

## Ordinance No. 98852

AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement.

4-20-70 Pass

COMPTROLLER

FILE NUMBER

246235

## Council Bill No. 90416

INTRODUCED APR 20 1970	BY Parks & Public Grounds
REFERRED APR 20 1970	TO COUNCIL OF WHOLE Parks & Public Grounds
REFERRED	
REFERRED	
REPORTED APR 28 1970	SECOND READING APR 20 1970
THIRD READING APR 28 1970	SIGNED APR 28 1970
PRESENTED TO MAYOR APR 28 1970	APPROVED MAY 1 1970
SENT TO CITY CLERK MAY 1 1970	PUBLISHED MAY 2 1970
VETOED BY MAYOR	VETO PUBLISHED
PASSED OVER VETO	VETO SUSTAINED

THIS IS ORIGINAL - PLEASE HANDLE CAREFULLY

SEE BACK COVER

RE-STAPLE FROM OTHER SIDE

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Ord. 99846 - AMENDS SECTIONS 2, 6 & 7 TO REVISE PROCEDURE FOR ISSUING CERTIFICATES OF APPROVAL  
Res. 237B2 - RECOGNIZING THE UNIQUE NATURE OF THE INTERNATIONAL DISTRICT & THE PIONEER SQUARE HISTORIC DISTRICT.

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ORDINANCE 98852

AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Purpose. During the City of Seattle's relatively brief history, it has had little time in which to develop many areas of consistent historical or architectural character; it is recognized that the Pioneer Square area of Seattle contains many of these rare attributes that do exist and consequently is an area of great historical and cultural significance to the City of Seattle. Therefore, in order that the Pioneer Square area and buildings within that area may not be injuriously affected; to promote the public welfare, and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural and economic welfare of the citizens of Seattle by developing an awareness of its historic heritage, returning unproductive structures to useful purposes and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site development and architecture of the private and public buildings erected therein, there is hereby created a Pioneer Square Historic District (hereafter called "Historic District").

RENDED ORD.  
19846

Section 2. Responsible Agency. The City Planning Commission (hereafter called "Commission") is hereby designated as the official body to make recommendations to the City Council (hereafter called "Council") on matters concerning preservation of the Historic District and of the buildings and structures within its bounds. The Mayor shall, subject to Council confirmation, appoint an Historic

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Preservation Board (hereafter called "Board"), which is hereby established, consisting of a representative of the local historical society; an owner of property in the Historic District; an architect; 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 Commission.

Section 3. Description of the Historic District. The physical boundaries of the Historic District are illustrated on a map attached hereto as Exhibit "A" which is hereby made a part of this ordinance.

Section 4. General Criteria for Determination of Historic Districts - National Trust for Historic Preservation. The following criteria as proposed by the National Trust for Historic Preservation for determination of historic districts are hereby adopted as general guidelines for the Historic District.

Districts, sites, buildings, structures, and objects of national, state, and local importance are of historic significance if they possess integrity of location, design, setting, materials, workmanship, feeling and association, and;

- a. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. that are associated with the lives of persons significant in history; or
- c. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

- d. that have yielded, or may be likely to yield, information important in prehistory or history.

Section 5. Criteria Evaluation for the Historic District.

- a. The Historic District has played a significant role in the development of Seattle, the Puget Sound Region and the State of Washington as the place of the beginning of Seattle; the place of the first industry, business and homes; the focus of commerce and transportation for more than a half century; the area that was rebuilt after the fire of 1889.
- b. The Historic District is associated with the lives of many of the Seattle pioneers through property, business and commercial activities that were concentrated in that area.
- c. Most of the buildings within the Historic District embody the distinctive characteristics of the Late Victorian style and many are the work of one architect, Elmer H. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area in Seattle which is significant and distinguishable in style, form, character, and construction, representative of its era. The Historic District possesses integrity of location, original construction, and of feeling and association.
- d. The restoration and preservation of the Historic District will yield information of educational significance regarding the way of life and the architecture of the late Nineteenth Century as well as adding interest and

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color to the City. Restoration of the Historic District will preserve the environment which was characteristic of an important era of Seattle's history and will be considerably more meaningful and significant educationally than if done for individual buildings.

ENDED-ORD,

79846

Section 6. Approval of Changes to Buildings, Structures and other Visible Elements within the Historic District. No person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material change in the exterior appearance of any existing structure or construct any new structures in the Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval authorized by the Council following recommendation by the Commission. Applications for building or demolition permits involving structures or sites within the Historic District shall be forwarded immediately by the Superintendent of Buildings to the Commission for review. The Commission shall review and make recommendations to the Council regarding appropriateness of each proposed change or addition and a Certificate of Approval shall be issued by the Council as hereinafter provided only after reviewing the recommendation of the Commission. The Commission, in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of exterior appearance of any building shall keep in mind the purpose of this ordinance and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material and

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color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of other buildings within the Historic District, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The Commission shall also consider all modifications or additions to public areas, including street furniture, lighting fixtures, and paving materials. The Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the Historic District. Where modification of the appearance of a structure within the Historic District does not require a building or demolition permit, notice of such intention shall nonetheless be filed with the Superintendent of Buildings, who shall notify the Commission.

The Commission shall consider and report to the Council on applications for a Certificate of Approval as contemplated herein not later than 30 days after receipt of any such application, and a public hearing shall be held on each such application by the Council or a committee thereof. If after such hearing and upon review of the Commission recommendation the Council determines that the proposed changes are consistent with the Criteria for Historic Preservation as set forth in Section 5, the Council shall issue the Certificate of Approval. In the event of a determination to deny a Certificate of Approval, the Council shall request the Commission to consult with the owner within a period of 60 days for the purpose of considering means of preservation that will be in keeping with the Criteria. If additional time is necessary, the Commission may, before the 60 days have expired, request the Council to extend the

time not to exceed an additional 30 days. If at the end of this time, an acceptable solution has not been achieved, the Certificate of Approval shall finally be denied, unless the Council finds that:

1. every reasonable effort has been made by the owner to agree to the recommendations of the Commission and that:
2. owing to special conditions pertaining to his specific piece of property, the full application of the recommended requirements will cause undue and unnecessary hardship, in which case the Certificate of Approval shall be issued notwithstanding such prior determination.

ENDED-ORD.

79846

Section 7. Meetings Procedures, Records. The Commission shall meet for purposes of historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the Commission may establish such standards and procedures as it may deem necessary to further the purposes of this ordinance. All plans, elevations, specifications, and sketches or other information necessary for the review by the Commission of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Commission by the applicant or appropriate departments of the City of Seattle, along with a copy of the application for building, modification, or a demolition permit.

The Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect.

Section 8. Enforcement. The provisions of this ordinance shall be enforced by the Superintendent of Buildings.

Section 9. Penalty. Anyone violating or failing to comply with the

(To be used for all Ordinances except Emergency.)

provisions of this ordinance shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars (\$500) or imprisoned in the City jail for a term not exceeding six months, or may be both so fined and imprisoned, and each day's violation or failure to comply shall constitute a separate offense.

Section 10. Severability. In the event that any section, paragraph or part of this ordinance shall be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section 11. 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 27 day of April, 1970  
and signed by me in open session in authentication of its passage this 27 day of April, 1970 Charles M. Carroll  
President of the City Council.

Approved by me this 1 day of May, 1970 Wm. Uhlmann  
Mayor.

Filed by me this 1 day of May, 1970

Attest: W. H. Grandson  
City Comptroller and City Clerk.

(SEAL)

Published MAY 2 1970

By D. H. Alprey  
Deputy Clerk.

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ASSISTANT CORPORATION COUNSEL

JOHN P. HARRIS  
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MYRON L. CORNELIUS  
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THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING • SEATTLE, WASHINGTON 98104  
AREA CODE 206 TELEPHONE 583-2304

A. L. NEWBOULD, CORPORATION COUNSEL

April 17, 1970

CITY PROSECUTORS

ROBERT M. ELJAE  
JACK B. REGAN  
ROBERT B. JOHNSON

SEATTLE CITY COUNCIL

CLERK ALBERT  
V. L. PORTER  
APR 20 10 26 AM '70

Re: C. F. 266232.

Committee of the Whole  
City Council  
Seattle

Honorable Members:

Transmitted herewith is a proposed ordinance entitled:

"AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement."

substantially in the form requested by you in C. F. 266232, including the modifications requested in your second letter of April 10, 1970.

We have previously reviewed the proposed ordinance at the request of the Director of Community Development and on April 3, 1970 issued an opinion in such connection (No. 5396), a copy of which is attached hereto for your information.

Yours very truly,

A. L. NEWBOULD  
Corporation Counsel



By  
GORDON F. CRANDALL  
Assistant

GFC:ME  
Enc.

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April 3, 1970

Re: Historical Preservation Ordinance  
for Pioneer Square area.

Mr. James Braman  
Director of Community Development  
City of Seattle

Dear Sir:

By letter dated January 29, 1970 you transmit a draft of a proposed ordinance entitled "Pioneer Square Historical Ordinance" (Revised January 13, 1970), which has been under consideration by the City Planning Commission for some time, and you ask our opinion as to the validity of such an ordinance.

Generally the proposed ordinance would create a "Pioneer Square Historic District," having boundaries indicated on an attached map, and would provide specifically that -

"No person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material change in the exterior appearance of any existing structure or construct any new structures in the Pioneer Square Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval authorized by the Council following recommendation by the Commission."

In addition, a Certificate of Approval would be required for modifications in the appearance of a structure which do not require a building permit. Procedures are provided in the proposed ordinance for review of building, demolition and other permit applications by the City Planning Commission and a Historic Preservation Board and for the making of recommendations to the City Council. Permits for developments which are "obviously incongruous to the historic aspects of the Historic District" would be denied unless the Council finds that (1) every reasonable effort has been made to comply to the recommendations of the City Planning Commission and, (2) owing to special conditions pertaining to a specific piece

Mr. James Braman  
April 3, 1970  
Page Two

of property, the full application of the recommended requirements would cause undue and unnecessary hardship.

Enforcement would be the responsibility of the Superintendent of Buildings and violations would be punishable in Municipal Court by fine and/or imprisonment.

The basic legal question is whether the adoption of such an ordinance would constitute a valid exercise of the City's police power derived from Article XI, Section 11 of the Washington State Constitution, which provides that -

"Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws."

The Washington State Supreme Court has consistently said of this constitutional grant of authority that -

"This is a direct delegation of the police power as ample within its limits as that possessed by the legislature itself. It requires no legislative sanction for its exercise so long as the subject-matter is local, and the regulation reasonable and consistent with the general laws. . . ." Lenci v. Seattle, 63 Wn.2d 664, 388 P.2d 926 (1964).

Accordingly, as stated in Reesman v. State, 74 Wn.2d 646, 445 P.2d 1004 (1968),

"A broad discretion is thus vested in the legislature to determine what the public interest demands under particular circumstances, and what measures are necessary to secure and protect the same. Unless the measures adopted by the legislature in given circumstances are palpably unreasonable and arbitrary so as to needlessly invade property or personal rights as protected by the constitution, the legislative judgment will prevail. . . ."

Historical preservation ordinances or statutes have been considered and upheld in Massachusetts, Louisiana, New Mexico and similar legislation has been sustained in a few other states as valid exercises of the police power. In Massachusetts, the Supreme Judicial Court said as to the validity of proposed historical preservation legislation that -

Mr. James Deaman  
April 3, 1970  
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"The announced purpose of the act is to preserve this historic section of the educational, cultural, and economic advantage of the public. If the General Court believes that this object would be attained by the restrictions which the act would place upon the introduction into the district of inappropriate forms of construction that would destroy its unique value and associations, a court can hardly take the view that such legislative determination is so arbitrary or unreasonable that it cannot be comprehended within the public welfare." Opinion of the Justices to the Senate, 128 N. E.2d 563 (1955).

The Supreme Court of New Mexico, considering an ordinance which required buildings to conform to the "Old Santa Fe Style," said -

"New Mexico is particularly dependant upon its scenic beauty to attract the host of visitors, the income from whose visits is a vital factor in our economy. Santa Fe is known throughout the whole country for its historic features and culture. Many of our laws have their origin in that early culture. It must be obvious that the general welfare of the community and of the State is enhanced thereby. Bearing in mind all these factors, we hold that regulation of the size of window panes in the construction or alteration of buildings within the historic area of Santa Fe, as a part of the preservation of the 'Old Santa Fe Style' of architecture, is a valid exercise of the police power granted to the city. . . ." City of Santa Fe v. Gamble-Skogmo, Inc., 389 P.2d 13 (1964).

To the same effect is the case of City of New Orleans v. Pargament, 5 S.2d 129 (1941).

The proposed ordinance recites that the Pioneer Square area of Seattle is one of the few areas in the City of "consistent historical or architectural character" and that a reasonable degree of control over "the site development and architecture of the private and public buildings" erected in the area would "promote the public welfare" by awakening in the people of Seattle an "awareness of its historical heritage," by "returning unproductive structures to useful purposes," and by "attracting visitors to the City."

