

CITY OF SEATTLE
ORDINANCE 126830
COUNCIL BILL 120565

AN ORDINANCE relating to historic preservation; imposing controls upon Daniel Bagley Elementary 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 May 6, 2015, voted to approve the nomination of the improvement located at 7821 Stone Avenue N and the site on which the improvement is located (which are collectively referred to as “Daniel Bagley Elementary School”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 17, 2015, the Board voted to approve the designation of Daniel Bagley Elementary School under SMC Chapter 25.12; and

WHEREAS, on February 16, 2022, the Board and Daniel Bagley Elementary 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,

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

2 Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation
3 by the Landmarks Preservation Board (“Board”) of the improvement located at 7821 Stone
4 Avenue N and the site on which the improvement is located (which are collectively referred to as
5 “Daniel Bagley Elementary School”) is acknowledged.

6 A. Legal Description. Daniel Bagley Elementary School is located on the property legally
7 described as:

8 West 660 feet of North 395 feet of Government Lot 2 in Northeast quarter (¼) of Section
9 06 Township 25N Range 04, less West 165 feet thereof less portions for streets; together
10 with North 10 inches of South 102.5 feet of North 500.01 feet of East 29 feet of West 200
11 feet of SD Government Lot 2.

12 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board
13 designated the following specific features or characteristics of Daniel Bagley Elementary School:

- 14 1. The site.
- 15 2. The exterior of the building.
- 16 3. The following portions of the interior: meeting room/cafeteria, central entrance
17 and associated corridor display, central stair at the first and second floors, corridors, and
18 classrooms.

19 C. Basis of Designation. The designation was made because Daniel Bagley Elementary
20 School is more than 25 years old; has significant character, interest, or value as a part of the
21 development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the
22 ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

- 23 1. It is associated in a significant way with a significant aspect of the cultural,
24 political, or economic heritage of the community, City, state or nation (SMC 25.12.350.C).

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

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

4 Section 2. Controls. The following controls are imposed on the features or characteristics
5 of Daniel Bagley Elementary School that were designated by the Board for preservation:

6 A. Certificate of Approval Process.

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

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

13 a. Any in-kind maintenance or repairs of the features or characteristics of
14 Daniel Bagley Elementary School that were designated by the Board for preservation.

15 b. Removal of trees less than 6 inches in diameter measured 4-1/2 feet
16 above ground.

17 c. Removal of mature trees that are not included in any of the following
18 categories:

19 1) Significant to the property's history or design, as outlined in the
20 nomination application.

21 2) A designated Heritage Tree on the City of Seattle/Plant
22 Amnesty list.

23 3) An Exceptional Tree per City of Seattle regulations.

1 d. Planting of new trees in locations that will never obscure the view of
2 designated features of the landmark, or physically undermine a built feature of the landmark.

3 e. Planting or removal of shrubs, perennials, or annuals, in locations that
4 will never obscure the view of designated features of the landmark, or physically undermine a
5 built feature of the landmark.

6 f. Installation, removal, or alteration of the following site furnishings:
7 benches, chairs, tables, swings, movable planters, trash/recycling receptacles, and bike racks.

8 g. Installation, removal, or alteration (including repair) of underground
9 irrigation and underground utilities, provided that the site is restored in kind.

10 h. Repaving and restriping of existing asphalt paved areas.

11 i. Installation, removal, or alteration of play equipment in existing outdoor
12 play areas.

13 j. Installation, removal, or alteration of signage for accessibility
14 compliance, school safety, and other signage as required by City code or Seattle Public Schools
15 safety signage for playgrounds; e.g., “No Guns” or “No Trespassing.”

16 k. Installation, removal, or alteration of a building identification sign
17 defined by the following criteria:

- 18 1) The sign shall be freestanding on the site.
- 19 2) The sign shall not be attached to built historic features.
- 20 3) The sign location shall not obscure the view of designated
21 features of the buildings or site.
- 22 4) The sign’s content may include the building name, street
23 address, and logo associated with the school’s identity.

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 Daniel Bagley Elementary School that were designated by the Board for
14 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/or 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. Installation of new single-story portable classrooms or a storage shed.

1 d. Removal of trees more than 6 inches in diameter measured 4-1/2 feet
2 above ground, when identified as a hazard by an International Society of Arboriculture (ISA)
3 Certified Arborist, and not already excluded from review in subsection 2.A.2.c of this ordinance.

4 e. Installation, removal, or alterations to fences, gates, and barriers.

5 f. Signage other than signage excluded in subsections 2.A.2.j and 2.A.2.k
6 of this ordinance.

7 g. Installation, removal, or alteration of improvements for safety or
8 accessibility compliance.

9 h. Installation, removal, or alteration of fire and life safety equipment.

10 i. Installation, removal, or alteration of painted murals and other art
11 installations located on features or characteristics of the landmark that were designated by the
12 Board for preservation, other than those excluded in subsection 2.A.2.o of this ordinance.

13 j. Installation, removal, or alteration of new learning gardens or play areas,
14 including expansions of their existing areas.

15 k. Installation, removal, or alteration of garden logs and boulders for
16 outdoor seating, and other landscape features or accessories.

17 l. Alterations or changes to interior features or characteristics of the
18 landmark that were designated by the Board for preservation.

19 m. Installation of photovoltaic panels on a building rooftop.

20 n. Changes to paint colors for any of the features or characteristics of the
21 landmark that were designated by the Board for preservation.

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

3 B. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle
4 Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable
5 provisions.

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

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

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

13 Section 5. Daniel Bagley Elementary School is added alphabetically to Section IV,
14 Schools, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

15 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
16 King County Recorder’s Office, deliver two certified copies to the CHPO, and deliver one copy
17 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed
18 to provide a certified copy of this ordinance to Daniel Bagley Elementary School’s owner.

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 23rd day of May, 2023,
5 and signed by me in open session in authentication of its passage this 23rd day of
6 May, 2023.

7 

8 President Pro Tem of the City Council

9 Approved / returned unsigned / vetoed this 1st day of June, 2023.

10 

11 Bruce A. Harrell, Mayor

12 Filed by me this 1st day of June, 2023.

13 

14 Anne Frantilla, Interim City Clerk

15 (Seal)

16 Attachments: