



**Building and Planning Department**

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## CHEHALIS HISTORIC PRESERVATION COMMISSION AGENDA

Regular meeting of January 19, 2023

@ 5:30 PM

Chehalis City Hall, 350 North Market Boulevard

Casey Forsman, Commissioner  
Debbie Franz, Commissioner  
Jo Kuehner, Commissioner  
Kristi Kaech, Commissioner  
Pete Hammer, Commissioner  
Jill McNaught, Commissioner

Tammy Baraconi, Planning Manager  
Nick Swanson, City Planner  
Laura Fisher, Permit Technician

### AGENDA ITEMS:

1. Call to Order
2. Roll Call
3. Approval of the Agenda for January 19, 2023.
4. Approval of Meeting Minutes October 20, 2022.
5. Citizen Business
6. Old Business
7. New Business
8. Commission Business
9. Workshop
  - a. Review Model Ordinance
10. Adjourn Meeting
  - a. Next meeting to be held February 16, 2023.

Join Zoom Meeting

<https://us06web.zoom.us/j/82474552087>

1 **Historic Preservation Commission**

2 **October 20, 2022**

3  
4 Pete Hammer called meeting to order at 5:32 pm. Roll call is taken. Present: Pete Hammer, Jo Ann  
5 Kuehner, Jill McNaught, Casey Forsman.

6 Item #3 of the agenda approval of the agenda. Jo Ann Kuehner moves to approve, Casey Forsman  
7 seconds the motion. Motion carried unanimously.

8 Item #4 approval of meeting minutes for September 15, 2022. Jo Ann Kuehner moves to approve, Jill  
9 McNaught seconds the motion. Motion carried unanimously.

10 There being no Citizen Business or Old Business Pete moves to #7 on the agenda for New Business.

11 5:33pm Tammy Baraconi shares with the commissioners the need for a more current set of paint colors  
12 be selected and approved. The colors that were previously approved by the Historic Preservation  
13 Commission are no longer available. Next month staff plans to bring a new set of colors to look at. It is  
14 a lot easier for the public if the Historic Preservation Committee preapproves a set of colors to chose  
15 from. If people who want to paint their historic buildings chose from the colors that are already  
16 preapproved, they do not need to come to a meeting. When they want to choose a color that is not on  
17 the preapproved list, they need to come to a Historic Preservation meeting.

18 Jo Ann Kuehner points out that she does not yet have a binder with all of that information in it and  
19 neither do others. It is her understanding that the city Council may have the ability to give Historic  
20 Preservation Commission more authority.

21 Tammy Baraconi explains the areas and local districts where the commissioners have authority.

22 Jo Ann Kuehner would like to know more about buildings that are in the historical downtown where  
23 facades are being modified.

24 5:41pm Pete Hammer moves to item #8 on the agenda Commission Business. He asks Tammy Baraconi  
25 if there are any grants available to this commission to help improve property appearances.

26 Tammy Baraconi knows that there are grants available to help landlords through the Department of  
27 Commerce. The Department of Archeology and Historic Preservation offers a grant every 2 years. July  
28 of next year they should be offering another grant. The city can apply for grants. It has been done in the  
29 past to help come up with façade money.

30 Pete Hammer suggests it would be great to help the Colonial House get their building painted, or new  
31 siding and windows.

32 Jill McNaught has researched this and states there are Federal and State grants available for the Historic  
33 Preservation Commission. She would like to find the registry online for the city.

34 Tammy Baraconi explains that it is not online. Email Nick Swanson to obtain that information.

35 Jill McNaught wonders if the business owners downtown know they have to follow certain rules.

36 Tammy Baraconi explains that is one of the many reasons staff is looking to refresh the code. The  
37 Historic Preservation webpage may need to be updated. The city only has 11 buildings on the National  
38 Register, and she only knows of 2 buildings on the local register which are RE Bennett and Cascade.  
39 There is a process that needs to be followed to create a local district, parameters, and 60% of the  
40 structures have to contribute to a Historic Preservation District. It is her understanding that the local  
41 districts are on the national register. The office at Community Development has all sorts of paper files.  
42 It is staff's goal to get them all digitized. If someone were able to volunteer their time to help get that  
43 process done it would be greatly appreciated.

44 5:54pm Pete Hammer moves to item #9 on the agenda Workshop to review the Model Ordinance.

45 Tammy Baraconi responds that the Model Ordinance comes from the Department of Archeology and  
46 Historic Preservation. That department makes sure it is consistent with State and Federal law and Court  
47 Case law and staff has all of the important stuff captured. Nick has taken that document and has  
48 adopted it for the city of Chehalis. She recommends changing the number of members on the  
49 commission to 5 but no more than 7. This makes it easier to have a quorum.

