

ORDINANCE No.

119419

Law Department

COUNCIL BILL No.

112608

The City

AN ORDINANCE relating to historic preservation, imposing controls upon the M.V. Malibu, 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.

Honorable President:

Your Committee on

to which was referred the within report that we have considered the

pass 20 8/24/99

3-29-99 Full Council

(Excuse)

COMPTROLLER FILE No.

Introduced: MAR 15 1999	By: LICATA
Referred: MAR 15 1999	To: CULTURE, ARTS & PARKS
Referred:	To:
Referred:	To:
Reported: 3-29-99	Second Reading:
Third Reading: 3-29-99	Signed: 3-29-99
Presented to Mayor: 3-29-99	Approved: 4-6-99
Returned to City Clerk: 4-6-99	Published: FT
Vetted by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:



*Law Department*

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

able President:

Committee on

on was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

15 20 8/21/99 (CP)

9-99 Full Council: Passed 6-0

(Excused: Donaldson, Licata, Steinhilber)



Committee Chair

ORDINANCE 119419

1  
2 AN ORDINANCE relating to historic preservation, imposing controls upon the M.V. Malibu, a  
3 Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle  
4 Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32  
of the Seattle Municipal Code.

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

7 WHEREAS, The Landmarks Preservation Board after a public meeting on June 3, 1998, voted to  
8 approve the nomination of the M.V. Malibu, in Seattle as a Landmark under SMC Chapter 25.12;  
and

9 WHEREAS, after a public meeting on July 15, 1998, the Board voted to approve the designation of the  
10 M.V. Malibu as a Landmark under SMC Chapter 25.12; and

11 WHEREAS, on December 2, 1998, the Board and the owners of the designated property agreed to  
12 controls and incentives; and

13 WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now,  
14 Therefore,

15 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

16 **Section 1. DESIGNATION.** That the designation by the Landmarks Preservation Board of the  
17 M.V. Malibu, more particularly described as:

18 Coast Guard Registration No. 225799.

19 as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

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

21 E. It is an outstanding work of a designer or builder.

22 is hereby acknowledged.  
23  
24

1           **Section 2. CONTROLS.** The following controls are hereby imposed on the features and  
2 characteristics of the M.V. Malibu, that were designated by the Board for preservation:

3           A.       Except as provided in subsection B, below, a Certificate of Approval must be obtained  
4 from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an  
5 application for a Certificate of Approval must have expired, before the owners may make alterations or  
6 significant changes to the exterior of the vessel.

7  
8           B.       No Certificate of Approval shall be required, and any changes may be permitted without  
9 further review, for any in-kind maintenance or repairs of the features listed in A, above, and for the  
10 following: repair and/or replacement of engines and gearboxes; removal and replacement of tailshaft and  
11 tailshaft log on the starboard side; repair and/or replacement of wing fuel tanks and water tanks below  
12 the engine room decks; repair and/or modification to steering; repair to aluminum house; repair and/or  
13 replacement of freezer; caulking and reefing of caulking on main deck; cleaning and coating of PRC on  
14 main deck forward of stern deck; replacement of CO2 compartments on boat deck; painting or repainting  
15 of exterior in similar color(s), with the intent to match existing colors; and removal of the crane on the  
16 boat deck and installation of davits similar to the original.

17           **Section 3. INCENTIVES**

18           A.       Economic incentives may be made available as set forth in the Controls and Incentives  
19 Agreement between the Owner and the Board, as they become available in the future.

20  
21           B.       SMC Title 23 provides for authorization of uses not normally permitted in a particular  
22 zoning classification by means of an administrative conditional use.

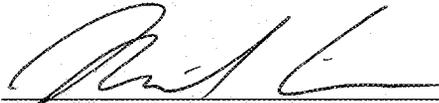
1           **Section 4.** Enforcement of this Ordinance and penalties for its violation shall be as provided in  
2 Section 25.12.910 of the Seattle Municipal Code.

3           **Section 5.** The M.V. Malibu is hereby added to the Table of Historical Landmarks, VII Boats,  
4 contained in Chapter 25.32 of the Seattle Municipal Code.

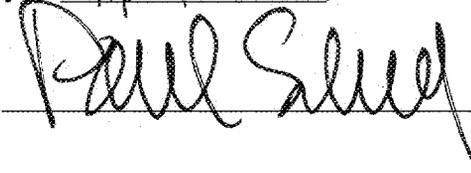
5           **Section 6.** The City Clerk is hereby directed to record this ordinance with the King County  
6 Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and  
7 deliver one copy to the Director of the Department of Construction and Land Use.  
8

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

12           Passed by the City Council the 29<sup>th</sup> day of March, 1999, and signed by me in open  
13 session in authentication of its passage this 29<sup>th</sup> day of March, 1999.

14  
15   
16 \_\_\_\_\_  
17 President ~~pro tem~~ of the City Council

17           Approved by me this 6<sup>th</sup> day of April, 1999.

18   
19 \_\_\_\_\_  
20 Mayor

20           Filed by me this 6<sup>th</sup> day of April, 1999.

21   
22 \_\_\_\_\_  
23 acting City Clerk

24 (Seal)

**Return Address:**

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104

FILED  
CITY OF SEATTLE  
99 NOV -3 PM 2:43  
CITY CLERK

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

<b>Document Title(s)</b> (or transaction contained therein): (all areas applicable to your document <u>must</u> be filled) .1ORDINANCE # 119419
<b>Re</b> _____ of document.
<b>Grantor(s)</b> (Last name first, then first name and initials) 1.City of Seattle <input type="checkbox"/> Additional, names on page----of document.
<b>Grantee(s)</b> (Last name first, then first name and initials) 1.N/A 2.
<b>Legal description</b> (abbreviated: i.e. lot, block, plat or section, township, range) <input type="checkbox"/> Additional reference #'s on page -----of document/ N/A
<b>Assessor's Property Tax Parcel/Account Number/ N/A</b> <input type="checkbox"/> Assessor Tax # not yet assigned.