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Mr. James Braman  
April 3, 1970  
Page Four

Whether the Pioneer Square area in fact has the values claimed for it and whether the means proposed are reasonably calculated to promote and protect the same are questions addressed to the City's legislative authority, and if challenged in court, such an ordinance would be accorded a presumption of validity. Clark v. Dwyer, 56 Wn.2d 425, 353 P.2d 941 (1960). Lenci v. Seattle, supra. We advise however that while the City has general authority for ordinances promoting and protecting the "general welfare," there is no judicial precedent in Washington approving this specific type of legislation, nor any overwhelming judicial approval for the same in other states. Thus should the City attempt to legislate in the manner suggested, legal questions of first impression would be presented and we are not in a position to safely predict the outcome of any litigation challenging the general objective of the ordinance or its application to a particular factual situation. We advise further that the proposed ordinance does not now, and should, provide for at least one public hearing before either the City Planning Commission or City Council prior to denial of a Certificate of Approval, and that an amendment to such effect should be included if the proposed ordinance is to be adopted.

Yours very truly,

A. L. NEWBOULD  
Corporation Counsel

By

GORDON F. CRANDALL  
Assistant

GFC:ME

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CITY NOTICES

ORDINANCE NO. 68862

AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. PURPOSE. During the City of Seattle's relatively brief history, it has had little time in which to develop many areas of consistent historical or architectural character; it is recognized that the Pioneer Square area of Seattle contains many of these rare attributes that do exist and consequently is an area of great historical and cultural significance to the City of Seattle. Therefore, in order that the Pioneer Square area and buildings within that area may not be injuriously affected, to promote the public welfare, and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural and economic welfare of the citizens of Seattle by developing an awareness of its historic heritage, returning unproductive structures to useful purposes and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site development and architecture of the private and public buildings erected therein, there is hereby created a Pioneer Square Historic District (hereafter called "Historic District").

Section 2. RESPONSIBLE AGENCY. The City Planning Commission (hereafter called "Commission") is hereby designated as the official body to make recommendations to the City Council, (hereafter called "Council") on matters concerning preservation of the Historic District and of the buildings and structures within its bounds. The Mayor shall, subject to Council confirmation, appoint an Historic Preservation Board (hereafter called "Board"), which is hereby established, consisting of a representative of the local historical society, an owner of property in the Historic District, an architect, 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 Commission.

Section 3. DESCRIPTION OF THE HISTORIC DISTRICT. The physical boundaries of the Historic District are illustrated on a map attached hereto as Exhibit "A" which is hereby made a part of this ordinance.

Section 4. GENERAL CRITERIA FOR DETERMINATION OF HISTORIC DISTRICTS-NATIONAL TRUST FOR HISTORIC PRESERVATION. The following criteria as proposed by the National Trust for Historic Preservation for determination of historic districts are hereby adopted as general guidelines for the Historic District.

Districts, sites, buildings, structures, objects of national, state, and local importance are of historic significance if they

CITY NOTICES

possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- a. that are associated with events that have made a significant contribution to the broad patterns of our history; or
b. that are associated with the lives of persons significant in history; or
c. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
d. that have yielded, or may be likely to yield, information important in prehistory or history.

Section 5. CRITERIA EVALUATION FOR THE HISTORIC DISTRICT

a. The Historic District has played a significant role in the development of Seattle, the Puget Sound Region and the State of Washington as the place of the beginning of Seattle; the place of the first industry, business and homes; the focus of commerce and transportation for more than a half century; the area that was rebuilt after the fire of 1859.

b. The Historic District is associated with the lives of many of the Seattle pioneers through property, business and commercial activities that were concentrated in that area.

c. Most of the buildings within the Historic District embody the distinctive characteristics of the Late Victorian style and many are the work of one architect, Elmer W. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area in Seattle which is significant and distinguishable in style, form, character, and construction, representative of its era. The Historic District possesses integrity of location, original construction, and of feeling and association.

d. The restoration and preservation of the Historic District will yield information of educational significance regarding the way of life and the architecture of the late Nineteenth Century as well as adding interest and color to the City. Restoration of the Historic District will preserve the environment which was characteristic of an important era of Seattle's history and will be considerably more meaningful and significant educationally than if done for individual buildings.

Section 6. APPROVAL OF CHANGES TO BUILDINGS, STRUCTURES AND OTHER VISIBLE ELEMENTS WITHIN THE HISTORIC DISTRICT. No person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material change in the exterior appearance of any existing structure or construct any new structures in the Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval authorized by the Council, fol-

CITY NOTICES

lowing recommendation by the Commission. Applications for building or demolition permits involving structures or sites within the Historic District shall be forwarded immediately by the Superintendent of Buildings to the Commission for review. The Commission shall review and make recommendations to the Council regarding appropriateness of each proposed change or addition and a Certificate of Approval shall be issued by the Council as hereinafter provided only after reviewing the recommendation of the Commission. The Commission, in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of exterior appearance of any building shall keep in mind the purpose of this ordinance and shall compare among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material and color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of other buildings within the Historic District, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The Commission shall also consider all modifications or additions to public areas, including street furniture, lighting fixtures, and paving materials. The Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the Historic District. Where modification of the appearance of a structure within the Historic District does not require a building or demolition permit, notice of such intention shall nonetheless be filed with the Superintendent of Buildings, who shall notify the Commission.

The Commission shall consider and report to the Council on applications for a Certificate of Approval as contemplated herein not later than 30 days after receipt of any such application, and a public hearing shall be held on each such application by the Council or a committee thereof. If after such hearing and upon review of the Commission recommendation the Council determines that the proposed changes are consistent with the Criteria for Historic Preservation as set forth in Section 5, the Council shall issue the Certificate of Approval. In the event of a determination to deny a Certificate of Approval, the Council shall request the Commission to consult with the owner within a period of 60 days for the purpose of considering means of preservation that will be in keeping with the Criteria. If additional time is necessary, the Commission may, before the 60 days have expired, request the Council to extend the time not to exceed an additional 30 days. If, at the end of this time, an acceptable solution has not been achieved, the Certificate of Approval shall finally be denied, unless the Council finds that:

- 1. every reasonable effort has been made by the owner to agree to the recommendations of the Commission and that;
2. owing to special conditions pertaining to his specific piece of property, the full application of the recommended require-

CITY NOTICES

ments will cause undue and unnecessary hardship. In which case the Certificate of Approval shall be issued, notwithstanding such prior determination.

Section 7. MEETINGS, PROCEEDINGS, RECORDS. The Commission shall meet for purposes of historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the Commission may establish such standards and procedures as it may deem necessary to further the purposes of this ordinance. All plans, elevations, specifications, and sketches, or other information necessary for the review by the Commission of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Commission by the applicant or appropriate departments of the City of Seattle, along with a copy of the application for building, modification, or a demolition permit.

The Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect.

Section 8. ENFORCEMENT. The provisions of this ordinance shall be enforced by the Superintendent of Buildings.

Section 9. PENALTY. Anyone violating or failing to comply with the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars (\$500) or imprisoned in the City Jail for a term not exceeding six months, or may be both so fined and imprisoned, and each day's violation or failure to comply shall constitute a separate offense.

