

Ordinance No. 123623

The City of Seattle – Legislative Department

Council Bill No. 117174

Council Bill/Ordinance sponsored by: Samy Corrales

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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
060811	PASS	2-0 SC, TB

Related Legislation File:

Date Introduced and Referred: 5.16.11	To: (committee): Built Environment
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 6.13.11	Date Presented to Mayor: 6.13.11
Date Signed by Mayor: 6/17/11	Date Returned to City Clerk: 6/20/11
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
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
6.13.11	Passed	8-0 excused: MO

Law Department

ORDINANCE 123623

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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 that are more than 25 years old and have historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on May 15, 2002, voted to approve the nomination of the improvement (the structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 3, 2002, the Board voted to approve the designation of the Hat 'n' Boots under SMC Chapter 25.12; and

WHEREAS, on October 6, 2010, 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 structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle is hereby acknowledged.

A. Legal Description. The Hat 'n' Boots is located on the property legally described as:

Lots 7 and 10, Block A, Georgetown Addition to Seattle, according to the plat thereof recorded in Volume 6 of Plats, page 9, in King County, Washington.



1 B. Specific Features and/or Characteristics Designated. Pursuant to SMC
2 25.12.660.A.2, the following specific features and/or characteristics of the Hat 'n' Boots are
3 designated: the exteriors of both structures and their dimensional and locational relationship to
4 each other.

5 C. Basis of Designation. The designation was made because the Hat 'n' Boots is
6 more than 25 years old and has significant character, interest or value as a part of the
7 development, heritage or cultural characteristics of the City, state or nation, it has integrity or the
8 ability to convey its significance, and because it satisfies the following from SMC 25.12.350:

- 9 1. It embodies the distinctive visible characteristics of an architectural style, or
10 period, or of a method of construction (SMC 25.12.350.D).
- 11 2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is
12 an easily identifiable visual feature of its neighborhood or the City and contributes
13 to the distinctive quality or identity of such neighborhood or the City (SMC
14 25.12.350.F).

15 Section 2. CONTROLS: The following controls are hereby imposed on the features and
16 characteristics of the Hat 'n' Boots that were designated by the Board for preservation:

17 A. Certificate of Approval Process.

- 18 1. Except as provided in Section 2.A.2 or Section 2.B of this ordinance, the owner
19 must obtain a Certificate of Approval issued by the Board pursuant to SMC
20 Chapter 25.12, or the time for denying a Certificate of Approval must have
21 expired, before the owner may make alterations or significant changes to the
22 following specific features or characteristics: the exteriors of both structures and
23 their dimensional and locational relationship to each other.
- 24 2. No Certificate of Approval is required for the following: any in-kind maintenance
25 or repairs of the features listed in Section 2.A.1.

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 CHPO a written request for the alterations,
5 including applicable drawings and/or specifications.
- 6 b. If the CHPO, upon examination of submitted plans and specifications,
7 determines that the alterations are consistent with the purposes of SMC
8 chapter 25.12, the alterations shall be approved without further action by the
9 Board.
- 10 c. If the CHPO does not approve the alterations, the owner may submit revised
11 materials to the CHPO, or apply to the Board for a Certificate of Approval
12 under SMC Chapter 25.12, as provided in Section 2.A.
- 13 2. The CHPO shall transmit a written decision on the owner's request to the owner
14 within 14 business days of receipt of the request. Failure of the CHPO to approve
15 or disapprove the request within 14 business days shall constitute approval of the
16 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: the addition or elimination of duct conduits, HVAC
20 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements
21 necessary for the normal operation of the structures.

22 Section 3. INCENTIVES: The following incentives are hereby granted on the features
23 and characteristics of the Hat 'n' Boots that were designated by the Board for preservation:



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

4 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
5 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
6 the applicable provisions thereof.

7 C. Special tax valuation for historic preservation may be available under Chapter
8 84.26 RCW upon application and compliance with the requirements of that statute.

