



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119418

Record No.: CB 119418

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125743

In Control: City Clerk

File Created: 08/28/2018

Final Action: 12/20/2018

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language 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.

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- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	09/11/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	09/11/2018	sent for review	Council 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 Office	09/13/2018	sent for review	Finance and Neighborhoods Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						
	<b>Notes:</b>						
1	City Council	12/03/2018	referred	Finance and Neighborhoods Committee			



CITY OF SEATTLE

ORDINANCE 125743

COUNCIL BILL 119418

AN ORDINANCE relating to historic preservation; imposing controls upon the Japanese Language 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 August 16, 2006, voted to approve the nomination of the improvement located at 1414 South Weller Street and the site on which the improvement is located (which are collectively referred to as the “Japanese Language School”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 4, 2006, the Board voted to approve the designation of the Japanese Language School under SMC Chapter 25.12; and

WHEREAS, on July 18, 2018, the Board and the Japanese Language 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 1414 South  
4 Weller Street and the site on which the improvement is located (which are collectively referred to  
5 as the “Japanese Language School”) is acknowledged.

6 A. Legal Description. The Japanese Language School is located on the property  
7 legally described as:

8 Lots 11, 12, and 14-16, Block 29 of the Hill Tract Addition to the City of Seattle,  
9 Supplemental Plat of Blocks 28, 29 and 36, according to the plat thereof, recorded in  
10 Volume 11 of Plats, page 60, records of King County Washington.

11 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the  
12 Board designated the following specific features or characteristics of the Japanese Language  
13 School:

14 1. The site.

15 2. The exteriors of Building #s 1, 2, and 3. Building #1 (originally  
16 constructed in 1912) is located on Lots 15 and 16 and is the southwestern portion of the group of  
17 buildings with main entries facing South Weller Street. Building #1 was expanded through an  
18 addition on its north end (constructed in 1917) and joins the northwest corner of Building #2  
19 (originally constructed in 1925), which is located on Lots 14 and 15. Building #3 is across the  
20 alley to the north of Buildings #s 1 and 2 and is located on Lot 12. All lots referenced are a part  
21 of Block 29 of the Hill Tract Addition to the City of Seattle.

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

1                   1.       It is the location of, or is associated in a significant way with, an historic  
2 event with a significant effect upon the community, City, state, or nation (SMC 25.12.350.A).

3                   2.       It is associated in a significant way with a significant aspect of the  
4 cultural, political, or economic heritage of the community, City, state, or nation (SMC  
5 25.12.350.C).

6           Section 2. Controls. The following controls are imposed on the features or characteristics  
7 of the Japanese Language School that were designated by the Board for preservation:

8           A.     Certificate of Approval Process.

9                   1.       Except as provided in subsection 2.A.2 or subsection 2.B of this  
10 ordinance, the owner must obtain a Certificate of Approval issued by the Board according to  
11 SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before  
12 the owner may make alterations or significant changes to the features or characteristics of the  
13 Japanese Language School that were designated by the Board for preservation.

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

15                           a.       Any in-kind maintenance or repairs of the features or  
16 characteristics of the Japanese Language School that were designated by the Board for  
17 preservation.

18                           b.       Removal of the following landscape elements: trees less than  
19 8 inches in diameter measured 4 1/2 feet above ground; shrubs; perennials; and annuals.

20                           c.       Alterations to the Kintsugi Garden on Lot 11 of Block 29 of the  
21 Hill Tract Addition to the City of Seattle.

22                           d.       Installation, removal, or alteration (including repair) of  
23 underground irrigation and underground utilities, provided that the site is restored in kind.

1 e. Installation, removal, or alteration of the following site furnishings:  
2 benches, movable planters, trash/recycling receptacles, and bike racks.

3 f. Installation, removal, or alteration of signage for accessibility  
4 compliance, and other signage as required by City code.

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

7 h. Alterations to the existing east/west breezeway that joins together  
8 Building #1, the Building #1 addition, and Building #2.

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

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

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

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

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

1                   3.       CHPO approval of alterations or significant changes to the features or  
2 characteristics of the Japanese Language School that were designated by the Board for  
3 preservation is available for the following:

4                   a.       The installation, alteration, or removal of ducts, conduits, HVAC  
5 vents, grills, pipes, and other similar wiring or mechanical elements necessary for the normal  
6 operation of the building.

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

9                   c.       Removal of trees more than 8 inches in diameter measured  
10 4 1/2 feet above ground, identified as a hazard by an International Society of Arboriculture (ISA)  
11 Certified Arborist.

12                  d.       Installation, alteration, or removal of fences and gates, other than  
13 those excluded in subsection 2.A.2.c of this ordinance.

14                  e.       Signage other than signage excluded in subsection 2.A.2.f of this  
15 ordinance.

16                  f.       Installation of building and site improvements for security, safety,  
17 or accessibility compliance.

18                  g.       Installation of fire and life safety equipment.

19                  h.       Mitigation of hazardous materials, unless determined by staff to be  
20 consistent with in-kind repair or maintenance.

21                  i.       Alterations to or enclosure of the north/south space between  
22 Buildings #1 and #2.

1           Section 3. Incentives. The following incentives are granted on the features or  
2 characteristics of the Japanese Language School that were designated by the Board for  
3 preservation:

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

6           B.     Exceptions to certain of the requirements of the Seattle Building Code, adopted  
7 by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be  
8 authorized according to the applicable provisions.

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

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

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

16          Section 5. The Japanese Language School is added alphabetically to Section II,  
17 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

18          Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
19 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy  
20 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
21 to provide a certified copy of this ordinance to the Japanese Language School's owner.



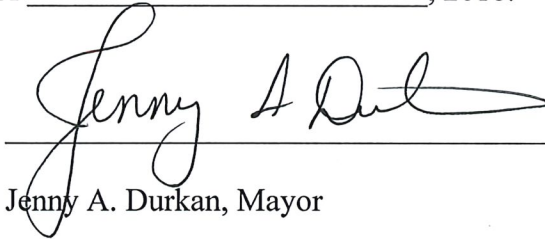
1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 17<sup>th</sup> day of December, 2018,  
5 and signed by me in open session in authentication of its passage this 17<sup>th</sup> day of  
6 December, 2018.

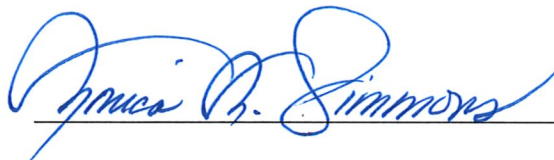
7 

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

9 Approved by me this 20<sup>th</sup> day of December, 2018.

10   
11 Jenny A. Durkan, Mayor

12 Filed by me this 20<sup>th</sup> day of December, 2018.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)

