

disapprove the proposed plat: Dedication of land to any public body may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Council shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners.

(Ord. 109266 § 6(part), 1980: Ord. 109155 § 27(part), 1980: Ord. 105636 § 22(part), 1976.)

**24.98.400 Council action—Consideration of physical characteristics.**

The Council shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the Council covering any land situated in a flood control zone as provided in RCW Chapter 86.16 without the prior written approval of the State Department of Ecology.

(Ord. 109266 § 6(part), 1980: Ord. 109155 § 27(part), 1980: Ord. 105636 § 22(part), 1976.)

**24.98.410 Council action—Necessity for public hearing.**

The public hearing may be held before the Urban Development and Housing Committee or other committee of the Council, which shall report its recommendations on the matter to the Council for action by resolution.

(Ord. 109266 § 6(part), 1980: Ord. 109155 § 27(part), 1980: Ord. 105636 § 22(part), 1976.)

**24.98.420 Council action—Notification of applicant and parties of record.**

The Council shall notify the applicant and all parties of record of its action on the preliminary plat and shall forward approved copies, together with any conditions imposed by the Council, to the Director of Engineering and to the Administrator. Preliminary plat shall be approved, disapproved or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the ninety-day period shall not include the time spent preparing and circulating the environ-

mental impact statement by the Administrator. (Ord. 109266 § 6(part), 1980: Ord. 109155 § 27(part), 1980: Ord. 105636 § 22(part), 1976.)

**Title 25**

**ENVIRONMENTAL PROTECTION AND HISTORIC PRESERVATION**

**Chapter 25.04**

**ENVIRONMENTAL POLICY**

**Sections:**

**Subchapter I SEPA Guidelines**

**24.04.170 SEPA Public Information Center.**

**25.04.180 Fees for environmental review of private projects.**

**25.04.220 No physical modifications until appeal period expires or appeal terminated.**

**25.04.230 Repealed.**

**25.04.240 Repealed.**

**25.04.250 Repealed.**

**25.04.260 Repealed.**

**25.04.270 Repealed.**

**Subchapter III City Policies**

**25.04.500 Overview.**

**25.04.550 View protection.**

**Subchapter I SEPA Guidelines**

**25.04.170 SEPA Public Information Center.**

A. The Department of Construction and Land Use shall be responsible for establishing and maintaining the city's SEPA Public Information Center at a location readily accessible to the public, and for making the existence and location of the Center known to the general public and city employees, and for satisfying the public information requirements of WAC 197-10-831.

B. The following documents shall be maintained at the SEPA Public Information Center:

1. Copies of all Declarations of Significance and Declarations of Nonsignificance filed by the city, for a period of one year;

2. Copies of all EIS's prepared by or on behalf of the city, for a period of three years;

3. Copies of all decisions in administrative appeals wherein SEPA issues were raised.

C. In addition, the Department of Construction and Land Use shall maintain the following registers at the SEPA Public Information Center, each register including for each proposal its location, a brief (one sentence or phrase) description of the nature of the proposal, the date first listed on the register, and the contact person or office from which further information may be obtained:

1. A "Proposed Declaration of Non-significance Register" which shall contain a listing of all current proposed Declarations of non-significance;

2. A "Final Declaration of Nonsignificance Register" which shall contain a listing of all Declarations of Nonsignificance made by the city during the previous year;

3. An "EIS in Preparation Register" which shall contain a listing of all proposals for which the city is currently preparing an EIS, and the date by which the EIS is expected to be available to the public;

4. An "EIS Available Register" which shall contain a listing of all draft and final EIS's prepared by or on behalf of the city during the previous six months, including thereon the date by which comments must be received on draft EIS's, and the date for any public hearing scheduled for the proposal.

D. Each of the registers shall be kept current and maintained at the SEPA Public Information Center for public inspection. In addition, the registers, or updates thereof containing new entries added since the last mailing, shall be mailed once every week to those organizations and individuals who make written request therefore, unless no new entries are made on the register, in which event a copy of the register or update shall be mailed when a new entry is added. The Department of Construction and Land Use may charge a periodic fee for the service of mailing the registers or updates, which shall be reasonably related to the costs of reproduction and mailing.

E. The documents required to be maintained at the SEPA Public Information Center shall be available for public inspection and copies thereof shall be provided upon written request. The city shall charge a fee for copies in the manner provided by ordinance, and for the cost of mailing.

F. Copies of all documents filed and registers

maintained at the SEPA Public Information Center shall be maintained at the main branch of the Seattle Public Library.

(Ord. 109125 § 13(part), 1980: Ord. 107501 § 9, 1978: Ord. 105735 § 17, 1976.)

#### 25.04.180 Fees for environmental review of private projects.

A. For the purpose of reimbursing the city for necessary costs and expenses related to its compliance with the SEPA Guidelines and this subchapter in connection with private projects, the following schedule of fees, in addition to those otherwise provided for by ordinance, is established:

1. For a threshold determination which requires information in addition to that contained in or accompanying the environmental checklist, a fee in an amount equal to the actual costs and expenses incurred by the city in conducting any studies or investigations necessary to provide such information; provided that the fee shall not be less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00);

2. For all private projects requiring an EIS for which the city is the lead agency and for which the responsible official determines that the EIS shall be prepared by employees of the city, or that the city will contract directly with a consultant or consultants for the preparation of an EIS, a fee in an amount equal to the actual costs and expenses incurred by the city in preparing the EIS. Such fee shall also apply when the applicant prepares the EIS, and the responsible official determines that substantial rewriting or reassessing of impacts must be performed by employees of the city to insure compliance with the provisions of the SEPA Guidelines and this subchapter.

B. If the responsible official determines that an EIS is required, and that the EIS shall be prepared by employees of the city or by a consultant or consultants retained by the city, or that the applicant-prepared EIS shall be substantially rewritten by employees of the city, the private applicant shall be advised by the responsible official of the estimated costs and expenses of preparing or rewriting the EIS prior to actual preparation or rewriting, and the private applicant shall post bond or otherwise insure payment of such costs and expenses; provided, that when the responsible official is the Director of the Department of Construction and Land

Use, fees shall be paid as described in the Permit Fee Ordinance.<sup>1</sup> The ultimate charge to the applicant shall not exceed the estimate. A consultant or consultants shall be selected by the responsible official in consultation with the private applicant.

C. All fees owed the city under this section shall be paid in full by the private applicant prior to final action by the city on the private project. Any fee owed the city under subsection A1, shall be paid by the private applicant prior to the initiation of actual preparation of an EIS (if required) or actual rewriting of an applicant-prepared EIS by the city or its consultant(s). If the private applicant disputes the amount of fee charged, the fee may be paid under protest and without prejudice to the applicant's right to file a claim and bring an action to recover the fee.

D. Proceeds from fees and charges imposed pursuant to this subchapter shall be transmitted to the City Treasurer and shall be deposited by him in the General Fund; provided, that proceeds from fees and charges collected by the Director of Construction and Land Use shall be deposited in the Construction and Land Use Fund.

(Ord. 109515 § 1, 1980; Ord. 109125 § 13 (part), 1980; Ord. 107501 § 10, 1978; Ord. 106073 § 1, 1976; Ord. 105735 § 18, 1976.)

1. Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

**25.04.220 No physical modifications until appeal period expires or appeal terminated.**

No final authorization of any permit shall be granted until expiration of the time period for filing an appeal in accordance with Sections 25.04.200 and 25.04.210, or if an appeal is filed until the fifth day following termination of the appeal. If, on or before the fifth day following termination of an appeal, a party of record files with the Superintendent of Buildings a written notice of intent to seek judicial review of the city's action, no direct modification of the physical environment shall begin or be authorized until the twenty-first day following termination of the appeal or until a court has disposed of any requests for preliminary injunctive relief, whichever occurs first. Where substantial injury to a party would result from a delay of construction, demolition, grading, or other

direct modification of the physical environment, the official or body hearing the appeal shall grant an expedited hearing, in which case shorter notice less than twenty days prior to the hearing may be given as permitted by Section 8(a) of Ordinance 102228.<sup>1</sup>

(Ord. 108836 § 1, 1980; Ord. 107501 § 14, 1978; Ord. 105735 § 20B, 1976.)

1. Editor's Note: Section 8(a) of Ord. 102228 is codified in Section 3.02.090A of this Code.

**25.04.230 Seattle Environmental Review Committee.**

Repealed by Ordinance 108860.

**25.04.240 Committee—Membership.**

Repealed by Ordinance 108860.

**25.04.250 Committee—Chairperson and staff.**

Repealed by Ordinance 108860.

**25.04.260 Committee—Authority.**

Repealed by Ordinance 108860.

**25.04.270 Committee—Duties.**

Repealed by Ordinance 108860.

**Subchapter III City Policies**

**25.04.500 Overview.**

A. Policy Intent. It is the intent of the city that the SEPA environmental review process be implemented by integrating the consideration of environmental impacts with existing planning and decisionmaking processes. To the greatest extent possible, the mechanism for mitigating or preventing adverse impacts to the environment will be incorporated into present and further city ordinances relating to the affected element of the environment. The SEPA review process and the measures necessary to minimize or prevent adverse impacts are, therefore, not to be treated as a separate review or permitting process, but rather are to be employed as an integral element of the existing decisionmaking process.

B. Policies. In assessing the environmental impacts of a proposal and in determining the need for conditioning or denial pursuant to Section 25.04.190, the city official or authorizing agency shall utilize SEPA, all policies, guidelines and regulations adopted pursuant to SEPA, and shall use other environmentally related policies

adopted by the City Council in the form of resolutions, codes, ordinances, regulations or plans identified in Appendix A and on file in

The SEPA Public Information Center, and federal, state, and regional environmental quality standards.

