

**Building and Planning Department**

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CHEHALIS HISTORIC PRESERVATION COMMISSION AGENDA

Regular meeting of May 18, 2023

@ 5:30 PM

Chehalis City Hall, 350 North Market Boulevard

Casey Forsman, Commissioner
Kathy Smith, Commissioner
Jo Kuehner, Commissioner
Pete Hammer, Commissioner
Jill McNaught, Commissioner
Mitch Moeberg, 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 April 20, 2023.
4. Citizen Business (This is an opportunity for members of the public to speak on items not listed elsewhere in the agenda.)
5. Commission business.
6. Public Hearing

The Historic Preservation Commission shall take public testimony on proposed changes to CMC 2.66 Historic Preservation Ordinance. After careful deliberation, the Commission will make a recommendation to the City Council to adopt, adopt with changes, or deny the proposed code.

7. Adjourn Meeting
 - a. Next meeting to be held June 15, 2023.

Join Zoom Meeting <https://us06web.zoom.us/j/82474552087>

1 **Historic Preservation Commission**

2 **Meeting Minutes April 20, 2023**

3
4 5:31pm Meeting called to order by Vice Chair Jo Ann Kuehner.

5 **In Attendance:** Jo Ann Kuehner- Vice Chair, Jill McNaught, Mitch Moberg, Kathy Smith, John Six, Casey
6 Forsman

7 **Approval of the Agenda:** with corrections made. Remove names Debbie Franz and Kristi Kaech and add
8 Commissioner name Kathy Smith. John Six made motion to approve, Kathy Smith seconds the motion.
9 Motion carried unanimously.

10 **Minutes:** for March 16, 2023 Kathy Smith motions to approve, John Six seconds the motion. All in favor.
11 Motion carried unanimously.

12 **Citizen Business:** None

13 **Old Business:** Discussions had for review of the Model Ordinance. Tammy Baraconi will add language
14 about the Certificate of Appropriateness. Public Hearing to be held at next meeting date of May 18th.
15 On June 15th Michelle Thompson with the Department of Archeology & Historic Preservation has
16 tentatively agreed to come talk with the group about the responsibilities and duties of the group as a
17 Certified Local Government.

18 **New Business:** None

19 **Commission Business:** Public Hearing May 18th

20 6:10pm Vice Chair Jo Ann Kuehner adjourns meeting.

21
22 Approved by: _____

23 Pete Hammer, Chair

24 Recorded by: _____

25 Laura Fisher, Permit Technician

City of Chehalis
Historic Preservation Commission
Staff Report
May 18, 2023

To: Historic Preservation Commission
From: Tammy Baraconi
Date: May 18, 2023
Subject: Proposed changes to CMC 2.66 Historic Preservation

Introduction

Historic preservation in the City of Chehalis is regulated by CMC 2.66 Historic Preservation. (Exhibit A) This ordinance was created in 1993 with Ordinance 508B. Except for CMC 2.66.130 Process for designating properties or districts in city register, the ordinance stands intact from the original adoption. CMC 2.66.130 was adopted in 2006 Ordinance 810B. Given that in the last thirty (30) years there have been changes in state law, federal law, state policy, and federal policy, this code review was presented to the Historic Preservation Commission (HPC) for review.

Staff first presented the model ordinance to the HPC on October 20, 2022. This model ordinance came from the Department of Archaeology and Historic Preservation and was modified to reflect the local conditions and referencing the City of Chehalis as appropriate. (Exhibit B) The Commission has reviewed this code at seven (7) of the subsequent eight (8) meetings.

While all code changes are enacted by the City Council, it is important that the Historic Preservation Commission have an opportunity to review and make a recommendation to the Council on the proposed code.

Below is a list and discussion of significant changes from the current CMC 2.66 Historic Preservation to the proposed CMC 2.66 language. This list is not intended to be complete list of all proposed changes.

	Current Text		Proposed Text
CMC 2.66.030 Definitions	Currently thirteen definitions that pertain to historic preservation.	CMC 2.66.050 Definitions	26 proposed definitions for historic preservation.
	<i>Discussion: Additional definitions are added to better define the HPC's duties with regards to the Special Tax Valuation process among others.</i>		
CMC 2.66.040 through CMC 2.66.100	These sections identify size, composition, terms, powers and duties, compensation, rules and officers, and staff.	CMC 2.66.070 The City of Chehalis Historic Commission	All these codes are carried into the proposed code with changes as identified in this chart.
	<i>Discussion: Sections were combined to streamline the code.</i>		
CMC 2.66.040 Creation and Size	Currently there is a requirement for seven (7) members of the Commission.	CMC 2.66.070(A) Creation and size	The proposed language is for five (5) members.

	<p><i>Discussion: In recent years it has become difficult finding applicants to serve on all commissions and boards for the City. Larger commissions and boards struggle with maintaining a quorum to conduct business. By reducing the size of the commission from seven (7) to five (5), the commission will only need three (3) members present to conduct business.</i></p> <p><i>Staff proposes retaining the current seven (7) member commission and allowing seats to be removed as they come up for reappointment until five (5) have been reached.</i></p>		
CMC 2.66.070 Commission – Powers and duties.	Currently there are only thirteen (13) identified powers and duties.	CMC 2.66.070(D) Powers and Duties	Powers and Duties are expanded to eighteen (18).
	<p><i>Discussion: The eighteen (18) powers and duties are essentially the same as the current powers and duties with additional language added to clarify duties such as special tax valuation. It also allows the commission limited authority to establish by-laws outlining the procedures to conduct meetings and hearings in compliance with local and state law.</i></p>		
CMC 2.66.130 Process for designating properties or districts in city register.	This code establishes how the HPC will review and place properties, sites, and districts on the local register.	CMC 2.66.070(D)(3)	Requires the HPC conduct the public meeting and consider the nomination's merits before making a recommendation to the City Council for inclusion on the Chehalis Register of Historic Places.
	<p><i>Discussion: RCW 84.26 Historic Property only allows the Historic Preservation Commission to make decisions regarding special tax valuation. And one of the criteria for receiving special tax valuation is to be listed on the Chehalis Register of Historic Places. Since the current code allows the HPC to make the decision about which properties go on the local register, the only opportunity that the City Council will have to decide if it is appropriate for a property to be considered for special tax valuation is at the time the property is listed on the local register.</i></p>		
CMC 2.66.130 (A) Process for designating properties or districts in the city register	This code allows anyone to nominate a building, site, or district for inclusion in the Chehalis Register of Historic Places.	CMC 2.66.090(B)	This code restricts nominations to the property owners.
	<p><i>Discussion: Placing a property on the local register adds an additional level of regulation to the property. Given the relationship between historic preservation and individual property rights, staff are recommending that by requiring the property owner to nominate, it will demonstrate their willingness to subject the property to the additional regulations.</i></p>		
CMC 2.66.150 and .160 Review of	These sections are included within the proposed code	CMC 2.66.110 Review of changes	Essentially the requirements are the same as the current code but

changes to register - Process	changes.	to Chehalis Register of Historic Places Properties.	they are more robust to provide additional guidance during the decision making phase of the Commission.
	<p><i>Discussion: Staff has found that the current code does not provide enough specificity to guide staff and commission in the decision-making process for historic properties. The current code does not identify when review by the commission is not required.</i></p> <p><i>The proposed code states that review by the commission is not required for ordinary repair and maintenance, including painting, or emergency measures. Definitions for these actions can be found in the definition section of the proposed code. CMC 2.66.050 Definitions.</i></p> <p><i>In addition, the existing code does not establish an appeal process for review of changes to properties on the local register. The proposed code allows for a property owner to appeal a decision of the commission for decisions other than special tax valuation, to the City Council.</i></p>		
2.66.200 Review and monitoring of properties for special property tax valuation.	The current code lacks a clear process for awarding and reviewing properties for special tax valuation.	CMC 2.66.120 Review and monitoring of properties for special property tax valuation.	This code, which comes from the model ordinance, is more robust in guiding staff and the commission in the use of special property tax valuation.
	<p><i>Discussion: Special property tax valuation is a vital tool to encourage the preservation of historic structures. However, the current code does not adequately address procedures, criteria for decision making, the authority to enter into an agreement with a property owner, or the criteria of said agreement. It also does not describe an appeal process if a property owner is denied a request for special property tax valuation.</i></p> <p><i>The proposed language more clearly states the process and procedures for special property tax valuation, removing much of the ambiguity our current code provides.</i></p> <p><i>Staff are concerned that these omissions from the current code put the city in a vulnerable position and opens the door to an inconsistent process from one property owner to another.</i></p>		

Public Notification and Comment

Notice for this Public Hearing was published in The Chronicle on May 4, 2023. No comment was received because of this notification. (Exhibit C)

Staff recommendation

Staff recommends that the Historic Preservation Commission make a recommendation to the City Council to adopt the proposed changes to CMC 2.66 Historic Preservation.

Suggested language

If Recommend Approval

Make the motion that the Historic Preservation Commission make a recommendation to the City Council to adopt the proposed changes to CMC 2.66 Historic Preservation (with the following changes).

If Recommend Deny

Make the motion that the Historic Preservation Commission make a recommendation to the City Council to deny the proposed changes to CMC 2.66 Historic Preservation for the following reasons:

Exhibit A: Current code CMC 2.66 Historic Preservation.

Exhibit B: Proposed code CMC 2.66 Historic Preservation.

Exhibit C: Affidavit of Publication for the public hearing.

Chapter 2.66 HISTORIC PRESERVATION

Sections:

[2.66.010 Title.](#)

[2.66.020 Findings and purpose.](#)

[2.66.030 Definitions.](#)

[2.66.040 Commission – Creation and size.](#)

[2.66.050 Commission – Composition.](#)

[2.66.060 Commission – Terms.](#)

[2.66.070 Commission – Powers and duties.](#)

[2.66.080 Commission – Compensation.](#)

[2.66.090 Commission – Rules and officers.](#)

[2.66.100 Commission – Staff.](#)

[2.66.110 Criteria for determining designation in city register.](#)

[2.66.120 Review of properties nominated for National Register.](#)

[2.66.130 Process for designating properties or districts in city register.](#)

[2.66.140 Review of changes to register – Required.](#)

[2.66.150 Review of changes to register – Process.](#)

[2.66.160 Factors to consider in reviewing changes to historic register property.](#)

[2.66.170 Commission findings.](#)

[2.66.180 Removal of properties from register.](#)

[2.66.190 Relationship to zoning.](#)

[2.66.200 Review and monitoring of properties for special property tax valuation.](#)

2.66.010 Title.

This chapter shall be known and may be cited as the historic preservation ordinance. [Ord. 508B,

1993.]

2.66.020 Findings and purpose.

A. The city council finds that:

1. The recognition, enhancement, perpetuation, and continued use of the buildings, sites, and districts of historical significance within the city is in the interest of civic pride and the prosperity and general welfare of the city's inhabitants;
2. Historic assets are an integral part of the heritage, education, and economic base of the city and the economic, cultural, and aesthetic standing of the city can only be maintained and enhanced by conserving its heritage and by maintenance of its cultural assets; and
3. Chapter 84.26 RCW encourages maintenance, improvement, and preservation of privately owned historic buildings by providing for special property tax valuation for improvements to historic property approved by a local review board.

B. The purpose of this chapter is to provide for the identification, enhancement, perpetuation, and use of the historic resources within the city in order to:

1. Safeguard the heritage of the city as presented by those buildings, sites, and districts which reflect significant elements of the city's history;
2. Strengthen the economic vitality of the city by promoting the stabilization and improvement of property values in historic areas and by encouraging new building and development that will be harmonious with existing historic buildings and areas;
3. Foster civic pride in the accomplishments of the past and a sense of identity based on the city's history;
4. Protect and enhance the city's ability to attract tourists and visitors, thereby stimulating the local economy;
5. Assist, encourage, and provide incentives to private property owners for conservation, renovation, restoration, redevelopment, and use of historic buildings, districts, neighborhoods, streets, and sites;
6. Promote and facilitate the early identification and resolution of conflicts between the preservation of historic resources and alternative land uses; and
7. Conserve valuable material and energy resources by ongoing use and maintenance of the existing environment. [Ord. 508B, 1993.]

2.66.030 Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless a different meaning clearly appears from the context:

“Building” means a structure constructed by human beings. The meaning includes both residential and nonresidential buildings, main, and accessory buildings.

“Comprehensive plan” means the comprehensive plan of the city which cites policies and goals that have been adopted by the city council to guide the development of the city as a whole, including specific areas and neighborhoods.

“District” means a geographically definable area containing buildings, sites, objects, and spaces linked historically through location, design, setting, material, workmanship, feeling, and/or association. The significance of a district is the product which the sense of time and place in history its individual components collectively convey. This sense may relate to developments during one period or through several periods in history.

“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.

“Historic commission” or “commission” means the Chehalis historic commission created and established by this chapter.

“Historic property” means property with adequate historic significance to be included in the city, state, or National Historic Register and property within a historic district, which contributes to the district’s historic setting, style, and integrity.

“Historic register” or “register” means the listing of property having “special historic significance” as defined in this section. The city historic register is developed and maintained by the city. State and national historic registers are maintained by the appropriate state or national agency.

“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 of historic property. Examples of economic incentives include, but are not limited to, tax relief, 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.

“Ordinary repair and maintenance” means work for which the city does not require a building permit and the purpose and effect of which is to correct any deterioration or decay of or damage to the real property or structural appurtenance thereto, and to restore the same as nearly as may be practicable to the condition prior to the occurrence of such deterioration, decay, or damage.

“Owner” means the fee simple owner of record of real property as shall appear in the records of the assessor of Lewis County, Washington.

“Properties eligible for special evaluation” means all historic properties in the city.

“Significance” or “significant” or “special historic significance,” used in the context of historic significance, means a property which helps in the understanding of the history of the local area, state, or nation, whichever is applicable, by depicting the local, state, or national impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area may include the city, Lewis County, southwest Washington, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that depicts a theme that is important to one or more localities. State significance may apply to a property that depicts a theme that is important to the history of this state. National significance may apply to a property of exceptional value in representing or depicting an important theme in the history of the nation.

“Site” is a place where a significant event or pattern of significant events occurred. A site 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 significant events that may not have been actively occupied. A site may be the location of a ruin or now-nonexistent building of which the location itself possesses historical, cultural, or archaeological significance. [Ord. 508B, 1993.]

