

ORDINANCE No. 114773

COUNCIL BILL No. 107640

*Law Department*

The City of Seattle--Legislative

AN ORDINANCE relating to historic preservation, imposing controls upon the Moore Theater and Hotel Building, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

REPORT OF COMMITTEE

Honorable President:

Your Committee on Land Use & Community

to which was referred the within Council Bill No. 107640  
report that we have considered the same and respectfully recommend the

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>OCT 9, 1989</u>	By: <u>Street</u>
Referred: <u>OCT 9, 1989</u>	To: <u>Land Use Comm. Rev.</u>
Referred:	To:
Referred:	To:
Reported: <u>OCT 16 1989</u>	Second Reading: <u>OCT 16 1989</u>
Third Reading: <u>OCT 16 1989</u>	Signed: <u>OCT 16 1989</u>
Presented to Mayor: <u>OCT 17 1989</u>	Approved: <u>OCT 23 1989</u>
Returned to City Clerk: <u>OCT 23 1989</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <u>(OK)</u>

*Jim Street*  
Committee Chair

*Law Department*

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

Honorable President:

Your Committee on Land Use & Community Development

to which was referred the within Council Bill No. 107640  
report that we have considered the same and respectfully recommend that the same:

Pass

2-0

10/11/89

  
\_\_\_\_\_  
Committee Chair

OK

LV:pdk  
7/14/89  
6:ORD3.

#11  
C.B.107640

ORDINANCE 114773

AN ORDINANCE relating to historic preservation, imposing controls upon the Moore Theater and Hotel Building, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on November 6, 1974, voted to approve the nomination of the Moore Theater and Hotel Building at 1932 Second Avenue in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, on February 10, 1986, the Board and owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Moore Theater and Hotel Building more particularly described as:

Lots 1, 4, 5 and 8, Block 46, of A.A. Denny's 6th Addition to the City of Seattle according to plat thereof recorded in Volume 1 of plats, page 99, records of King County, Washington.

as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

- 1) It is associated in a significant way with the life of a person important in the history of the city, state, or nation; and
- 2) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

is hereby acknowledged.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE  
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 Section 2. The following controls upon alteration of the  
2 landmark are hereby imposed:

3 A Certificate of Approval must be obtained or the  
4 time for denying a Certificate of Approval must  
5 have expired before the owner may make alterations  
6 to the major public spaces of the theater, in  
7 particular the lobby, auditorium and proscenium,  
8 and internal ramps.

9 Changes to the marquee which affect its appearance must be  
10 reviewed by the Landmarks Board to assure compatibility  
11 with the exterior facade of the building, not necessarily  
12 to protect the present marquee itself.

13 Any normal maintenance and repair of the above features and  
14 characteristics which do not necessitate changes to or  
15 alterations of such features do not require a Certificate  
16 of Approval.

17 Section 3. The following incentives are hereby noted as  
18 potentially available to the owner although the listing shall  
19 not be construed as inclusive:

- 20 1) Section 24.74.020, of the Seattle Municipal Code  
21 entitled Special Exceptions; and SMC Sections  
22 23.44.26; or 23.45.124 Administrative Conditional  
23 Uses, authorize, under certain circumstances, uses  
24 in a designated Landmark that are not otherwise  
25 permitted in the zone the Landmark is located.
- 26 2) Building and Energy Code exceptions on an application  
27 basis.
- 28 3) The availability of Historic Preservation Special Tax  
Valuation (Chapter 84.26 RCW) to all Seattle landmarks  
subject to controls imposed by a designation ordinance  
on an application basis.

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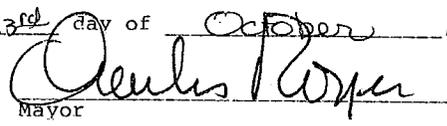
Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 25.12.910 of the Seattle Municipal Code.

Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed by the City Council the 16<sup>th</sup> day of October, 1989, and signed by me in open session in authentication of its passage this 16<sup>th</sup> day of October, 1989.

  
President  
of the City Council

Approved by me this 23<sup>rd</sup> day of October, 1989.  
  
Mayor

Filed by me this 23<sup>rd</sup> day of October, 1989.

Attest:   
City Comptroller and City Clerk

By   
Deputy Clerk

(SEAL)

Published \_\_\_\_\_

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RECEIVED THIS DAY

LV:pdk  
7/14/89  
6:ORD3.

