



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.

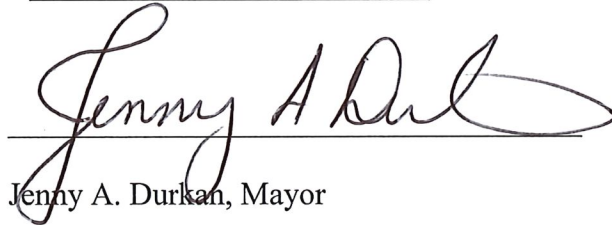
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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

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ORDINANCE 126016

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

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

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14 underground irrigation and underground utilities, provided that the site is restored in kind.

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16 benches; movable planters; trash/recycling receptacles; and bike racks.

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- 2 exterior security lighting, and security system equipment.
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- 4 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA)
- 5 Certified Arborist.
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- 7 signage.
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- 9 compliance.
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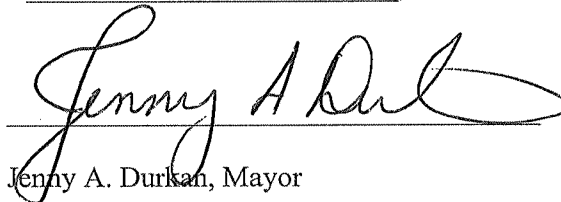
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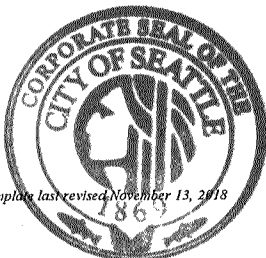
State of Washington,
County of King

(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