



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119063

Record No.: CB 119063

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125418

In Control: City Clerk

File Created: 07/19/2017

Final Action: 09/29/2017

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle Asian Art Museum, 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: erin.doherty@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

| Ver-<br>sion: | Acting Body:                  | Date:      | Action:                                  | Sent To:                                                             | Due Date: | Return<br>Date: | Result: |
|---------------|-------------------------------|------------|------------------------------------------|----------------------------------------------------------------------|-----------|-----------------|---------|
| 1             | Mayor                         | 08/08/2017 | Mayor's leg<br>transmitted to<br>Council | City Clerk                                                           |           |                 |         |
| 1             | City Clerk                    | 08/08/2017 | sent for review                          | Council<br>President's Office                                        |           |                 |         |
| 1             | Council President's<br>Office | 08/10/2017 | sent for review                          | Affordable<br>Housing,<br>Neighborhoods,<br>and Finance<br>Committee |           |                 |         |

**Action Text:** The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee

Notes:

|   |                                                                                                                                                                                                                                                                                                                                         |            |                                    |                                                                      |      |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------------|----------------------------------------------------------------------|------|
| 1 | Full Council                                                                                                                                                                                                                                                                                                                            | 09/05/2017 | referred                           | Affordable<br>Housing,<br>Neighborhoods,<br>and Finance<br>Committee |      |
| 1 | Affordable Housing,<br>Neighborhoods, and<br>Finance Committee                                                                                                                                                                                                                                                                          | 09/15/2017 | pass                               |                                                                      | Pass |
|   | <b>Action Text:</b> The Committee recommends that Full Council pass the Council Bill (CB).<br>In Favor: 2 Chair Burgess, Member Johnson<br>Opposed: 0                                                                                                                                                                                   |            |                                    |                                                                      |      |
| 1 | Full Council                                                                                                                                                                                                                                                                                                                            | 09/25/2017 | passed                             |                                                                      | Pass |
|   | <b>Action Text:</b> The Council Bill (CB) was passed by the following vote, and the President signed the Bill:<br><b>Notes:</b><br>In Favor: 7 Councilmember Bagshaw, Councilmember González , Council<br>President Harrell, Councilmember Herbold, Councilmember Johnson,<br>Councilmember O'Brien, Councilmember Sawant<br>Opposed: 0 |            |                                    |                                                                      |      |
| 1 | City Clerk                                                                                                                                                                                                                                                                                                                              | 09/28/2017 | submitted for<br>Mayor's signature | Mayor                                                                |      |
| 1 | Mayor                                                                                                                                                                                                                                                                                                                                   | 09/29/2017 | Signed                             |                                                                      |      |
| 1 | Mayor                                                                                                                                                                                                                                                                                                                                   | 09/29/2017 | returned                           | City Clerk                                                           |      |
| 1 | City Clerk                                                                                                                                                                                                                                                                                                                              | 09/29/2017 | attested by City Clerk             |                                                                      |      |
|   | <b>Action Text:</b> The Ordinance (Ord) was attested by City Clerk.<br><b>Notes:</b>                                                                                                                                                                                                                                                    |            |                                    |                                                                      |      |

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**CITY OF SEATTLE**

**ORDINANCE** 125418

**COUNCIL BILL** 119063

AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle Asian Art Museum, 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 May 17, 1989, voted to approve the nomination of the improvements located at 1400 East Prospect Street and a portion of the site on which the improvements are located (which collectively are referred to as "Seattle Asian Art Museum" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 21, 1989, the Board voted to approve the designation of the Seattle Asian Art Museum under SMC Chapter 25.12; and

WHEREAS, on July 5, 2017, 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 improvements located at

1400 East Prospect Street and a portion of the site on which the improvements are located (which collectively are referred to as "Seattle Asian Art Museum" for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. Seattle Asian Art Museum is located on the property legally described as:

The northeast quarter of the northeast quarter (NE 1/4 NE 1/4) of Section Twenty-nine (29) in Township Twenty-five (25) north (N) of Range Four (4) east (E), Willamette Meridian, also beginning at the northeast (NE) corner of the northeast quarter (NE 1/4) of Section Twenty-nine (29) in Township Twenty-five (25) north (N) of Range Four (4) east (E), Willamette Meridian, thence south one degree thirty-six minutes forty-eight seconds (1°36'48") west a distance of fourteen hundred thirty-three and fifty-two one-hundredths (1433.52) feet along the east line of Section 29 in Township 25 north Range 4 east, thence north (N) eighty-eight degrees eighteen minutes twenty-seven seconds (88°18'27") west a distance of four hundred eighty-two and ten one-hundredths (482.10) feet, thence north (N) eighty-eight degrees eighteen minutes thirty-one seconds (88°18'31") west a distance of two hundred seventy-two and five one-hundredths (272.05) feet, thence north (N) eighty-eight degrees eighteen minutes thirty-eight seconds (88°18'38") west a distance of two hundred seventy-two and four one-hundredths (272.04) feet, thence north (N) eighty-eight degrees eighteen minutes twenty-nine seconds (88°18'29") west a distance of three hundred eleven and seven one-hundredths (311.07) feet to a point on the west line of the northwest (NW) quarter of the northeast (NE) quarter of the northeast (NE) quarter of Section 29 in Township 25 north Range 4 east, thence north (N) one degree eighteen minutes twenty seconds (1°18'20") east, more or less, a distance of fourteen hundred five and sixty-nine one-hundredths (1405.69) feet, more or less, to a point on the north line of Section 29 in Township 25 north Range 4 east, thence south (S) eighty-nine degrees thirty minutes and five seconds (89°30'05") east a distance of one thousand three hundred forty-five (1345) feet, more or less, along the north line of Section 29 in Township 25 north Range 4 east to the point of beginning. Also the east one-half (E 1/2) of blocks E and F of Phinney's Addition to the City of Seattle as recorded in Vol. 1, Page 175 of King County Plats. Also the portion of Eleventh (11th) Avenue North in the City of Seattle from the north line of Furth's Addition to the City of Seattle and the north line of Phinney's Addition to the City of Seattle as vacated by ordinance 26793.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Seattle Asian Art Museum:

1. The entire exterior of the building, including the roof.

2. The following features of the interior: the entire main floor; and the public areas of the ground floor, including the corridors, the auditorium, the classic gallery, the former Board of Trustees Room, and the library.

3. The portion of the landscape/site that is in accordance with the Hoggson Plan of 1933 (as illustrated in the nomination).

C. Basis of Designation. The designation was made because the Seattle Asian Art Museum 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 the life of a person important in the history of the City, state, or nation (SMC 25.12.350.B);

2. 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);

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

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

5. 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 25.12.350.F).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Seattle Asian Art Museum 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 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 features or characteristics of the Seattle Asian Art Museum that were designated by the Board for preservation.

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

a. Any in-kind maintenance or repairs of the features or characteristics of the Seattle Asian Art Museum that were designated by the Board for preservation.

b. Removal of the following landscape elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

c. Pruning of trees and shrubs consistent with maintaining their health.

d. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored.

e. Installation, removal, or alteration of the following site furnishings: benches, trash receptacles, and bike racks.

f. Installation and removal of the following temporary, outdoor installations not attached to buildings, structures, or landscape features: special event tents; tables; chairs; games; and art exhibits.

g. Restriping of existing asphalt paving.

h. Installation, removal, or alteration of signage for accessibility compliance or other signage as required by City code.

i. Installation, removal, or alteration of temporary banners or signs for exhibitions, programs, or events, in locations previously approved by the Landmarks Preservation Board and utilizing the approved method of attachment.

j. Installation, removal, or alterations of components associated with temporary interior exhibits, programs, or events (i.e., lighting, display cases, trade fixtures, casework, screens/temporary partitions, artifacts, artworks, and other electronic and audio-visual equipment) that are not mechanically attached or adhered to the designated portions of the site and building listed in subsection 1.B of this ordinance. However, if attachment to a designated feature is required, no review is necessary if the following guidelines are used for repair:

i. Flooring finishes consisting of carpet tile or Masonite tile are individually replaced with in-kind tile units to match the size, material, color, pattern, and any other attribute. No patching is allowed.

ii. Gypsum plaster and gypsum wall board are repaired in kind to match the adjacent surface material, color, and texture.

Scagliola is NOT exempt from review (see City Historic Preservation Officer Approval Process, subsection 2.B).

1 k. Installation, removal, or alteration of furniture, fixtures, and  
2 equipment associated with gallery seating (i.e., moveable benches), ticketing, and the museum  
3 store, except that such installations shall be subject to the same criteria for method of attachment  
4 outlined under subsection 2.A.2.j of this ordinance.

5 l. Alterations to the interior of the projection room.

6 m. Alterations to the loading dock platform and appurtenances.

7 n. Removal or conservation of the following artworks:

8 i. Bactrian Camel replicas (west side of Museum).

9 ii. Any permanent art installation previously approved by the  
10 Board.

11 o. Removal of the Samuel Yellin Garden Court Gates if the Seattle  
12 Art Museum vacates the building.

13 B. City Historic Preservation Officer Approval Process.

14 1. The City Historic Preservation Officer (CHPO) may review and approve  
15 alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of  
16 this ordinance according to the following procedure:

17 a. The owner shall submit to the CHPO a written request for the  
18 alterations or significant changes, including applicable drawings or specifications.

19 b. If the CHPO, upon examination of submitted plans and  
20 specifications, determines that the alterations or significant changes are consistent with the  
21 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes  
22 without further action by the Board.

2. 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. 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 of the Seattle Asian Art Museum that were designated by the Board for preservation is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of ducts, conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

b. Installation, removal, or alterations of non-exhibit related exterior and interior light fixtures.

c. Installation, removal, or alterations of electronic and audio-visual equipment not associated with a temporary exhibit, program, or event.

d. Installation of new trees that comply with master plans approved by the Landmarks Preservation Board.

e. Installation or alteration of plantings or landscaping that comply with master plans approved by the Landmarks Preservation Board.

f. Removal of trees identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.

g. Signage other than signage excluded in subsections 2.A.2.h and 2.A.2.i of this ordinance.

- h. Installation of improvements for accessibility compliance.
- i. Installation of fire and life safety equipment at the building interior.
- j. Installation, removal, or alterations of components associated with temporary interior exhibits, programs, or events (i.e., lighting, display cases, trade fixtures, casework, screens/temporary partitions, artifacts, artworks, and other electronic and audio-visual equipment) physically attached to the following materials:
  - i. Metal storefront, metal doors, metal gates, and other metal surfaces or elements.
  - ii. Scagliola wall surfaces and other Scagliola architectural features.
  - iii. Wood paneling and wood doors.
  - iv. Stone flooring, stone trim, and other stone architectural features.
  - v. Terrazzo flooring and terrazzo base.
  - vi. Materials not specifically identified here, that have not been otherwise excluded from review in subsection 2.A.2 of this ordinance.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of the Seattle Asian Art Museum 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.

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 chapter.

6           D.       Reduction or waiver, under certain conditions, of minimum accessory off-street  
7 parking requirements for uses permitted in a designated landmark structure may be permitted  
8 pursuant to SMC Title 23.

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 Seattle Asian Art Museum is hereby added alphabetically to Section II,  
12 Buildings, 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 this ordinance with the  
14 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy  
15 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
16 to provide a certified copy of this 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 25<sup>th</sup> day of September, 2017,  
and signed by me in open session in authentication of its passage this 25<sup>th</sup> day of  
September, 2017.



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

Approved by me this 29<sup>th</sup> day of September, 2017.



Tim Burgess, Mayor

Filed by me this 29<sup>th</sup> day of September, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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354651

No.

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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

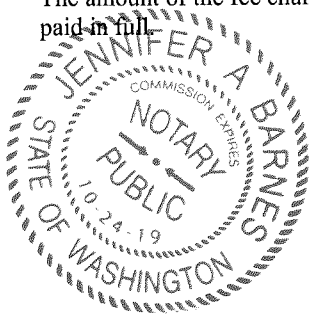
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125416-424 TITLE ONLY

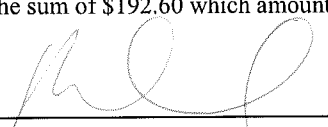
was published on

10/11/17

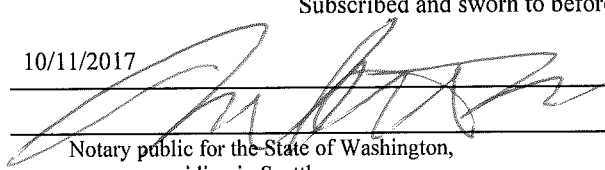
The amount of the fee charged for the foregoing publication is the sum of \$192.60 which amount has been paid in full.



