

Ordinance No. 122462

Council Bill No. 115967

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #6, 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.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Peter Steinbrink  
Councilmember

Committee Action:

Approved 3-0  
PS, TR, PL

8-13-07 Passed 9-0

CF No. \_\_\_\_\_

Date Introduced:	<u>8-6-07</u>	
Date 1st Referred:	<u>8-6-07</u>	
Date Re - Referred:	To: (committee) <u>Urban Development and Planning</u>	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor:	Date Approved: <u>8-22-07</u>	
Date Returned to City Clerk:	Date Published: <u>6</u>	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

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



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

June 26, 2007

Honorable Nick Licata  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill, which amends the Seattle Municipal Code to include Seattle Fire Station No. 6, located at 101 23<sup>rd</sup> Avenue South, as an historic landmark. Subsequent to receiving a nomination from the City of Seattle's Fleets and Facilities Department and conducting a public meeting, the Landmarks Preservation Board voted to approve the designation of Fire Station 6 as an historic landmark.

A Controls and Incentives Agreement has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building and the site. Excluded from the controls are any in-kind maintenance or repairs to the exterior of the building or the site, minor landscaping including the removal/addition of trees under six (6) inches in caliper, shrubs, perennials and annuals, removal of impervious surfaces in the south and west yards of the building and replacement with grass and/or plant materials.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels".

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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ORDINANCE 122462

1  
2 AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #6, a  
3 landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the  
4 Seattle 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),  
6 establishes a procedure for the designation and preservation of sites, improvements and  
7 objects having historical, cultural, architectural, engineering or geographic significance;  
and

8 WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4,  
9 2005, voted to approve the nomination of the improvement known as Fire Station #6 and  
10 the parcel of property on which the improvement is located at 101 23<sup>rd</sup> Avenue South in  
11 Seattle (the improvement and the property are collectively referred to as Fire Station #6  
for the purposes of this ordinance), for designation as a landmark under SMC Chapter  
25.12; and

12 WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation  
13 of Fire Station #6 under SMC Chapter 25.12; and

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

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

18 NOW, THEREFORE,

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

20 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the  
21 Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #6 and  
22 the parcel of property on which the improvement is located at 101 23<sup>rd</sup> Avenue South in Seattle  
23 (the improvement and the property are collectively referred to as Fire Station #6 for the purposes  
24 of this ordinance), is hereby acknowledged.  
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1 A. Legal Description. Fire Station #6 is located on the property legally described as:

2 Lots 5 and 6, Block 31, H. L. Yesler's First Addition, according to the plat thereof  
3 recorded in Volume 1 of Plats, page 215, records of King County, Washington, together  
4 with portion of vacated 23<sup>rd</sup> Avenue South adjacent thereto.

5  
6 B. Specific Features and/or Characteristics Designated. Pursuant to SMC  
7 25.12.660A2, the following specific features and/or characteristics of Fire Station #6 are  
8 designated:

- 9  
10 1. The exterior of the building known as Fire Station #6.  
11 2. The parcel of property legally described above, located at 101 23<sup>rd</sup> Avenue South  
12 in Seattle, on which the improvement Fire Station #6 is located.

13 C. Basis of Designation. The designation was made because Fire Station #6 has  
14 significant character, interest or value as a part of the development, heritage or cultural  
15 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,  
16 and because it satisfies the following from Section 25.12.350:

- 17  
18 1. It embodies the distinctive visible characteristics of an architectural style, period,  
19 or of a method of construction. (25.12.350D)  
20  
21 2. It is an outstanding work of a designer or builder. (SMC 25.12.350E)  
22  
23 3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is  
24 an easily identifiable visual feature of its neighborhood or the City and contributes  
25 to the distinctive quality or identity of such neighborhood or the City. (SMC  
26 25.12.350F)



1 Section 2. CONTROLS: The following controls are hereby imposed on the features and  
2 characteristics of Fire Station #6 that were designated by the Board for preservation:

3 A. Certificate of Approval Process.

4 1. Except as provided in Section 2.A.2 of this Ordinance, the owner must obtain a  
5 Certificate of Approval issued by the Board pursuant to SMC chapter 25.12, or the time for  
6 denying a Certificate of Approval must have expired, before the owner may make alterations or  
7 significant changes to the following specific features or characteristics:  
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- 9
- 10 a. The exterior of the building known as Fire Station #6.
  - 11 b. The parcel of property legally described above, located at 101 23<sup>rd</sup> Avenue  
12 South in Seattle, on which the improvement known as Fire Station #6 is  
13 located.