Section 10. SEVERABILITY. In the event that any section, paragraph or part of this ordinance shall be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section 11. 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 27th day of April, 1970, and signed by me in open session in authentication of its passage, this 27th day of April, 1970.

CHARLES M. CARROLL, President of the City Council

Approved by me this 1st day of May, 1970.

WES UHLMAN, Mayor

Filed by me this 1st day of May, 1970.

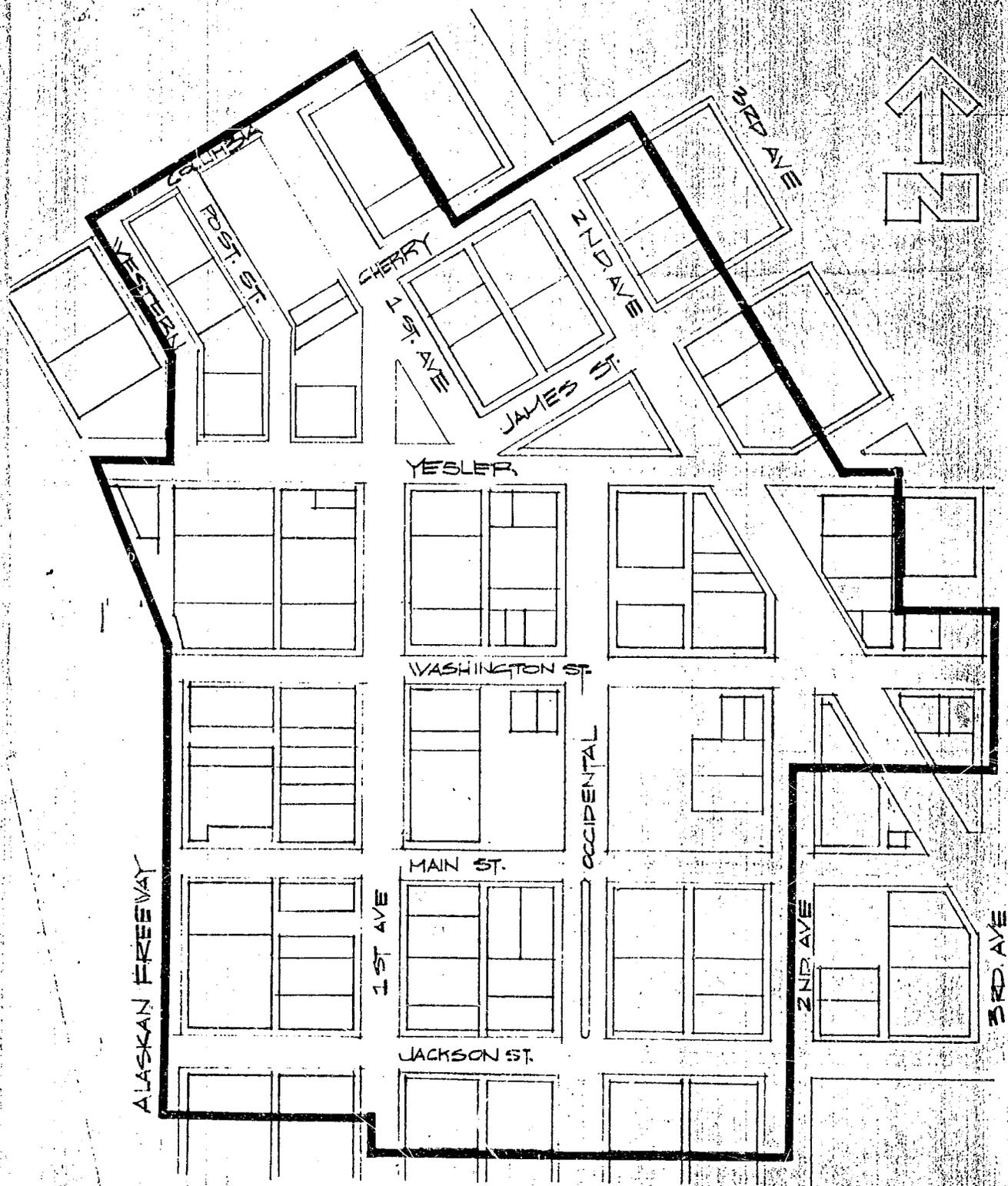
Attest: C. G. ERLANDSON, City Comptroller and City Clerk

(Seal) By D. W. ALFREY, Deputy Clerk

Publication ordered by C. G. ERLANDSON, Comptroller and City Clerk

Date of official publication in the Daily Journal of Commerce, Seattle, May 2, 1970.

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PIONEER SQUARE (EXHIBIT A)

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### Affidavit of Publication

STATE OF WASHINGTON,  
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter 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.....

ORDINANCE NO. 98852

was published on May 2, 1970

*M. E. Brown*

Subscribed and sworn to before me on

May 2, 1970

*David Brown*

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

(Note: RCW 42.28.060 states—"It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")

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# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on

COMMITTEE OF THE WHOLE

APR 20 1970

to which was referred

C.B. No. 90416

Creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement, recommends that

THE SAME DO PASS.

..... Chairman

*Phyllis Lauphere* Chairman

4-22-70 - WCH:aw

File No. 266232

Committee

Committee

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### XIII. Miscellaneous—(Continued)

brief history, it has had little time in which to develop many areas of consistent historical or architectural character; it is recognized that the Pioneer Square area of Seattle contains many of these rare attributes that do exist and consequently is an area of great historical and cultural significance to the City of Seattle. Therefore, in order that the Pioneer Square area and buildings within that area may not be injuriously affected; to promote the public welfare, and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural and economic welfare of the citizens of Seattle by developing an awareness of its historic heritage, returning unproductive structures to useful purposes and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site development and architecture of the private and public buildings erected therein, there is hereby created a Pioneer Square Historic District (hereafter called "Historic District").

**Section 2. RESPONSIBLE AGENCY.** The City Planning Commission (hereafter called "Commission") is hereby designated as the official body to make recommendations to the City Council (hereafter called "Council") on matters concerning preservation of the Historic District and of the buildings and structures within its bounds. The Mayor shall, subject to Council confirmation, appoint an Historic Preservation Board (hereafter called "Board"), which is hereby established, consisting of a representative of the local historical society; an owner of property in the Historic District; an architect; 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 Commission.

**Section 3. DESCRIPTION OF THE HISTORIC DISTRICT.** The physical boundaries of the Historic District are illustrated on a map attached hereto as Exhibit "A" which is hereby made a part of this ordinance.

**Section 4. GENERAL CRITERIA FOR DETERMINATION OF HISTORIC DISTRICTS—NATIONAL TRUST FOR HISTORIC PRESERVATION.** The following criteria as proposed by the National Trust for Historic Preservation for determination of historic districts are hereby adopted as general guidelines for the Historic District.

