



Legislation Text

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File #: CB 119847, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

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,

**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 4225 Brooklyn Avenue NE and the site on which the improvement is located (which are collectively referred to as the “Canterbury Court”) is acknowledged.

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

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

1. The site.
2. The exterior of the building.

C. Basis of Designation. The designation was made because the Canterbury Court 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 embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).

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

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

- a. Any in-kind maintenance or repairs of the features or characteristics of the Canterbury Court that were designated by the Board for preservation.
- b. Removal of trees less than 6 inches in diameter measured 4-1/2 feet above ground.
- c. Removal and/or replacement of shrubs, perennials, and annuals in existing locations.
- d. Installation, removal, or alteration of the following site furnishings: benches, chairs, tables, swings, movable planters, and trash/recycling receptacles.
- e. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.
- f. Installation or removal of interior, temporary window shading devices that are operable and therefore do not obscure the glazing when in the open position.
- g. Removal of security bars at windows.
- h. Removal of existing chain link fencing.
- i. Removal and/or replacement of property entry gate.
- j. Removal of the non-historic exterior stair on the west end of the south facade.

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 the alterations or significant changes, including applicable drawings or specifications.
  - b. If the CHPO, upon examination of submitted plans and specifications, determines that the 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 Canterbury Court that were designated by the Board for preservation is available for the following:

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

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

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

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

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

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

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

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

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

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

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

l. Landscape alterations other than those excluded in subsections 2.A.2.b, 2.A.2.c, and

2.B.3.c of this ordinance.

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

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

B. Exceptions to certain of the requirements of the Seattle Building Code, adopted by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, 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.

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

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

Section 5. The Canterbury Court is added alphabetically to Section II, Buildings, 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 Canterbury Court'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 \_\_\_\_\_, 2020, and signed by

me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)