

**CITY OF SEATTLE**  
**ORDINANCE** 126630  
**COUNCIL BILL** 120361

AN ORDINANCE relating to historic preservation; imposing controls upon the Loyal Heights 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 February 3, 2015, voted to approve the nomination of the improvement located at 2501 NW 80th Street and the site on which the improvement is located (which are collectively referred to as the “Loyal Heights Elementary School”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on March 18, 2015, the Board voted to approve the designation of the Loyal Heights Elementary School under SMC Chapter 25.12; and

WHEREAS, on May 5, 2021, the Board and the Loyal Heights 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 2501 NW 80th  
4 Street and the site on which the improvement is located (which are collectively referred to as the  
5 “Loyal Heights Elementary School”) is acknowledged.

6 A. Legal Description. The Loyal Heights Elementary School is located on the property  
7 legally described as:

8 Block 11, Loyal Heights Division # 6 & Vacated Alley, Recorded in Volume 19 of Plats  
9 page 82, Records of King County, Washington.

10 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board  
11 designated the following specific features or characteristics of the Loyal Heights Elementary  
12 School:

- 13 1. The site.
- 14 2. The exteriors of the 1932 building and 1946 addition.
- 15 3. The interior corridors, stairways, classrooms, and auditorium/lunchroom.

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

- 20 1. It is associated in a significant way with a significant aspect of the cultural,  
21 political, or economic heritage of the community, City, state, or nation (SMC 25.12.350.C).
- 22 2. It embodies the distinctive visible characteristics of an architectural style, or  
23 period, or of a method of construction (SMC 25.12.350.D).

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

4                   Section 2. Controls. The following controls are imposed on the features or characteristics  
5 of the Loyal Heights 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 the Loyal  
11 Heights 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 the Loyal Heights 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, and 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 5) The sign shall not be internally illuminated.

2 6) The sign shall be no more than 30 square feet in area, and the  
3 top of the sign shall not exceed 4 feet above grade.

4 l. Removal of non-historic portable classroom buildings.

5 m. Installation of new single-story portable classrooms or a storage shed,  
6 when located within the area illustrated in Attachment A.

7 n. Installation or removal of interior, temporary window shading devices  
8 that are operable and do not obscure the glazing when in the open position.

9 o. Installation, removal, or alteration of curbs, bollards, or wheelstops in  
10 parking areas.

11 p. Installation or removal of artwork located at designated areas of the  
12 building interior, when fastened to gypsum wallboard surfaces.

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

14 1. The CHPO may review and approve alterations or significant changes to the  
15 features or characteristics listed in subsection 2.B.3 of this ordinance according to the following  
16 procedure:

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

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

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

6                   3. CHPO approval of alterations or significant changes to the features or  
7 characteristics of the Loyal Heights Elementary School that were designated by the Board for  
8 preservation is available for the following:

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

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

15                   c. Installation of new single-story portable classrooms or a storage shed,  
16 when located outside of the area approved in subsection 2.A.2.m of this ordinance.

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

20                   e. Installation, removal, or alteration to fences, gates, and barriers.

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

1 g. Installation, removal, or alteration of improvements for safety, or  
2 accessibility compliance.

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

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

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

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

11 l. Alterations to interior features or characteristics of the landmark that  
12 were designated by the Board for preservation.

13 m. Installation of photovoltaic panels.

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

16 o. Replacement of non-historic doors and windows within original  
17 openings, when the staff determines that the design intent is consistent with the *Secretary of the*  
18 *Interior's Standards for Rehabilitation*.

19 p. Emergency repairs or measures (including immediate action to secure  
20 the area, install temporary equipment, and employ stabilization methods as necessary to protect  
21 the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to  
22 the buildings or site as related to a seismic or other unforeseen event. Following such an  
23 emergency, the owner shall adhere to the following:

1                                   1) The owner shall immediately notify the City Historic  
2 Preservation Officer and document the conditions and actions the owner took.

3                                   2) If temporary structural supports are necessary, the owner shall  
4 make all reasonable efforts to prevent further damage to historic resources.

5                                   3) The owner shall not remove historic building materials from the  
6 site as part of the emergency response.

7                                   4) In consultation with the City Historic Preservation Officer and  
8 staff, the owner shall adopt and implement a long-term plan to address any damage through  
9 appropriate solutions.

10                   Section 3. Incentives. The following incentives are granted on the features or  
11 characteristics of the Loyal Heights Elementary School that were designated by the Board for  
12 preservation:

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

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

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

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




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

3           Section 5. The Loyal Heights Elementary School is added alphabetically to Section IV,  
4 Schools, of the Table of Historical Landmarks contained in SMC Chapter 25.32.


5           Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
6 King County Recorder’s Office, deliver two certified copies to the CHPO, and deliver one copy  
7 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
8 to provide a certified copy of this ordinance to the Loyal Heights 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 19th day of July, 2022,  
5 and signed by me in open session in authentication of its passage this 19th day of  
6 July, 2022.

