



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118770

Record No.: CB 118770

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125154

In Control: City Clerk

File Created: 06/09/2016

Final Action: 10/07/2016

**Title:** AN ORDINANCE relating to historic preservation; imposing controls upon the Mount Baker Park Presbyterian Church, 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.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: jeanne.murphy@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	07/05/2016	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	<b>Notes:</b>						
1	City Clerk	07/05/2016	sent for review	Council President's Office			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review. to the Council President's Office				
	<b>Notes:</b>						
1	Council President's Office	07/08/2016	sent for review	Affordable Housing, Neighborhoods, and Finance Committee			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee				

Notes:

- 1 Full Council 09/06/2016 referred Affordable Housing, Neighborhoods, and Finance Committee
- 1 Affordable Housing, Neighborhoods, and Finance Committee 09/21/2016 pass Pass  
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).  
Notes:  
In Favor: 3 Chair Burgess, Vice Chair Herbold, Member Johnson  
Opposed: 0
- 1 Full Council 10/03/2016 passed Pass  
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:  
Notes:  
In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien  
Opposed: 0
- 1 City Clerk 10/05/2016 submitted for Mayor's signature Mayor
- 1 Mayor 10/07/2016 Signed
- 1 Mayor 10/07/2016 returned City Clerk
- 1 City Clerk 10/07/2016 attested by City Clerk  
Action Text: The Ordinance (Ord) was attested by City Clerk.  
Notes:
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**CITY OF SEATTLE**

**ORDINANCE** 125154

**COUNCIL BILL** 118770

AN ORDINANCE relating to historic preservation; imposing controls upon the Mount Baker Park Presbyterian Church, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on January 21, 2004, voted to approve the nomination of the improvement located at 3201 Hunter Boulevard South and the site on which the improvement is located (which collectively are referred to as the “Mount Baker Park Presbyterian Church” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on March 3, 2004, the Board voted to approve the designation of the Mount Baker Park Presbyterian Church under SMC Chapter 25.12; and

WHEREAS, on January 6, 2016, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. DESIGNATION: Pursuant to Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 3201 Hunter Boulevard South and the site on which the improvement is located (which collectively are referred to as the “Mount Baker Park Presbyterian Church” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Mount Baker Park Presbyterian Church is located on the property legally described as:

Lots A and B, Block 41, Mt. Baker Park Addition to the City of Seattle, according to the plat thereof recorded in volume 16 of plats, page 3, in King County, Washington.

Together with a portion of section 15, township 24 north, range 4 east, Willamette Meridian, in King County, Washington: beginning at the intersection of the south line of Hanford St. and the west line of Hunter Blvd.; then south on said Blvd. 62 ft. m/l to the north line of Block 41, Mt. Baker Park Add.; then west on the north line of Lots A and B of said Block 140 ft. m/l to the east line of 37th Ave. S.; then north on the east line of 37th Ave. S. 62 ft. m/l to the south line of Hanford St.; then east on the south line of Hanford St. 140 ft. m/l to the beginning.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Mount Baker Park Presbyterian Church:

1. The site, excluding the brick patio built in 1960;
2. The exterior of the building;
3. The interior of the vestibule and main sanctuary, excluding pews and casework; and
4. The interior of the tower.

C. Basis of Designation. The designation was made because the Mount Baker Park Presbyterian Church is more than 25 years old, has significant character, interest, or value as a

1 part of the development, heritage, or cultural characteristics of the City, state, or nation, has  
2 integrity or the ability to convey its significance, and satisfies the following from SMC  
3 25.12.350:

- 4 1. It embodies the distinctive visible characteristics of an architectural style,  
5 or period, or of a method of construction (SMC 25.12.350.D);
- 6 2. It is an outstanding work of a designer or builder (SMC 25.12.350.E); and
- 7 3. Because of its prominence of spatial location, contrasts of siting, age, or  
8 scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to  
9 the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

10 Section 2. CONTROLS: The following controls are hereby imposed on the features or  
11 characteristics of the Mount Baker Park Presbyterian Church that were designated by the Board  
12 for preservation:

13 A. Certificate of Approval Process.

14 1. Except as provided in subsection 2.A.2 or subsection 2.B of this  
15 ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC  
16 Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the  
17 owner may make alterations or significant changes to the features or characteristics of the Mount  
18 Baker Park Presbyterian Church that were designated by the Board for preservation.

