SEATTLE CITY COUNCIL

Legislative Summary

CB 118438

Record No.: CB 118438 **Type:** Ordinance (Ord) **Status:** Passed

Version: 3 **124850** **In Control:** City Clerk

File Created: 05/28/2015

Final Action: 09/11/2015

Title: AN ORDINANCE relating to Historic Districts; adding a new Chapter 25.30 to the Seattle Municipal Code (SMC); creating the Sand Point Naval Air Station Landmark District; specifying the district's boundaries; adopting criteria for designating the district; establishing a procedure for preserving significant physical elements within the district; establishing the Sand Point Naval Air Station Landmark District Application Review Committee; providing for administration and enforcement of this Ordinance; and amending Section 22.900C.010 and Table C-1 for Section 22.900C.010 of the SMC to provide for the collection of fees for interpretation of Historic District regulations by the Department of Neighborhoods.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: erin.doherty@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: ☐ Yes ☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/11/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text:	The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk					
	Notes:						
1	City Clerk	06/30/2015	sent for review	Council President's Office			
	Action Text:	The Council Bill (CB) was sent for review. to the Council President's Office					
	Notes:						

1	Council President's Office	07/01/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee		
	Action Text:	The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee				
	Notes:					
2	Full Council	07/13/2015	referred	Seattle Public Utilities and Neighborhoods Committee		
	Action Text:	The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee				
	Notes:					
2	Seattle Public Utilities and Neighborhoods Committee	08/11/2015	discussed			
	Action Text:	The Council Bill (CB) was discussed.				
	Notes:					
2	Seattle Public Utilities and Neighborhoods Committee	08/20/2015	pass as amended		09/08/2015	Pass
	Action Text:	The Committee recommends that Full Council pass as amended the Council Bill (CB).				
		In Favor:	4	Chair Bagshaw, Vice Chair Sawant, Member Harrell, Godden		
		Opposed:	0			
3	Full Council	09/08/2015	passed			Pass
	Action Text:	The Council Bill (CB) was passed by the following vote and the President signed the Bill:				
	Notes:					
		In Favor:	9	Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant		
		Opposed:	0			
3	City Clerk	09/10/2015	submitted for Mayor's signature	Mayor		
	Action Text:	The Council Bill (CB) was submitted for Mayor's signature. to the Mayor				
	Notes:					
3	Mayor	09/11/2015	Signed			
	Action Text:	The Council Bill (CB) was Signed.				
	Notes:					
3	Mayor	09/11/2015	returned	City Clerk		
	Action Text:	The Council Bill (CB) was returned. to the City Clerk				
	Notes:					
3	City Clerk	09/11/2015	attested by City Clerk			
	Action Text:	The Ordinance (Ord) was attested by City Clerk.				
	Notes:					

CITY OF SEATTLE

ORDINANCE 124850

COUNCIL BILL 118438

AN ORDINANCE relating to Historic Districts; adding a new Chapter 25.30 to the Seattle Municipal Code (SMC); creating the Sand Point Naval Air Station Landmark District; specifying the district's boundaries; adopting criteria for designating the district; establishing a procedure for preserving significant physical elements within the district; establishing the Sand Point Naval Air Station Landmark District Application Review Committee; providing for administration and enforcement of this Ordinance; and amending Section 22.900C.010 and Table C-1 for Section 22.900C.010 of the SMC to provide for the collection of fees for interpretation of Historic District regulations by the Department of Neighborhoods.

WHEREAS, the Landmarks Preservation Board, after a public meeting on February 2, 2011, voted to approve the nomination of the Sand Point Naval Air Station Landmark District; and

WHEREAS, after a public meeting on March 16, 2011, the Landmarks Preservation Board voted to approve the designation of the Sand Point Naval Air Station Landmark District; and

WHEREAS, on July 3, 2013, the Board and owners of the designated landmark district properties 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. A new Chapter 25.30 is added to the Seattle Municipal Code as follows:

Chapter 25.30

Sand Point Naval Air Station Landmark District

25.30.010 Purpose

A. The City's legislative authority finds that the protection, enhancement, perpetuation, and use of sites, improvements, and objects of historical, cultural, architectural, engineering or geographic significance, located within the City, are required in the interest of the prosperity, civic pride, and general welfare of the people; and further finds that the economic, cultural, and aesthetic standing of this City cannot be maintained or enhanced by disregarding the heritage of the City and by allowing the unnecessary destruction or defacement of such cultural assets.

B. The purposes of this chapter are: (1) to designate, preserve, protect, enhance, and perpetuate those sites, improvements, and objects that reflect significant elements of the City's cultural, aesthetic, social, economic, political, architectural, engineering, historic, or other heritage, consistent with the established long-term goals and policies of the City; (2) to foster civic pride in the beauty and accomplishments of the past; (3) to stabilize or improve the aesthetic and economic vitality and values of such sites, improvements, and objects; (4) to protect and enhance the City's attraction to tourists and visitors; and (5) to promote the use of outstanding sites, improvements, and objects for the education, stimulation, and welfare of the people of the City.

25.30.020 Definitions

The following terms used in this chapter shall, unless the context clearly demands a different meaning, mean as follows:

"Application Review Committee" is the committee established by this chapter to conduct informal reviews of applications for certificates of approval and make recommendations to the

Landmarks Preservation Board.

"Board" is the Seattle Landmarks Preservation Board as provided by Section 25.12.270.

"Certificate of approval" is the written authorization required under Section 25.30.070, or written approval of a preliminary design of a project as well as its subsequent design phases, as provided for in Section 25.30.080.

"Council" is the City Council of The City of Seattle.

"Department" is the Department of Neighborhoods.

"Director" is the Director of the Department of Planning and Development of the City or such other official as may be designated from time to time to issue permits for construction, alteration, reconstruction, or demolition of improvements upon real property in the City.

"Hearing Examiner" is any person authorized to act as a hearing examiner pursuant to Chapter 3.02, the Administrative Code, or any ordinance amendatory or successor thereto.

