

WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting

7:00 p.m.

Wednesday, June 8, 2011

Woodland Community Center
782 Park Street, Woodland, Washington

CALL TO ORDER

APPROVAL OF MINUTES

- May 11, 2011 Meeting

PUBLIC HEARING

- 1) Setback Standards in Industrial Zones, Land Use Application No. 210-919

PUBLIC WORKSHOP

- 1) Commercial Public Card Rooms, Land Use Application No. 210-928
- 2) Historic Preservation Ordinance, Land Use Application No. 211-906

REPORT / PROJECT UPDATE / DISCUSSION

- 1) New Planning Commission Meeting Schedule
- 2) Planning Commission Calendar
- 3) Project Updates

ADJOURN

cc: City Hall Annex
Library
Post Office
City Hall
City of Woodland website
Planning Commission (5)
City Council (7)
Mayor
Department Heads (5)

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting
May 11, 2011
Woodland Community Center
782 Park Street, Woodland, Washington

CALL TO ORDER

Present: Commissioner Murali Amirineni
Commissioner Jim Yount
Commissioner Sharon Watt

Absent: Chair David Simpson
Commissioner Nancy Trevena

Also Present: Planning Commission Secretary JoAnn Heinrichs
Community Development Planner Carolyn Johnson

CALL TO ORDER

APPROVAL OF MINUTES

- April 13, 2011 Meeting

Commissioner Watt moved to accept April 13, 2011 minutes as written, Commissioner Amirineni seconded the motion. Passed unanimously.

PUBLIC HEARING

- 1) Home Occupation Review Criteria in Low Density Residential (LDR) Zoning Districts.
 - Carolyn Johnson gave Staff Report.
 - 09/20/10 CC passed a motion to initiate code amendment
 - 04/13/11 PC approved staff to undertake SEPA
 - 12/2010 & 01/2011 SEPA NOA DNS issued
 - 04/10/11 2nd NOA and DNS issued
 - 05/11/11 Public Hearing

OPEN PUBLIC HEARING

Walt Hansen Sr: I support and feel we should move forward with this.
Tom Golik: Feels this is the logical thing to do.

Rick Haddock: Concerned that home businesses in subdivisions could violate their homeowner's association rules. Do homeowners' association rules supersede City laws?

Jim Yount: Should we have Bill Eling check this before going any further?

Carolyn Johnson: We can address this on the "How to Start a Business in Woodland" information sheet. We could recommend that people check their CC&Rs. CC&Rs are often more stringent than City regulations. Cities do not enforce CC&Rs.

CLOSE PUBLIC HEARING

Commissioner Amirineni moved to bring draft ordinance for Home Occupation Review Criteria in Low Density Residential (LDR) Zoning Districts, LU application 210-926, before the City Council with a recommendation of approval. Motion unanimously passed

| PUBLIC WORKSHOPS

- 1) Commercial Public Card Rooms, Land Use Application No. 210-928
 - Staff report given by Carolyn.
 - 12/20/10 Ordinance 1188 & 1105 adopted, interim zoning set to expire June 20, 2011.
 - 04/16/11 Joint CC and PC meeting. Amy Hunter of WA State Gambling Commission gave presentation.
 - 04/18/11 CC authorized staff to initiate planning process to allow cardrooms in C-2 district. Zoning ordinance was drafted that:
 1. Placed 6 month prohibition of and moratorium on commercial public card rooms
 2. Parking requirements of 1 space per 200 sq ft, 1 space per commercial card room chair, and 1 space for each 2 on site employees
 3. Prohibits them within 300' of schools, churches, parks or residentially zoned area.
 4. Overlay district encompassing properties fronting Atlantic, North of SR-503 and South of E Scott Avenue.
 - Carolyn drafted Zoning Ordinance per City Council direction.

Discussion ensued.

- Concerns about having cardrooms in C-2 zone only
- Interest generated from other zones
- Attorney said we could face litigation
- In 1985 voters voted it out

We will workshop this next meeting

2) Historic Preservation Ordinance

Carolyn gave staff report. We will work through the following steps:

- Step 1: Planning Commission, City attorney and staff review model ordinance and background documents.
- Step 2: If desirable, Planning Commission adapts language to meet the unique needs of our community.
- Step 3: NOA/SEPA Public comment period, Public Hearing
- Step 4: Changes to model ordinance sent to the Department of Archaeology and Historic Preservation for review and comments.
- Step 5: Draft ordinance sent to City Council for readings and adoption.
- Step 6: If desired, City applies to become a Certified Local Government.

Discussion Ensued:

- Consider staff time required
- Will this increase turn around time and cost for building permit
- Concern over the word "professional" with regards to the composition of the commission
- There are tax incentives for being a historical building
- Looking at 3 year terms
- Timeline
 - Workshop twice
 - SEPA on draft ordinance
 - Bring in building official and attorney's opinions
 - Bring to CC this Fall
- Approximately 10 buildings would be eligible

REPORT / PROJECT UPDATE

- 1) Planning Commission Calendar
- 2) Project Updates

Les Schwab

Permit to be issued in mid-May

Woodland Swimming Pool

No change - third Notice of Incomplete application issued February 25th, 2011

Wal-Mart Sign Variance

Application Complete (April 27), Notice of Application Issued May 4, Public Hearing scheduled for June 7th at 3pm

Commercial Vehicle Parking in Residential Zones

To go before CC May 16 (First Reading)

Home Occupation Review Criteria

To go before CC May 16 (First Reading)

Mixed Use Downtown & Gateway Districts

To go before CC May 16 (First Reading)

ADJOURN:

Commissioner Watt moved to adjourn to our next regularly scheduled meeting on June 8, 2011, Commissioner Amirineni seconded the motion. Passed unanimously.

