5Rot (GENERAL)

COMPTROLLER FILE NUMBER 284771

MAYOR'S VETO
OF

COUNCIL BILL 98236, WHICH CREATES A LANDMARKS PRESERVATION BOARD...AND REPEALS ORDINANCE 102229 (THE PRESENT LANDMARKS PRESERVATION ORDINANCE.)

FILED MARCH 25, 1977

E. L. KIDD
COMPTROLLER AND CITY CLERK

BY R. Angevine DEPUTY

ACTION OF THE COUNCIL

REFERRED MAR 28 1977	TO FULL COUNCIL
REFERRED	TO
REFERRED	TO
REPORTED APR 4 1977	DISPOSITION PASSED OVER VETO
RE-REFERRED	TO
REPORTED	DISPOSITION

REPORT OF COMMITTEE

Mr. President:

Your .... *Committee*

to which was referred the within ....

would respectfully report that we have considered the same and respectfully recommend that ....

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.... CHAIRMAN

.... CHAIRMAN

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CSS 8.1.63

Your City, Seattle

Office of the Mayor
Wes Uhlman, Mayor

March 25, 1977

The Honorable Sam Smith, President
City Council
City of Seattle

Dear Councilman Smith:

I have carefully reviewed the Landmarks Preservation Ordinance recently completed and submitted to me by the City Council. I must veto it.

Seattle has emerged as a national leader in urban conservation and historic preservation activities. The new conservation ethic has captured our citizens' imagination and inspired such exciting activity as that phenomenal reclamation of Pioneer Square and the Pike Place Market.

This new discovery of our historic architectural past, however, is more than mere nostalgia. Historic and urban preservation and restoration are founded in the good sense of solid economics. It now often just makes good dollars and sense to re-cycle older buildings -- and it uses less energy and depletable resources.

The Congress recently affirmed this with substantial incentives through federal tax policy changes and office leasing policies.

In short, the entire country is catching up to Seattle in discovering the true psychic and economic and moral value of this new ethic.

The ordinance which you have passed is a giant step backwards. It is a retreat from a progressive stance of urban conservation and ought to be voted down. Let me spell out my reasons.

My review has left me with extreme doubts that this new ordinance succeeds in curing the problems encountered with the present ordinance. Specifically, I doubt that the attempt to review and control arguments related to the economic impact of landmark designation succeeds in presenting clear guidelines to the Hearing Examiner sufficient for him to make a finding of substantial hardship.

As the ordinance now reads, it is difficult to extract a clear definition of "reasonable economic use." It is not clear whether responding to all of the ordinance criteria for economic review will disclose such a definition adequately, and it is unfortunate that no criterion such as a percentage return on investment is included. The resultant language is vague and forebodes inconclusive judgments by the Examiner. For that reason, I believe the entirety of Part IX of the proposed ordinance requires further study by the Council.

I am also convinced that detailed investigations into economic matters at the time of landmark designation will necessarily be so broad and conjectural that no useful purpose is served by exploring them at that early phase. The appropriate time to investigate hardship and economic effect is clearly the time when specific alterations are proposed by a landmark owner, whether immediately after designation or many years following designation.

Since economic realities are constantly shifting and building costs, mortgage rates and federal tax incentives are unpredictable, I am more than ever convinced that economic arguments should attach themselves to concrete proposals, which they can only be at the time a building permit is applied for.

The confusion and strong feeling generated by Section IX of the ordinance, together with the implication trhroughout the ordinance that landmark status works an unreasonable hardship on prospective landmark owners, foretells a massive involvement of City staff time and the time of volunteer members of the Landmark Board in questions that cannot readily be answered by this procedure.

The cost to the City of administering this ordinance is obviously vastly greater than it is today, yet how vast it is impossible to predict. It is the City's clear obligation to continue the landmarks program it has so successfully pursued, while living within the budget limitations we increasingly suffer from. The proposed ordinance imposes an administrative nightmare on us all at a time when budgetary economy should be our watchword. The benefits from the proposed system are not sufficiently obvious to me.

I am also obliged to mention my disappointment that historic districts are an unfortunate deletion from the new ordinance and leave Seattle with no clear framework with which to judge and protect its landmark resources. I see no reason not to have included such a section in this ordinance. Aware as we all are of the unestimable benefits to be gained by landmark owners under the 1976 Tax Reform Act, the designation of historic districts is, therefore, a necessary tool to provide for conservation of major portions of Seattle's heritage. I feel the Council should reconsider the inclusion of a section dealing with historic district designation.

For all these reasons and because the resultant ordinance is unusually complex and discouraging to preservationists and owners alike, I feel it is my obligation to veto this legislation. I request the Council to develop a simple and straghtforward approach to landmark designation and to perpetuate the great gains this City has made in its own preservation and respect the devotion of its citizens who, as much as any of us, have worked that preservation. Let's not turn our back on them or on urban conservation in the name of curing current problems and difficulties.

I am returning this ordinance to you pursuant to City Charter provision, Article IV, Section 12.

Sincerely,

Wes Uhlman

Wes Uhlman

WU:psv

cc: Don Stark, OMB
Paul E. S. Schell, DCD

C-216

City of Seattle

Mayor's Veto

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Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter refered to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

MAYOR'S VETO OF

C.B. 98236

was published on

March 28, 1977

B. Abbott

Subscribed and sworn to before me on

March 28, 1977

Sanderson

Notary Public for the State of Washington, residing in Seattle.

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