#### APPENDIX A

- Resolution 17488 – Comprehensive Plan and modifications and updates thereafter, including neighborhood improvement plans.
- Resolution 23782 – Unique characteristics of International District and Pioneer Square District.
- Resolution 23831 – Asian Cultural and Trade Center.
- Resolution 23835 – Capital Improvement Program Committee Role in Pioneer Square and International District.
- Resolution 23841 – Housing in Pioneer Square and International District.
- Resolution 23842 – Need for public facilities and amenities in South Central Business District.
- Resolutions 24098 and 24259 – Air Quality.
- Resolution 24283 – Goals for Seattle – 2000 Commission Report.
- Resolution 25340 – Redlining.
- Resolution 24515 – Surface water control.
- Resolution 24957 – Downtown parking policies.
- Resolution 25011 – Goals, objectives, and policies of City codes.
- Resolution 25076 – Guidance for parking and traffic access for King County Stadium.
- Resolution 25159 – Policies to guide implementation of SEPA.
- Resolution 25173 – Shoreline Master Program.
- Resolution 25259 – Energy conservation policies.
- Resolution 25260 – Electrical generation policies.
- Resolution 25434 – Solid Waste Management Plan for King County.
- Resolution 25492 – Capital Improvement Policy Plan and modifications and updates thereafter.
- Resolution 25532 – City and University of Washington – Joint Statement of Goals.
- Resolution 25533 – Seattle growth policies.
- Resolution 25601 – Solid waste management goals and policies.
- Resolution 25670 – Urban Greenbelt Plan.

## APPENDIX A (cont'd)

- Resolution 25812 – 1978 Housing Assistance Plan and updates thereafter.
- Resolution 25821 – International District Neighborhood Strategy and Application.
- Ordinance 86300 – Zoning Code and amendments thereafter.
- Ordinance 102916 – Urban Renewal Plan – Pike Place Market.
- Ordinance 106348 – Landmark Preservation Ordinance.

All other resolutions and ordinances included in the Policy Catalogue prepared in response to Resolution 25477.  
(Ord. 109560 §8, 1980; Ord. 107678 § 1, 1978.)

**25.04.550 View protection.****A. Policy Intent. Recognizing that:**

1. Part of what makes Seattle a unique city is its magnificent natural setting which combines greenery, mountains, and water; and

2. Visual amenities and opportunities are an integral part of the city's environmental quality and contribute to community pride and prestige; and

3. The city is committed to preserving sites, improvements and objects which reflect significant elements of the city's cultural, aesthetic, social, economic, political, architectural, engineering, historical or other heritage and has designated such sites, improvements and objects as historic landmarks; and

4. It is the city's policy to encourage concentration of high density of high-rise development in the Central Business District (Western Avenue on the west, Yesler Way on the south, I-5 on the east and Lenora Street on the north), and that such development may obstruct views in many instances; and

5. The city has developed particular sites for the public's enjoyment of views of mountains, water and skyline and has many other public places where such views enhance one's experience;

it is the policy of the city to:

a. Reasonably protect views from such public places; and

b. Reasonably protect the view of certain designated historic landmarks.

**B. Policies.** Until such time as specific view protection policies are enacted by the city, it is the policy of the city that:

1. The city official or authorizing agency shall assess the extent of obstruction of views of

mountains, water, skyline, and greenery by a proposed project from public places identified in Appendix B.

2. The city official or authorizing agency shall assess the extent of obstruction of views of historic landmarks designated by the Landmarks Preservation Board as having significance which, because of their prominence of location or contrasts of siting, age or scale, are easily identifiable visual features of their neighborhood or the city and contribute to the distinctive quality or identity of such neighborhood or the city; or they embody the distinctive visible characteristics of an architectural style, or period, or of a method of construction.

3. The city official or authorizing agency may mitigate such adverse impacts by measures including, but not limited to:

a. Requiring a change in the height of the development;

b. Requiring a change in the bulk of the development;

c. Requiring a redesign of the profile of the development;

d. Requiring view corridors;

e. Requiring a reduction or rearrangement of walls, fences, or plant material;

f. Requiring a reduction or rearrangement of accessory structures, i.e., towers, railings, antennae.

4. In the Central Business District, the city may mitigate the adverse impacts described in subsections B1 and 2, solely to maintain existing street view corridors to the water, or to other prominent natural or manmade features or to historic landmarks as defined in subsection B2; provided that such street view corridors shall be identified by rule adopted in

accordance with the Administrative Code (Ordinance 102228),<sup>1</sup> and no condition may be imposed to maintain such street view corridors until the view corridors have been identified.

#### APPENDIX B

- |  |   |
|--|---|
| Alki Beach Park<br>Alki Avenue S.W.                              | Commodore Park<br>W. Commodore Way and W. Gilmore   |
| Atlantic City Park<br>S. Henderson and Seward Park S.            | Denny Blaine Park<br>Lake Washington Boulevard E. and 40th E.   |
| Bagley Viewpoint<br>10th Avenue E. and E. Roanoke                | Discovery Park<br>36th W. and W. Government Way   |
| Ballard High School<br>N.W. 65th Street and 14th Avenue N.W.     | Emerson Elementary School<br>9709 60th Avenue S.  |
| Banner Place<br>N.E. Banner Place off N.E. 75th Street           | Emma Schmitz Overlook<br>Beach Drive S.W. and S.W. Alaska   |
| Bayview Playground<br>24th Avenue W. And W. Raye Street          | Four Columns<br>Pike and Boren at I-5   |
| Beacon Hill Playground<br>S. Holgate and 14th Avenue S.          | Frink Park<br>Lake Washington Boulevard and S. Jackson  |
| Belvedere Viewpoint<br>S.W. Admiral Way and S.W. Olga            | Gasworks Park<br>N. Northlake Way and Meridian Avenue N.  |
| Bhy Krackee Park<br>Bigelow North and Comstock Place             | Genesee Park<br>45th Avenue S. and S. Genesee   |
| Bitter Lake Playground<br>N. 130th and Linden Avenue N.          | Golden Gardens Park<br>North end of Seaview Avenue N.W.   |
| Briarcliff Elementary School<br>W. Dravus and 38th Avenue W.     | Green Lake<br>Beaches (E. Green Lake Drive N. and<br>W. Green Lake Drive.)<br>Playfield (E. Green Lake Drive N. and<br>Latona Avenue N.E.)<br>Park (N. 73rd Street and Green Lake<br>Drive N.)<br>Community Center (Latona Avenue N.E.<br>and E. Green Lake Drive N.) |
| Broadview Elementary School<br>12515 Greenwood Avenue N.         | Hamilton Viewpoint<br>California Avenue S.W. and S.W. Donald  |
| Carkeek Park<br>N.W. 110th off N. Greenwood                      | Harborview Hospital Viewpoint<br>8th and Jefferson  |
| Cleveland High School Playfield<br>S. Lucille and 15th Avenue S. | Harbor Vista Park<br>1660 Harbor Avenue S.W.  |
| Colman Park<br>36th S. and Lakeside S.                           | Highland Park Playground<br>S.W. Thistle and 11th S.W.  |
| Colman Playground<br>23rd Avenue S. and S. Grant                 |   |

Appendix B (cont'd)

Hughes Elementary School  
S.W. Holden and 32nd Avenue S.W.

Inverness Ravine  
Inverness Drive N.E. off N.E. 85th Street

Jose Rizal Park  
S. Judkins and 12th Avenue S.

Kerry Park  
W. Highland and 2nd Avenue W.

Kinnear Park  
7th W. and W. Olympic Place

Kobe Terrace  
6th Avenue and Washington Street

Lakeview Park  
Lake Washington Boulevard E. and E. McGilvra

Lawton Playground  
W. Emerson and Williams Avenue W.

Leschi Park  
Lakeside W. off E. Alder

Lincoln Park  
Fauntleroy S.W. and S.W. Webster

Louisa Boren Lookout/Boren-Interlaken Park  
15th E. and E. Garfield

Lowman Beach  
Beach Drive S.W. and 48th Avenue S.W.

Lynn Street-end Park  
Lynn Street at east side of Lake Union

McCurdy Park  
E. Hamlin and E. Park Drive

Madison Park Beach  
E. Madison and Lake Washington Boulevard E.

Madrona Park Beach  
Lake Washington Boulevard and Madrona Drive

Magnolia Elementary School Playground  
W. Smith Street and 27th Avenue W.

Appendix B (cont'd)

Maple Leaf Playground  
N.E. 82nd and Roosevelt Way N.E.

Marshall Park-Betty Bowen Viewpoint  
Parsons Gardens Park  
7th W. and W. Highland

Martha Washington Park  
S. Holly Street and 57th Avenue S.

Mathews Beach  
N.E. 93rd and Sandpoint Way N.E.

Mayfair Park  
2nd Avenue N. and Raye Street

Mee-Kwa-Mooks  
Beach Drive S.W. and S.W. Oregon

Montlake Park  
E. Shelby and E. Park Drive E.

Montlake Playfield  
16th Avenue E. and E. Calhoun

Mt. Baker Park  
S. McClellan and Lake Park Drive S.

Myrtle Edwards Park  
Alaskan Way and Bay Street

Myrtle Street Reservoir  
S.W. Myrtle and 35th S.W.

Newton Street-end Park  
Newton Street at east side of Lake Union

North and South Passage Point Park  
6th Avenue N.E. and N.E. Northlake Way  
Fuhrman E. and Fairview E.

Othello Park  
43rd Avenue S. and S. Othello

Pritchard Beach  
55th Avenue S. and S. Grattan

Queen Anne High School  
215 Galer

Riverview Playfield  
700 Block of 12th Avenue S.W.