JoAnn Heinrichs, Planning Commission Secretary

_____ Date

These minutes are not a verbatim record of the proceedings.
A recording is available in the office of the Clerk-Treasurer.

STAFF REPORT

Review Procedures and Criteria for Variances and Minor Modifications to Approved Conditional uses

To: Planning Commission
From: Carolyn Johnson, Community Development Planner
Date: June 8, 2011
Re: Land Use No.: 210-919

INTRODUCTION

June 8th, 2011 marks the Public Hearing for a City initiated amendment to the Zoning Code. The amendment would:

- a. Create and define "Major" variances
- b. Allow decisions made by the Development Review Committee (DRC) or Public Works Director to be appealed to the Hearing Examiner
- c. Outline appeal processes for minor variances or minor modifications to approved conditional uses and administrative conditional uses
- d. Allow the DRC to decide on minor variances (decisions based on approval criteria)
- e. Increase the threshold for minor variances
- f. Make any reduction in a side or rear yard setback below the minimum setback required by the applicable standard in the Light Industrial (I-1) or Heavy Industrial (I-2) zoning district a minor variance
- g. Set approval criteria for minor variances
- h. Set approval criteria for modifications to approved conditional uses or administrative conditional uses
- i. Set procedures for minor variances or minor modification to approved conditional uses or administrative conditional uses

BACKGROUND AND TIMELINE

1. June 2, 2010 - The City of Woodland received a letter from Sunlight Supply Inc., asking council members to consider amending the zoning code to eliminate setback requirements on commercial properties.
2. June 21, 2010 – City Council approved a motion to initiate a zoning code amendment to retroactively repeal the side and rear yard setback requirements in the Light Industrial (I-1) and Heavy Industrial (I-2) zoning districts.
3. July 14, 2010 - Planning Commission workshop
4. August 11, 2010 – Planning Commission workshop
5. January 19, 2011 - NOA and SEPA DNS
6. June 8, 2011 - Public Hearing before the Planning Commission

STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Notice of Application and a Determination of Non-Significance were issued on January 19, 2011. The Comment period ended February 9, 2011 and the appeal period ended February 15, 2011. One comment letter was received from the Cowlitz Indian Tribe. The letter was in regards to any inadvertent discovery of archaeological or historic materials unearthed during ground disturbing activities.

DRAFT

Date: December 29, 2010

The texts highlighted and italic are the texts proposed to be added to the current code, and the texts struck through are the texts proposed to be eliminated from the current code.

Major Variance Review Authority and Criteria

WMC 17.81.020 Creation of land use hearing examiner.

The office of Woodland municipal land use hearing examiner, hereinafter referred to as "examiner," is created. The examiner shall interpret, review, and implement land use regulations and policies as provided in this chapter or by other ordinances of the city, including but not limited to the following:

A. Conditional Uses per Chapter 17.72. Applications for conditional uses when the zoning ordinance sets forth the specific uses to be made subject to conditional use permits.

B. *Major* Variances. *A major variance shall be defined as a variance to a measurable zoning standard which does not fall under a category of minor variances as outlined in WMC 17.81.180.A.* The examiner shall decide upon application for *major* variances from the terms of this title; provided that any variance granted shall be subject to such conditions as will assume that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and:

1. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to other properties in the vicinity and in the same zone in which the subject property is located; and
2. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;
3. If such permit for variance is denied, no reapplication shall be made within one year from the date of denial;
4. An approved variance will go with or be assigned to the subject property and shall not be transferable to another property;
5. No use variance shall be granted except for lawfully created pre-existing uses *in accordance with WMC 17.60.*

C. Violations. Recognizing the fact that a building may be erected in good faith with every intent to comply with the provisions of this title in respect to the location of the building upon the lots and the size and location of required yards, and that it may later be determined that such building does not comply in every detail with such requirements, although not violating the spirit or intent of this title, the examiner may issue a waiver of violation, subject to such conditions as will safeguard the public health, safety, convenience, and general welfare.

D. All appeals regarding SEPA matters, shoreline exemptions and supplemental environmental impact statements.

E. Issuance of replats, plat vacations, shoreline development permits, shoreline conditional use permits and shoreline variances. See also Section 19.08.030 describing decision making and appeal authority of the hearing examiner.

F. Appeals regarding written administrative decisions concerning a land use or environmental permit application as outlined in WMC 19.08.030 or written interpretations of a provision of the Woodland Municipal Code (WMC) issued by the Development Review Committee (DRC) or Public Works Director.

Minor Variances and Minor Modifications to Approved Conditional Uses or Administrative Conditional Uses

17.81.180 Minor variances or *minor modifications to approved* conditional uses or *administrative conditional uses* – Review and Appeal Authority.

A. The following variances shall be deemed minor in nature and may be approved, *approved with conditions, or denied* by the ~~hearing examiner~~ *Development Review Committee (DRG)* without a public hearing *based on the approval criteria outlined in WMC 17.81.180.B and in accordance with the notice requirements outlined in WMC 17.81.200:*

1. A reduction in lot area, setbacks, lot dimensions; and, an increase in lot coverage and building height, all by not more than ~~ten~~ *thirty* percent of that required by the applicable standard of the zoning district in which the proposal is located; ~~and~~

2. Any reduction in a side or rear yard setback below the minimum setback required by the applicable standard in the Light Industrial (I-1) or Heavy Industrial (I-2) zoning district; or

~~2~~ *3.* The modification of pre-existing nonconforming structures housing permitted uses, to the extent that the modification will not cause a greater infringement than exists of any standard of the zoning district in which the proposal is located.