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

- 16
- 17 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
  - 18 b. Minor landscaping including the removal/addition of trees under six (6) inches  
19 in caliper, shrubs, perennials and annuals.
  - 20 c. Removal of impervious surface and replacement with grass and/or plant  
21 materials in the south and west yards of the building.

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

23 1. The CHPO may review and approve the items listed in Section 2.B.3 of this  
24 Ordinance according to the following procedure:  
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- 1 a. The owner shall submit to the City Historic Preservation Officer (CHPO) a  
2 written request for the alterations, including applicable drawings and/or  
3 specifications.  
4 b. If the CHPO, upon examination of submitted plans and specifications,  
5 determines that the alterations are consistent with the purposes of SMC  
6 chapter 25.12, the alterations shall be approved without further action by  
7 the Board.  
8 c. If the CHPO does not approve the alterations, the owner may submit  
9 revised materials to the CHPO, or apply to the Board for a Certificate of  
10 Approval under SMC chapter 25.12, as provided in Section 2.A.  
11

12  
13 2. The CHPO shall transmit a written decision on the owner's request to the owner  
14 within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the  
15 request shall constitute approval of the request.  
16

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

- 20 a. The addition or elimination of duct conduits, HVAC vents, grilles, fire  
21 escapes, pipes, wiring, and other similar mechanical elements necessary  
22 for the normal operation of the building.  
23 b. Seattle Fire Department training equipment attached to designated  
24 features.  
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1 Section 3. INCENTIVES. The following incentives are hereby granted on the features  
2 and characteristics of Fire Station #6 that were designated by the Board for preservation:

3 A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark  
4 by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title  
5 23.

6 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC chapter  
7 22.100 and the Energy Code of the City, SMC chapter 22.700 may be authorized pursuant to the  
8 applicable provisions thereof.

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

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

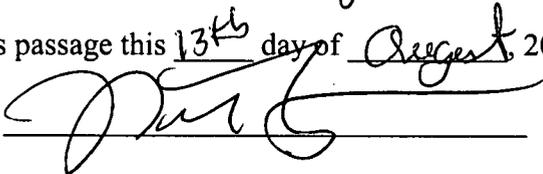
13 Section 5. Fire Station #6 is hereby added to the Table of Historical Landmarks  
14 contained in SMC Chapter 25.32.

15 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
16 King County Director of Records and Elections, deliver two certified copies to the City Historic  
17 Preservation Officer, and deliver one copy to the Director of the Department of Planning and  
18 Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of  
19 the landmark.  
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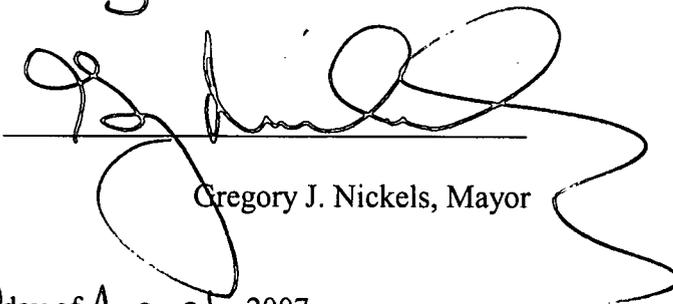
1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 13<sup>th</sup> day of August, 2007, and signed by me in open  
5 session in authentication of its passage this 13<sup>th</sup> day of August, 2007.

6  
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8 President \_\_\_\_\_ of the City Council

9 Approved by me this 22<sup>nd</sup> day of August, 2007.

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12  
13 Gregory J. Nickels, Mayor

14  
15 Filed by me this 22<sup>nd</sup> day of August, 2007.

16  
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18 City Clerk

19 (Seal)



**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 48.00  
PAGE001 OF 007  
08/29/2007 14:34  
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

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

- 1. Ordinance 122462
- 2.

**Reference Number(s) of Documents assigned or released:**

- 1. Additional reference #'s on page \_\_\_\_ of document

**Grantor(s)**

- 1. City of Seattle
- Additional names on page \_\_\_\_ of document.

