

Ordinance No. 121220

ew

Council Bill No. 114602

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown Cottages, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ke

pass 2-0

CF No. _____

7-14-03 Pass

Date Introduced:	<u>JUN 16 2003</u>	
Date 1st Referred:	<u>JUN 16 2003</u>	To: (committee) <u>Neighborhoods, Arts & Civil Rights Committee</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>7-14-03</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>7-15-03</u>	Date Approved: <u>7-21-03</u>
Date Returned to City Clerk:	<u>7-22-03</u>	Date Published: <u>5/24/03</u>
Date Vetted by Mayor:		T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Passed Over Veto:		Date Veto Published:
		Veto Sustained:

This file is complete and ready

Law Department

Law Dept. Review

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Council Bill/Ordinance sponsored by: _____

Councilmember

Committee Action:

pass 20 *NL, RC* *7/9/03* *[initials]*

7-14-03 Passed 9-0

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

(initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

[Handwritten notes: "Final copy (Law Dept)", "All files loaded", "7/14/03", "City Clerk Review"]

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ORDINANCE 121220

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4 AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown
5 Cottages, a Landmark designated by the Landmarks Preservation Board under
6 Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic
7 Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.
8

9 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code
10 (SMC), establishes a procedure for the designation and preservation of structures and
11 areas having historical, cultural, architectural, engineering or geographic importance;
12 and
13

14 WHEREAS, the Landmarks Preservation Board, after a public meeting on January 19, 2000
15 voted to approve the nomination of the Belltown Cottages at 2512, 2512A and 2516
16 Elliott Avenue, in Seattle as a Landmark under SMC Chapter 25.12; and
17

18 WHEREAS, after a public meeting on March 15, 2000, the Board voted to approve the
19 designation of the Belltown Cottages and the site as a Landmark under SMC Chapter
20 25.12; and
21

22 WHEREAS, on October 4, 2000, the Board and the owners of the designated property
23 agreed to controls and incentives; and
24

25 WHEREAS, the Board recommends to the City Council approval of controls and incentives;
26 NOW, THEREFORE,
27

28 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**
29

30 Section 1. DESIGNATION: The designation by the Landmarks Preservation Board
31 of the Belltown Cottages, and its site described as:
32

33 Bell and Denny's Addition, Block 5, Lot 3
34 as a Landmark based upon satisfaction of the following standards of SMC Section
35 25.12.350:
36

37 D. It embodies the distinctive visible characteristics of an architectural style, or
38 period, or of a method of construction;
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40 F. Because of its prominence of spatial location, contrasts of siting, age or scale, is
41 an easily identifiable visual feature of its neighborhood or the City and
42 contributes to the distinctive quality or identity of such neighborhood or the City;
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44 is hereby acknowledged.
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46 Section 2. CONTROLS: The following controls are hereby imposed on the features
47 and characteristics of the Belltown Cottages and its site that were designated by the Board
48 for preservation:



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2 A. CERTIFICATE OF APPROVAL PROCESS
3

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

8
9 a. The exteriors of the buildings, the interiors of the structures at 2512 and
10 2512A Elliott Avenue, excluding the garage addition to the structure at 2512 Elliott Avenue
11 and the shed addition to the structure at 2516 Elliott Avenue.

12
13 b. The site.

14
15 2. A Certificate of Approval is not required for any in-kind maintenance or
16 repairs of the features listed in subsection 1.

17
18 B. ADMINISTRATIVE REVIEW
19

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

29
30 2. The CHPO shall submit his or her written decision on the Owner's submittal
31 to the Owner. Failure of the CHPO to approve or disapprove the request shall constitute
32 approval of the request.

33
34 3. Administrative review is available for the following:

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36 For the designated areas of the buildings, the addition or elimination of duct
37 conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or
38 mechanical elements necessary for the normal operation of the buildings.

