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1	CITY OF SEATTLE
2	ORDINANCE 126830
3	COUNCIL BILL 120565
4 5 6 7 8 9 10	<ul> <li>AN ORDINANCE relating to historic preservation; imposing controls upon Daniel Bagley Elementary 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.</li> <li>WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal</li> </ul>
11	Code (SMC), establishes a procedure for the designation and preservation of sites,
12	improvements, and objects having historical, cultural, architectural, engineering, or
13	geographic significance; and
14	WHEREAS, the Landmarks Preservation Board ("Board"), after a public meeting on May 6,
15	2015, voted to approve the nomination of the improvement located at 7821 Stone Avenue
16	N and the site on which the improvement is located (which are collectively referred to as
17	"Daniel Bagley Elementary School") for designation as a landmark under SMC Chapter
18	25.12; and
19	WHEREAS, after a public meeting on June 17, 2015, the Board voted to approve the designation
20	of Daniel Bagley Elementary School under SMC Chapter 25.12; and
21	WHEREAS, on February 16, 2022, the Board and Daniel Bagley Elementary School's owner
22	agreed to controls and incentives to be applied to specific features or characteristics of the
23	designated landmark; and
24	WHEREAS, the Board recommends that the City Council enact a designating ordinance
25	approving the controls and incentives; NOW, THEREFORE,
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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 7821 Stone
4	Avenue N and the site on which the improvement is located (which are collectively referred to as
5	"Daniel Bagley Elementary School") is acknowledged.
6	A. Legal Description. Daniel Bagley Elementary School is located on the property legally
7	described as:
8 9 10 11	West 660 feet of North 395 feet of Government Lot 2 in Northeast quarter (1/4) of Section 06 Township 25N Range 04, less West 165 feet thereof less portions for streets; together with North 10 inches of South 102.5 feet of North 500.01 feet of East 29 feet of West 200 feet of SD Government Lot 2.
12	B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board
13	designated the following specific features or characteristics of Daniel Bagley Elementary School:
14	1. The site.
15	2. The exterior of the building.
16	3. The following portions of the interior: meeting room/cafeteria, central entrance
17	and associated corridor display, central stair at the first and second floors, corridors, and
18	classrooms.
19	C. Basis of Designation. The designation was made because Daniel Bagley Elementary
20	School is more than 25 years old; has significant character, interest, or value as a part of the
21	development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the
22	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	Section 2. Controls. The following controls are imposed on the features or characteristics
5	of Daniel Bagley Elementary School that were designated by the Board for preservation:
6	A. Certificate of Approval Process.
7	1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the
8	owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter
9	25.12, or the time for denying a Certificate of Approval must have expired, before the owner
10	may make alterations or significant changes to the features or characteristics of Daniel Bagley
11	Elementary School that were designated by the Board for preservation.
12	2. No Certificate of Approval is required for the following:
13	a. Any in-kind maintenance or repairs of the features or characteristics of
14	Daniel Bagley Elementary School that were designated by the Board for preservation.
15	b. Removal of trees less than 6 inches in diameter measured 4-1/2 feet
16	above ground.
17	c. Removal of mature trees that are not included in any of the following
18	categories:
19	1) Significant to the property's history or design, as outlined in the
20	nomination application.
21	2) A designated Heritage Tree on the City of Seattle/Plant
22	Amnesty list.
23	3) An Exceptional Tree per City of Seattle regulations.

1	d. Planting of new trees in locations that will never obscure the view of
2	designated features of the landmark, or physically undermine a built feature of the landmark.
3	e. Planting or removal of shrubs, perennials, or annuals, in locations that
4	will never obscure the view of designated features of the landmark, or physically undermine a
5	built feature of the landmark.
6	f. Installation, removal, or alteration of the following site furnishings:
7	benches, chairs, tables, swings, movable planters, trash/recycling receptacles, and bike racks.
8	g. Installation, removal, or alteration (including repair) of underground
9	irrigation and underground utilities, provided that the site is restored in kind.
10	h. Repaving and restriping of existing asphalt paved areas.
11	i. Installation, removal, or alteration of play equipment in existing outdoor
12	play areas.
13	j. Installation, removal, or alteration of signage for accessibility
14	compliance, school safety, and other signage as required by City code or Seattle Public Schools
15	safety signage for playgrounds; e.g., "No Guns" or "No Trespassing."
16	k. Installation, removal, or alteration of a building identification sign
17	defined by the following criteria:
18	1) The sign shall be freestanding on the site.
19	2) The sign shall not be attached to built historic features.
20	3) The sign location shall not obscure the view of designated
21	features of the buildings or site.
22	4) The sign's content may include the building name, street
23	address, and logo associated with the school's identity.