Affidavit of Publication

  
Subscribed and sworn to before me on

10/11/2017

  
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 September 25, 2017, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

### Ordinance 125416

#### Council Bill 119037

AN ORDINANCE related to appropriations for the Office of Arts & Culture; amending Ordinance 125207, which adopted the 2017 Budget; and lifting a proviso imposed on the Office of Arts & Culture's Capital Arts Budget Control Level by Seattle City Council Green Sheet 68-1-B-1.

### Ordinance 125417

#### Council Bill 119054

AN ORDINANCE relating to The City of Seattle's contracting practices; requiring Departments seeking Council approval to provide advance notification to the City Council and the City Clerk when Departments recommend initiating new services or consultant contracts or amending existing services or consultant contracts.

### Ordinance 125418

#### Council Bill 119063

AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle Asian Art Museum, 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 125419

#### Council Bill 119064

AN ORDINANCE relating to historic preservation; imposing controls upon the Maritime 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 125420

#### Council Bill 119078

AN ORDINANCE relating to Historic Seattle Preservation and Development Authority ("HSPDA"), a public corporation chartered by The City of Seattle; authorizing the Director of the Office of Intergovernmental Relations to enter into agreements with King County and the cities located within King County to permit HSPDA to exercise its chartered authority in such jurisdictions using Preservation Action Fund proceeds; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with King County and other cities located in King County consenting to a request from HSPDA to exercise its chartered authority in such jurisdictions; and extending the City's powers, authorities, and rights regarding public corporations and authorities beyond the city limits for the projects within HSPDA's chartered authority.

### Ordinance 125421

#### Council Bill 119085

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to execute and accept from the Washington State Department of Natural Resources, on behalf of The City of Seattle, an Aquatic Lands Lease for Seattle's Waterfront Parks; and ratifying and confirming certain prior acts.

### Ordinance 125422

#### Council Bill 119086

AN ORDINANCE relating to the Central Waterfront Project; authorizing a second amendment of the Memorandum of Understanding Concerning Renovation and Expansion of the Seattle Aquarium and Development of the Central Waterfront Project between The City of Seattle and the Seattle Aquarium Society.

### Ordinance 125423

#### Council Bill 119089

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

### Ordinance 125424

#### Council Bill 119077

AN ORDINANCE relating to Capitol Hill Housing Improvement Program ("CHHIP"), a public corporation chartered by The City of Seattle; authorizing the Director of the Office of Intergovernmental Relations to enter into agreements with King County, the cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, SeaTac, Shoreline, and Tukwila to permit CHHIP to exercise its chartered authority in such jurisdictions; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with other cities located in King County consenting to a request from CHHIP to exercise its chartered authority in such city; and extending the City's powers, authorities and rights regarding public corporations and authorities beyond the city limits for the projects within CHHIP's chartered authority.

Date of publication in the Seattle Daily Journal of Commerce, October 11, 2017.

10/11(354651)

**Return Address:**

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728



**20171116000749**

ORDINANCE Rec: \$84.00  
11/16/2017 12:59 PM  
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

**Document Title(s)** (or transaction contained therein):

Ordinance 125418

**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)

Additional legal on page 2 of document

The northeast quarter of the northeast quarter (NE ¼ NE ¼ ) of Section Twenty-nine (29) in Township Twenty-five (25) north (N) of Range Four (4) east, Willamette Meridian

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

# 2925049087

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

CITY OF SEATTLE

ORDINANCE

125418

COUNCIL BILL

119063

AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle Asian Art Museum, 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 May 17, 1989, voted to approve the nomination of the improvements located at 1400 East Prospect Street and a portion of the site on which the improvements are located (which collectively are referred to as "Seattle Asian Art Museum" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 21, 1989, the Board voted to approve the designation of the Seattle Asian Art Museum under SMC Chapter 25.12; and

WHEREAS, on July 5, 2017, 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 improvements located at

1 1400 East Prospect Street and a portion of the site on which the improvements are located (which  
2 collectively are referred to as "Seattle Asian Art Museum" for the purposes of this ordinance) is  
3 hereby acknowledged.

