

Chapter 2.106 HISTORIC COMMISSION

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2.106.010 Commission established.

A. There is established a Thurston County historic commission.

B. Membership of the county historic commission shall be representative of a variety of historical perspectives and various geographic areas of the county. The commission shall be composed of twelve members appointed by the county commissioners, with four members to be nominated by each county commissioner. The board of county commissioners may also appoint up to twelve additional alternates to the commission who have expressed interest in county history and historic preservation. The duties of the alternates will be those described in Section 2.106.020. An alternate may vote in accordance with such rules as may be established by the historic commission. The membership of such commission shall include at least three members who are professionally trained from among the following fields: history, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, American studies or other historic preservation related discipline. Another member shall be from one of the following professions: real estate appraisal; finance/banking; law, especially real estate law.

In addition, there shall be one member from each city and town in Thurston County which has entered into an agreement with Thurston County under Section 2.106.065 of this code. Such members shall be appointed by the mayor of the city or town and may vote only on questions pertaining to (1) designation of properties to historic registers, (2) review of changes to properties on historic registers, and (3) the application for or the removal from special valuation under RCW Chapter 84.26 of properties located within the jurisdiction which appointed the member.

The balance of the membership shall consist of citizens who have professional or demonstrated avocational interest and involvement in historic preservation.

C. The original appointment of members to the commission shall be as follows: three for one year, three for two years, three for three years and three for four years. Thereafter, all terms shall be four years. Terms for alternates shall be three years. (Ord. 11922 § 1, 1999: Ord. 8563 § 1, 1987: Ord. 8334 § 1 (part), 1986: Ord. 7792 § 1, 1984: Ord. 7727 § 1 (part), 1984

2.106.020 Duties.

The historic commission shall have the following duties:

- A. Participate in, promote and conduct public information, educational and interpretive programs pertaining to county history and county cultural resources;
- B. Identify and promote the preservation of historic resources (buildings, structures, objects, trees, and other unique natural features, sites and districts). In making recommendations and comments on land use actions considered under SEPA, the historic commission may evaluate the significance of the affected property; evaluate the impact of proposed action on the affected property; identify alternative mitigation approaches and make recommendations based upon the importance of the resource and the impact of the proposal consistent with the Thurston County SEPA Policies which include the Thurston County Comprehensive Plan Goals and Policies.
- C. Organize events, as approved by the board of county commissioners;
- D. Increase awareness of our national, state and county heritage among citizens;
- E. Conduct a comprehensive inventory of historic properties within the county; publicize and periodically update inventory results;
- F. Establish a Thurston County register of historic places which should be recognized and preserved, protected or enhanced according to their value to the community, state and nation, and based on the values and procedures stated in Section 2.106.040;
- G. Review and comment on proposals to construct, change, alter, modify, remodel, remove, demolish or significantly affect properties or districts on the county historic register as provided in Section 2.106.050;
- H. Serve as the local review board for the purpose of approving applications for special property tax valuation per RCW Chapter 84.26, and entering into a covenant with the property owner for the duration of the special valuation during which time the review board monitors the property for continued qualification for the special valuation per requirements of RCW Chapter 84.26 and Section 2.106.070. (Ord. 11922 § 2, 1999: Ord. 8563 § 2, 1987: Ord. 8334 § 1 (part), 1986: Ord. 7727 § 1 (part), 1984)

2.106.030 Definitions.

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

“Building” means a structure created to shelter human activity. This includes both residential and nonresidential buildings, main and accessory buildings.

“Comprehensive plan” refers to the Thurston County comprehensive plan or any sub-area plan which cites policies and goals that have been adopted by the board of commissioners to guide the development of the county as a whole, including specific areas and neighborhoods.

“District” means a geographically definable area containing buildings, structures, sites, objects and spaces linked historically through location, design, setting, materials,

workmanship, feeling, and/or association. The significance of a district is the product of the sense of time and place in history that 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 commission created by Section 2.106.010.

“Historic register” or “register” means the listing of properties having special historic significance provided for in Section 2.106.040.

“Incentives” are such compensation, rights or privileges or combination thereof which the board of commissioners, 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 historic 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, private or public grants-in-aid, beneficial placement of public improvements, or amenities, or the like.

“Object” means 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. “Ordinary repair and maintenance” means work for which a permit issued by the county 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 appurtenant 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” of property is the fee simple owner of record as exists on the county assessor’s records.

“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 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 or information potential. The local area can include a city or town, Thurston County, the region of Puget Sound or southwest Washington, or a modest geographic or cultural area, such as 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.

