



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119748

Record No.: CB 119748

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 126051

In Control: City Clerk

File Created: 12/18/2019

Final Action: 03/05/2020

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Sunset Telephone & Telegraph Exchange, 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: Strauss

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Reviewer: L. Whitson

Uploaded By: 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                                                                                                      | 02/04/2020 | Mayor's leg transmitted to Council | City Clerk                           |           |              |         |
| 1        | City Clerk                                                                                                 | 02/04/2020 | sent for review                    | Council President's Office           |           |              |         |
|          | <b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office           |            |                                    |                                      |           |              |         |
| 1        | Council President's Office                                                                                 | 02/06/2020 | sent for review                    | Land Use and Neighborhoods Committee |           |              |         |
|          | <b>Action Text:</b> The Council Bill (CB) was sent for review. to the Land Use and Neighborhoods Committee |            |                                    |                                      |           |              |         |
| 1        | City Council                                                                                               | 02/24/2020 | referred                           | Land Use and Neighborhoods Committee |           |              |         |

|   |                                                                                                                |            |                                    |                                                                                                                                                                |
|---|----------------------------------------------------------------------------------------------------------------|------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Land Use and<br>Neighborhoods<br>Committee                                                                     | 02/26/2020 | pass                               | Pass                                                                                                                                                           |
|   | <b>Action Text:</b> The Committee recommends that City Council pass the Council Bill (CB).                     |            |                                    |                                                                                                                                                                |
|   |                                                                                                                | In Favor:  | 4                                  | Chair Strauss, Vice Chair Mosqueda, Member Lewis, Member Pedersen                                                                                              |
|   |                                                                                                                | Opposed:   | 0                                  |                                                                                                                                                                |
| 1 | City Council                                                                                                   | 03/02/2020 | passed                             | Pass                                                                                                                                                           |
|   | <b>Action Text:</b> The Council Bill (CB) was passed by the following vote, and the President signed the Bill: |            |                                    |                                                                                                                                                                |
|   |                                                                                                                | In Favor:  | 7                                  | Councilmember Herbold, Councilmember Lewis, Councilmember Morales, Councilmember Mosqueda, Councilmember Pedersen, Councilmember Sawant, Councilmember Strauss |
|   |                                                                                                                | Opposed:   | 0                                  |                                                                                                                                                                |
| 1 | City Clerk                                                                                                     | 03/04/2020 | submitted for<br>Mayor's signature | Mayor                                                                                                                                                          |
| 1 | Mayor                                                                                                          | 03/05/2020 | Signed                             |                                                                                                                                                                |
| 1 | Mayor                                                                                                          | 03/05/2020 | returned                           | City Clerk                                                                                                                                                     |
| 1 | City Clerk                                                                                                     | 03/05/2020 | attested by City Clerk             |                                                                                                                                                                |
|   | <b>Action Text:</b> The Ordinance (Ord) was attested by City Clerk.                                            |            |                                    |                                                                                                                                                                |

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**CITY OF SEATTLE**

**ORDINANCE** 126051

**COUNCIL BILL** 119748

AN ORDINANCE relating to historic preservation; imposing controls upon the Sunset Telephone & Telegraph Exchange, 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 April 17, 2019, voted to approve the nomination of the improvement located at 1608 4th Avenue West and the site on which the improvement is located (which are collectively referred to as the "Sunset Telephone & Telegraph Exchange") for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 5, 2019, the Board voted to approve the designation of the Sunset Telephone & Telegraph Exchange under SMC Chapter 25.12; and

WHEREAS, on October 16, 2019, the Board and the Sunset Telephone & Telegraph Exchange'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 1608 4th Avenue West and the site on which the improvement is located (which are collectively referred to as the “Sunset Telephone & Telegraph Exchange”) is acknowledged.