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

11 Section 5. The Hat 'n' Boots is hereby added alphabetically to Section IX,
12 Miscellaneous, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

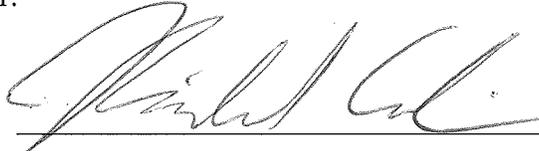
13 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
14 King County Director of Records and Elections, deliver two certified copies to the City Historic
15 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
16 and Development.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

18 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
19 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
20 shall take effect as provided by Seattle Municipal Code Section 1.04.020.



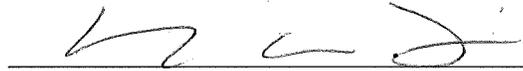
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Passed by the City Council the 13th day of June, 2011, and
signed by me in open session in authentication of its passage this
13th day of June, 2011.



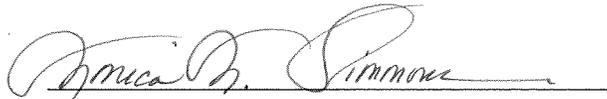
President _____ of the City Council

Approved by me this 17th day of June, 2011.



Michael McGinn, Mayor

Filed by me this 20th day of June, 2011.



Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amanda Allen/206-684-8894

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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 Hat 'n' Boots as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Hat 'n' Boots to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Hat 'n' Boots was built in 1954 and is located in the Georgetown neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exteriors of both structures and their dimensional and locational relationship to each other, but do not apply to any in-kind maintenance or repairs of the designated features.

Please check one of the following:

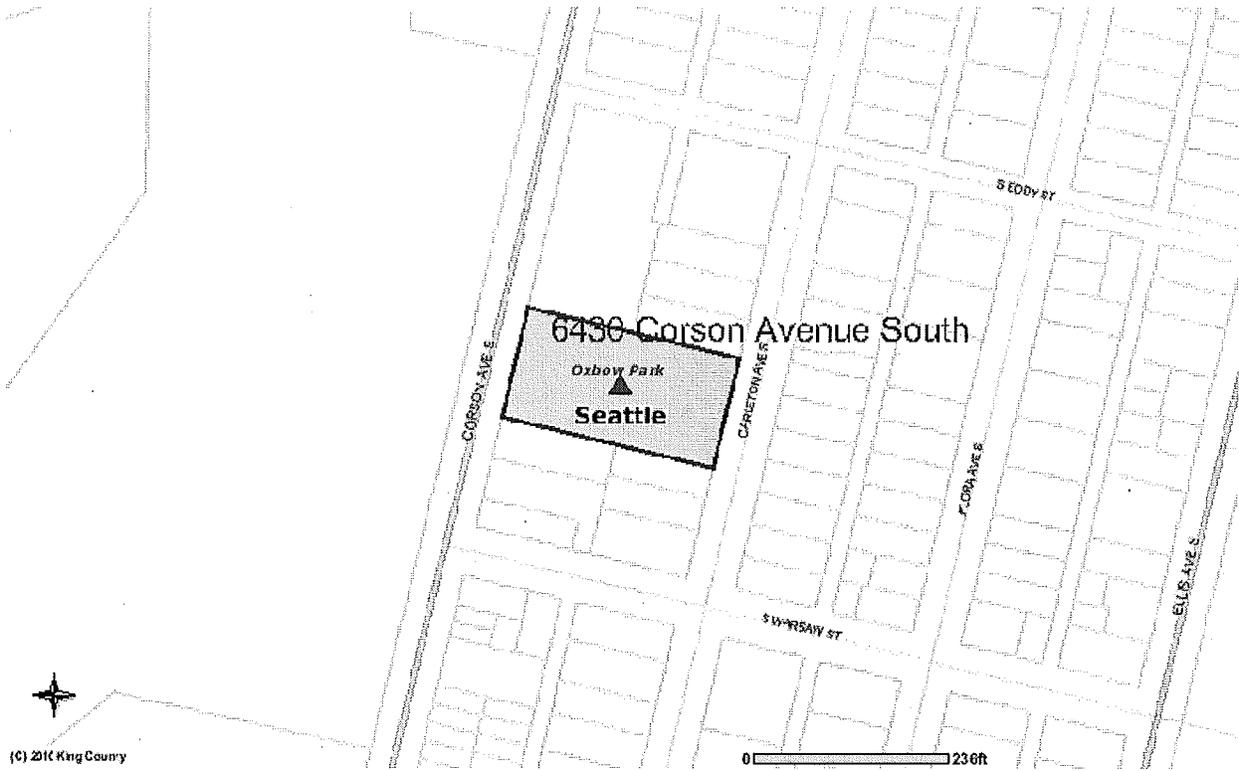
This legislation does not have any financial implications.