7   
8 \_\_\_\_\_  
9 President \_\_\_\_\_ of the City Council

9  Approved /  returned unsigned /  vetoed this 27th day of July, 2022.

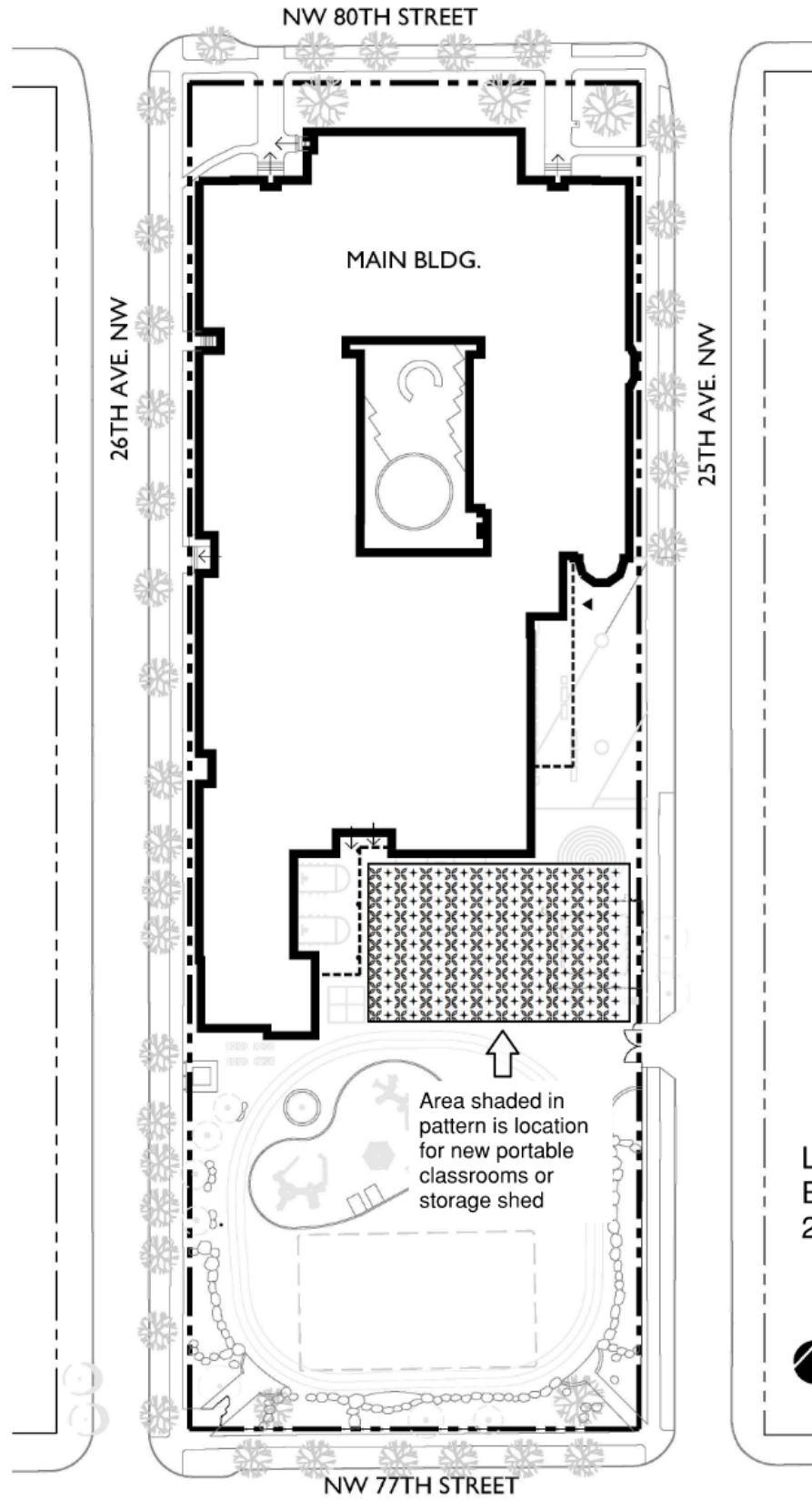
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11 \_\_\_\_\_  
12 Bruce A. Harrell, Mayor

12 Filed by me this 27th day of July, 2022.

13   
14 \_\_\_\_\_  
15 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)

16 Attachments:  
17 Attachment A - Architectural Site Plan for Loyal Heights ES



### Attachment A

- Legend:**  
▲ Entrance  
◀ Exits

Site Area: 2.85 Acres  
Zoning : SF 5000  
Total Bldg. Area: 88,139 S.F.

LOYAL HEIGHTS  
ELEMENTARY SCHOOL  
2501 NW 80th Street

1 ARCHITECTURAL SITE PLAN  
SCALE: 1"= 70'-0"