B. Approval criteria for minor variances

1. No variance shall be approved by the DRC which will allow an increase in the number of dwelling units on a parcel greater than that permitted by the applicable zoning district, or

which will permit the reduction in area of any lot created after the adoption of the ordinance codified in this chapter;

2. All major variance criteria outlined in WMC 17.81.020.B shall be met; and

3. For variances to the side or rear setback standards applicable to the Light Industrial (I-1) or Heavy Industrial (I-2) zoning district, it shall be also considered whether or not the requested minor variance is necessary due to the unique physical characteristic of the existing site configuration, building, and/or use and consistent with the intent of applicable standard to which the minor variance is sought.

B. C. The following modifications to approved conditional uses or administrative conditional uses shall be deemed minor in nature and may be approved, approved with conditions, or denied by the hearing examiner DRC without a public hearing based on the approval criteria outlined in WMC 17.81.180.D and in accordance with the notice requirements outlined in WMC 17.81.200:

1. the eConstruction of accessory buildings which will not alter or affect the permitted conditional use of the property.

D. Approval criteria for minor modifications to approved conditional uses or administrative conditional uses

1. No variance or minor modifications to an approved conditional use or administrative conditional use shall be approved by the hearing examiner DRC which will allow an increase in the number of dwelling units on a parcel greater than that permitted by the applicable zoning district, or which will permit the reduction in area of any lot created after the adoption of the ordinance codified in this chapter; and

2. Granting of the proposed minor modification to the approved conditional use or administrative conditional uses is consistent with the applicable zoning district requirements, and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

E. The DRC may solicit advice from the Planning Commission as part of a public meeting and/or qualified professionals without a public meeting, to help determine whether the proposed minor variance or minor modification to the approved conditional use or administrative conditional use meets the approval criteria.

F. The DRC shall develop a written decision including the DRC's response to each applicable approval criteria concerning minor variances outlined in WMC 17.81.180.B or concerning minor modifications to approved conditional uses or administrative conditional uses outlined in WMC 17.81.180.D.

G. The DRC's decisions concerning minor variances or minor modifications to approved conditional uses or administrative conditional uses can be appealed to the Hearing Examiner within ten days from the date the DRC's written decision is issued. The Hearing Examiner shall

review such appeals at an open record public hearing in accordance with the notice requirements outlined in WMC 19.06.070 and .080 and render decisions based on the applicable review criteria outlined in WMC 17.81.180.B or WMC 17.81.180.D, the intents of applicable standards, and applicable provisions in the Woodland Comprehensive Plan.

17.81.190 Minor variances or *minor modifications to approved conditional uses* or *administrative conditional uses* --Procedure.

A. Valid Applicant. The proper owner, *or* the owner's authorized agent, ~~or a non-owner resident~~ may file an application for a minor variance or *minor modification to an approved conditional use* or *administrative conditional use*. ~~Where the applicant is a non-owner resident, the owner or owner's agent shall co-sign the application.~~

B. An application for a minor variance or *minor modification to an approved conditional use* or *administrative conditional use* shall be accompanied by the following:

1. A site plan of the property involved *that is to scale* showing all *property lines*, existing and proposed structures and off-street parking;
2. In the case of a variance from the height limitations, front and side or longitudinal cross-sections of the proposed structure(s) showing grade and building elevations;
3. A list showing the current ownership of the subject property as shown in the records of the Clark County or Cowlitz County Assessor, and a list of names and addresses of current owners of all abutting properties as shown by the records of the county assessor of the county in which such properties are located, which such lists are certified as correct by the appropriate county assessor or by a title company;
4. A filing fee as determined by the city council;
5. *The applicant's response to each applicable approval criteria outlined in WMC 17.81.180.B or WMC 17.81.180.D; and*
6. *Other information as determined by the DRC that is necessary to demonstrate the proposed minor variance or minor modification to the approved conditional use or administrative conditional use permit meets the approval criteria and other applicable standards in the Woodland Municipal Code and policies and goals in the Comprehensive Plan.*

17.81.200 Minor variances or *minor modifications to approved conditional uses* or *administrative conditional uses* --Notification.

Upon receipt of a valid application, the city clerk-treasurer or designee shall notify in writing the applicant, the owner of record of the subject property, and the owners of record of all ~~abutting~~ properties *located within three hundred feet* that the requested *minor* variance or *minor modification to an approved conditional use* or *administrative conditional use* ~~is being reviewed and approved, approved with conditioned, or denied by the DRC based on the applicable~~

approval criteria. The City shall mail such notices at least fourteen days prior to the date the DRC makes the final decision on the proposal. Such notices shall provide a fourteen-day public comment period. Not later than five days following the rendering of the DRC's written decision, copies thereof shall be mailed to the applicant, the owner of record of the subject property, and those who have submitted to the City a non-anonymous written comment during the fourteen-day comment period. may be approved unless written objections are received within ten calendar days of said notification. Upon receipt of any written objection, a public hearing will be scheduled for the earliest possible hearing examiner meeting. Notice of a public hearing shall be as set forth in Section 17.81.100. Notice of the hearing examiner's decision shall be as set forth in Section 17.81.110.

17.81.210 Minor variances or conditional uses—Consideration.

Prior to any approval, the hearing examiner shall determine that the granting of the variance meets the criteria specified in Section 17.81.020(B), or the granting of the conditional use is consistent with the applicable zoning district requirements, and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

Carolyn Johnson

From: Kei Zushi
Sent: Wednesday, June 02, 2010 4:46 PM
To: Aaron Christopherson; Al Swindell; Benjamin Fredricks; JJ Burke; Marilee McCall; Susan Humbyrd; Tom Mattison
Cc: Chuck Blum; Steve Branz; Mari Ripp; 'David Johnson'; Dave Johnson; Michael Jackson
Subject: Sunlight Supply: Setback Issue
Attachments: Letter from Sunlight Supply_06022010.pdf; Rear west.JPG

Dear City Council,

The attached letter was submitted this afternoon. I will put this letter in the 06/21 City Council meeting agenda.

The DRC has discussed this setback issue (see the attached picture), and believes that it would be beneficial for the City to retroactively repeal the side and rear setback requirements (a min. of 10 feet) in the industrial zoning districts as long as buildings meet all of the Building Code requirements and any necessary fire lanes/accesses are provided on the site.

At the 06/21 meeting, if it is the desire of the City Council, the City Council can initiate the requested code amendment and send this issue to the Planning Commission for their recommendation at a public hearing. This would save Sunlight Supply the application fees for a zoning code amendment and SEPA, which is \$3,150, or the application fee for a major variance, which is approximately \$2,000 (including the Hearing Examiner's fee).

Please contact me if you have any questions on this.

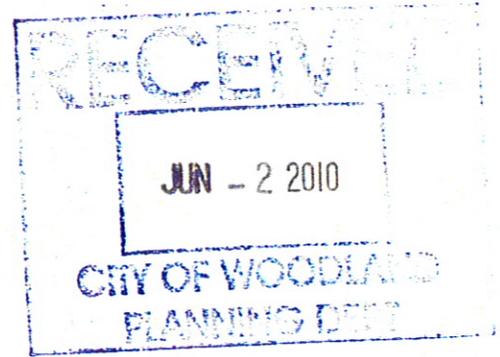
Thank you,

Kei



Sunlight Supply, Inc.

National Garden Wholesale.



May 21, 2010

Sunlight Supply, Inc.
5408 NE 88th Street
Vancouver, WA 98665

City of Woodland
City Council
100 Davidson Avenue
Woodland, WA 98674

Subject: Request for variance from WMC 17.44.070.B and .C

Sunlight Supply, Inc. purchased a commercial building at 1560 Downriver Drive in Woodland. The building followed the 10 foot setback code as required per WMC 17.44.070 B and C. After purchasing the property, Sunlight Supply Inc. added an awning to the rear of the building to provide a smoking area for employees away from public entrances. The awning also provides the added benefit of masking the noise of compressors used in the normal course of business. Unfortunately, the awning is less than 10 feet away from the property line and the building department has requested that it be removed.

We are asking the council members to consider an amendment to the code, as most jurisdictions do not have a setback requirement on commercial property. When considering where to build a commercial building, business might not consider the City of Woodland because of the setback requirements. Most businesses cannot afford to lose that much valuable real estate just in setbacks.

Thank you for your consideration of this matter. Please contact me if you have any questions or concerns.

Regards,

Mike Sinclair
Vice President of Manufacturing
Sunlight Supply, Inc.

Historic Preservation Ordinance

Section Contents:

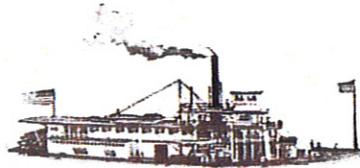
1. Downtown Woodland Revitalization Letter
2. Lessons Learned, City of Centralia
3. Lessons Learned, City of Lacey
4. Lessons Learned, Clark County
5. Draft Ordinance

Comments:

Please pay special attention to annotations for discussion.

Downtown
WOODLAND
Revitalization

P.O. Box 1041 Woodland, WA 98674



Why a Certified Local Government?

Just as becoming a Transportation Benefit District is a tool to access funding from State and Federal funds, becoming a Certified Local Government also is tool that access State and Federal preservation networks and funding.

(Partnerships) with National Alliance of Preservation Commissions, Preserve America, the National Trust for historic Preservation and the National Main Street Center.

(Funding) SHPO for only CLGs

Historic preservation is a time tested and cost effective community development tool. Our historical and archaeological resources like our natural resources are finite and endangered resources. Once destroyed, they are lost forever. THIS IS AS GREEN AS IT GETS.

Department of Archaeology & Historic Preservation

Protect the Past, Shape the Future

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[CLG Overview](#)
[Grants](#)
[Documents/Forms Program](#)
[Participants](#)
[Sample Ordinances & Design Review](#)
[Education/Training](#)

Local Government:

Certified Local Government Overview

Washington State's Certified Local Government (CLG) Program helps local governments to actively participate in preserving Washington's irreplaceable historic and cultural resources as assets for the future. This unique nationwide program of financial and technical assistance was established by the National Historic Preservation Act. In Washington, it is implemented and administered by the Department of Archaeology and Historic Preservation (DAHP).



Sweatt House, Spokane

Local governments that establish a historic preservation program meeting federal and state standards are eligible to apply to the State Historic Preservation Officer (SHPO) and the National Park Service for certification. A local government that receives such certification is known as a "Certified Local Government" or "CLG." Please click [here](#) for a list of program participants.

Responsibilities of a CLG include maintaining a historic preservation commission, surveying local historic properties, enforcing state or local preservation laws, reviewing National Register Nominations, and providing for public participation.

Obtaining status as a CLG may help a local government encourage, develop, and maintain its local preservation efforts in coordination with its development plans. In addition, CLG's may apply for special grants from the SHPO; receive recognition for their preservation expertise by local, state, and federal agencies; obtain technical assistance and training from the SHPO; participate in the review of nominations to the National Register of Historic Places; participate in the national historic preservation assistance network; regularly exchange information with the SHPO; and participate in statewide preservation programs and planning.

