



Building and Planning Department

1321 S Market Blvd. Chehalis, WA 98532

(360) 345-2229 / Fax: (360) 345-1039

www.ci.chehalis.wa.us email: comdev@ci.chehalis.wa.us

CHEHALIS HISTORIC PRESERVATION COMMISSION AGENDA

Regular meeting of April 20, 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
Mitch Moeber, Commissioner
John Six, Commissioner

Tammy Baraconi, Planning Manager
Laura Fisher, Permit Technician

AGENDA ITEMS:

1. Call to Order
2. Roll Call
3. Approval of the Agenda for March 16, 2023.
4. Citizen Business
5. Old Business
 - a. Review of the Model Ordinance. The DAHP model ordinance can be found [here](#).
6. New Business
7. Commission Business
8. Adjourn Meeting
 - a. Next meeting to be held May 18, 2023.

Join Zoom Meeting

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

1 **Historic Preservation Commission**

2 **Meeting Minutes 3-16-2023**

3
4 Pete Hammer called meeting to order at 5:38pm. Roll call taken. Present: Pete Hammer, Jo Ann
5 Kuehner, Kathy Smith, John Six, Mitch Moberg, Jill McNaught, Casey Forsman (via phone)

6 Pete Hammer entertains a motion to approve the agenda for March 16, 2023. Jo Ann points out some
7 errors on the agenda that need to be corrected. Jo Ann moves to approve the agenda. Motion carried
8 unanimously.

9 No Citizen Business.

10 Old Business. New dedicated email addresses for Historic Preservation Commission. Agendas will be
11 sent to this new email address.

12 5:41pm Pete Hammer moves to item 5. b) Follow up from February meeting.

13 Tammy addresses any questions or comments regarding previous meeting. Jo Ann notes the minutes
14 were not approved in the last meeting. Pete entertains a motion to add the minutes from February 16,
15 2023 to the agenda. Jo Ann notes there were items in the minutes that she thought would be added to
16 this meetings agenda. Jill McNaught seconds the motion. Motion carried unanimously.

17 Pete Hammer moves to item 5. c) Reviewing the Model Ordinance.

18 Tammy asks to review Model Ordinance as there are new members of the Commission prior to a Public
19 Hearing. She clarifies that Historic Preservation Commission will be making a recommendation on the
20 ordinance and given the opportunity to take public testimony on it. The Council will be who makes the
21 decision. It will be advertised so that the public is aware this is going to a hearing.

22 Jo Ann speaks to the ordinance that is in place as of now that the council voted on in 2021. She states
23 what is provided to them now is different than what was provided before by the previous planner.
24 They've already voted on it. She would like to know why staff wants to change it. She would like to
25 discuss this further.

26 Tammy agrees with Jo Ann there should be further discussion. The code we are currently following was
27 adopted in 2012 not 2021. There have been court cases that have happened since that ordinance was

28 adopted. Ordinances should be reviewed at least once every 10 years to make sure we are following
29 court cases. She explains that the vote has to take place at a Public Hearing. It is for a recommendation
30 only. Decisions made about code must be done in a Public Hearing. Tammy provides clarification to
31 John Six on the difference between the Public Hearing and a Public Meeting.

32 Casey Forsman would like to know if it is their responsibility to do the research on the legal cases.

33 Tammy explains that the document before the commissioners comes from the Department of
34 Archeology and Historic Preservation. It is their model ordinance.

35 Jill McNaught would like to see the court cases Tammy is referring to and the state law regarding this.

36 Tammy clarifies that this ordinance is not proposing that this commission no longer make decisions as to
37 what happens to a historic structure that is on one of our historic registers. This code states that you
38 will hold a public hearing for structures and sites that go on the local historic register. In that Public
39 Hearing the Historic Preservation Commission will make a recommendation to the Council. One of the
40 functions of this commission is to issue a Certificate of Appropriateness.

41 Jill McNaught tells Tammy the tax vilification process has been taken away.

42 Tammy explains that once someone has a special tax valuation, they have to get a Certificate of
43 Appropriateness when they want to change something. It has to come to this commission for that
44 decision to be made. The council will be asked to make the decision on putting a structure on the
45 register. The rest of the decisions remain with the commission. Discussion is had regarding painting a
46 structure. The commission can make recommendations but can not dictate what color they paint it.

47 Jill suggests the group reads the laws. She states that the RCW's are not in the new ordinance being
48 proposed.

49 John Six speaks to the commission regarding the permitting process for a historic building. The
50 commission could provide guidance to building owners on updates, paint colors, etc.

51 Jill expresses concerns about how they could get kicked out of the national registry.

52 Mitch shares with the group his opinion on the recent investments and improvements being made to
53 the downtown.

54 Jo Ann reads aloud WAC 254.20.060. Special Valuation for Historic Properties

55 Tammy states that the code presented to them has been vetted by the Department of Archeology and
56 Historic Preservation. She feels confident this will pass legal scrutiny.

57 Jill would like Tammy to email her that information.

58 Tammy will email the group the link for the model ordinance.

59 John Six shares his thoughts on the tax valuation program and the difficulties with applying for it. There
60 being a lot of focus on this one thing, but no one is applying for it. Mitch Moberg also shares his
61 personal experience regarding the tax program and how he decided not to apply.

62 Jill asks, even it is never used, why does it need to go away.

63 Casey suggests that the new members look at all of the material first.

64 6:21pm Pete Hammer states that it will be discussed in the next meeting. Jill proposed that there be
65 one more meeting to discuss it further.

66 Kathy Smith adds her experience regarding paint colors. She has been online looking at other cities. It is
67 only a preferred or suggested color palette. It is just a suggestion to compliment our town. The group
68 does need to pick a new color palette as theirs is no longer available.

69 Tammy explains that a permit is not needed to paint a building however if it is historical we can suggest
70 an array of colors.

71 6:24pm Pete Hammer moves to item 6. New Business.

72 Jo Ann suggests the new members look at the Rules & Bylaws.

73 Tammy encourages the group to wait on changing any rules. They need to be consistent with the
74 ordinance.

75 Jo Ann reads aloud a section of the Rules & Bylaws regarding subcommittees.

76 Tammy encourages the code issues be resolved first and then come back to talk about the rules that
77 govern the group and committees. Subcommittees can meet outside of the public meeting once they
78 are established through a public meeting process. There can be no more than 3 people on a
79 subcommittee to avoid a quorum.

80 Jill shares what she has learned with the group online from the Olympia Heritage Commission. They
81 have subcommittees.

82 6:29pm Pete Hammer moves to item 7. Commission Business. There being none he entertains a motion
83 to adjourn the meeting. Jo Ann Kuehner motions to adjourn, John Six seconds the motion. Motion
84 carried unanimously.

85

86 Approved by: _____

87 Pete Hammer, Chair

88 Recorded by: _____

89 Laura Fisher, Permit Technician

Chapter 2.66

CHEHALIS HISTORIC PRESERVATION ORDINANCE

2.66.010	Purpose
2.66.030	Title
2.66.050	Definitions
2.66.070	Chehalis Historic Preservation Commission
2.66.090	Chehalis Register of Historic Places
2.66.110	Review of Changes to Chehalis Register Properties

2.66.010 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.

2.66.030 SHORT TITLE

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

2.66.050 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.

2.66.070 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 eight (8) 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: three (3) for two (2) years, three (3) for three (3) years; and two (2) 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.

2.66.090 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.

2.66.110 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.