19 2. No Certificate of Approval is required for the following:  
20 a. Any in-kind maintenance or repairs of the features or  
21 characteristics of the Mount Baker Park Presbyterian Church that were designated by the Board  
22 for preservation.

1                   b.       Alterations to features listed in subsection 1.B of this ordinance  
2 necessitated by changes in the liturgy, provided that the owner shall communicate the nature of  
3 such proposed change to the Landmarks Preservation Board staff prior to performing the work. It  
4 is understood that the church is the exclusive authority on liturgy and is the decisive party in  
5 determining what architectural changes are appropriate to the liturgy.

6                   c.       Installation, removal, or alteration of the following landscape  
7 elements: trees less than 8 inches in diameter measured 4 1/2 feet above ground; shrubs;  
8 perennials; and annuals.

9                   d.       Installation, removal, or alteration of the following temporary site  
10 furnishings: benches, movable planter boxes, and movable water features.

11                  e.       Installation or repair of underground utilities and irrigation,  
12 provided that the site is restored in kind.

13                  f.       Installation, removal, or alteration of non-illuminated exterior  
14 signage less than 6 square feet in area, provided that signage installed on masonry walls has  
15 fasteners located within mortar joints.

16                  g.       Painting at the interior of the tower, with the understanding that  
17 unpainted wood and masonry will not be painted.

18           B.       City Historic Preservation Officer Approval Process.

19           1.       The City Historic Preservation Officer (CHPO) may review and approve  
20 alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of  
21 this ordinance according to the following procedure:

22           a.       The owner shall submit to the CHPO a written request for the  
23 alterations or significant changes, including applicable drawings or specifications.

1                           b.       If the CHPO, upon examination of submitted plans and  
2 specifications, determines that the alterations or significant changes are consistent with the  
3 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes  
4 without further action by the Board.

5                           2.       If the CHPO does not approve the alterations or significant changes, the  
6 owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of  
7 Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's  
8 request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely  
9 transmit a written decision constitutes approval of the request.

10                          3.       CHPO approval of alterations or significant changes to the features or  
11 characteristics of the Mount Baker Park Presbyterian Church that were designated by the Board  
12 for preservation is available for the following:

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

16                           b.       Removal of hazardous trees more than 8 inches in diameter  
17 measured 4 1/2 feet above the ground.

18                           c.       Installation, removal, or alterations of site lighting, exterior  
19 building light fixtures, and security equipment.

20                           d.       Alterations of landscape features and site improvements, with the  
21 exception of trees proposed by the owner.

1 Section 3. INCENTIVES: The following incentives are hereby granted on the features or  
2 characteristics of the Mount Baker Park Presbyterian Church that were designated by the Board  
3 for preservation:

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

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

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

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

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

16 Section 5. The Mount Baker Park Presbyterian Church is hereby added alphabetically to  
17 Section III, Churches, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

18 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
19 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
20 deliver one copy to the Director of the Seattle Department of Construction and Inspections. The  
21 CHPO is directed to provide a certified copy of this ordinance to the owner of the landmark.

1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 3<sup>rd</sup> day of October, 2016,  
5 and signed by me in open session in authentication of its passage this 3<sup>rd</sup> day of  
6 October, 2016.

7 

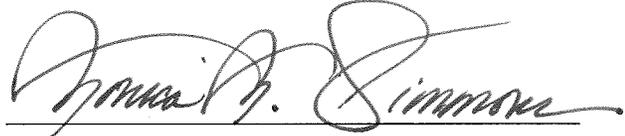
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 7<sup>th</sup> day of October, 2016.

10 

11 Edward B. Murray, Mayor

12 Filed by me this 7<sup>th</sup> day of OCTOBER, 2016.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)