Certified Local Governments and DAHP share in the role as primary agencies with knowledge and expertise in historic preservation. Together, CLG's and DAHP advocate for the preservation of historically significant buildings, structures, sites, objects, and districts. Through education and information, these programs provide leadership for the protection of shared heritage. For more information contact Megan Duvall, Certified Local Government Coordinator at (360) 586-3074 or email: Megan.Duvall@dahp.wa.gov.

The CLG Program's Purpose and Objectives:

- Encourage historic preservation at the local level through local governmental sponsorship;
- Encourage local governments to follow the *Secretary of the Interior's Standards & Guidelines for Archaeology and Historic Preservation* in their historic preservation programs;
- Provide training and technical assistance through the State's historic preservation office;
- Provide funding to underwrite various historic preservation activities.
- Create a federal, state, and local governmental partnership in historic preservation
- Each state's historic preservation office administers a Certified Local Government Program on behalf of the National Park Service.

Carolyn Johnson

From: Tammy Baraconi [TBaraconi@cityofcentralia.com]
Sent: Tuesday, May 31, 2011 3:23 PM
To: Carolyn Johnson
Cc: JoAnn Heinrichs
Subject: RE: Historic Preservation Ordinance - Lessons Learned

Hi Carolyn,
My responses are below. Tammy

Tammy S. Baraconi
Planner



City of Centralia
Community Development
118 W. Maple St
Centralia, WA 98531
Phone 360.330.7695
Fax 360.330.7673

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From: Carolyn Johnson [mailto:JohnsonC@ci.woodland.wa.us]
Sent: Tuesday, May 31, 2011 2:41 PM
To: Tammy Baraconi
Cc: JoAnn Heinrichs
Subject: Historic Preservation Ordinance - Lessons Learned

Hi Tammy,

The City of Woodland is considering a Historic Preservation Ordinance. We've begun studying the State's model ordinance and have a few initial concerns. We hope to learn from neighboring jurisdictions that have already adopted the ordinance.

I'm hoping you'd be willing to respond to some of our concerns and questions below:

- A new historic preservation commission may not have the workload necessary to keep them occupied and energized. Has your community grappled with this problem? Have you considered any solutions? **We have grappled with this issue. Currently we only have a National Historic District. We also have approximately 8 to 10 sites on the National and State Register and no local register. We have considered many options in addressing the light workload. 1) We are considering the addition of other boards to merge within the Historic Preservation Commission. Specifically, the Borst Home has a board overseeing it. We are considering adding this duty to the HPC. 2) Part of the HPC's responsibility is to raise public awareness of historic preservation. We do this with a local historic preservation month, historic home tours, walking tour brochures, etc. 3) we are also considering**

making the HPC a subcommittee of the Planning Commission. It would require us to expand the Planning Commission to meet the CLG requirements for two professionals but that is required of the HPC now.

- It is estimated that Woodland may have up to 10 structures that could be listed as historic. Given this small number of historic structures, it has been suggested that the objectives of historic preservation could be met without the ordinance. In general, does it appear that the ordinance is fostering preservation in your community? Were options outside of the ordinance ever considered? I do not know if options outside of the historic pres ordinance were considered. This ordinance has been in place since the early 90's. However, I would be concerned about using other regulations as the 'go-to' for historic preservation. If you are like our community, we have adopted the IBC. While this code does address historic structures, many of the things permitted under the IBC would make a structure ineligible for continued listing on the National and State Register. That being said, our Historic Commission makes recommendations that guide the building official in making his decisions.
- Approximately how many structures are listed on your local list? At this time, we do not have a local register. We have some 'gaps' in our ordinance and in procedures that have been performed in the past and as a result, we have not successfully created a local register or a local district.
- Has a structure been listed without the consent of the property owner? In general, has a rift developed between the owners of these historic structures and the commission? We will not list anyone on the local register without their consent. We have received a few nominations in the past for listing on the local registry. They were submitted by someone other than the owner. Council was not willing to impose the local registry restrictions on a property owner with them being willing.

I'm sure there are many other questions that I haven't thought to ask. If you have any wisdom you'd like to pass along, I'd appreciate it. The types of individuals that are passionate about historic preservation don't give a blessed hoot about procedure and regulation. I would encourage you to emphasis over and over the fact that they represent the gov't and as a result they are expected to make decisions in an impartial and fair manner. The other problem is managing expectations. The group may expect to hand you a list of 'action items' and expect you to get them all done before the next meeting. They are not going to understand that creating design guidelines can take a year or more. And then you have to get them adopted by the Council. You know, all of those pesky procedures and regulations again.

If there is anything else Carolyn, feel free to contact me. Despite how it may sound, I really do enjoy historic preservation. It is one of the more creative parts of my job. Tammy

Thank you for your time!

Carolyn

Carolyn Johnson MCP
Community Development Planner
City of Woodland
(360) 225-1048 Office
(360) 225-7336 Fax

Carolyn Johnson

From: Lori Flemm [LFlemm@ci.lacey.wa.us]
Sent: Tuesday, May 31, 2011 3:57 PM
To: Carolyn Johnson; Amber Raney
Cc: JoAnn Heinrichs
Subject: RE: Historic Ordinance - Lessons Learned
Attachments: LMC Chapter 2.42 revisions.docx; LMC 16.53 revisions.docx

Carolyn: It may be easier for Amber Raney, our museum curator, and/or myself to call you tomorrow. Our Historic Commission has and generates so much workload that we struggle to keep up with them! They dedicate numerous volunteers hours conducting research, applying for grants, archiving artifacts in our museum, etc.

