

CITY OF SEATTLE

ORDINANCE 126145

COUNCIL BILL 119847

AN ORDINANCE relating to historic preservation; imposing controls upon the Canterbury Court, 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 November 20, 2019, voted to approve the nomination of the improvement located at 4225 Brooklyn Avenue NE and the site on which the improvement is located (which are collectively referred to as the “Canterbury Court”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on January 15, 2020, the Board voted to approve the designation of the Canterbury Court under SMC Chapter 25.12; and

WHEREAS, on March 5, 2020, the Canterbury Court’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the City Historic Preservation Officer recommends that the City Council enact a designating ordinance approving the controls and incentives, pursuant to Ordinance No. 126072; 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 4225 Brooklyn
4 Avenue NE and the site on which the improvement is located (which are collectively referred to
5 as the “Canterbury Court”) is acknowledged.

6 A. Legal Description. The Canterbury Court is located on the property legally described
7 as:

8 Lots 6, 7, and 8, Block 10, Brooklyn Addition to Seattle, according to the plat thereof
9 recorded in Volume 7 of Plats, Page 32, in 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 Canterbury Court:

- 12 1. The site.
- 13 2. The exterior of the building.

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

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

20 Section 2. Controls. The following controls are imposed on the features or characteristics
21 of the Canterbury Court that were designated by the Board for preservation:

22 A. Certificate of Approval Process.

- 23 1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the
24 owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter

1 25.12, or the time for denying a Certificate of Approval must have expired, before the owner
2 may make alterations or significant changes to the features or characteristics of the Canterbury
3 Court that were designated by the Board for preservation.

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

5 a. Any in-kind maintenance or repairs of the features or characteristics of
6 the Canterbury Court that were designated by the Board for preservation.

7 b. Removal of trees less than 6 inches in diameter measured 4-1/2 feet
8 above ground.

9 c. Removal and/or replacement of shrubs, perennials, and annuals in
10 existing locations.

11 d. Installation, removal, or alteration of the following site furnishings:
12 benches, chairs, tables, swings, movable planters, and trash/recycling receptacles.

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

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

17 g. Removal of security bars at windows.

18 h. Removal of existing chain link fencing.

19 i. Removal and/or replacement of property entry gate.

20 j. Removal of the non-historic exterior stair on the west end of the south
21 facade.

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

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

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

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

11 2. If the CHPO does not approve the alterations or significant changes, the owner
12 may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval
13 under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to
14 the owner 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 of the Canterbury Court that were designated by the Board for preservation is
18 available for the following:

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

1 b. Installation, removal, or alteration of exterior light fixtures, light
2 mounting plates, exterior security lighting, and security system equipment.

3 c. Removal of trees more than 6 inches in diameter measured 4-1/2 feet
4 above ground, identified as a hazard by an International Society of Arboriculture (ISA) Certified
5 Arborist.

6 d. Installation, removal, or alteration of exterior building and site signage.

7 e. Installation of improvements for security, safety, or accessibility
8 compliance.

9 f. Installation, removal, or alteration of fire and life safety equipment.

10 g. Changes to exterior paint colors when painting a previously painted
11 material.

12 h. Alterations to the existing parking hardscape and garages on the west
13 side of the building.

14 i. Replacement of non-original windows and doors when located in
15 original openings.

16 j. Replacement of the non-historic exterior stair on the west end of the
17 south facade in the same location.

18 k. Removal, replacement, or alteration of the historic exterior stair on the
19 east end of the south facade.

20 l. Landscape alterations other than those excluded in subsections 2.A.2.b,
21 2.A.2.c, and 2.B.3.c of this ordinance.

22 Section 3. Incentives. The following incentives are granted on the features or
23 characteristics of the Canterbury Court that were designated by the Board for preservation:

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

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

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

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

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

13 Section 5. The Canterbury Court is added alphabetically to Section II, Buildings, of the
14 Table of Historical Landmarks contained in SMC Chapter 25.32.

15 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
16 King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy
17 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed
18 to provide a certified copy of this ordinance to the Canterbury Court's owner.

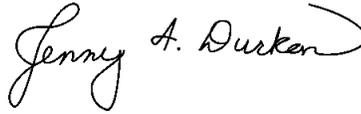
1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 17th day of August, 2020,
5 and signed by me in open session in authentication of its passage this 17th day of
6 August, 2020.

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8 _____
President _____ of the City Council

9 Approved by me this 21st day of August, 2020.

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11 _____
Jenny A. Durkan, Mayor

12 Filed by me this 21st day of August, 2020.

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14 _____
Monica Martinez Simmons, City Clerk

15 (Seal)