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

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

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

NA  
Additional reference #'s on page \_\_\_\_ of document

**Assessor's Property Tax Parcel/Account Number**

# \_\_\_\_\_  
 Assessor Tax # not yet assigned.

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

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

\_\_\_\_\_  
Signature of Requesting Party

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CITY CLERK

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MAY 1 1961  
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ORDINANCE 122462

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2 AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #6, a  
3 landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the  
4 Seattle 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),  
6 establishes a procedure for the designation and preservation of sites, improvements and  
7 objects having historical, cultural, architectural, engineering or geographic significance;  
and

8 WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4,  
9 2005, voted to approve the nomination of the improvement known as Fire Station #6 and  
10 the parcel of property on which the improvement is located at 101 23<sup>rd</sup> Avenue South in  
11 Seattle (the improvement and the property are collectively referred to as Fire Station #6  
for the purposes of this ordinance), for designation as a landmark under SMC Chapter  
25.12; and

12 WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation  
13 of Fire Station #6 under SMC Chapter 25.12; and

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

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

18 NOW, THEREFORE,

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

20 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the  
21 Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #6 and  
22 the parcel of property on which the improvement is located at 101 23<sup>rd</sup> Avenue South in Seattle  
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24 of this ordinance), is hereby acknowledged.  
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1 A. Legal Description. Fire Station #6 is located on the property legally described as:

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3 recorded in Volume 1 of Plats, page 215, records of King County, Washington, together  
4 with portion of vacated 23<sup>rd</sup> Avenue South adjacent thereto.

5  
6 B. Specific Features and/or Characteristics Designated. Pursuant to SMC

7 25.12.660A2, the following specific features and/or characteristics of Fire Station #6 are  
8 designated:

- 9  
10 1. The exterior of the building known as Fire Station #6.  
11 2. The parcel of property legally described above, located at 101 23<sup>rd</sup> Avenue South  
12 in Seattle, on which the improvement Fire Station #6 is located.

13 C. Basis of Designation. The designation was made because Fire Station #6 has  
14 significant character, interest or value as a part of the development, heritage or cultural  
15 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,  
16 and because it satisfies the following from Section 25.12.350:

- 17  
18 1. It embodies the distinctive visible characteristics of an architectural style, period,  
19 or of a method of construction. (25.12.350D)  
20  
21 2. It is an outstanding work of a designer or builder. (SMC 25.12.350E)  
22  
23 3. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is  
24 an easily identifiable visual feature of its neighborhood or the City and contributes  
25 to the distinctive quality or identity of such neighborhood or the City. (SMC  
26 25.12.350F)



1 Section 2. CONTROLS: The following controls are hereby imposed on the features and  
2 characteristics of Fire Station #6 that were designated by the Board for preservation:

3 A. Certificate of Approval Process.

4 1. Except as provided in Section 2.A.2 of this Ordinance, the owner must obtain a  
5 Certificate of Approval issued by the Board pursuant to SMC chapter 25.12, or the time for  
6 denying a Certificate of Approval must have expired, before the owner may make alterations or  
7 significant changes to the following specific features or characteristics:  
8

- 9 a. The exterior of the building known as Fire Station #6.  
10 b. The parcel of property legally described above, located at 101 23<sup>rd</sup> Avenue  
11 South in Seattle, on which the improvement known as Fire Station #6 is  
12 located.  
13

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

- 16 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.  
17 b. Minor landscaping including the removal/addition of trees under six (6) inches  
18 in caliper, shrubs, perennials and annuals.  
19 c. Removal of impervious surface and replacement with grass and/or plant  
20 materials in the south and west yards of the building.  
21

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

23 1. The CHPO may review and approve the items listed in Section 2.B.3 of this  
24 Ordinance according to the following procedure:  
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- a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.
- b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.
- c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

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

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

- a. The addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, wiring, and other similar mechanical elements necessary for the normal operation of the building.
- b. Seattle Fire Department training equipment attached to designated features.



1 Section 3. INCENTIVES. The following incentives are hereby granted on the features  
2 and characteristics of Fire Station #6 that were designated by the Board for preservation:

3 A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark  
4 by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title  
5 23.

6 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC chapter  
7 22.100 and the Energy Code of the City, SMC chapter 22.700 may be authorized pursuant to the  
8 applicable provisions thereof.

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

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

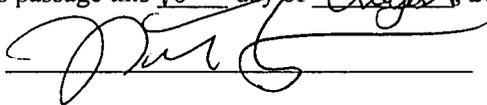
13 Section 5. Fire Station #6 is hereby added to the Table of Historical Landmarks  
14 contained in SMC Chapter 25.32.

15 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
16 King County Director of Records and Elections, deliver two certified copies to the City Historic  
17 Preservation Officer, and deliver one copy to the Director of the Department of Planning and  
18 Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of  
19 the landmark.  
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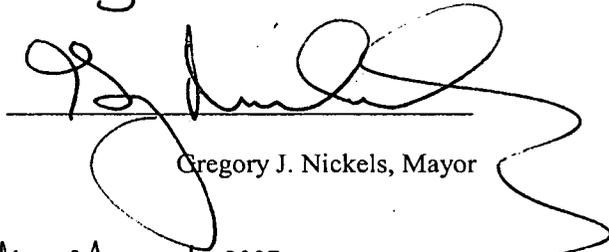
1 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 13<sup>th</sup> day of August, 2007, and signed by me in open  
5 session in authentication of its passage this 13<sup>th</sup> day of August, 2007.