4 A. Legal Description. Seattle Asian Art Museum is located on the property legally  
5 described as:

6 The northeast quarter of the northeast quarter (NE 1/4 NE 1/4) of Section Twenty-  
7 nine (29) in Township Twenty-five (25) north (N) of Range Four (4) east (E),  
8 Willamette Meridian, also beginning at the northeast (NE) corner of the northeast  
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11 thirty-six minutes forty-eight seconds (1°36'48") west a distance of fourteen  
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15 of four hundred eighty-two and ten one-hundredths (482.10) feet, thence north  
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24 Township 25 north Range 4 east, thence north (N) one degree eighteen minutes  
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35 of Seattle as vacated by ordinance 26793.

36 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,  
37 the Board designated the following specific features or characteristics of the Seattle Asian Art  
38 Museum:

1. The entire exterior of the building, including the roof.

2. The following features of the interior: the entire main floor; and the public areas of the ground floor, including the corridors, the auditorium, the classic gallery, the former Board of Trustees Room, and the library.

3. The portion of the landscape/site that is in accordance with the Hoggson Plan of 1933 (as illustrated in the nomination).

C. Basis of Designation. The designation was made because the Seattle Asian Art Museum 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 the life of a person important in the history of the City, state, or nation (SMC 25.12.350.B);

2. 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);

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

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

5. 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 25.12.350.F).

1           Section 2. CONTROLS: The following controls are hereby imposed on the features or  
2 characteristics of the Seattle Asian Art Museum that were designated by the Board for  
3 preservation:

4           A.     Certificate of Approval Process.

5                 1.     Except as provided in subsection 2.A.2 or subsection 2.B of this  
6 ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC  
7 Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the  
8 owner may make alterations or significant changes to the features or characteristics of the Seattle  
9 Asian Art Museum that were designated by the Board for preservation.

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

11                   a.     Any in-kind maintenance or repairs of the features or  
12 characteristics of the Seattle Asian Art Museum that were designated by the Board for  
13 preservation.

14                   b.     Removal of the following landscape elements: trees less than 8  
15 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

16                   c.     Pruning of trees and shrubs consistent with maintaining their  
17 health.

18                   d.     Installation, removal, or alteration (including repair) of  
19 underground irrigation and underground utilities, provided that the site is restored.

20                   e.     Installation, removal, or alteration of the following site furnishings:  
21 benches, trash receptacles, and bike racks.

1 f. Installation and removal of the following temporary, outdoor  
2 installations not attached to buildings, structures, or landscape features: special event tents;  
3 tables; chairs; games; and art exhibits.

4 g. Restriping of existing asphalt paving.

5 h. Installation, removal, or alteration of signage for accessibility  
6 compliance or other signage as required by City code.

7 i. Installation, removal, or alteration of temporary banners or signs  
8 for exhibitions, programs, or events, in locations previously approved by the Landmarks  
9 Preservation Board and utilizing the approved method of attachment.

10 j. Installation, removal, or alterations of components associated with  
11 temporary interior exhibits, programs, or events (i.e., lighting, display cases, trade fixtures,  
12 casework, screens/temporary partitions, artifacts, artworks, and other electronic and audio-visual  
13 equipment) that are not mechanically attached or adhered to the designated portions of the site  
14 and building listed in subsection 1.B of this ordinance. However, if attachment to a designated  
15 feature is required, no review is necessary if the following guidelines are used for repair:

16 i. Flooring finishes consisting of carpet tile or Masonite tile are  
17 individually replaced with in-kind tile units to match the size,  
18 material, color, pattern, and any other attribute. No patching is  
19 allowed.

20 ii. Gypsum plaster and gypsum wall board are repaired in kind to  
21 match the adjacent surface material, color, and texture.

22 Scagliola is NOT exempt from review (see City Historic  
23 Preservation Officer Approval Process, subsection 2.B).

1 k. Installation, removal, or alteration of furniture, fixtures, and  
2 equipment associated with gallery seating (i.e., moveable benches), ticketing, and the museum  
3 store, except that such installations shall be subject to the same criteria for method of attachment  
4 outlined under subsection 2.A.2.j of this ordinance.

