

**CITY OF SEATTLE**  
**ORDINANCE** 126749  
**COUNCIL BILL** 120312

AN ORDINANCE relating to historic preservation; imposing controls upon the Seattle-First 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.

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 September 20, 2006, voted to approve the nomination of the improvement located at 566 Denny Way and the site on which the improvement is located (which are collectively referred to as the “Seattle-First National Bank Building”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 1, 2006, the Board voted to approve the designation of the Seattle-First National Bank Building (“Building”) under SMC Chapter 25.12; and

WHEREAS, on November 17, 2021, the Board and the Seattle-First National Bank Building’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommended that the City Council enact a designating ordinance approving the controls and incentives;

1 WHEREAS, since the original designation of the Building, the Uptown Urban Center has been  
2 rezoned, and the area that the Building is located in has been rezoned to allow  
3 significantly larger buildings, including residential development; and

4 WHEREAS, the Uptown Urban Center rezone included a specific objective to “Retain  
5 landmarks and other historic buildings by allowing transfer of development rights in  
6 exchange for funding to support building preservation.” (Uptown Rezone  
7 Recommendation Director’s Report, p. 5, July 12, 2017); and

8 WHEREAS, since the original designation of the Building, the Uptown Urban Center has been  
9 rezoned, and the Seattle Mixed-Uptown 160 (SM-UP 160) zone that the Building is  
10 located in provides for incentives to preserve landmarks, including increased FAR for  
11 projects that preserve a landmark on-site, and provisions that allow for the transfer of  
12 development rights (TDR) and the transfer of development potential (TDP) from  
13 designated landmarks to other sites in the SM-UP 160 zone (SMC 23.48.723); and

14 WHEREAS, the Building is one of a number of buildings designed and built using the same  
15 prototype, many of which still stand; and

16 WHEREAS, the City Council wishes to achieve the goal of maximizing the potential for housing  
17 in this neighborhood and supports the landmarking of this Building; and

18 WHEREAS, if the surface parking lot to the north of the Building were to be redeveloped while  
19 preserving the landmarked Building, an additional 1 FAR would be allowed under the  
20 SM-UP 160 zone, providing for more housing or non-residential development to be built  
21 on the site than could be built offsite through TDP or on the site if the building were not  
22 landmarked and were demolished; and

1 WHEREAS, an even larger building could be built on the site if an arts facility were incorporated  
2 into a future project on the site; NOW, THEREFORE,

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

4 Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation  
5 by the Landmarks Preservation Board (“Board”) of the improvement located at 566 Denny Way  
6 and the site on which the improvement is located (which are collectively referred to as the  
7 “Seattle-First National Bank Building”) is acknowledged.

8 A. Legal Description. The Seattle-First National Bank Building is located on the property  
9 legally described as:

10 Lots 3, 4, 5 and 6, Block 68, of D.T. Denny’s Park Addition to the City of Seattle, as per  
11 plat recorded in Volume 2 of Plats, page 46, records of King County. Except the East 12  
12 feet condemned in King County Superior Court, Cause No. 193437 for Sixth Avenue, as  
13 provide by City of Seattle Ordinance No. 50890.

14 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board  
15 designated the following specific features or characteristics of the Seattle-First National Bank  
16 Building:

- 17 1. The site.
- 18 2. The exterior of the 1950 Building.

19 C. Basis of Designation. The designation was made because the Seattle-First National  
20 Bank Building is more than 25 years old; has significant character, interest, or value as a part of  
21 the development, heritage, or cultural characteristics of the City, state, or nation; has integrity or  
22 the ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

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

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

3                   3. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

4                   4. Because of its prominence of spatial location, contrasts of siting, age, or scale,  
5 it is an easily identifiable visual feature of its neighborhood or the city and contributes to the  
6 distinctive quality or identity of such neighborhood or the city (SMC 25.12.350.F).

7                   Section 2. Controls. The following controls are imposed on the features or characteristics  
8 of the Seattle-First National Bank Building that were designated by the Board for preservation  
9 provided that no controls are imposed on (1) the parking area to the north of the structure, (2) the  
10 signpost, (3) the drive-through, (4) the breezeway connecting the building to the sign-post, or (4)  
11 any other portion of the site between the surface parking area and 6th Avenue North:

12                   A. Certificate of Approval Process.

13                   1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the  
14 owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter  
15 25.12, or the time for denying a Certificate of Approval must have expired, before the owner  
16 may make alterations or significant changes to the features or characteristics of the Seattle-First  
17 National Bank Building subject to controls.

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

19                   a. Any in-kind maintenance or repairs of the features or characteristics of  
20 the Seattle-First National Bank Building that were designated by the Board for preservation.

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

1 c. Installation, removal, alteration, maintenance, or repair of rooftop  
2 mechanical equipment.

3 d. The installation, alteration, or removal of exterior security lighting,  
4 video cameras, and security system equipment.

5 e. Removal of trees less than 6 inches in diameter measured 4-1/2 feet  
6 above ground.

7 f. Removal or replacement, or both, of shrubs, perennials, annuals, and  
8 landscaping rocks in existing locations.

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

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

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

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

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

1                   3. CHPO approval of alterations or significant changes to the features or  
2 characteristics of the Seattle-First National Bank Building that were designated by the Board for  
3 preservation is available for the following:

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

7                   b. For the specified features and characteristics of the landmark, the  
8 addition or elimination of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads,  
9 wiring, meters, utility connections, downspouts and gutters, and other similar mechanical,  
10 electrical and telecommunications elements necessary for the normal operation of the building or  
11 site.

12                  c. Installation, removal, or alteration of exterior light fixtures, other than  
13 lighting excluded in subsection 2.A.2.d of this ordinance.

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

16                  e. Installation of improvements for safety or accessibility compliance.

17                  f. Installation of fire and life safety equipment.

18                  g. Replacement of non-original windows and doors.

19                  h. Changes to exterior paint colors.

20                  i. Alterations to drive-through window and any related drive-through  
21 equipment.

22                  j. Emergency repairs or measures (including immediate action to secure  
23 the area, install temporary equipment, and employ stabilization methods as necessary to protect

1 the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to  
2 the buildings or site as related to a seismic or other unforeseen event. Following such an  
3 emergency, the owner shall adhere to the following:

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

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

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

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

13 Section 3. Incentives. The following incentives are granted on the features or  
14 characteristics of the Seattle-First National Bank Building that were designated by the Board for  
15 preservation:

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

18 B. Certain exceptions to or exemptions from regulations in SMC Title 23 may be  
19 available, either by virtue of the zoning designation applicable to the Landmark or its status as a  
20 Landmark.

21 C. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle  
22 Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable  
23 provisions.

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

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

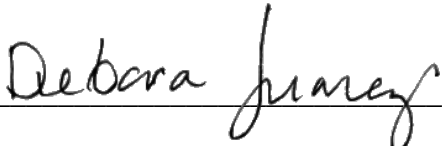
5           Section 5. The Seattle-First National Bank Building is added alphabetically to Section II,  
6 Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

7           Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
8 King County Recorder’s Office, deliver two certified copies to the CHPO, and deliver one copy  
9 to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed  
10 to provide a certified copy of this ordinance to the Seattle-First National Bank Building’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 10th day of January, 2023,  
5 and signed by me in open session in authentication of its passage this 10th day of  
6 January, 2023.

7   
8 President \_\_\_\_\_ of the City Council

9  Approved /  returned unsigned /  vetoed this 13th day of January, 2023.

10   
11 Bruce A. Harrell, Mayor

12 Filed by me this 13th day of January, 2023.

13   
14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)