50 Jo Ann Kuehner suggests the commission needs time to compare the two. She requests that the city  
51 Council let them be part of the historic downtown.

52 Tammy Baraconi hopes that as the commissioners are looking at it, they keep in mind that even as staff,  
53 we are an advisory to the city Council. Staff can not make decisions on anything related to taxes or  
54 spending money. That is all established by the city Council.

55 Jo Ann Kuehner states that Thurston County Historic Preservation makes all of the decisions and even  
56 make decisions for allowing tax relief.

57 Jill McNaught has done research on surrounding jurisdictions and says that they all have that authority  
58 and have the review board to make final decisions.

59 Tammy Baraconi responds that she wrote the code for the city of Centralia, and they have to go to the  
60 Council for final decisions. The Historic Preservation Commission goes to review, but it goes to the city  
61 Council for final decision. The Historic Commission holds the public hearing and are the advisory board  
62 because you are considered the experts.

63 Jill McNaught may email Tammy regarding the process of how it is supposed to go. Per the ordinance,  
64 the RCW, it is supposed to go to the assessor's office first then to the Historic Preservation Commission  
65 as a review board.

66 Pete Hammer understands that if they the building owner get this designation, they have to go through  
67 a certain process to get tax breaks.

68 Tammy Baraconi clarifies that the applicant did the research on RE Bennett and Cascade.

69 Pete Hammer understands that they are discussing the issue of whether or not it should be an unelected  
70 group of people making these decisions on how much people pay taxes. He asks if they can vote on it or  
71 if it is simply a discussion.

72 Tammy Baraconi answers Pete that the meeting is to discuss this but not make a decision at this time. It  
73 will come to the Historic Preservation Committee in a Public Hearing so that you can review the code  
74 and make recommendation to the city Council for the record.

75 Pete Hammer states he is personally ok with not having that ability. He feels strongly that elected  
76 officials should make the decisions about taxes. He does not agree that the Historic Preservation  
77 Commission should have that power.

78 Jo Ann Kuehner could possibly agree but is holding out for the city Council to give them some sort of  
79 power over being able to do our job.

80 Tammy Baraconi asks if Jo Ann Kuehner would like to add some language to the code about possible  
81 code enforcement. She is happy to assist with that and bring it to the Council.

82 Jill McNaught would like to know specifically what Tammy is proposing to change.

83 Tammy Baraconi responds that staff is proposing to replace and repeal the entire thing.

84 Casey Forsman brings up the concern about painting the murals appropriate historical colors.

85 Tammy Baraconi thinks it would be appropriate to put language in the code about how murals must be  
86 approved by the Historic Commission in a historic district. Staff will work on getting binders to the  
87 commissioners. In the binders will be the design criteria for downtown.

88 Pete Hammer feels that the city Council does value what the commission recommends.

89 Jill McNaught recommends that the commissioners look at other jurisdictions and also compare what  
90 was done in the past to what it is now.

91 Tammy Baraconi proposes that they continue with the commissioner's terms to be at 3 years.

92 Jill McNaught suggests the commissioners review Centralia's code chapter 2.58.

93 6:14pm Pete Hammer refers to #10 on the agenda to re-open and adjourn the meeting. Jo Ann Kuehner  
94 moves to adjourn the meeting. Casey Forsman seconds the motion. Motion carried unanimously.  
95 Meeting adjourned.

96

97 Approved by: \_\_\_\_\_

98 Pete Hammer, Chair

99 Recorded by: \_\_\_\_\_

100 Laura Fisher, Permit Technician



## CHEHALIS HISTORIC PRESERVATION ORDINANCE

<b>Section 1</b>	Purpose
<b>Section 2</b>	Title
<b>Section 3</b>	Definitions
<b>Section 4</b>	Chehalis Historic Preservation Commission
<b>Section 5</b>	Chehalis Register of Historic Places
<b>Section 6</b>	Review of Changes to Chehalis Register Properties

### SECTION 1. PURPOSE

The purpose of this ordinance is to provide for the identification, evaluation, designation, and protection of designated historic and prehistoric resources within the boundaries of the City of Chehalis and preserve and rehabilitate eligible historic properties within the City of Chehalis for future generations in order to:

- A. Safeguard the heritage of the City of Chehalis as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the local history;
- B. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on Chehalis' history;
- C. Stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects;
- D. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;
- E. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and,
- F. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

### SECTION 2. SHORT TITLE

The following sections shall be known and may be cited as the "historic preservation ordinance of the City of Chehalis."