Districts, sites, buildings, structures, and objects of national, state, and local importance are of historic significance if they possess integrity of location, design, setting, materials, workmanship, feeling and association, and;

- a. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. that are associated with the lives of persons significant in history; or
- c. that embody the distinctive characteristics of a type,

period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d. that have yielded, or may be likely to yield, information important in prehistory or history.

#### **Section 5. CRITERIA EVALUATION FOR THE HISTORIC DISTRICT.**

a. The Historic District has played a significant role in the development of Seattle, the Puget Sound Region and the State of Washington as the place of the beginning of Seattle; the place of the first industry, business, and home; the focus of commerce and transportation for more than a half century; the area that was rebuilt after the fire of 1889.

b. The Historic District is associated with the lives of many of the Seattle pioneers through property, business and commercial activities that were concentrated in that area.

c. Most of the buildings within the Historic District embody the distinctive characteristics of the Late Victorian style and many are the work of one architect, Elmer H. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area in Seattle which is significant and distinguishable in style, form, character, and construction, representative of its era. The Historic District possesses integrity of location, original construction, and of feeling and association.

d. The restoration and preservation of the Historic District will yield information of educational significance regarding the way of life and the architecture of the late Nineteenth Century as well as adding interest and color to the City. Restoration of the Historic District will preserve the environment which was characteristic of an important era of Seattle's history and will be considerably more meaningful than if done for individual buildings.

**Section 6. APPROVAL OF CHANGES TO BUILDINGS, STRUCTURES AND OTHER VISIBLE ELEMENTS WITHIN THE HISTORIC DISTRICT.** No person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material change in the exterior appearance of any existing structure or construct any new structures in the Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval authorized by the Council following recommendation by the Commission. Applications for building or demolition permits involving structures or sites within the Historic District shall be forwarded immediately by the Superintendent of Buildings to the Commission for review. The Commission shall review and make recommendations to the Council regarding appropriateness of each proposed change or addition and a Certificate of Approval shall be issued by the

Council as hereinafter provided only after reviewing the recommendation of the Commission. The Commission, in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of exterior appearance of any building shall keep in mind the purpose of this ordinance and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material and color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of other buildings within the Historic District, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The Commission shall also consider all modifications or additions to public areas, including street furniture, lighting fixtures, and paving materials. The Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the Historic District. Where modification of the appearance of a structure within the Historic District does not require a building or demolition permit, notice of such intention shall nonetheless be filed with the Superintendent of Buildings, who shall notify the Commission.

The Commission shall consider and report to the Council on applications for a Certificate of Approval as contemplated herein not later than 30 days after receipt of any such application, and a public hearing shall be held on each such application by the Council or a committee thereof. If after such hearing and upon review of the Commission recommendation the Council determines that the proposed changes are consistent with the Criteria for Historic Preservation as set forth in Section 5, the Council shall issue the Certificate of Approval. In the event of a determination to deny a Certificate of Approval, the Council shall request the Commission to consult with the owner within a period of 60 days for the purpose of considering means of preservation that will be in keeping with the Criteria. If additional time is necessary, the Commission may, before the 60 days have expired, request the Council to extend the time not to exceed an additional 30 days. If, at the end of this time, an acceptable solution has not been achieved, the Certificate of Approval shall finally be denied, unless the Council finds that:

1. every reasonable effort has been made by the owner to agree to the recommendations of the Commission and that;
  2. owing to special conditions pertaining to his specific piece of property, the full application of the recommended requirements will cause undue and unnecessary hardship,
- in which case the Certificate of Approval shall be issued notwithstanding such prior determination.

**Section 7. MEETINGS PROCEDURES, RECORDS.** The Commission shall meet for purposes of

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XIII. Miscellaneous—(Continued)

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

The Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect.

**Section 8. ENFORCEMENT.** The provisions of this ordinance shall be enforced by the Superintendent of Buildings.

**Section 9. PENALTY.** Anyone violating or failing to comply with the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars (\$500) or imprisoned in the City jail for a term not exceeding six months, or may be both so fined and imprisoned, and each day's violation or failure to comply shall constitute a separate offense.

**Section 10. SEVERABILITY.** In the event that any section, paragraph or part of this ordinance shall be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

**Section 11.** 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 27th day of April, 1970, and signed by me in open session in authentication of its passage this 27th day of April, 1970.

CHARLES M. CARROLL,  
President of the City Council.  
Approved by me this 1st day of May, 1970.

WES UHLMAN,  
Mayor.  
Filed by me this 1st day of May, 1970.

Attest: C. G. ERLANDSON,  
City Comptroller and  
City Clerk.

(Seal) By D. W. ALFREY,  
Deputy Clerk.

Publication ordered by C. G. ERLANDSON, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, May 2, 1970.

(C-862)

**ORDINANCE NO. 98900**  
AN ORDINANCE relating to and requiring security devices for prevention of burglary in certain buildings used for business purposes and providing penalties for violations.  
**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**  
**Section 1. SECURITY RE-**

**QUIREMENTS; EXEMPTIONS.** Except as hereinafter specifically exempted, all existing and future buildings in the City used by any person for the purpose of conducting, managing, or carrying on any business, shall, when not occupied by a watchman, maintenance personnel, or other authorized persons during the period that such building is closed to business, be so secured as to prevent unauthorized entry in accordance with specifications for physical security of exterior accessible openings as provided in Sections 5 and 6 of this ordinance; Provided, that buildings used for Group "C", "D", "F", "I", or "J" occupancy as defined in the Building Code (Ordinance 85500) shall be exempt from the provisions of this ordinance; and provided further that

(1) buildings used for Group "A" or "B" occupancy as defined in said Building Code, and

(2) buildings required by said Building Code to have exit doors equipped with panic hardware locks, shall be exempt from the provisions of this ordinance relating to exterior doors.

**Section 2. ENFORCEMENT; RIGHT OF ENTRY.** The Chief of Police is hereby authorized and directed to enforce the provisions of this ordinance, and upon presentation of proper credentials by the Chief of Police or his duly authorized representative may, with the consent of the occupant or pursuant to a lawfully issued warrant, enter at reasonable times, any building or premises used for business purposes for the purpose of inspecting the physical security of exterior accessible openings of such building or premises.

**Section 3. RESPONSIBILITY FOR COMPLIANCE.** Responsibility for compliance with the specifications set forth in Sections 5 and 6 of this ordinance shall be as follows:

(1) As to buildings occupied by a business establishment which does not share the exterior openings of such building with any other business establishment, the person operating such business shall be responsible.

(2) As to buildings occupied by two or more business establishments which share the use of exterior openings of such building, the owner of said building, or his agent having charge, care or control of such building, shall be responsible.