"Historic Preservation Officer" is the person described in the Landmarks Preservation Ordinance, Section 25.12.320.

"Significant change" is any external alteration, new construction, restoration, or demolition other than routine maintenance or repair.

25.30.030 District established - boundary

There is established the Sand Point Naval Air Station Landmark District whose boundary is described as follows:

A portion of land located in Section 2, Township 25 North, Range 4 East, W.M., City of Seattle, County of King, State of Washington, described as follows:

COMMENCING at the quarter corner common to Sections 2 and 11 in said Township and Range, thence N 88°30'34" W along the south line of said Section

2 a distance of 1319.57 feet to the intersection with Sandpoint Way N.E., said point being marked by a concrete monument in case, Thence N 0°15'38" E along the centerline of Sandpoint Way N.E. a distance of 20.00 feet to the TRUE POINT OF BEGINNING:

Thence S 88°30'34" E along a line that is parallel with and 40 feet south of the north margin of N.E. 65th St. lying east of Sandpoint Way N.E. a distance of 793.54 feet;

Thence N 1°45'34" E a distance of 10.00 feet;

Thence S 88°30'34" E along a line that is parallel with and 30 feet south of the north margin of N.E. 65th St. a distance of 208.10 feet to a non-tangent point of curvature;

Thence on a curve to the north which is concave to the southwest having a radial bearing of N 88°30'34" W, a radius of 373.01 feet, a central angle of 27°00'12", and an arc distance of 175.80 feet to a point of tangency;

Thence N 25°30'46" W a distance of 402.67 feet to a point of curvature;

Thence on a curve to the north which is concave to the northeast, having a radial bearing of N 64°29'14" E, a radius of 576.22 feet, a central angle of 26°22'17", and an arc distance of 265.22 feet to a point of tangency;

Thence N 0°51'31" a distance of 253.40 feet to a point of curvature;

Thence on a curve to the north which is concave to the southwest having a radial bearing of N 89°08'29" W, a radius of 249.37 feet, a central angle of 35°59'23", and an arc distance of 156.64 feet to a point of reverse curvature;

Thence on a curve to the north which is concave to the northeast having a radial bearing of N 54°52'09" E, a radius of 248.86 feet, a central angle of 36°04'22", and an arc distance of 156.68 feet to a point of tangency;

Thence N 0°56'34" E a distance of 885.21 feet;

Thence S 88°58'15" E a distance of 155.84 feet;

Thence N 1°01'44" E a distance of 1576.77 feet;

Thence N 88°55'53" W a distance of 272.26 feet to the westerly boundary line of NOAA;

Thence along said boundary line N 1°03'04" E a distance of 73.05 feet to the beginning of a common boundary line between the City of Seattle Parks and NOAA;

Thence along said boundary line N 1°03'04" E a distance of 440.24 feet to a monument in case stamped 10-1;

Thence continuing along said boundary line N 1°03'04" E a distance of 135.55 feet;

Thence leaving said common boundary line N 89°00'00" W a distance of 81.76 feet to the northwesterly corner of a former seaplane concrete launch ramp;

Thence S 1°00'00" W a distance of 90.09 feet to a concrete bulkhead;

Thence N 89°05'22" W along said bulkhead a distance of 276.85 feet;

Thence N 37°57'37" W continuing along said bulkhead a distance of 619.73 feet;

Thence N 88°30'00" W continuing along said bulkhead distance of 29.92 feet to the easterly edge of a wood pier;

Thence N 1°02'00" E along said easterly edge a distance of 259.13 feet;

Thence N 41°47'39" W continuing along said easterly edge a distance of 151.52 feet to the northerly corner of said pier;

Thence S 71°56'39" W a distance of 336.45 feet to the northeasterly corner of Building 275;

Thence S 39°20'11" W a distance of 12.21 feet to the northwesterly corner of Building 275;

Thence S 50°56'14" E a distance of 365.30 feet;

Thence S 1°06'31" W a distance of 62.95 feet to the northeasterly corner of Building 115;

Thence N 89°08'00" W a distance of 37.50 feet to the northwesterly corner of Building 115;

Thence S 0°52'00" W a distance of 40.00 feet to the southwesterly corner of Building 115;

Thence S 89°08'00" E a distance of 45.51 feet;

Thence S 1°02'30" W a distance of 205.89 feet;

Thence S 87°08'00" W a distance of 23.41 feet;

Thence S 1°02'30" W a distance of 88.76 feet;

Thence S 7°10'11" E a distance of 168.95 feet;

Thence S 21°26'38" E a distance of 166.11 feet;

Thence S 31°33'29" E a distance of 283.66 feet;

Thence S 5°37'48" E a distance of 151.17 feet;

Thence S 51°12'54" W a distance of 192.12 feet to the centerline of Sandpoint Way N.E.;

Thence along said centerline S 12°52'33" E a distance of 317.02 feet to a point of curvature;

Thence along a curve to the south and concave to the northeast having a radial bearing of N 77°07'27" E, a radius of 573.89 feet, a central angle of 14°34'23" and an arc distance of 145.97 feet to a point of tangency;

Thence S 27°26'56" E a distance of 171.16 feet to a point of curvature;

Thence along a curve to the south and concave to the southwest having a radial bearing of S 62°33'04" W, a radius of 572.25 feet, a central angle of 27°42'40", and an arc distance of 276.77 feet to a point of tangency;

Thence S 0°15'44" W a distance of 2770.79 feet to the TRUE POINT OF BEGINNING.

Containing 3,806,507 square feet.