I answered your questions below:

From: Carolyn Johnson [mailto:JohnsonC@ci.woodland.wa.us]
Sent: Tuesday, May 31, 2011 3:20 PM
To: Lori Flemm
Cc: JoAnn Heinrichs
Subject: Historic Ordinance - Lessons Learned

Hi Lori,

The City of Woodland is considering a Historic Preservation Ordinance. We've begun studying the State's model ordinance and have a few initial concerns. We hope to learn from neighboring jurisdictions that have already adopted the ordinance.

I'm hoping you'd be willing to respond to some of our concerns and questions below:

- A new historic preservation commission may not have the workload necessary to keep them occupied and energized. Has your community grappled with this problem? *We have not, but neither Amber nor I were working here when the Commission first started.* Have you considered any solutions? *Perhaps you could have them meet quarterly.* I am attaching our municipal code 2.42 that lists all of the duties of our commissioners. On June 9, our city council will adopt revisions to the Historic Preservation ordinance, LMC 16.53.
- It is estimated that Woodland may have up to 10 structures that could be listed as historic. Despite the small number, you will be preserving the heritage in your community. Given the fact that Lacey applied for the name "Woodland" for its first post office in 1890's and you already had that name, you may have a lot of history that is not evident with the structures that remain. Given this small number of historic structures, it has been suggested that the objectives of historic preservation could be met without the ordinance. In general, does it appear that the ordinance is fostering preservation in your community? *We have 9 properties on our register, and 600+/- on the inventory. We have 2 more that were nominated that our city council will consider on June 9. However, we are updating our inventory with 50 new properties. Were options outside of the ordinance ever considered? I could not answer that question.*
- Approximately how many structures are listed on your local list? *9, with 2 more in the near future!*
- Has a structure been listed without the consent of the property owner? *NO, never. Our application requires owner consent. I will send you an application tomorrow (I can't find it in our system)* In general, has a rift developed between the owners of these historic structures and the commission? *Not to my knowledge. A rift could develop if the commission denied a property.*

I'm sure there are many other questions that I haven't thought to ask. If you have any wisdom you'd like to pass along, I'd appreciate it. *I will keep your email address on hand and if I think of anything else will contact you again.* Are you contacting planners? With your permission, I can forward this to Samra Seymour in our Community Development Dept.

I suggest you contact Charlene Anderson with the City of Kent. Unfortunately, the planner, Lydia Moorehead, who worked on the ordinance has just left City employment, but Charlene may be able to help you.

In light of the brevity of my response, I have to tell you that Amber is the more knowledgeable of the two of us, and has been with the City of Lacey longer, and you will enjoy speaking with her.

Good luck,
Lori

Lori Flemm

Lori Flemm, Director
City of Lacey Parks and Recreation Dept.
PO Box 3400, Lacey, WA 98509-3400
City Hall, 420 College St. SE, Lacey, WA 98503
PHONE 360.438.2633 FAX 360.438.2669

Check out our events at www.ci.lacey.wa.us

view our Winter 2011 Brochure at the following link.....

<http://www.ci.lacey.wa.us/city-government/city-departments/parks-and-recreation/recreation-programs/register-for-a-class-or-program>

Thank you for your time!

Carolyn

Carolyn Johnson MCP
Community Development Planner
City of Woodland
(360) 225-1048 Office
(360) 225-7336 Fax

Carolyn Johnson

From: Kamp, Jacqueline [Jacqueline.Kamp@clark.wa.gov]
Sent: Tuesday, May 31, 2011 3:57 PM
To: Carolyn Johnson
Cc: JoAnn Heinrichs
Subject: RE: Lessons Learned - Historic Preservation Ordinance

Hi Carolyn,

I'm happy to share what I know and have learned about Clark County's Historic Preservation program. The county's program has been in existence since 1983 when the program was administered by a non-profit, the Heritage Trust. Around 1995, the program was brought under county administration and the county became a Certified Local Government. There is one Historic Preservation Commission that is responsible for all locally registered properties in Clark County which include properties in the cities of Battle Ground, Camas, La Center, Ridgefield, Vancouver, Washougal and the Town of Yacolt, plus all properties in the unincorporated county. The county has interlocal agreements with the cities and Town of Yacolt for the historic preservation program.

We currently have 60 sites listed on the Clark County Heritage Register and another 24 listed on the National Register of Historic Places and/or the Washington Heritage Register. The commission may only see one or two nominations a year, and the same amount or less, of design review cases. Design review is when a registered property owner is proposing a significant change to the structure or site that is required to be reviewed by the commission before a building permit is issued. However, we seem to always have something to meet about because we also apply for grant funding for historic preservation projects and work on our outreach program. I do believe that the Historic Preservation program has fostered preservation in our communities. It provides a way for the public to learn more about the history of their community which creates a sense of place.

The local register is for locally historic significant structures and it is up the local commission to determine what they deem significant. That being said, Woodland may have more than just ten structures, depending on who you ask. One criteria that we use as does the National Register, is that the structure/site has to be at least 50 years old, so there will be potential for significant sites in Woodland as they get older.

Anyone can nominate a site to the local register, however it must have owner consent. There is the potential for rifts between property owners and the historic preservation commission especially when the owner wants to make a change to their property that the commission believes will alter the historical significance. We also had an issue with property owners not knowing they purchased a locally designated historic site therefore didn't feel it was fair that they needed to abide by the ordinance. To combat that problem, we record the certificate of listing to the deed, so when a title search is performed during a property sale, the certificate is clearly found which informs the owner that the property is historic and is protected by the Clark County Historic Preservation Ordinance.

I hope I answered your questions, if not, please feel free to call or email me again!

Sincerely,

Jacqui Kamp, AICP
Planner II
Clark County Community Planning
1300 Franklin Street
P.O. Box 9810
Vancouver, Washington 98666-9810
(360) 397-2280 ext. 4913

Please note that I am out of the office on Fridays.