**Section 4. INSPECTION; NOTICE.** The Chief of Police shall inspect or cause to be inspected the accessible exterior openings of every building subject to the provisions of this ordinance, and if he shall find accessible exterior openings in any such building which do not comply with the specifications set forth in Sections 5 and 6 hereof, he shall give notice in writing to the person responsible, as designated in Section 3 hereof, setting forth the deficiencies which are to be corrected, and the period of time within which such corrections shall be completed. Failure to comply with such notice within the period of time specified shall be a violation of this ordinance.

**Section 5. SECURITY MEASURES; LOCKING DEVICES.** All

exterior openings of any building used for business purposes and subject to the provisions of this ordinance and not otherwise protected by photo-electric, ultrasonic or other intrusion detection devices, approved by the Chief of Police, shall be secured as provided in this section; provided that locking devices on exit doors in buildings used for Group "I", "F" and "G" occupancies as defined in the Building Code (Ordinance 85500) shall comply with the requirements of Section 3303 of said Building Code.

**A. FRONT DOORS.** All front doors of any such building or premises shall comply with the following requirements:

(1) **TEMPERED GLASS DOORS, WOOD OR METAL DOORS WITH TEMPERED GLASS PANEL, SOLID WOOD OR METAL DOORS** shall be secured as follows:

(a) A SINGLE DOOR shall be equipped with either double cylinder dead lock that unlocks from both the outside and inside by key, or with cylinder dead lock that unlocks from the outside by key and inside by turnpiece, handle, or knob, or with dead locking latch having guarded bolt that unlocks from the outside by key and inside by turnpiece, handle, or knob.

(b) On DOUBLE DOORS the active leaf shall be equipped with a type of lock as prescribed for single doors above and the inactive leaf shall be equipped with flush bolts at head and foot.

(2) **DOORS WITH GLASS PANELS NOT OF TEMPERED GLASS** and doors that have nontempered glass panels adjacent to the door frame, shall be secured as follows:

(a) A SINGLE DOOR shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key.

(b) On DOUBLE DOORS the active leaf shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key and the inactive leaf shall be equipped with flush bolts at head and foot.

(3) **ROLLING OVERHEAD DOORS** that are not controlled or locked by electric power operation shall be equipped on the inside with the following protective devices:

(a) Manually operated doors shall be provided with slide bolts on the bottom bar.

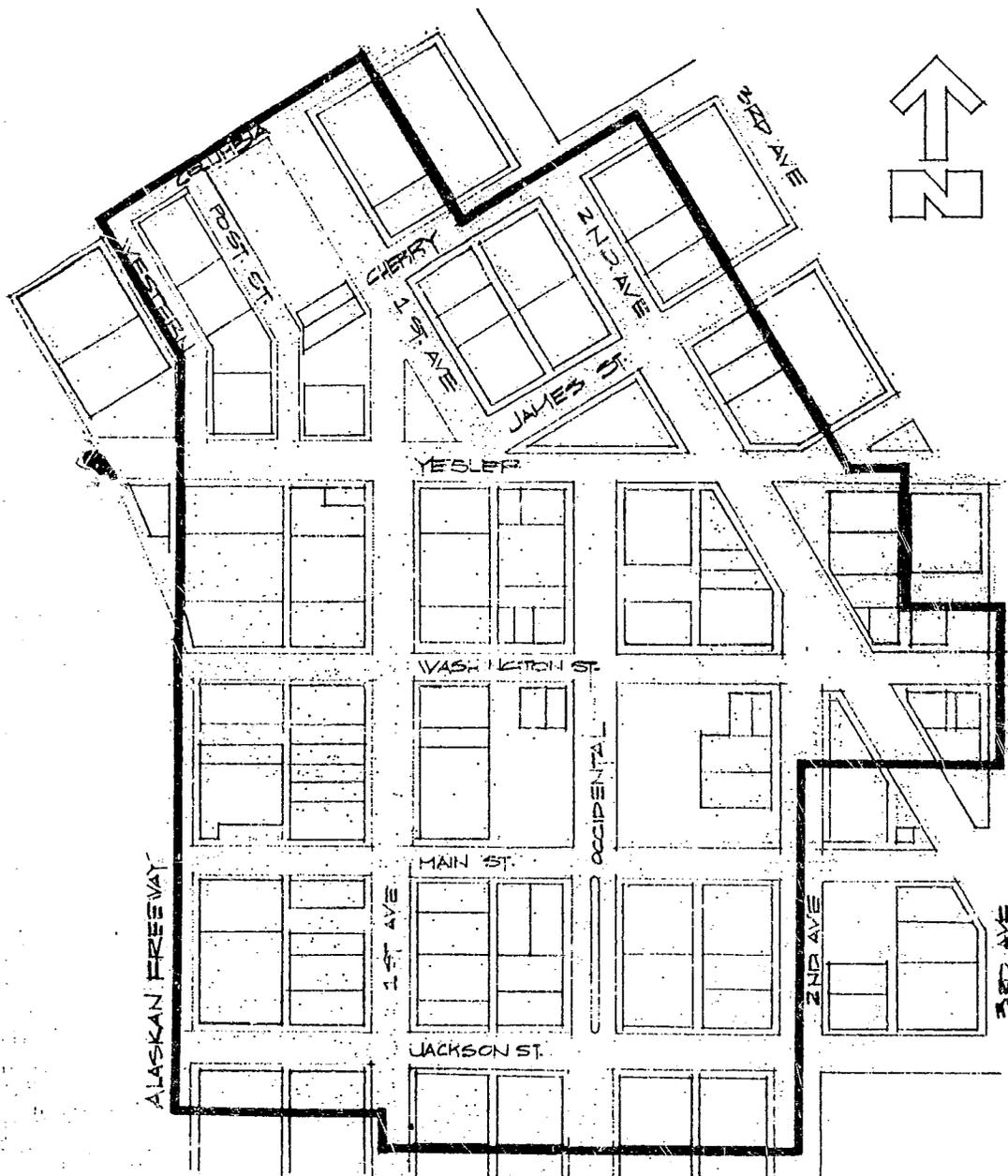
(b) Chain operated doors shall be provided with a cast iron keeper and pin for securing the hand chain.

(c) Crank operated doors shall be provided with a means for securing the operating shaft.

(4) A SOLID OVERHEAD, SWINGING, SLIDING, OR ACCORDION garage-type door shall be secured with a cylinder lock, padlock, and/or metal slide bar, bolt, or crossbar on the inside when not otherwise controlled or locked by electric power operation. If padlock is used, it shall be of hardened steel shackle, with minimum four pin tumbler operation. In

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XIII. Miscellaneous—(Continued)



PIONEER SQUARE (EXHIBIT A)

## Ordinance No. 98852

AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement.