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40 Section 3. INCENTIVES
41

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

45
46 B. The Building and Energy Codes provide for exceptions on an application basis.
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1 C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to
2 all Seattle landmarks subject to controls imposed by designation ordinance, upon
3 application.
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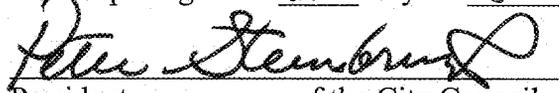
5 Section 4. Enforcement of this Ordinance and penalties for its violation shall be as
6 provided in SMC 25.12.910.
7

8 Section 5. The Belltown Cottages and the site are hereby added to the Table of
9 Historical Landmarks contained in SMC Chapter 25.32.
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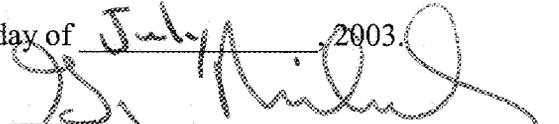
11 Section 6. The City Clerk is directed to record this ordinance with the King County
12 Director of Records and Elections, deliver two copies to the City Historic Preservation
13 Officer, and deliver one copy to the Director of the Department of Design, Construction and
14 Land Use.
15

16 Section 7. This ordinance shall take effect and be in force thirty (30) days from and
17 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
18 (10) days after presentation, it shall take effect as provided by Municipal Code Section
19 1.04.020.
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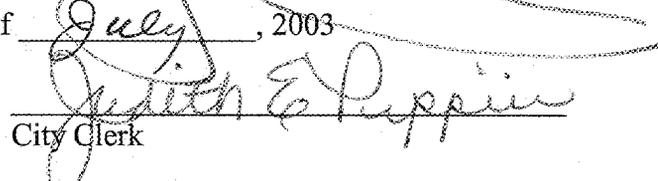
21 Passed by the City Council the 14th day of July, 2003, and signed by
22 me in open session in authentication of its passage this 14th day of July,
23 2003.

24 
25 President _____ of the City Council
26

27 Approved by me this 21 day of July, 2003.

28 
29 _____
30 Gregory I. Nickels, Mayor
31

32 Filed by me this 22 day of July, 2003

33 
34 _____
35 City Clerk
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37 (SEAL)
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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

June 2, 2003

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

Dear Council President Steinbrueck:

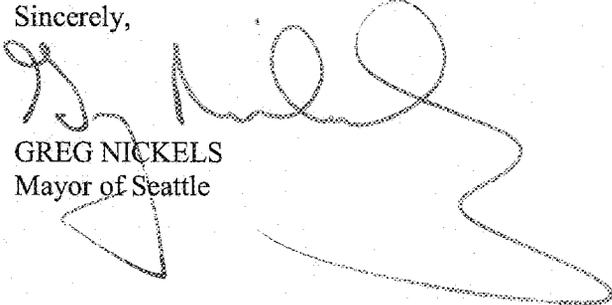
The attached ordinance acknowledges the designation of the Belltown Cottages as an historic landmark and adds it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

The Belltown Cottages is one of the Department of Parks and Recreation properties recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the the Cottage Property Planning Project Group. Site and building alterations were recently approved by the Landmarks Preservation Board.

A Controls and Incentives Agreement has been signed by the former Director of the Executive Services Department, Dwight Dively and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the site, the exteriors of the buildings, and the interiors of two of the buildings. Excluded from the controls are the garage addition to 2512 Elliott Avenue, the shed addition to 2516 Elliott Avenue, and any in-kind repairs of the designated features.

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

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 FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Dept. of Neighborhoods	Elizabeth Chave 684-0381	Sara Levin 684-8691

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown Cottages, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

• **Summary of the Legislation:**

The attached ordinance acknowledges the designation of the Belltown Cottages as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the features of the buildings and the site and adds the site to the Table of Historical Landmarks contained in SMC Chapter 25.32. The ordinance does not have a financial impact to the City.

• **Background:**

The Belltown Cottages is one of the Parks Department properties recently designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the the Cottage Property Planning Project Group. The site and building were recently approved by the Landmarks Preservation Board.

A Controls and Incentives Agreement has been signed by the former Director of the Executive Services Department, Dwight Dively. and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the site, the exteriors of the buildings, and the interiors of two of the buildings. Excluded from the controls are the garage addition to 2512 Elliott Avenue, the shed addition to 2516 Elliott Avenue, and any in-kind repairs of the designated features .

• *Please check one of the following:*

This legislation does not have any financial implications.

