



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118861

Record No.: CB 118861

Type: Ordinance (Ord)

Status: Passed

Version: .1

Ord. no: Ord 125216

In Control: City Clerk

File Created: 10/05/2016

Final Action: 12/08/2016

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the University Heights 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: 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

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	11/01/2016	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>	The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk					
	<b>Notes:</b>						
1	City Clerk	11/01/2016	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					
	<b>Notes:</b>						
1	Council President's Office	11/09/2016	sent for review	Affordable Housing, Neighborhoods, and Finance Committee			
	<b>Action Text:</b>	The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee					

Notes:

- |   |  |  |                                    |  |      |
|---|--|--|------------------------------------|--|------|
| 1 | Full Council   | 11/14/2016   | referred                           | Affordable<br>Housing,<br>Neighborhoods,<br>and Finance<br>Committee   |      |
| 1 | Affordable Housing,<br>Neighborhoods, and<br>Finance Committee | 11/22/2016   | pass                               |  | Pass |
|   | <b>Action Text:</b>  | The Committee recommends that Full Council pass the Council Bill (CB).                     |                                    |  |      |
|   | <b>Notes:</b>  |  |                                    |  |      |
|   |  | In Favor:  | 2                                  | Chair Burgess, Vice Chair Herbold  |      |
|   |  | Opposed:   | 0                                  |  |      |
|   |  | Absent(NV):  | 1                                  | Member Johnson   |      |
| 1 | Full Council   | 11/28/2016   | passed                             |  | Pass |
|   | <b>Action Text:</b>  | The Council Bill (CB) was passed by the following vote, and the President signed the Bill: |                                    |  |      |
|   | <b>Notes:</b>  |  |                                    |  |      |
|   |  | In Favor:  | 5                                  | Councilmember Bagshaw, Councilmember Burgess, Council President Harrell, Councilmember Johnson, Councilmember Juarez |      |
|   |  | Opposed:   | 0                                  |  |      |
| 1 | City Clerk   | 11/29/2016   | submitted for<br>Mayor's signature | Mayor  |      |
| 1 | Mayor  | 12/08/2016   | Signed                             |  |      |
| 1 | Mayor  | 12/08/2016   | returned                           | City Clerk   |      |
| 1 | City Clerk   | 12/08/2016   | attested by City<br>Clerk          |  |      |
|   | <b>Action Text:</b>  | The Ordinance (Ord) was attested by City Clerk.  |                                    |  |      |
|   | <b>Notes:</b>  |  |                                    |  |      |
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CITY OF SEATTLE

ORDINANCE 125216

COUNCIL BILL 118861

AN ORDINANCE relating to historic preservation; imposing controls upon the University Heights 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 January 19, 1977, voted to approve the nomination of the improvement located at 5031 University Way Northeast and the site on which the improvement is located (which collectively are referred to as the “University Heights School” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting, the City Council voted to approve the designation of the University Heights School under SMC Chapter 25.12; and

WHEREAS, on November 2, 2011, the Board and the owners of the designated landmark agreed to controls and incentives on the portion of the landmark referred to as the “Community Center” for the purposes of this ordinance; and

WHEREAS, on May 4, 2016, the Board and the owners of the designated landmark agreed to controls and incentives on the portion of the landmark referred to as “Parks’ Lot” for the purposes of this ordinance; and

1 WHEREAS, the Board recommends that the City Council enact a designating ordinance  
2 approving the controls and incentives on both portions of the University Heights School;

3 NOW, THEREFORE,

4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 Section 1. DESIGNATION: Pursuant to Seattle Municipal Code (SMC) 25.12.660, the  
6 designation by the Landmarks Preservation Board (“Board”) of the improvement located at 5031  
7 University Way Northeast and the site on which the improvement is located (which collectively  
8 are referred to as the “University Heights School” for the purposes of this ordinance) is hereby  
9 acknowledged.

10 A. Legal Description. The University Heights School comprises two properties,  
11 described as “Community Center” and “Parks’ Lot” for purposes of this ordinance. The  
12 properties are legally described as:

13 Community Center:

14 Lots 1 through 9, inclusive and Lots 16 through 26, inclusive, Block 6, University  
15 Heights, an addition to the City of Seattle, according to the plat thereof recorded  
16 in Volume 9 of Plats, Page 41, records of King County, Washington.

17 Together with that portion of the alley contained within said Block 6 lying  
18 between said Lots 1 through 9 and Lots 18 through 26, as vacated by City of  
19 Seattle Ordinance No. 8361 as attached by operation of law.

20 Except the east 10 feet of said Block 6 taken for the widening of University Way  
21 by City of Seattle Ordinance No. 55773.

22 Situate in the City of Seattle, County of King, State of Washington.

23 AND

24 Lots 14 and 15, inclusive, Block 6, University Heights, an addition to the City of  
25 Seattle, according to the plat thereof recorded in Volume 9 of Plats, Page 41,  
26 records of King County, Washington.

27 Except that portion of Lot 14 conveyed to the City of Seattle for street purposes  
28 by deed recorded under Recording No. 20010801001604.

1                    Parks' Lot:

2                    Lots 10 through 13, inclusive, Block 6, University Heights, an addition to the City  
3                    of Seattle, according to the plat thereof recorded in Volume 9 of Plats, Page 41,  
4                    records of King County, Washington.