WOODLAND HISTORIC PRESERVATION ORDINANCE

Section 1	Purpose
Section 2	Title
Section 3	Definitions
Section 4	Woodland Historic Commission
Section 5	Woodland Register of Historic Places
Section 6	Review of Changes to Woodland Register Properties
Section 7	Review and Monitoring of Properties for Special Property Tax Valuation

SECTION 1. PURPOSE

The purpose of this ordinance is to provide for the identification, evaluation, designation, and protection of designated historic and prehistoric resources within the boundaries of the City of Woodland and preserve and rehabilitate eligible historic properties within the City of Woodland 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 as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the City of Woodland's 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 Woodland's history;
- C. Stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects;
- D. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;
- E. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and,
- F. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

SECTION 2. SHORT TITLE

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

SECTION 3. DEFINITIONS

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

- A. "Woodland Historic Inventory" or "Inventory" means the comprehensive inventory of historic and prehistoric resources within the boundaries of the City of Woodland.
- B. "Woodland Historic Preservation Commission" or "Commission" means the commission created by Section ___ herein.
- C. "Woodland Register of Historic Places", "Local Register", or "Register" means the listing of locally designated properties provided for in Section ___ 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 Woodland” means _____ [ALL/IDENTIFY SELECTED TYPES] 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 Woodland becomes a Certified Local Government (CLG). Once a CLG, the class of properties eligible to apply for Special Valuation in the City of Woodland means only _____ [ALL/IDENTIFY SELECTED TYPES] properties listed on the _____ [LOCAL/LOCAL AND NATIONAL/NATIONAL] Register of Historic Places or properties certified as contributing to an _____ [LOCAL/LOCAL AND NATIONAL/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.
- 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 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 Section ___ 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 Woodland 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 Cowlitz or Clark 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 Woodland, Cowlitz County, Clark County, or Southwest 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 Mercator” 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 Woodland 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.

We choose #. 5 seemed reasonable. Thoughts? Discussion?

SECTION 4. WOODLAND HISTORIC COMMISSION

A. Creation and Size

There is hereby established a Woodland Historic Preservation Commission, consisting of 5 (five) members, as provided in subsection ___ below. Members of the Woodland Historic Preservation Commission shall be appointed by the Mayor and approved by the City Council and shall be residents of the City, except as provided in subsection ___ 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 2 (two) professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines [CHOOSE ONE, SEVERAL, OR ALL DISCIPLINES]. The commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting Certified Local Government (CLG) responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the State. Furthermore, exception to the residency requirement of commission members may be granted by the Mayor and City Council in order to obtain representatives from these disciplines.
3. In making appointments, the Mayor may consider names submitted from any source, but the Mayor shall notify history and city 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.

We can choose the # here. I thought two was reasonable. Thoughts? Discussion?

C. Terms

The original appointment of members to the commission shall be as follows ~~(this example is for a commission of seven)~~ follows: two three (23) for two (2) years, two (2) for three (3) years; and onetwo (12) for four (4) years. Thereafter, appointments shall be made for a three (3) year term. Vacancies shall be filled by the Mayor for the unexpired term in the same manner as the original appointment.

Changed to reflect a Commission of 5 members

D. Powers and Duties

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

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

1. Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the City of Woodland and known as the Woodland Historic Inventory, and publicize and periodically update inventory results. Properties listed on the inventory shall be recorded on official zoning records with an "HI" (for historic inventory designation). This designation shall not change or modify the underlying zone classification.
2. Initiate and maintain the Woodland 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 Woodland and encouragement of efforts by owners to maintain, rehabilitate, and preserve properties.

3. Review nominations to the Woodland Register of Historic Places according to criteria in Section ____ of this ordinance and adopt standards in its rules to be used to guide this review.
4. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register as provided in Section ____; and adopt standards in its rules to be used to guide this review and the issuance of a certificate of appropriateness or waiver.
5. Provide for the review either by the commission or its staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources or adjacent properties.
6. Conduct all commission meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation and adopt standards in its rules to guide this action.
7. Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic and prehistoric resources.
8. Establish liaison support, communication and cooperation with federal, state, and other local government entities which will further historic preservation objectives, including public education, within the Woodland area.
9. Review and comment to the City Council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the City of Woodland, other neighboring communities, the counties, the state or federal governments, as they relate to historic resources of the City of Woodland.
10. Advise the City Council and the Chief Local Elected Official generally on matters of city history and historic preservation.
11. Perform other related functions assigned to the Commission by the City Council or the Chief Local Elected Official.
12. Provide information to the public on methods of maintaining and rehabilitating historic properties. This may take the form of pamphlets, newsletters, workshops, or similar activities.
13. Officially recognize excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas; and encourage appropriate measures for such recognition.
14. Be informed about and provide information to the public and City departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.
15. Review nominations to the State and National Registers of Historic Places.
16. Investigate and report to the City Council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in the City of Woodland.
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 18 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 Woodland Building and Planning Department 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 ordinance.