A. Legal Description. The Sunset Telephone & Telegraph Exchange is located on the property legally described as:

Lots 8-9, Block 26, Laws 2nd Addition to the City of Seattle, as recorded in Volume 1 of Plats, Page 53, in 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 Sunset Telephone & Telegraph Exchange:

1. The site.

2. The exterior of the building.

C. Basis of Designation. The designation was made because the Sunset Telephone & Telegraph Exchange 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 provision: 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).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Sunset Telephone & Telegraph Exchange that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection A.2 or subsection B of this section, 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 Sunset Telephone & Telegraph Exchange 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 Sunset Telephone & Telegraph Exchange that were designated by the Board for preservation.

b. Removal of trees less than 6 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.

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 B.3 of this section according to the following procedure:

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

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

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

12 3. CHPO approval of alterations or significant changes to the features or  
13 characteristics of the Sunset Telephone & Telegraph Exchange that were designated by the Board  
14 for preservation is available for the following:

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

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

21 c. Removal of trees more than 6 inches in diameter measured 4 1/2 feet  
22 above ground, identified as a hazard by an International Society of Arboriculture (ISA) Certified  
23 Arborist.

d. Installation, removal, or alteration of exterior building and site signage.

e. Installation, removal, or alteration 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. Installing windows and doors in reconstructed original masonry  
openings.

i. Replacement of non-original windows or doors when located in original  
openings.

j. Removal, replacement, or alteration of rear exterior stair and fire escape.

Section 3. Incentives. The following incentives are granted on the features or  
characteristics of the Sunset Telephone & Telegraph Exchange 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 Sunset Telephone & Telegraph Exchange is added alphabetically to  
7 Section II, Buildings, of 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 Sunset Telephone & Telegraph Exchange's  
12 owner.

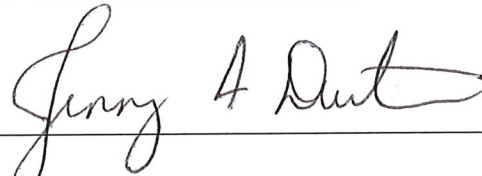
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 2nd day of March, 2020,  
and signed by me in open session in authentication of its passage this 2nd day of March, 2020.



President Pro Tem of the City Council

Approved by me this 5<sup>th</sup> day of March, 2020.



Jenny A. Durkan, Mayor

Filed by me this 5<sup>th</sup> day of MARCH, 2020.



Monica Martinez Simmons, City Clerk

(Seal)



**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 126051

**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

Lot 8-9, Block 26, Laws 2<sup>nd</sup> Addition to the City of Seattle, as recorded in Volume 1 of Plats, Page 53, in King County, Washington.

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

# 4232902100

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

Telephone & Telegraph Exchange, 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 April 17, 2019, voted to approve the nomination of the improvement located at 1608 4th Avenue West and the site on which the improvement is located (which are collectively referred to as the “Sunset Telephone & Telegraph Exchange”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 5, 2019, the Board voted to approve the designation of the Sunset Telephone & Telegraph Exchange under SMC Chapter 25.12; and

WHEREAS, on October 16, 2019, the Board and the Sunset Telephone & Telegraph Exchange’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,

5 “Sunset Telephone & Telegraph Exchange”) is acknowledged.

6 A. Legal Description. The Sunset Telephone & Telegraph Exchange is located on the  
7 property legally described as:

8 Lots 8-9, Block 26, Laws 2nd Addition to the City of Seattle, as recorded in  
9 Volume 1 of Plats, Page 53, in King County, Washington.

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11 designated the following specific features or characteristics of the Sunset Telephone & Telegraph  
12 Exchange:

13 1. The site.

14 2. The exterior of the building.

15 C. Basis of Designation. The designation was made because the Sunset Telephone &  
16 Telegraph Exchange is more than 25 years old; has significant character, interest, or value as a  
17 part of the development, heritage, or cultural characteristics of the City, state, or nation; has  
18 integrity or the ability to convey its significance; and satisfies the following SMC 25.12.350  
19 provision: it is associated in a significant way with a significant aspect of the cultural, political,  
20 or economic heritage of the community, City, state, or nation (SMC 25.12.350.C).

