Places as one of seven Carnegie libraries in Seattle.

A Controls and Incentives Agreement has been signed by City Librarian Deborah Jacobs and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the site, the exterior of the building, and the interior of the main floor of the building excluding floor coverings and movable furniture.

Thank you for your consideration of this legislation. Should you have questions please contact Elizabeth Chave in the Department of Neighborhoods at 684-0380.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

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Fiscal Note

Each piece of legislation that appropriates funds, creates position authority, or will create a financial impact through policy direction or otherwise, requires a fiscal note. The fiscal note should be drafted by department staff and should include all relevant financial information. After preparation by departmental staff, the Department of Finance will review and make necessary revisions before transmittal to Council.

Department:	Contact Person/Phone:	DOF Analyst/Phone:
DON	Elizabeth Chave 684-0380	Sara Levin 684-8691

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Library, 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 ordinance acknowledges the designation of the Queen Anne Library as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the features of the library and its site; and adds the library and site to the Table of Historical Landmarks contained in SMC Chapter 25.32. The ordinance does not have a financial impact.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Anticipated Appropriation
TOTAL				

** This is line of business for operating budgets, and program or project for capital improvements*

Notes:

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Anticipated Expenditures
TOTAL				

** This is line of business for operating budgets, and program or project for capital improvements*

Notes:



Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
TOTAL				

Notes:

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL				

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

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Background (Include brief description which states the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

Queen Anne Library is one of nine libraries recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the Seattle Public Library in anticipation of the renovation of the library as part of the "Libraries for All" capital improvement program. The designation of Queen Anne Library as a City landmark was supported by the Seattle Public Library and the Queen Anne neighborhood. Queen Anne Library is also listed in the National Register of Historic Places as one of seven Carnegie libraries in Seattle.

A Controls and Incentives Agreement has been signed by City Librarian Deborah Jacobs and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the site, the exterior of the building, and the interior of the main floor of the building excluding floor coverings and movable furniture.

The financial cost of not implementing the legislation (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

N/A

Possible alternatives to the legislation which could achieve the same or similar objectives (Include any potential alternatives to the proposed legislation, including using an existing



facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

N/A

Is the legislation subject to public hearing requirements (If yes, what public hearings have been held to date): NO

Other Issues (including long-term implications of the legislation):

FOR CAPITAL PROJECTS ONLY

Background (Include brief description that states the purpose and context of legislation, the expected useful life, anticipated customers/users, assumed level of LEED or other sustainable design elements. Also include record of previous legislation and funding history, if applicable):

Project Name: **Project Location:** **Start Date:** **End Date:**

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Spending Plan and Future Appropriations for Capital Projects (Estimate cost of legislation over time; list timing of anticipated appropriation authority requests and expected spending plan. Please identify your cost estimate methodology including inflation assumptions and key assumptions related to the timing of appropriation requests and expected expenditures. In addition, include the projected costs of meeting the LEED Silver standard in all facilities and buildings with over 5,000 gross square feet of occupied space. Also, be sure to include percent for art and percent for design as appropriate):

Spending Plan and Budget	2003	2004	2005	2006	2007	2008	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

Key Assumptions:

Funding source (Identify funding sources including revenue generated from the project and the expected level of funding from each source):



Levin/Peyer
January 28, 2003
Queen Anne Library Historic Landmark Ordinance
Version #1

Funding Source	2003	2004	2005	2006	2007	2008	Total
TOTAL							



Bond Financing Required (If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount):

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL					

Uses and Sources for Operation and Maintenance Costs for the Project (Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost):

O&M	2003	2004	2005	2006	2007	2008	Total
Uses							
Start Up							
On-going							
Sources (itemize)							

Key Assumptions:

--

Periodic Major Maintenance costs for the project (Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency):

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL			

Funding sources for replacement of project (Identify possible and/or recommended method of financing the project replacement costs):

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Return Address:

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104



20030411002786

SEATTLE CITY C CORD 23.00
PAGE 001 OF 005
04/11/2003 15:23
KING COUNTY, WA

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

Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled in.)

1. ORDINANCE #121101

Re - _____ of document.

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Ann Library, 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.

Grantor(s) (Last name first, then first name and initials) 1.City of Seattle Additional names on page---- of document.

Grantee(s) (Last name first, then first name and initials) 1.N/A 2.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) Additional reference #s on page -----of document N/A

Assessor's Property Tax Parcel/Account Number/ N/A

Assessor Tax # not yet assigned.

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FILED
CITY OF SEATTLE
2003 JUN -4 AM 10:36
CITY CLERK

ORDINANCE 121101

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AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Library, 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 November 7, 2001, voted to approve the nomination of the Queen Anne Library at 400 W. Garfield Street, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on December 19, 2001, the Board voted to approve the designation of the Queen Anne Library and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 20, 2002, 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: The designation by the Landmarks Preservation Board of the Queen Anne Library, and its site, described as:

Laws 2nd Addition, Block 27, Lots 9-12

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



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- 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, or period, or of a method of construction;
- E. It is an outstanding work of a designer of builder;

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Queen Anne Library and its site, that were designated by the Board for preservation:

A. CERTIFICATE OF APPROVAL PROCESS

- 1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time for denying a Certificate of Approval application must have expired, before the owner may make alterations or significant changes to:

The site, the exterior of the building, and the interior of the main floor of the building excluding floor coverings and movable furniture.

