



SEATTLE CITY COUNCIL

Legislative Summary

CB 118154

Record No.: CB 118154

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 2

124717

In Control: City Clerk

File Created: 02/04/2015

Final Action: 02/27/2015

Title: AN ORDINANCE relating to historic preservation, imposing controls upon the Yesler Terrace Steam Plant, 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: jaci.dahlvang@seattle.gov

Filing Requirements/Dept Action:

Approval History

Version	Date	Approver	Action
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History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1 Full Council 07/21/2014 referred

Seattle Public Utilities and Neighborhoods Committee

Action Text: The Council Bill (CB) was referred to the Seattle Public Utilities and Neighborhoods Committee

Notes:

CITY OF SEATTLE

ORDINANCE 124717

COUNCIL BILL 118154

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4 AN ORDINANCE relating to historic preservation, imposing controls upon the Yesler Terrace
5 Steam Plant, a landmark designated by the Landmarks Preservation Board under Chapter
6 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks
7 contained in Chapter 25.32 of the Seattle Municipal Code.

8 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
9 establishes a procedure for the designation and preservation of sites, improvements, and
10 objects having historical, cultural, architectural, engineering, or geographic significance;
11 and

12 WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on August 18,
13 2010, voted to approve the nomination of the improvement located at 120 8th Avenue
14 (which is referred to as the "Yesler Terrace Steam Plant" for the purposes of this
15 ordinance) for designation as a landmark under SMC Chapter 25.12; and

16 WHEREAS, after a public meeting on October 6, 2010, the Board voted to approve the
17 designation of the Yesler Terrace Steam Plant under SMC Chapter 25.12; and

18 WHEREAS, on January 15, 2014, the Board and the owner of the designated landmark agreed to
19 controls and incentives; and

20 WHEREAS, the Board recommends that the City Council enact a designating ordinance
21 approving the controls and incentives; NOW, THEREFORE,

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

23 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the
24 Landmarks Preservation Board (Board) of the improvement located at 120 8th Avenue (which is
25 referred to as the "Yesler Terrace Steam Plant" for the purposes of this ordinance) is hereby
26 acknowledged.
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1 A. Legal Description. The Yesler Terrace Steam Plant is located on the property
2 legally described as:

3 Block 2, Lot 1, Yesler Terrace Community, according to the plat thereof recorded on December
4 9, 2014, as Instrument No. 20141209001425, in Volume 267 of Plats, Pages 59-75, in King
5 County, Washington.

6
7
8 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
9 the following specific features or characteristics of the Yesler Terrace Steam Plant are
10 designated: the exterior of the building.

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

- 16 1. It embodies the distinctive visible characteristics of an architectural style, period,
17 or a method of construction (SMC 25.12.350.D).
18
19 2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it
20 is an easily identifiable visual feature of its neighborhood or City and contributes
21 to the distinctive quality or identity of such neighborhood or the City (SMC
22 25.12.350.F).

23 Section 2. CONTROLS: The following controls are hereby imposed on the features or
24 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
25 preservation:
26

1 A. Certificate of Approval Process.

2 1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a
3 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
4 the time for denying a Certificate of Approval must have expired, before the
5 owner may make alterations or significant changes to the following specific
6 features or characteristics: the exterior of the building.

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

- 9 a. Any in-kind maintenance or repairs of the features or characteristics listed in
10 subsection 2.A.1.
11 b. The installation, alteration, or removal of playground equipment or surfacing of
12 the play area located on the roof of the building.

13
14 B. City Historic Preservation Officer Approval Process.

15 1. The City Historic Preservation Officer (CHPO) may review and approve
16 alterations or significant changes to the features or characteristics listed in
17 subsection 2.B.3 according to the following procedure:

- 18 a. The owner shall submit to the CHPO a written request for the alterations or
19 significant changes, including applicable drawings or specifications.
20 b. If the CHPO, upon examination of submitted plans and specifications,
21 determines that the alterations or significant changes are consistent with the
22 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or
23 significant changes without further action by the Board.
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1 c. If the CHPO does not approve the alterations or significant changes, the
2 owner may submit revised materials to the CHPO, or apply to the Board for a
3 Certificate of Approval under SMC Chapter 25.12.

