Ordinance No. 122465

Council Bill No. 115970

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #17, 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.

CF No.

Date Introduced: 8-6-07	
Date 1st Referred: 8-6-07	To: (committee) Urban Development and Planning
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 8-13-07	Full Council Vote: 9-0
Date Presented to Mayor: 8-14-07	Date Approved: 8-22-07
Date Returned to City Clerk: 8-22-07	Date Published: 6 T.O. ___ F.T. X
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Peter Steinbrueck
Councilmember

Committee Action: Approved 3-0 PS, TR, RC

8-13-07 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

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

June 26, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill, which amends the Seattle Municipal Code to include Seattle Fire Station No. 17, located at 1010 NE 50th Street, as an historic landmark. Subsequent to receiving a nomination from the City of Seattle's Fleets and Facilities Department and conducting a public hearing, the Landmarks Preservation Board voted to approve the designation of Fire Station 17 as an historic landmark.

A Controls and Incentives Agreement has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building, the poles and pole niches in the apparatus room, and the site, excluding the changes to landscaping. Excluded from the controls are any in-kind maintenance or repairs to the exterior of the building or the site, minor landscaping including the removal/addition of trees under six (6) inches in caliper, shrubs, perennials and annuals, alterations not requiring a building permit to the parking lot west and north of the building.

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

Sincerely,

for

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749
Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

2007 CITY CLERK

Elizabeth Chave/kck
DON Landmark Fire Station No. 17 ORD
June 12, 2007
Version #3

ORDINANCE 122465

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #17, 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 sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4, 2005, voted to approve the nomination of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th St. in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation of Fire Station #17 under SMC Chapter 25.12; and

WHEREAS, on September 21, 2005, the Board and the owner of the designated landmark agreed to controls and incentives; and

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance), is hereby acknowledged.

A. Legal Description. Fire Station #17 is located on the property legally described as:

EJS CITY CLERK

Lots 1 through 3 and the south one-half of Lot 4, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of Fire Station #17 are designated:

1. The exterior of the building known as Fire Station #17.
2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle on which the improvement known as Fire Station #17 is located, exclusive of landscaping.
3. The poles and pole niches in the apparatus room.

C. Basis of Designation. The designation was made because Fire Station #17 has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

1. It embodies the distinctive visible characteristics of an architectural style, period, or of a method of construction. (25.12.350D)

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

CITY CLERK

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 of this Ordinance, 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:

1. The exterior of the building known as Fire Station #17.
2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle, on which the improvement known as Fire Station #17 is located, exclusive of landscaping.
3. The poles and pole niches in the apparatus room.

2. No Certificate of Approval or approval by the City Historic Preservation Officer(CHPO) is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
b. Alterations not requiring a building permit to the parking lot east and north of the building.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

CITY CLERK

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for the changes or alteration to designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. The addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, wiring, and other similar mechanical elements necessary for the normal operation of the building.

b. Seattle Fire Department training equipment attached to designated features.

Section 3. INCENTIVES. The following incentives are hereby granted on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title

DIS CITY CLERK

23.

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

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

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

Section 5. Fire Station #17 is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

CITY CLERK

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 13th day of August, 2007, and signed by me in open session in authentication of its passage this 13th day of August 2007.

_____

President _____ of the City Council

Approved by me this 22nd day of August 2007.

_____

Gregory J. Nickels, Mayor

Filed by me this 22nd day of August, 2007.

_____

City Clerk

(Seal)

BMS CITY CLERK

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728

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SEATTLE CITY C ORD
PAGE001 OF 007
08/29/2007 14:34
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) and corresponding number (or transaction contained therein)
1.Ordinance 122465
2.

Reference Number(s) of Documents assigned or released:
1.
Additional reference #'s on page _____ of document

Grantor(s)
☒ 1.City of Seattle
☐ Additional names on page___ of document.

Grantee(s) Public (Last name first, then first name and initials)
☐ 1. NA
☐ 2. Additional names on page ___ of document

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

NA
Additional reference #'s on page ___ of document

Assessor's Property Tax Parcel/Account Number
#_____

☐ Assessor Tax # not yet assigned.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

_____ Signature of Requesting Party

FILED
CITY OF SEATTLE
'07 OCT -1 AM 9:25
CITY CLERK

CITY CLERK
2012 OCT -1 PM 3:52
RECEIVED

Elizabeth Chave/kck
DON Landmark Fire Station No. 17 ORD
June 12, 2007
Version #3

ORDINANCE 122465

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #17, 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 sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4, 2005, voted to approve the nomination of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th St. in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation of Fire Station #17 under SMC Chapter 25.12; and

WHEREAS, on September 21, 2005, the Board and the owner of the designated landmark agreed to controls and incentives; and

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance), is hereby acknowledged.

A. Legal Description. Fire Station #17 is located on the property legally described as:

CITY CLERK

Lots 1 through 3 and the south one-half of Lot 4, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of Fire Station #17 are designated:

1. The exterior of the building known as Fire Station #17.
2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle on which the improvement known as Fire Station #17 is located, exclusive of landscaping.
3. The poles and pole niches in the apparatus room.

C. Basis of Designation. The designation was made because Fire Station #17 has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

1. It embodies the distinctive visible characteristics of an architectural style, period, or of a method of construction. (25.12.350D)

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

CITY CLERK

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 of this Ordinance, 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:

1. The exterior of the building known as Fire Station #17.
2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle, on which the improvement known as Fire Station #17 is located, exclusive of landscaping.
3. The poles and pole niches in the apparatus room.