5 l. Alterations to the interior of the projection room.

6 m. Alterations to the loading dock platform and appurtenances.

7 n. Removal or conservation of the following artworks:

8 i. Bactrian Camel replicas (west side of Museum).

9 ii. Any permanent art installation previously approved by the  
10 Board.

11 o. Removal of the Samuel Yellin Garden Court Gates if the Seattle  
12 Art Museum vacates the building.

13 B. City Historic Preservation Officer Approval Process.

14 1. The City Historic Preservation Officer (CHPO) may review and approve  
15 alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of  
16 this ordinance according to the following procedure:

17 a. The owner shall submit to the CHPO a written request for the  
18 alterations or significant changes, including applicable drawings or specifications.

19 b. If the CHPO, upon examination of submitted plans and  
20 specifications, determines that the alterations or significant changes are consistent with the  
21 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes  
22 without further action by the Board.

2. 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. 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 of the Seattle Asian Art Museum that were designated by the Board for preservation is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of ducts, conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

b. Installation, removal, or alterations of non-exhibit related exterior and interior light fixtures.

c. Installation, removal, or alterations of electronic and audio-visual equipment not associated with a temporary exhibit, program, or event.

d. Installation of new trees that comply with master plans approved by the Landmarks Preservation Board.

e. Installation or alteration of plantings or landscaping that comply with master plans approved by the Landmarks Preservation Board.

f. Removal of trees identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.

g. Signage other than signage excluded in subsections 2.A.2.h and 2.A.2.i of this ordinance.

- h. Installation of improvements for accessibility compliance.
- i. Installation of fire and life safety equipment at the building interior.
- j. Installation, removal, or alterations of components associated with temporary interior exhibits, programs, or events (i.e., lighting, display cases, trade fixtures, casework, screens/temporary partitions, artifacts, artworks, and other electronic and audio-visual equipment) physically attached to the following materials:
  - i. Metal storefront, metal doors, metal gates, and other metal surfaces or elements.
  - ii. Scagliola wall surfaces and other Scagliola architectural features.
  - iii. Wood paneling and wood doors.
  - iv. Stone flooring, stone trim, and other stone architectural features.
  - v. Terrazzo flooring and terrazzo base.
  - vi. Materials not specifically identified here, that have not been otherwise excluded from review in subsection 2.A.2 of this ordinance.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of the Seattle Asian Art Museum 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.

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 chapter.

6           D.       Reduction or waiver, under certain conditions, of minimum accessory off-street  
7 parking requirements for uses permitted in a designated landmark structure may be permitted  
8 pursuant to SMC Title 23.

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 Seattle Asian Art Museum is hereby added alphabetically to Section II,  
12 Buildings, 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 this ordinance with the  
14 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy  
15 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
16 to provide a certified copy of this 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 25<sup>th</sup> day of September, 2017,  
and signed by me in open session in authentication of its passage this 25<sup>th</sup> day of  
September, 2017.



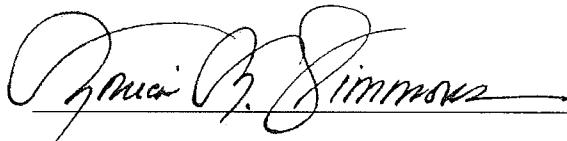
President \_\_\_\_\_ of the City Council

Approved by me this 29<sup>th</sup> day of September, 2017.



Tim Burgess, Mayor

Filed by me this 29<sup>th</sup> day of September, 2017.



Monica Martinez Simmons, City Clerk

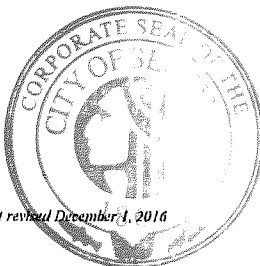
State of Washington,  
County of King

(Seal)

DARRYL BROOKS certify that this is a true and correct

copy of Ordinance 125418 on file in the records

of the City of Seattle, Office of the City Clerk



Signed by:

Signature:

Title: Legislative Info. Specialist II

Date: 11/16/17