4 2. The CHPO shall transmit a written decision on the owner's request to the owner
5 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
6 written decision constitutes approval of the request.

7 3. CHPO approval of alterations or significant changes to the features or
8 characteristics listed in subsection 2.A.1 is available for the following:
9

10 a. The installation, alteration or removal of exterior ducts conduits, HVAC
11 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical
12 elements necessary for the normal operation of the building.

13 b. The installation, alteration, or removal of exterior security lighting, video
14 cameras, and security system equipment.

15 c. The installation, alteration, or removal of signage attached to the building.
16

17 d. The removal or alteration of the accessibility ramp at the northeast side of the
18 building.
19

20 Section 3. INCENTIVES: The following incentives are hereby granted on the features or
21 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
22 preservation:

23 A. Uses not otherwise permitted in a zone may be authorized in a designated
24 landmark by means of an administrative conditional use permit issued pursuant to Seattle
25 Municipal Code Title 23.
26

1 B. Special tax valuation for historic preservation may be available under RCW
2 Chapter 84.26 upon application and compliance with the requirements of that statute.

3 C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
4 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the
5 applicable provisions thereof.

6 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
7
8 SMC 25.12.910.

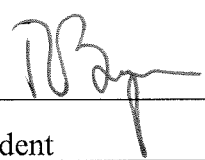
9 Section 5. The Yesler Terrace Steam Plant is hereby added alphabetically to Section II,
10 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

11 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
12 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
13 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
14 directed to provide a certified copy of the ordinance to the owner of the landmark.

15
16 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
17 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
18 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the 17th day of February, 2015, and
signed by me in open session in authentication of its passage this
17th day of February, 2015.



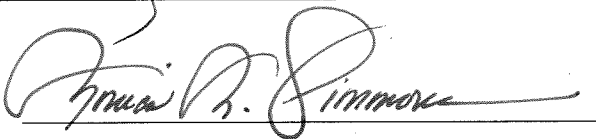
President _____ of the City Council

Approved by me this 27th day of February, 2015.



Edward B. Murray, Mayor

Filed by me this 27th day of February, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Sarah Sodt/206-615-1786	Tim Wolfe/206-684-0535

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Yesler Terrace Steam Plant, 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.

Summary of the Legislation:

The attached legislation acknowledges the designation of the Yesler Terrace Steam Plant as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Yesler Terrace Steam Plant to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Yesler Terrace Steam Plant was built in 1942 and is located in the Yesler Terrace neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exterior of the building, but do not apply to any in-kind maintenance or repairs of the designated features.

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
No.



d) What are the possible alternatives to the legislation that could achieve the same or similar objectives

None.

e) Is a public hearing required for this legislation?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

g) Does this legislation affect a piece of property?

Yes.

h) Other Issues:

List attachments to the fiscal note below:

Exhibit A – Vicinity map of the Yesler Terrace Steam Plant



Note: This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.





City of Seattle
Edward B. Murray
Mayor

July 8, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that designates the Yesler Terrace Steam Plant as a historic landmark, imposes controls, grants incentives and adds the Yesler Terrace Steam Plant to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exterior of the building, but do not apply to any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Sarah Sodt, Department of Neighborhoods, at 206-615-1786.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL 118154

AN ORDINANCE relating to historic preservation, imposing controls upon the Yesler Terrace Steam Plant, 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 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 August 18, 2010, voted to approve the nomination of the improvement located at 120 8th Avenue (which is referred to as the "Yesler Terrace Steam Plant" for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 6, 2010, the Board voted to approve the designation of the Yesler Terrace Steam Plant under SMC Chapter 25.12; and

WHEREAS, on January 15, 2014, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board (Board) of the improvement located at 120 8th Avenue (which is referred to as the "Yesler Terrace Steam Plant" for the purposes of this ordinance) is hereby acknowledged.

