



# 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			
	<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	06/30/2015	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>						

Legislative Summary Continued (CB 118438)

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- 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**



1 Landmarks Preservation Board.

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

3 "Certificate of approval" is the written authorization required under Section  
4 25.30.070, or written approval of a preliminary design of a project as well as its subsequent  
5 design phases, as provided for in Section 25.30.080.

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

7 "Department" is the Department of Neighborhoods.

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

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

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

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

18 **25.30.030 District established - boundary**

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

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

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

1 2 a distance of 1319.57 feet to the intersection with Sandpoint Way N.E., said  
2 point being marked by a concrete monument in case, Thence N 0°15'38" E along  
3 the centerline of Sandpoint Way N.E. a distance of 20.00 feet to the TRUE  
4 POINT OF BEGINNING:

5 Thence S 88°30'34" E along a line that is parallel with and 40 feet south of the  
6 north margin of N.E. 65<sup>th</sup> St. lying east of Sandpoint Way N.E. a distance of  
7 793.54 feet;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Thence leaving said common boundary line N 89°00'00" W a distance of 81.76  
2 feet to the northwesterly corner of a former seaplane concrete launch ramp;  
3 Thence S 1°00'00" W a distance of 90.09 feet to a concrete bulkhead;  
4 Thence N 89°05'22" W along said bulkhead a distance of 276.85 feet;  
5 Thence N 37°57'37" W continuing along said bulkhead a distance of 619.73 feet;  
6 Thence N 88°30'00" W continuing along said bulkhead distance of 29.92 feet to  
7 the easterly edge of a wood pier;  
8 Thence N 1°02'00" E along said easterly edge a distance of 259.13 feet;  
9 Thence N 41°47'39" W continuing along said easterly edge a distance of 151.52  
10 feet to the northerly corner of said pier;  
11 Thence S 71°56'39" W a distance of 336.45 feet to the northeasterly corner of  
12 Building 275;  
13 Thence S 39°20'11" W a distance of 12.21 feet to the northwesterly corner of  
14 Building 275;  
15 Thence S 50°56'14" E a distance of 365.30 feet;  
16 Thence S 1°06'31" W a distance of 62.95 feet to the northeasterly corner of  
17 Building 115;  
18 Thence N 89°08'00" W a distance of 37.50 feet to the northwesterly corner of  
19 Building 115;  
20 Thence S 0°52'00" W a distance of 40.00 feet to the southwesterly corner of  
21 Building 115;  
22 Thence S 89°08'00" E a distance of 45.51 feet;  
23 Thence S 1°02'30" W a distance of 205.89 feet;  
24 Thence S 87°08'00" W a distance of 23.41 feet;  
25 Thence S 1°02'30" W a distance of 88.76 feet;  
26 Thence S 7°10'11" E a distance of 168.95 feet;  
27 Thence S 21°26'38" E a distance of 166.11 feet;  
28 Thence S 31°33'29" E a distance of 283.66 feet;  
29 Thence S 5°37'48" E a distance of 151.17 feet;  
30 Thence S 51°12'54" W a distance of 192.12 feet to the centerline of Sandpoint  
31 Way N.E.;  
32 Thence along said centerline S 12°52'33" E a distance of 317.02 feet to a point of  
33 curvature;

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

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

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

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

10 Containing 3,806,507 square feet.

11  
12 **Building 312 Description**  
13

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

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

25 Thence along the perimeter of Building 312;

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

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

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

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

30 Containing 1,013 square feet.

31  
32 **Bunkers Description**  
33

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 Containing 152,502.3 square feet.