Attachments:

Exhibit A – Vicinity Map of the Hat 'n' Boots



Elizabeth Chave/jom
DON Hat 'n' Boots FISC Exhibit A
April 8, 2011
Version #1





City of Seattle
Office of the Mayor

April 26, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Hat 'n' Boots as a historic landmark, imposes controls, grants incentives and adds the Hat 'n' Boots to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exteriors of both structures and their dimensional and locational relationship to each other, but do not apply to 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,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

273079
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 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:123621-123631 TITLE

was published on

06/28/11

The amount of the fee charged for the foregoing publication is the sum of \$ 143.33, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

06/28/11

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 13, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123621

AN ORDINANCE affecting the date on which permit applications are required to comply with the 2009 Seattle Mechanical, Fuel Gas, Existing Building, Residential and Building codes; amending Ordinance 123379, Ordinance 123380, Ordinance 123381, Ordinance 123383, and Ordinance

123384; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123622

AN ORDINANCE establishing an Audit Committee to give guidance to, and be a resource for, the City Auditor; stating the committee's purpose and duties, and establishing its membership; enacting new Sections 3.40.100, 3.40.110, and 3.40.120 of the Seattle Municipal Code; and providing that the Audit Committee shall terminate automatically unless provided otherwise by ordinance.

ORDINANCE NO. 123623

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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.

ORDINANCE NO. 123624

AN ORDINANCE relating to historic preservation, imposing controls upon the Dakota Place Park (formerly California Avenue Substation), 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.

ORDINANCE NO. 123625

AN ORDINANCE relating to historic preservation, imposing controls upon the Ankeny/Gowey 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.

ORDINANCE NO. 123626

AN ORDINANCE relating to City employment, adopting a 2011 Citywide Position List.

ORDINANCE NO. 123627

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; expressly exempting residential customers from the prohibition on hauling city waste; establishing a civil infraction for the unauthorized hauling of city waste; and amending Seattle Municipal Code Sections 21.36.030 and 21.36.922 accordingly.

ORDINANCE NO. 123628

AN ORDINANCE relating to Seattle Public Utilities; declaring as surplus certain property rights in Seattle Public Utilities property in the 10300 block of 47th Avenue Southwest in Seattle, Washington; and authorizing the Director of Seattle Public Utilities to execute and convey an easement for such surplus property rights to Gary G. St. Arnaud and Ginger L. Marshall.

ORDINANCE NO. 123629

AN ORDINANCE relating to community tree planting and education programs; removing budget provisos that restrict the expenditure of appropriations in the 2011 Budget for activities that engage the community in the planting and care of trees in Seattle to improve the city's urban forest and creating a new full time employee position in the Seattle Public Utilities Department.

ORDINANCE NO. 123630

AN ORDINANCE relating to the legal representation of Councilmember Richard Conlin in judicial proceedings concerning a recall charge.

ORDINANCE NO. 123631

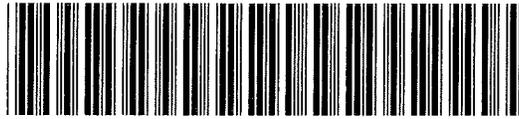
AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily
Journal of Commerce, June 28, 2011.

6/28(273079)

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 67.00
PAGE-001 OF 006
07/05/2011 14:20
KING COUNTY, WA

CITY CLERK

2011 NOV 16 AM 9:58

FILED
CITY OF SEATTLE

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)

Ordinance No. 123623

Grantor(s)

City of Seattle

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

Public

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

Lots 7 and 10, Block A, Georgetown Addition to Seattle

Additional legal on page ___ of document

N/A

Assessor's Property Tax Parcel/Account Number

2734100045

Assessor Tax # not yet assigned.

N/A

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

ORDINANCE 1231623

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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 that are more than 25 years old and have historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on May 15, 2002, voted to approve the nomination of the improvement (the structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 3, 2002, the Board voted to approve the designation of the Hat 'n' Boots under SMC Chapter 25.12; and

WHEREAS, on October 6, 2010, 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 structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle is hereby acknowledged.