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1	5) The sign shall not be internally illuminated.
2	6) The sign shall be no more than 30 square feet in area, and the
3	top of the sign shall not exceed 4 feet above grade.
4	l. Removal of non-historic portable classroom buildings.
5	m. Installation or removal of interior, temporary window shading devices
6	that are operable and do not obscure the glazing when in the open position.
7	n. Installation, removal, or alteration of curbs, bollards, or wheelstops in
8	parking areas.
9	o. Installation or removal of artwork located at designated areas of the
10	building interior, when fastened to gypsum wallboard surfaces.
11	p. Installation, removal, or alteration of the existing
12	playfield/playcourt/track materials, goal posts, and other track/field related sports equipment on
13	the west side of the property.
14	q. Demolition of non-historic building additions, provided associated
15	alterations or changes to the Landmark are addressed per subsection 2.B.3.p of this ordinance.
16	r. Minor alterations or changes to non-historic building additions, provided
17	they do not increase the footprint or height of that portion of the building. Art installations shall
18	be addressed per subsection 2.B.3.i of this ordinance.
19	B. City Historic Preservation Officer (CHPO) Approval Process.
20	1. The CHPO may review and approve alterations or significant changes to the
21	features or characteristics listed in subsection 2.B.3 of this ordinance according to the following
22	procedure:

1	a. The owner shall submit to the CHPO a written request for the alterations
2	or significant changes, including applicable drawings or specifications.
3	b. If the CHPO, upon examination of submitted plans and specifications,
4	determines that the alterations or significant changes are consistent with the purposes of SMC
5	Chapter 25.12, the CHPO shall approve the alterations or significant changes without further
6	action by the Board.
7	2. If the CHPO does not approve the alterations or significant changes, the owner
8	may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval
9	under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to
10	the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a
11	written decision constitutes approval of the request.
12	3. CHPO approval of alterations or significant changes to the features or
13	characteristics of Daniel Bagley Elementary School that were designated by the Board for
14	preservation is available for the following:
15	a. The installation, removal, or alteration of ducts, conduits, HVAC vents,
16	grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters,
17	and/or other similar mechanical, electrical, and telecommunication elements necessary for the
18	normal operation of the building or site.
19	b. Installation, removal, or alteration of exterior light fixtures, exterior
20	security lighting, and security system equipment.
21	c. Installation of new single-story portable classrooms or a storage shed.

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1	d. Removal of trees more than 6 inches in diameter measured 4-1/2 feet
2	above ground, when identified as a hazard by an International Society of Arboriculture (ISA)
3	Certified Arborist, and not already excluded from review in subsection 2.A.2.c of this ordinance.
4	e. Installation, removal, or alterations to fences, gates, and barriers.
5	f. Signage other than signage excluded in subsections 2.A.2.j and 2.A.2.k
6	of this ordinance.
7	g. Installation, removal, or alteration of improvements for safety or
8	accessibility compliance.
9	h. Installation, removal, or alteration of fire and life safety equipment.
10	i. Installation, removal, or alteration of painted murals and other art
11	installations located on features or characteristics of the landmark that were designated by the
12	Board for preservation, other than those excluded in subsection 2.A.2.0 of this ordinance.
13	j. Installation, removal, or alteration of new learning gardens or play areas,
14	including expansions of their existing areas.
15	k. Installation, removal, or alteration of garden logs and boulders for
16	outdoor seating, and other landscape features or accessories.
17	l. Alterations or changes to interior features or characteristics of the
18	landmark that were designated by the Board for preservation.
19	m. Installation of photovoltaic panels on a building rooftop.
20	n. Changes to paint colors for any of the features or characteristics of the
21	landmark that were designated by the Board for preservation.

1	o. Replacement of non-historic doors and windows within original
2	openings, when the staff determines that the design intent is consistent with the Secretary of the
3	Interior's Standards for Rehabilitation.
4	p. Alterations or changes to designated features of the landmark when
5	associated with demolition of adjacent non-historic building additions.
6	q. Emergency repairs or measures (including immediate action to secure
7	the area, install temporary equipment, and employ stabilization methods as necessary to protect
8	the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to
9	the buildings or site as related to a seismic or other unforeseen event. Following such an
10	emergency, the owner shall adhere to the following:
11	1) The owner shall immediately notify the City Historic
12	Preservation Officer and document the conditions and actions the owner took.
13	2) If temporary structural supports are necessary, the owner shall
14	make all reasonable efforts to prevent further damage to historic resources.
15	3) The owner shall not remove historic building materials from the
16	site as part of the emergency response.
17	4) In consultation with the City Historic Preservation Officer and
18	staff, the owner shall adopt and implement a long-term plan to address any damage through
19	appropriate solutions.
20	Section 3. Incentives. The following incentives are granted on the features or
21	characteristics of Daniel Bagley Elementary School that were designated by the Board for
22	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 and the Seattle
4	Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable
5	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. Daniel Bagley Elementary School is added alphabetically to Section IV,
14	Schools, of the 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 Daniel Bagley Elementary School's owner.

Erin Doherty DON Bagley ES Landmark Designation ORD

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1	Section 7. This ordinance shall take effect and be in force 30 days after its approval b	у
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 23rd day of May , 202	3,
5	and signed by me in open session in authentication of its passage this <u>23rd</u> day of	
6	, 2023.	
7 8	President Pro Tem of the City Council	
9	Approved / $\Box$ returned unsigned / $\Box$ vetoed this $\underline{1st}_{day of} \underline{June}_{,2}$	023.
10	Bruce Q. Hanel	
11	Bruce A. Harrell, Mayor	
12	Filed by me this 1st day of June , 2023.	
13	· Am2	
14	Anne Frantilla, Interim City Clerk	
15	(Seal)	
16	Attachments:	