Building 312 Description

A portion of Magnuson Park, King County AFN 0225049061, located in Section 1 and Section 2, Township 25 North, Range 4 East, W.M., City of Seattle, County of King, State of Washington, described as follows:

COMMENCING at the quarter corner common to Sections 2 and 11 in said Township and Range; thence N14°47'26"W a distance of 2981.51 feet to a concrete monument stamped 10; thence S 88°53'01" E on the boundary line between NOAA and the City of Seattle Parks a distance of 2893.01 feet to a concrete monument stamped 10-3 set as an angle point in said NOAA/Parks boundary; thence continuing along said boundary line N 21°21'50" E a distance of 497.07 feet; thence leaving said boundary S 68°38'10" E a distance of 232.56 to the northwesterly corner of an existing building designated as Building 312 and the TRUE POINT OF BEGINNING of this description:

Thence along the perimeter of Building 312;

S 28°11'00" E a distance of 40.20 feet;

N 61°49'00" E a distance of 25.20 feet;

N 28°11'00" W a distance of 40.20 feet;

Thence S 61°49'00" W a distance of 25.20 feet to the TRUE POINT OF BEGINNING.

Containing 1,013 square feet.

Bunkers Description

A portion of Magnuson Park, King County AFN 0225049061, located in Section 1 and

Section 2, Township 25 North, Range 4 East, W.M., City of Seattle, County of King, State of Washington, described as follows:

COMMENCING at the quarter corner common to Sections 2 and 11 in said Township and Range, thence N 14°47'26" W a distance of 2981.51 feet to a concrete monument stamped 10; thence S 88°53'01" E on the boundary line between NOAA and the City of Seattle Parks a distance of 2893.01 feet to a concrete monument stamped 10-3 set as an angle point in said NOAA/Parks boundary; thence leaving said boundary S 1°06'59" W a distance of 1127.81 feet to the northerly edge of a concrete roadway and the TRUE POINT OF BEGINNING:

Thence N 53°57'12" W a distance of 446.50 feet along said northerly edge of roadway;

Thence leaving said northerly edge S 36°02'48" W a distance of 198.41 feet;

Thence S 53°57'12" E a distance of 204.81 feet;

Thence N 36°02'48" E a distance of 186.96 feet to the southerly edge of aforementioned roadway;

Thence S 53°57'12" E a distance of 316.53 feet along said southerly edge;

Thence leaving said southerly edge S 36°02'48" W a distance of 186.96 feet;

Thence S 53°57'12" E a distance of 217.27 feet;

Thence N 36°02'48" E a distance of 186.96 feet to the aforementioned southerly edge of roadway;

Thence along said southerly edge S 53°57'12" E a distance of 276.29 feet to the easterly edge of a concrete roadway;

Thence along said easterly edge N 31°04'26" E a distance of 411.91 feet;

Thence N 27°09'12" E a distance of 97.21 feet;

Thence leaving said easterly edge S 62°50'48" E a distance of 83.86 feet;

Thence N 27°09'12" E a distance of 20.17 feet;

Thence N 62°50'48" W distance of 103.48 feet to the westerly edge of aforementioned roadway;

Thence along said westerly edge S 28°08'59" W a distance of 73.88 feet;

Thence leaving said westerly edge N 53°53'03" W a distance of 128.14 feet;

Thence S 36°06'57" W a distance of 198.72 feet;

Thence S 6°27'54" W a distance of 276.08 feet to the northerly edge of a concrete roadway;

Thence along said northerly edge N 53°57'12" W a distance of 513.28 feet to the TRUE POINT OF BEGINNING

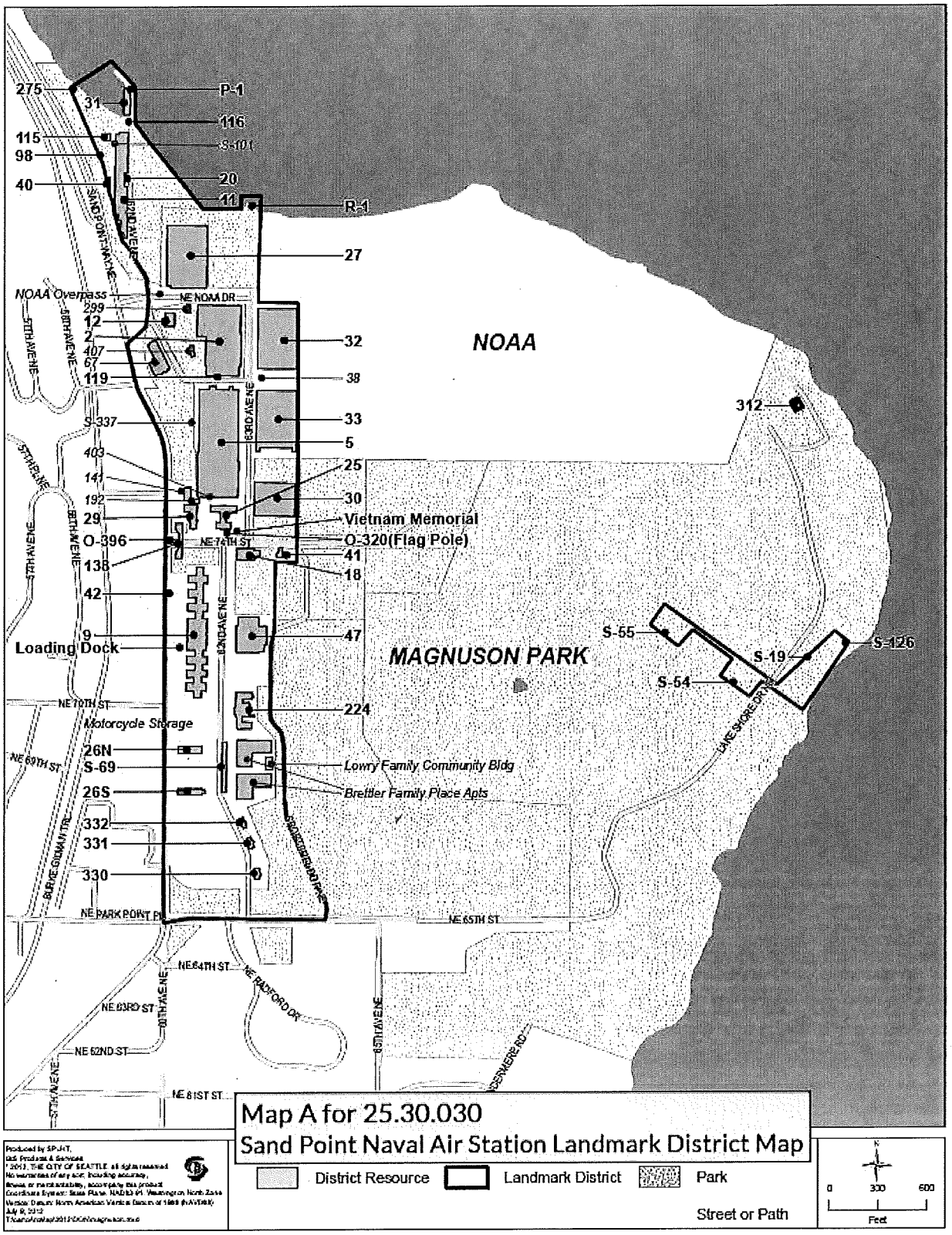
Containing 152,502.3 square feet.