THIS VERSION IS NOT ADOPTED



1 A. Legal Description. The Yesler Terrace Steam Plant is located on the property
2 legally described as:

3 Blocks 2 through 6 and 8, inclusive, Yesler Terrace Addition, according to the Plat
4 thereof recorded in Volume 37 of Plats, Page 21 through 22A, in King County,
5 Washington;

6 Except that portion of said Blocks 2 and 8, thereof, condemned in United States District
7 Court Cause No. 6189 for primary State Highway No. 1;

8 And Except that portion of said Block 4 conveyed to the City of Seattle for street
9 purposes by deed recorded under recording No. 420237;

10 And Block A, Yesler Terrace Addition, according to the Plat thereof recorded in Volume
11 37 of Plats, Page 21 through 22A, in King County, Washington;

12 Together with that portion of vacated 11th Avenue as vacated under Ordinance No. 71751
13 of the City of Seattle, which attached by operation of law;

14 And Lot 1, Block 85, Terry's Second Addition to the Town of Seattle, according to the
15 Plat thereof recorded in Volume 1 of Plats, Page 87, in King County, Washington;

16 And that portion of vacated 9th Avenue and the portion vacated alley between Lot 1,
17 Block 85, of said Plat of Terry's Second Addition to the Town of Seattle, and Block 4 of
18 said Yesler Terrace Addition, as vacated under Ordinance No. 109446 of the City of
19 Seattle.

20 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
21 the following specific features or characteristics of the Yesler Terrace Steam Plant are
22 designated: the exterior of the building.

23 C. Basis of Designation. The designation was made because the Yesler Terrace
24 Steam Plant is more than 25 years old, has significant character, interest or value as a part of the
25 development, heritage or cultural characteristics of the City, state or nation, has integrity or the
26 ability to convey its significance, and satisfies the following from SMC 25.12.350:
27
28

THIS VERSION IS NOT ADOPTED



- 1 1. It embodies the distinctive visible characteristics of an architectural style, period,
2 or a method of construction (SMC 25.12.350.D).
- 3 2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it
4 is an easily identifiable visual feature of its neighborhood or City and contributes
5 to the distinctive quality or identity of such neighborhood or the City (SMC
6 25.12.350.F).

7
8 Section 2. CONTROLS: The following controls are hereby imposed on the features or
9 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
10 preservation:

11 A. Certificate of Approval Process.

- 12 1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a
13 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
14 the time for denying a Certificate of Approval must have expired, before the
15 owner may make alterations or significant changes to the following specific
16 features or characteristics: the exterior of the building.
- 17 2. No Certificate of Approval is required for the following:
 - 18 a. Any in-kind maintenance or repairs of the features or characteristics listed in
19 subsection 2.A.1.
 - 20 b. The installation, alteration, or removal of playground equipment or surfacing of
21 the play area located on the roof of the building.

22
23
24
25 B. City Historic Preservation Officer Approval Process.

- 1 1. The City Historic Preservation Officer (CHPO) may review and approve
2 alterations or significant changes to the features or characteristics listed in
3 subsection 2.B.3 according to the following procedure:
 - 4 a. The owner shall submit to the CHPO a written request for the alterations or
5 significant changes, including applicable drawings or specifications.
 - 6 b. If the CHPO, upon examination of submitted plans and specifications,
7 determines that the alterations or significant changes are consistent with the
8 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or
9 significant changes without further action by the Board.
 - 10 c. If the CHPO does not approve the alterations or significant changes, the
11 owner may submit revised materials to the CHPO, or apply to the Board for a
12 Certificate of Approval under SMC Chapter 25.12.
- 13 2. The CHPO shall transmit a written decision on the owner's request to the owner
14 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
15 written decision constitutes approval of the request.
- 16 3. CHPO approval of alterations or significant changes to the features or
17 characteristics listed in subsection 2.A.1 is available for the following:
 - 18 a. The installation, alteration or removal of exterior ducts conduits, HVAC
19 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical
20 elements necessary for the normal operation of the building.
 - 21 b. The installation, alteration, or removal of exterior security lighting, video
22 cameras, and security system equipment.

