

Ordinance No. 124425

Council Bill No. 118022

AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dore 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.

CF No. 3134110

Date Introduced:	<u>1.6.14</u>	
Date 1st Referred:	<u>1.6.14</u>	To: (committee) <u>Seattle Public Utilities and Neighborhoods</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:		Full Council Vote: <u>2.18.14</u>
Date Presented to Mayor:	<u>2.20.14</u>	Date Approved: <u>2.24.14</u>
Date Returned to City Clerk:	<u>2.25.14</u>	Date Published: _____ T.O. <input checked="" type="checkbox"/> F.T. _____
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: ~~Spencer Lewis~~  
SqBaqhan Councilmember

## Committee Action:

2/11/14 Pass (3-0) SB, KS, BH

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
Full Council Action (initial/date)  
2.18.14 Passed 9-0

*Law Department*

Law Dept. Review      OMP Review      City Clerk Review      Electronic Copy Loaded      Indexed

**CITY OF SEATTLE**

**ORDINANCE** 124425

**COUNCIL BILL** 118022

AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dore 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 (Board), after a public meeting on November 14, 2012, voted to approve the nomination of the improvement located at 843 NE 100<sup>th</sup> Street and the site on which the improvement is located (which collectively are referred to as the "Chiarelli-Dore House" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on December 19, 2012, the Board voted to approve the designation of the Chiarelli-Dore House under SMC Chapter 25.12; and

WHEREAS, on August 7, 2013, 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 (Board) of the improvement located at 843 NE 100<sup>th</sup> Street and the site on which the improvement is located (which collectively are referred to as the "Chiarelli-Dore House" for the purposes of this ordinance) is hereby acknowledged.





1. It embodies the distinctive visible characteristics of an architectural style, or 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).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Chiarelli-Dore House that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B, 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 site consisting of the property described in subsection 1.A on which the improvement known as the Chiarelli-Dore House is located.
  - b. The exterior of the improvement known as the Chiarelli-Dore House.
  - c. The entry foyer, living room, and dining room.
2. No Certificate of Approval is required for the following:
  - a. Any in-kind replacement, maintenance, or repairs of the features listed in subsection 2.A.1.
  - b. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs; perennials; and annuals.



- c. Installation, removal, or alteration of the following temporary site furnishings:  
benches; statuary; and movable planter boxes.
- d. Installation or repair of underground utilities and irrigation, provided that the site is restored in-kind.
- e. Installation, removal, or alteration of floor coverings that do not damage the existing floor in the designated areas of the interior.
- f. Installation, removal, or alteration of temporary interior window coverings.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 according to the following procedure:
  - a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.
  - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.
  - c. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12.



1           2. The CHPO shall transmit a written decision on the owner's request to the owner  
2           within 14 days of receipt of the request. Failure of the CHPO to timely transmit a  
3           written decision constitutes approval of the request.

4           3. CHPO approval of alterations or significant changes to the features or  
5           characteristics listed in subsection 2.A.1 is available for the following:

- 6           a. For the specified features and characteristics of the building, the addition or  
7           elimination of ducts, conduits, HVAC vents, grilles, pipes, and other similar  
8           wiring or mechanical elements necessary for the normal operation of the  
9           building.  
10          b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet  
11          above ground.  
12          c. Installation, removal, or alterations of exterior light fixtures, exterior security  
13          lighting, and security system equipment.  
14          d. Interior alterations.  
15          e. Replacement of front door.  
16          f. Replacement of door from living room to rear deck.

17           Section 3. INCENTIVES: The following incentives are hereby granted on the features  
18           or characteristics of the Chiarelli-Dore House that were designated by the Board for  
19           preservation:  
20           A.     Uses not otherwise permitted in a zone may be authorized in a designated  
21           landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.  
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1 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC  
2 Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant  
3 to the applicable provisions thereof.

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

6 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in  
7  
8 SMC 25.12.910.

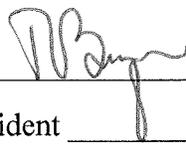
9 Section 5. The Chiarelli-Dore House is hereby added alphabetically to Section I,  
10 Residences, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

11 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
12 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
13 deliver one copy to the Director of the Department of Planning and Development. The CHPO is  
14 directed to provide a certified copy of the ordinance to the owner of the landmark.  
15

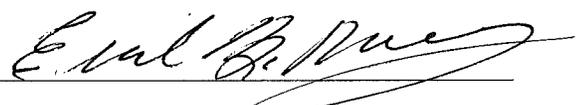
16 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
17 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
18 shall take effect as provided by Seattle Municipal Code Section 1.04.020.  
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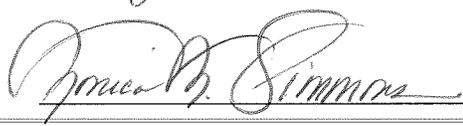
1 Passed by the City Council the 18<sup>th</sup> day of February, 2014, and  
2 signed by me in open session in authentication of its passage this  
3 18<sup>th</sup> day of February, 2014.

4 \_\_\_\_\_  
5   
6 President \_\_\_\_\_ of the City Council

7  
8 Approved by me this 24<sup>th</sup> day of February, 2014.

9 \_\_\_\_\_  
10   
11 Edward B. Murray, Mayor

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13 Filed by me this 25<sup>th</sup> day of February, 2014.

14 \_\_\_\_\_  
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16 Monica Martinez Simmons, City Clerk

17 (Seal)

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**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Department of Neighborhoods	Erin Doherty/206-684-0380	Forrest Longman/206-684-0331

**Legislation Title:**

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

**Background:**

The Chiarelli-Dore House was built in 1949 and is located in the Maple Leaf 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 site, the exterior of the building, and portions of the interior, but do not apply to any in-kind maintenance or repairs of the designated features.