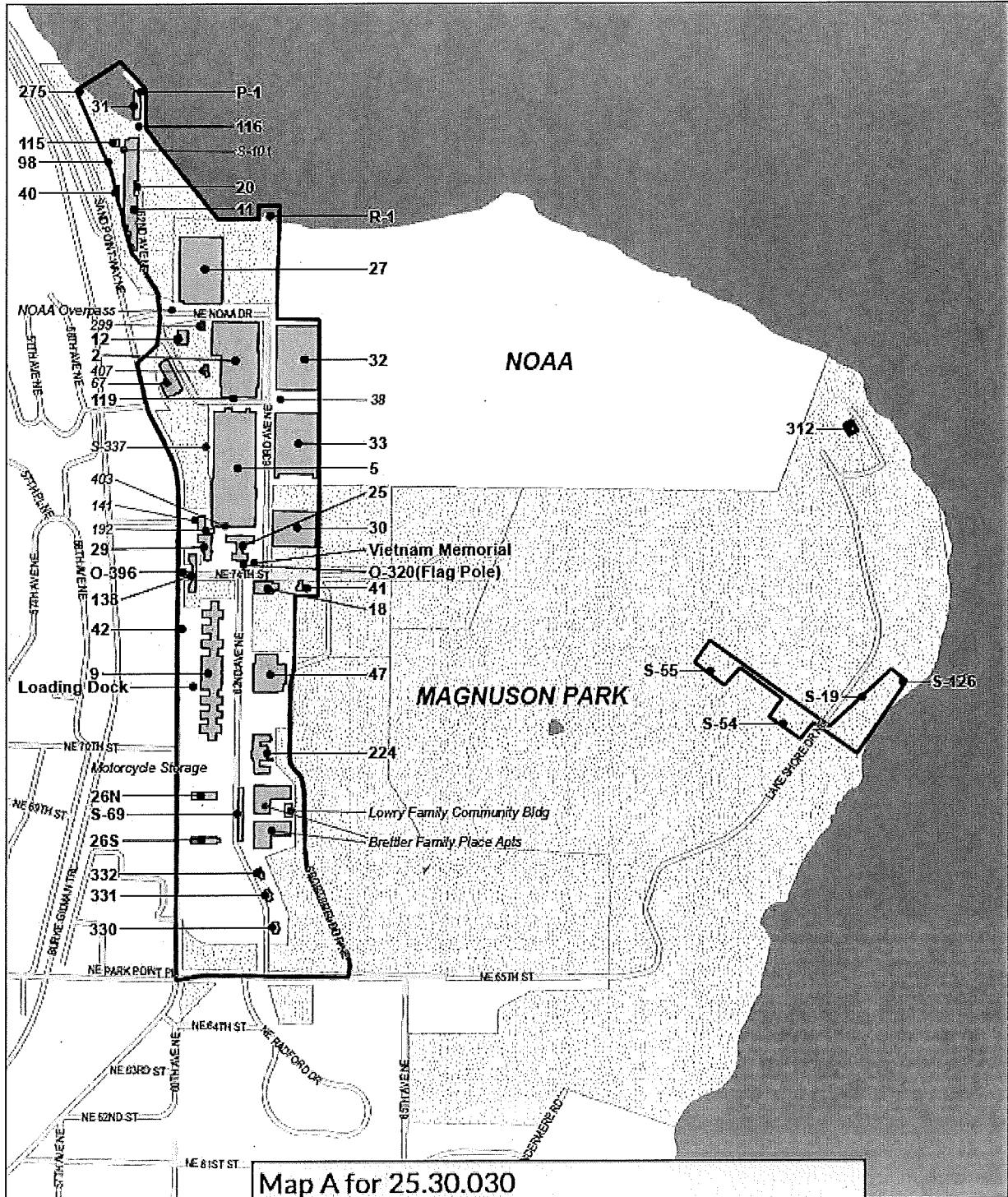
Karen Gordon  
DON Sand Point Landmark District Controls ORD  
August 20, 2015  
#D7

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

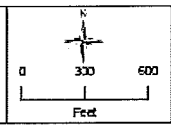
Sand Point Naval Air Station Landmark District Map



Map A for 25.30.030  
 Sand Point Naval Air Station Landmark District Map

Produced by SP-INT,  
 GIS Products & Services  
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 No warranty of any kind, including accuracy,  
 fitness or merchantability, is made by the producer.  
 Geographic System: State Plane, NAD 83, UTM, Washington North Zone  
 Meridian Datum: North American Vertical Datum of 1988 (NAVD83)  
 July 8, 2013  
 T:\work\2013\2530030\magndist.mxd

District Resource
  Landmark District
  Park
  Street or Path



1 **25.30.040 Criteria for district designation**

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

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

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

15 C. Landscape features

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

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

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

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

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

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

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

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

4 **25.30.050 Design review guidelines**

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

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

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

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

1 **25.30.060 District administration**

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

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

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

16 **25.30.065 Relationship between Board review and responsibilities of other City**  
17 **departments**

18           The function of the Board under Section 25.30.060 is to review public or private  
19 applications for certificates of approval to demolish, alter or construct buildings, structures  
20 and site elements located within the District, for consistency with the landmarks criteria  
21 prescribed in Section 25.30.090. It is not the function of the Board to regulate the use of  
22 property within the District, which is the responsibility of the Department of Planning and  
23 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

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

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

4 1. Any in-kind maintenance or repairs of the features listed in subsection  
5 25.30.070.A.