THIS VERSION IS NOT ADOPTED



1 c. The installation, alteration, or removal of signage attached to the building.

2 d. The removal or alteration of the accessibility ramp at the northeast side of the
3 building.

4 Section 3. INCENTIVES: The following incentives are hereby granted on the features or
5 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
6 preservation:

7 A. Uses not otherwise permitted in a zone may be authorized in a designated
8 landmark by means of an administrative conditional use permit issued pursuant to Seattle
9 Municipal Code Title 23.

10 B. Special tax valuation for historic preservation may be available under RCW
11 Chapter 84.26 upon application and compliance with the requirements of that statute.

12 C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
13 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the
14 applicable provisions thereof.

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

17 Section 5. The Yesler Terrace Steam Plant is hereby added alphabetically to Section II,
18 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

19 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
20 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
21 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
22 directed to provide a certified copy of the ordinance to the owner of the landmark.

25 THIS VERSION IS NOT ADOPTED



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 ____ day of _____, 2014, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2014.

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President _____ of the City Council

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Approved by me this ____ day of _____, 2014.

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Edward B. Murray, Mayor

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Filed by me this ____ day of _____, 2014.

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Monica Martinez Simmons, City Clerk

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(Seal)

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THIS VERSION IS NOT ADOPTED



STATE OF WASHINGTON -- KING COUNTY

--SS.

321573

No. 124716,717,718,719,720

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

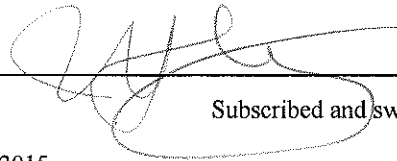
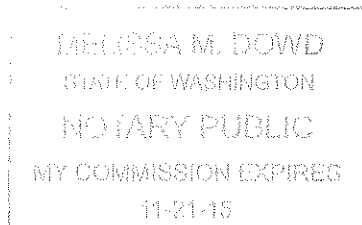
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCES

was published on

03/12/15

The amount of the fee charged for the foregoing publication is the sum of \$122.14 which amount has been paid in full.



Subscribed and sworn to before me on

03/12/2015



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on February 17, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124716

AN ORDINANCE relating to historic preservation, imposing controls upon the Seattle National Bank Building, 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.

ORDINANCE NO. 124717

AN ORDINANCE relating to historic preservation, imposing controls upon the Yosler Terrace Steam Plant, 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.

ORDINANCE NO. 124718

AN ORDINANCE relating to Seattle Public Utilities and the 2015 Adopted Budget, authorizing the Director of Seattle Public Utilities to acquire by negotiation or condemnation land and all other necessary property rights located southeast of the intersection of NW 54th Street and 24th Avenue NW, Seattle, Washington for public drainage, wastewater, and general municipal purposes, and to execute, accept and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the juris-

isdiction of Seattle Public Utilities; amending Ordinance 124648 to increase appropriations to the Drainage and Wastewater Fund for the acquisition of the aforementioned property and ratifying and confirming certain prior acts.

ORDINANCE NO. 124719

AN ORDINANCE relating to Seattle Public Utilities and the 2015 Adopted Budget, authorizing the Director of Seattle Public Utilities to acquire by negotiation or condemnation land and all other necessary property rights located at 5300 24th Avenue NW, Seattle, Washington for public drainage, wastewater, and general municipal purposes, and to execute, accept and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the jurisdiction of Seattle Public Utilities; amending Ordinance 124648 to increase appropriations to the Drainage and Wastewater Fund for the acquisition of the aforementioned property, and ratifying and confirming certain prior acts.

