



Legislation Text

File #: CB 119261, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Mount Zion Baptist 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 September 6, 2017, voted to approve the nomination of the improvement located at 1634 Reverend Dr. S. McKinney Avenue (formerly 1634 19th Avenue) and the site on which the improvement is located (which are collectively referred to as the “Mount Zion Baptist Church”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on October 18, 2017, the Board voted to approve the designation of the Mount Zion Baptist Church under SMC Chapter 25.12; and

WHEREAS, on January 3, 2018, the Board and the Mount Zion Baptist Church’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; 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. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the Landmarks Preservation Board (“Board”) of the improvement located at 1634 Reverend Dr. S. McKinney Avenue and the site on which the improvement is located (which collectively are referred to as the “Mount Zion Baptist Church”) is acknowledged.

A. Legal Description. The Mount Zion Baptist Church is located on the property legally described as:

Lots 5-6 and 14-18 in Block 16 of Renton Hill Addition, as recorded in Volume 8 of Plats, page 68, records of King County, Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Mount Zion Baptist Church, exempting all elements that are liturgical in nature:

1. The site.
2. The exteriors of the church building, educational unit, and bell tower.
3. The interior of the sanctuary.
4. The James W. Washington, Jr. sculpture “Oracle of Truth.”

C. Basis of Designation. The designation was made because the Mount Zion Baptist Church 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 SMC 25.12.350 provisions:

1. It is the location of, or is associated in a significant way with, an 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 imposed on the features or characteristics of the Mount Zion Baptist Church 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 of this ordinance, the owner must obtain a Certificate of Approval issued by the Board according 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 Mount Zion Baptist Church 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 Mount Zion Baptist Church that were designated by the Board for preservation.

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

c. Removal of the following landscape elements: trees less than 8 inches in diameter

measured 4 ½ feet above ground; and shrubs, perennials, and annuals.

d. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.

e. Installation, removal, or alteration of the following site furnishings: benches, trash receptacles, and bike racks.

f. Restriping of existing asphalt paving.

g. Installation, removal, or alteration of signage for accessibility compliance, and other signage as required by City code.

h. Conservation of the James W. Washington, Jr. sculpture.

i. Alterations to the existing outdoor play area materials and equipment.

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 of this ordinance 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 Mount Zion Baptist Church that were designated by the Board for preservation is available for the following:

- a. For the specified features and characteristics of the building, the addition or elimination of ducts, conduits, HVAC vents, grills, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.
- b. Installation, removal, or alterations of lighting at the site, building exterior, building interior, and bell tower exterior.
- c. Installation, removal, or alterations of electronic, audio-visual, and security equipment at the site, building exterior, building interior, and bell tower exterior.
- d. Removal of trees identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist.
- e. Signage other than signage excluded in subsection 2.A.2.g of this ordinance.
- f. Installation of improvements for safety or accessibility compliance.
- g. Installation of fire and life safety equipment.
- h. Window replacement at the Educational Unit.
- i. Changes to paint colors for any of the areas or features listed in subsection 1.B of this ordinance.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Mount Zion Baptist Church 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 under SMC Title 23.
- B. Exceptions to certain of the requirements of the Seattle Building Code, adopted by SMC Chapter 22.100, and the Seattle Energy Code, adopted by SMC Chapter 22.700, may be authorized according to the

applicable provisions.

C. Special tax valuation for historic preservation may be available under chapter 84.26 RCW 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 under 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 Mount Zion Baptist Church is 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 Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to the Mount Zion Baptist Church's owner.

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 _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)