Appendix B (cont'd)

- Roanoke Street-end Park  
Roanoke Street at east side of Lake Union
- Rogers Park  
3rd Avenue W. and W. Fulton Street
- Sand Point Park/Beach  
Sand Point Way N.E. and N.E. 65th Street
- Schmitz Park  
Admiral Way S.W. and S.W. Stevens
- Seward Park Beach  
Lake Washington Boulevard S. and S. Juneau
- Smith Cove Park  
Pier 91
- Soundview Terrace Park  
11th W. and W. Wheeler
- Sunset Hill Viewpoint  
N.W. 77th and 34th Avenue N.W.
- U.S. Public Health Service Hospital  
1131 14th Avenue S.
- Viretta Park  
39th Avenue E. and E. John
- Virginia Street Park  
1st Avenue and Virginia Street
- Volunteer Park (Tower)  
1400 E. Prospect
- Wallingford Playfield  
N. 43rd Street and Wallingford Avenue N.
- Washington Park—Arboretum  
E. Madison and Lake Washington Boulevard S.
- Waterfront Park  
Pier 57—On Alaskan Way
- West Seattle Municipal Golf Course/West Seattle Recreation Area/West Seattle Rotary Viewpoint  
S.W. Oregon Street and 35th Avenue S.W.

Appendix B (cont'd)

- West Seattle Reservoir  
S.W. Trenton Street and 8th Avenue S.W.
  - West Crest Park  
S.W. Henderson Street and 8th Avenue S.W.
  - Woodland Park  
N. 50th Street and Phineey Avenue N.
  - 12th Avenue South Viewpoint  
12th Avenue S. and S. McClellan Street
  - All streets within the Central Business District as defined in subsection A4.
  - Scenic routes as described by map and the City of Seattle Department of Engineering, Traffic Division and by Ordinance 97025,<sup>2</sup> both on file in the SEPA Public Information Center and City public libraries.  
(Ord. 109560 § 9, 1980; Ord. 107678 § 6, 1978.)
  - 1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.
  - 2. Editor's Note: Ord. 97025 is codified in Chapter 25.80 of this Code.
- Chapter 25.08
- NOISE CONTROL**
- Sections:
- Subchapter II Definitions
    - 25.08.200 Muffler.
    - 25.08.315 Shoreline.
    - 25.08.370 Watercraft.
  - Subchapter IV Motor Vehicle and Watercraft Sound Levels
    - 25.08.485 Watercraft.
  - Subchapter VI Exemptions
    - 25.08.530 Sounds exempt at all times.

1980 updates to the  
 Seattle Municipal Code  
 codified and adopted for year  
 For current SMC, contact  
 the Office of the City Clerk



**Subchapter IX Enforcement**

- 25.08.770 Right to appeal.
- 25.08.780 Form of appeal.
- 25.08.790 Hearing Examiner's Consideration.

**Subchapter II Definitions**

**25.08.200 Muffler.**

"Muffler" means a device consisting of a series of chambers or other mechanical designs for the purpose of receiving exhaust gas from an internal combustion engine, or for the purpose of introducing water to the flow of the exhaust gas, and which is effective in reducing sound resulting therefrom.  
(Ord. 109099 § 1, 1980; Ord. 106360 § 215, 1977.)

**25.08.315 Shoreline.**

"Shoreline" means the existing intersection of water with the ground surface or with any permanent, shore connected facility.  
(Ord. 109099 § 5, 1980; Ord. 106360 § 226.5, 1977.)

**25.08.370 Watercraft.**

"Watercraft" means any contrivance, including aircraft taxiing but excluding aircraft in the act of actual landing or takeoff, used or capable of being used as a means of transportation or recreation on water, powered by an internal or external combustion engine.  
(Ord. 109099 § 2, 1980; Ord. 106360 § 232, 1977.)

**Subchapter IV Motor Vehicle and Watercraft Sound Levels**

**25.08.485 Watercraft.**

A. It is unlawful for any person to operate any watercraft in such a manner as to exceed the following maximum noise limits when measured within fifty feet of the shoreline or anywhere within a receiving property:

1. At any hour of the day or night, the limit for any receiving property shall be 74 dB(A), except that;
2. Between sunset and sunrise the limit for any receiving property within a residential or rural district shall be 64 dB(A). For the purpose of administering and enforcing this section, sunset will be interpreted as ten p.m. and sunrise will be interpreted as seven a.m.

B. It is unlawful for any person to operate any watercraft, except aircraft, which is not equipped with a functioning underwater exhaust or a properly installed and adequately maintained muffler. Any of the following defects in the muffling system shall constitute a violation of this subsection:

1. The absence of a muffler;
2. The presence of a muffler cutout, bypass, or similar device which is not standard or normal equipment for the exhaust system being inspected;
3. Defects in the exhaust system including, but not limited to, pinched outlets, holes, or rusted-through areas of the muffler or pipes; and
4. The presence of equipment which will produce excessive or unusual noise from the exhaust system.

Dry stacks or water-injected stacks not containing a series of chambers or mechanical designs effective in reducing sound shall not be considered as adequately maintained mufflers.

C. The following exemptions shall apply to sounds created by watercraft or watercraft operations:

1. Normal docking, undocking, and water skier pick-up and drop-off operations of all watercraft shall be exempt from provisions in subsection A;
2. Sounds created by the operation of commercial, nonrecreational watercraft are exempt at all times for provisions of this chapter. These commercial activities include, but are not limited to, tugboats, fishing boats, ferries, and vessels engaged in intrastate, interstate, or international commerce;
3. Sounds created by boat races and regattas, and trials therefor as sanctioned by the Chief of Police acting as Port Warden pursuant to Section 27 of Ordinance 87983<sup>1</sup> as amended are exempt from provisions in this section and in this chapter between the hours of seven a.m. and ten p.m. on weekdays and between the hours of nine a.m. and ten p.m. on weekends.

D. Nothing in this section shall be construed to limit the powers of the Chief of Police acting as Port Warden, as enumerated in Section 3 of Ordinance 87983<sup>2</sup> as amended.  
(Ord. 109099 § 6, 1980; Ord. 106360 § 407, 1977.)

D. Nothing in this section shall be construed to limit the powers of the Chief of Police acting as Port Warden, as enumerated in Section 3 of Ordinance 87983<sup>2</sup> as amended.  
(Ord. 109099 § 6, 1980; Ord. 106360 § 407, 1977.)

1. Editor's Note: Section 27 of Ord. 87983 is codified in Section 16.20.160 of this Code.  
2. Editor's Note: Section 3 of Ord. 87983 is codified in Section 16.12.010 of this Code.

**Subchapter VI Exemptions**

**25.08.530 Sounds exempt at all times.**

A. The following sounds are exempt from the provisions of this chapter at all times:

1. Sounds originating from aircraft in flight, and sounds which originate at airports and are directly related to flight operations;
2. Sounds created by safety and protective devices, such as relief valves, where noise suppression would defeat the safety release intent of the device;
3. Sounds created by fire alarms;
4. Sounds created by emergency equipment and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community;
5. Sounds created by the discharge of firearms in the course of lawful hunting activities;
6. Sounds caused by natural phenomena and unamplified human voices;
7. Sounds originating from forest harvesting and silviculture activity and from commercial agriculture, if the receiving property is located in a commercial or industrial district of the city;
8. Sounds created by auxiliary equipment on motor vehicles used for highway maintenance;
9. Sounds created by warning devices not operated continuously for more than thirty minutes per incident; and

10: See Section 25.08.285 C2.

B. The City Council intends to amend this chapter by enacting specific regulations for the following sounds, each of which shall be exempt from the provisions of this chapter at all times until a specific amendment applying to that sound has been adopted:

1. Sounds created by the operation of equipment or facilities of surface carriers engaged in commerce by railroad;
2. Sounds created by float planes; and
3. Sounds created by construction equipment, including special construction vehicles, and emanating from temporary construction sites, if the receiving property is located in a commercial or industrial district of the city. (Ord. 109099 § 4, 1980: Ord. 106360 § 601, 1977.)

**Subchapter IX Enforcement**

**25.08.770 Right to appeal.**

Any person aggrieved by an order issued by the Administrator, including a variance decision, may file an appeal in writing with the Hearing Examiner within a period extending to five p.m. of the tenth day following the date of service of the order.

(Ord. 108647 § 2(part), 1979: Ord. 106360 § 904(a), 1977.)

**25.08.780 Form of appeal.**

The written appeal shall contain the following information:

- A. A heading in the words: "Before the Hearing Examiner of the City of Seattle";
- B. A caption reading: "Appeal of . . . . ." giving the names of all appellants participating in the appeal;
- C. A brief statement setting forth any legal interest of each of the appellants in the property or equipment involved in the order or variance decision;
- D. A brief statement in concise language of the specific action protested, together with any material facts claimed to support the contentions of the appellant;
- E. A brief statement of the relief sought, and the reason why it is claimed the protested action should be reversed, modified, or otherwise set aside;
- F. The signatures of all parties named as appellants and their mailing addresses; and
- G. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal. (Ord. 108647 § 2(part), 1979: Ord. 106360 § 904(b), 1977.)

**25.08.790 Hearing Examiner's Consideration.**

The Hearing Examiner shall consider the appeal in accordance with the procedure established for hearing contested cases under the Administrative Code,<sup>1</sup> and within thirty days of the conclusion of the hearing, shall render his decision and mail his final order to the Administrator and the appellant. The ruling or interpretation of the Administrator may be affirmed, reversed or modified in the Hearing Examiner's final order. If the ruling or

interpretation of the Administrator is reversed or substantially modified, the Hearing Examiner shall direct that the filing fee be returned to the appellant. The decision of the Hearing Examiner shall be final, and the appellant and the Administrator bound thereby. (Ord. 108647 § 2(part), 1979; Ord. 106360 § 904(c), 1977.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

## Chapter 25.12

### LANDMARKS PRESERVATION

#### Sections:

#### Subchapter II Definitions

- 25.12.030 Definitions generally.
- 25.12.040 Alteration.
- 25.12.050 Approval of designation.
- 25.12.060 Approval of nomination.
- 25.12.070 Board.
- 25.12.080 Certificate of approval.
- 25.12.090 Controls.
- 25.12.100 Council.
- 25.12.110 Designating ordinance.
- 25.12.115 Director of Construction and Land Use.
- 25.12.120 Economic incentives.
- 25.12.130 Hearing Examiner.
- 25.12.140 Improvement.
- 25.12.150 Interested person of record.
- 25.12.160 Landmark.
- 25.12.170 Landmark site.
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- 25.12.210 Party of record.
- 25.12.220 Person.
- 25.12.230 Person in charge.
- 25.12.240 Significant change.
- 25.12.250 Site.
- 25.12.260 Superintendent.

