

CITY OF SEATTLE
ORDINANCE 127081
COUNCIL BILL 120479

AN ORDINANCE relating to historic preservation; imposing controls upon the East Pine Substation, 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 March 21, 2018, voted to approve the nomination of the improvement located at 1501 23rd Avenue and the site on which the improvement is located (which are collectively referred to as the “East Pine Substation”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on May 2, 2018, the Board voted to approve the designation of the East Pine Substation under SMC Chapter 25.12; and

WHEREAS, on September 16, 2020, the Board and the East Pine Substation’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 1501 23rd Avenue

1 and the site on which the improvement is located (which are collectively referred to as the “East
2 Pine Substation”) is acknowledged.

3 A. Legal Description. The East Pine Substation is located on the property legally
4 described as:

5 Lots 1-6 and the north 30 feet of Lot 7, Block 8, of the Renton Hill Addition, according
6 to the plat thereof recorded in Volume 8 of Plats, Page 68, in King County, Washington.

7 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board
8 designated the following specific features or characteristics of the East Pine Substation:

- 9 1. The switchyard enclosure composed of walls, fences, and gates.
- 10 2. The exteriors of the integral tower and control building.
- 11 3. The portion of the site outside the switchyard enclosure.

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

- 16 1. It embodies the distinctive visible characteristics of an architectural style, or
17 period, or of a method of construction (SMC 25.12.350.D).
- 18 2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
- 19 3. Because of its prominence of spatial location, contrasts of siting, age, or scale,
20 it is an easily identifiable visual feature of its neighborhood or the City and contributes to the
21 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 the East Pine Substation 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 ordinance, the
3 owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter
4 25.12, or the time for denying a Certificate of Approval must have expired, before the owner
5 may make alterations or significant changes to the features or characteristics of the East Pine
6 Substation 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 characteristics of
9 the East Pine Substation that were designated by the Board for preservation.

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

12 c. Installation, removal, or alteration of the following landscape elements:
13 shrubs, perennials, and annuals.

14 d. Installation, removal, or alteration of the following site furnishings:
15 benches and trash/recycling receptacles.

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

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

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

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

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

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

10 3. CHPO approval of alterations or significant changes to the features or
11 characteristics of the East Pine Substation that were designated by the Board for preservation is
12 available for the following:

13 a. The installation, removal, or alteration of ducts, conduits, HVAC vents,
14 grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters,
15 or other similar mechanical, electrical, and telecommunication elements necessary for the normal
16 operation of the facility.

17 b. Installation, removal, or alteration of exterior signage.

18 c. Installation, removal, or alteration of exterior security lighting and
19 equipment.

20 d. Installation of improvements for accessibility compliance.

21 e. Replacement of non-original doors and windows within original
22 openings.

1 f. Installation, removal, or alteration of equipment, wiring, or other
2 appurtenances that attach to the landmark and are necessary for the generation of or distribution
3 of electricity.

4 g. Emergency repairs or measures (including immediate action to secure
5 the area, install temporary equipment, and employ stabilization methods as necessary to provide
6 electrical service and to protect the public's safety, health, and welfare) to address hazardous
7 conditions with adverse impacts to the buildings or utility operations as related to a seismic or
8 other unforeseen event. Following such an emergency, the owner shall adhere to the following:

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

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

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

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

18 Section 3. Incentives. The following incentives are granted on the features or
19 characteristics of the East Pine Substation that were designated by the Board for preservation:

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

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

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

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

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

11 Section 5. The East Pine Substation is added alphabetically to Section IX, Miscellaneous,
12 of the Table of Historical Landmarks contained in SMC Chapter 25.32.

13 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
14 King County Recorder’s Office, deliver two certified copies to the CHPO, and deliver one copy
15 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed
16 to provide a certified copy of this ordinance to the East Pine Substation’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 September, 2024,
5 and signed by me in open session in authentication of its passage this 17th day of
6 September, 2024.

7 

8 President _____ of the City Council

Approved / returned unsigned / vetoed this 23rd day of September, 2024.

9 

10 Bruce A. Harrell, Mayor

11 Filed by me this 24th day of September, 2024.

12 

13 Scheereen Dedman, City Clerk

14 (Seal)

15 Attachments: