

Ordinance No. 123295

*EBAY*

# The City of Seattle – Legislative Department

Council Bill No. 116836

Council Bill/Ordinance sponsored by: *Stray & Curran*

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

## Committee Action:

Date	Recommendation	Vote
<u>042910</u>	<u>APPROVE</u>	<u>2-0 SC, SB</u>

### Related Legislation File:

Date Introduced and Referred: <u>4.12.10</u>	To: (committee): <u>Built Environment</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>5.10.10</u>	Date Presented to Mayor: <u>5.11.10</u>
Date Signed by Mayor: <u>May 13, 2010</u>	Date Returned to City Clerk: <u>May 14, 2010</u>
Published by Title Only <input type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input checked="" type="checkbox"/>	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

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

## Full Council Action:

Date	Decision	Vote
<u>5.10.10</u>	<u>Passed</u>	<u>7-0 Excused: TB, TR</u>

*Law Department*



1 A. Legal Description. The Egan House is located on the property legally described

2 as:

3 Beginning 286.56 feet east of the south quarter of Section 20, Township 25 North,  
4 Range 4 East, W.M., in King County, Washington; thence north, 80 feet; thence  
5 west to east line of Lake View Boulevard; thence southwesterly on said east line  
6 to south line of said Section 20; thence east to point of beginning; subject to  
7 recorded easements, rights, and agreements.  
8

9  
10 B. Specific Features and/or Characteristics Designated, Pursuant to SMC

11 25.12.660.A.2, the following specific features and/or characteristics of the Egan House are  
12 designated:

- 13 1. The exterior of the building.  
14  
15 2. The interior of the building excluding both bathrooms and excluding the  
16 office/bedroom on the lower (entry) level.

17 C. Basis of Designation. The designation was made because the Egan House has  
18 significant character, interest or value as a part of the development, heritage or cultural  
19 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,  
20 and because it satisfies the following from SMC 25.12.350:  
21

- 22 1. It embodies the distinctive visible characteristics of an architectural style, period,  
23 or of a method of construction (SMC 25.12.350.D).  
24  
25 2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).  
26



- 1           3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is  
2           an easily identifiable visual feature of its neighborhood or the City and contributes  
3           to the distinctive quality or identity of such neighborhood or the City (SMC  
4           25.12.350.F).

5           Section 2. CONTROLS: The following controls are hereby imposed on the features and  
6           characteristics of the Egan House that were designated by the Board for preservation:  
7

8           A.    Certificate of Approval Process.

- 9           1. Except as provided in Section 2.A.2 and Section 2.B of this ordinance, the owner  
10           must obtain a Certificate of Approval issued by the Board pursuant to SMC  
11           Chapter 25.12, or the time for denying a Certificate of Approval must have  
12           expired, before the owner may make alterations or significant changes to the  
13           following specific features or characteristics:  
14           a. The exterior of the improvement (the building).  
15           b. The interior of the building excluding both bathrooms and excluding the  
16           office/bedroom on the lower (entry) level.  
17           2. No Certificate of Approval is required for the following:  
18           a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.  
19           b. Floor coverings that do not damage the existing floor.  
20           c. Temporary interior window coverings.  
21           d. Alterations to non-original interior light fixtures.  
22           e. Alterations to the kitchen appliances and kitchen cabinetry.  
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1           B.       City Historic Preservation Officer (CHPO) Approval Process.

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

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

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

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

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

17           3. CHPO approval for changes or alterations to the designated features or  
18           characteristics of the landmark described in Section 2.A.1 of this Ordinance, is  
19           available for the following:  
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- 1 a. The addition or elimination of duct conduits, HVAC vents, grilles, fire  
2 escapes, pipes, and other similar wiring or mechanical elements necessary for  
3 the normal operation of the building.  
4 b. Alterations to the north deck, so long as the alterations do not result in an  
5 increase in the size of the deck.  
6 c. Removal, replacement and addition of exterior light fixtures, including  
7 security lighting and security system equipment.  
8

9 Section 3. INCENTIVES: The following incentives are hereby granted on the features  
10 and characteristics of the Egan House that were designated by the Board for preservation:  
11

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

15 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter  
16 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to  
17 the applicable provisions thereof.  
18

19 C. Special tax valuation for historic preservation may be available under Chapter  
20 84.26 RCW upon application and compliance with the requirements of that statute.

21 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in  
22 SMC 25.12.910.  
23

24 Section 5. The Egan House is hereby added to the Table of Historical Landmarks  
25 contained in SMC Chapter 25.32.  
26



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

6  
7 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after  
8 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
9 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

10 Passed by the City Council the 10<sup>th</sup> day of May, 2010, and  
11 signed by me in open session in authentication of its passage this  
12 10<sup>th</sup> day of May, 2010.