### SECTION 3. DEFINITIONS

The following words and terms when used in this ordinance shall mean as follows, unless a different meaning clearly appears from the context:

- A. "Chehalis Historic Inventory" or "Inventory" means the comprehensive inventory of historic and prehistoric resources within the boundaries of Chehalis.
- B. "Chehalis Historic Preservation Commission" or "Commission" means the commission created by Section 4 herein.
- C. "Chehalis Register of Historic Places", "Local Register", or "Register" means the listing of locally designated properties provided for in Section 5 herein.
- D. A "building" is a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.
- E. "Certificate of Appropriateness" means the document indicating that the commission has reviewed the proposed changes to a local register property or within a local register historic district and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation.
- F. "Certified Local Government" or "CLG" means the designation reflecting that the local government has been jointly certified by the State Historic Preservation Officer and the National Park Service as having established its own historic preservation commission

and a program meeting Federal and State standards.

- G. A “district” is a geographically definable area urban or rural, small or large—possessing a significant concentration, linkage, or continuity of sites buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.
- H. “Emergency repair” means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.
- I. “Historic property” means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is listed in a local register of a Certified Local Government or the National Register of Historic Places.
- J. “Incentives” are such rights or privileges or combination thereof which the City Council, or other local, state, or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of Register properties. Examples of economic incentives include but are not limited to conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, beneficial placement of public improvements or amenities, or the like.
- K. “Local Review Board”, or “Board” used in Chapter 84.26 RCW and Chapter 254-20 WAC for the special valuation of historic properties means the commission created in Section 4 herein.
- L. “National Register of Historic Places” means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering, or cultural heritage.
- M. An “object” is a thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- N. “Ordinary repair and maintenance” means work for which a permit issued by the City of Chehalis is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage.
- O. “Owner” of property is the fee simple owner of record as exists on the Lewis County Assessor’s records.
- P. “Significance” or “significant” used in the context of historic significance means the following: a property with local, state, or national significance is one which helps in the understanding of the history or prehistory of the local area, state, or nation (whichever is applicable) by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area can include Chehalis, Lewis County, or Southwestern Washington, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.
- Q. A “site” is a place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of ruined or now non-extant building or structure of the location itself possesses historic cultural or archaeological significance.
- R. “State Register of Historic Places” means the state listing of properties significant to the community, state, or nation but which may or may not meet the criteria of the National Register.
- S. A “structure” is a work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.
- T. “Universal Transverse Mercator” or “UTM” means the grid zone in metric measurement providing for an exact point of numerical reference.
- U. “Waiver of a Certificate of Appropriateness” or “Waiver” means the document indicating that the commission has reviewed the proposed whole or partial demolition of a local register property or in a local register historic district and failing to find alternatives to demolition has issued a waiver of a Certificate of Appropriateness which allows the building or zoning official to issue a permit for demolition.

## SECTION 4. CHEHALIS HISTORIC PRESERVATION COMMISSION

### A. Creation and Size

There is hereby established a Chehalis Historic Preservation Commission, consisting of 8 members, as provided in subsection 4-B below. Members of the City of Chehalis Historic Preservation Commission shall be appointed by the Mayor and approved by the City Council and shall be residents of the City of Chehalis, except as provided in subsection 4-B below.

### B. Composition of the Commission

1. All members of the commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgement.
2. The commission shall always include five (5) professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines. The commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting Certified Local Government (CLG) responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the State. Furthermore, exception to the residency requirement of commission members may be granted by the Mayor and City Council in order to obtain representatives from these disciplines.
3. In making appointments, the Mayor may consider names submitted from any source, but the Mayor shall notify history and Chehalis development related organizations of vacancies so that names of interested and qualified individuals may be submitted by such organizations for consideration along with names from any other source.

### C. Terms

The original appointment of members to the commission shall be as follows: two (2) for two (2) years, two (2) for three (3) years; and one (1) for four (4) years. Thereafter, appointments shall be made for a three (3) year term. Vacancies shall be filled by the Mayor for the unexpired term in the same manner as the original appointment.

### D. Powers and Duties

The major responsibility of the Historic Preservation Commission is to identify and actively encourage the conservation of the city's historic resources by initiating and maintaining a register of historic places and reviewing proposed changes to register properties; to raise community awareness of the city's history and historic resources; and to serve as the city's primary resource in matters of history, historic planning, and preservation.

In carrying out these responsibilities, the Historic Preservation Commission shall engage in the following:

1. Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the City of Chehalis and known as the Chehalis Historic Inventory and publicize and periodically update inventory results. Properties listed on the inventory shall be recorded on official zoning records with an "HI" (for historic inventory designation). This designation shall not change or modify the underlying zone classification.
2. Initiate and maintain the Chehalis Register of Historic Places. This official register shall be compiled of buildings, structures, sites, objects, and districts identified by the commission as having historic significance worthy of recognition and protection by the City of Chehalis and encouragement of efforts by owners to maintain, rehabilitate, and preserve properties.
3. Review nominations to the Chehalis Register of Historic Places according to criteria in Section 5 of this ordinance and adopt standards in its rules to be used to guide this review.
4. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register as provided in Section 6; and adopt standards in its rules to be used to guide this review and the issuance of a certificate of appropriateness or waiver.
5. Provide for the review either by the commission or its staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources or adjacent properties.
6. Conduct all commission meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation and adopt standards in its rules to guide this action.
7. Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic and prehistoric resources.
8. Establish liaison support, communication and cooperation with federal, state, and other local government entities which will further historic preservation objectives, including public education, within the Chehalis area.
9. Review and comment to the City Council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the City of Chehalis, other neighboring communities, Lewis County, the state or federal

governments, as they relate to historic resources of the City of Chehalis.

10. Advise the City Council and the Mayor generally on matters of Chehalis history and historic preservation.
11. Perform other related functions assigned to the Commission by the City Council or the Mayor.
12. Provide information to the public on methods of maintaining and rehabilitating historic properties. This may take the form of pamphlets, newsletters, workshops, or similar activities.
13. Officially recognize excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas; and encourage appropriate measures for such recognition.
14. Be informed about and provide information to the public and city departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.
15. Review nominations to the State and National Registers of Historic Places.
16. Investigate and report to the City Council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in the City of Chehalis.
17. The commission shall adopt rules of procedure to address items 3, 4, and 6 inclusive.

#### **E. Compensation**

All members shall serve without compensation.

#### **F. Rules and Officers**

The commission shall establish and adopt its own rules of procedure, and shall select from among its membership a chairperson and such other officers as may be necessary to conduct the commission's business.

#### **G. Commission Staff**

Commission and professional staff assistance shall be provided by City Staff as may be necessary to aid the commission in carrying out its duties and responsibilities under this ordinance.

### **SECTION 5. CHEHALIS REGISTER OF HISTORIC PLACES**

#### **A. Criteria for Determining Designation in the Register**

Any building, structure, site, object, or district may be designated for inclusion in the Chehalis Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least 50 years old, or is of lesser age and has exceptional importance; and if it falls in at least one of the following categories.

1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
2. Embodies the distinctive architectural characteristics of a type, period, style, or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction.
3. Is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art.
4. Exemplifies or reflects special elements of the City of Chehalis' cultural, special, economic, political, aesthetic, engineering, or architectural history.
5. Is associated with the lives of persons significant in national, state, or local history.
6. Has yielded or may be likely to yield important archaeological information related to history or prehistory.
7. Is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with a historic person or event.
8. Is a birthplace or grave of a historical figure of outstanding importance and is the only surviving structure or site associated with that person.
9. Is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns.
10. Is a reconstructed building that has been executed in a historically accurate manner on the original site.
11. Is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories.

#### **B. Process for Designating Properties or Districts to the Chehalis Register of Historic Places**

1. Commission Members may nominate a building, structure, site, object, or district for inclusion in the Chehalis Register of Historic Places. Members of the Historic Preservation Commission or the commission as a whole may generate nominations. In its designation decision, the commission shall consider the Chehalis Historic Inventory and the Chehalis Comprehensive



Plan.

2. In the case of individual properties, the designation shall include the UTM reference and all features—interior and exterior—and outbuildings that contribute to its designation.
3. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district justifying its designation; and a list of all properties including features, structures, sites, and objects contributing to the designation of the district.
4. The Chehalis Historic Preservation Commission shall consider the merits of the nomination, according to the criteria in Section 5 and according to the nomination review standards established in rules, at a public meeting. Adequate notice will be given to the public, the owner(s) and the authors of the nomination, if different, and lessees, if any, of the subject property prior to the public meeting according to standards for public meetings established in rules and in compliance with Chapter 42.30 RCW, Open Public Meetings Act. Such notice shall include publication in a newspaper of general circulation in Chehalis any other form of notification deemed appropriate by the City of Chehalis. If the commission finds that the nominated property is eligible for the Chehalis Register of Historic Places, the commission shall make recommendation to the City Council that the property be listed in the Register with owner’s consent. In the case of historic districts, the commission shall consider a simple majority of property owners to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The public, property owner(s) and the authors of the nomination, if different, and lessees, if any, shall be notified of the listing.
5. Properties listed on the Chehalis Register of Historic Places shall be recorded on official zoning records with an “HR” (for Historic Register) designation. This designation shall not change or modify the underlying zone classification.

