

**CITY OF SEATTLE**  
**ORDINANCE** 126576  
**COUNCIL BILL** 120311

AN ORDINANCE relating to historic preservation; imposing controls upon the Wagner Floating Home, 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 Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (“Board”), after a public meeting on April 21, 2021, voted to approve the nomination of the improvement located at 2770 Westlake Avenue N – Unit 10 (which is referred to as the “Wagner Floating Home”) for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 2, 2021, the Board voted to approve the designation of the Wagner Floating Home under SMC Chapter 25.12; and

WHEREAS, on July 7, 2021, the Board and the Wagner Floating Home’s owner agreed to controls and incentives to be applied to specific features or characteristics of the designated landmark; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

1 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

2 Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation  
3 by the Landmarks Preservation Board (“Board”) of the improvement located at 2770 Westlake  
4 Avenue N – Unit 10 (which is referred to as the “Wagner Floating Home”) is acknowledged.

5 A. Legal Description. The Wagner Floating Home is located on the property legally  
6 described as:

7 The Wagner Floating Home is described as follows, according to King County property  
8 records recorded in 2017: Unit 10, The Old Boathouse Condominium, formerly known as  
9 Hulls Moorings, a condominium, according to the declaration thereof recorded under  
10 King County Recording No. 9508010450, and any amendments thereto; said unit is  
11 located on survey map and plans filed in Volume 126 of Condominium Plats, page(s) 25  
12 through 27, amended by instrument recorded under Volume 159 of Condominium Plats,  
13 page(s) 75 and 76, in King County, Washington; except any floating home which may be  
14 located thereon.

15 B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board  
16 designated the following specific features or characteristics of the Wagner Floating Home:

- 17 1. The exterior of the house.
- 18 2. The floating log foundation/platform that supports it.

19 C. Basis of Designation. The designation was made because the Wagner Floating Home  
20 is more than 25 years old; has significant character, interest, or value as a part of the  
21 development, heritage, or cultural characteristics of the City, state, or nation; has integrity or the  
22 ability to convey its significance; and satisfies the following SMC 25.12.350 provisions:

23 1. It is associated in a significant way with the life of a person important in the  
24 history of the City, state, or nation (SMC 25.12.350.B).

25 2. It is associated in a significant way with a significant aspect of the cultural,  
26 political, or economic heritage of the community, City, state, or nation (SMC 25.12.350.C).

1                   3. It embodies the distinctive visible characteristics of an architectural style, or  
2 period, or of a method of construction (SMC 25.12.350.D).

3                   Section 2. Controls. The following controls are imposed on the features or characteristics  
4 of the Wagner Floating Home that were designated by the Board for preservation:

5                   A. Certificate of Approval Process.

6                   1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the  
7 owner must obtain a Certificate of Approval issued by the Board according to SMC Chapter  
8 25.12, or the time for denying a Certificate of Approval must have expired, before the owner  
9 may make alterations or significant changes to the features or characteristics of the Wagner  
10 Floating Home that were designated by the Board for preservation.

11                   2. No Certificate of Approval is required for the following:

12                   a. Any in-kind maintenance or repairs of the features or characteristics of  
13 the Wagner Floating Home that were designated by the Board for preservation.

14                   b. Installation, removal, or alteration of the following outdoor furnishings  
15 that are not attached to the house: benches, chairs, tables, swings, movable planters, and storage  
16 receptacles.

17                   c. Installation or removal of interior, temporary window shading devices  
18 that are operable and do not obscure the glazing when in the open position.

19                   B. City Historic Preservation Officer (CHPO) Approval Process.

20                   1. The CHPO may review and approve alterations or significant changes to the  
21 features or characteristics listed in subsection 2.B.3 of this ordinance according to the following  
22 procedure:

1 a. The owner shall submit to the CHPO a written request for the alterations  
2 or significant changes, including applicable drawings or specifications.

3 b. If the CHPO, upon examination of submitted plans and specifications,  
4 determines that the alterations or significant changes are consistent with the purposes of SMC  
5 Chapter 25.12, the CHPO shall approve the alterations or significant changes without further  
6 action by the Board.

7 2. If the CHPO does not approve the alterations or significant changes, the owner  
8 may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval  
9 under SMC Chapter 25.12. The CHPO shall transmit a written decision on the owner's request to  
10 the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a  
11 written decision constitutes approval of the request.

12 3. CHPO approval of alterations or significant changes to the features or  
13 characteristics of the Wagner Floating Home that were designated by the Board for preservation  
14 is available for the following:

15 a. The installation, removal, or alteration of ducts, conduits, HVAC vents,  
16 grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters,  
17 or other similar mechanical, electrical, and telecommunication elements necessary for the normal  
18 operation of the building or platform.

19 b. Alterations to the floating log foundation/platform when staff has not  
20 determined it to be in-kind maintenance.

21 c. Installation, removal, or alteration of exterior non-historic light fixtures,  
22 exterior security lighting, and security system equipment. If proposed equipment is similar in  
23 size and location to existing, staff may determine it to be in-kind maintenance, provided the

1 fixture or equipment does not obscure designated features and is attached to a material that is  
2 easily repairable.

3 d. Installation, removal, or alteration of exterior signage.

4 e. Installation of improvements for safety or accessibility compliance.

5 f. Installation, removal, or alteration of fire and life safety equipment.

6 g. Changes to exterior paint colors when painting a previously painted

7 material. If the proposed color is similar to the existing, staff may determine it to be in-kind  
8 maintenance.

9 h. Replacement of non-original windows and doors when located in  
10 original openings.

11 i. Emergency repairs or measures (including immediate action to secure  
12 the area, install temporary equipment, and employ stabilization methods as necessary to protect  
13 the public's safety, health, and welfare) to address hazardous conditions with adverse impacts to  
14 the buildings or site as related to a seismic or other unforeseen event. Following such an  
15 emergency, the owner shall adhere to the following:

16 1) The owner shall immediately notify the City Historic  
17 Preservation Officer and document the conditions and actions the owner took.

18 2) If temporary structural supports are necessary, the owner shall  
19 make all reasonable efforts to prevent further damage to historic resources.

20 3) The owner shall not remove historic building materials from the  
21 site as part of the emergency response.



1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 3rd day of May, 2022,  
5 and signed by me in open session in authentication of its passage this 3rd day of  
6 May, 2022.

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8 President Pro Tem of the City Council

9  Approved /  returned unsigned /  vetoed this 11th day of May, 2022.

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11 Bruce A. Harrell, Mayor

12 Filed by me this 11th day of May, 2022.

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14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments: