

Ordinance No. 122778

JOSH GREEN

Council Bill No. 116218

AN ORDINANCE relating to historic preservation, imposing controls upon the Joshua Green 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.

Related Legislation File: _____

Date Introduced and Referred: <u>5-19-08</u>	To: (committee): Planning, Land Use & Neighborhoods (PLUNC)
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>9-8-08</u>	Date Presented to Mayor: <u>9-9-08</u>
Date Signed by Mayor: <u>9-11-08</u>	Date Returned to City Clerk: <u>9-11-08</u>
Published by Title Only _____	Date Vetoed by Mayor: <u>6</u>
Published in Full Text <input checked="" type="checkbox"/>	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: *Samy S. Comm*

Committee Action:

Date	Recommendation	Vote
<u>8/21/8</u>	<u>ADPT</u>	<u>3-0 SC, T, R</u>

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
<u>9-8-08</u>	<u>Passed</u>	<u>7-0 (Excused: Conlun, Drago)</u>

Law Department



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 6, 2008

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

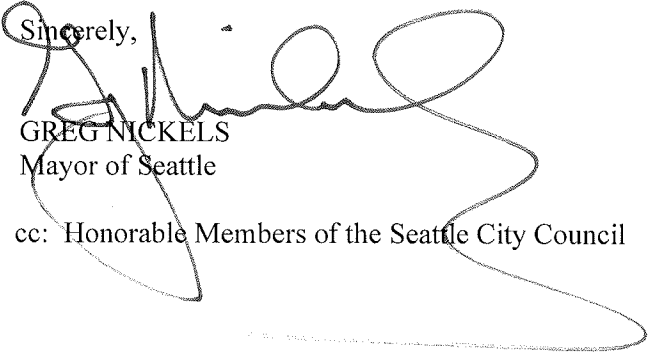
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that designates the Joshua Green Building located at 1425 Fourth Avenue as an historic landmark and adds it to the Table of Historical Landmarks in the Seattle Municipal Code.

A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the exterior of the building and the roof. Excluded from the controls are any in-kind maintenance or repairs to the exterior of the building and the roof.

Thank you for your consideration of this legislation. Should you have questions, please contact Sarah Sodi, Department of Neighborhoods at 615-1786.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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ORDINANCE 122778

AN ORDINANCE relating to historic preservation, imposing controls upon the Joshua Green 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 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 (“the Board”), after a public meeting on January 20, 1988, voted to approve the nomination of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 6, 1988 the Board voted to approve the designation of the Joshua Green Building under SMC Chapter 25.12; and

WHEREAS, on February 6, 2008, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board (“the Board”) of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), is hereby acknowledged.



1 A. Legal Description. The Joshua Green Building is located on the property legally
2 described as:

3 Lots 2 and 3, Block 21, A.A. Denny's Third Addition to the City of Seattle,
4 according to the plat thereof recorded in Volume 1 of Plats, Page 33, in King County,
5 Washington, except that portion condemned for 4th Avenue as authorized by City of
6 Seattle Ordinance No. 13746, and except any portion, if any lying within Pike Street as
7 disclosed by recital in deed under King County Recording No. 2632270.
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9 B. Specific Features and/or Characteristics Designated. Pursuant to SMC
10 25.12.660A2, the following specific features and/or characteristics of the Joshua Green Building
11 are designated:
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- 13 1. The exterior of the building, including the roof.

14 C. Basis of Designation. The designation was made because the Joshua Green
15 Building has significant character, interest or value as a part of the development, heritage or
16 cultural characteristics of the City, state or nation, it has integrity or the ability to convey its
17 significance, and because it satisfies the following from Section 25.12.350:
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- 19 1. It embodies the distinctive visible characteristics of an architectural style, period,
20 or of a method of construction. (SMC 25.12.350D)
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22 Section 2. CONTROLS: The following controls are hereby imposed on the features and
23 characteristics of the Joshua Green Building that were designated by the Board for preservation:
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1 A. Certificate of Approval Process.

2 1. Except as provided in Section 2.A.2 of this Ordinance, the owner must obtain a
3 Certificate of Approval issued by the Board pursuant to SMC chapter 25.12, or the
4 time for denying a Certificate of Approval must have expired, before the owner
5 may make alterations or significant changes to the following specific features or
6 characteristics:

7 a. The exterior of the building, including the roof.

8
9 2. No Certificate of Approval or approval by the City Historic Preservation
10 Officer(CHPO) is required for the following:

11 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

12
13 B. City Historic Preservation Officer (CHPO) Approval Process.