#### Subchapter II Definitions

#### 25.12.030 Definitions generally.

The words and terms set out in this subchapter, when used in this chapter, unless a different meaning clearly appears from

the context shall mean as follows, (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(part), 1977.)

#### 25.12.040 Alteration.

"Alteration" is any construction, modification, demolition, restoration or remodeling for which a permit from the Director of Construction and Land Use is required. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(1), 1977.)

#### 25.12.050 Approval of designation.

"Approval of designation" is final action by the Landmarks Preservation Board identifying an object, improvement or site as a landmark or landmark site. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(2), 1977.)

#### 25.12.060 Approval of nomination.

"Approval of nomination" is an action by the Landmarks Preservation Board approving a nomination, in whole or in part, for further designation proceedings. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(3), 1977.)

#### 25.12.070 Board.

"Board" is the Landmarks Preservation Board. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(4), 1977.)

#### 25.12.080 Certificate of approval.

"Certificate of approval" is written authorization which must be issued by the Board before any alteration or significant change may be made to the controlled features of a landmark or landmark site, or during the pendency of designation proceedings, to a site, improvement or object after its nomination has been approved by the Board for further proceedings. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(5), 1977.)

#### 25.12.090 Controls.

"Controls" are such specific restrictions as may be imposed by a designating ordinance upon the alteration or the making of significant changes of specific features or characteristics of a landmark site or landmark that are designated for preservation by such designating ordinance. (Ord. 109125 § 16(part), 1980; Ord. 106348 § 1.03(6), 1977.)

**25.12.100 Council.**

"Council" is the City Council of the city of Seattle.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(7), 1977.)

**25.12.110 Designating ordinance.**

"Designating ordinance" is an ordinance enacted pursuant to this chapter for the purpose of declaring an object, improvement or site a landmark, or a landmark site, and specifying the controls and any economic incentives applicable thereto, and shall include any ordinance designating a landmark in accordance with Ordinance 102229.<sup>1</sup>

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(8), 1977.)

1. Editor's Note: Ord. 102229 is the previous landmarks preservation ordinance.

**25.12.115 Director of Construction and Land Use.**

"Director of Construction and Land Use" is the Director of the Department of Construction and Land Use of the city or such other official as may be designated from time to time to issue permits for construction, alteration, reconstruction, or demolition of improvements upon real property in the city.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(9), 1977.)

**25.12.120 Economic incentives.**

"Economic incentives" are such compensation, rights, or privileges or combination thereof, which the Council, or other public body or agency, by virtue of applicable present or future legislation, may be authorized to grant to or obtain for the owner as consideration for the imposition of controls on a designated landmark site or landmark.

Examples of economic incentives include tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, named gifts, preferential leasing policies, private or public grants-in-aid, beneficial placement of public improvements, or amenities, or the like. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(10), 1977.)

**25.12.130 Hearing Examiner.**

"Hearing Examiner" means any person

authorized to act as a Hearing Examiner pursuant to the Administrative Code of the city (Ordinance 102228)<sup>1</sup> or any ordinance amendatory or successor thereto.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(11), 1980.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**25.12.140 Improvement.**

"Improvement" is any building, structure, or other object constituting a physical improvement of real property.

(Ord. 109125 § 16(part), 1980: ord. 106348 § 1.03(12), 1977.)

**25.12.150 Interested person of record.**

"Interested person of record" includes any individual, corporation, partnership or association which notifies the Board in writing of its interest in any matter before the Board.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(13), 1977.)

**25.12.160 Landmark.**

"Landmark" is an improvement or object designated as a landmark pursuant to this chapter, or pursuant to Ordinance 102229.<sup>1</sup>

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(14), 1977.)

1. Editor's Note: Ord. 102229 is the previous landmarks preservation ordinance.

**25.12.170 Landmark site.**

"Landmark site" is a site designated as a landmark site pursuant to this chapter.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(15), 1977.)

**25.12.180 Nomination.**

"Nomination" is the act of proposing that any object, site or improvement be designated a landmark or landmark site.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(16), 1980.)

**25.12.190 Object.**

"Object" is any tangible thing, including any ship, which may or may not be attached to real property.

(Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(17), 1980.)

**25.12.200 Owner.**

"Owner" is a person having a fee simple interest, a substantial beneficial interest of record or a substantial beneficial interest known to the Board in an object, site or improvement. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(18), 1977.)

**25.12.210 Party of record.**

"Party of Record" includes the Board, the owner, the person in charge, and the nominator of any proposed landmark or landmark site, and the Hearing Examiner, when appropriate. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(19), 1977.)

**25.12.220 Person.**

"Person" is an individual, partnership, corporation, group or association. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(20), 1977.)

**25.12.230 Person in charge.**

"Person in charge" is the person or persons in possession of an object or of an improved lot or parcel including but not limited to a mortgagee or vendee in possession, an assignee of rents, a receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly in control of an object or of an improved lot or parcel of real property. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(21), 1977.)

**25.12.240 Significant change.**

"Significant change" is any change in appearance not requiring a permit from the Director of Construction and Land Use, but for which a certificate of approval is expressly required by a Board approval of nomination, a Board report on designation, or a designating ordinance. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(22), 1977.)

**25.12.250 Site.**

"Site" is any area of land which is unimproved except for trees, shrubs, and/or plants. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(23), 1977.)

**25.12.260 Superintendent.**

"Superintendent" is the Director of Construction and Land Use of the city or such other official as may be designated from time to time

to issue permits for construction, alteration, reconstruction, or demolition of improvements upon real property in the city. (Ord. 109125 § 16(part), 1980: Ord. 106348 § 1.03(24), 1977.)

**Chapter 25.16**

**BALLARD AVENUE LANDMARK DISTRICT**

**Sections:**

- 25.16.070 Building alterations—Certificate of approval required.
- 25.16.080 Certificate of approval—Application.
- 25.16.090 Certificate of approval—Consideration by Board.
- 25.16.100 Certificate of approval—Issuance or denial.
- 25.16.110 Certificate of approval—Appeal if denied.
- 25.16.140 Enforcement and penalties.

**25.16.070 Building alterations—Certificate of approval required.**

No person shall make any change (including but not limited to alteration, demolition, construction, reconstruction, restoration, remodeling, painting, or signing) to the external appearance of any building or structure in the district, or to the external appearance of any other property in the district which is visible from a public street, alley or way, nor construct a new building or structure in the district, nor shall any permit for such be issued, except pursuant to a certificate of approval issued by the Director pursuant to this chapter. (Ord. 109125 § 11(part), 1980: Ord. 105462 § 5(a), 1976.)

**25.16.080 Certificate of approval—Application.**

All applications for a certificate of approval, and all applications for any permit requiring such a certificate of approval, (hereinafter both included in the words "such application") shall be submitted to the District Board. Within thirty days after receipt of each such application the District Board shall hold a public hearing thereon and by duly approved motion recommend that the same be granted, denied or

be referred to the Landmarks Preservation Board. Within thirty days after such referral of any such application, the Landmarks Preservation Board shall hold a public hearing thereon and recommend that the same be granted or denied.

(Ord. 109125 § 11(part), 1980: Ord. 105462 § 5(b), 1976.)

**25.16.090 Certificate of approval—  
Consideration by Board.**

In considering such application, the District Board or the Landmarks Preservation Board shall each keep in mind the purpose of this chapter, the criteria specified in Section 25.16.030, and the guidelines promulgated pursuant to this chapter, and among other things, the historical and architectural value and significance; architectural style and the general design; arrangement, texture, material and color of the building or structure in question and its appurtenant fixtures, including signs; the relationship of such features to similar features of other buildings within the Ballard Avenue Landmark District; and the position of such building or structure in relation to the street or public way and to other buildings and structures. (Ord. 109125 § 11(part), 1980: Ord. 105462 § 5(c), 1976.)

**25.16.100 Certificate of approval—Issuance  
or denial.**

A. If after such hearing and upon consideration of the foregoing, the District Board or the Landmarks Preservation Board determines that the changes and any new construction proposed in any such application are consistent with the purpose of this chapter, the criteria specified in Section 25.16.030, and the guidelines promulgated pursuant to this chapter, it shall recommend that a certificate of approval be granted and the Director shall forthwith issue such in accordance with such Board's recommendation. If the Board's recommendation is to deny such application, the Director shall issue a written notice of denial. If the Board does not recommend granting, denial or referral of any such application within the time provided for such recommendation, such application shall be deemed approved and the Director shall forthwith issue the certificate of approval in accordance with such application, unless the Board's action has been deferred in accordance with an agreement for consultation as follows: Before

issuing a recommendation of denial, the Board may, upon agreement with the applicant, defer such action and consult with the applicant for the purpose of considering means of modifying the application and considering alternatives in keeping with the aforesaid purpose, criteria and guidelines. If at the end of an agreed upon period of time no acceptable solution has been reached, such application shall be finally denied and the applicant shall be so notified by letter.

B. Whenever an applicant is denied, the Director shall send copies of the notice of denial to the property owner, the Director of Construction and Land Use, and to the District Board if such application has been referred to the Landmarks Preservation Board and recommendation of denial made by that Board.

