



SEATTLE CITY COUNCIL

Legislative Summary

CB 119418

Record No.: CB 119418

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125743

In Control: City Clerk

File Created: 08/28/2018

Final Action: 12/20/2018

Title: AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language School, 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: Bagshaw

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

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	09/11/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	09/11/2018	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	09/13/2018	sent for review	Finance and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						
	Notes:						
1	City Council	12/03/2018	referred	Finance and Neighborhoods Committee			

1 Finance and Neighborhoods Committee 12/12/2018 pass Pass

Action Text: The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 2 Chair Bagshaw, Member Harrell
Opposed: 0

1 City Council 12/17/2018 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:

In Favor: 6 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember O'Brien
Opposed: 0

1 City Clerk 12/19/2018 submitted for Mayor's signature Mayor

1 Mayor 12/20/2018 Signed

1 Mayor 12/20/2018 returned City Clerk

1 City Clerk 12/20/2018 attested by City Clerk

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

CITY OF SEATTLE

ORDINANCE 125743

COUNCIL BILL 119418

AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language School, 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 August 16, 2006, voted to approve the nomination of the improvement located at 1414 South Weller Street and the site on which the improvement is located (which are collectively referred to as the "Japanese Language School") for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 4, 2006, the Board voted to approve the designation of the Japanese Language School under SMC Chapter 25.12; and

WHEREAS, on July 18, 2018, the Board and the Japanese Language School's owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; 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. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 1414 South Weller Street and the site on which the improvement is located (which are collectively referred to as the “Japanese Language School”) is acknowledged.

A. Legal Description. The Japanese Language School is located on the property legally described as:

Lots 11, 12, and 14-16, Block 29 of the Hill Tract Addition to the City of Seattle, Supplemental Plat of Blocks 28, 29 and 36, according to the plat thereof, recorded in Volume 11 of Plats, page 60, records of King County Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Japanese Language School:

1. The site.
2. The exteriors of Building #s 1, 2, and 3. Building #1 (originally constructed in 1912) is located on Lots 15 and 16 and is the southwestern portion of the group of buildings with main entries facing South Weller Street. Building #1 was expanded through an addition on its north end (constructed in 1917) and joins the northwest corner of Building #2 (originally constructed in 1925), which is located on Lots 14 and 15. Building #3 is across the alley to the north of Buildings #s 1 and 2 and is located on Lot 12. All lots referenced are a part of Block 29 of the Hill Tract Addition to the City of Seattle.

C. Basis of Designation. The designation was made because the Japanese Language School 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 SMC 25.12.350 provisions:

1 1. It is the location of, or is associated in a significant way with, an historic
2 event with a significant effect upon the community, City, state, or nation (SMC 25.12.350.A).

3 2. It is associated in a significant way with a significant aspect of the
4 cultural, political, or economic heritage of the community, City, state, or nation (SMC
5 25.12.350.C).

6 Section 2. Controls. The following controls are imposed on the features or characteristics
7 of the Japanese Language School that were designated by the Board for preservation:

8 A. Certificate of Approval Process.

9 1. Except as provided in subsection 2.A.2 or subsection 2.B of this
10 ordinance, the owner must obtain a Certificate of Approval issued by the Board according to
11 SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before
12 the owner may make alterations or significant changes to the features or characteristics of the
13 Japanese Language School that were designated by the Board for preservation.

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

15 a. Any in-kind maintenance or repairs of the features or
16 characteristics of the Japanese Language School that were designated by the Board for
17 preservation.

18 b. Removal of the following landscape elements: trees less than
19 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

20 c. Alterations to the Kintsugi Garden on Lot 11 of Block 29 of the
21 Hill Tract Addition to the City of Seattle.

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

1 e. Installation, removal, or alteration of the following site furnishings:
2 benches, movable planters, trash/recycling receptacles, and bike racks.

3 f. Installation, removal, or alteration of signage for accessibility
4 compliance, and other signage as required by City code.

5 g. Installation or removal of interior, temporary window shading
6 devices that are operable and therefore do not obscure the glazing when in the open position.