2.66.040 Commission – Creation and size.

There is created and established the Chehalis historic commission, consisting of seven members as provided in CMC [2.66.050](#). Members of the historic commission shall be appointed by the city council and shall be residents of the city except as provided in CMC [2.66.050](#). [Ord. 508B, 1993.]

2.66.050 Commission – Composition.

A. All members of the commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgment.

B. The commission shall always include at least two professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, American studies, law, and real estate. The commission action that would otherwise be valid shall not be rendered invalid by 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 city and the Washington State Department of Community Development, Office of Archaeology and Historic Preservation. Furthermore, exception to the residency requirement of the commission members may be granted by the mayor and city council in order to obtain

representatives from these disciplines.

C. The city council, in appointing members to the commission, may consider names submitted from any source, which shall notify history- and development-related organizations of vacancies so that names may be submitted by such organizations for consideration along with the names from any other source. [Ord. 508B, 1993.]

2.66.060 Commission – Terms.

Appointments for new terms shall be made for a three-year term. Vacancies shall be filled by the city council for the balance of an unexpired term in the same manner as provided in this chapter. [Ord. 508B, 1993.]

2.66.070 Commission – Powers and duties.

The major responsibilities of the commission are to identify and actively encourage the conservation of the city's historic resources by initiating and maintaining a city register of historic places and reviewing proposed changes to register properties, to make the community aware 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 commission shall engage in the following:

- A. Conduct and maintain a comprehensive inventory of historic property within the boundaries of the city and publicize and periodically update inventory results;
- B. Establish and maintain a city historic register according to the procedures provided in this chapter, which register shall be compiled of buildings, districts, and sites identified by the commission as having historic significance worthy of recognition by the city;
- C. Review proposals to construct, change, alter, modify, remodel, remove, or significantly affect property or districts on the register as provided in this chapter and adopt standards to be used to guide this review;
- D. Review and advise the city on environmental assessments, land use, housing and development, municipal improvement, and other types of planning and programs undertaken by the city, other neighboring communities, the county and the state or federal governments, as they relate to historic resources of the city and as required pursuant to the Environmental Policy Act (Chapter 43.21C RCW), the Historic Preservation Act (Chapter 27.34 RCW), the Indian Graves and Records Act (Chapter 27.44 RCW), the Rehabilitation Incentive Act (Chapter 84.26 RCW) and other historic conservation legislation;
- E. Review nominations to the State and National Registers of historic places;
- F. Serve as the local review board for the purpose of approving applications for special property tax valuation pursuant to Chapter 84.26 RCW, and enter into an agreement with the property owner for

the duration of the special valuation during which time the review board shall monitor the property for continued qualification for the special valuation pursuant to the requirements of Chapter 84.26 RCW;

G. 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;

H. Be informed about and provide information to the public on incentives for preservation of historic resources, including legislation, regulations, and codes which encourage the use and adaptive reuse of historic property;

I. Provide information to the public on methods of maintaining and rehabilitating historic property through the use of pamphlets, newsletters, workshops, or similar activities;

J. Participate in, promote, and conduct public information, education, and interpretive programs pertaining to historic resources;

K. 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;

L. Establish liaison support, communication, and cooperation with federal, state, and other local government entities which will further historic preservation objectives, including public education;

M. Advise the city council generally on matters of city history and historic preservation;

N. Perform other related functions assigned to the commission by the city council. [Ord. 508B, 1993.]

2.66.080 Commission – Compensation.

All members of the commission shall serve without compensation. [Ord. 508B, 1993.]

2.66.090 Commission – 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. [Ord. 508B, 1993.]

2.66.100 Commission – Staff.

Clerical and professional staff assistance shall be provided by the city's department of community development, with additional assistance and information to be provided by other city departments as may be necessary to aid the commission in carrying out its duties and responsibilities under this chapter. [Ord. 810B § 6, 2006; Ord. 508B, 1993.]

2.66.110 Criteria for determining designation in city register.

Any building, site, or district may be designated for inclusion in the city register if it has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation, is at least 50 years of age, or is of lesser age and has exceptional importance, and:

- A. Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history;
- B. 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;
- C. Is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art;
- D. Exemplifies or reflects special elements of the city's cultural, special, economic, political, aesthetic, engineering, or architectural history;
- E. Is associated with the lives of persons significant in national, state, or local history;
- F. Has yielded or may be likely to yield important archaeological information;
- G. Is a building 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;
- H. Is a cemetery, which derives its primary significance from age, distinctive design features, or association with historic events, people, or cultural patterns;
- I. Is a reconstructed building that has been executed in a historically accurate manner, within a suitable environment on the original building site and which is congruent with the city's history; or
- J. Is a creative and unique example of formal 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. [Ord. 508B, 1993.]

