

ORDINANCE No. 118720

COUNCIL BILL No. 111861

INDEXED

The City

AN ORDINANCE relating to the land use and zoning; amending Sections 23.44.058, 23.84.006, 23.84.014; and 23.84.025 of the Seattle Municipal Code to permit columbariums and garden wall crypts in single family zones when accessory to religious facilities.

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>SEP 7 1997</u>	By: <u>DRAGO</u>
Referred: <u>SEP 7 1997</u>	To: <u>Business, Economic &amp; Community Development Committee</u>
Referred:	To:
Referred:	To:
Reported:	Second Reading:
Third Reading: <u>SEP 15 1997</u>	Signed: <u>SEP 15 1997</u>
Presented to Mayor: <u>SEP 15 1997</u>	Approved: <u>SEP 18 1997</u>
Returned to City Clerk: <u>SEP 18 1997</u>	Published: <u>Full 2pgs.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

9-8-97 Full Council

9-15-97 Full Council

(no: change)

RECEIVED

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

able President:

committee on

ch was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

9/5 Do pass as amended 3-0

97 Full Council Action: Hold one week 6-0

(excused: Choe, Noland, Pagelen)

97 Full Council Action: 7-1 Pass

(no: Chong)

(excused: Podlowski)

Committee Chair

ORDINANCE 118720

AN ORDINANCE relating to land use and zoning; amending Sections 23.44.058, 23.84.006, 23.84.014; and 23.84.025 of the Seattle Municipal Code to permit columbariums and garden wall crypts in single family zones when accessory to religious facilities. NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.44.058 of the Seattle Municipal Code (SMC), as last amended by Ordinance 110669, is further amended as follows:

**23.44.058 Columbariums, garden wall crypts and mausoleums.**

Columbariums, garden wall crypts and mausoleums are permitted only as accessory to existing cemeteries except that columbariums and garden wall crypts may also be accessory to religious facilities, and subject to the ~~((following development standards for accessory uses))~~ general development standards for accessory uses (-). In addition,

~~((1. N))~~ no interment openings shall abut or be directly across the street from property other than cemetery property ((-).

2. For columbariums, garden wall crypts and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition. For columbariums and garden wall crypts accessory to religious facilities, the landscaping requirements of SMC 23.44.022 I applicable to religious facilities and other institutions shall apply.

Section 2. Section 23.84.006 of the SMC, which Section was last amended by Ordinance 117263, is amended to add two definitions in alphabetical order as follows:

**23.84.006 "C".**

\* \* \*

"Cemetery" means a place dedicated and used or intended to be used as a burial ground.

\* \* \*

"Columbarium" means a structure or space in a structure containing niches for permanent inurnment of cremated remains.

\* \* \*

Section 3. Section 23.84.014 of the SMC, which Section was last amended by Ordinance 118414, is amended to add a definition in alphabetical order as follows:



1  
2 **23.84.014 "G".**  
3

4 \* \* \*

5 "Garden Wall Crypt" means an outdoor freestanding wall or exterior wall of a structure  
6 containing niches for permanent inurnment of cremated remains.  
7

8 \* \* \*

9 Section 4. Section 23.84.025 of the SMC, which Section was last amended by  
10 Ordinance 118012, is amended to add a definition in alphabetical order as follows:  
11

12 **23.84.025 "M".**  
13

14 \* \* \*

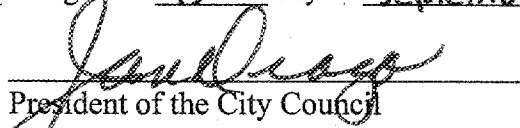
15 "Mausoleum" means a structure or building for the entombment of human remains in  
16 crypts.  
17

18 \* \* \*

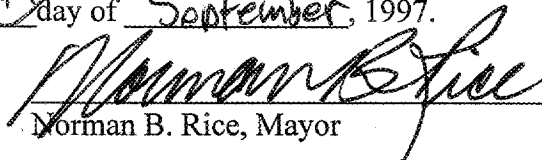
19  
20 Section 5. The provisions of this ordinance are declared to be separate and severable.  
21 The invalidity of any particular provision shall not affect the validity of any other provision.  
22

23 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after  
24 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
25 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.  
26

27  
28 Passed by the City Council the 9<sup>th</sup> day of September, 1997, and signed in  
29 open session in authentication of its passage this 15<sup>th</sup> day of September, 1997.  
30

31   
32 President of the City Council  
33

34 Approved by me this 18<sup>th</sup> day of September, 1997.  
35

36   
37 Norman B. Rice, Mayor  
38

39 Filed by me this 18 day of September, 1997.  
40

41   
42 Clerk  
43

(SEAL)

**Return Address:**

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

**Document Title(s)** (or transaction contained therein): (all areas applicable to your document must be filled

1. ORDINANCE # 118720

Re \_\_\_\_\_ of document.

**Grantor(s)** (Last name first, then first name and initials)

1. City Council

2.

3.

4.

☐ Additional names on page \_\_\_\_\_ of document.

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

1. City of Seattle

2.

3.

4.

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

☐ Additional reference #'s on page \_\_\_\_\_ of document/ N/A

**Assessor's Property Tax Parcel/Account Number/ N/A**

☐ Assessor Tax # not yet assigned.

9710011073

ORDINANCE 118720

AN ORDINANCE relating to land use and zoning; amending Sections 23.44.058, 23.84.006, 23.84.014; and 23.84.025 of the Seattle Municipal Code to permit columbariums and garden wall crypts in single family zones when accessory to religious facilities. NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.44.058 of the Seattle Municipal Code (SMC), as last amended by Ordinance 110669, is further amended as follows:

**23.44.058 Columbariums, garden wall crypts and mausoleums.**

Columbariums, garden wall crypts and mausoleums are permitted only as accessory to existing cemeteries except that columbariums and garden wall crypts may also be accessory to religious facilities, and subject to the ~~((following development standards for accessory uses))~~ general development standards for accessory uses (+). In addition,

~~((1-N))~~ no interment openings shall abut or be directly across the street from property other than cemetery property ((-).

2. For columbariums, garden wall crypts and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition. For columbariums and garden wall crypts accessory to religious facilities, the landscaping requirements of SMC 23.44.022 I applicable to religious facilities and other institutions shall apply.

Section 2. Section 23.84.006 of the SMC, which Section was last amended by Ordinance 117263, is amended to add two definitions in alphabetical order as follows:

**23.84.006 "C".**

\* \* \*

"Cemetery" means a place dedicated and used or intended to be used as a burial ground.

\* \* \*

"Columbarium" means a structure or space in a structure containing niches for permanent inurnment of cremated remains.

\* \* \*

Section 3. Section 23.84.014 of the SMC, which Section was last amended by Ordinance 118414, is amended to add a definition in alphabetical order as follows:

9710011073

9710011073

23.84.014 "G".

\* \* \*

"Garden Wall Crypt" means an outdoor freestanding wall or exterior wall of a structure containing niches for permanent inurnment of cremated remains.

\* \* \*

Section 4. Section 23.84.025 of the SMC, which Section was last amended by Ordinance 118012, is amended to add a definition in alphabetical order as follows:

23.84.025 "M".

\* \* \*

"Mausoleum" means a structure or building for the entombment of human remains in crypts.

\* \* \*

Section 5. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 6. 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 15<sup>th</sup> day of September, 1997, and signed in open session in authentication of its passage this 15<sup>th</sup> day of September, 1997.

[Signature]  
President of the City Council

Approved by me this 18<sup>th</sup> day of September, 1997.

[Signature]  
Norman B. Rice, Mayor

Filed by me this 18 day of September, 1997.