A. Legal Description. The Hat 'n' Boots is located on the property legally described as:

Lots 7 and 10, Block A, Georgetown Addition to Seattle, according to the plat thereof recorded in Volume 6 of Plats, page 9, in King County, Washington.



1 B. Specific Features and/or Characteristics Designated. Pursuant to SMC

2 25.12.660.A.2, the following specific features and/or characteristics of the Hat 'n' Boots are
3 designated: the exteriors of both structures and their dimensional and locational relationship to
4 each other.

5 C. Basis of Designation. The designation was made because the Hat 'n' Boots is
6 more than 25 years old and has significant character, interest or value as a part of the
7 development, heritage or cultural characteristics of the City, state or nation, it has integrity or the
8 ability to convey its significance, and because it satisfies the following from SMC 25.12.350:

- 9 1. It embodies the distinctive visible characteristics of an architectural style, or
10 period, or of a method of construction (SMC 25.12.350.D).
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12 an easily identifiable visual feature of its neighborhood or the City and contributes
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14 25.12.350.F).

15 Section 2. CONTROLS: The following controls are hereby imposed on the features and
16 characteristics of the Hat 'n' Boots that were designated by the Board for preservation:

17 A. Certificate of Approval Process.

- 18 1. Except as provided in Section 2.A.2 or Section 2.B of this ordinance, the owner
19 must obtain a Certificate of Approval issued by the Board pursuant to SMC
20 Chapter 25.12, or the time for denying a Certificate of Approval must have
21 expired, before the owner may make alterations or significant changes to the
22 following specific features or characteristics: the exteriors of both structures and
23 their dimensional and locational relationship to each other.
24 2. No Certificate of Approval is required for the following: any in-kind maintenance
25 or repairs of the features listed in Section 2.A.1.



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 CHPO a written request for the alterations,
5 including applicable drawings and/or specifications.
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7 determines that the alterations are consistent with the purposes of SMC
8 chapter 25.12, the alterations shall be approved without further action by the
9 Board.
- 10 c. If the CHPO does not approve the alterations, the owner may submit revised
11 materials to the CHPO, or apply to the Board for a Certificate of Approval
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18 characteristics of the landmark described in Section 2.A.1. of this ordinance, is
19 available for the following: the addition or elimination of duct conduits, HVAC
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21 necessary for the normal operation of the structures.

22 Section 3. INCENTIVES: The following incentives are hereby granted on the features
23 and characteristics of the Hat 'n' Boots that were designated by the Board for preservation:
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1 A. Uses not otherwise permitted in a zone may be authorized in a designated
2 Landmark by means of an administrative conditional use permit issued pursuant to Seattle
3 Municipal Code Title 23.

4 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
5 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
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9 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
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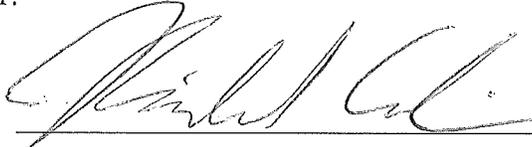
11 Section 5. The Hat 'n' Boots is hereby added alphabetically to Section IX,
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13 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
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15 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
16 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
17 owner of the landmark.

18 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
19 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
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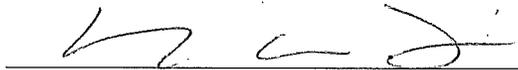


1 Passed by the City Council the 13th day of June, 2011, and
2 signed by me in open session in authentication of its passage this
3 13th day of June, 2011.

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5 _____
6 President _____ of the City Council

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8 Approved by me this 17th day of June, 2011.

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10 _____
11 Michael McGinn, Mayor

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13 Filed by me this 20th day of June, 2011.

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15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)

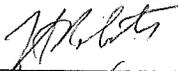
18 **State of Washington,**
19 **County of King**

20 I, Janet Polity certify that this is a true and correct

21 copy of Ordinance No. 123623, on file in the records

22 of the City of Seattle, Office of the City Clerk



23 Signed by: 
24 Signature _____
25 Title: Information Specialist
26 Date: June 23, 2011

