
Council Bill Number: 114674

Ordinance Number: 121270

AN ORDINANCE relating to historic preservation, imposing controls upon the Pier 59, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Status: Passed

Note: Effective date: 10/3/2003

Vote: 8-0 (Excused: Drago)

Date filed with the City Clerk: 2003/09/26

Date of Mayor's signature: 2003/09/16 ([about the signature date](#))

Date introduced/referred to committee: 2003/09/02

Committee: Neighborhoods, Arts and Civil Rights

Sponsor: LICATA

Committee Recommendation: Pass

Index Terms: LANDMARKS, CENTRAL-WATERFRONT, DOCKS

Fiscal Note: [Fiscal Note to Council Bill No. 114674](#)

Electronic Copy: [PDF scan of Ordinance No. 121270](#)

Reference: Related: CF 305338

Text:

ORDINANCE _____

AN ORDINANCE relating to historic preservation, imposing controls upon the Pier 59, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

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 meeting on Friday 21, 2001, voted to approve the nomination of Pier 59 at 1415 Alaskan Way, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 4, 2001, the Board voted to approve the designation of the Pier 59 and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 6, 2002, the Board and the 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. DESIGNATION: The designation by the Landmarks Preservation Board of the Pier 59, and its site described as:

That portion of Block 176, Seattle tidelands and vacated portion of Pike Street adjoining, described as follows: beginning at a point on the inner harbor line which is north 48 degrees 49'51" west 42.480 feet from a point marked "81," being a point in the inner harbor line, as shown on the replat of the Seattle tidelands, supplemental sheet 27, filed in the office of the Commissioner of Public Lands at Olympia, Washington; thence south 48 degrees 49'51" east 42.480 feet to said point marked "81," on said replat; thence south 25 degrees 21'48" east 80.0 feet along said inner harbor line; thence due east to the westerly line of Railroad Avenue as established by replat of Seattle tidelands; thence northerly along said westerly line to a point due east of point of beginning; thence due west to a point of beginning and that portion of the harbor area lying west of tract described above, described by metes and bounds as follows:

Beginning at point "81," being an angle point in the inner harbor line and running thence south 25 degrees 21'48" east 80.0 feet, along said inner harbor line, thence west 407.33 feet to the outer harbor line, thence north 48 degrees 49'51" west 152.29 feet along said outer harbor line, thence east 455.730 feet to the inner harbor line to said point of beginning. All as shown upon the supplemental maps of Seattle tidelands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

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

- C. 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;
- D. It embodies the distinctive visible characteristics of an architectural style, or period or of a method of construction;
- F. Because of its prominence of spatial location, contrasts of siting, age or scale, it is an easily identifiable feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City;

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Pier 59 and its site that were designated by the Board for preservation:

A. CERTIFICATE OF APPROVAL PROCESS

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time for denying the Certificate of Approval application must have expired, before the owner may make alterations or significant changes to:

The pier and pier pilings, from the west edge of the right-of-way of Alaskan Way (the seawall) to the outer harbor line, and from the north edge to the south edge of the wooden piling pier; the exterior of the pier shed, excluding the elevated walkway to the Waterfront Park; and the following features of the interior of the pier shed:~~the perimeter walls and windows, the ceiling, trusses, the interior structure, and the floors.

2. A Certificate of Approval is not required for any in-kind maintenance or repairs of the features listed in subsection 1.

3. A Certificate of Approval will be required for any replacement of wood pilings as noted in features designated in subsection 1. The Board also acknowledges its particular responsibility pursuant to SMC 25.12.750 (C) to recognize that alteration may be necessary to meet requirements of applicable environmental law, statute, regulation code or ordinance, as well as the stewardship responsibilities of the State Department of Natural Resources, that require the replacement of treated wood with other materials.

4. Any portions of Waterfront Park and Pier 60 that lie within site as described in Section 1 above are excluded from the designation.

B. ADMINISTRATIVE REVIEW

1. Administrative review and approval may be provided for the items listed in subsection 3 according to the following procedures. The Owner shall submit to the City Historic Preservation Officer (CHPO) a written request for these alterations, including applicable drawings and/or specifications. If the CHPO, upon examination of submitted plans and specifications, determines that such alterations are consistent with the purposes of SMC 25.12 the alterations shall be approved without the need for any further action by the Board. If the CHPO disapproves such alterations, the Owner may submit revised materials to the CHPO, or submit in accordance with the Certificate of Approval process set forth in SMC 25.12.

2. The CHPO shall submit his or her written decision on the Owner's submittal to the Owner. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. Administrative review is available for the following:

For the designated areas of the building, the addition or elimination of duct conduits, HVAC grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.

Section 3. INCENTIVES

A. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use.

B. The Building and Energy Codes provide exceptions on an application basis.

C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to Seattle landmarks subject to controls imposed by designation ordinance, by application.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. Pier 59 and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2003, and signed by me in open session in authentication of its passage this ____ day of _____, 2003.

President of the City Council

Approved by me this ____ day of _____, 2003.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2003.

City Clerk

(SEAL)

Elizabeth Chave/JLB

Pier 59 Ord.doc

May 19, 2003

V # 1