1 The boundaries are illustrated on the map attached hereto as Map A for Section 25.30.030.

2

Map A for Section 25.30.030

Sand Point Naval Air Station Landmark District Map



25.30.040 Criteria for district designation

A. District overview. Sand Point Naval Air Station Landmark District is located in northeast Seattle on the Sand Point peninsula within Warren G. Magnuson Park. The 90.91 acre landmark district encompasses three discontiguous parts of the original Naval Air Station Seattle site and contains concentrations of intact historic resources directly associated with the Naval Air Station operations between 1926 and 1953. The district is characterized by strong institutional cohesion of substantial buildings and structures linked organizationally through an intact historic road system. The streetscapes and landscape features contribute significantly to the unity of the setting and character of the landmark district. During the period of Navy use from the post-World War II era to 1991, many outlying parcels were decommissioned and converted to local uses. Also during this period many structures were demolished, including peripheral and smaller buildings. However, the landmark district retains and exhibits a high level of physical integrity. Intact buildings, structures, and objects continue to convey the quality and purpose of design, material, scale, and workmanship. The distinct functional building types reflect the pre–, during, and post–World War II operations of the Naval Air Station and its administrative role in the operation of other naval aviation facilities within the Thirteenth Naval District. The boundaries of the main core of the district generally follow existing and former roadways. The district encompasses a total of 53 contributing and non-contributing historic resources.

B. Architectural characteristics. The landmark district includes notable examples of Art Deco, Art Moderne, and Colonial Revival buildings as well as utilitarian buildings and structures that typify industrial vernacular and military architecture. The district also retains an important collection of Public Works Administration and Works Progress Administration

funded projects that date from the pre-World War II era of station expansion. The buildings and structures within the landmark district remain generally intact and exhibit moderate to high levels of physical integrity. The organizational relationships among buildings remain evident, with maintenance and operational facilities situated to the north; residences and recreation facilities to the south; offices, training, and administration facilities centrally located to transition between these; and munitions and other aviation related facilities situated a distance away to the east, in close proximity to the operation of aircraft to be serviced. Primary building and structure types include aircraft hangars, office and administration buildings, a steam plant, officer housing and barracks, munitions magazines and storehouses, and aircraft maintenance shops. The use of brick, concrete, and steel as structural materials, as well as cladding elements, is a dominant design feature throughout the district. The scale and massing of facilities, in particular the hangars, reflect the magnitude of the aircraft that constituted the primary operational mission of the air station, as described in Appendix B of the Landmark Nomination Application.

C. Landscape features

1. The landscape is a contributing design feature of the landmark district. The scale of streetscapes and placement and selection of trees and shrubs, coupled with the use of lawns and open space reinforce the district's formal setting and noble purpose of national defense as the nation braced for World War II. Only a small amount of the pre-naval historic landscape of Sand Point peninsula remains today. For example, Mud Lake, a 20-acre lake/bog that was located east of the former Married Officer's Quarters, was infilled. Similarly, the Pontiac Bay area to the north had rolling, forested wetlands fed by a small stream flowing into Lake Washington prior to settlement and conversion to farmlands.

2. As the Naval Station was developed, the forest, wetlands, and knolls were leveled to create open, relatively level expanses of aircraft runways and naval facilities. The original street trees were planted within the Naval Station in the late 1930s and many of these remain along Sand Point Way NE and 62nd Avenue NE. These trees are a prominent feature of the southern half of the district. Other original ornamental trees also remain scattered throughout the district setting.

3. Three trees within the district are of particular importance to the history of the site and have been formally identified as historic landscape features to be preserved and maintained:

a. A white spruce is located off the southeast corner of Building 25. It was reportedly planted in 1931 by the Alaskan Yukon Pioneers' Society as a commemorative planting.

b. A large Atlas Cedar (*Cedrus atlantica*), commonly referred to as the Freedom Tree or Memorial Tree is located near the southeast corner of Building 25. When the Freedom Tree was approximately forty years old, it was re-dedicated as part of the Vietnam Memorial erected in 1972.

c. A large Atlas Cedar is located at the southern end of 62nd Avenue NE, to the southeast of Building 26 South. This tree serves as a counterpoint to the flagpole located at the north end of 62nd Avenue NE, directly in front of Building 25. It was designated as the "holiday tree" when the base was operational.

4. In addition to the trees identified in subsection 25.30.040.C.3, lawn areas and open space are important features within the vicinity of the historic office, recreation, and residential buildings. Other landscape features that evoke the character of the original planting

designs include the planting areas that accent the main entry approach at NE 74th Street from Sand Point Way NE, and the residual remnants from a brick-lined rose garden indicated on historic plans, that are located to the south of Building 26 South.

25.30.050 Design review guidelines

A. The Landmarks Preservation Board shall draft and, after consideration and review in accordance with Chapter 3.02, shall adopt design review guidelines as rules, which shall become effective upon filing with the City Clerk. Notice and conduct of such public hearing(s) shall be in accordance with the rules of the Landmarks Preservation Board and Chapter 3.02.

