

#9
OB 117174

Elizabeth Chave/jom
DON Hat 'n' Boots Landmark Designation ORD
March 28, 2011
Version #2

ORDINANCE

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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 that are more than 25 years old and have historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board (the Board), after a public meeting on May 15, 2002, voted to approve the nomination of the improvement (the structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 3, 2002, the Board voted to approve the designation of the Hat 'n' Boots under SMC Chapter 25.12; and

WHEREAS, on October 6, 2010, 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 (the structures known as the Hat 'n' Boots) located at 6430 Corson Avenue South in Seattle is hereby acknowledged.

A. Legal Description. The Hat 'n' Boots is located on the property legally described as:

Lots 7 and 10, Block A, Georgetown Addition to Seattle, according to the plat thereof recorded in Volume 6 of Plats, page 9, in King County, Washington.



1 B. Specific Features and/or Characteristics Designated. Pursuant to SMC

2 25.12.660.A.2, the following specific features and/or characteristics of the Hat 'n' Boots are
3 designated: the exteriors of both structures and their dimensional and locational relationship to
4 each other.

5 C. Basis of Designation. The designation was made because the Hat 'n' Boots is
6 more than 25 years old and has significant character, interest or value as a part of the
7 development, heritage or cultural characteristics of the City, state or nation, it has integrity or the
8 ability to convey its significance, and because it satisfies the following from SMC 25.12.350:

- 9 1. It embodies the distinctive visible characteristics of an architectural style, or
10 period, or of a method of construction (SMC 25.12.350.D).
11 2. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is
12 an easily identifiable visual feature of its neighborhood or the City and contributes
13 to the distinctive quality or identity of such neighborhood or the City (SMC
14 25.12.350.F).

15 Section 2. CONTROLS: The following controls are hereby imposed on the features and
16 characteristics of the Hat 'n' Boots that were designated by the Board for preservation:

17 A. Certificate of Approval Process.

- 18 1. Except as provided in Section 2.A.2 or Section 2.B of this ordinance, the owner
19 must obtain a Certificate of Approval issued by the Board pursuant to SMC
20 Chapter 25.12, or the time for denying a Certificate of Approval must have
21 expired, before the owner may make alterations or significant changes to the
22 following specific features or characteristics: the exteriors of both structures and
23 their dimensional and locational relationship to each other.
24 2. No Certificate of Approval is required for the following: any in-kind maintenance
25 or repairs of the features listed in Section 2.A.1.
26



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

- 2 1. The CHPO may review and approve the items listed in Section 2.B.3 of this
3 ordinance according to the following procedure:
- 4 a. The owner shall submit to the CHPO a written request for the alterations,
5 including applicable drawings and/or specifications.
- 6 b. If the CHPO, upon examination of submitted plans and specifications,
7 determines that the alterations are consistent with the purposes of SMC
8 chapter 25.12, the alterations shall be approved without further action by the
9 Board.
- 10 c. If the CHPO does not approve the alterations, the owner may submit revised
11 materials to the CHPO, or apply to the Board for a Certificate of Approval
12 under SMC Chapter 25.12, as provided in Section 2.A.
- 13 2. The CHPO shall transmit a written decision on the owner's request to the owner
14 within 14 business days of receipt of the request. Failure of the CHPO to approve
15 or disapprove the request within 14 business days shall constitute approval of the
16 request.
- 17 3. CHPO approval for changes or alterations to the designated features or
18 characteristics of the landmark described in Section 2.A.1. of this ordinance, is
19 available for the following: the addition or elimination of duct conduits, HVAC
20 vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements
21 necessary for the normal operation of the structures.

22 Section 3. INCENTIVES: The following incentives are hereby granted on the features
23 and characteristics of the Hat 'n' Boots that were designated by the Board for preservation:



1 A. Uses not otherwise permitted in a zone may be authorized in a designated
2 Landmark by means of an administrative conditional use permit issued pursuant to Seattle
3 Municipal Code Title 23.

4 B. Exceptions to certain requirements of the Seattle Building Code, SMC Chapter
5 22.100, and the Energy Code of the City, SMC Chapter 22.700, may be authorized pursuant to
6 the applicable provisions thereof.

7 C. Special tax valuation for historic preservation may be available under Chapter
8 84.26 RCW upon application and compliance with the requirements of that statute.

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

11 Section 5. The Hat 'n' Boots is hereby added alphabetically to Section IX,
12 Miscellaneous, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

13 Section 6. The City Clerk is directed to record a certified copy of the ordinance with the
14 King County Director of Records and Elections, deliver two certified copies to the City Historic
15 Preservation Officer (CHPO), and deliver one copy to the Director of the Department of Planning
16 and Development. The CHPO is directed to provide a certified copy of the ordinance to the
17 owner of the landmark.