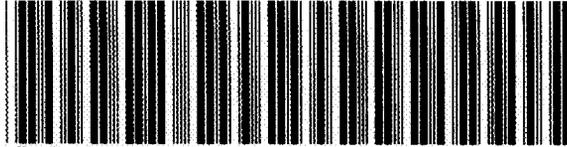


Return Address:

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104



20030801000219

SEATTLE CITY C CORD 23.00
PAGE 001 OF 005
08/01/2003 09:47
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

Document Title(s) (or transaction contained therein): (Insert Ordinance or Resolution Number Here)

1. Ordinance No. 121220

AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown Cottages, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Grantor(s)

- 1. City of Seattle
- Additional names on page ___ of document.

Grantee(s) (Last name first, then first name and initials)

- 1. N/A
- 2.
- 3.

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

- #
- Assessor Tax # not yet assigned.
 - N/A

g:\Forms\Recorder Cover.doc

FILED
CITY OF SEATTLE
03 SEP 26 AM 9:29
CITY CLERK

ORDINANCE 121220

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AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown Cottages, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic 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 January 19, 2000 voted to approve the nomination of the Belltown Cottages at 2512, 2512A and 2516 Elliott Avenue, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on March 15, 2000, the Board voted to approve the designation of the Belltown Cottages and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on October 4, 2000, 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 Belltown Cottages, and its site described as:

Bell and Denny's Addition, Block 5, Lot 3
as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

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

F. Because of its prominence of spatial location, contrasts of siting, age or scale, is 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 Belltown Cottages and its site that were designated by the Board for preservation:



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A. CERTIFICATE OF APPROVAL PROCESS

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to 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:

a. The exteriors of the buildings, the interiors of the structures at 2512 and 2512A Elliott Avenue, excluding the garage addition to the structure at 2512 Elliott Avenue and the shed addition to the structure at 2516 Elliott Avenue.

b. The site.

2. A Certificate of Approval is not required for any in-kind maintenance or repairs of the features listed in subsection 1.

B. ADMINISTRATIVE REVIEW

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

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

3. Administrative review is available for the following:

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

Section 3. INCENTIVES

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

B. The Building and Energy Codes provide for exceptions on an application basis.



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C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to all Seattle landmarks subject to controls imposed by designation ordinance, upon application.

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

Section 5. The Belltown Cottages 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.

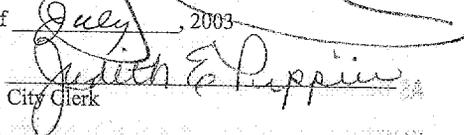
Passed by the City Council the 14th day of July, 2003, and signed by me in open session in authentication of its passage this 14th day of July, 2003.


President _____ of the City Council

Approved by me this 21 day of July, 2003.


Gregory I. Nickels, Mayor

Filed by me this 22 day of July, 2003.


City Clerk

(SEAL)



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 121220

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

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 1st DAY of August

JUDITH E. PIPPIN
CITY CLERK

BY *Edna Wheaton* 2003
DEPUTY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

161573
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

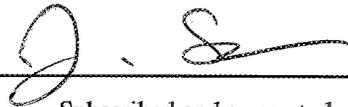
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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:121220/ORD IN FULL

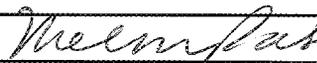
was published on

7/31/2003



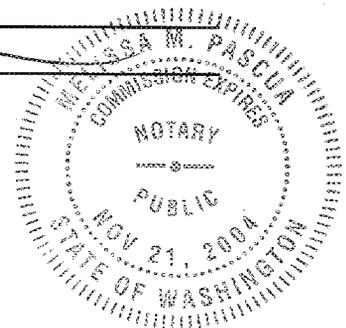
Subscribed and sworn to before me on

7/31/2003



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 124220

AN ORDINANCE relating to historic preservation, imposing controls upon the Belltown Cottages, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historic 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 January 19, 2000 voted to approve the nomination of the Belltown Cottages at 2512, 2512A and 2518 Elliott Avenue, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on March 15, 2000, the Board voted to approve the designation of the Belltown Cottages and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on October 4, 2000, 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,

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F. Because of its prominence of spatial location, contrasts of siting, age or scale, is 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.

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A. CERTIFICATE OF APPROVAL PROCESS

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Avenue and the shed addition to the structure at 2518 Elliott Avenue.

b. The site.

2. A Certificate of Approval is not required for any in-kind maintenance or repairs of the features listed in subsection 1.