2.66.120 Review of properties nominated for National Register.

Upon receipt from the state of Washington of an application for nomination to the National Register, the commission shall conduct a public hearing and prepare a report on whether or not the property, in the commission's opinion, meets the criteria for inclusion in the National Register. The chairman of the commission shall transmit the report with the commission's recommendation to the state within 60 days of receipt of the application. [Ord. 508B, 1993.]

2.66.130 Process for designating properties or districts in city register.

A. Any person may nominate a building, site, or district for inclusion in the city historic register. Members of the commission, or the commission as a whole, may make general nominations. In its designation decision, the commission shall consider the city inventory of historic places and the city comprehensive plan.

B. The nomination for the designation of a district to the city historic register shall include a description of the boundaries of the district, the characteristics of the district which justify designation, and inventory of features, including buildings and sites which contribute to the significance of the district and standards to guide review of changes to property within the district. The inventory of features required may include several levels of significance, depending on the importance of each feature.

C. The commission shall consider the merits of the nomination at an open public hearing after due notice has been given to the public and to the owner of the subject property not less than 10 days prior to the hearing. Such notice shall include publication in a newspaper of general circulation in the city. Notice to the owner shall be by United States mail, postage prepaid, to the address of the owner as shall appear in the records of the assessor of Lewis County. The date of mailing of such notice shall constitute the date of service of notice upon the owner. If the commission finds that the nominated property meets the designation criteria in CMC [2.66.110](#), the property shall be listed on the city historic register and the owner notified of the listing. Notification of the listing shall be effected in the same manner as notice of the public hearing to consider the merits of the nomination. The notification of the listing shall include an advice to the owner of the property that the decision of the commission may be appealed to the city council as provided in this chapter.

D. The decision of the commission designating property and/or a district to the city register may be appealed to the city council by the owner of any property affected. Such appeal shall be filed in writing with the community development department within 30 days of the date notification of the listing is mailed to the appealing owner. The city council, upon receiving notice of an appeal, shall set a date for a public hearing on the appeal, which date shall not be less than 20 days nor more than 60 days from the date of receipt of written notice of appeal by the council. The appeal may be heard by the council sitting en banc or by a committee of the council. The council shall consider the verbatim proceedings of the commission public hearing to consider the nomination and may, at the discretion of the council during the appeal hearing, accept additional testimony in favor of or against the designation. The city council shall, on or before its next regularly scheduled public meeting, issue a decision affirming or reversing the decision of the commission.

E. Property listed on the city register shall be recorded on official zoning records with an "HR" designation for historic register. This designation shall not change nor modify the underlying zone classification.

F. The decision of the commission shall be recorded with the auditor of Lewis County upon the expiration of the appeal period or upon receipt of the decision from the city council affirming the

decision of the commission to designate property for the city register. [Ord. 810B § 6, 2006; Ord. 508B, 1993.]

2.66.140 Review of changes to register – Required.

No person shall construct any new building, nor reconstruct, alter, restore, remodel, repair, or demolish any existing building which is on the register or within a historic district without review by the commission. The review shall apply only to the exterior features which make the property historically significant; provided, that this section through CMC [2.66.170](#) shall have no application to ordinary repair and maintenance, including painting, nor to emergency measures as defined in CMC [2.66.030](#). [Ord. 508B, 1993.]

2.66.150 Review of changes to register – Process.

A. The building or zoning official shall report any application for a permit for exterior work on a designated historic register property or in a historic district to the commission and shall notify the applicant of the commission's review requirements. The building or zoning official shall continue to process such application and shall work with the commission in considering building and fire code requirements but shall not issue any such permit until review and findings have been made by the commission. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted.

B. The owner or owner's agent may apply directly to the commission for a review of the proposed changes on a designated historic property or on property within a designated historic district.

C. Each application for review of proposed changes shall be accompanied by such information as is required by the commission and which is reasonably necessary for the proper review of the proposed project.

D. The commission shall meet with the applicant and review the proposed work according to the factors contained in CMC [2.66.160](#). The commission shall complete its review and make its recommendations within 30 days of the date of receipt of the application. Action on the application shall be made at regular meetings of the commission. The commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. These findings of fact and reasons shall be based on the factors to consider in reviewing changes as cited in CMC [2.66.160](#). [Ord. 508B, 1993.]

2.66.160 Factors to consider in reviewing changes to historic register property.

A. In the case of property not located within a designated historic district, the commission shall consider whether the proposed work will detrimentally alter, destroy, or adversely affect any interior or exterior feature which relates to the listing of the property on the historic register.

B. In the case of construction of a new improvement or building on the site of a historic register property, the commission shall consider whether the exterior of such construction will adversely

affect and/or will be compatible with the external appearance of existing designated improvements, buildings and structures on said site.

