



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119348

Record No.: CB 119348

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125674

In Control: City Clerk

File Created: 07/24/2018

Final Action: 10/05/2018

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon Anhalt Hall, 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:

Drafter: erin.doherty@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

Yes

No

| Ver-<br>sion: | Acting Body:  | Date:      | Action:                                  | Sent To:                                  | Due Date: | Return<br>Date: | Result: |
|---------------|---|------------|--|---|-----------|-----------------|---------|
| 1             | Mayor   | 08/14/2018 | Mayor's leg<br>transmitted to<br>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  | 08/14/2018 | sent for review                          | Council<br>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<br>Office   | 08/17/2018 | sent for review                          | Finance and<br>Neighborhoods<br>Committee |           |                 |         |
|               | <b>Action Text:</b> The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee |            |  |   |           |                 |         |
|               | <b>Notes:</b>   |            |  |   |           |                 |         |

Legislative Summary Continued (CB 119348)

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|   |   |   |                                    |   |      |
|---|---|---|------------------------------------|---|------|
| 1 | City Council                              | 09/10/2018  | referred                           | Finance and<br>Neighborhoods<br>Committee |      |
| 1 | Finance and<br>Neighborhoods<br>Committee | 09/19/2018  | pass                               |   | Pass |
|   | <b>Action Text:</b>                       | The Committee recommends that City Council pass the Council Bill (CB).  |                                    |   |      |
|   |   | In Favor: 2 Chair Bagshaw, Vice Chair González  |                                    |   |      |
|   |   | Opposed: 0  |                                    |   |      |
| 1 | City Council                              | 09/24/2018  | 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: 8 Councilmember Bagshaw, Councilmember González , Council<br>President Harrell, Councilmember Herbold, Councilmember Johnson,<br>Councilmember Juarez, Councilmember O'Brien, Councilmember<br>Sawant |                                    |   |      |
|   |   | Opposed: 0  |                                    |   |      |
| 1 | City Clerk                                | 09/26/2018  | submitted for<br>Mayor's signature | Mayor                                     |      |
| 1 | Mayor                                     | 10/05/2018  | Signed                             |   |      |
| 1 | Mayor                                     | 10/05/2018  | returned                           | City Clerk                                |      |
| 1 | City Clerk                                | 10/05/2018  | attested by City Clerk             |   |      |
|   | <b>Action Text:</b>                       | The Ordinance (Ord) was attested by City Clerk.   |                                    |   |      |
|   | <b>Notes:</b>                             |   |                                    |   |      |

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**CITY OF SEATTLE**

**ORDINANCE** 125674

**COUNCIL BILL** 119348

AN ORDINANCE relating to historic preservation; imposing controls upon Anhalt Hall, 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 April 4, 2018, voted to approve the nomination of the improvement located at 711 Northeast 43rd Street and the site on which the improvement is located (which are collectively referred to as “Anhalt Hall”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on May 16, 2018, the Board voted to approve the designation of Anhalt Hall under SMC Chapter 25.12; and

WHEREAS, on July 18, 2018, the Board and Anhalt Hall’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,

**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 711 Northeast

1 43rd Street and the site on which the improvement is located (which are collectively referred to  
2 as “Anhalt Hall”) is acknowledged.

3 A. Legal Description. Anhalt Hall is located on the property legally described as:

4 Lots 51 & 52, Block 5, Lake View Addition to the City of Seattle according to the Plat  
5 recorded in Volume 5 of Plats, page 34, Records of King County, Washington.

6 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the  
7 Board designated the following specific features or characteristics of Anhalt Hall:

8 1. The site.

9 2. The exterior of the building.

10 C. Basis of Designation. The designation was made because Anhalt Hall is more than  
11 25 years old; has significant character, interest, or value as a part of the development, heritage, or  
12 cultural characteristics of the City, state, or nation; has integrity or the ability to convey its  
13 significance; and satisfies the following SMC 25.12.350 provisions:

14 1. It is associated in a significant way with a significant aspect of the  
15 cultural, political, or economic heritage of the community, City, state, or nation (SMC  
16 25.12.350.C).

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

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

22 Section 2. Controls. The following controls are imposed on the features or characteristics  
23 of Anhalt Hall that were designated by the Board for preservation:

1           A.     Certificate of Approval Process.

2                   1.     Except as provided in subsection 2.A.2 or subsection 2.B of this  
3 ordinance, the owner must obtain a Certificate of Approval issued by the Board according to  
4 SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before  
5 the owner may make alterations or significant changes to the features or characteristics of Anhalt  
6 Hall that were designated by the Board for preservation.

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

8                           a.     Any in-kind maintenance or repairs of the features or  
9 characteristics of Anhalt Hall that were designated by the Board for preservation.

10                           b.     Removal and replacement of the following landscape elements:  
11 trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and  
12 annuals.

13                           c.     Installation, removal, or alteration (including repair) of  
14 underground irrigation and underground utilities, provided that the site is restored in kind.

15                           d.     Installation, removal, or alteration of the following site furnishings:  
16 benches, movable planters, trash/recycling receptacles, and bike racks.

17                           e.     Installation or removal of interior, temporary window shading  
18 devices that are operable, and therefore do not obscure the glazing when in the open position.

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

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

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

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

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

12                  3.       CHPO approval of alterations or significant changes to the features or  
13 characteristics of Anhalt Hall that were designated by the Board for preservation is available for  
14 the following:

15                  a.       The installation, alteration, or removal of ducts, conduits, HVAC  
16 vents, grills, fire escapes, pipes, meters and utility connections, downspouts and gutters, and  
17 other similar wiring or mechanical elements necessary for the normal operation of the building  
18 and site.

19                  b.       Installation, removal, or alterations of exterior light fixtures,  
20 exterior security lighting, and security system equipment for the building and site.

21                  c.       Removal of trees more than 8 inches in diameter measured 4 1/2  
22 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA)  
23 Certified Arborist.

- 1 d. Installation, removal, or alteration of signage.
- 2 e. Installation of improvements for safety or accessibility compliance.
- 3 f. Installation of fire and life safety equipment.
- 4 g. Exterior paint colors, when painting previously painted materials.
- 5 h. The alteration of the non-original egress stair structure at the south  
6 facade.
- 7 i. The installation, alteration, or replacement of hardscape, and any  
8 alteration to parking curbs or parking materials in the existing parking area on the west side of  
9 the building
- 10 j. The alteration of non-original window well protection at the west  
11 facade.
- 12 k. The alteration or installation of fences or screens on the south  
13 property line or within the rear (south) yard of the property.

14 Section 3. Incentives. The following incentives are granted on the features or  
15 characteristics of Anhalt Hall that were designated by the Board for preservation:

- 16 A. Uses not otherwise permitted in a zone may be authorized in a designated  
17 landmark by means of an administrative conditional use permit issued under SMC Title 23.
- 18 B. Exceptions to certain of the requirements of the Seattle Building Code, adopted  
19 by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be  
20 authorized according to the applicable provisions.
- 21 C. Special tax valuation for historic preservation may be available under chapter  
22 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. Anhalt Hall is added alphabetically to Section II, Buildings, of the Table of  
7 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 Anhalt Hall'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 24<sup>th</sup> day of September, 2018,  
5 and signed by me in open session in authentication of its passage this 24<sup>th</sup> day of  
6 September, 2018.

7 

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

9 Approved by me this 5<sup>th</sup> day of October, 2018.

10 

11 Jenny A. Dufkan, Mayor

12 Filed by me this 5<sup>th</sup> day of OCTOBER, 2018.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)