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

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

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

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

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

16 a. NOAA Guardhouse;

17 b. NOAA Overpass;

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

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

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

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

- 1 g. Structure 337, Overhead Walkway;
- 2 h. Building 141, Historic name: Respiratory Training Building;
- 3 i. Building 192, Historic name: Low-Pressure Training Building;
- 4 j. Building 403, Historic name: Generator Building;
- 5 k. Brettler Family Place Apartments Buildings;
- 6 l. Lowry Family Community Building;
- 7 m. Tennis Center Sand Point; and
- 8 n. Phyllis Gutierrez Kenney Place.

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

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

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

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

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

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

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

4                   14. All work that is temporary in nature that does not damage character defining  
5 features; including art installations, event signage, and temporary signage as defined in Section  
6 23.55.012.

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

11           C.       Administrative review

12                   1. Administrative review and approval is available for the items listed in  
13 subsection 25.30.070.C.2 according to the following procedures. The owner shall submit to the  
14 City Historic Preservation Officer (CHPO) a written request for these alterations, including  
15 applicable drawings and/or specifications. If the CHPO, upon examination of submitted plans  
16 and specifications, determines that such alterations are consistent with the purposes of Chapter  
17 25.12 the alterations shall be approved without the need for any further action by the Board. If  
18 the CHPO disapproves such alterations, the owner may submit revised materials to the CHPO, or  
19 submit in accordance with the Certificate of Approval process set forth in Chapter 25.12. The  
20 CHPO shall transmit a written decision on the owner's submittal to the owner. Failure of the  
21 CHPO to approve or disapprove the request within 14 business days shall constitute approval of  
22 the request.

23                   2. Administrative review is available for the following:

1                                   a. Specified features and characteristics of the exteriors of the buildings,  
2 the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other  
3 similar wiring or mechanical elements necessary for the normal operation of the building; and  
4 changes that encourage energy efficiency and renewable energy efforts including but not limited  
5 to solar panels and sky lights.

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

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

12                                   d. Installation or removal of on-premises signs as described in subsection  
13 23.55.032. F.

14                                   e. Installation or removal of off-premises signs as described in subsection  
15 23.55.032.G and the Warren G. Magnuson Park Wayfinding and Signage Master Plan.

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

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

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

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

1 j. Installation of community garden(s).

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

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

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

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

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

11 p. Mothballing of buildings in the Landmark District.

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

14 r. ADA improvements.

15 **25.30.080 Application for certificate of approval**

16 A. Application

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

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

22 a. Building name and building address;

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

- 1 c. Applicant's name and address;
- 2 d. Building owner's name and address;
- 3 e. Applicant's telephone number;
- 4 f. The building owner's signature on the application or a signed letter
- 5 from the owner designating the applicant as the owner's representative, if the applicant is not
- 6 the owner;
- 7 g. Confirmation that the fee required by subsection 22.900G.010.A
- 8 has been paid;
- 9 h. A detailed description of the proposed work, including:
- 10 1) Any changes it will make to the site;
- 11 2) Any effect that the work would have on the public right-
- 12 of-way or other public spaces; and
- 13 3) Any new construction;
- 14 i. Four sets of scale drawings, with all dimensions shown, in the
- 15 following form:
- 16 1) A site plan of existing conditions, showing adjacent
- 17 streets and buildings, and, if the proposal includes any work on public property, the existing
- 18 street uses, such as street trees and sidewalk displays, and another site plan showing proposed
- 19 changes to the existing conditions;
- 20 2) A floor plan showing the existing features and a floor plan
- 21 showing the proposed new features;
- 22 3) Elevations and sections of both the proposed new
- 23 features and the existing features;







1 the applicant agrees in writing that the Board decision on the preliminary design is  
2 immediately appealable by the applicant or any interested person of record. The Department  
3 staff may reject the request if it appears that approval of a preliminary design would not be  
4 an efficient use of Department staff or Board time and resources or would not further the  
5 goals and objectives of this chapter. To be complete, an application for a certificate of  
6 approval for a preliminary design must include the information listed above in subsection  
7 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  
8 of approval that is granted for a preliminary design shall be conditioned upon subsequent  
9 submittal of the final design and all of the information listed above in subsection  
10 25.30.080.A.2, and upon Board approval, prior to issuance of permits for work affecting any  
11 building or property in the District or to commencing work that does not require permits.