“Site” means 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 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 a ruined

or now nonextant building, structure, or object if the location itself possesses historic, cultural, or archaeological significance.

“Structure” means 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. (Ord. 8334 § 2, 1986)

2.106.040 Thurston County historic register.

A. Criteria for Determining Designation to the Register. Any building, structure, object, site or district may be designated for inclusion in the Thurston County historic register if it has significant character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation; has integrity of location; is at least fifty years old, or is of lesser age and has exceptional importance; and if it falls into 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 county’s cultural, social, 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 archaeological information important in prehistory or history;
7. Is a religious property deriving primary significance from architectural or artistic distinction or historical importance;
8. Is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
9. Is a birthplace or grave of a historical figure of outstanding importance;
10. Is a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events, or cultural patterns;
11. Is a reconstructed building that has been executed in a historically accurate manner, within a suitable environment and which is congruent with the county’s history;

12. Is a creative and unique example of folk architecture and design created by persons not formally in the architectural or design professions, and which does not fit into formal architectural or historical categories.

B. Process for Designating Properties or District to the Register.

1. Any person may nominate a building, structure, object, site or district for inclusion on the county historic register. Members of the historic commission or the commission as a whole may also generate nominations. In its designation decision, the historic commission shall consider the county inventory of historic resources, and the county comprehensive plan and sub-area plans.

2. Applications for nominations must bear the signature of the property owner(s), or in the case of districts signatures must be obtained from the owners of a majority of the properties within the proposed district. Applications shall be on forms and include information and documentation supporting the historic significance of the building, structure, object, site or district.

3. In the case of districts, the designation shall include descriptions of the boundaries of the district; the characteristics of the district which justifies its designation; the features which contribute to the significance of the district, which may include more than one classification of significance level depending on importance of the feature, including buildings, structures, sites and objects; and finally, standards to guide review of changes to properties within the district.

4. The historic commission shall consider the merits of the nomination at a public hearing after due notice has been given to the public, to the owner(s) and lessees, if any, of the subject property, and to all abutting property owners at least ten days prior to the hearing. Such notice shall include publication in a newspaper of general circulation in Thurston County, and posting of the property. If the historic commission finds that the nominated property meets the designation criteria in subsection A of this section, the property shall be listed on the historic register and the owner(s) and lessees, if any, notified of the listing.

5. The decision of the historic commission designating objects, properties and districts to the county register may be appealed by the applicant in writing within thirty days to the board of county commissioners. The notice of appeal shall concisely specify the errors or issues for consideration by the board and shall cite any provision of law alleged to be violated. The board of Thurston County commissioners will act upon the appeal in an expeditious manner subsequent to review of the recommendation of the Thurston County historic commission.

6. Properties listed in the county historic register 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.

7. Whenever applications are made for alterations, changes, construction, removal or demolitions on any properties having "HR" designations, the building or zoning official shall notify the historic commission so that the proposed change may be reviewed under the provisions of Section 2.106.050. The building or zoning official shall also notify the applicant of the special review that is required.

C. Removal of Properties from the Register.

1. Commission Removal. In the event that any property is no longer deemed appropriate for designation to the historic register, the historic commission may remove such designation by the same procedure as provided for in establishing the designation, particularly subsections (B) 4-6 of this section.

2. Owner Request for Removal. At any time after designation of property on the historic register, the owner may make a request to the board of Thurston County commissioners in writing to remove the designation of their property to the Thurston County register of historic places citing the compelling reasons which warrant the removal. This right of appeal is in addition to the right of appeal granted in subsection (B)(5) above. Any such request shall be considered in the manner set forth in subsection (B)(5) above.

3. In the event that this chapter is amended to make compliance with the review mandatory rather than voluntary, all owners or properties on the historic register will be notified of the change in ordinance and given forty-five days to initiate removal of their property from the historic register. (Ord. 11922 § 3, 1999: Ord. 8334 § 3, 1986)

2.106.050 Review of changes to historic register properties.

A. Review Required. No person shall construct any new building or structure, or reconstruct, alter, restore, remodel, repair, remove or demolish any existing building or structure which is on the historic register or within an historic register district without review by the historic commission. The review shall apply only to historically significant exterior features, except for historically significant interior spaces of public buildings, including privately owned buildings open to the public; provided, that this section shall have no application to ordinary repair and maintenance, including painting, nor to emergency measures as defined in Section 2.106.030.

B. Review Process.

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

2. If no permit is required to pursue work on a designated register property or within a designated register district, whoever is responsible for the work shall apply directly to the historic preservation planner.

