

Ordinance No. 99846

AN ORDINANCE relating to the Pioneer Square Historic District, amending Sections 2, 6 and 7 of Ordinance 98852 to revise the procedure for issuing Certificates of Approval.

4-14-71 PASS

COMPTROLLER
FILE NUMBER 268973

Council Bill No. 91440

INTRODUCED: APR 12 1971	BY: <i>Planning</i>
REFERRED: APR 12 1971	TO: <i>Planning</i>
REFERRED:	
REFERRED:	
REPORTED: APR 19 1971	SECOND READING: APR 19 1971
THIRD READING: APR 19 1971	SIGNED: APR 19 1971
PRESENTED TO MAYOR: APR 20 1971	APPROVED: APR 21 1971
RETD. TO CITY CLERK: APR 21 1971	PUBLISHED: APR 24 1971
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PASSED OVER VETO:	VETO SUSTAINED:

CW

ORDINANCE 99846

AN ORDINANCE relating to the Pioneer Square Historic District, amending Sections 2, 6 and 7 of Ordinance 98852 to revise the procedure for issuing Certificates of Approval.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 2 of Ordinance 98852 is amended to read as follows:

Section 2. Responsible Agency. The City Planning Commission (hereafter called "Commission") is hereby designated as the official body to make recommendations to the Director of the Department of Community Development (hereafter called "Director") on matters concerning preservation of the Historic District and of the buildings and structures within its bounds, except as to "minor work" as provided in Section 6. 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 or to the Director as provided in Section 6.

Section 2. That Section 6 of Ordinance 98852 is amended to read as follows:

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 issued by the Director. All 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 Board. Where modification of the exterior 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 and referred by him to the Board.

The Board shall review and make recommendations to the Commission regarding appropriateness of each proposed change or addition, provided that the Board's recommendations as to "minor work" shall be made to the Director, and such applications shall not be considered by the Commission. "Minor work" is any work resulting in a modification of the exterior appearance of a building, including painting, where such work may lawfully be done without a building or demolition permit. The Commission shall hold a public hearing on all applications referred to it, and the recommendations of the Commission and of the Board shall be forwarded to the Director not later than 30 days after receipt of the application by the Board.

The Board and 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 Board and Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the Historic District.

If after considering the foregoing recommendations the Director determines that the proposed changes are consistent with the Criteria for Historic Preservation as set forth in Section 5, he shall issue the Certificate of Approval. In the event of a determination to deny a Certificate of Approval, the Director shall request the Commission or Board 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 or Board may, before the 60 days have expired, request the Director 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 and the applicant shall be so notified by letter, providing the Applicant may appeal to the City Council within 17 days of the date of the letter denying the application, and the City Council may, with or without a public hearing, reverse or modify the decision of the Director only if it finds that:

1. every reasonable effort has been made by the applicant to agree to the recommendations of the director, and
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 3. That Section 7 of Ordinance 98852 is amended to read as follows:

Section 7. Meetings Procedures, Records. The Board or Commission shall meet for purposes of historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the Board or 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 Board or Commission of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Board or 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 Board or Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect. The Board and Commission shall also consider and make recommendations on all modifications or additions to public areas, including street furniture, lighting fixtures and paving materials.

(To be used for all Ordinances except Emergency.)

Section ⁴ 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 19 day of April, 1971,
and signed by me in open session in authentication of its passage this 19 day of April, 1971.

D. J. Hill
President Pro Tem of the City Council.

Approved by me this 21 day of April, 1971.

Charles M. Sorell
Acting Mayor.

Filed by me this 21 day of April, 1971.

A. J. Glendonson
Attest: City Comptroller and City Clerk.

(SEAL)

Published APR 24 1971

J. F. Fenton
By Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on PLANNING
to which was referred C.B. 91440,

APR 18 1971

relating to the Pioneer Square Historic District, amending Sections 2, 6 and 7 of the Ordinance 98852 to revise the procedure for issuing Certificates of Approval,

RECOMMENDS THAT THE SAME DO PASS.
(C.F. 268973)

..... Chairman

Phyllis Langhorne Chairman

WCH:rp

4/14/71

Committee

Committee

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. 99846.....

was published on April 24, 1971.....

M. E. Brown

Subscribed and sworn to before me on

April 24, 1971.....

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

(Note: RCW 42.25.020 states: "It shall not be necessary for a notary public in certifying as aforesaid to be used in any of the courts in this state, to append an impression of his official seal.")

ORDINANCE NO. 99846
AN ORDINANCE relating to the Pioneer Square Historic District, including Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Approval. In the event of a denial of Approval, the DIRECTOR shall request the Commission or Board 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 or Board may, before the 30 days have expired, request the Director to extend the time not to exceed an additional 30 days. At the end of this time, an acceptable solution has not been achieved, the Certificate of Approval shall finally be denied AND THE APPLICANT SHALL BE SO NOTIFIED BY LETTER. PROVIDING THE APPLICANT MAY APPEAL TO THE CITY COUNCIL WITHIN 17 DAYS OF THE DATE OF THE LETTER DENYING THE APPLICATION, AND THE CITY COUNCIL MAY, WITH OR WITHOUT A PUBLIC HEARING, REVERSE OR MODIFY THE DECISION OF THE DIRECTOR ONLY IF IT finds that:

1. every reasonable effort has been made by the applicant to agree to the recommendations of the director, and

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 3. That Section 7 of Ordinance 48852 is amended to read as follows:

Section 7. MEETINGS PROCEDURES. RECORDS. THE BOARD OR Commission shall meet for purposes of historic preservation at such times as it may determine, or upon call of the Chairman. In addition, the BOARD OR 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 BOARD OR Commission of architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the BOARD OR 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 BOARD OR Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect. THE BOARD AND COMMISSION SHALL ALSO CONSIDER AND MAKE RECOMMENDATIONS ON ALL MODIFICATIONS OR ADJUSTMENTS TO PUBLIC AREAS, INCLUDING STREET LIGHT FURNITURE, LIGHTING FIXTURES AND PAVING MATERIALS.

Section 4. 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 19th day of April, 1971, and signed by me in open session in authentication of its passage this 19th day of April, 1971.

THOMAS MILL,
President pro tem. of the City Council.

Approved by me this 21st day of April, 1971.

CHARLES M. CARROLL,
Acting Mayor.

Filed by me this 21st day of April, 1971.

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

(Seal) By J. F. FINNEN,
Deputy Clerk.

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

Date of official publication in the Daily Journal of Commerce, Seattle, April 24, 1971. (C-332)