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

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

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

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

10 **25.30.090 Board meeting on certificate of approval**

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

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

- 17 1. The purposes of this chapter;
- 18 2. The criteria specified in Section 25.30.040;
- 19 3. Guidelines promulgated pursuant to this Chapter 25.30;
- 20 4. The properties' historical and architectural or landscape value and significance;
- 21 5. The properties' architectural or landscape type and general design;
- 22 6. The arrangement, texture, material, and color of the building or structure in  
23 question, and its appurtenant fixtures, including signs;

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

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

5 **25.30.100 Issuance of Board decision**

6           The Board shall consider the recommendation of the Application Review Committee  
7 and shall, within 45 days after the application for a certificate of approval is determined to  
8 be complete, issue a written decision either granting, granting with conditions, or denying a  
9 certificate of approval, and shall mail a copy of the decision to the owner, the applicant, and  
10 the Director within three working days after such decision. A decision denying a certificate  
11 of approval shall contain an explanation of the reasons for the Board's decision and specific  
12 findings with respect to this Chapter 25.30 and the adopted guidelines for the District.

13 Notice of the Board's decision shall be provided to any person who, prior to the rendering of  
14 the decision, made a written request to receive notice of the decision or submitted written  
15 substantive comments on the application.

16 **25.30.110 Appeal to Hearing Examiner**

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

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

1 Planning and Development, then the appellant must also file notice of the appeal with the  
2 Department of Planning and Development, and the appeal of the certificate of approval shall  
3 not be heard until all of the time periods for filing administrative appeals on the other permits  
4 have expired, except that an appeal of a certificate of approval for the preliminary design or  
5 for subsequent design phases may proceed immediately according to Section 25.30.080  
6 without being consolidated. If one or more appeals are filed regarding the other permits, then  
7 the appeal of the certificate of approval shall be consolidated with them and shall be heard  
8 according to the same timelines established for the other appeals, except that appeals to the  
9 State Shoreline Hearings Board shall proceed independently according to the timelines set by  
10 the state for such appeals, and except that an appeal of a certificate of approval for a  
11 preliminary design or for a subsequent design phase may proceed according to Section  
12 25.30.080 without being consolidated. If the related permit decisions would not be appealable,  
13 then the appeal of the certificate of approval decision shall proceed immediately after it is  
14 filed.

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

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

1 25.12.740, 25.12.750, and 25.12.760 of the Landmarks Preservation Ordinance, and as  
2 prescribed under subsection 25.30.090.B.

3 E. The Hearing Examiner shall issue a decision not later than 90 days after the last of  
4 the appeals of related permit decisions is filed, or, if the applicant chooses to proceed  
5 immediately with the appeal of the certificate of approval, as provided in subsection  
6 25.30.110.C, then not later than 90 days from the filing of that appeal.

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

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

14 **25.30.120 Requests for interpretation**

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

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

21 C. If the requested interpretation relates to a certificate of approval for which an  
22 application has been filed, then the request for an interpretation cannot be made any later than 14  
23 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

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

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

9 **25.30.130 Enforcement**

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

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

14 **Section 22.900C.010 Land Use Fees**

15 \*\*\*

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

17 \*\*\*

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

19 \*\*\*

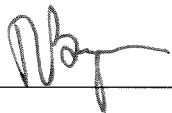
20 6. The fees for interpretations of ((SMC)) Chapters 25.12, 25.16, 25.20, 25.21, 25.22,  
21 ((and)) 25.24, and 25.30 shall be collected by the Director of the Department of  
22 Neighborhoods.

23 \*\*\*




1 Section 3. 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 8<sup>th</sup> day of September, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 8<sup>th</sup> day of September, 2015.

7  
8   
9 \_\_\_\_\_  
10 President \_\_\_\_\_ of the City Council

11 Approved by me this 11<sup>th</sup> day of September, 2015.

12  
13   
14 \_\_\_\_\_  
15 Edward B. Murray, Mayor

16 Filed by me this 11<sup>th</sup> day of September, 2015.

17  
18   
19 \_\_\_\_\_  
20 Monica Martinez Simmons, City Clerk

21  
22 (Seal)  
23