



## Legislation Details (With Text)

|                      |                                                                                                                                                                                                                                                                                                                              |                 |            |                    |            |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------|--------------------|------------|
| <b>File #:</b>       | CB 118522                                                                                                                                                                                                                                                                                                                    | <b>Version:</b> | 1          | <b>Name:</b>       | CB 118522  |
| <b>Type:</b>         | Ordinance (Ord)                                                                                                                                                                                                                                                                                                              | <b>Status:</b>  | Passed     | <b>In control:</b> | City Clerk |
| <b>On agenda:</b>    | 11/30/2015                                                                                                                                                                                                                                                                                                                   |                 |            |                    |            |
| <b>Final Action:</b> | 12/4/2015                                                                                                                                                                                                                                                                                                                    | <b>Ord. No.</b> | Ord 124932 |                    |            |
| <b>Title:</b>        | AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Science Center, 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. |                 |            |                    |            |
| <b>Sponsors:</b>     | Sally Bagshaw                                                                                                                                                                                                                                                                                                                |                 |            |                    |            |
| <b>Indexes:</b>      |                                                                                                                                                                                                                                                                                                                              |                 |            |                    |            |
| <b>Attachments:</b>  | 1. Summary and Fiscal Note, 2. Summary Ex A - Vicinity Map of Pacific Science Center, 3. Landmark Designation Report, 4. Landmark Designation Photos, 5. Landmark Preservation Presentation (11/19/15), 6. Signed Ord 124932, 7. Recorded Ord 124932                                                                         |                 |            |                    |            |

| Date       | Ver. | Action By                                            | Action                             | Result |
|------------|------|------------------------------------------------------|------------------------------------|--------|
| 12/4/2015  | 1    | City Clerk                                           | attested by City Clerk             |        |
| 12/4/2015  | 1    | Mayor                                                | Signed                             |        |
| 12/4/2015  | 1    | Mayor                                                | returned                           |        |
| 12/2/2015  | 1    | City Clerk                                           | submitted for Mayor's signature    |        |
| 11/30/2015 | 1    | City Council                                         | passed                             | Pass   |
| 11/19/2015 | 1    | Seattle Public Utilities and Neighborhoods Committee | pass                               | Pass   |
| 10/12/2015 | 1    | City Council                                         | referred                           |        |
| 9/17/2015  | 1    | Council President's Office                           | sent for review                    |        |
| 9/15/2015  | 1    | City Clerk                                           | sent for review                    |        |
| 9/15/2015  | 1    | Mayor                                                | Mayor's leg transmitted to Council |        |

## CITY OF SEATTLE

## ORDINANCE \_\_\_\_\_

## COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to historic preservation; imposing controls upon the Pacific Science Center, 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 June 2, 2010, voted to approve the nomination of the improvement located at 200 2<sup>nd</sup> Avenue North (which is referred to as “the Pacific Science Center” for the purposes of this ordinance) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on July 21, 2010, the Board voted to approve the designation of the Pacific Science Center under SMC Chapter 25.12; and

WHEREAS, on August 5, 2015, 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 200 2<sup>nd</sup> Avenue North (which is referred to as “the Pacific Science Center” for the purposes of this ordinance) is hereby acknowledged.

A. Legal Description. The Pacific Science Center is located on the property legally described as:

Lots 1, 2, 3, 4, 5, 6, 9, 10, 11, and 12, Block 39, D.T. Denny's 3rd Addition, according to plat recorded in Volume 1 of Plats, page 145, Records of King County, Washington; and

Lots 5, 6, 7, and 8, Block 40, excepting the northerly 27.41 feet of lots 5 and 8, said D.T. Denny's 3rd Addition; and

Lots 5, 6, 7, and 8, Block 47, excepting the northerly 27.41 feet of Lots 5 and 8, said D.T. Denny's 3rd Addition; and

Lots 1 through 12 inclusive, Block 48, said D.T. Denny's 3rd Addition, excepting that portion of Lot 6 in said Block condemned for street purposes in King County Superior Court Cause No. 170139 as provided by Ordinance No. 45588 of City of Seattle.

Together with John Street from east line of Second Avenue North to the west line of Nob Hill Avenue; Third Avenue North from north line of Denny Way to a line 27.41 feet south of the easterly extension of the north lot line of Lot 5, Block 40, D.T. Denny's 3rd Addition;  
the alley in Block 48, D.T. Denny's 3rd Addition;  
the alley in Block 39, D.T. Denny's 3rd Addition;  
that portion of the alley in Block 40, D.T. Denny's 3rd Addition lying southerly of a line 27.41 feet south of the north lot lines of Lots 5 and 8 in said Block 40;

that portion of the alley in Block 47, D.T. Denny's 3rd Addition lying southerly of a line 27.41 feet south of the north lot lines of Lots 5 and 8 in said Block 47.