14 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
15 Ordinance according to the following procedure:

16 a. The owner shall submit to the City Historic Preservation Officer (CHPO) a
17 written request for the alterations, including applicable drawings and/or
18 specifications.

19 b. If the CHPO, upon examination of submitted plans and specifications,
20 determines that the alterations are consistent with the purposes of SMC
21 chapter 25.12, the alterations shall be approved without further action by
22 the Board.
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1 c. If the CHPO does not approve the alterations, the owner may submit
2 revised materials to the CHPO, or apply to the Board for a Certificate of
3 Approval under SMC chapter 25.12, as provided in Section 2.A.

4 2. The CHPO shall transmit a written decision on the owner's request to the owner
5 within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the
6 request shall constitute approval of the request.

7 3. CHPO approval for changes or alterations to the designated features or
8 characteristics of the landmark described in Section 1.B of this Ordinance, is available for the
9 following:
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11 a. For the specified features and characteristics of the building, the addition
12 or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes,
13 and other similar wiring or mechanical elements necessary for the normal
14 operation of the building.
15

16 Section 3. INCENTIVES: The following incentives are hereby granted on the features
17 and characteristics of the Joshua Green Building that were designated by the Board for
18 preservation:
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20 A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark
21 by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title
22 23.

24 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC chapter
25 22.100 and the Energy Code of the City, SMC chapter 22.700 may be authorized pursuant to the
26 applicable provisions thereof.
27

1 C. 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 Joshua Green Building is hereby added to the Table of Historical
6 Landmarks contained in SMC Chapter 25.32.

7
8 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
9 King County Director of Records and Elections, deliver two certified copies to the City Historic
10 Preservation Officer, and deliver one copy to the Director of the Department of Planning and
11 Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of
12 the landmark.
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15 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
16 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
17 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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Passed by the City Council the 8th day of September, 2008, and
signed by me in open session in authentication of its passage this
8th day of September, 2008.

Richard J. McDevitt
President of the City Council

Approved by me this 11th day of September, 2008.

Gregory J. Nickels
Gregory J. Nickels, Mayor

Filed by me this 11th day of September, 2008.

Scott C.
City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Neighborhoods	Sarah Sodt/615-1786	Amy Williams/233-2651

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Joshua Green 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.

• **Summary of the Legislation:**

The attached legislation acknowledges the designation of the Joshua Green Building as an historic landmark based upon a determination by the Landmarks Preservation Board and adds the building to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

• **Background:**

The Joshua Green Building was built in 1910 in downtown Seattle. A Controls and Incentives Agreement has been signed by the owners and has been approved by the Landmarks Preservation Board. Included in the landmark controls is the exterior of the building, including the roof. Excluded from the controls are any in-kind maintenance or repairs of the features listed in Section A.1.

• *Please check one of the following:*

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*



STATE OF WASHINGTON – KING COUNTY

--SS.

229192
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

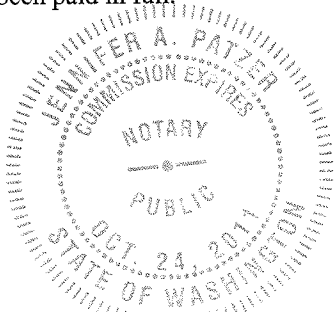
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122778 ORDINANCE

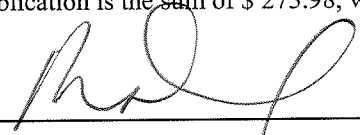
was published on

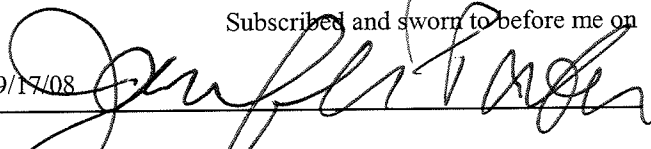
09/17/08

The amount of the fee charged for the foregoing publication is the sum of \$ 273.98, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
09/17/08 

Notary public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 122778

AN ORDINANCE relating to historic preservation, imposing controls upon the Joshua Green 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 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 ("the Board"), after a public meeting on January 20, 1988, voted to approve the nomination of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 6, 1988 the Board voted to approve the

designation of the Joshua Green Building under SMC Chapter 25.12; and

WHEREAS, on February 6, 2008, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), is hereby acknowledged.

A. **Legal Description.** The Joshua Green Building is located on the property legally described as:

Lots 2 and 3, Block 21, A.A. Denny's Third Addition to the City of Seattle, according to the plat thereof recorded in Volume 1 of Plats, Page 33, in King County, Washington, except that portion condemned for 4th Avenue as authorized by City of Seattle Ordinance No. 13746, and except any portion, if any lying within Pike Street as disclosed by recital in deed under King County Recording No. 2632270.