7 h. Alterations to the existing east/west breezeway that joins together
8 Building #1, the Building #1 addition, and Building #2.

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

10 1. The City Historic Preservation Officer may review and approve alterations
11 or significant changes to the features or characteristics listed in subsection 2.B.3 of this
12 ordinance according to the following procedure:

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

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

19 2. If the CHPO does not approve the alterations or significant changes, the
20 owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of
21 Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's
22 request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely
23 transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of the Japanese Language School that were designated by the Board for preservation is available for the following:

a. The installation, alteration, or removal of ducts, conduits, HVAC vents, grills, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

b. Installation, alteration, or removal, of exterior light fixtures, exterior security lighting, and security system equipment.

c. Removal of trees more than 8 inches in diameter measured 4 1/2 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.

d. Installation, alteration, or removal of fences and gates, other than those excluded in subsection 2.A.2.c of this ordinance.

e. Signage other than signage excluded in subsection 2.A.2.f of this ordinance.

f. Installation of building and site improvements for security, safety, or accessibility compliance.

g. Installation of fire and life safety equipment.

h. Mitigation of hazardous materials, unless determined by staff to be consistent with in-kind repair or maintenance.

i. Alterations to or enclosure of the north/south space between Buildings #1 and #2.

1 Section 3. Incentives. The following incentives are granted on the features or
2 characteristics of the Japanese Language School that were designated by the Board for
3 preservation:

4 A. Uses not otherwise permitted in a zone may be authorized in a designated
5 landmark by means of an administrative conditional use permit issued under SMC Title 23.

6 B. Exceptions to certain of the requirements of the Seattle Building Code, adopted
7 by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be
8 authorized according to the applicable provisions.

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

11 D. Reduction or waiver, under certain conditions, of minimum accessory off-street
12 parking requirements for uses permitted in a designated landmark structure may be permitted
13 under SMC Title 23.

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

16 Section 5. The Japanese Language School is added alphabetically to Section II,
17 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

18 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
19 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy
20 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed
21 to provide a certified copy of this ordinance to the Japanese Language School's owner.

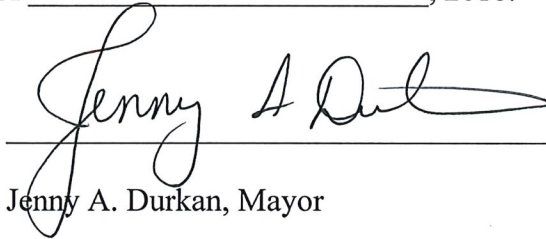
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of December, 2018,
and signed by me in open session in authentication of its passage this 17th day of
December, 2018.

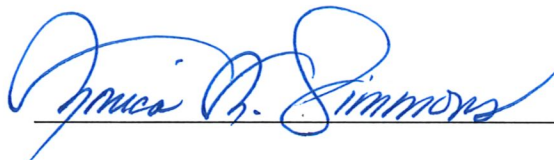


President _____ of the City Council

Approved by me this 20th day of December, 2018.


Jenny A. Durkan, Mayor

Filed by me this 20th day of December, 2018.



Monica Martinez Simmons, City Clerk

(Seal)

Record Date:1/29/2019 8:34 AM

Electronically Recorded King County, WA

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

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

Ordinance 125743

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

Lots 11, 12, and 14-16, Block 29 of the Hill Tract Addition to the City of Seattle, Supplemental Plat of Blocks 28, 29 and 36, according to the plat thereof, recorded in Volume 11 of Plats, page 60.

Assessor's Property Tax Parcel/Account Number

3320500190

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

Erin Doherty
DON Japanese Language School Landmark Designation ORD
D1c

CITY OF SEATTLE

ORDINANCE 125743

COUNCIL BILL 119418

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DON Japanese Language School Landmark Designation ORD
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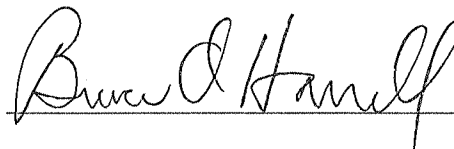
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DON Japanese Language School Landmark Designation ORD
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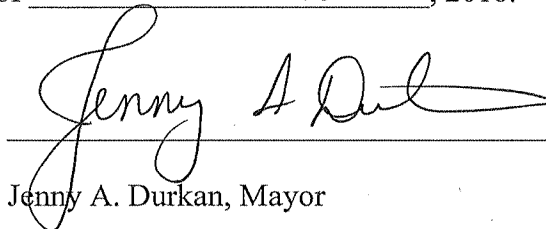
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of December, 2018,
and signed by me in open session in authentication of its passage this 17th day of
December, 2018.

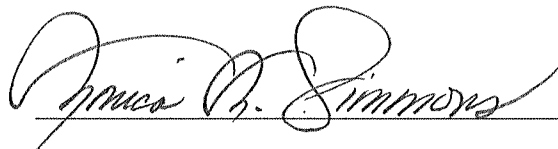


President _____ of the City Council

Approved by me this 20th day of December, 2018.


Jenny A. Durkan, Mayor

Filed by me this 20th day of December, 2018.



Monica Martinez Simmons, City Clerk

State of Washington,
County of King

I, DANIEL C. BROOKS certify that this is a true and correct

copy of Ordinance 125743 on file in the records

of the City of Seattle, Office of the City Clerk



Signed by: 

Signature

Title: Legislative Info Specialist

Date: 1/28/19

STATE OF WASHINGTON – KING COUNTY

--SS.

369428
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

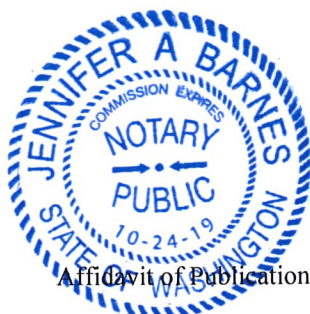
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125737,125738,125739,125740,125741,125742,125743,125744,125745,125746,125747

was published on

01/15/19

The amount of the fee charged for the foregoing publication is the sum of \$207.00, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

01/15/19

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 December 17, 2018, 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 125737

Council Bill 119432

AN ORDINANCE appropriating money to pay certain audited claims, ordering the payment thereof and ratifying and confirming certain prior acts.

Ordinance 125738

Council Bill 119433

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

Ordinance 125739

Council Bill 119430

AN ORDINANCE amending Ordinance 125493, which amended the 2018 Budget (Ordinance 125475), including the 2018-2023 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2018-2023 CIP; creating exempt positions; lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125740

Council Bill 119421

AN ORDINANCE relating to City employment, commonly referred to as the Fourth Quarter 2018 Employment Ordinance; designating positions as exempt from the civil service system; and amending Sections 4.13.010 and 4.24.010 of the Seattle Municipal Code; all by a 2/3 vote of the City Council.

Ordinance 125741

Council Bill 119429

AN ORDINANCE relating to fees charged by the Seattle Animal Shelter; and amending Chapter 9.26 of the Seattle Municipal Code to make technical corrections.

Ordinance 125742

Council Bill 119414

AN ORDINANCE relating to historic preservation; imposing controls upon the University of Washington Canoe House/ASUW Shell House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Ordinance 125743

Council Bill 119418

AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language School, 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 125744

Council Bill 119422

AN ORDINANCE relating to historic preservation; imposing controls upon the Edris Nurse Home, 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 125745

Council Bill 119412

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of hydrants, water mains, domestic meter vaults, fire service meters, and appurtenances necessary for water utility purposes at various locations in Seattle; placing the property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Ordinance 125746

Council Bill 119419

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Ordinance 125747

Council Bill 119431

AN ORDINANCE relating to the Seattle Fire Department; authorizing the Fire Chief to execute and administer, for and on behalf of The City of Seattle, an interlocal agreement with 20 agencies that operate independent fire departments within King County to provide one another with automatic emergency response services under certain circumstances.

Date of publication in the Seattle Daily Journal of Commerce, January 15, 2019.

1/15(369428)