And together with the west half of vacated Nob Hill Avenue North lying southerly of a line 27.41 feet south of the north lot lines of Lots 5 and 8 in said Block 47 and northerly of the north margin of Broad Street.

Less that portion of the above described parcel lying southerly and westerly of the following described line:

Commencing at the southwest corner of Lot 6, Block 39 of said D.T. Denny's 3rd Addition;  
thence south 88°31'54" east (City of Seattle Datum) along the south line of said Lot 6, 46.42 feet to the true point of beginning;  
thence north 01°26'35" east 58.52 feet;  
thence north 88°33'25" west 16.00 feet to the easterly face of a concrete retaining wall;  
thence north 01°57'56" east along the easterly face of said wall 15.87 feet to the intersection of the northerly prolongation of said wall with the southerly face of the Pacific Science Center Building;  
thence north 88°13'54" west 10.28 feet to a southwesterly corner of said building;  
thence north 01°25'06" east along the westerly face of said building 66.26 feet to a corner of said building;  
thence north 88°34'17" west along the southerly face of said building, 108.70 feet to a southwesterly corner of said building;  
thence north 01°25'16" east along the westerly face of said building, 129.97 feet;  
thence north 88°30'05" west 47.49 feet to a point on the west line of Block 39 of said plat of D.T. Denny's 3rd Addition and the terminus of said line.

B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2, the following specific features or characteristics of the Pacific Science Center are designated:

1. The site, including the entry towers, walkways, and pools, excluding the non-original water features and displays, and excluding non-original sculpture and artwork;
2. The exteriors of the buildings, excluding the Seattle Rotary Discovery Labs Building (Building 6A), the Boeing IMAX Theater and Exhibit Wing, the north entry ticket kiosks, the temporary office trailer, and the temporary lunch tent;
3. The hemispherical projection dome (geodesic dome) of the Laser Dome Theater including the original screen; and
4. The original curved walls of the interior of the theater in Building 5 including the curved walls of vertical tongue-and-groove wood paneling.

C. Basis of Designation. The designation was made because the Pacific Science Center is more than

25 years old, has significant character, interest or value as a part of the development, heritage or cultural characteristics of the City, state or nation, has integrity or the ability to convey its significance, and satisfies the following from SMC 25.12.350:

1. It is the location of, or is associated in a significant way with, a historic event with a significant effect upon the community, City, state, or nation (SMC 25.12.350.A).
2. It is associated in a significant way with the life of a person important in the history of the City, state or nation (SMC 25.12.350.B).
3. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, City, state or nation (SMC 25.12.350.C).
4. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
5. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
6. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Pacific Science Center that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the features or characteristics of the Pacific Science Center that were designated by the Board for preservation.
2. No Certificate of Approval is required for the following:
  - a. Any in-kind maintenance or repairs of the features or characteristics of the Pacific

Science Center that were designated by the Board for preservation.

- b. Installation of non-illuminated signage where existing frames and hardware are located, if the proposed sign size is the same as the previous sign in the same location.
- c. Removal or alteration of slatted wooden walls around the outside of the Paccar Theater that is within Building 5.
- d. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs; perennials; and annuals.
- e. Installation, removal, or alteration of the following temporary site furnishings that are not permanently affixed to designated features: non-original benches; non-original planters; trash and recycling receptacles; food carts and umbrellas; tents for temporary events; and bicycle racks.
- f. Raising the exterior loading dock located on the west side of Building 2 to comply with applicable codes.
- g. Installation of, or alterations to, exterior and interior security system equipment and security lighting.

B. City Historic Preservation Officer Approval Process.

- 1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 according to the following procedure:
  - a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.
  - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.
- 2. If the CHPO does not approve the alterations or significant changes, the owner may

submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.

3. CHPO approval of alterations or significant changes to the features or characteristics of the Pacific Science Center that were designated by the Board for preservation is available for the following:

- a. The addition or elimination of ducts, 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 skylights.
- b. Installation of signage and plaques that are not otherwise excluded from the Certificate of Approval requirement pursuant to subsection 2.A.2.b.
- c. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet above ground.
- d. Installation of a permanent outdoor lunch area to replace the tent, in the same location and with a similar footprint.
- e. Replacement of non-operable, recessed sidewalk light fixtures with "naming right" plaques in a uniform color and material that match the size and shape of the existing openings and are flush with the sidewalk.
- f. Replacement of original floor-to-ceiling single paned glazing on the north wall of Building 5 with an insulated glass assembly.
- g. Replacement of non-original glazing in Building 3 with an insulated glass assembly.

Section 3. INCENTIVES: The following incentives are hereby granted on the features or characteristics

of the Pacific Science Center that were designated by the Board for preservation:

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

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

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

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

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

Section 5. The Pacific Science Center is hereby added alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Director of Records and Elections, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Department of Planning and Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. 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 \_\_\_\_ day of \_\_\_\_\_, 2015, and

signed by me in open session in authentication of its passage this

\_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)