B. The design review guidelines shall identify the unique values of the District, include a statement of purpose and intent, and remain consistent with the purposes of this Chapter 25.30. The guidelines shall identify design characteristics that have either a positive or negative effect upon the unique values of the District. The guidelines shall also specify design-related considerations that will be allowed, encouraged, limited or excluded from the District when certificate of approval applications are reviewed.

C. The design review guidelines are intended to fulfill the preservation goals as established by the Sand Point Historic Properties Reuse and Protection Plan (Resolution 29725) and adhere to The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties (and associated National Park Service guidelines & technical briefs).

D. Until guidelines pursuant to subsection 25.30.050.A are adopted, the Landmarks Preservation Board shall review any application for a certificate of approval using the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties.

25.30.060 District administration

A. Jurisdiction over changes and improvements to the District is vested in the Board. However in order to maintain adequate community outreach and engagement, an Application Review Committee is created, which shall consist of five members: two current or former members of the Board, at least one of whom shall be an architect; two members selected from District property owners, residents, or tenants; and one community member that has a demonstrated interest in the history and preservation of the Sand Point Naval Air Station Landmark District.

B. The members of the Application Review Committee shall be appointed to two year terms by the Chair of the Board, except that the first time the committee is formed the initial term of two members shall be one year. The committee shall review and make recommendations to the Board for issuance or denial of applications for certificates of approval within the District.

C. The Board shall establish an annual schedule of meetings for the Application Review Committee. The Board may amend that schedule as appropriate.

25.30.065 Relationship between Board review and responsibilities of other City departments

The function of the Board under Section 25.30.060 is to review public or private applications for certificates of approval to demolish, alter or construct buildings, structures and site elements located within the District, for consistency with the landmarks criteria prescribed in Section 25.30.090. It is not the function of the Board to regulate the use of property within the District, which is the responsibility of the Department of Planning and Development, or to manage the use of City owned property within the District, which is the

1 responsibility of the Department of Parks and Recreation if the properties are within the
2 boundaries of Warren G. Magnuson Park.

3 **25.30.070 Approval of significant changes to buildings, structures, and other property**

4 A. Within the District, a Certificate of Approval, issued by the Board must be
5 obtained or the time for denying a Certificate of Approval application must have expired, before
6 the owner may make alterations or significant changes to the site and the exteriors of all of the
7 buildings, structures and objects within the district boundaries as defined in Section 25.30.030
8 and as illustrated in Map A for Section 25.30.030, excluding the following:

9 1. NOAA Guardhouse;

10 2. NOAA Overpass;

11 3. Building 67, Mountaineers Headquarters, Historic name: Motor Pool Garage;

12 4. Building 299, Historic name: Inflammable Stores Building;

13 5. Building 407, Historic name: Hazardous Waste Storage;

14 6. Structure S-101 located adjacent to Building 115, Historic name: Tank Truck
15 Loading Rack;

16 7. Structure 337, Overhead Walkway;

17 8. Building 141, Historic name: Respiratory Training Building;

18 9. Building 192, Historic name: Low-Pressure Training Building;

19 10. Building 403, Historic name: Generator Building;

20 11. Brettler Family Place Apartments Buildings; and

21 12. Lowry Family Community Building.

22 Except when any of the above structures are demolished or altered (which does not require a
23 Certificate of Approval) any site improvements will require review and approval pursuant to

Chapter 25.12 and the adopted guidelines in Section 25.30.050 with the exception of those items identified in subsections 25.30.070.B and 25.30.070.C.

B. A Certificate of Approval is not required for the following:

1. Any in-kind maintenance or repairs of the features listed in subsection 25.30.070.A.

2. Installation, removal and/or addition of the following landscape elements: trees eight inches or under in diameter measured four and one half feet above ground; shrubs, perennials, and annuals.

3. Removal of non-native plants of any size.

4. Removal of trees of any size identified as a hazard by an International Society of Arboriculture certified arborist.

5. Installation, removal, or alterations of temporary site furnishings, including benches, chairs, tables, and trash receptacles not permanently attached to designated buildings/structures or landscape features.

6. Removal or alterations to the following buildings/structures:

a. NOAA Guardhouse;

b. NOAA Overpass;

c. Building 67 Mountaineers Headquarters, Historic name: Motor Pool Garage;

d. Building 299, Historic name: Inflammable Stores Building;

e. Building 407, Historic name: Hazardous Waste Storage;

f. Structure located adjacent to Building 115, Historic name: Tank Truck Loading Rack;

g. Structure 337, Overhead Walkway;

h. Building 141, Historic name: Respiratory Training Building;

i. Building 192, Historic name: Low-Pressure Training Building;

j. Building 403, Historic name: Generator Building;

k. Brettler Family Place Apartments Buildings;

l. Lowry Family Community Building;

m. Tennis Center Sand Point; and

n. Phyllis Gutierrez Kenney Place.

7. In-kind street, sidewalk, or curb replacement on Seattle Department of Transportation streets and/or rights-of-way, or parking area resurfacing.

8. Installation or removal of identification/name signs, wayfinding signage that follows design concepts in the Sand Point/Magnuson Park Wayfinding and Signage Master Plan, and ADA signage.

9. Installation or removal of drinking fountains, umbrellas, vendor carts, tents for temporary events, bicycle racks, and bike storage shelters, which are not permanently affixed to buildings or structures, or landscape and features identified in the Sand Point Naval Air Station Landmark District Design Guidelines in Section 25.30.050.

10. Paint colors as defined in the Sand Point Naval Air Station Landmark District Design Guidelines in Section 25.30.050.

11. Removal and replacement of non-original light fixtures.

12. Installation, removal, or replacement of recreational structures including but not limited to playground equipment and rock climbing areas.

13. Installation or removal of any temporary structures associated with special events held by on-site organizations or by organizations including those issued a Special Event Permit issued by the Parks and Recreation Department.

14. All work that is temporary in nature that does not damage character defining features; including art installations, event signage, and temporary signage as defined in Section 23.55.012.