(Ord. 109125 § 11(part), 1980: Ord. 105462 § 5(d), 1976.)

**25.16.110 Certificate of approval—Appeal if  
denied.**

A. The applicant may appeal the final denial of any such application to the Hearing Examiner within twenty days of the date of notice of the denials, and the Hearing Examiner after a public hearing in accordance with the procedure for hearings in contested cases in the Seattle Administrative Code<sup>1</sup> (unless all parties of record affected by such Board's decision consent to the review and decision without a public hearing) may affirm, reverse or modify the denial, but may reverse or modify only if he finds that:

1. Such denial violates the terms of this chapter or guidelines adopted pursuant to the authority of this chapter; or

2. Such denial is based upon a recommendation made in violation of the procedures set forth in this chapter or procedures adopted pursuant to the authority of this chapter and such procedural violation operates unfairly against the applicant.

B. The decision of the Hearing Examiner shall be final and copies thereof shall be mailed to all parties of record and transmitted to the Director, the District Board, the Landmarks Preservation Board if it considered such application, and the property owner if he is not a party of record.

(Ord. 109125 § 11(part), 1980: Ord. 105462 § 5(e), 1976.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**25.16.140 Enforcement and penalties.**

The Director of Construction and Land Use shall enforce this chapter and anyone violating or failing to comply with its provisions shall, upon conviction thereof, be fined in any sum not exceeding Five Hundred Dollars (\$500.00). Each day's violation or failure to comply shall constitute a separate offense.  
(Ord. 109125 § 11(part), 1980: Ord. 105462 § 8, 1976.)

**Chapter 25.20**

**COLUMBIA CITY LANDMARK DISTRICT**

**Sections:**

**25.20.010 Definitions.**

**25.20.010 Definitions.**

The following terms used in this chapter shall, unless the context clearly demands a different meaning, mean as follows:

A. "Alteration" is any construction, modification, demolition, restoration or remodeling for which a permit from the Director of Construction and Land Use is required.

B. "Application Review Committee" is the committee established by this chapter to conduct informal reviews of applications for certificates of approval and make recommendations to the Landmarks Board.

C. "Board" is the Seattle Landmarks Preservation Board as created by Ordinance 106348.<sup>1</sup>

D. "Certificate of approval" is written authorization which must be issued by the Board before any alteration or significant change may be made to the controlled features of a building or other property within the District.

E. "Council" is the City Council of the city of Seattle.

F. "Director of Construction and Land Use" is the Director of Construction and Land Use of the city of Seattle or such other official as may be designated from time to time to issue permits for construction, or demolition of improvements upon real property in the city.

G. "Hearing Examiner" means any person authorized to act as a hearing examiner pursuant to the Administrative Code of The City of Seattle (Ordinance 102228)<sup>2</sup> or any ordinance amendatory or successor thereto.

H. "Significant change" is any change in external appearance, other than routine maintenance or repair in kind, not requiring a permit from the Director of Construction and Land Use, but for which a certificate of approval is expressly required by the Landmarks Board and by this chapter.

I. "Superintendent" is the Director of Construction and Land Use of the city or such other official as may be designated from time to time to issue permits for construction, or demolition of improvements upon real property in the city.

(Ord. 109125 § 18, 1980: Ord. 107679 § 1, 1978.)

1. Editor's Note: Ord. 106348 is codified in Chapter 25.12 of this Code.
2. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**Chapter 25.22**

**HAVARD-BELMONT LANDMARK DISTRICT**

**Sections:**

- 25.22.010 Legislative findings and purposes.
- 25.22.020 Definitions.
- 25.22.030 District established—Boundaries.
- 25.22.040 Historical criteria for District designation.
- 25.22.050 Sociological criteria for District designation.
- 25.22.060 Architectural criteria for District designation.
- 25.22.070 Development and design review guidelines.
- 25.22.080 District administration.
- 25.22.090 Approval of significant changes to buildings, structures and other property.
- 25.22.100 Application for certificate of approval.
- 25.22.110 Board hearing on certificate of approval.
- 25.22.120 Issuance of Board decision.
- 25.22.130 Appeal to Hearing Examiner.
- 25.22.140 Enforcement and penalties.

**25.22.010 Legislative findings and purposes.**

Throughout the city there are few areas that have retained individual identity, historical continuity or consistency of architectural character.

The Harvard-Belmont Landmark District, situated on the west slope of Capitol Hill above the city's major freeway and representing gracious residential quality in the urban setting, is one such area. The character of the district is defined by a substantial, well-established, and well-maintained residential fabric encompassing both large estates and modest houses, a mix of urban cultural and commercial institutions, within a framework of tree-lined streets, well-maintained grounds, and distinctive natural features.

The topography of the area is typical of those where the first outlying neighborhoods of quality residences were established in Seattle during a decade of rapid growth just after the turn of the century. From the relatively flat eastern boundaries of Broadway East and Harvard Avenue East the land slopes gradually and then more precipitously downward to the west, providing many of the properties with dramatic sites affording views of Lake Union and Queen Anne hill. The northern boundary is marked by a deep wooded ravine separating the Sam Hill House from the properties around St. Mark's Cathedral. The southern boundary at East Roy Street changes to apartment, institutional, and commercial use and marks the transition to the denser multiple-unit residential area and the commercial shopping strip of Broadway East to the south. Within these boundaries the normally overriding grid system of platting gives way to some diagonal and curving streets that generally conform to the natural contours of the land.

H. C. Henry, a railroad builder and a powerful force in Seattle's business community, was the first man of influence to settle in the district. Although his house is now gone, his presence was instrumental in attracting others of like means and ability to the area. During the first decade of the twentieth century merchants, bankers, lawyers, engineers, and then lumber barons, successful businessmen and entrepreneurs built impressive residences along Harvard Avenue East, Belmont Place East and neighboring streets.

In the next two decades some additional large houses were built and some of the existing

mansions were sold to equally affluent buyers.

Although many architectural styles are represented in the district, among the buildings of primary significance are a substantial number of residences which exhibit the enduring influence of Richard Norman Shaw. These Shavian houses impart a special quality to the area, a distinctive element which can be found in northern Pacific coast cities (Victoria and Vancouver, B.C., Seattle, Portland). The two Fisher houses on Belmont Place East together with their garage below on Summit Avenue East form a distinctive group of brick and half-timbered dwellings with fine leaded and beveled glass. The M. H. Young House, the C. H. Bacon House, the J. A. Kerr House, and the W. L. Rhodes House are additional examples of the use of brick and half-timbering to evoke the spirit of a romantic medievalism as filtered through the precepts of Shaw.

Other residences display the symmetry of a more classical tradition. The restrained formality of the R. D. Merrill House, the imposing mass of the Chapin-Eddy House relieved by delicate ornamentation, and the strong simple statement of the Brownell-Bloedel House all contribute a sense of solidity and permanence to the district.

Sometimes architects outside the city, such as Charles Al Platte, Hornblower & Marshall, Cutter & Malmgren, and Arthur Bodely, were called upon to satisfy a client's particular wishes. More often local firms with established reputations were commissioned, and works by Carl F. Gould, Somerwell & Cote, Bebb & Mendel, the Beezer Brothers, James H. Schack, Graham & Myers, Blackwell & Baker, and Andrew Willatsen can be found in the district. Interspersed among the mansions of the wealthy bankers, shipbuilders, lumbermen, and merchants are numerous wood frame houses of more modest scale. A few of these were built before 1900, many date from the first decade of the twentieth century, and there are a number of simple residences from the late 1930's and early 1940's.

The 1920's brought the introduction of the Spanish style Hacienda Apartments, the Tudor influenced Anhalt apartment groups, as well as the Cornish School and the Woman's Century Club. These structures, concentrated along the southern and western boundaries of the district, are particularly representative of the Capitol Hill character where a rich mix of architecture, and a successful mix of residential and commercial uses, exists.



The protection, enhancement and perpetuation of the Harvard-Belmont District is in the interests of the prosperity, civic pride, urban and visual quality, and general welfare of the citizens of Seattle.

The cultural standing of this city cannot be maintained or enhanced by disregarding the history of its communities or by allowing the destruction or defacement of its heritage. The Seattle Landmarks Preservation Board has identified the Harvard/Belmont area as one of these few remaining areas reflecting, in its architectural and landscape elements, its historical origins significant in the development of Capitol Hill and, therefore, Seattle.

The purposes for the creation of the Harvard-Belmont Landmark District are:

A. To preserve, protect, enhance, and perpetuate those elements of the District's cultural, social, economic, architectural, and historic heritage;

B. To foster community and civic pride in the significance and accomplishments of the past;

C. To stabilize or improve the historic authenticity, economic vitality, and aesthetic value of the district;

D. To promote and encourage continued private ownership and use of buildings and other structures;

E. To encourage continued city interest and support in the District; and to recognize and promote the local identity of the area.  
(Ord. 109388 § 1, 1980.)

#### 25.22.020 Definitions.

The following terms used in this chapter shall, unless the context clearly demands a different meaning, mean as follows:

A. "Application Review Committee" is the committee established by this chapter to conduct informal reviews of applications for certificates of approval and make recommendations to the Landmarks Board.

B. "Board" is the Seattle Landmarks Preservation Board as created by Ordinance 106348<sup>1</sup> or any ordinance amendatory or successor thereto.

C. "Certificate of approval" is written authorization which must be issued by the Board before any alteration or significant change may be made to the controlled features of a building or other property within the District.

D. "Council" is the City Council of the city of Seattle.

E. "Director" is the Director of the Department of Construction and Land Use of the city or such other official as may be designated from time to time to issue permits for construction, alteration, reconstruction or demolition of improvements upon real property in the city.