5                    Except the east 10 feet of said Block 6 taken for the widening of University Way  
6                    by City of Seattle Ordinance No. 55773.

7                    Except that portion of Lot 13 conveyed to the City of Seattle for street purposes  
8                    by deed recorded under Recording No. 20010801001604.

9                    Situate in the County of King, State of Washington.

10                  B.        Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,

11 the Board designated the following specific features or characteristics of the University Heights

12 School:

- 13                    1.        The site.
- 14                    2.        The exterior of the school building.
- 15                    3.        The following elements of the school building interior: main circulation

16 halls and stairway areas.

17                  C.        Basis of Designation. The designation was made because the University Heights

18 School is more than 25 years old, has significant character, interest, or value as a part of the  
19 development, heritage, or cultural characteristics of the City, state, or nation, has integrity or the  
20 ability to convey its significance, and satisfies the following from SMC 25.12.350:

- 21                    1.        It is associated in a significant way with a significant aspect of the  
22 cultural, political, or economic heritage of the community, City, state, or nation (SMC  
23 25.12.350.C);
- 24                    2.        It embodies the distinctive visible characteristics of an architectural style,  
25 or period, or of a method of construction (SMC 25.12.350.D);
- 26                    3.        It is an outstanding work of a designer or builder (SMC 25.12.350.E); and

1                   4.       Because of its prominence of spatial location, contrasts of siting, age, or  
2 scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to  
3 the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

4                   Section 2. CONTROLS: The following controls are hereby imposed on the features or  
5 characteristics of the University Heights School that were designated by the Board for  
6 preservation:

7                   A.       Certificate of Approval Process.

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

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

14                   a.       Any in-kind maintenance or repairs of the features or  
15 characteristics of the University Heights School that were designated by the Board for  
16 preservation.

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

20                   c.       At the Community Center – Installation, removal, or alterations of  
21 the following temporary site furnishings: benches; farmers’ market tents; movable planter  
22 boxes; raised garden beds; and P-Patch equipment.

1                   d.       At the Parks' Lot – Installation, removal, or alterations of the  
2 following temporary site furnishings: benches; movable planter boxes; trash receptacles; bike  
3 racks; and informational kiosks.

4                   e.       At the Parks' Lot – Installation, removal, or alterations of the  
5 following temporary installations not attached to buildings, structures or landscape features:  
6 farmers' market tents; tables; chairs; games; and art exhibits.

7                   f.       Installation, removal, or alterations of temporary window  
8 coverings.

9                   g.       Installation, removal, or alterations of temporary signage,  
10 temporary banners, signage for accessibility compliance, and other signage as required by City  
11 code.

12                  h.       Realignment, re-grading, and re-striping of the parking areas north,  
13 south, and west of the building.

14                  i.       Alterations of playground area surfacing for existing playground  
15 areas.

16                  j.       Installation, removal, or alterations of playground equipment in  
17 existing play areas.

18       B.       City Historic Preservation Officer Approval Process.

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

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

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

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

10                  3.       CHPO approval of alterations or significant changes to the features or  
11 characteristics of the University Heights School that were designated by the Board for  
12 preservation is available for the following:

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

16                  b.       Removal of trees of any size identified as a hazard by an  
17 International Society of Arboriculture (ISA) Certified Arborist.

18                  c.       Installation, removal, or alterations to light fixtures, exterior  
19 security lighting, and security system equipment.

20                  d.       Installation, removal, or alterations of non-illuminated exterior  
21 signage less than 6 square feet in area.

22                  e.       Alterations to the existing metal fencing, gates, and handrails on  
23 the site.



- 1 f. Paint color for masonry base of the school building.
- 2 g. Paint color for exterior doors of the school building.
- 3 h. Paint colors for the designated interior spaces of the school
- 4 building.
- 5 i. For Parks' Lot – City-funded art installations.

6 Section 3. INCENTIVES: The following incentives are hereby granted on the features or  
7 characteristics of the University Heights School that were designated by the Board for  
8 preservation:

9 A. Uses not otherwise permitted in a zone may be authorized in a designated  
10 landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

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

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

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

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

21 Section 5. The University Heights School is hereby added alphabetically to Section II,  
22 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

1           Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
2 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
3 deliver one copy to the Director of the Seattle Department of Construction and Inspections. The  
4 CHPO is directed to provide a certified copy of this ordinance to the owner of the landmark.

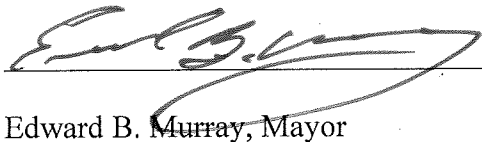
1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 28<sup>th</sup> day of November, 2016,  
5 and signed by me in open session in authentication of its passage this 28<sup>th</sup> day of  
6 November, 2016.

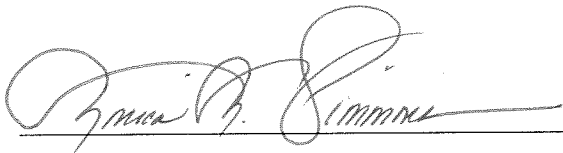
7 

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

9 Approved by me this 8<sup>th</sup> day of December, 2016.

10   
11 Edward B. Murray, Mayor

12 Filed by me this 8<sup>th</sup> day of December, 2016.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)