**This legislation does not have any financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
No.
- b) **What is the financial cost of not implementing the legislation?**  
None.
- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
None.



e) **Is a public hearing required for this legislation?**

No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

g) **Does this legislation affect a piece of property?**

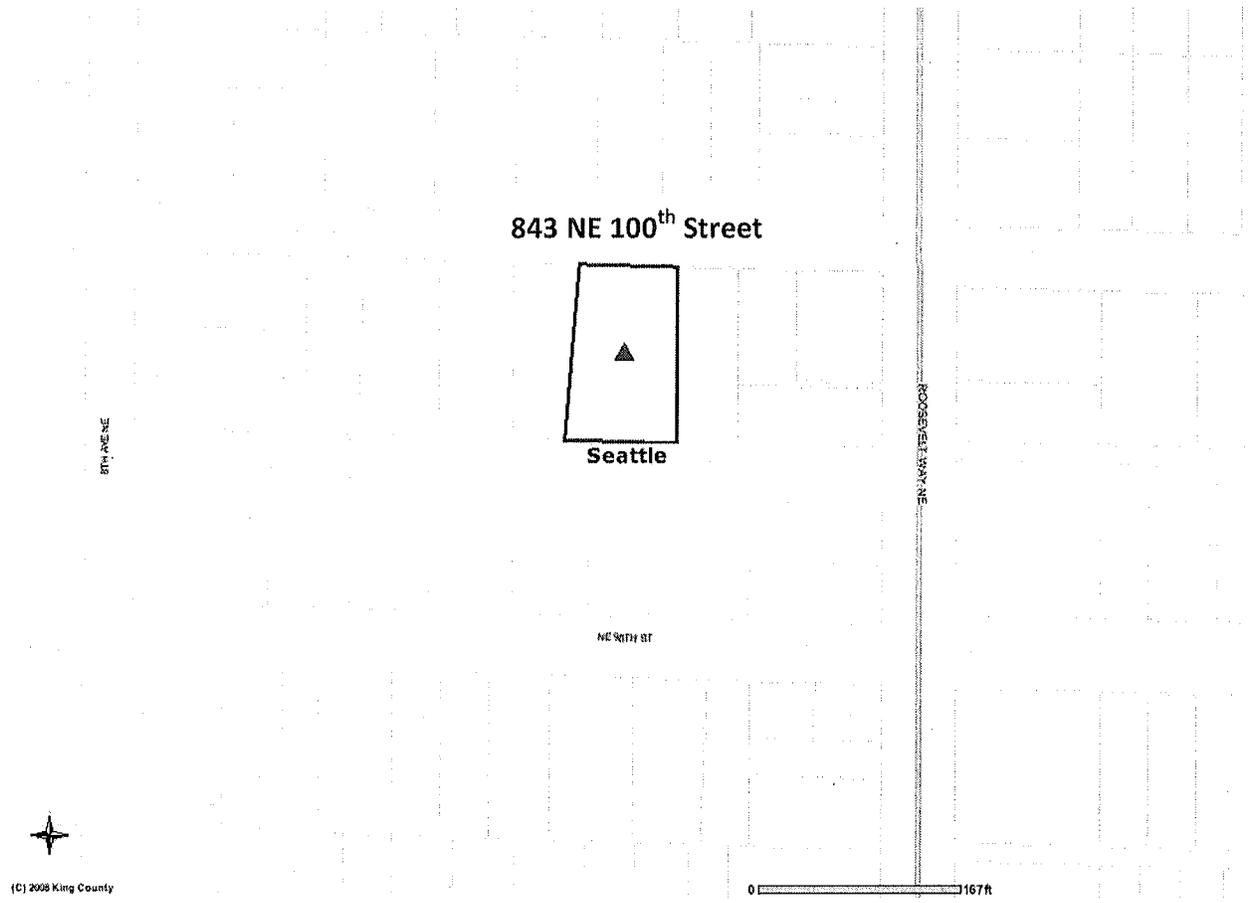
Yes.

h) **Other Issues:**

**List attachments to the fiscal note below:**

Exhibit A – Vicinity Map of the Chiarelli-Dore House





Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.





**City of Seattle**  
Office of the Mayor

December 10, 2013

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that designates the Chiarelli-Dore House as a historic landmark, imposes controls, grants incentives and adds the Chiarelli-Dore House 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 site, the exterior of the building, and portions of the interior, 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 Erin Doherty, Department of Neighborhoods, at 206-684-0380.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcgin@seattle.gov



FILED  
CITY OF SEATTLE

2014 APR -3 PM 4:06

CITY CLERK

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STATE OF WASHINGTON -- KING COUNTY

--SS.

308683  
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.

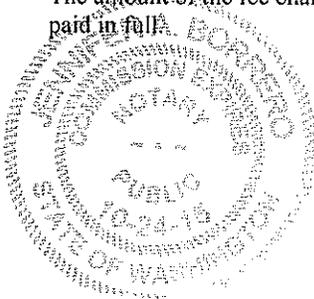
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124424-27 TITLE ONLY

was published on

03/13/14

The amount of the fee charged for the foregoing publication is the sum of \$59.80 which amount has been paid in full.



Affidavit of Publication

*[Signature]*  
Subscribed and sworn to before me on

*[Signature]*  
03/13/2014

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 February 18, 2014, 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. 124424

AN ORDINANCE relating to historic preservation, imposing controls upon Alexander Hall, 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. 124425

AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dora 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. 124426

AN ORDINANCE relating to the City Light Department, directing the transfer of certain funds in the Light Fund into the Rate Stabilization Account in 2013.

#### ORDINANCE NO. 124427

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

Date of publication in the Seattle Daily Journal of Commerce, March 13, 2014.  
3/13(308683)