15. Alterations or removal of in-ground or above grade Navy-era utility infrastructure elements, such as electric substation structures, electric or steam system vaults, gasoline system valve vaults or enclosures, and below or above ground concrete encased conduit or piping.

C. Administrative review

1. Administrative review and approval is available for the items listed in subsection 25.30.070.C.2 according to the following procedures. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for these alterations, including applicable drawings and/or specifications. If the CHPO, upon examination of submitted plans and specifications, determines that such alterations are consistent with the purposes of Chapter 25.12 the alterations shall be approved without the need for any further action by the Board. If the CHPO disapproves such alterations, the owner may submit revised materials to the CHPO, or submit in accordance with the Certificate of Approval process set forth in Chapter 25.12. The CHPO shall transmit a written decision on the owner's submittal to the owner. Failure of the CHPO to approve or disapprove the request within 14 business days shall constitute approval of the request.

2. Administrative review is available for the following:

a. Specified features and characteristics of the exteriors of the buildings, 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; and changes that encourage energy efficiency and renewable energy efforts including but not limited to solar panels and sky lights.

b. Site/landscape grading that does not directly affect designated landscape features specifically contributing to the district.

c. Removal or addition of sidewalks, curbs, pathways and/or crosswalks on non-Seattle Department of Transportation streets and/or rights-of-way, Parks and Recreation Department roads, private roads or driveways, and utility easements. Additions shall be designed in accordance with Section 23.72.010.

d. Installation or removal of on-premises signs as described in subsection 23.55.032. F.

e. Installation or removal of off-premises signs as described in subsection 23.55.032.G and the Warren G. Magnuson Park Wayfinding and Signage Master Plan.

f. Installation of new light poles or pedestrian light poles similar to those installed in the 1999-2000 utility upgrade project.

g. Installation of traffic control structures, signage, or similar elements both in the public right-of-way and on private roads.

h. Installation or removal of safety and security lighting, cameras, and security system equipment.

i. Paint colors that are not defined in the Sand Point Naval Air Station Landmark District Design Guidelines in Section 25.30.050.

j. Installation of community garden(s).

k. Installation, alteration or removal of boundary fencing and gates.

l. Installation, alteration, or removal of fencing for storage areas or utility or mechanical equipment screening consisting of uncoated chain link fencing or black vinyl coated chain link fencing.

m. Replacement of existing awnings, if not in-kind.

n. Installation or removal of Public Art administered by The City of Seattle.

o. Installation or removal of exterior storage containers when located on paved areas.

p. Mothballing of buildings in the Landmark District.

q. Installation or removal of seasonal food and beverage concession structures/trailers when located on paved areas.

r. ADA improvements.

25.30.080 Application for certificate of approval

A. Application

1. Application for a certificate of approval may be made by filing an application for such a certificate with the Board.

2. The following information must be provided in order for the application to be complete, unless Department staff indicates in writing that specific information is not necessary for a particular application:

a. Building name and building address;

b. Name of the business(es) located at the site of the proposed work;

c. Applicant's name and address;

d. Building owner's name and address;

e. Applicant's telephone number;

f. The building owner's signature on the application or a signed letter from the owner designating the applicant as the owner's representative, if the applicant is not the owner;

g. Confirmation that the fee required by subsection 22.900G.010.A has been paid;

h. A detailed description of the proposed work, including:

1) Any changes it will make to the site;

2) Any effect that the work would have on the public right-of-way or other public spaces; and

3) Any new construction;

i. Four sets of scale drawings, with all dimensions shown, in the following form:

1) A site plan of existing conditions, showing adjacent streets and buildings, and, if the proposal includes any work on public property, the existing street uses, such as street trees and sidewalk displays, and another site plan showing proposed changes to the existing conditions;

2) A floor plan showing the existing features and a floor plan showing the proposed new features;

3) Elevations and sections of both the proposed new features and the existing features;

4) Construction details; and

5) A landscape plan showing existing features and plantings, and another landscape plan showing proposed site features and plantings;

j. Photographs of any existing features that would be altered and photographs showing the context of those features, such as the building facade where they are located;

k. One sample of proposed colors, if the proposal includes new finishes or paint, and an elevation drawing or a photograph showing the location of proposed new finishes or paint;

l. If the proposal includes new signage, awnings, or exterior lighting:

1) Four sets of scale drawings of proposed signage or awnings, showing the overall dimensions, material, design graphics, typeface, letter size, and colors;

2) Four sets of a plan, photograph, or elevation drawing showing the location of the proposed awning, sign, or lighting;

3) Four copies of detailed drawings showing the proposed method of attaching the new awning, sign, or lighting;

4) The wattage and specifications of the proposed lighting, and a drawing or picture of the lighting fixture; and

5) One sample of proposed sign colors or awning material and color;

m. If the proposal includes demolition of a structure or object:

1) A statement of the reason(s) for demolition; and

2) A description of the replacement structure or object; and

n. If the proposal includes replacement, removal, or demolition of existing features, a survey of the existing conditions of the features that would be replaced, removed, or demolished.

3. The Department staff shall determine whether an application is complete and shall notify the applicant in writing within 28 days of the application being filed either that the application is complete or that the application is incomplete and what additional information is required before the application will be complete. Within 14 days of receiving the additional information, the Department staff shall notify the applicant in writing whether the application is now complete or what additional information is necessary. An application shall be deemed to be complete if the Department staff does not notify the applicant in writing by the deadlines in this Section 25.30.080 that the application is incomplete. A determination that the application is complete is not a determination that the application is vested.

4. The determination of completeness does not preclude the Department staff or the Board from requiring additional information during the review process, if more information is needed to evaluate the application according to the criteria in this chapter and in any rules adopted by the Board, or if the proposed work changes. For example, additional information that may be required could include a shadow study or a traffic study when new construction is proposed.