F. "Hearing Examiner" is any person authorized to act as a hearing examiner pursuant to the Administrative Code of the City of Seattle (Ordinance 102228)<sup>2</sup> or any ordinance amendatory or successor thereto.

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

(Ord. 109388 § 2, 1980.)

1. Editor's Note: Ord. 106348 is codified in Chapter 25.12 of this Code.

2. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

#### 25.22.030 District established—Boundaries.

There is established the Harvard-Belmont Landmark District whose boundaries are particularly described as follows:

Beginning at the northeast corner of Lot 10, Block 33, Supplemental Plat of A. Pontius Addition, as recorded in Volume 8, of King County Plats, Page 39; which is the point of beginning; thence south along the east line of said Lot 10 and Lot 9 to the southeast corner of Lot 9, said Block 33; thence west along the south line of Lot 9 to the east margin of Harvard Avenue East; thence north along said east margin to the south margin of East Roy Street; thence west along the south margin and margin extended of East Roy Street to the intersection of the southwest margin of Belmont Avenue East extended; thence northwesterly along said southwest margin and margin extended of Belmont Avenue East to the northwest margin of Bellevue Place East extended; thence northeast along the northwest margin and margin extended of Bellevue Place East to the west margin of Summit Avenue East; thence north along the west margin of Summit Avenue East to the most easterly corner of Lot 3, Block 17, East Park Addition, as recorded in Volume 8, of King County Plats, Page 83; thence northwest along the northeasterly line of said Lot 3, a distance of 55.93 feet; thence southwest

parallel with the southeast line of said Lot 3 a distance of 80.83 feet; thence northwesterly at right angles a distance of 49.66 feet; thence southwesterly at right angles a distance of 10.14 feet; thence northwesterly at right angles to the southeast line of Lot 5, of said Block 17; thence southwest along the southeast line of said Lot 5 to the northeast margin of Belmont Avenue East; thence northwest along said northeast margin of Belmont Avenue East to the intersection of the southeasterly margin of Lakeview Boulevard East; thence northeast along the southeast margin of Lakeview Boulevard East to the most westerly corner of Lot 9, of said Block 17; thence southeast along the southwest line of said Lot 9 to the southernmost corner of said Lot 9; thence northeasterly, along the southeasterly line of Lots 9, 10, 11, and 12, to the easterly corner of said Lot 12, thence northwesterly along the northeast line of said Lot 12 to the southeasterly margin of East Prospect Street; thence northeast to the intersection of the north margin of East Prospect Street and the northwest margin of Summit Avenue East; thence northeasterly and southeasterly along said margin of Summit Avenue East to the west margin of Boylston Avenue East; thence east to the east margin of Boylston Avenue East; thence north along said east margin to the northwest corner of Lot 12, as platted, Block J, Phinney's Addition as recorded in Volume 1, of King County Plats, Page 175; thence east along the north line and line extended of said Lot 12 to the northeast corner of Lot 13, as platted, Block I, said Phinney's Addition; thence south along the east lot line and line extended to the northeast corner of Block B, said addition; thence west along the south margin of East Highland Drive to the east margin of Harvard Avenue East; thence south along said east margin to the northwest corner of Lot 8, Block B, of said Phinney's Addition; thence east along the north line of said Lot 8 to the northeast corner of said Lot 8; thence south along the east line of Lots 8, 9, and 10, to the southeast corner of said Lot 10; thence east along the south line of Lot 15, said Block B, a distance of 35 feet; thence at right angles south 35 feet; thence east, parallel to said south line of Lot 15, to the west margin of Broadway East; thence south along said west margin to the north margin of East Prospect Street; thence east along said north margin and margin extended to the southeast corner of Lot 12, Block C, said Phinney's

Addition; thence south to the northeast corner of Lot 12, Block 5, Sarah B. Yesler's 1st Addition as recorded in Volume 2 of King County Plats, Page 31; thence south along the east lines of Lots 12, 11 and 10, said Block 5 to the southeast corner of said Lot 10; thence west along the south line of said Lot 10 to the east line of Broadway East; thence continuing west to the southeast corner of Lot 15, Block 4, of said Yesler's Addition; thence continue west along the south line of said Lot 15 to the southwest corner thereof; thence south along the east lines of Lots 1 through 9 inclusive of Block 4 to the north margin of East Aloha Street; thence south to the south margin said street; thence west along said margin and margin extended to the west margin of Boylston Avenue East; thence north along said west margin to the northeast corner of Lot 13, Block 1, of before-mentioned East Park Addition; thence west along the north margin of said Lot 13 a distance of 60 feet; thence south parallel to the east margin of Lot 13 to the south line of Lot 13; thence west along the said south lot line and south lot line extended to the west margin of Belmont Place East; thence north along said west margin to the southeast margin of Bellevue Place East, which is the most northerly corner of Lot 9, Block 2, said East Park Addition; thence southwesterly along the northwesterly line of said Lot 9, to the northwest corner of said lot; thence south parallel to Belmont Place East to a point 20 feet north of the southwest corner of Lot 4, said Block 2; thence east parallel to the south line of said Lot 4 a distance of 8 feet; thence south parallel to Belmont Place East 40 feet; thence east parallel to said south line of Lot 4 a distance of 12 feet; thence south parallel to Belmont Place East a distance of 40 feet to the north line of Lot 2, said Block 2; thence west along said north line and north line extended to the northeast margin of Belmont Avenue East; thence southeast along said northeast margin to the south line of said Lot 2; thence east along said south line and south line extended to the east margin of Belmont Place East; thence south along said east margin to a point 20 feet north of the southwest corner of Lot 5, Block 1, said East Park Addition; thence east parallel to the south line of said Lot 5 to the east margin of Boylston Avenue East and the northwest corner of Lot 7, Block 2, of before-mentioned Yesler's 1st Addition; thence south along the west margin of said Block 2 to the southwest corner

of Lot 3, said Block 2; thence easterly along the south lines of Lots 3 and 22, said Block 2, to the west margin of Harvard Avenue East; thence continuing easterly to the southwest corner of Lot 3, Block 3, said Yesler's 1st Addition; thence easterly along the south line said Lot 3, to the southwest corner Lot 22, said Block 3; thence north along the west line of said Lot 22 to the northwest corner of Lot 22; thence easterly along the north line Lot 22 to the west margin of Broadway East; thence south along said margin to the north margin of East Roy Street as established by Ordinance 10065;<sup>1</sup> thence south to the point of beginning.

all in Seattle, King County, Washington, and illustrated on the map attached hereto as Exhibit A.<sup>2</sup> The City Clerk is directed to indicate the District on pages 102 and 103 of the Official Zoning Map. All property within the District shall be subject to the controls, procedures, and standards set forth in this chapter.

(Ord. 109388 § 3, 1980.)

1. Editor's Note: Ord. 10065 is not included in this Code. It is on file in the office of the City Clerk.
2. Editor's Note: Exhibit A to Ord. 109388 is not included in this Code. It is on file in the office of the City Clerk.

#### 25.22.040 Historical criteria for District designation.

The history of Seattle and of its neighborhoods is a history of the destruction and reshaping of forested virgin lands for economic returns; the filling of tide flats and the cutting of new waterways for industry and commerce; the clear-cutting of native forests by pioneer lumber barons; and the regrading of the natural topography to an extent seldom before or since practiced in an American city.

Neighborhoods such as Harvard-Belmont, which today have the appearance of heavily wooded retreats, were created from the wasteland left by the lumbering industry. Mansions were built on treeless lots, and landscaping, shrubs, and seeds were left to the graces of the climate and the fertile soil.

Within the first two decades of this century, the District was home to Samuel Hill (railroads), C. H. Bacon (building materials), J. H. Bloedel, and R. D. Merrill (lumbering), C. J. Smith (banking), Dexter Horton (bank president), O. W. Fisher (flour mills), and John Eddy (lumbering and shipbuilding), among others. Queen Marie of Rumania, her children Prince

Nicholas and Princess Ileeana, Marshall Joffre of France, and Grand Duchess Marie of Russia, were among the many distinguished foreign guests to the district.

A number of central Seattle residential areas have felt the effects of the move to the suburbs, changing populations, changes in use and zoning and deteriorating services. The Harvard-Belmont district, however, has maintained its identity, character, and quality to a degree which permits its continuance as a prestigious, liveable and highly desirable neighborhood in which to live. (Ord. 109388 § 4(a), 1980.)

#### 25.22.050 Sociological criteria for District designation.

Much of the area known today as Capitol Hill was laid out and developed by realtor J. A. Moore. He opened the area north of Howell Street to homeowners in 1901, naming it after Capitol Hill in Denver. The area, even then, had enormous advantages as a new residential district because of its closeness to the business district, its prominent siting and its spectacular views. As a result, and in addition to a sprinkling of existing farm or country houses, many magnificent homes were built on the hill from 1901 until the Great Depression. In the Harvard-Belmont area of Capitol Hill, most of these older and impressive homes are still extant and interspersed with them are good examples of more modest residential architecture representative of every decade of this century (to date). Included in the District also are several of the Anhalt apartment houses, precursors of planned group living, including carefully maintained yards, romantic details, and garaging for automobiles; the main building of Cornish Institute, one of the more significant cultural-historical landmarks in the city; the Loveless apartment-retail building; the Harvard Exit Theatre, for many years the home of the Woman's Century Club; and the Rainier Chapter of the D.A.R., a careful replica of George Washington's home, Mt. Vernon. This mixture of function, uses, scale and economics are among the more interesting aspects of the area. Moreover, the combination of urban and almost pastoral qualities, the tree-shaded streets, the several open vistas, and the wooded ravines to the northwest, all create a neighborhood of outstanding and enduring character.

(Ord. 109388 § 4(b), 1980.)