B. **Specific Features and/or Characteristics Designated.** Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of the Joshua Green Building are designated:

1. The exterior of the building, including the roof.

C. **Basis of Designation.** The designation was made because the Joshua Green Building has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

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

Section 2. **CONTROLS:** The following controls are hereby imposed on the features and characteristics of the Joshua Green Building that were designated by the Board for preservation:

A. **Certificate of Approval Process.**

1. Except as provided in Section 2.A.2 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 following specific features or characteristics:

a. The exterior of the building, including the roof.

2. No Certificate of Approval or approval by the City Historic Preservation Officer (CHPO) is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

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

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. 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 approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. **INCENTIVES:** The following incentives are hereby granted on the features and characteristics of the Joshua Green 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 issued pursuant to Seattle Municipal Code Title 23.

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

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 Joshua Green Building is hereby added to 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 City Historic Preservation Officer, and deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 8th day of September, 2008 and signed by me in open session in authentication of its passage this 8th day of September, 2008.

Richard Conlin
President of the City Council
Approved by me this 11th day of September, 2008.

Gregory J. Nickels, Mayor
Filed by me this 11th day of September, 2008.

(Seal) Judith Pippin
City Clerk
Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily Journal of Commerce, September 17, 2008.
9/17(229192)

State of Washington County

STATE OF WASHINGTON – KING COUNTY

--SS.

229192
CITY OF SEATTLE, CLERKS OFFICE

No.

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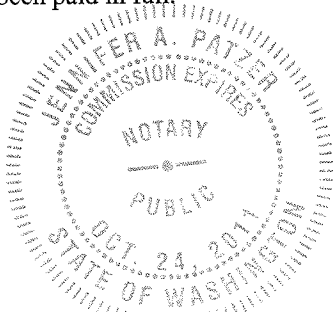
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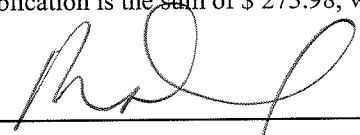
was published on

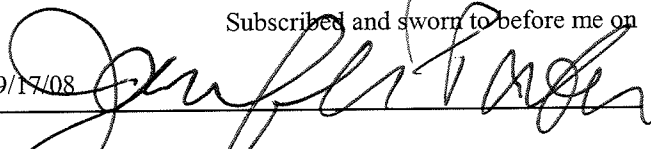
09/17/08

The amount of the fee charged for the foregoing publication is the sum of \$ 273.98, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
09/17/08 

Notary public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 122778

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WHEREAS, the Landmarks 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 ("the Board"), after a public meeting on January 20, 1988, voted to approve the nomination of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 6, 1988 the Board voted to approve the

designation of the Joshua Green Building under SMC Chapter 25.12; and

WHEREAS, on February 6, 2008, 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:

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A. **Legal Description.** The Joshua Green Building is located on the property legally described as:

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B. **Specific Features and/or Characteristics Designated.** Pursuant to SMC 25.12.660A2, the following specific features and/or characteristics of the Joshua Green Building are designated:

1. The exterior of the building, including the roof.

C. **Basis of Designation.** The designation was made because the Joshua Green Building has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, it has integrity or the ability to convey its significance, and because it satisfies the following from Section 25.12.350:

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

Section 2. **CONTROLS:** The following controls are hereby imposed on the features and characteristics of the Joshua Green Building that were designated by the Board for preservation:

A. **Certificate of Approval Process.**

1. Except as provided in Section 2.A.2 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 following specific features or characteristics:

a. The exterior of the building, including the roof.

2. No Certificate of Approval or approval by the City Historic Preservation Officer (CHPO) is required for the following:

a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

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

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.

b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC chapter 25.12, the alterations shall be approved without further action by the Board.

c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. 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 approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. **INCENTIVES:** The following incentives are hereby granted on the features and characteristics of the Joshua Green 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 issued pursuant to Seattle Municipal Code Title 23.

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

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 Joshua Green Building is hereby added to 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 City Historic Preservation Officer, and deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 8th day of September, 2008 and signed by me in open session in authentication of its passage this 8th day of September, 2008.

Richard Conlin

President of the City Council

Approved by me this 11th day of September, 2008.

Gregory J. Nickels, Mayor

Filed by me this 11th day of September, 2008.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, September 17, 2008.