A Certificate of Approval is not required for the following:

- a. Any in-kind maintenance or repairs of the features listed in subsection 1, and
- b. The removal of existing partition walls of the staff/support area that existed prior to March 20, 2002.



- 1 B. ADMINISTRATIVE REVIEW
- 2 1. Administrative review and approval may be provided for the items listed in subsection 3
- 3 according to the following procedures. The Owner shall submit to the City Historic
- 4 Preservation Officer (CHPO) a written request for these alterations, including applicable
- 5 drawings and/or specifications. If the CHPO, upon examination of submitted plans and
- 6 specifications, determines that such alterations are consistent with the purposes of SMC
- 7 25.12 the alterations shall be approved without the need for any further action by the
- 8 Board. If the CHPO disapproves such alterations, the Owner may submit revised
- 9 materials to the CHPO, or submit in accordance with the Certificate of Approval process
- 10 set forth in SMC 25.12.
- 11
- 12 2. The CHPO shall submit his or her written decision on the Owner's submittal to the
- 13 Owner. Failure of the CHPO to approve or disapprove the request shall constitute
- 14 approval of the request.
- 15
- 16 3. Administrative review is available for the following:
- 17
- 18 *For the designated areas of the buildings, the addition or elimination of duct conduits,*
- 19 *HYAC vents, grilles, fire escapes, pipes, data/telecommunications wiring, and other*
- 20 *similar wiring or mechanical elements necessary for the normal operation of buildings.*
- 21
- 22 Section 3. INCENTIVES
- 23
- 24 Seattle Municipal Code Title 23 provides for authorization of uses in a designated
- 25 Landmark that are not normally permitted in a particular zoning classification by means
- 26 of an administrative conditional use.
- 27
- 28 A. Building and Energy Code exceptions on an application basis.
- 29
- 30 C. The availability of the Historic Preservation Special Tax Valuation (Chapter 84.26 RCW)
- 31 to all Seattle landmarks subject to controls imposed by designation ordinance, on an
- 32 application basis.



STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF Ordinance 121101

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

IN WITNESS WHEREOF, I HAVE PERSONALLY SET MY HAND AND AFFIXED THE SEAL TO THE CITY OF SEATTLE, THIS 11th day of April, 2003

JUDITH E. PIPPIN
CITY CLERK

BY: Margaret Carter
DEPUTY CLERK

Elizabeth Chave/jlb
Queen Anne Library Ord3.doc
January 17, 2003
version #3

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Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. The Queen Anne Library and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is 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 Design, Construction and Land Use.

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

Passed by the City Council the 24th day of March, 2003, and signed by me in open session in authentication of its passage this 24th day of March, 2003.

Ken Steinhilber
President of the City Council

Approved by me this 1st day of April, 2003
Gregory J. Nickels
Gregory J. Nickels, Mayor

Filed by me this 15th day of April, 2003.
Judith E. Pippin
City Clerk

(Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

156951
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

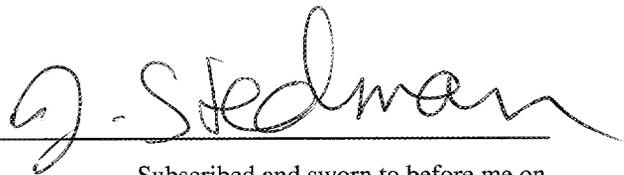
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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:ORDINANCE 121101

was published on

4/9/2003



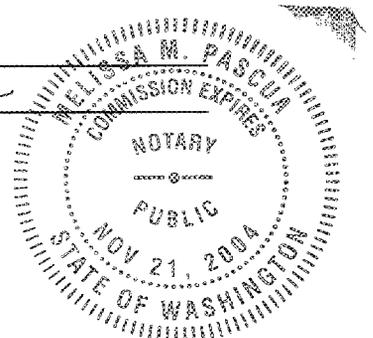
Subscribed and sworn to before me on

4/9/2003



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 121101

AN ORDINANCE relating to historic preservation, imposing controls upon the Queen Anne Library, 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 November 7, 2001, voted to approve the nomination of the Queen Anne Library at 400 W. Garfield Street, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on December 19, 2001, the Board voted to approve the designation of the Queen Anne Library and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on December 19, 2001, the Board voted to approve the designation of the Queen Anne Library and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 20, 2002, 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: The designation by the Landmarks Preservation Board of the Queen Anne Library, and its site, described as:

Laws 2nd Addition, Block 27, Lots 9-12

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

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, or period, or of a method of construction.

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

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Queen Anne Library and its site that were designated by the Board for preservation:

A. CERTIFICATE OF APPROVAL PROCESS

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time for denying a Certificate of Approval application must have expired, before the owner may make alterations or significant changes to:

The site, the exterior of the building, and the interior of the building excluding floor coverings, and movable furniture.