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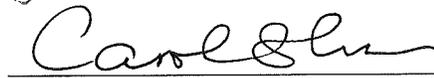
16 President \_\_\_\_\_ of the City Council

17 Approved by me this 13<sup>th</sup> day of May, 2010.

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21 Michael McGinn, Mayor

22 Filed by me this 14<sup>th</sup> day of May, 2010.

23  
24 

25 City Clerk

26 (Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amy Williams/206-233-2651

**Legislation Title:**

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

• **Summary of the Legislation:**

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

• **Background:**

The Egan House was built in 1958 and is located on the lower west slope of north Capitol Hill, above I-5 and the Eastlake neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The exterior and the interior of the building are subject to the controls included in the Controls and Incentives Agreement. However, the controls do not apply to the site, the bathrooms, and the office/bedroom on the lower level, or any in-kind maintenance or repairs of the designated features.

• *Please check one of the following:*

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

Attachments:

Exhibit A – Vicinity Map of the Egan House



Elizabeth Chave/jom  
DON, Egan House, FISC Exhibit A  
November 19, 2009  
Version #1





# City of Seattle

Michael McGinn, Mayor

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## Office of the Mayor

March 30, 2010

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Egan House at 1500 Lakeview Boulevard East as a historic landmark, imposes controls, grants incentives and adds the Egan House to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement (Agreement) has been signed by the owner and has been approved by the Landmarks Preservation Board. The Agreement includes the landmark controls for the exterior and portions of the interior of the building. The controls do not apply to the site, the bathrooms, the office/bedroom on the lower level, or any in-kind maintenance or repairs of the designated features.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'M' followed by a long horizontal line.

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mike.mcgin@seattle.gov](mailto:mike.mcgin@seattle.gov)

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



**Return Address:**

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728



WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

**Document Title(s) and corresponding number (or transaction contained therein)**

- 1. Ordinance 123295
- 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)** (Last name first, then first name and initials)

- 1. Public
- 2. Additional names on page \_\_\_\_ of document

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

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  
CITY CLERK  
10 JUN 22 AM 10:24

ORDINANCE 123296

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

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 March 4, 2009, voted to approve the nomination of the improvement (the building) located at 1500 Lakeview Boulevard East in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 15, 2009, the Board voted to approve the designation of the Egan House under SMC Chapter 25.12; and

WHEREAS, on August 19, 2009, 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 (the building) located at 1500 Lakeview Boulevard East in Seattle, which is referred to as the "Egan House" for the purposes of this ordinance, is hereby acknowledged.



1 A. Legal Description. The Egan House is located on the property legally described  
2 as:  
3 Beginning 286.56 feet east of the south quarter of Section 20, Township 25 North,  
4 Range 4 East, W.M., in King County, Washington; thence north, 80 feet; thence  
5 west to east line of Lake View Boulevard; thence southwesterly on said east line  
6 to south line of said Section 20; thence east to point of beginning; subject to  
7 recorded easements, rights, and agreements.  
8

9  
10 B. Specific Features and/or Characteristics Designated. Pursuant to SMC  
11 25.12.660.A.2, the following specific features and/or characteristics of the Egan House are  
12 designated:

- 13 1. The exterior of the building.
- 14 2. The interior of the building excluding both bathrooms and excluding the  
15 office/bedroom on the lower (entry) level.

16  
17 C. Basis of Designation. The designation was made because the Egan House has  
18 significant character, interest or value as a part of the development, heritage or cultural  
19 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,  
20 and because it satisfies the following from SMC 25.12.350:

- 21 1. It embodies the distinctive visible characteristics of an architectural style, period,  
22 or of a method of construction (SMC 25.12.350.D).
- 23 2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
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- 1 3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is  
2 an easily identifiable visual feature of its neighborhood or the City and contributes  
3 to the distinctive quality or identity of such neighborhood or the City (SMC  
4 25.12.350.F).

5 Section 2. CONTROLS: The following controls are hereby imposed on the features and  
6 characteristics of the Egan House that were designated by the Board for preservation:  
7

8 A. Certificate of Approval Process.

- 9 1. Except as provided in Section 2.A.2 and Section 2.B of this ordinance, the owner  
10 must obtain a Certificate of Approval issued by the Board pursuant to SMC  
11 Chapter 25.12, or the time for denying a Certificate of Approval must have  
12 expired, before the owner may make alterations or significant changes to the  
13 following specific features or characteristics:  
14 a. The exterior of the improvement (the building).  
15 b. The interior of the building excluding both bathrooms and excluding the  
16 office/bedroom on the lower (entry) level.  
17  
18 2. No Certificate of Approval is required for the following:  
19 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.  
20 b. Floor coverings that do not damage the existing floor.  
21 c. Temporary interior window coverings.  
22 d. Alterations to non-original interior light fixtures.  
23 e. Alterations to the kitchen appliances and kitchen cabinetry.  
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1           B.    City Historic Preservation Officer (CHPO) Approval Process.