**25.22.060 Architectural criteria for District designation.**

The Harvard-Belmont District includes a rich variety of residential buildings in the prevailing eclectic styles of the earlier years of this century, combined with a few late Victorian residences, significant Spanish and Tudor apartment groups, the modified Spanish style of the Cornish Institute, and many modest, non-eclectic houses. Uniting this variety of architectural expression are the tree-lined streets, the many walled yards and drives, interesting retaining walls and generous plantings all of which collectively create a backdrop and contiguous streetscape and neighborhood that are compatible in terms of design, scale and use of materials.

(Ord. 109388 § 4(c), 1980.)

**25.22.070 Development and design review guidelines.**

A. The Landmarks Preservation Board shall draft and, after consideration and review in accordance with the Administrative Procedure Ordinance (102228)<sup>1</sup> shall adopt development and design review guidelines as rules which shall become effective upon filing with the City Clerk. Notice and conduct of such public hearing(s) shall be in accordance with the rules of the Landmarks Preservation Board and Ordinance 102228<sup>1</sup>.

B. The development and design review guidelines shall identify the unique values of the District, shall include a statement of purpose and intent, and shall be consistent with the purposes of this chapter and the criteria specified in Section 25.22.030. The guidelines shall identify design characteristics which have either a positive or negative effect upon the unique values of the District and shall specify design-related considerations which will be allowed, encouraged, limited or excluded from the District when certificate of approval applications are reviewed. All guidelines shall be consistent with the Zoning Ordinance (86300)<sup>2</sup> and other applicable ordinances.

(Ord. 109388 § 5, 1980.)

1. Editor's Note: Ord. 102228 is codified in Chapter 3.02 of this Code.

2. Editor's Note: The Zoning Ordinance is codified in Title 24 of this Code.

**25.22.080 District administration.**

A. Jurisdiction over changes and improvements in the District is vested in the Seattle Landmarks Preservation Board. In order, however, to maintain adequate community involvement and contact, an Application Review Committee is created which shall consist of two members of the Landmarks Board, at least one of whom shall be an architect, and three members selected from property owners, residents, business owners or employees, or officers of institutions within the District boundaries.

The members of the committee shall be appointed annually by the Chairman of the Landmarks Board with the approval of the Landmarks Board. The Committee shall review and make recommendations to the Landmarks Board for issuance or denial of applications for certificates of approval within the District.

(Ord. 109388 § 6, 1980.)

**25.22.090 Approval of significant changes to buildings, structures and other property.**

Within the District, a certificate of approval, issued by the Landmarks Preservation Board, is required prior to the issuance of any city building, demolition, street use, or other permits for proposed work which work is within or visible from a public street, alley or way, and, which involves:

- A. The demolition of, or exterior alterations or additions to, any building or structure;
- B. Any new construction;
- C. The addition or removal of major landscape and site elements, such as retaining walls, gateways, trees or driveways.

In addition, for proposed removal or addition of significant landscape and site elements for which permits are not required, and which are identified specifically in the District development and design review guidelines, a certificate of approval from the Landmarks Preservation Board shall also be required prior to the initiation of the proposed work.

(Ord. 109388 § 7, 1980.)

**25.22.100 Application for certificate of approval.**

A. Application for a certificate of approval may be made by filing applications for such certificates with the Board, or by filing with the

Director an application for a permit to make alterations or significant changes for which a certificate of approval is required.

B. If an application is made to the Director for a permit for which a certificate of approval is required, the Director shall promptly refer the application to the Board and the application shall be deemed an application for a certificate of approval. The Director shall continue to process the application, but shall not issue any permit until a certificate of approval has been issued pursuant to this chapter, or the time for filing the notice of denial of a certificate of approval with the Director has expired.

C. After the Board has commenced proceedings for the consideration of any application for a certificate of approval for a particular alteration or significant change by giving notice of a hearing pursuant to this section or otherwise, no other application for the same or a similar alteration or significant change at the same site may be made until such proceedings and all appeals therefrom have been concluded. (Ord. 109388 § 8, 1980.)

#### 25.22.110 Board hearing on certificate of approval.

A. Within thirty days after the filing of an application for a certificate of approval with the Board or the referral of an application to the Board by the Superintendent, the Board shall hold a hearing thereon and shall serve notice of the hearing on the owner and the applicant not less than ten days before the date of the hearing.

B. In reviewing applications or appeals of decisions of the Board, the Application Review Committee, the Landmarks Preservation Board and the Hearing Examiner shall consider: (1) the purposes of this chapter; (2) the criteria specified in Sections 25.22.040 through 25.22.060; (3) guidelines promulgated pursuant to this chapter; (4) the properties' historical and architectural or landscape value and significance; (5) the properties' architectural or landscape type and general design; (6) the arrangement, texture, material and color of the building or structure in question, and its appurtenant fixtures, including signs; (7) the relationship of such features to similar features within the Harvard-Belmont Landmark District; and (8) the position of such buildings, structure or landscape elements in relation to the street or public way and to other buildings, structures and landscape elements. (Ord. 109388 § 9, 1980.)

#### 25.22.120 Issuance of Board decision.

The Board shall consider the recommendation of the Application Review Committee and shall, within forty-five days after the transmittal of the application for permit from the Director or after the filing of an application for a certificate of approval with the Board, issue a written decision either granting, granting with conditions, or denying a certificate of approval and shall mail a copy of the decision to the owner, the applicant and the Director within three working days after such decision. A decision denying a certificate of approval shall contain an explanation of the reasons for the Board's decision and specific findings with respect to this chapter and the adopted guidelines for the District.

(Ord. 109388 § 10, 1980.)

#### 25.22.130 Appeal to Hearing Examiner.

Any interested person of record may appeal to the Hearing Examiner the decision of the Board to grant, grant with conditions, or deny a certificate of approval by serving written notice of appeal upon the Board and by filing such notice and a copy of the Board's decision with the Hearing Examiner within fifteen days after the date the Board's decision is issued. The Hearing Examiner shall hear and determine the appeal in accordance with the standards and procedures established for appeals to the Hearing Examiner under Sections 12.05 through 12.08 of the Landmarks Preservation Ordinance (106348),<sup>1</sup> and as prescribed under Section 25.22.110 B.

(Ord. 109388 § 11, 1980.)

1. Editor's Note: The Landmarks Preservation Ordinance is codified in Chapter 25.12 of this Code.

#### 25.22.140 Enforcement and penalties.

The Director of the Department of Construction and Land Use shall enforce this chapter. Any failure to comply with its provisions constitute a violation subject to the provisions of Chapter 12A.02 and Chapter 12A.04 of the Seattle Criminal Code,<sup>1</sup> and any person convicted thereof may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00). Each day's violation shall constitute a separate offense.

(Ord. 109388 § 12, 1980.)

1. Editor's Note: The Criminal Code is codified in Title 12A of this Code.

Chapter 25.24

PIKE PLACE MARKET HISTORICAL DISTRICT

Sections:

- 25.24.060 Approval of changes to buildings, structures and other visible elements.
- 25.24.070 Issuance of certificate of approval.
- 25.24.080 Appeal to Hearing Examiner.
- 25.24.090 Enforcement.
- 25.24.100 Violation—Penalty.

**25.24.060 Approval of changes to buildings, structures and other visible elements.**

No structure or part thereof shall be erected, altered, extended, or reconstructed, and no structure or lot shall be used or occupied except pursuant to a certificate of approval authorized by the Commission; and no building permit shall issue except in conformance with a valid certificate of approval. However, no regulation nor any amendment thereof shall apply to any existing building, structure, or use of land to the extent to which it is used at the time of the adoption of such regulation or amendment or any existing division of land, except that such regulation or amendment may regulate nonuse or a nonconforming use so as not to unduly prolong the life thereof. No new off-premises advertising signs shall be established within the boundaries of the Historical District except where areas have been reserved for groups of signs or for signs which identify the Market District as a whole, as determined by the Pike Place Market Historical District Commission. The fee for certificates of approval shall be according to the current Permit Fee Ordinance.<sup>1</sup> Applications for certificates of approval involving structures or sites within the Historical District shall be forwarded immediately by the Director of Construction and Land Use to Commission for review. The Commission shall review and make recommendations regarding appropriateness of each proposed change or addition and a certificate of approval shall be issued by the Commission as provided for in this chapter. The Commission, in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of any

building, shall refer to the purpose of this chapter and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material, occupancy and use, and color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of the other buildings within the Historical District and the position of such building or structure in relation to the street, public way, or semipublic way and to other buildings and structures. The Commission shall also make no recommendations or requirements except for the purpose of preventing developments inconsistent with the criteria of this chapter. Where modification of the appearance of a structure within the Historical District does not require a building or demolition permit, an application for a certificate of approval shall nonetheless be filed with the Director of Construction and Land Use, who shall forward the same to the Commission.

(Ord. 109125 § 8(part), 1980; Ord. 106985 § 7 (part), 1977; Ord. 106309 § 1(part), 1977; Ord. 104658 § 1(part), 1975; Ord. 100475 § 6 (part), 1971.)

<sup>1</sup> Editor's Note: The Permit Fee Ordinance is codified in Chapter 22.900 of this Code.

**25.24.070 Issuance of certificate of approval.**

The Commission shall consider and approve or disapprove applications for a certificate of approval as contemplated in this chapter not later than thirty days after receipt of any such application, and a public hearing shall be held on each such application. If after such hearing and upon review of the Commission it determines that the proposed changes are consistent with the criteria for historic preservation as set forth in Section 25.24.040, the Commission shall issue the certificate of approval at this time and after such a decision, the Director of Construction and Land Use is then authorized to issue a permit.

(Ord. 109125 § 8(part), 1980; Ord. 106985 § 7 (part), 1977; Ord. 106309 § 1(part), 1977; Ord. 104658 § 1(part), 1975; Ord. 100475 § 6(part), 1971.)