B. An applicant may make a written request to submit an application for a certificate of approval for a preliminary design of a project if the applicant waives in writing the deadline for a Board decision on the subsequent design phase or phases of the project and

the applicant agrees in writing that the Board decision on the preliminary design is immediately appealable by the applicant or any interested person of record. The Department staff may reject the request if it appears that approval of a preliminary design would not be an efficient use of Department staff or Board time and resources or would not further the goals and objectives of this chapter. To be complete, an application for a certificate of approval for a preliminary design must include the information listed above in subsection 25.30.080.A.2, except subsections 25.30.080.A.2.i.4, A.2.i.5, A.2.k, and A.2.l. A certificate of approval that is granted for a preliminary design shall be conditioned upon subsequent submittal of the final design and all of the information listed above in subsection 25.30.080.A.2, and upon Board approval, prior to issuance of permits for work affecting any building or property in the District or to commencing work that does not require permits.

C. If an application is made to the Director for a permit for which a certificate of approval is required, the Director shall require the applicant to submit an application to the Board for a certificate of approval. Submission of a complete application for a certificate of approval to the Board shall be required before the permit application to the Department of Planning and Development may be determined to be complete. The Director shall continue to process the application but shall not issue any permit until a certificate of approval has been issued pursuant to this chapter, or the time for filing the notice of denial of a certificate of approval with the Director has expired.

D. After the Board has commenced proceedings for the consideration of any application for a certificate of approval for a particular alteration or significant change by giving notice of a meeting pursuant to this Section 25.30.080 or otherwise, no other application for the same or a similar alteration or significant change at the same site may be made until the

application is withdrawn or such proceedings and all appeals of the decision on the application have been concluded, except that an application may be made for a certificate of approval for the preliminary design of a project and a later application may be made for a certificate of approval for subsequent design phase or phases of the same project.

E. A certificate of approval shall be valid for 18 months from the date of issuance of the Board's decision granting it, unless the Board grants an extension in writing; provided however, that certificates of approval for actions subject to permits issued by the Department of Planning and Development shall be valid for the life of the permit, including any extensions granted in writing by the Department of Planning and Development.

25.30.090 Board meeting on certificate of approval

A. Within 30 days after the Department determines an application for a certificate of approval is complete, the Board shall hold a meeting on the application and shall serve notice of the meeting on the owner and the applicant not fewer than five days before the date of the meeting.

B. In reviewing applications or appeals of decisions of the Board, the Board and the Hearing Examiner shall consider:

1. The purposes of this chapter;

2. The criteria specified in Section 25.30.040;

3. Guidelines promulgated pursuant to this Chapter 25.30;

4. The properties' historical and architectural or landscape value and significance;

5. The properties' architectural or landscape type and general design;

6. The arrangement, texture, material, and color of the building or structure in question, and its appurtenant fixtures, including signs;

7. The relationship of such features to similar features within the Sand Point Naval Air Station Landmark District; and

8. The position of such buildings, structures, or landscape elements in relation to public property and to other buildings, structures, and landscape elements.

25.30.100 Issuance of Board decision

The Board shall consider the recommendation of the Application Review Committee and shall, within 45 days after the application for a certificate of approval is determined to be complete, issue a written decision either granting, granting with conditions, or denying a certificate of approval, and shall mail a copy of the decision to the owner, the applicant, and the Director within three working days after such decision. A decision denying a certificate of approval shall contain an explanation of the reasons for the Board's decision and specific findings with respect to this Chapter 25.30 and the adopted guidelines for the District. Notice of the Board's decision shall be provided to any person who, prior to the rendering of the decision, made a written request to receive notice of the decision or submitted written substantive comments on the application.

25.30.110 Appeal to Hearing Examiner

A. Any interested person of record may appeal to the Hearing Examiner the decision of the Board to grant, grant with conditions, or deny a certificate of approval by serving written notice of appeal upon the Board and by filing such notice and a copy of the Board's decision with the Hearing Examiner within 14 days after the date the Board's decision is issued.

B. If the proposed action that is the subject of the certificate of approval is also the subject of one or more related permit applications under review by the Department of

Planning and Development, then the appellant must also file notice of the appeal with the Department of Planning and Development, and the appeal of the certificate of approval shall not be heard until all of the time periods for filing administrative appeals on the other permits have expired, except that an appeal of a certificate of approval for the preliminary design or for subsequent design phases may proceed immediately according to Section 25.30.080 without being consolidated. If one or more appeals are filed regarding the other permits, then the appeal of the certificate of approval shall be consolidated with them and shall be heard according to the same timelines established for the other appeals, except that appeals to the State Shoreline Hearings Board shall proceed independently according to the timelines set by the state for such appeals, and except that an appeal of a certificate of approval for a preliminary design or for a subsequent design phase may proceed according to Section 25.30.080 without being consolidated. If the related permit decisions would not be appealable, then the appeal of the certificate of approval decision shall proceed immediately after it is filed.

C. The applicant for the certificate of approval may elect to have the appeal proceed immediately rather than postponed for consolidation with appeals of related permit applications, if the applicant agrees in writing that the Department of Planning and Development may suspend its review of the related permits, and that the time period for review of those permits shall be suspended until the Hearing Examiner issues a decision on the appeal of the certificate of approval.

D. The Hearing Examiner shall hear and determine the appeal in accordance with the standards and procedures established for appeals to the Hearing Examiner under Sections

25.12.740, 25.12.750, and 25.12.760 of the Landmarks Preservation Ordinance, and as prescribed under subsection 25.30.090.B.

E. The Hearing Examiner shall issue a decision not later than 90 days after the last of the appeals of related permit decisions is filed, or, if the applicant chooses to proceed immediately with the appeal of the certificate of approval, as provided in subsection 25.30.110.C, then not later than 90 days from the filing of that appeal.

The time period to consider and decide the appeal of a certificate of approval shall be exempt from the deadlines for review and decision on both the certificate of approval and any related permit applications.

F. The Hearing Examiner's decision is final. The Hearing Examiner's decision is binding upon the Historic Preservation Officer and the Board, as well as all parties of record to the proceeding. Any judicial review must be commenced within 21 days of issuance of the Hearing Examiner's decision, as provided by RCW 36.70C.040.