C. In the case of any property located within a historic district, the commission shall consider whether the proposed construction, removal, rehabilitation, alteration, remodeling, excavation, or exterior alteration adversely affects the character of the district or historic features of the building.

D. In all cases, the commission shall consider whether proposed alterations or significant changes are necessary or appropriate to meet the requirements of any other law, statute, regulation, code, or ordinance. [Ord. 508B, 1993.]

2.66.170 Commission findings.

If the final proposal to reconstruct, alter, restore, remodel, repair, or demolish an existing historic building will create a significant effect on the historic characteristics of the building or significant effect on the features of the building which were the basis for listing the building on the register, the commission must begin consideration for removal of the property from the register as provided in CMC [2.66.180](#). [Ord. 508B, 1993.]

2.66.180 Removal of properties from register.

In the event any historic property has been altered, remodeled, reconstructed, or demolished in a way or to an extent that creates significantly adverse effects on the building elements which relate to the listing of the property on the historic register, the commission shall remove such designation by the same procedure as provided for in establishing the designation, particularly CMC [2.66.130](#)(C), (D) and (E). [Ord. 508B, 1993.]

2.66.190 Relationship to zoning.

Properties designated to the historic register shall be subject to the provisions set forth in this chapter, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained in this chapter shall be construed to be repealing, modifying, or waiving any zoning provisions. [Ord. 508B, 1993.]

2.66.200 Review and monitoring of properties for special property tax valuation.

A. The commission shall be, and it is, designated as the local review board for special property tax valuation as defined in RCW 84.26.020(5).

B. The commission shall accept applications from the Lewis County assessor of classification of historic property for special valuation pursuant to Chapter 84.26 RCW.

C. The commission shall approve applications for classification of historic property for special valuation pursuant to the requirements of RCW 84.26.050(2).

D. An application for classification as an eligible historic property shall be approved or denied by the commission within 60 days of the commission's receipt of the application. The commission

shall notify the applicant and the county assessor of the approval or denial within 10 days of the commission's assessment, and the assessor shall be notified before December 31st of the calendar year in which the application is made, provided such application is received by the commission on or before the tenth day of October of the calendar year in which the application is made.

E. If the commission determines that the property qualifies as an eligible historic property, the review board shall certify the fact in writing and shall file a copy of the certificate with the county assessor within 10 days. The certificate shall state the facts upon which the approval is based.

F. Once an agreement between an owner and the commission has become effective pursuant to subsection (C) of this section, there shall be no changes in standards of maintenance, public access, alteration, or report requirements, nor any other provisions of the agreement, during the period of the classification, without the approval of all parties to the agreement. [Ord. 508B, 1993.]

Chapter 2.66

HISTORIC PRESERVATION ORDINANCE

2.66.010	Purpose
2.66.030	Title
2.66.050	Definitions
2.66.070	Chehalis Historic Commission
2.66.090	Chehalis Register of Historic Places
2.66.110	Review of Changes to the Chehalis Register Properties
2.66.120	Review and Monitoring of Properties for Special Property Tax Valuation

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 through special valuation, a property tax incentive, as provided in Chapter 84.26 RCW 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 City of Chehalis history;
- B. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the City of 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 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. The City of Chehalis Historic Inventory” or “Inventory” means the comprehensive inventory of historic and prehistoric resources within the boundaries of the City of Chehalis.
- B. “The City of Chehalis Historic Preservation Commission” or “Commission” means the commission created by CMC 2.66.070 herein.
- C. “The City of Chehalis Register of Historic Places”, “Local Register”, or “Register” means the listing of locally designated properties provided for in CMC 2.66.090 herein.

- D. “Actual Cost of Rehabilitation” means costs incurred within twenty-four months prior to the date of application and directly resulting from one or more of the following: a) improvements to an existing building located on or within the perimeters of the original structure; or b) improvements outside of but directly attached to the original structure which are necessary to make the building fully useable but shall not include rentable/habitable floor-space attributable to new construction; or c) architectural and engineering services attributable to the design of the improvements; or d) all costs defined as “qualified rehabilitation expenditures” for purposes of the federal historic preservation investment tax credit.
- E. A “building” is a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.
- F. “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.
- G. “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.
- H. “Class of properties eligible to apply for Special Valuation in the City of Chehalis” means all historic properties listed on the National Register of Historic Places or certified as contributing to a National Register Historic District which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW, until the City of Chehalis becomes a Certified Local Government (CLG). Once a CLG, the class of properties eligible to apply for Special Valuation in the City of Chehalis means all historic properties listed on the City of Chehalis Register of Historic Places which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW.
- I. “Cost” means the actual cost of rehabilitation, which cost shall be at least twenty-five percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.
- J. 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.
- K. “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.
- L. “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.
- M. “Incentives” are such rights or privileges or combination thereof which the Chehalis 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 tax relief, 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.
- N. “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 CMC 2.66.070 herein.
- O. “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.