9/17(229192)

State of Washington



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SEATTLE CITY C ORD 48.00
PAGE 001 OF 007
10/14/2008 15:37
KING COUNTY, WA

Return Address:

Seattle City Clerk's Office

600 4th Avenue, Floor 3

P O Box 94728

Seattle, WA 98124 - 4728

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) and corresponding number (or transaction contained therein)

1. Ordinance 122778

Reference Number(s) of Documents assigned or released:

1.

Additional reference #'s on page ____ of document

Grantor(s)

1. City of Seattle

Additional names on page ____ of document.

Grantee(s) Public (Last name first, then first name and initials)

1.

2. Additional names on page ____ of document

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

Additional reference #'s on page ____ of document

Assessor's Property Tax Parcel/Account Number

Assessor Tax # not yet assigned.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

DO NOT SIGN UNLESS IT'S AN EMERGENCY

Signature of Requesting Party

FILED
CITY OF SEATTLE
08 NOV 12 AM 11:17
CITY CLERK

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ORDINANCE 122778

AN ORDINANCE relating to historic preservation, imposing controls upon the Joshua Green 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 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 (“the Board”), after a public meeting on January 20, 1988, voted to approve the nomination of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 6, 1988 the Board voted to approve the designation of the Joshua Green Building under SMC Chapter 25.12; and

WHEREAS, on February 6, 2008, 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 SMC 25.12.660, the designation by the Landmarks Preservation Board (“the Board”) of the improvement known as the Joshua Green Building located at 1425 Fourth Avenue in Seattle (referred to as the Joshua Green Building for the purposes of this ordinance), is hereby acknowledged.



1 A. Legal Description. The Joshua Green Building is located on the property legally
2 described as:

3 Lots 2 and 3, Block 21, A.A. Denny's Third Addition to the City of Seattle,
4 according to the plat thereof recorded in Volume 1 of Plats, Page 33, in King County,
5 Washington, except that portion condemned for 4th Avenue as authorized by City of
6 Seattle Ordinance No. 13746, and except any portion, if any lying within Pike Street as
7 disclosed by recital in deed under King County Recording No. 2632270.

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9 B. Specific Features and/or Characteristics Designated. Pursuant to SMC
10 25.12.660A2, the following specific features and/or characteristics of the Joshua Green Building
11 are designated:

- 12 1. The exterior of the building, including the roof.

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14 C. Basis of Designation. The designation was made because the Joshua Green
15 Building has significant character, interest or value as a part of the development, heritage or
16 cultural characteristics of the City, state or nation, it has integrity or the ability to convey its
17 significance, and because it satisfies the following from Section 25.12.350:

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

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22 Section 2. CONTROLS: The following controls are hereby imposed on the features and
23 characteristics of the Joshua Green Building that were designated by the Board for preservation:



1 A. Certificate of Approval Process.

2 1. Except as provided in Section 2.A.2 of this Ordinance, the owner must obtain a
3 Certificate of Approval issued by the Board pursuant to SMC chapter 25.12, or the
4 time for denying a Certificate of Approval must have expired, before the owner
5 may make alterations or significant changes to the following specific features or
6 characteristics:

7 a. The exterior of the building, including the roof.

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10 2. No Certificate of Approval or approval by the City Historic Preservation
11 Officer(CHPO) is required for the following:

12 a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.

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

14 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
15 Ordinance according to the following procedure:

16 a. The owner shall submit to the City Historic Preservation Officer (CHPO) a
17 written request for the alterations, including applicable drawings and/or
18 specifications.

19 b. If the CHPO, upon examination of submitted plans and specifications,
20 determines that the alterations are consistent with the purposes of SMC
21 chapter 25.12, the alterations shall be approved without further action by
22 the Board.
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c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC chapter 25.12, as provided in Section 2.A.

2. 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 approve or disapprove the request shall constitute approval of the request.

3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this Ordinance, is available for the following:

a. For the specified features and characteristics of the building, the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Joshua Green 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 issued pursuant to Seattle Municipal Code Title 23.

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



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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 Joshua Green Building is hereby added to 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 City Historic Preservation Officer, and deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.



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Passed by the City Council the 8th day of September, 2008, and
signed by me in open session in authentication of its passage this
8th day of September, 2008.

Richard J. McIver
President of the City Council

Approved by me this 11th day of September, 2008.

Gregory J. Nickels
Gregory J. Nickels, Mayor

Filed by me this 11th day of September, 2008.

Scott C.
City Clerk

(Seal)

STATE OF WASHINGTON
COUNTY OF KING } SS
CITY OF SEATTLE

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF Ordinance 122778

AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE THIS 14th October 2008

JUDITH E. PIPPIN
CITY CLERK

BY [Signature]
DEPUTY CLERK