ORDINANCE NO. 124720

AN ORDINANCE relating to the Seattle Transportation Benefit District, authorizing the Director of the Seattle Department of Transportation to execute an interlocal agreement with King County Metro Transit to purchase the transit service necessary to implement Seattle Transportation Benefit District Proposition 1.

Date of publication in the Seattle Daily Journal of Commerce, March 12, 2015.

3/12(321573)

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728



20150827000127

SEATTLE CITY C ORD 78.00
PAGE-001 OF 007
08/27/2015 09:20
KING COUNTY, WA

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Please print or type information

Document Title(s) (or transaction contained therein): (Insert Ordinance or Resolution Number Here)

Ordinance 124717

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

Block 2, Lot 1, Yesler Terrace Community, according to the plat thereof recorded on December 9, 2014, as Instrument No. 20141209001425.

Assessor's Property Tax Parcel/Account Number

9822000020

Assessor Tax # not yet assigned.

N/A

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

CITY OF SEATTLE
ORDINANCE 124717
COUNCIL BILL 118154

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4 AN ORDINANCE relating to historic preservation, imposing controls upon the Yesler Terrace
5 Steam Plant, a landmark designated by the Landmarks Preservation Board under Chapter
6 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks
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7 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC),
8 establishes a procedure for the designation and preservation of sites, improvements, and
9 objects having historical, cultural, architectural, engineering, or geographic significance;
and

10 WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on August 18,
11 2010, voted to approve the nomination of the improvement located at 120 8th Avenue
12 (which is referred to as the "Yesler Terrace Steam Plant" for the purposes of this
ordinance) for designation as a landmark under SMC Chapter 25.12; and

13 WHEREAS, after a public meeting on October 6, 2010, the Board voted to approve the
14 designation of the Yesler Terrace Steam Plant under SMC Chapter 25.12; and

15 WHEREAS, on January 15, 2014, the Board and the owner of the designated landmark agreed to
16 controls and incentives; and

17 WHEREAS, the Board recommends that the City Council enact a designating ordinance
18 approving the controls and incentives; NOW, THEREFORE,

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

20 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the
21 Landmarks Preservation Board (Board) of the improvement located at 120 8th Avenue (which is
22 referred to as the "Yesler Terrace Steam Plant" for the purposes of this ordinance) is hereby
23 acknowledged.
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1 A. Legal Description. The Yesler Terrace Steam Plant is located on the property
2 legally described as:

3 Block 2, Lot 1, Yesler Terrace Community, according to the plat thereof recorded on December
4 9, 2014, as Instrument No. 20141209001425, in Volume 267 of Plats, Pages 59-75, in King
5 County, Washington.
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8 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
9 the following specific features or characteristics of the Yesler Terrace Steam Plant are
10 designated: the exterior of the building.
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12 C. Basis of Designation. The designation was made because the Yesler Terrace
13 Steam Plant is more than 25 years old, has significant character, interest or value as a part of the
14 development, heritage or cultural characteristics of the City, state or nation, has integrity or the
15 ability to convey its significance, and satisfies the following from SMC 25.12.350:

- 16 1. It embodies the distinctive visible characteristics of an architectural style, period,
17 or a method of construction (SMC 25.12.350.D).
- 18 2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it
19 is an easily identifiable visual feature of its neighborhood or City and contributes
20 to the distinctive quality or identity of such neighborhood or the City (SMC
21 25.12.350.F).
22

23 Section 2. CONTROLS: The following controls are hereby imposed on the features or
24 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
25 preservation:
26