**C. Removal of Properties from the Register**

In the event that any property is no longer deemed appropriate for designation to the Chehalis Register of Historic Places, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation, subsection 5-B. A property may be removed from the Chehalis Register of Historic Places without the owner’s consent.

**D. Effects of Listing on the Register**

1. Listing on the Chehalis Historic Preservation Commission is a designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to a historic district.
2. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures defined in Section 3, the owner must request and receive a Certificate of Appropriateness from the commission for the proposed work. Violation of this rule shall be grounds for the commission to review the property for removal from the register.
3. Prior to whole or partial demolition of a register property, the owner must request and receive a waiver of a Certificate of Appropriateness.

**SECTION 6. REVIEW OF CHANGES TO CHEHALIS REGISTER OF HISTORIC PLACES PROPERTIES**

**A. Review Required**

No person shall change the use, construct any new building or structure, or reconstruct, alter, restore, remodel, repair, move, or demolish any existing property on the Chehalis Register of Historic Places or within a historic district on the Chehalis Register of Historic Places without review by the commission and without receipt of a Certificate of Appropriateness, or in the case of demolition, a waiver, as a result of the review.

The review shall apply to all features of the property, interior and exterior, that contribute to its designation and are listed on the nomination form. Information required by the commission to review the proposed changes are established in rules.

**B. Exemptions**

The following activities do not require a Certificate of Appropriateness or review by the commission: ordinary repair and maintenance—which includes painting—or emergency measures defined in Section 3.

**C. Review Process**

1. **Requests for Review and Issuance of a Certificate of Appropriateness or Waiver**  
The building or zoning official shall report any application for a permit to work on a designated Chehalis Register of Historic Places

property or in a Chehalis Register of Historic Places historic district to the commission. If the activity is not exempt from review, the commission or professional staff shall notify the applicant of the review requirements. The building or zoning official shall not issue any such permit until a Certificate of Appropriateness or a waiver is received from the commission but shall work with the commission in considering building and fire code requirements.

2. **Commission Review**

The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the commission for a review of proposed changes on a Chehalis Historic Preservation Commission property or within a Chehalis Historic Preservation Commission historic district and request a Certificate of Appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the commission established in its rules for the proper review of the proposed project.

The commission shall meet with the applicant and review the proposed work according to the design review criteria established in rules. Unless legally required, there shall be no notice, posting, or publication requirements for action on the application, but all such actions shall be made at regular meetings of the commission. The commission shall complete its review and make its recommendations within thirty (30) calendar days of the date of receipt of the application. If the commission is unable to process the request, the commission may ask for an extension of time.

The commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted. If the owner agrees to the commission's recommendations, a Certificate of Appropriateness shall be awarded by the commission according to standards established in the commission's rules.

The commission's recommendations and, if awarded, the Certificate of Appropriateness shall be transmitted to the building or zoning official. If a Certificate of Appropriateness is awarded, the building or zoning official may then issue the permit.

3. **Demolition**

A waiver of the Certificate of Appropriateness is required before a permit may be issued to allow whole or partial demolition of a designated Chehalis Register of Historic Places property or in a Chehalis Register of Historic Places district. The owner or his/her agent shall apply to the commission for a review of the proposed demolition and request a waiver. The applicant shall meet with the commission in an attempt to find alternatives to demolition. These negotiations may last no longer than 45 calendar days from the initial meeting of the commission, unless either party requests an extension. If no request for an extension is made and no alternative to demolition has been agreed to, the commission shall act and advise the official in charge of issuing a demolition permit of the approval or denial of the waiver of a Certificate of Appropriateness. Conditions in the case of granting a demolition permit may include allowing the commission up to 45 additional calendar days to develop alternatives to demolition. When issuing a waiver, the board may require the owner to mitigate the loss of the Chehalis Register of Historic Places property by means determined by the commission at the meeting. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted. After the property is demolished, the commission shall initiate removal of the property from the register.

4. **Appeal of Approval or Denial of a Waiver of a Certificate of Appropriateness.**

The commission's decision regarding a waiver of a Certificate of Appropriateness may be appealed to the City Council within ten days. The appeal must state the grounds upon which the appeal is based.

The appeal shall be reviewed by the council only on the records of the commission. Appeal of Council's decision regarding a waiver of a Certificate of Appropriateness may be appealed to Superior Court.