[Signature]  
Clerk

(SEAL)

2

STATE OF WASHINGTON  
COUNTY OF KING  
CITY OF SEATTLE

I, JUDITH E. PETER, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF Ordinance 118720

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

IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY HAND AND AFFIXED THE SEAL TO THE CITY OF SEATTLE, this 26<sup>th</sup> day of Sept. 1997

JUDITH E. PETER

CITY CLERK

[Signature]  
MARGARET CARTER

DEPUTY CLERK

# Seattle City Council



**DATE:** September 5, 1997  
**TO:** All Councilmembers  
**FROM:** Joyce C. Kling *J. Kling* Central Staff  
**SUBJECT:** Recommended change to proposed amendment concerning columbariums

The Business, Economic and Community Development Committee is recommending adoption of the columbarium and garden wall crypt amendment to the Land Use Code with one change. The original amendment deleted the following language:

Any border between structures and the property line shall be landscaped and maintained by the owner in good condition.

The intent of the deletion was to assure that columbariums and garden wall crypts accessory to religious facilities would be subject only to the landscaping requirements already in the code for religious facilities. The unintended consequence was to eliminate the landscaping and maintenance provisions now applicable to columbariums and similar uses that are accessory to cemeteries. The Committee agreed to language that would retain the current requirement for uses accessory to cemeteries while clarifying that the landscaping requirements already applicable to religious facilities will be applied to columbariums and garden wall crypts accessory to those facilities. The recommended language is as follows:

For columbariums, garden wall crypts and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition. For columbariums and garden wall crypts accessory to religious facilities, the landscaping requirements of SMC 23.44.022 I applicable to religious facilities and other institutions shall apply.



ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to land use and zoning; amending Sections 23.44.058, 23.84.006, 23.84.014; and 23.84.025 of the Seattle Municipal Code to permit columbariums and garden wall crypts in single family zones when accessory to religious facilities. NOW THEREFORE,

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~~((1-N))~~ no interment openings shall abut or be directly across the street from property other than cemetery property ((-).

~~2. Any border between structures and the property line shall be landscaped and maintained by the owner in good condition)).~~

Section 2. Section 23.84.006 of the SMC, which Section was last amended by Ordinance 117263, is amended to add two definitions in alphabetical order as follows:

**23.84.006 "C".**

\* \* \*

"Cemetery" means a place dedicated and used or intended to be used as a burial ground.

\* \* \*

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22

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30

31 \_\_\_\_\_  
32 President of the City Council  
33

34 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 1997.  
35

36 \_\_\_\_\_  
37 Norman B. Rice, Mayor  
38

39 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1997.  
40

41 \_\_\_\_\_  
42 Clerk  
43

(SEAL)

# City of Seattle

ORDINANCE 118720

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(1. N) no interment openings shall abut or be directly across the street from property other than cemetery property (1).

2. For columbariums, garden wall crypts and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition. For columbariums and garden wall crypts accessory to religious facilities, the landscaping requirements of SMC 23.44.022 I applicable to religious facilities and other institutions shall apply.

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\*\*\*

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Passed by the City Council the 15th day of September, 1997, and signed by me in open session in authentication of its passage this 15th day of September, 1997.

JAN DRAGO,

President of the City Council.

Approved by me this 18th day of September, 1997.

NORMAN B. RICE, Mayor.

Filed by me this 15th day of September, 1997.

(Seal) JUDITH E. PIPPIN, Clerk.

Publication ordered by JUDITH E. PIPPIN, City Clerk.

((boldface denotes deletion))

Date of official publication in Daily Journal of Commerce, Seattle, September 26, 1997. 9/26/97(86353)

## OF WASHINGTON - KING COUNTY

City Clerk

—SS.

No. ORDINANCE IN

### 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:ORD 118720

was published on  
09/26/97

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

09/26/97 Subscribed and sworn to before me on

Notary Public for the State of Washington,  
residing in Seattle