File #: CB 121139, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to historic preservation; imposing controls upon the Stewart House, 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 October 16, 2024, voted to approve the nomination of the improvement located at 10455 Maplewood Place SW and the site on which the improvement is located (which are collectively referred to as the "Stewart House") for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 20, 2024, the Board voted to approve the designation of the Stewart House under SMC Chapter 25.12; and

WHEREAS, on February 5, 2025, the Board and the Stewart House'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,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation. Under Seattle Municipal Code (SMC) 25.12.660, the designation by the

Landmarks Preservation Board ("Board") of the improvement located at 10455 Maplewood Place SW and the site on which the improvement is located (which are collectively referred to as "Stewart House") is acknowledged.

A. Legal Description. The Stewart House is located on the property legally described as:

Lots 8, 9, and 10 and Tracts C and D of Westwood by the Sound, as per plat recorded in Vol. 27 of Plats, on page 38, records of King County; together with tidelands of the second class situate in front of, adjacent to or abutting on said lots above the line of mean low tide; together with that portion of vacated Maplewood Place abutting adjacent thereto; together with an easement for ingress and egress over that portion of vacated Maplewood Place adjoining said Lots 5 to 17 and Tracts A to G and Westwood Reserve No. 1, of Westwood by the Sound; also Lots 8, 9, and 10 in Block 495 of Seattle Tide Land Extension No. 1 subject to a non-exclusive easement of ingress and egress across the existing driveway for the building on Lot 10 and subject to a revocable easement for a portion of the building on Lot 10 on the following described property: that portion of Lot 9, Plat of Westwood by the Sound as per plat recorded in Vol. 27 of Plats, page 38, records of King County, Washington, more fully described as follows: commencing at the northeasterly corner of Lot 10, said plat of Westwood by the Sound; thence south 60°00'00" west along the northerly line of said Lot 10, 21.23 feet to the true point of beginning; thence continuing south 60°00'00" west along said northerly line 88.98 feet; thence north 48°11'18" east 71.11 feet; thence south 83°04'40" east 24.23 feet to the true point of beginning. All situate in the City of Seattle, County of King, State of Washington.

B. Specific Features or Characteristics Designated. Under SMC 25.12.660.A.2, the Board designated the following specific features or characteristics of the Stewart House:

1. The site.

2. The exterior of the house.

3. The exterior of the garage/apartment, and the covered porch that connects them to the house.

4. Portions of the house interior, including: the main entry hall, the two-story cylindrical stair tower, the sun room, the living room, the breakfast room, the dining room, and the halls and doorways that connect them (as illustrated in Attachment A to this ordinance).

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

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

2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).

Section 2. Controls. The following controls are imposed on the features or characteristics of the Stewart House that were designated by the Board for preservation:

A. Certificate of Approval Process.

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

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

a. Any in-kind maintenance or repairs of the features or characteristics of the Stewart House that were designated by the Board for preservation.

b. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in kind.

c. Removal of trees that are not included in any of the following categories:

1) Significant to the property's history or design as outlined in the nomination application.

2) A Tier 1 or designated Heritage Tree on the City of Seattle/Plant Amnesty list.

3) A Tier 2 or Exceptional Tree per City of Seattle regulations.

d. Planting or removal of shrubs, perennials, or annuals, in locations that will never obscure the view of designated features of the landmark, or physically undermine a built feature of the landmark.

e. Installation, removal, or alteration of the following site furnishings: benches, chairs,

tables, swings, non-historic movable planters, and trash/recycling receptacles. (Note: Proposed alterations to, removal of, or relocation of historic planters/urns/vases/vessels requires a Certificate of Approval.)

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

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

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

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

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

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

3. CHPO approval of alterations or significant changes to the features or characteristics of the Stewart House that were designated by the Board for preservation is available for the following:

a. The installation, removal, or alteration of ducts, conduits, HVAC vents, grills, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, and/or other similar mechanical, electrical, and telecommunication elements necessary for the normal operation of the buildings or site.

b. Removal of trees when identified as a hazard by an International Society of Arboriculture (ISA) Certified Arborist, and not already excluded from review in subsection 2.A.2.c of this

ordinance.

c. Minor alterations to site grading, soil retention, drainage, or paving, unless the Landmarks coordinator determines it will have no impact on the character of the site.

d. Alterations to, removal of, or relocation of historic planters/urns/vases/vessels.

e. Installation, removal, or alteration of non-original exterior light fixtures, exterior security lighting, and security system equipment. If proposed equipment is similar in size and location to existing, staff may be able to determine it to be in-kind maintenance, provided the fixture or equipment does not obscure designated features and is attached to a material that is easily repairable.

f. Installation, removal, or alteration of exterior signage.

g. Installation of improvements for safety or accessibility compliance.

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

i. Changes to exterior paint colors when painting a previously painted material. If the proposed color is similar to the existing, staff may be able to determine it to be in-kind maintenance.

j. Replacement of non-original windows and doors when located in original openings.

k. Alterations to the designated interior features.

l. The Landmarks Coordinator may determine that no Certificate of Approval is required if the proposed work is consistent with in-kind repair and/or general maintenance.

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

1) The owner shall immediately notify the City Historic Preservation Officer within 24 hours, and document the conditions and actions the owner took.

2) If temporary structural supports are necessary, the owner shall make all

reasonable efforts to prevent further damage to historic resources.

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

4) In consultation with the City Historic Preservation Officer and staff, the owner shall adopt and implement a long-term plan to address any damage through appropriate solutions.

Section 3. Incentives. The following incentives are granted on the features or characteristics of the Stewart House that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued under SMC Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code and the Seattle Energy Code, adopted by SMC Chapter 22.101, may be authorized according to the applicable provisions.

C. Special tax valuation for historic preservation may be available under chapter 84.26 of the Revised Code of Washington (RCW) upon application and compliance with the requirements of that statute.

D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated landmark structure may be permitted under SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. The Stewart House is added alphabetically to Section I, Residences, of the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Recorder's Office, deliver two certified copies to the CHPO, and deliver one copy to the Director of the Seattle Department of Construction and Inspections. The CHPO is directed to provide a certified copy of this ordinance to the Stewart House's owner.

Section 7. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its passage this _____ day of _____, 2025.

_____

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

_____

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2025.

_____

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment A - Stewart House Floor Plan