



SEATTLE CITY COUNCIL

Legislative Summary

CB 119627

Record No.: CB 119627

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 126016

In Control: City Clerk

File Created: 07/24/2019

Final Action: 12/13/2019

Title: AN ORDINANCE relating to historic preservation; imposing controls upon the Highland Apartments, 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:

Uploaded By: erin.doherty@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/03/2019	sent for review	Council President's Office			
1	Mayor	09/03/2019	Mayor's leg transmitted to Council	City Clerk			
1	Council President's Office	09/03/2019	sent for review	Finance and Neighborhoods Committee			
Action Text: The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee							
1	City Council	09/09/2019	referred	Finance and Neighborhoods Committee			
1	Finance and Neighborhoods Committee	12/05/2019	pass				Pass

Legislative Summary Continued (CB 119627)

Action Text: The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 2 Chair Bagshaw, Vice Chair González

Opposed: 0

1 City Council 12/09/2019 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 González, Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember O'Brien, Member Pedersen, Councilmember Sawant

Opposed: 0

1 City Clerk 12/13/2019 submitted for Mayor
Mayor's signature

1 Mayor 12/13/2019 Signed

1 Mayor 12/13/2019 returned City Clerk

1 City Clerk 12/13/2019 attested by City Clerk

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

CITY OF SEATTLE

ORDINANCE 126016

COUNCIL BILL 119627

AN ORDINANCE relating to historic preservation; imposing controls upon the Highland Apartments, 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 20, 2018, voted to approve the nomination of the improvement located at 931 11th Avenue East and the site on which the improvement is located (which are collectively referred to as the "Highland Apartments") for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on August 15, 2018, the Board voted to approve the designation of the Highland Apartments under SMC Chapter 25.12; and

WHEREAS, on June 5, 2019, the Board and the Highland Apartments' 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 931 11th Avenue East and the site on which the improvement is located (which are collectively referred to as the “Highland Apartments”) is acknowledged.

A. Legal Description. The Highland Apartments is located on the property legally described as:

All units, Highland Condominium, a condominium, according to the condominium declaration recorded November 24, 1980 under recording number 8011240778, and amendments hereto, if any, and in Volume 49 of Condominiums, Pages 47 and 48 inclusive in King County, Washington. Property located on Lots 22-24, Block 3 of Furth’s Addition.

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

1. The site.
2. The exterior of the apartment building.

C. Basis of Designation. The designation was made because the Highland Apartments 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. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Highland Apartments 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 according 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 Highland Apartments 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 Highland Apartments that were designated by the Board for preservation.
- b. Removal of trees less than 8 inches in diameter measured 4 1/2 feet above ground.
- c. Removal and replacement of shrubs, perennials, and annuals.
- d. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
- e. Installation, removal, or alteration of the following site furnishings: benches; movable planters; trash/recycling receptacles; and bike racks.
- f. Installation, removal, or alteration of interior, temporary window shading devices that are operable and therefore do not obscure the glazing when in the open position.
- g. Removal or alteration of the detached garage building.

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

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

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 Highland Apartments that were designated by the Board for preservation is available for the following:

a. The installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the building or site.

- b. Installation, removal, or alteration 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, removal, or alteration of exterior building and site signage.
- e. Installation of improvements for security, safety, or accessibility compliance.
- f. Installation, removal, or alteration of fire and life safety equipment.
- g. Changes to exterior paint colors when painting a previously painted material.
- h. Replacement of non-original windows and doors when located in original openings.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Highland Apartments 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 under SMC Title 23.
- B. Exceptions to certain of the requirements of the Seattle Building Code, adopted by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be authorized according to the applicable provisions.
- 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.

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

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

6 Section 5. The Highland Apartments is added alphabetically to Section II, Buildings, of
7 the Table of Historical Landmarks contained in SMC Chapter 25.32.

8 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
9 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy
10 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed
11 to provide a certified copy of this ordinance to the Highland Apartments' owner.

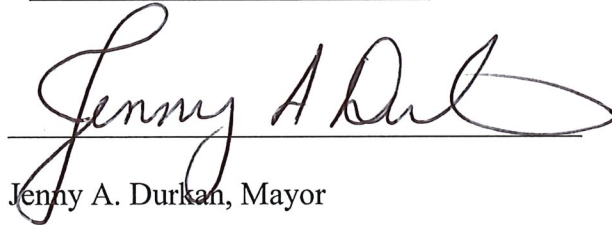
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 9th day of December, 2019,
and signed by me in open session in authentication of its passage this 9th day of
December, 2019.



President _____ of the City Council

Approved by me this 13th day of December, 2019.


Jenny A. Durkan, Mayor

Filed by me this 13th day of December, 2019.



Monica Martinez Simmons, City Clerk

(Seal)

Record Date:1/9/2020 2:35 PM

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 126016

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

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Assessor's Property Tax Parcel/Account Number

3295200000

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 Highland Apartments Landmark Designation ORD
D1a

CITY OF SEATTLE

ORDINANCE 126016

COUNCIL BILL 119627

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

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D1a

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1 A. Certificate of Approval Process.

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3 ordinance, the owner must obtain a Certificate of Approval issued by the Board according to
4 SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before
5 the owner may make alterations or significant changes to the features or characteristics of the
6 Highland Apartments that were designated by the Board for preservation.

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

8 a. Any in-kind maintenance or repairs of the features or
9 characteristics of the Highland Apartments that were designated by the Board for preservation.

