



Legislation Details (With Text)

File #: CB 120729 **Version:** 1 **Name:** CB 120729
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 12/12/2023
Final Action: 12/28/2023 **Ord. No.** Ord 126973

Title: AN ORDINANCE relating to historic preservation; imposing controls upon the Elephant Car Wash Sign, 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.

Sponsors: Tammy J. Morales

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Summary Ex A - Vicinity Map of the Elephant Car Wash Sign, 3. Landmarks Preservation Board Report, 4. Photos, 5. Signed Ordinance 126973, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/28/2023	1	City Clerk	attested by City Clerk	
12/28/2023	1	Mayor	returned	
12/28/2023	1	Mayor	Signed	
12/18/2023	1	City Clerk	submitted for Mayor's signature	
12/12/2023	1	City Council	passed	Pass
12/8/2023	1	Neighborhoods, Education, Civil Rights, and Culture Committee	pass	Pass
12/5/2023	1	City Council	referred	
10/5/2023	1	Council President's Office	sent for review	
10/4/2023	1	City Clerk	sent for review	
10/4/2023	1	Department of Neighborhoods	legislation transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Elephant Car Wash Sign, 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 July 6, 2022, voted to approve the nomination of the object located at 2205 7th Avenue (which is referred to as “the Elephant Car Wash Sign”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on August 17, 2022, the Board voted to approve the designation of the Elephant Car Wash Sign under SMC Chapter 25.12; and

WHEREAS, on February 15, 2023, the Board and the Elephant Car Wash Sign’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 object located at 2205 7th Avenue (which is referred to as “the Elephant Car Wash Sign”) is acknowledged.

A. Legal Description. The Elephant Car Wash Sign is located on the property legally described as:

Lots 1 and 2, Block 21 of the Plat of the Second Addition to the Town of Seattle Laid Off by the Heirs of Sarah A. Bell, according to the Plat thereof recorded in Volume 1 of Plats, Page 121, in King County, Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Elephant Car Wash Sign: the sign.

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

1. It is associated in a significant way with a significant aspect of the cultural, political, or

economic heritage of the community, City, state, or nation (SMC 25.12.350.C).

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

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

Section 2. Controls. The following controls are imposed on the features or characteristics of the Elephant Car Wash Sign that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the features or characteristics of the Elephant Car Wash Sign that were designated by the Board for preservation.

2. No Certificate of Approval is required for the following: any in-kind maintenance or repairs of the features or characteristics of the Elephant Car Wash Sign that were designated by the Board for preservation.

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

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

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

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

2. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12.

The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of the Elephant Car Wash Sign that were designated by the Board for preservation is available for the following:

a. Internal mechanical or electrical alterations that do not affect the appearance of the sign.

b. Relocation of the sign, if the proposed new location remains in the general vicinity of the current location and continues to be visible from the public rights-of-way.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Elephant Car Wash Sign that were designated by the Board for preservation:

A. Certain incentives, and exceptions to or exemptions from regulations in Title 23 Seattle Municipal Code may be available, either by virtue of the zoning designation applicable to the landmark or its status as a landmark.

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

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

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

Section 5. The Elephant Car Wash Sign is added alphabetically to Section IX, Miscellaneous, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

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

to the Elephant Car Wash Sign's owner.

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

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)