21 Section 2. Controls. The following controls are imposed on the features or characteristics  
22 of the Sunset Telephone & Telegraph Exchange that were designated by the Board for  
23 preservation:

5 alterations or significant changes to the features or characteristics of the Sunset Telephone &  
6 Telegraph Exchange 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 characteristics of  
9 the Sunset Telephone & Telegraph Exchange that were designated by the Board for preservation.

10 b. Removal of trees less than 6 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 underground  
14 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.

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

21 1. The City Historic Preservation Officer may review and approve alterations or  
22 significant changes to the features or characteristics listed in subsection B.3 of this section  
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5 Chapter 25.12, the CHPO shall approve the alterations or significant changes without further  
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17 and other similar mechanical, electrical, and telecommunication elements necessary for the  
18 normal operation of the building or site.

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

21 c. Removal of trees more than 6 inches in diameter measured 4 1/2 feet  
22 above ground, identified as a hazard by an International Society of Arboriculture (ISA) Certified  
23 Arborist.

- 5 g. Changes to exterior paint colors when painting a previously painted  
6 material.
- 7 h. Installing windows and doors in reconstructed original masonry  
8 openings.
- 9 i. Replacement of non-original windows or doors when located in original  
10 openings.
- 11 j. Removal, replacement, or alteration of rear exterior stair and fire escape.
- 12 Section 3. Incentives. The following incentives are granted on the features or  
13 characteristics of the Sunset Telephone & Telegraph Exchange that were designated by the Board  
14 for preservation:
- 15 A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by  
16 means of an administrative conditional use permit issued under SMC Title 23.
- 17 B. Exceptions to certain of the requirements of the Seattle Building Code, adopted by  
18 SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be  
19 authorized according to the applicable provisions.
- 20 C. Special tax valuation for historic preservation may be available under chapter 84.26  
21 RCW upon application and compliance with the requirements of that statute.

5 SMC 25.12.910.

6 Section 5. The Sunset Telephone & Telegraph Exchange is added alphabetically to

7 Section II, Buildings, of 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 Sunset Telephone & Telegraph Exchange's

12 owner.

5 and signed by me in open session in authentication of its passage this 2nd day of  
6 March, 2020.

7 Mosqueda  
8 President Pro Tem of the City Council

9 Approved by me this 5<sup>th</sup> day of March, 2020.

10 Jenny A Durkan  
11 Jenny A. Durkan, Mayor

12 Filed by me this 5<sup>th</sup> day of MARCH, 2020.

13 Monica Martinez Simmons  
14 Monica Martinez Simmons, City Clerk

15 (Seal)

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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383545

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:126048-126051 TITLE

was published on

03/30/20

The amount of the fee charged for the foregoing publication is the sum of \$98.73.



Affidavit of Publication

A handwritten signature in blue ink, likely belonging to the subscriber, positioned above the signature line.

Subscribed and sworn to before me on

03/30/2020

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 March 02, 2020, 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 126048**

#### **Council Bill 119750**

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 62 of the Official Land Use Map to rezone property located at 4544, 4550, and 4600 Union Bay Place NE from Commercial 2-55 (M) (C2-55 (M)) to Commercial 2-65 (M1) (C2-65 (M1)); and accepting a Property Use and Development Agreement as a condition of rezoning approval. (Petition by Barrientos Ryan LLC, C.F. 314434, SDCI Project 3030253-LU)

### **Ordinance 126049**

#### **Council Bill 119751**

AN ORDINANCE appropriating money to pay certain audited claims for the week of February 17, 2020 through February 21, 2020 and ordering the payment thereof.

### **Ordinance 126050**

#### **Council Bill 119749**

AN ORDINANCE relating to historic preservation; imposing controls upon the University of Washington Eagleson Hall, 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 126051**

#### **Council Bill 119748**

AN ORDINANCE relating to historic preservation; imposing controls upon the Sunset Telephone & Telegraph Exchange, 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 of publication in the Seattle Daily Journal of Commerce, March 30, 2020.

3/30(383545)