4-20-70 Pass

COMPTROLLER  
FILE NUMBER 266232

## Council Bill No. 90416

INTRODUCED: APR 20 1970	BY: Parks & Public Grounds
REFERRED: APR 20 1970	TO: COMMITTEE OF WHOLE Parks & Public Grounds
REFERRED:	
REFERRED:	
REPORTED: APR 20 1970	SECOND READING: APR 20 1970
THIRD READING: APR 27 1970	SIGNED: APR 27 1970
PRESENTED TO MAYOR: APR 20 1970	APPROVED: MAY 1 1970
REFD. TO CITY CLERK: MAY 1 1970	PUBLISHED: MAY 2 1970
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

Unanimous Vote  
YES..... NO.....

SEATTLE CITY COUNCIL

APR 23 10 25 AM '70

PUB (BC)  
BLDG.  
ENG.  
B. O.  
A. C.  
S. E.  
C. O.  
LIGHT

SEE BACK COVER

RESTAPLE FROM OTHER SIDE

THIS IS ORIGINAL -PLEASE HANDLE CAREFULLY

Ord. 99846 -AMENDS SECTIONS 2, 6 & 7, TO REVISE PROCEDURE FOR ISSUEING CERTIFICATES OF APPROVAL.

RES 23782 -RECOGNIZING THE UNIQUE NATURE OF THE INTERNATIONAL DISTRICT & THE PIONEER SQUARE HISTORIC DISTRICT.

*Mayor*  
*P.C.*  
*B.P. Co.*

✓ PUB (BC)  
✓ BLDG.  
✓ ENG.  
✓ B. O.  
✓ A. C.  
✓ S. E.  
✓ C. O.  
✓ LIGHT

*part*

GFC:ME  
4-17-70

ORDINANCE 98852

AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Purpose. During the City of Seattle's relatively brief history, it has had little time in which to develop many areas of consistent historical or architectural character; it is recognized that the Pioneer Square area of Seattle contains many of these rare attributes that do exist and consequently is an area of great historical and cultural significance to the City of Seattle. Therefore, in order that the Pioneer Square area and buildings within that area may not be injuriously affected; to promote the public welfare, and to provide for the enhancement of this area and its structures, thereby contributing to the social, cultural and economic welfare of the citizens of Seattle by developing an awareness of its historic heritage, returning unproductive structures to useful purposes and attracting visitors to the City; and in order that a reasonable degree of control may be exercised over the site development and architecture of the private and public buildings erected therein, there is hereby created a Pioneer Square Historic District (hereafter called "Historic District").

AMENDED ORD.

99346

Section 2. Responsible Agency. The City Planning Commission (hereafter called "Commission") is hereby designated as the official body to make recommendations to the City Council (hereafter called "Council") on matters concerning preservation of the Historic District and of the buildings and structures within its bounds. The Mayor shall, subject to Council confirmation, appoint an Historic

Preservation Board (hereafter called "Board"), which is hereby established, consisting of a representative of the local historical society; an owner of property in the Historic District; an architect; 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 Commission.

Section 3. Description of the Historic District. The physical boundaries of the Historic District are illustrated on a map attached hereto as Exhibit "A" which is hereby made a part of this ordinance.

Section 4. General Criteria for Determination of Historic Districts - National Trust for Historic Preservation. The following criteria as proposed by the National Trust for Historic Preservation for determination of historic districts are hereby adopted as general guidelines for the Historic District.

Districts, sites, buildings, structures, and objects of national, state, and local importance are of historic significance if they possess integrity of location, design, setting, materials, workmanship, feeling and association, and;

- a. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. that are associated with the lives of persons significant in history; or
- c. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

- d. that have yielded, or may be likely to yield, information important in prehistory or history.

Section 5. Criteria Evaluation for the Historic District.

- a. The Historic District has played a significant role in the development of Seattle, the Puget Sound Region and the State of Washington as the place of the beginning of Seattle; the place of the first industry, business and homes; the focus of commerce and transportation for more than a half century; the area that was rebuilt after the fire of 1889.
- b. The Historic District is associated with the lives of many of the Seattle pioneers through property, business and commercial activities that were concentrated in that area.
- c. Most of the buildings within the Historic District embody the distinctive characteristics of the Late Victorian style and many are the work of one architect, Elmer H. Fisher. For these and other reasons, the buildings combine to create an outstanding example of an area in Seattle which is significant and distinguishable in style, form, character, and construction, representative of its era. The Historic District possesses integrity of location, original construction, and of feeling and association.
- d. The restoration and preservation of the Historic District will yield information of educational significance regarding the way of life and the architecture of the late Nineteenth Century as well as adding interest and

color to the City. Restoration of the Historic District will preserve the environment which was characteristic of an important era of Seattle's history and will be considerably more meaningful and significant educationally than if done for individual buildings.

Section 6. Approval of Changes to Buildings, Structures and

AMENDED ORD.

99846

other Visible Elements within the Historic District. No person shall alter, demolish, construct, reconstruct, restore, or remodel or make any material change in the exterior appearance of any existing structure or construct any new structures in the Historic District and no permit for same shall be issued except pursuant to a Certificate of Approval authorized by the Council following recommendation by the Commission. Applications for building or demolition permits involving structures or sites within the Historic District shall be forwarded immediately by the Superintendent of Buildings to the Commission for review. The Commission shall review and make recommendations to the Council regarding appropriateness of each proposed change or addition and a Certificate of Approval shall be issued by the Council as hereinafter provided only after reviewing the recommendation of the Commission. The Commission, in considering the appropriateness of any alteration, demolition, new construction, reconstruction, restoration, remodeling, or other modification of exterior appearance of any building shall keep in mind the purpose of this ordinance and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material and

color of the building or structure in question or its appurtenant fixtures, including signs, the relationship of such features to similar features of other buildings within the Historic District, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The Commission shall also consider all modifications or additions to public areas, including street furniture, lighting fixtures, and paving materials. The Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the Historic District. Where modification of the appearance of a structure within the Historic District does not require a building or demolition permit, notice of such intention shall nonetheless be filed with the Superintendent of Buildings, who shall notify the Commission.

The Commission shall consider and report to the Council on applications for a Certificate of Approval as contemplated herein not later than 30 days after receipt of any such application, and a public hearing shall be held on each such application by the Council or a committee thereof. If after such hearing and upon review of the Commission recommendation the Council determines that the proposed changes are consistent with the Criteria for Historic Preservation as set forth in Section 5, the Council shall issue the Certificate of Approval. In the event of a determination to deny a Certificate of Approval, the Council shall request the Commission to consult with the owner within a period of 60 days for the purpose of considering means of preservation that will be in keeping with the Criteria. If additional time is necessary, the Commission may, before the 60 days have expired, request the Council to extend the

time not to exceed an additional 30 days. If, at the end of this time, an acceptable solution has not been achieved, the Certificate of Approval shall finally be denied, unless the Council finds that:

1. every reasonable effort has been made by the owner to agree to the recommendations of the Commission and that:
2. owner, to special conditions pertaining to his specific piece of property, the full application of the recommended requirements will cause undue and unnecessary hardship, in which case the Certificate of Approval shall be issued notwithstanding such prior determination.