9904192002

990419-2002 01:06:00 PM KING COUNTY RECORDS 005 110 12:00

ORDINANCE 119419

1  
2 AN ORDINANCE relating to historic preservation, imposing controls upon the M.V. Malibu, a  
3 Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle  
4 Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32  
of the Seattle Municipal Code.

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

7 WHEREAS, The Landmarks Preservation Board after a public meeting on June 3, 1998, voted to  
8 approve the nomination of the M.V. Malibu, in Seattle as a Landmark under SMC Chapter 25.12;  
and

9 WHEREAS, after a public meeting on July 15, 1998, the Board voted to approve the designation of the  
10 M.V. Malibu as a Landmark under SMC Chapter 25.12; and

11 WHEREAS, on December 2, 1998, the Board and the owners of the designated property agreed to  
controls and incentives; and

12 WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now,  
13 Therefore,

14 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

15 Section 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the  
16 M.V. Malibu, more particularly described as:

17 Coast Guard Registration No. 225799.

18 as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

19  
20 D. It embodies the distinctive visible characteristics of an architectural style, period, or  
method of construction.

21 E. It is an outstanding work of a designer or builder.

22 is hereby acknowledged.  
23  
24

9904192002

1           Section 2. CONTROLS. The following controls are hereby imposed on the features and  
2 characteristics of the M.V. Malibu, that were designated by the Board for preservation:

3  
4           A. Except as provided in subsection B, below, a Certificate of Approval must be obtained  
5 from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an  
6 application for a Certificate of Approval must have expired, before the owners may make alterations or  
7 significant changes to the exterior of the vessel.

8           B. No Certificate of Approval shall be required, and any changes may be permitted without  
9 further review, for any in-kind maintenance or repairs of the features listed in A, above, and for the  
10 following: repair and/or replacement of engines and gearboxes; removal and replacement of tailshaft and  
11 tailshaft log on the starboard side; repair and/or replacement of wing fuel tanks and water tanks below  
12 the engine room decks; repair and/or modification to steering; repair to aluminum house; repair and/or  
13 replacement of freezer; caulking and reefing of caulking on main deck; cleaning and coating of PRC on  
14 main deck forward of stern deck; replacement of CO2 compartments on boat deck; painting or repainting  
15 of exterior in similar color(s), with the intent to match existing colors; and removal of the crane on the  
16 boat deck and installation of davits similar to the original.

17           Section 3. INCENTIVES

18           A. Economic incentives may be made available as set forth in the Controls and Incentives  
19 Agreement between the Owner and the Board, as they become available in the future.  
20

21           B. SMC Title 23 provides for authorization of uses not normally permitted in a particular  
22 zoning classification by means of an administrative conditional use.  
23  
24

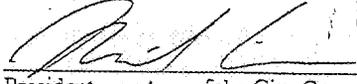
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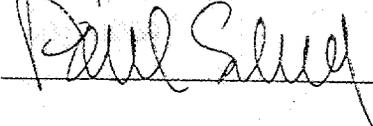
5 Section 6. The City Clerk is hereby directed to record this ordinance with the King County  
6 Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and  
7 deliver one copy to the Director of the Department of Construction and Land Use.  
8

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

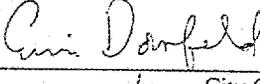
12 Passed by the City Council the 29<sup>th</sup> day of March, 1999, and signed by me in open  
13 session in authentication of its passage this 29<sup>th</sup> day of March, 1999.

14  
15   
16 President ~~pro tem~~ of the City Council

17 Approved by me this 6<sup>th</sup> day of April, 1999.

18   
19 Mayor

20 Filed by me this 6<sup>th</sup> day of April, 1999.

21   
22 acting City Clerk  
23

24 (Seal)

9904192002  
9904192002

STATE OF WASHINGTON - KING COUNTY

104193  
City of Seattle, City Clerk

--ss.

No. FULL ORDINAM

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:ORD 119419

was published on

04/09/99

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

*R. Patterson*

Subscribed and sworn to before me on

04/09/99

*McQuivary*

Notary Public for the State of Washington,  
residing in Seattle

TIME AND DATE STAMP

3/10/99

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*Spilator*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\_\_\_\_\_  
PRESIDENT'S SIGNATURE

# City of Seattle

## ORDINANCE 119419

AN ORDINANCE relating to historic preservation, imposing controls upon the M. V. Malibu, 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 structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public meeting on June 2, 1998, voted to approve the nomination of the M. V. Malibu, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 15, 1998, the Board voted to approve the designation of the M. V. Malibu as a Landmark under SMC Chapter 25.12; and

WHEREAS, on December 2, 1998, the Board and owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**SECTION 1. DESIGNATION.** That the designation by the Landmarks Preservation Board of the M. V. Malibu, more particularly described as:

Coast Guard Registration No. 226799,

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.050:

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

E. It is an outstanding work of a designer or builder.

is hereby acknowledged.

**SECTION 2. CONTROLS.** The following controls are hereby imposed on the features and characteristics of the M. V. Malibu, that were designated by the Board for preservation:

A. Except as provided in subsection B, below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to the exterior of the vessel.

B. No Certificate of Approval shall be required, and any changes may be permitted without further review, for any