2. No Certificate of Approval or approval by the City Historic Preservation Officer(CHPO) is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
b. Alterations not requiring a building permit to the parking lot east and north of the building.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

DPS CITY CLERK

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for the changes or alteration to designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. The addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, wiring, and other similar mechanical elements necessary for the normal operation of the building.

b. Seattle Fire Department training equipment attached to designated features.

Section 3. INCENTIVES. The following incentives are hereby granted on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title

CITY CLERK

23.

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

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

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

Section 5. Fire Station #17 is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

DMS CITY CLERK

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 13th day of August, 2007, and signed by me in open session in authentication of its passage this 13th day of August, 2007.

_____

President _____ of the City Council

Approved by me this 22nd day of August, 2007.

_____

Gregory J. Nickels, Mayor

Filed by me this 22nd day of August, 2007.

_____

City Clerk

(Seal)

STATE OF WASHINGTON
COUNTY OF KING } SS
CITY OF SEATTLE

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 122465

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 24th day August 2007

JUDITH E. PIPPIN
CITY CLERK

BY _____
DEPUTY CLERK

DNS CITY CLERK

Elizabeth Chave/kck
DON Landmark Fire Station No. 17 FISC
June 12, 2007
Version #2

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Neighborhoods	Beth Chave/684-0380	Cheryl Swab/684-8053

Legislation Title:
AN ORDINANCE relating to historic preservation, imposing controls upon the Fire Station No. 17, 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 Fire Station No. 17 as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the exterior of the building, the poles and pole niches in the apparatus room, and the site, exclusive of changes to landscaping and adds the building to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

- **Background:**
  Fire Station No. 17 was built in 1930 and is the largest of the city's older neighborhood fire stations. The reinforced concrete building replaced an earlier fire station that dates from 1905. This station served the entire northeast region of the city until other station were built in 1930 The original exterior finish is stucco with stucco-clad Art Deco and Moderne stylistic elements, including cast stone detailing at the window sills, upper corners, and sill and parapet bands.

  A Controls and Incentives Agreement has been signed by the owners and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building, the poles and pole niches in the apparatus room, and the site, exclusive of changes to landscaping. Excluded from the controls are any in-kind maintenance or repairs on included features and minor landscaping and alterations not requiring a building permit to the parking lot west and north of the building.

- *Please check one of the following:*

__x__ **This legislation does not have any financial implications.** (*Stop here and delete the remainder of this document prior to saving and printing.)*

____ **This legislation has financial implications.** (Please complete all relevant sections that follow.)

CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

214896 No.
CITY OF SEATTLE,CLERKS OFFICE

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:122465 ORDINANCE

was published on

08/27/07

The amount of the fee charged for the foregoing publication is the sum of $ 292.95, which amount has been paid in full.

Subscribed and sworn to before me on

08/27/07

Notary public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 122465

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #17, 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 sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4, 2005, voted to approve the nomination of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th St. in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation of Fire Station #17 under SMC Chapter 25.12; and

WHEREAS, on September 21, 2005, the Board and the owner of the designated landmark agreed to controls and incentives; and

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #17 and the parcel of property on which the improvement is located at 1010 NE 50th in Seattle (the improvement and the property are collectively referred to as Fire Station #17 for the purposes of this ordinance), is hereby acknowledged.

A. Legal Description. Fire Station #17 is located on the property legally described as:

Lots 1 through 3 and the south one-half of Lot 4, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington.

B. Specific Features and/or Characteristics Designated. Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of Fire Station #17 are designated:

1. The exterior of the building known as Fire Station #17.

2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle on which the improvement known as Fire Station #17 is located, exclusive of landscaping.

3. The poles and pole niches in the apparatus room.

C. Basis of Designation. The designation was made because Fire Station #17 has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

1. It embodies the distinctive visible characteristics of an architectural style, period, or of a method of construction. (25.12.350D)

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 f this Ordinance, the owner must obtain a ertificate of Approval issued by the Board ursuant to SMC chapter 25.12, or the time r denying a Certificate of Approval must ave expired, before the owner may make lterations or significant changes to the following specific features or characteristics:

1. The exterior of the building known as ire Station #17.

State of Washington, King County

2. The parcel of property legally described above, located at 1010 NE 50th St. in Seattle, on which the improvement known as Fire Station #17 is located, exclusive of landscaping.

3. The poles and pole niches in the apparatus room.

2. No Certificate of Approval or approval by the City Historic Preservation Officer(CHPO) is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

b. Alterations not requiring a building permit to the parking lot east and north of the building.

B. City Historic Preservation Officer (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for the changes or alteration to designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. The addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, wiring, and other similar mechanical elements necessary for the normal operation of the building.

b. Seattle Fire Department training equipment attached to designated features.

Section 3. INCENTIVES. The following incentives are hereby granted on the features and characteristics of Fire Station #17 that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title 23.

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

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

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

Section 5. Fire Station #17 is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

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 13th day of August, 2007, and signed by me in open session in authentication of its passage this 13th day of August, 2007.

Nick Licata

President of the City Council

Approved by me this 22nd day of August, 2007.

Gregory J. Nickels, Mayor

Filed by me this 22nd day of August, 2007.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, August 27, 2007.

8/27(214896)