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

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

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

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

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

17           3. CHPO approval for changes or alterations to the designated features or  
18           characteristics of the landmark described in Section 2.A.1 of this Ordinance, is  
19           available for the following:  
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- a. 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 building.
- b. Alterations to the north deck, so long as the alterations do not result in an increase in the size of the deck.
- c. Removal, replacement and addition of exterior light fixtures, including security lighting and security system equipment.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Egan House 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 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. The Egan House is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.



I, LEDA DUBO certify that this is a true and correct  
copy of Ordinance 123295, on file in the records  
of the City of Seattle, Office of the City Clerk



Signed by: [Signature]  
Signature: [Signature]  
Title: Office Supervisor  
Date: 05-24-2010

Elizabeth Chave/jom  
DON, Egan House Landmark Designation ORD  
March 16, 2010  
Version #4

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

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

10 Passed by the City Council the 10<sup>th</sup> day of May, 2010, and  
11 signed by me in open session in authentication of its passage this  
12 10<sup>th</sup> day of May, 2010.

[Signature]  
President \_\_\_\_\_ of the City Council

17 Approved by me this 13<sup>th</sup> day of May, 2010.

[Signature]  
Michael McGinn, Mayor

22 Filed by me this 14<sup>th</sup> day of May, 2010.

[Signature]  
City Clerk

26 (Seal)



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STATE OF WASHINGTON – KING COUNTY

--SS.

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254996  
CITY OF SEATTLE, CLERKS OFFICE

No.

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

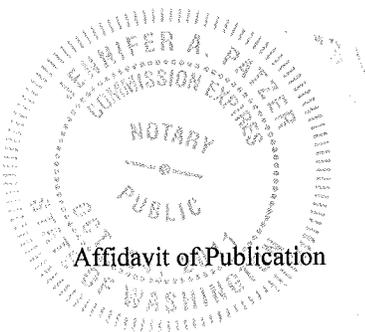
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123295 ORDINANCE

was published on

05/20/10

The amount of the fee charged for the foregoing publication is the sum of \$ 300.30, which amount has been paid in full.



Affidavit of Publication

A handwritten signature in black ink, appearing to be "M. J. ...", written over a horizontal line.

Subscribed and sworn to before me on

05/20/10

A large, stylized handwritten signature in black ink, written over a horizontal line.

Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### ORDINANCE 123295

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

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 March 4, 2009, voted to approve the nomination of the improvement (the building) located at 1500 Lakeview Boulevard East in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 15, 2009, the Board voted to approve the designation of the Egan House under SMC Chapter 25.12; and

WHEREAS, on August 19, 2009, 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 (the building) located at 1500 Lakeview Boulevard East in Seattle, which is referred to as the "Egan House" for the purposes of this ordinance, is hereby acknowledged.

A. **Legal Description.** The Egan House is located on the property legally described as:

Beginning 286.56 feet east of the south quarter of Section 20, Township 25 North, Range 4 East, W.M., in King County, Washington; thence north, 80 feet; thence west to east line of Lake View Boulevard; thence southwesterly on said east line to south line of said Section 20; thence east to point of beginning; subject to recorded easements, rights, and agreements.

B. **Specific Features and/or Characteristics Designated.** Pursuant to SMC 25.12.660.A.2, the following specific features and/or characteristics of the Egan House are designated:

1. The exterior of the building.
2. The interior of the building excluding both bathrooms and excluding the office/bedroom on the lower (entry) level.

C. **Basis of Designation.** The designation was made because the Egan House 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 SMC 25.12.350:

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

2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it 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 (SMC 25.12.350.F).

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

#### A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 and Section 2.B 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:

a. The exterior of the improvement (the building).

b. The interior of the building excluding both bathrooms and excluding the office/bedroom on the lower (entry) level.

2. No Certificate of Approval is required for the following:

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

b. Floor coverings that do not damage the existing floor.

c. Temporary interior window coverings.

d. Alterations to non-original interior light fixtures.

e. Alterations to the kitchen appliances and kitchen cabinetry.

#### 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 altera-

tions 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 changes or alterations to the designated features or characteristics of the landmark described in Section 2.A.1 of this Ordinance, is available for the following:

a. 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 building.

b. Alterations to the north deck, so long as the alterations do not result in an increase in the size of the deck.

c. Removal, replacement and addition of exterior light fixtures, including security lighting and security system equipment.

Section 3. **INCENTIVES:** The following incentives are hereby granted on the features and characteristics of the Egan House 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 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. The Egan House 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 the ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer (CHPO), 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 10th day of May, 2010, and signed by me in open session in authentication of its passage this 10th day of May, 2010.

Richard Conlin

President of the City Council

Approved by me this 13th day of May, 2010.

Michael McGinn, Mayor

Filed by me this 14th day of May, 2010.

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily Journal of Commerce, May 20, 2010.

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