1 A. Certificate of Approval Process.

- 2 1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a
3 Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or
4 the time for denying a Certificate of Approval must have expired, before the
5 owner may make alterations or significant changes to the following specific
6 features or characteristics: the exterior of the building.
7
8 2. No Certificate of Approval is required for the following:
9 a. Any in-kind maintenance or repairs of the features or characteristics listed in
10 subsection 2.A.1.
11 b. The installation, alteration, or removal of playground equipment or surfacing of
12 the play area located on the roof of the building.
13

14 B. City Historic Preservation Officer Approval Process.

- 15 1. The City Historic Preservation Officer (CHPO) may review and approve
16 alterations or significant changes to the features or characteristics listed in
17 subsection 2.B.3 according to the following procedure:
18 a. The owner shall submit to the CHPO a written request for the alterations or
19 significant changes, including applicable drawings or specifications.
20 b. If the CHPO, upon examination of submitted plans and specifications,
21 determines that the alterations or significant changes are consistent with the
22 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or
23 significant changes without further action by the Board.
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1 c. If the CHPO does not approve the alterations or significant changes, the
2 owner may submit revised materials to the CHPO, or apply to the Board for a
3 Certificate of Approval under SMC Chapter 25.12.

4 2. The CHPO shall transmit a written decision on the owner's request to the owner
5 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
6 written decision constitutes approval of the request.

7 3. CHPO approval of alterations or significant changes to the features or
8 characteristics listed in subsection 2.A.1 is available for the following:
9

10 a. The installation, alteration or removal of exterior ducts conduits, HVAC
11 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical
12 elements necessary for the normal operation of the building.

13 b. The installation, alteration, or removal of exterior security lighting, video
14 cameras, and security system equipment.

15 c. The installation, alteration, or removal of signage attached to the building.

16 d. The removal or alteration of the accessibility ramp at the northeast side of the
17 building.
18

19 Section 3. INCENTIVES: The following incentives are hereby granted on the features or
20 characteristics of the Yesler Terrace Steam Plant that were designated by the Board for
21 preservation:
22

23 A. Uses not otherwise permitted in a zone may be authorized in a designated
24 landmark by means of an administrative conditional use permit issued pursuant to Seattle
25 Municipal Code Title 23.
26

1 B. Special tax valuation for historic preservation may be available under RCW
2 Chapter 84.26 upon application and compliance with the requirements of that statute.

3 C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
4 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the
5 applicable provisions thereof.

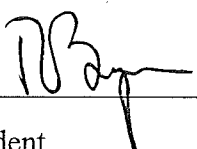
6 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in
7 SMC 25.12.910.

8 Section 5. The Yesler Terrace Steam Plant is hereby added alphabetically to Section II,
9 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

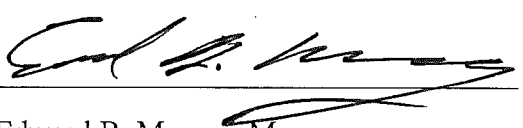
10 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
11 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
12 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
13 directed to provide a certified copy of the ordinance to the owner of the landmark.
14
15

16 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
17 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
18 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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2 Passed by the City Council the 17th day of February, 2015, and
3 signed by me in open session in authentication of its passage this
4 17th day of February, 2015.

5
6 
7 President _____ of the City Council

8
9 Approved by me this 27th day of February, 2015.

10
11 
12 Edward B. Murray, Mayor

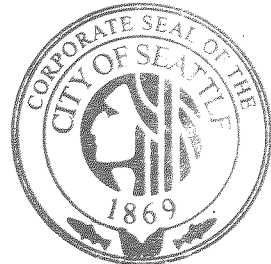
13
14 Filed by me this 27th day of February, 2015.


15
16 
17 Monica Martinez Simmons, City Clerk

18 (Seal)

19 State of Washington,
County of King

20 I, Tarot Polata, certify that this is a true and correct
21 copy of Ordinance # 124717, on file in the records
22 of the City of Seattle, Office of the City Clerk



23 Signed by: 
24 Signature _____
25 Title: Legislative Information Supervisor
26 Date: 2/23/2015