



## Legislation Details (With Text)

<b>File #:</b>	CB 118859	<b>Version:</b>	1	<b>Name:</b>	CB 118859
<b>Type:</b>	Ordinance (Ord)	<b>Status:</b>	Passed	<b>In control:</b>	City Clerk
<b>On agenda:</b>	11/28/2016				
<b>Final Action:</b>	12/8/2016	<b>Ord. No.</b>	125214		
<b>Title:</b>	AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Telephone & Telegraph Garfield 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.				
<b>Sponsors:</b>	Tim Burgess				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Summary and Fiscal Note, 2. Summary Ex A – Vicinity Map of Pacific Telephone and Telegraph, 3. Landmarks Preservation Board Report, 4. Photos, 5. Presentation, 6. Affidavit of Publication, 7. Signed Ordinance 125214				

Date	Ver.	Action By	Action	Result
12/8/2016	1	City Clerk	attested by City Clerk	
12/8/2016	1	Mayor	returned	
12/8/2016	1	Mayor	Signed	
11/29/2016	1	City Clerk	submitted for Mayor's signature	
11/28/2016	1	City Council	passed	Pass
11/22/2016	1	Affordable Housing, Neighborhoods, and Finance Committee	pass	Pass
11/14/2016	1	City Council	referred	
9/26/2016	1	Council President's Office	sent for review	
9/20/2016	1	City Clerk	sent for review	
9/19/2016	1	Mayor	Mayor's leg transmitted to Council	

## CITY OF SEATTLE

## ORDINANCE \_\_\_\_\_

## COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Telephone & Telegraph Garfield 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 March 16, 2016, voted to approve the nomination of the improvement located at 1529 4th Avenue West and the site on which the improvement is located (which collectively are referred to as the “Pacific Telephone & Telegraph Garfield Exchange” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 20, 2016, the Board voted to approve the designation of the Pacific Telephone & Telegraph Garfield Exchange under SMC Chapter 25.12; and

WHEREAS, on July 6, 2016, the Board and the owner of the designated landmark agreed to controls and incentives; 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: Pursuant to Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 1529 4th Avenue West and the site on which the improvement is located (which collectively are referred to as the “Pacific Telephone & Telegraph Garfield Exchange” for the purposes of this ordinance) is hereby acknowledged.

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

Lots 1, 2, and 3 and the North 10 Feet of Lot 4 in block 38 of Law’s Second Addition to the City of Seattle, according to the Plat Recorded in Volume 1 of Plats at Page 53A, in King County, Washington.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Pacific Telephone & Telegraph Garfield

Exchange:

1. The site; and
2. The exterior of the building.

C. Basis of Designation. The designation was made because the Pacific Telephone & Telegraph Garfield 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 from SMC 25.12.350:

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

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Pacific Telephone & Telegraph Garfield Exchange 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 pursuant 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 Pacific Telephone & Telegraph Garfield 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 Pacific Telephone & Telegraph Garfield Exchange that were designated by the Board for preservation.
  - b. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

- c. Installation, removal, or alteration of the following temporary site furnishings: benches; movable planter boxes; and movable water features.
- d. Installation or repair of underground utilities and irrigation, provided that the site is restored in kind.
- e. Installation, removal, or alteration of temporary interior window coverings.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) 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 Pacific Telephone & Telegraph Garfield Exchange that were designated by the Board for preservation is available for the following:

- a. For the specified features and characteristics of the building, the addition or elimination of fire escapes, ducts, conduits, HVAC vents, grilles, pipes, and other similar wiring or mechanical

elements necessary for the normal operation of the building.

- b. Removal of hazardous trees more than 8 inches in diameter measured 4 1/2 feet above the ground.
- c. Installation, removal, or alterations of building and landscape lighting; and exterior security equipment.
- d. Installation, removal, or alterations of exterior signage.
- e. Removal or alterations of wire mesh and fire shutters at windows.
- f. Proposed replacement of windows, when submission includes detailed condition survey of all windows and exploration of the rehabilitation of existing windows.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of the Pacific Telephone & Telegraph Garfield 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 pursuant to SMC Title 23.
- B. Exceptions to certain of the requirements of the Seattle Building Code, SMC Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.
- C. Special tax valuation for historic preservation may be available under RCW Chapter 84.26 upon application and compliance with the requirements of that statute.
- D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted pursuant to SMC Title 23.

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

Section 5. The Pacific Telephone & Telegraph Garfield Exchange is hereby added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

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 \_\_\_\_\_ day of \_\_\_\_\_, 2016, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)