10 b. Removal of trees less than 8 inches in diameter measured 4 1/2 feet
11 above ground.

12 c. Removal and replacement of shrubs, perennials, and annuals.

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

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

17 f. Installation, removal, or alteration of interior, temporary window
18 shading devices that are operable and therefore do not obscure the glazing when in the open
19 position.

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- 1 b. Installation, removal, or alteration of exterior light fixtures,
- 2 exterior security lighting, and security system equipment.
- 3 c. Removal of trees more than 8 inches in diameter measured 4 1/2
- 4 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA)
- 5 Certified Arborist.
- 6 d. Installation, removal, or alteration of exterior building and site
- 7 signage.
- 8 e. Installation of improvements for security, safety, or accessibility
- 9 compliance.
- 10 f. Installation, removal, or alteration of fire and life safety equipment.
- 11 g. Changes to exterior paint colors when painting a previously
- 12 painted material.
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- 14 original openings.

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16 characteristics of the Highland Apartments that were designated by the Board for preservation:

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- 20 by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be
- 21 authorized according to the applicable provisions.
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- 23 84.26 RCW upon application and compliance with the requirements of that statute.

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2 parking requirements for uses permitted in a designated landmark structure may be permitted
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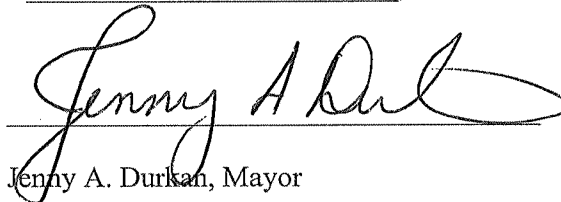
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 9th day of December, 2019,
and signed by me in open session in authentication of its passage this 9th day of
December, 2019.



President _____ of the City Council

Approved by me this 13th day of December, 2019.



Jenny A. Durkan, Mayor

Filed by me this 13th day of December, 2019.



Monica Martinez Simmons, City Clerk

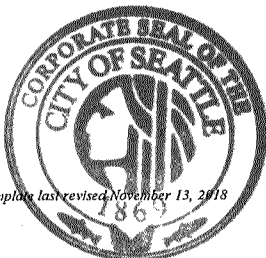
State of Washington,
County of King

(Seal)

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

copy of Ordinance 126016, on file in the records

of the City of Seattle, Office of the City Clerk



Signed by:

Signature:

Title: Legislative Info Specialist II

Date: 1/7/2020

STATE OF WASHINGTON -- KING COUNTY

--SS.

380597

No. 126012,13,14,15,16,17,18

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.

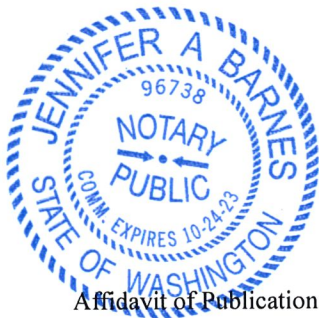
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

was published on

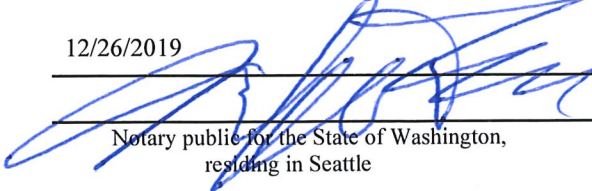
12/26/19

The amount of the fee charged for the foregoing publication is the sum of \$163.88.




Subscribed and sworn to before me on

12/26/2019


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 09, 2019, 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 126012

Council Bill 119722

AN ORDINANCE amending Ordinance 125724, which adopted the 2019 Budget; changing appropriations to various departments and budget control levels, and from various funds in the Budget; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 126013

Council Bill 119707

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to enter into an easement area amendment agreement with King County, to revise the legal description of an existing easement for an electric transmission and distribution line through King County Airport property.

Ordinance 126014

Council Bill 119661

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acquisition of real property adjacent to Terry Pettus Park on Lake Union; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Ordinance 126015

Council Bill 119700

AN ORDINANCE relating to the Central Waterfront Project; authorizing a funding agreement and a future construction agreement between The City of Seattle and the Seattle Aquarium Society for a new aquarium facility to be known as the Ocean Pavilion; finding that the funding and construction agreements authorized by this ordinance meet the intent and purpose of the project development agreement and comprehensive funding plan described under Ordinance 125630; and amending Ordinance 125630 accordingly.

Ordinance 126016

Council Bill 119627

AN ORDINANCE relating to historic preservation; imposing controls upon the Highland Apartments, 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 126017

Council Bill 119630

AN ORDINANCE relating to historic preservation; imposing controls upon the Bleitz Funeral 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 126018

Council Bill 119644

AN ORDINANCE relating to the Department of Finance and Administrative Services; declaring 5-foot wide properties that lie between the northwesterly line of Clarmar Crag, recorded Vol. 37 page 47 in King County, and the southeasterly line of Alki Beach, an unrecorded plat; being a portion of the Undesignated Tract of Plat of West Seattle Park, recorded Vol. 3 page

177 in King County, as surplus to the City's needs; authorizing the sale of said properties to the owners of the adjoining properties; authorizing the Director of Finance and Administrative Services to execute all documents for the sale and transfer of the properties at fair market value; and directing how proceeds from the sale shall be distributed.

Date of publication in the Seattle Daily Journal of Commerce, December 26, 2019.
12/26(380597)