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

9 Approved by me this 22<sup>nd</sup> day of August, 2007.



Gregory J. Nickels, Mayor

15 Filed by me this 22<sup>nd</sup> day of August, 2007.



City Clerk

(Seal)

STATE OF WASHINGTON  
COUNTY OF KING  
CITY OF SEATTLE } SS

I, JUDITH E PIPPIN, CITY CLERK OF THE CITY OF SEATTLE DO HEREBY  
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT  
COPY OF

Ordinance 122462 1

AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED  
THE SEAL TO THE CITY OF SEATTLE, THIS 24<sup>th</sup> day August 2007

JUDITH E. PIPPIN  
CITY CLERK

BY   
DEPUTY CLERK



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

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

**Legislation Title:**

AN ORDINANCE relating to historic preservation, imposing controls upon the Fire Station No. 6, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

• **Summary of the Legislation:**

The attached legislation acknowledges the designation of the Fire Station No. 6 as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the exterior of the building and the site and adds the building to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

• **Background:**

Fire Station No. 6 is located at 101-23 Avenue South in the city's Central District. It was built in 1931 to house Engine No. 6 which had serviced the neighborhood that grew along the Lake Washington Cable Railway route on Yesler Avenue since 1891. The building is made of cast concrete with strong geometric reveals up to the parapet. Its decorative façade features dramatic lighting-bolt grills which conveys a sense of kinetic energy.

A Controls and Incentives Agreement has been signed by the owners and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior and the site. Excluded from the controls are in-kind maintenance or repairs on included features and minor landscaping or removal of impervious surface in the south and west yards of the building and replacement with grass and/or plant materials.

• *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.)*

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



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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214893  
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:122462 ORDINANCE

was published on

08/27/07

The amount of the fee charged for the foregoing publication is the sum of \$ 299.93, which amount has been paid in full.



Affidavit of Publication

*Mad*

Subscribed and sworn to before me on

08/27/07

*Robert A. Patzer*

Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 122462

AN ORDINANCE relating to historic preservation, imposing controls upon Fire Station #6, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on May 4, 2005, voted to approve the nomination of the improvement known as Fire Station #6 and the parcel of property on which the improvement is located at 101 23rd Avenue South in Seattle (the improvement and the property are collectively referred to as Fire Station #6 for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 15, 2005 the Board voted to approve the designation of Fire Station #6 under SMC Chapter 25.12; and

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

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. **DESIGNATION.** Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of the improvement known as Fire Station #6 and the parcel of property on which the improvement is located at 101 23rd Avenue South in Seattle (the improvement and the property are collectively referred to as Fire Station #6 for the purposes of this ordinance), is hereby acknowledged.

A. **Legal Description.** Fire Station #6 is located on the property legally described as:

Lots 5 and 6, Block 31, H. L. Yesler's First Addition, according to the plat thereof recorded in Volume 1 of Plats, page 215, records of King County, Washington, together with portion of vacated 23rd Avenue South adjacent thereto.

B. **Specific Features and/or Characteristics Designated.** Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of Fire Station #6 are designated:

1. The exterior of the building known as Fire Station #6.

2. The parcel of property legally described above, located at 101 23rd Avenue South in Seattle, on which the improvement Fire Station #6 is located.

C. **Basis of Designation.** The designation was made because Fire Station #6 has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

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

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

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 25.12.350F)

Section 2. **CONTROLS:** The following controls are hereby imposed on the features and characteristics of Fire Station #6 that were designated by the Board for preservation:

## State of Washington, King County

### A. Certificate of Approval Process.

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

a. The exterior of the building known as Fire Station #6.

b. The parcel of property legally described above, located at 101 23rd Avenue South in Seattle, on which the improvement known as Fire Station #6 is located.

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

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

b. Minor landscaping including the removal/addition of trees under six (6) inches in caliper, shrubs, perennials and annuals.

c. Removal of impervious surface and replacement with grass and/or plant materials in the south and west yards of the building.

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

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

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

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

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

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

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

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

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

Section 3. **INCENTIVES.** The following incentives are hereby granted on the features and characteristics of Fire Station #6 that were designated by the Board for preservation:

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

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

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

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

Section 5. Fire Station #6 is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

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

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

Nick Licata

President of the City Council

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

Gregory J. Nickels, Mayor

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

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

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