Nov 21 3 45 PM '89

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C.B. 107640

BY THE CITY OF SEATTLE  
RECORDS & COMMUNICATIONS  
KING COUNTY

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ORDINANCE 114773

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AN ORDINANCE relating to historic preservation, imposing controls upon the Moore Theater and Hotel Building, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on November 6, 1974, voted to approve the nomination of the Moore Theater and Hotel Building at 1932 Second Avenue in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, on February 10, 1986, the Board and owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Moore Theater and Hotel Building more particularly described as:

Lots 1, 4, 5 and 8, Block 46, of A.A. Denny's 6th Addition to the City of Seattle according to plat thereof recorded in Volume 1 of plats, page 99, records of King County, Washington.

as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

- 1) It is associated in a significant way with the life of a person important in the history of the city, state, or nation; and
- 2) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

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Section 2. The following controls upon alteration of the landmark are hereby imposed:

A Certificate of Approval must be obtained or the time for denying a Certificate of Approval must have expired before the owner may make alterations to the major public spaces of the theater, in particular the lobby, auditorium and proscenium, and internal ramps.

Changes to the marquee which affect its appearance must be reviewed by the Landmarks Board to assure compatibility with the exterior facade of the building, not necessarily to protect the present marquee itself.

Any normal maintenance and repair of the above features and characteristics which do not necessitate changes to or alterations of such features do not require a Certificate of Approval.

Section 3. The following incentives are hereby noted as potentially available to the owner although the listing shall not be construed as inclusive:

- 1) Section 24.74.020, of the Seattle Municipal Code entitled Special Exceptions; and SMC Sections 23.44.26; or 23.45.124 Administrative Conditional Uses, authorize, under certain circumstances; uses in a designated Landmark that are not otherwise permitted in the zone the Landmark is located.
- 2) Building and Energy Code exceptions on an application basis.
- 3) The availability of Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) to all Seattle landmarks subject to controls imposed by a designation ordinance on an application basis.

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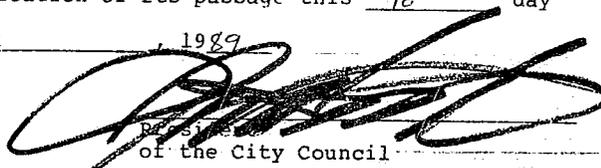
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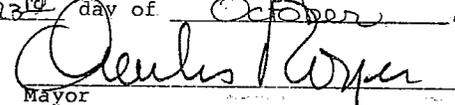
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Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

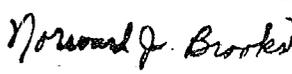
Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

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President  
of the City Council

Approved by me this 23<sup>rd</sup> day of October, 1989.  
  
Mayor

Filed by me this 23<sup>rd</sup> day of October, 1989.

Attest:   
City Comptroller and City Clerk

By   
Deputy Clerk

(SEAL)

Published \_\_\_\_\_

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

STATE OF WASHINGTON )  
COUNTY OF KING ) SS  
CITY OF SEATTLE )

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle,  
do hereby certify that the within and foregoing is a true and correct copy of  
the original instrument as the same appears on file, and of record in this  
department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal  
of The City of Seattle, this **OCT 2 4 1989**

NORWARD J. BROOKS  
Comptroller and City Clerk

By:

*Theresa Dunbar*  
Deputy Clerk

8911211572

*Return to:*  
NORWARD J. BROOKS CITY COMPTROLLER  
101 SEATTLE MUNICIPAL BUILDING  
SEATTLE, WA 98104

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STATE OF WASHINGTON - KING COUNTY

20613  
City of Seattle

-ss.

No.

Affidavit of Publication

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

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

ORD: 114773

was published on

10/26/89

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

Bethany Morris

Subscribed and sworn to before me on

\_\_\_\_\_  
\_\_\_\_\_

Notary Public for the State of Washington,  
residing in Seattle

Affidavit of Publication

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# City of Seattle

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Passed by the City Council the 16th day of October, 1989, and signed by me in open session in authentication of its passage this 16th day of October, 1989.

SAM SMITH,  
President of the City Council.

Approved by me this 23rd day of October, 1989.  
CHARLES ROVER,  
Mayor.

Attest: NORWARD J. BROOKS,  
City Comptroller and City Clerk.  
(Seal) By THERESA DUNBAR,  
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.  
Date of official publication in Daily Journal of Commerce, Seattle, October 28, 1989. (20813)

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