3. Such applications shall be accompanied by such information as is required by the historic commission and which is reasonably necessary for the proper review of the proposed project.

4. The historic commission shall meet with the applicant and review the proposed work according to the factors contained in Section 2.106.050(c). The historic commission shall complete its review and make its recommendations within thirty days of the date of receipt of the application, unless a different review period is mutually agreeable to the applicant and historic commission. 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 a regular meeting of the historic 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 subsection (c) of this section.

5. The applicant's compliance with any recommendation made by the historic commission shall be voluntary.

C. Factors to Consider in Reviewing Changes to Historic Register Properties.

1. In the case of property not located within a designated historic district, the proposed work would not detrimentally alter, destroy or adversely affect any exterior feature or interior feature of public buildings, including private buildings open to the public, which features relate to the designation of the property to the historic register. In the case of construction of a new improvement, building or structure on the site of a historic register property, the exterior of such construction will not adversely affect and will be compatible with the external appearance of existing designated improvements, buildings and structures on said site.

2. The Secretary of Interior Standards for Rehabilitation of Historic Buildings shall guide consideration of factor one.

3. In the case of any property located within an historic district, the proposed construction, removal, rehabilitation, alteration, remodeling, excavation or exterior alteration conforms to the standards adopted by the historic commission for the district, and does not adversely affect the character of the district.

4. Proposed alterations or significant changes necessary or appropriate in order to meet the requirements of any other law, statute, ordinance, regulations, code or ordinance shall be coordinated with, and given consideration along with historic preservation concerns, in reviewing proposed changes to historic register properties.

D. Special Preapplication Review. Owners of any historic property may receive free advice by the historic commission regarding proposed changes to the property prior to application for a building permit provided the property is on the national, state or county historic register, or is listed in the county survey of historic places. (Ord. 8334 § 4, 1986)

2.106.060 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. 8334 § 5, 1986)

2.106.065 Relationship to cities and towns.

A. Any city or town within Thurston County which has adopted a substantially similar ordinance establishing a register of historic places may enter into an agreement with Thurston County under which the historic commission will carry out one or more of the following functions:

1. The designation of properties to the historic register of such city or town;
2. The review of changes to properties on such register;
3. Serving as the local review board under RCW Chapter 84.26 for properties located in such city or town.

B. Any city or town for which the historic commission functions as the local review board shall be responsible for meeting all requirements of RCW Chapter 84.26 and any implementing regulations. (Ord. 8563 § 4, 1987)

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

(a) Designation of the Historic Commission as the Local Review Board. The historic commission shall serve as the local review board to carry out the duties specified in RCW 84.26.050.

(b) Duties and Procedures as Local Review Board.

(1) Applications for special property tax valuation in connection with substantial improvement of historic properties as defined in RCW Chapter 84.26 shall be submitted to the historic commission by the county assessor within ten days of filing.

(2) The historic commission shall approve applications for special valuation if the property meets the criteria of RCW 84.26.030, and is not altered in a way which adversely affects those elements which qualify it as historically significant, and the owner enters into a covenant with the review board which requires the owner for the ten year period of the classification to:

- (A) Monitor the property for its continued qualification for the special valuation;
- (B) Comply with rehabilitation plans and minimum standards of maintenance as defined in the agreement;
- (C) Make the historic aspects of the property accessible to public view one day a year, if the property is not visible from the public right-of-way;
- (D) Apply to the historic commission for approval or denial of any demolition or alteration;
- (E) Comply with any other provisions in the original agreement as may be appropriate.

(3) Once a covenant between an owner and the historic commission has become effective pursuant to RCW Chapter 84.26, there shall be no changes in standards of maintenance, public access, alteration, or report requirements, or any other provisions of the covenant, during the period of the classification without the approval of all parties to the covenant.

(4) An application for classification as an eligible historic property shall be approved or denied by the historic commission before December 31st of the calendar year in which the application is made.

(5) The historic commission shall notify the county assessor and the applicant of the approval or denial of the application.

(6) If the historic commission determines that the property qualifies as 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 ten days. The certificate shall state the facts upon which the approval is based.

(7) Any decision of the historic commission acting as the local review board on any application for classification as historic property, eligible for special valuation may be appealed to superior court under RCW 34.04.130 in addition to any other remedy at 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.

(c) Eligibility for Special Property Tax Valuation. Properties eligible for the special property tax valuation specified in RCW Chapter 84.26 shall include all buildings on the Thurston County Historic Register, including all classifications of buildings contributing to historic districts which are on the Thurston County Historic Register. (Ord. 8563 § 3, 1987: Ord. 8334 § 6, 1986)