25.30.120 Requests for interpretation

A. An applicant for a certificate of approval may request an interpretation of the meaning of any part of this Chapter 25.30 as it relates to the requested certificate of approval. An interpretation shall not have any effect on certificates of approval that have already been granted.

B. An interpretation must be in writing, specify the section of the code to be interpreted, and specify the question to be addressed. Requests shall be submitted to the Historic Preservation Officer.

C. If the requested interpretation relates to a certificate of approval for which an application has been filed, then the request for an interpretation cannot be made any later than 14 days after the application for the certificate of approval was submitted, provided however, that a

1 request for an interpretation may be sought by the applicant at a later time, if the applicant agrees
2 in writing to suspend the time frames for review of the certificate of approval and the time
3 frames applicable to any related permits that are under review until the interpretation is issued.
4 D. Interpretations shall be made in writing by the Historic Preservation Officer, and
5 shall be issued within 25 days of submission of the request. The interpretation decision shall be
6 served on the requesting party, and notice of the decision shall be mailed to parties of record and
7 interested persons of record.
8 E. A fee shall be charged for interpretations in the amount provided in Chapter
9 22.900C, Fees for Land Use Review, and shall be collected by the Department of
10 Neighborhoods.
11 F. An interpretation may be appealed by the applicant if the certificate of approval
12 that the interpretation addresses is denied and the applicant is appealing the denial, or if the
13 interpretation relates to conditions placed on the certificate of approval that the applicant is
14 appealing. An appeal of an interpretation must be filed at the same time as the appeal of the
15 related certificate of approval, and shall be consolidated with the appeal of the related
16 certificate of approval. Appeal of the interpretation shall proceed according to the same
17 procedures and time frames provided in Section 25.30.110 for appeal of a certificate of
18 approval, including the provisions for consolidation with appeals of any related permit
19 decisions.
20 G. The Hearing Examiner shall give substantial weight to the Historic Preservation
21 Officer's interpretation. The appellant shall have the burden of establishing that the interpretation
22 is erroneous.
23 H. The Hearing Examiner may affirm, reverse, or modify the Historic Preservation

Officer's interpretation, in whole or in part. The Hearing Examiner may also remand the interpretation to the Historic Preservation Officer for further consideration.

I. The decision of the Hearing Examiner is final. The Hearing Examiner's decision is binding upon the Historic Preservation Officer and the Board, as well as all parties of record to the proceeding. Copies of the Hearing Examiner's decision shall be mailed to the Historic Preservation Officer and to all parties of record before the Hearing Examiner. Judicial review must be commenced within 21 days of issuance of the Hearing Examiner's decision, as provided by RCW 36.70C.040.

25.30.130 Enforcement

The Director shall enforce this chapter pursuant to Chapter 25.12. Any failure to comply with Chapter 25.30 constitutes a violation of the chapter.

Section 2. Section 22.900C.010 of the Seattle Municipal Code, last amended by Ordinance 118237, is amended as follows:

Section 22.900C.010 Land Use Fees

***

Table C-1 for 22.900C.010 - Land Use Fees

***

Footnotes to Table C-1 for 22.900C.010:

***

6. The fees for interpretations of ((~~SMC~~)) Chapters 25.12, 25.16, 25.20, 25.21, 25.22, ((~~and~~)) 25.24, and 25.30 shall be collected by the Director of the Department of Neighborhoods.

***

Section 3. 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 8th day of September, 2015, and signed by me in open session in authentication of its passage this 8th day of September, 2015.

President _____ of the City Council

Approved by me this 11th day of September, 2015.

Edward B. Murray, Mayor

Filed by me this 11th day of September, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--ss.

328689

No. 124850,849,848,847,846

CITY OF SEATTLE,CLERKS OFFICE

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:TITLE ONLY ORDINANCES

was published on

09/24/15

The amount of the fee charged for the foregoing publication is the sum of $108.50 which amount has been paid in full.

JENNIFER A. BARNES
COMMISSION EXPIRES
10-24-18
STATE OF WASHINGTON

Subscribed and sworn to before me on

09/24/2015

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on September 8th, 2015, and published below by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar.

Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 124850

AN ORDINANCE relating to Historic Districts; adding a new Chapter 25.30 to the Seattle Municipal Code (SMC); creating the Sand Point Naval Air Station Landmark District; specifying the district's boundaries; adopting criteria for designating the district; establishing a procedure for preserving significant physical elements within the district; establishing the Sand Point Naval Air Station Landmark District Application Review Committee; providing for administration and enforcement of this Ordinance; and amending Section 22.900C.010 and Table C-1 for Section 22.900C.010 of the SMC to provide for the collection of fees for interpretation of Historic District regulations by the Department of Neighborhoods.

Ordinance 124849

An ORDINANCE related to the City's Emergency Management Program; adding Sections 10.02.045 and 10.02.047 to the Seattle Municipal Code (SMC) to refine the roles and responsibilities of the Office of Emergency Management; and amending Sections 10.02.050, 10.02.060, 10.02.070, 10.02.080, 10.02.090, 10.02.100, and 10.02.110 of the SMC to accommodate these refinements.

Ordinance 124848

AN ORDINANCE relating to the Seattle Police Department; authorizing the Chief of Police to issue Special Police Officer Commissions to qualified government employees to conduct limited law enforcement duties or to former police officers or parking enforcement officers to conduct traffic control; eliminating the authority to authorize Retired Police Officer Commissions; amending Section 3.28.150, and repealing Sections 3.28.450, 3.28.460, 3.28.470, and 3.28.480 of the Seattle Municipal Code.

Ordinance 124847

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to execute, for and on behalf of the City, a concession agreement granting Fifth Avenue Sports, LLC d/b/a Green Lake Boathouse the right to operate a concession providing boat rental service, and retail and food sales at the Department's facility at Green Lake Park.

Ordinance 124846

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, September 24, 2015.

9/24(328689)