- P. 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.
- Q. “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.
- R. “Owner” of property is the fee simple owner of record as exists on the Lewis County Assessor’s records.
- S. “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 the City of Chehalis, Lewis County, or the southwest region of 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.
- T. 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.
- U. “Special Valuation for Historic Properties” or “Special Valuation” means the local option program which when implemented makes available to property owners a special tax valuation for rehabilitation of historic properties under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation. (Chapter 84.26 RCW).
- V. “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.
- W. 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.
- X. “Universal Transverse Macerator” or “UTM” means the grid zone in metric measurement providing for an exact point of numerical reference.
- Y. “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.
- Z. “Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties” or “State Advisory’s Council’s Standards” means the rehabilitation and maintenance standards used by the City of Chehalis Historic Preservation Commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.

CMC 2.66.070 The City of Chehalis Historic Commission

A. Creation and Size

There is hereby established a City of Chehalis Historic Preservation Commission, consisting of five (5) members, as provided in CMC 2.66.070(B) below. Members of the City of Chehalis Historic Preservation Commission shall be appointed by the Mayor and approved by the Chehalis Council and shall be residents of the City of Chehalis except as provided in CMC 2.66.070(B)(2) 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 at least three (3) 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, American studies, law, real estate, construction, or related disciplines. Two (2) positions shall be citizens at large with preference given to property owners with ownership of an historic structure.

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 City of Chehalis represented by 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 Chehalis 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, and one (1) for three (3) 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 Chehalis 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 of Chehalis history and historic resources; and to serve as the City of Chehalis' 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 City of 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. 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 CMC 2.66.090 of this ordinance and adopt standards in its rules to be used to guide this review make a recommendation to the City Council for placement on the Chehalis Register of Historic Places.
4. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register as provided in CMC 2.66.110, adopt standards in its rules to be used to guide this review and make a recommendation to the building official to issue 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 City of Chehalis area.
9. Review and advise the City of Chehalis on environmental assessments, land use, housing and development, municipal improvement, and other types of planning and programs undertaken by the city, other neighboring communities, the county, and the state or federal governments, as they relate to historic resources of the city and as required by the Environmental Protection Act (Chapter 43.21C RCW), the Historic Preservation Act (Chapter 27.34 RCW), the Indian Graves and Records Act (Chapter 27.44 RCW), the Rehabilitation Incentive Act (Chapter 84.29 RCW) and other historic conservation legislation.
10. Advise the Chehalis 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 Chehalis 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 Chehalis 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 and make a recommendation for approval or denial.
16. Investigate and report to the Chehalis 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. Serve as the local review board for Special Valuation and:

- a) Make determination concerning the eligibility of historic properties for special valuation;
- b) Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance;
- c) Enter into agreements with property owners for the duration of the special valuation period as required under WAC 254-20-070(2);
- d) Approve or deny applications for special valuation;
- e) Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the 10 year special valuation period; and
- f) Adopt bylaws and/or administrative rules and comply with all other local review board responsibilities identified in Chapter 84.26 RCW.

18. The commission shall adopt rules of procedure to address items 3, 4, 6, and 17 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 the City of Chehalis or other qualified professional as identified by the Council with additional assistance and information to be provided by other City of Chehalis departments 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 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 an historic person or event.
8. Is a birthplace or grave of an 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 an 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. Only property owners may nominate a building, district or place for nomination to the Chehalis Register of Historic Places. Members of the public, elected officials, or appointed commissioners may nominate a city owned building or place for inclusion on the Chehalis Register of Historic Places. In its designation decision, the commission shall consider the City of 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 Historic Preservation Commission shall consider the merits of the nomination, according to the criteria in 2.66.090(A) 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 Lewis County and 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 make recommendation to the Chehalis City Council to place the building, district, or site in the Chehalis Register of Historic Places and that the property be listed in the Register with the property owner's consent. In the case of historic districts, the commission shall consider a simple majority 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, CMC 2.66.110(B) A property may be removed from the Chehalis Register of Historic Places by the City Council with a recommendation from the Historic Preservation Commission and without the owner's consent.

D. Effects of Listing on the Register

1. Listing on the Chehalis Register of Historic Places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to an historic district.
2. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures defined in CMC 2.66.050(Q) 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.
4. Once Chehalis is certified as a Certified Local Government (CLG), buildings, districts, or sites may be listed on the Chehalis Register Historic Places may be eligible for Special Tax Valuation on their rehabilitation (Section ____).

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 an 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 CMC 2.66.050.

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 building, district, or site found on the Chehalis Register of Historic Places Register property 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 Register of Historic Places property or within a Chehalis Register of Historic Places 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.

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 historic 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 Chehalis 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.

2.66.120 REVIEW AND MONITORING OF PROPERTIES FOR SPECIAL PROPERTY TAX VALUATION

A. Time Lines

1. Applications shall be forwarded to the commission by the assessor within 10 calendar days of filing.
2. Applications shall be reviewed by the commission before December 31 of the calendar year in which the application is made.

