



The City of Seattle

## Landmarks Preservation Board

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LPB 66/87

### RULES AND REGULATIONS, CODE OF ETHICS, AND PROCEDURES

The Landmarks Preservation Board has adopted the following in accordance with the SMC 25.12 and the Administration Code of the City of Seattle.

#### Rules and Regulations

1. The Board shall elect a Chairperson and a Vice-Chairperson to serve one-year terms. The Chairperson shall preside at all meetings. The Vice-Chairperson shall preside at meetings in the absence of the Chairperson.
2. All meetings of the Board shall be open meetings in accordance with the Open Public Meetings Act of 1971.
3. The Board shall hold regular meetings twice monthly on the first and third Wednesdays of each month at 3:30 p.m. Notice of time, date, and place of such meetings shall be released to the press. Special meetings of the Board shall be held upon the call of the Chairperson, or at the request of three (3) members, upon five (5) days notice, which notice may be waived by a quorum.
4. Conduct of meeting will be governed by the latest edition of Robert's Rules of Order, a copy of which shall be at hand of the Chairperson.
5. A quorum for the conduct of any meetings shall be a majority of current appointed and confirmed members.
6. All official actions of the Board shall require a majority vote of the members present and voting.
7. Votes on designation shall require a majority vote of the then current appointed and confirmed members of the Board.
8. Before a vote is taken on designation, the Chairperson shall ascertain if all members present are informed on the matter of the vote. The Chairperson shall also ask if any member has a conflict of interest in the question. The Board will decide if such conflict is

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valid, and if such is affirmed by vote of Board, the member with the conflict shall abstain from the main vote. Before a vote on designation, each member present shall be polled for an opinion on the questions.

9. For nomination and designation hearings, voting by Board members shall be by a show of hands.
10. The Board may establish such committees as it desires, without limit on the number thereof or the number of persons who serve on any particular committee. Committee members shall be appointed by the Chairperson with the approval of the Board. Non-members of the Board may be invited to serve on such committees.
11. Replacement of any member of the Board who dies, resigns, or is incapacitated, shall be in accordance with the procedures specified in Ordinance 106348.
12. If any member of the Board shall have more than three (3) consecutive absences from regular meetings the Board will notify the member concerning the absences. The Board may, at its discretion, ask the Mayor to appoint a replacement for the member.
13. Members of the Board shall serve without compensation.
14. The Historic Preservation Officer of the Department of Neighborhoods shall act as Executive Secretary of the Board in accordance with Ordinance 106348; shall be custodian of its records; shall conduct official correspondence and generally supervise the clerical and technical work of the Board as required to administer the Landmarks Preservation Ordinance. Tentative agenda shall be mailed to Board members in advance for each meeting; and minutes of the last meeting or hearing shall be provided to each member for approval by the next regular meeting.
15. Board members shall sign the City Code of Ethics Financial Statement, which signed document shall then be filed with the Board of Ethics.
16. In accordance with Ordinance 106348 the Landmarks Preservation Board shall hold Public Hearings on the approval of designation and may hold a public hearing prior to making a recommendation on controls and incentives. Notice of Public Hearings will be published in the Daily Journal of Commerce at least fourteen (14) days prior to the hearing in accordance with Ordinance 102228. At the Public Hearing on Approval of Designation, Board action will be based on the record made at such hearing and no further right to present evidence on the issue of designation will be afforded. All Public Hearings of the Board shall be recorded electronically.
17. Procedures Governing Consent Proceedings:

At a Public Meeting scheduled by the Landmarks Preservation Board, in accordance with Part VII, Ordinance 106348, the Board shall review and take action on Approval of

Designation and on Controls and Incentives for the nominated Landmark or Landmark Site by way of separate motions for each action.

18. Certificate of Approval Review:

The Landmarks Preservation Board hereby adopts the “Secretary of The Interior’s Standards for Rehabilitation (attached) and Guidelines for Rehabilitating Historic Buildings” for its use in reviewing and making decisions on Certificate of Approval applications.

19. Procedures Governing the Conduct of Controls and Incentives Negotiations:

In accordance with Section 7.02 of the Landmarks Preservation Ordinance #106348, the Board must “establish a procedure for consent proceedings. . . which shall insure that the Board’s consideration of approval of designation and the Board’s recommendation on controls and incentives are separate actions.”

The following procedures shall apply to Board deliberations on Controls and Incentives:

Following Board approval of nomination, the owner may file written notice with Board staff indicating a desire to confer and consult with staff, with a view toward reaching agreement on specific features and characteristics of the site, improvement, or object to be preserved, and methods of achieving such preservation, including Controls and Incentives.

Staff may ask members of the Board for their comments on Controls negotiations prior to designation.

Board deliberation concerning designation will be based solely on the criteria of Ordinance #106348. Economic/financial information, information on the condition of the nominated property or the status of Controls and Incentives for that property are not germane to decisions regarding designation.

Adequate public notice (seven days) must precede Board action on designation and Controls and Incentives.

To insure the separation of designation and Controls and Incentives, Controls and Incentives may not be acted upon at the same meeting as designation. However, the owner may brief the Board on the progress of Controls and Incentives after the Board has voted on designation under a separate agenda item.

A Hearing on Controls and Incentives will take place only after the City Historic Preservation Officer and the owner have signed the Controls and Incentives Agreement. If agreed to by the Board, the Agreement will be forwarded to the Law Department for the preparation of the ordinance and on to the City Council.

If Board staff and the owner fail to reach an agreement on Controls and Incentives, staff will inform the owner and the Board that an impasse has been reached (Section 8.01b) and proceed in accordance with Section 6.01, 8.01b, and 8.03 of the Ordinance thereafter.

In the event that the Agreement reached by Board staff and the owner is disapproved by the Board, the Board shall file its objections with the owner and the Hearing Examiner and proceed in accordance with Section 8.03 of the Ordinance.

20. The Board may, at a Public Hearing and at its pleasure, add to, subtract from, or amend these Rules and Regulations adopted May 3, 1978, amended March 7, 1979 amended August 5, 1981, amended May 16, 1984, amended October 16, 1985, and amended March 4, 1987.

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