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



1 Passed by the City Council the ____ day of _____, 2011, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2011.

4 _____
5 _____
6 President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2011.

9 _____
10 _____
11 Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2011.

14 _____
15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Neighborhoods	Elizabeth Chave/206-684-0380	Amanda Allen/206-684-8894

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Hat 'n' Boots, 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 Hat 'n' Boots as a historic landmark by the Landmarks Preservation Board, imposes controls, grants incentives, and adds the Hat 'n' Boots to the Table of Historical Landmarks contained in SMC Chapter 25.32. The legislation does not have a financial impact.

Background:

The Hat 'n' Boots was built in 1954 and is located in the Georgetown neighborhood. A Controls and Incentives Agreement has been signed by the owner and has been approved by the Landmarks Preservation Board. The controls in the agreement apply to the exteriors of both structures and their dimensional and locational relationship to each other, but do not apply to any in-kind maintenance or repairs of the designated features.

Please check one of the following:

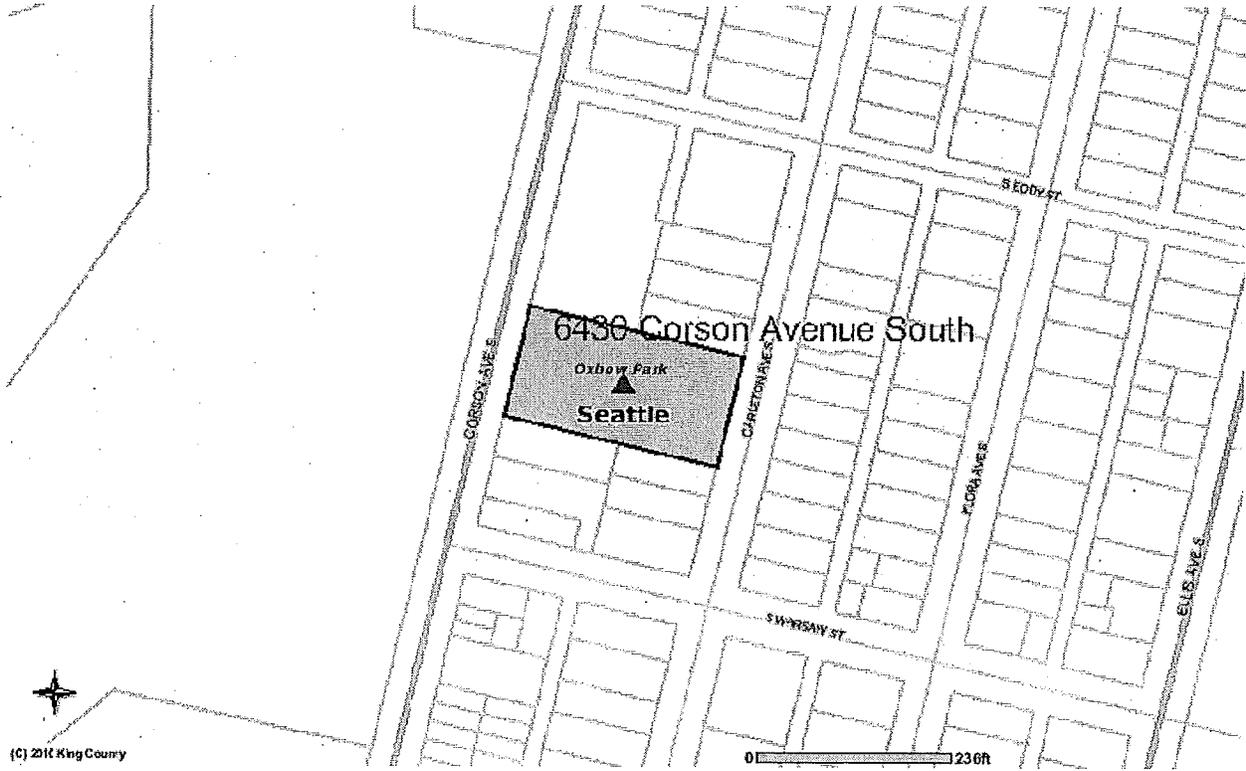
This legislation does not have any financial implications.

Attachments:

Exhibit A – Vicinity Map of the Hat 'n' Boots



Elizabeth Chave/jom
DON Hat 'n' Boots FISC Exhibit A
April 8, 2011
Version #1





City of Seattle
Office of the Mayor

April 26, 2011

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 Hat 'n' Boots as a historic landmark, imposes controls, grants incentives and adds the Hat 'n' Boots 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. The controls in the agreement apply to the exteriors of both structures and their dimensional and locational relationship to each other, but do not apply to any in-kind maintenance or repairs of the designated features.

Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave, Department of Neighborhoods at 206-684-0380.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