3. Commission decisions regarding the applications shall be certified in writing and filed with the assessor within 10 calendar days of issuance.

B. Procedure

1. The assessor forwards the application(s) to the commission.
2. The commission reviews the application(s), consistent with its rules of procedure, and determines if the application(s) are complete and if the properties meet the criteria set forth in WAC 254-20-070(1) and listed in CMC 2.66.070 of this ordinance.
 - a. If the commission finds the properties meet all the criteria, then, on behalf of the City of Chehalis it enters into an Historic Preservation Special Valuation Agreement (set forth in WAC 254-20-120 and in CMC 2.66.120(D) of this ordinance) with the owner. Upon execution of the agreement between the owner and commission, the commission approves the application(s).
 - b. If the commission determines the properties do not meet all the criteria, then it shall deny the application(s).
3. The commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and files copies of the certifications with the assessor.
4. For approved applications:
 - a. The commission forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4) and identified in 2.66.120(C) of this ordinance) to the assessor,
 - b. Notifies the state review board that the properties have been approved for special valuation, and
 - c. Monitors the properties for continued compliance with the agreements throughout the 10-year special valuation period.
5. The commission determines, in a manner consistent with its rules of procedure, whether or not properties are disqualified from special valuation either because of
 - a. The owner's failure to comply with the terms of the agreement or
 - b. Because of a loss of historic value resulting from physical changes to the building or site.
6. For disqualified properties, in the event that the commission concludes that a property is no longer qualified for special valuation, the commission shall notify the owner, assessor, and state review board in writing and state the facts supporting its findings.

C. Criteria

1. **Historic Property Criteria:**

The class of historic property eligible to apply for Special Valuation in City of Chehalis means all buildings, districts, or sites listed on the National Register of Historic Places or certified as contributing to a National Register Historic District which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW, until the City of Chehalis becomes a Certified Local Government (CLG). Once a CLG, the class of property eligible to apply for Special Valuation in the City of Chehalis means only buildings, districts, or sites listed on the Chehalis Register of Historic Places or properties certified as contributing to a Chehalis Register Historic District which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW.
2. **Application Criteria:**

Complete applications shall consist of the following documentation:

 - a. A legal description of the historic property,
 - b. Comprehensive exterior and interior photographs of the historic property before and after

rehabilitation,

- c. Architectural plans or other legible drawings depicting the completed rehabilitation work, and
- d. A notarized affidavit attesting to the actual cost of the rehabilitation work completed prior to the date of application and the period of time during which the work was performed and documentation of both to be made available to the commission upon request, and
- e. For properties located within historic districts, in addition to the standard application documentation, a statement from the secretary of the interior or appropriate local official, as specified in local administrative rules or by the local government, indicating the property is a certified historic structure is required.

3. **Property Review Criteria:**

In its review the commission shall determine if the properties meet all the following criteria:

- a. The property is historic property;
- b. The property is included within a class of historic property determined eligible for Special Valuation by the City of Chehalis under CMC 2.66.120(C) of this ordinance;
- c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the date of application; and
- d. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1)).

4. **Rehabilitation and Maintenance Criteria:**

The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.

D. Agreement:

The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).

E. Appeals:

Any decision of the commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to Superior Court under Chapter 34.05.510 -34.05.598 RCW in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the County Board of Equalization.

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COUNTY OF LEWIS**

Elizabeth Hill, and/or Sarah Burdick, and/or Ronda Pogorelc
and/or Cheyenne Denman says that she is the legal clerk of

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Chronicle**

a semi-weekly newspaper, which has been established, published
in the English language, and circulated continuously as a
semi-weekly newspaper in the City of Centralia, and in Lewis
County, Washington, general circulation in Lewis County for
more than six (6) months prior to the date of the first publication
of the notice hereto attached, and that the said Chronicle was on
the 7th day of July 1941, approved as a legal newspaper by the
Superior Court of said Lewis County. And that the attached is a
true copy and was published in regular issues (and not in
supplement form) of said newspaper as LEGAL # 126079
RE: Notice of Public Hearing

once each day for a period of 1 day

commencing on 05/04/2023 and ending on 05/04/2023

and both regularly distributed to its subscribers during all of said
period. That the full amount of the fee charged for the foregoing
publication is the sum of \$ 172.00

Cheyenne Denman
Subscribed and sworn to before me 05/04/2023

Ronda Lee Pogorelc

Notary Public in and for the State of Washington
residing at

Chehalis

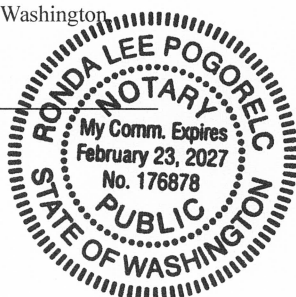


Exhibit C