**25.24.080 Appeal to Hearing Examiner.**

Any party of interest appearing before the Commission at a public hearing on an application for a certificate of approval may appeal an

action of the Commission on such application by filing an appeal with the Hearing Examiner within seventeen days of the mailing of notice of such Commission action, citing applicable criteria of Section 25.24.040. Within ten days of receiving notice of appeal, the Hearing Examiner shall set a date for hearing on appeal, such hearing to take place no later than thirty days after filing of the appeal. Such hearing shall be in accordance with the procedure for hearings in contested cases in the Seattle Administrative Code (Ordinance 102228)<sup>1</sup> unless all parties of record affected by the Commission's decision consent to such review and decision without a public hearing. The Hearing Examiner shall render his decision in writing within fourteen days after the hearing, mailing copies of his decision to parties of record at the hearing, the Community Development Director, the Director of Construction and Land Use and the Commission. The Hearing Examiner may reverse or modify an action of the Commission only if he finds that:

A. Such action of the Commission violates the terms of this chapter or rules, regulations or guidelines adopted pursuant to the authority of this chapter; or

B. Such action of the Commission is based upon a recommendation made in violation of the procedures set forth in this chapter or procedures established by rules, regulations or guidelines adopted pursuant to the authority of this chapter and such procedural violation operates unfairly against the applicant. The decision of the Hearing Examiner shall be final.  
(Ord. 109125 § 8(part), 1980; Ord. 106985 § 7 (part), 1977; Ord. 106309 § 1(part), 1977; Ord. 104658 § 1(part), 1975; Ord. 100475 § 6(part), 1971.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

#### 25.24.090 Enforcement.

The provisions of this chapter shall be enforced by the Director of Construction and Land Use.  
(Ord. 109125 § 9(part), 1980; Ord. 100475 § 7, 1971.)

#### 25.24.100 Violation—Penalty.

Anyone failing to comply with any provisions of this chapter shall upon conviction

thereof be subject to the penalties as provided by the laws of the city for failure to obtain a use permit from the Director of Construction and Land Use.

(Ord. 109125 § 9(part), 1980; Ord. 100475 § 8, 1971.)

### Chapter 25.28

#### PIONEER SQUARE HISTORICAL DISTRICT

##### Sections:

##### Subchapter I Historical District

25.28.020 Historic Preservation Board established.

25.28.120 Meetings—Standards and procedures.

25.28.130 Enforcement.

##### Subchapter II Minimum Maintenance Regulations

25.28.230 Definitions.

##### Subchapter I Historical District

25.28.020 Historic Preservation Board established.

A. The Mayor shall, subject to Council confirmation, appoint an Historic Preservation Board (hereafter called "Board"), which is established, consisting of a representative of the local historical society, an owner of property in the Historic District, two architects, one person who operates a retail business on leased premises within the Historic District, and two city residents at large, which Board shall review and act upon all architectural and historic preservation matters within the Historic District with the assistance of the Department of Community Development and make recommendations to the Community Development Director.

B. Members of the Board shall serve without compensation for a term of three years from June 1st of the year in which appointed.  
(Ord. 109266 § 4, 1980; Ord. 109155 § 22, 1980; Ord. 103393 § 1, 1974; Ord. 99846 § 1, 1971; Ord. 98852 § 2, 1970.)

25.28.120 Meetings—Standards and procedures.

A. The Board shall meet for purposes of

historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the Board may establish such standards and procedures as it may deem necessary to further the purposes of this chapter. All plans, elevations, specifications, and sketches or other information necessary for the review by the Board of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Board by the applicant or appropriate departments of the city, along with a copy of the application for building, modification, or demolition permit.

B. The Board shall also consider and make recommendations on all modifications or additions to public areas, including street furniture, lighting fixtures and paving materials.  
(Ord. 109155 § 23, 1980; Ord. 102902 § 5, 1973; Ord. 99846 § 3, 1971; Ord. 98852 § 7, 1970.)

**25.28.130 Enforcement.**

A. The provisions of this chapter shall be enforced by the Director of Construction and Land Use.

B. The Board shall advise and assist the Director of Construction and Land Use in the enforcement of this chapter.

C. The Board is designated as the Board of Appeals for the Pioneer Square Historic District to hear and decide appeals from orders of the Director of Construction and Land Use in the exercise of powers assigned by this chapter in relation to the rehabilitation, preservation and maintenance of Historic District buildings and structures endangered by neglect and disrepair.

D. Upon presentation of proper credentials, the Director of Construction and Land Use or his duly authorized representative may, with the consent of the occupant, or with the consent of the owner of an unoccupied building, or pursuant to a lawfully issued warrant, enter at reasonable times any building or other structure in the Historic District to perform any duty imposed upon him by this chapter.

(Ord. 109125 § 7, 1980; Ord. 102902 § 6, 1973; Ord. 98852 § 8, 1970.)

**Subchapter II Minimum  
Maintenance Regulations**

**25.28.230 Definitions.**

H. "Superintendent" means the Director of Construction and Land Use and shall also

include any duly authorized representative of the Director.

(Ord. 109125 § 17, 1980; Ord. 107323 §§ 3.01-3.08, 1978.)

**Chapter 25.32**

**TABLE OF HISTORICAL LANDMARKS**

- I Residences
- II Buildings
- III Churches
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 City Municipal Code  
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## TABLE OF CITY LANDMARKS

<b>I Residences</b>	<b>Address</b>	<b>Ord. No.</b>
Anhalt Apartments	1014 East Roy	108227
Brace/Moriarty Residence	170 Prospect Street	109586
Charles Bussell House	Block 4, Lots 3,4,5,6 and 7 in vacated alley adjacent at Rosedale Addition	108212
Bystrom House	Block 18, Lot 13, East Park Addition	108214
Chelsea Apartments	620 West Olympic Place	107755
Cotterill House	2501 Westview Drive West	107751
Del a Mar Apartments	115 West Olympic Place	107752
Ballard Howe House	22 West Highland Drive	108226
P.P. Ferry Mansion (St. Mark's Deanery)		108213
Italianate Victorian Pair	208 and 210 13th Avenue South	108225
McFee Klockzien Residence	524 West Highland Drive	109318
New Pacific Apartments	2600-04 1st Avenue	108517
Nowell House	Block 7, Lot 4, Summit Heights First Addition, Ballard	108210
Myron Ogden Residence	702 35th Avenue	107522
Parsons/Gerrard Residence	618 West Highland Drive	109317
Stimson-Green House	1204 Minor Avenue	106068
Ellsworth Storey Houses	260, 270 Dorfell Drive	106071
Thompson/La Turner House	3119 South Day Street	107613
Victorian Group	2000, 2006, 2010, 2014 and 2016 14th Avenue West	108211
The Victorian Row Apartments	1236 38th South King Street	108224
Ward House	1423 Boren Avenue	106067
<b>II Buildings</b>	<b>Address</b>	<b>Ord. No.</b>
Austin A. Bell Building	2320-2326 1st Avenue	107753
Barnes Building	2320 1st Avenue	107754
Coliseum Theater	5th Avenue and Pike Street	107526
Eastern Hotel	506½-510 Maynard Avenue	107750
Flatiron Building (Triangle Hotel)	551 1st Avenue	106141
Fremont Hotel	3421-3429 Fremont Avenue North	107993
Holyoke Building	107 Spring Street	107521
Hull Building	2401-05 1st Avenue	108518
<b>III Churches</b>	<b>Address</b>	<b>Ord. No.</b>
Capitol Hill United Methodist Church	128 16th Avenue East	106144
Epiphany Chapel	3719 East Denny Way	107756
First Church of Christ, Scientist	1519 East Denny Way	106145
Immaculate Conception Church	812 23rd Avenue	106142
St. Nicholas Cathedral	1714 13th Avenue	106098
St. Spiridon Cathedral	400 Yale North	106099
Seattle Buddhist Church	4275 Main Street	106100
Seattle Hebrew Academy	1617 Interlaken Drive East	108519
Trinity Parish Episcopal Church	609 8th Avenue	106087
<b>IV Schools</b>	<b>Address</b>	<b>Ord. No.</b>
Old Main Street School	307 6th Avenue South	106147
West Queen Anne Elementary School	515 West Galer	106146

TABLE OF HISTORICAL LANDMARKS

V Firehouses	Address	Ord. No.
Old Firehouse #3	301 Terry Avenue	106051
Old Firehouse #18	5427 Russel Northwest	106052
Old Firehouse #23	722 18th Avenue	106050
Old Firehouse #25	1400 Harvard Avenue	106054
Old Firehouse #33	Rainier Beach	106053
<b>VI Bridges and Waterways</b>	<b>Address</b>	<b>Ord. No.</b>
Arboretum Aqueduct	Lake Washington Boulevard	106070
Montlake Bridge and Montlake Cut	24th East and Montlake Boulevard	107995
Lacey V. Murrow Bridge, West Plaza, Mt. Baker Tunnels, and East Tunnel Portals (Mercer Island Floating Bridge)		108270
20th Avenue Northeast Bridge	20th Avenue Northeast and Northeast 62nd	106143
<b>VII Boats</b>		<b>Ord. No.</b>
Arthur Foss Tug		106276
Relief Lightship		106275
San Mateo Steam Ferry		106273
Virginia V Excursion Boat		106278
Wawona Schooner		106274
W.T. Preston Snagboat		106277
<b>VIII Miscellaneous</b>	<b>Address</b>	<b>Ord. No.</b>
Brill Trolley #798		107621
Chinese Community Bulletin Board	511 7th Avenue South	106072
East Republican Street Stairway	Between Melrose Avenue East and Bellevue Avenue East	109320
Parsons Memorial Gardens	7th Avenue West and West Highland Drive	109319
West Queen Anne Walls		106069

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 Seattle Municipal Code  
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