AMENDED-ORD.

99846

Section 7. Meetings Procedures, Records. The Commission shall meet for purposes of historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the Commission may establish such standards and procedures as it may deem necessary to further the purposes of this ordinance. All plans, elevations, specifications, and sketches or other information necessary for the review by the Commission of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Commission by the applicant or appropriate departments of the City of Seattle, along with a copy of the application for building, modification, or a demolition permit.

The Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect.

Section 8. Enforcement. The provisions of this ordinance shall be enforced by the Superintendent of Buildings.

Section 9. Penalty. Anyone violating or failing to comply with the

provisions of this ordinance shall, upon conviction thereof, be fined in a sum not exceeding five hundred dollars (\$500) or imprisoned in the City jail for a term not exceeding six months, or may be both so fined and imprisoned, and each day's violation or failure to comply shall constitute a separate offense.

Section 10. Severability. In the event that any section, paragraph or part of this ordinance shall be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section 11. 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 27 day of April, 1970  
and signed by me in open session in authentication of its passage this 27 day of April, 1970  
Charles M. Carroll  
President of the City Council.

Approved by me this 1 day of May, 1970  
Wes Ahlman  
Mayor.

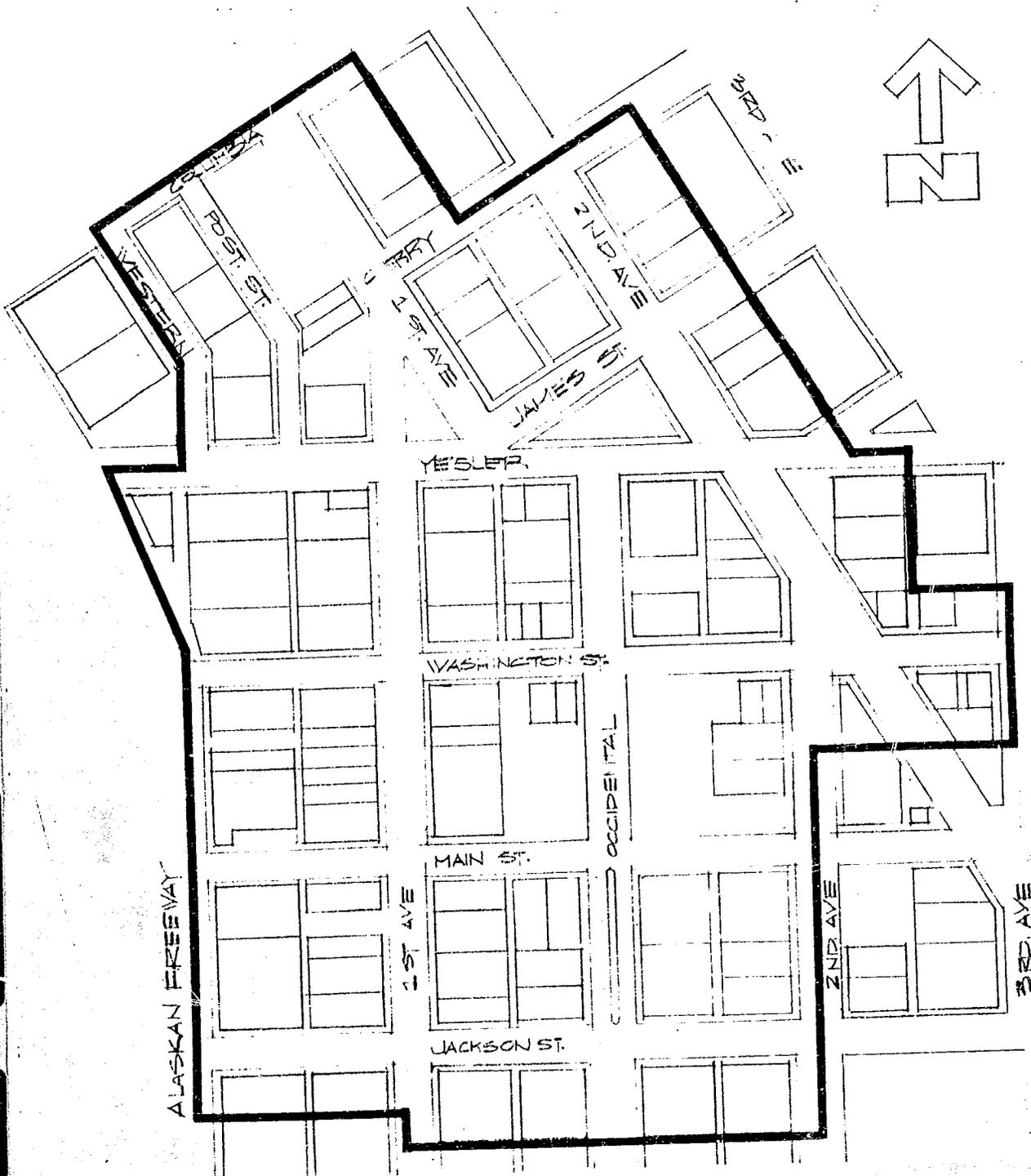
Filed by me this 1 day of May, 1970

Attest: C. H. Glendonson  
City Comptroller and City Clerk.

(SEAL)

Published MAY 2 1970

By D. H. A. Gray  
Deputy Clerk.



PIONEER SQUARE (EXHIBIT A)

ASSISTANT CORPORATION COUNSEL

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THE CITY OF SEATTLE  
LAW DEPARTMENT

MUNICIPAL BUILDING • SEATTLE, WASHINGTON 98104  
AREA CODE 206 TELEPHONE 583-2304

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CITY PROSECUTORS  
ROBERT M. ELIAS  
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ROBERT E. JOHNSON

SEATTLE CITY COUNCIL  
CLERK

APR 20 10 25 AM '70  
V. L. PORTER

April 17, 1970

Re: C. F. 266232.

Committee of the Whole  
City Council  
Seattle

Honorable Members:

Transmitted herewith is a proposed ordinance entitled:

"AN ORDINANCE creating the Pioneer Square Historic District, prohibiting alteration, demolition, construction, reconstruction, restoration, remodeling or modification of structures therein without a Certificate of Approval, establishing an Historic Preservation Board, and providing for administration and enforcement."

substantially in the form requested by you in C. F. 266232, including the modifications requested in your second letter of April 10, 1970.

We have previously reviewed the proposed ordinance at the request of the Director of Community Development and on April 3, 1970 issued an opinion in such connection (No. 5396), a copy of which is attached hereto for your information.

Yours very truly,

A. L. NEWBOULD  
Corporation Counsel

By

*Gordon F. Crandall*  
GORDON F. CRANDALL  
Assistant

GFC:ME  
Enc.