SEATTLE CITY COUNCIL

Legislative Summary

CB 118657

Record No.: CB 118657 **Type:** Ordinance (Ord) **Status:** Passed

Version: 1 125021 **In Control:** City Clerk

File Created: 12/31/2015

Final Action: 04/14/2016

Title: AN ORDINANCE relating to historic preservation; imposing controls upon Fire Station No. 5, 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.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: sarah.sodt@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: ☐ Yes ☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	02/08/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	02/09/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	02/11/2016	sent for review	Affordable Housing, Neighborhoods, and Finance Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee						
	Notes:						

1	Full Council	04/04/2016	referred	Affordable Housing, Neighborhoods, and Finance Committee	

Action Text: The Council Bill (CB) was referred. to the Affordable Housing, Neighborhoods, and Finance Committee
Notes:

1	Affordable Housing, Neighborhoods, and Finance Committee	04/06/2016	pass		Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
In Favor: 3 Chair Burgess, Vice Chair Herbold, Member Johnson
Opposed: 0

1	Full Council	04/11/2016	passed		Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 8 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien
Opposed: 0

1	City Clerk	04/12/2016	submitted for Mayor's signature	Mayor	

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:

1	Mayor	04/14/2016	Signed		

Action Text: The Council Bill (CB) was Signed.
Notes:

1	Mayor	04/14/2016	returned	City Clerk	

Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1	City Clerk	04/14/2016	attested by City Clerk		

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 125021

COUNCIL BILL 118657

AN ORDINANCE relating to historic preservation; imposing controls upon Fire Station No. 5, 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 Preservation 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 June 4, 2014, voted to approve the nomination of the improvement located at 925 Alaskan Way and the site on which the improvement is located (which collectively are referred to as "Fire Station No. 5" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 16, 2014, the Board voted to approve the designation of Fire Station No. 5 under SMC Chapter 25.12; and

WHEREAS, on May 6, 2015, 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 Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (Board) of the improvement located at 925

Alaskan and the site on which the improvement is located (which collectively are referred to as "Fire Station No. 5" for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. Fire Station No. 5 is located on the property legally described as:

> Portion of Madison Street as established by Seattle ordinance 815, lying between inner Harbor line and Alaskan Way, lying south of block 181 and north of block 198, Seattle Tide Lands, less the south ten feet as vacated under ordinance 6519, less northern area under right of way use permit, all located in the SE quarter of Section 31, township 25, Range 4, in King County Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features or characteristics of Fire Station No. 5 are designated: the exterior of the improvement located at 925 Alaskan Way, and the surrounding pier apron and concrete deck; excluding the boat ramp, floating dock, and fire boats.

C. Basis of Designation. The designation was made because Fire Station No. 5 is more than 25 years old, has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, has integrity or the ability to convey its significance, and satisfies the following from SMC 25.12.350:

1. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, City, state or nation (SMC 25.12.350.C).

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

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 City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of Fire Station No. 5 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 specific features or characteristics of Fire Station No. 5 designated in subsection 1.B.

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

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

b. Any work to repave or replace the pier concrete deck resulting from or related to the Elliott Bay Seawall Replacement Project No. 3013171.

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.

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 timely transmit a written decision constitutes approval of the request.

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

a. The installation, alteration or removal of duct conduits, HVAC vents, HVAC rooftop-mounted equipment, grilles, pipes, and other similar wiring or mechanical elements, such as generators or solar panels, necessary for the normal operation of the building and surrounding deck.

b. The installation, alteration, or removal of exterior security lighting, video cameras, radio antennae, and security system equipment.

c. The installation, alteration, or removal of signage.

d. Repaving of the surrounding pier and concrete decking including installation of new drains.

e. Painting of the exterior.

f. Installation or removal of equipment on the pier deck relating to the functions of the fire boats.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of Fire Station No. 5 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 permit issued pursuant to SMC Title 23.

B. Certain exceptions to or exemptions from regulation in SMC Title 23 may be available, either by virtue of the zoning designation applicable to the landmark or its status as a landmark.

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

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

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

Section 5. Fire Station No. 5 is hereby added alphabetically to Section II, Buildings, of 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 CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. 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 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 11th day of April, 2016, and signed by me in open session in authentication of its passage this 11th day of April, 2016.

President _____ of the City Council

Approved by me this 14th day of April, 2016.

Edward B. Murray, Mayor

Filed by me this 14th day of April, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--ss.

336480

No. 125021,022,023,024,025

CITY OF SEATTLE,CLERKS OFFICE

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:TITLE ONLY ORDINANCES

was published on

04/22/16

The amount of the fee charged for the foregoing publication is the sum of $103.68 which amount has been paid in full.

JENNIFER A. BARNES
COMMISSION EXPIRES
NOTARY
PUBLIC
10-24-19
STATE OF WASHINGTON

Pamela Ogle by

Subscribed and sworn to before me on

04/22/2016

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle
Title Only Ordinances

The full text of the following legislation, passed by the City Council on April 11, 2016, 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.

Ordinance 125021

AN ORDINANCE relating to historic preservation; imposing controls upon the Pioneer Sand and Gravel Company Building, 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 125022

AN ORDINANCE relating to historic preservation; imposing controls upon Fire Station No. 5, 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 125023

AN ORDINANCE granting Qwest Corporation, d.b.a. CenturyLink QC, permission to maintain and operate an at-grade fiber hut on the north side of Northwest 105th Street, east of 8th Avenue Northwest, and north of Alderbrook Place Northwest, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

Ordinance 125024

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 91 of the Official Land Use Map to rezone property located at 2203 and 2209 Eastlake Avenue E from Neighborhood Commercial 1 Pedestrian-30 (NC1P-30) and Lowrise 2 Residential Commercial (LR2 RC) to Neighborhood Commercial 2 Pedestrian-40 (NC2P-40), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Maria Barrientos, C.F. 314127, DPD Project 3016024)

Ordinance 125025

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

Date of publication in the Seattle Daily Journal of Commerce, April 22, 2016.

4/22(336480)