



Legislation Details (With Text)

File #: CB 119064 **Version:** 1 **Name:** CB 119064
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 9/25/2017
Final Action: 9/29/2017 **Ord. No.** Ord 125419

Title: AN ORDINANCE relating to historic preservation; imposing controls upon the Maritime 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.

Sponsors: Tim Burgess

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Summary Ex A - Vicinity Map of the Maritime Building, 3. Landmarks Preservation Board Report, 4. Photos, 5. Presentation, 6. Affidavit of Publication, 7. Signed Ord_125419

Date	Ver.	Action By	Action	Result
9/29/2017	1	City Clerk	attested by City Clerk	
9/29/2017	1	Mayor	returned	
9/29/2017	1	Mayor	Signed	
9/28/2017	1	City Clerk	submitted for Mayor's signature	
9/25/2017	1	City Council	passed	Pass
9/15/2017	1	Affordable Housing, Neighborhoods, and Finance Committee	pass	Pass
9/5/2017	1	City Council	referred	
8/10/2017	1	Council President's Office	sent for review	
8/8/2017	1	City Clerk	sent for review	
8/8/2017	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Maritime 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 November 18, 2015, voted to approve the nomination of the improvement located at 911 Western Avenue (referred to as the “Maritime Building” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on January 6, 2016, the Board voted to approve the designation of the Maritime Building under SMC Chapter 25.12; and

WHEREAS, on June 21, 2017, the Board and the owner of the designated landmark agreed to controls and incentives; 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: Pursuant to Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 911 Western Avenue (referred to as the “Maritime Building” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Maritime Building is located on the property legally described as:

Lots 1, 2, 3, and 4, Block 188, all in Seattle Tide Lands, according to the unrecorded plat thereof, in King County, Washington; more particularly described as follows: Beginning at the northeasterly corner of said Block 188; thence southeasterly along the west line of Western Avenue to the southeast corner of said block; thence southwesterly along the southerly line of said block, 134 feet; thence northwesterly parallel with Western Avenue, 240 feet, more or less, to the northerly line of said block and the south line of Madison Street; thence northeasterly along the south line of Madison Street, 134 feet to the place of beginning.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Maritime Building: the exterior of the building.

C. Basis of Designation. The designation was made because the Maritime Building 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 from SMC 25.12.350:

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); and
2. 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 hereby imposed on the features or characteristics of the Maritime Building 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 pursuant 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 Maritime Building 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 Maritime Building that were designated by the Board for preservation.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (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 Maritime Building that were designated by the Board for preservation is available for the following:

a. The installation, alteration, or removal of duct conduits, HVAC vents, grilles, fire escapes, pipes, meters and utility connections, downspouts and gutters, and other similar wiring or mechanical elements necessary for the normal operation of the building, and storefront alterations associated with the foregoing.

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

c. The installation, alteration, or removal of signage.

d. Exterior paint colors.

e. The alteration or replacement of railings at the western first floor patio and at the roof deck.

f. Relocation and/or restoration of exterior doors at the ground level if necessary in connection with the demising of retail space.

g. The installation, alteration, or removal of exterior architectural lighting.

h. The installation, alteration, or replacement of landscaping on the western first floor patio and on the roof deck.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics of the Maritime Building 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 pursuant to Seattle Municipal Code Title 23.

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

C. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

D. The owner may be eligible to participate in the City's Landmark Transfer of Development Rights (TDR) Bank after obtaining a determination from the City concerning the quantity of unused development rights for the Landmark that are eligible for transfer to receiving properties as Landmark TDR, pursuant to SMC 23.49.014.

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

Section 5. The Maritime Building is hereby 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 Director of Records and Elections, 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 owner of the landmark.

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 _____, 2017, and signed by
me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)