SECTION 5. WOODLAND 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 Woodland 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. [SELECT ANY OR ALL OF THE CATEGORIES AND INCLUDE ADDITIONAL CATEGORIES IF DESIRED]

1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
2. Embodies the distinctive architectural characteristics of a type, period, style, or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction.
3. Is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art.
4. Exemplifies or reflects special elements of the city's 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 Woodland Register of Historic Places

1. [ONLY PROPERTY OWNERS/ COMMISSION MEMBERS/ANY PERSON] ← Discussion may nominate a building, structure, site, object, or district for inclusion in the Woodland Historic Register. Members of the Historic Preservation Commission or the commission as a whole may generate nominations. In its designation decision, the commission shall consider the Cowlitz County Historical Structures Inventory and the City 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 Section ____ 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 the City of Woodland, and any other form of notification deemed appropriate by the City. If the commission finds that the nominated property is eligible for the Woodland Register of Historic Places, the commission [SHALL LIST THE PROPERTY IN THE REGISTER/SHALL LIST THE PROPERTY IN THE REGISTER WITH OWNER'S CONSENT/MAKE RECOMMENDATION TO THE _____ (City/County) COUNCIL THAT THE PROPERTY BE LISTED IN THE REGISTER/MAKE RECOMMENDATION TO THE CITY THAT THE PROPERTY BE LISTED IN THE REGISTER WITH OWNER'S CONSENT.] In the case of historic districts, the commission shall consider [A SIMPLE MAJORITY OF PROPERTY OWNERS/ _____ PERCENTAGE OF PROPERTY OWNERS] to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The public, property owner(s) and the authors of the nomination, if different, and lessees, if any, shall be notified of the listing.

DISCUSSION →

5. Properties listed on the Woodland 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 Woodland Register of Historic Places, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation, Section _____. A property [MAY/MAY NOT] be removed from the Woodland Register of Historic Places without the owner's consent.

DISCUSSION →

D. Effects of Listing on the Register

1. Listing on the Woodland 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 Section _____, 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 the City of Woodland is certified as a Certified Local Government (CLG), all properties listed on the Woodland Register of Historic Places may be eligible for Special Tax Valuation on their rehabilitation (Section _____).

SECTION 6. REVIEW OF CHANGES TO THE WOODLAND 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 Woodland Register of Historic Places or within an historic district on the Woodland Register of Historic Places without review by the commission and without receipt of a Certificate of Appropriateness, or in the case of demolition, a waiver, as a result of

the review.

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

B. Exemptions

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

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 Woodland Historic Register property or in a 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 Woodland Historic Register property or within a Woodland Historic Register historic district and request a Certificate of Appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the commission established in its rules for the proper review of the proposed project.

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

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

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

3. Demolition

A waiver of the Certificate of Appropriateness is required before a permit may be issued to allow whole or partial demolition of a designated Woodland Historic Register property or in a Woodland Historic Register 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 Woodland Historic Register property by means determined by the commission at the meeting. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted. After the

property is demolished, the commission shall initiate removal of the property from the register.

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

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

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

SECTION 7. 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 Section ___ of this ordinance.
 - a. If the commission finds the properties meet all the criteria, then, on behalf of the City of Woodland, it enters into an Historic Preservation Special Valuation Agreement (set forth in WAC 254-20-120 and in Section ___ 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 Section ___ 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 the City of Woodland means all 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 Woodland becomes a Certified Local Government (CLG). Once a CLG, the class of property eligible to apply for Special Valuation in Woodland means [ONLY] _____ [ALL/IDENTIFY SELECTED TYPES] properties listed on the _____ [LOCAL/LOCAL AND NATIONAL/NATIONAL] Register of Historic Places or properties certified as contributing to an _____ [LOCAL/LOCAL AND NATIONAL/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.

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 Woodland under Section ___ of this ordinance;
- c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) (and identified in Section ___ of this ordinance) 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) and listed in Section ___ of this ordinance).

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.

PC Workshops and Public Hearings – 2011 Work Projection

March	April	May
Workshop – Commercial Vehicle Parking (LU 210-024)	Public Hearing – Commercial Vehicle Parking (LU 210-024)	Public Hearing – Home Occupations (LU 210-926)
Workshop – Home Occupations (LU 210-926)	Workshop – Home Occupations (LU 210-926)	Workshop – New Card Room Zoning Ordinance (LU 210-928)
Workshop – Administrative Appeal Procedures (LU 210-917)	Workshop – Administrative Appeal Procedures (LU 210-917)	Workshop – Historic Preservation Ordinance (LU 211-906)
2011 PC Goals and Priorities		
June	July	August
Public Hearing – Review Procedures and Criteria for Variances and Minor Modifications to Approved Conditional Uses (LU 210-919)	Workshop – Historic Preservation Ordinance (LU 211-906)	Public Hearing – Historic Preservation Ordinance (LU 211-906)
Workshop – New Card Room Zoning Ordinance (LU 210-928)	Workshop – Non-Conforming Use Standards	Workshop – Non-Conforming Use Standards
Workshop – Historic Preservation Ordinance (LU 211-906)	Workshop – Clarification of Pet/Domestic Animal Code	Workshop – Clarification of Pet/Domestic Animal Code
September	October	November
Public Hearing – Clarification of Pet/Domestic Animal Code	Workshop – Amend Off-Site Improvement Standards for Commercial and Residential Zoning Districts	Public Hearing – Amend Off-Site Improvement Standards for Commercial and Residential Zoning Districts
Public Hearing – Non-Conforming Use Standards	Workshop – Make Water and Sewer Late-comer Fees Consistent with State Statute	Public Hearing – Make Water and Sewer Late-comer Fees Consistent with State Statute
Workshop – Amend Off-Site Improvement Standards for Commercial and Residential Zoning Districts	Workshop – Standards for Soar Panels and Wind Turbines	Public Hearing – Standards for Soar Panels and Wind Turbines
Workshop – Make Water and Sewer Late-comer Fees Consistent with State Statute		
Workshop – Standards for Soar Panels and Wind Turbines		
December		

Proposed 2011 Goals & Priorities

Mandatory

1. Participate in the Shoreline Master Program Update (Clark County)
2. Find Funding for Floodplain Certification

Committed to Completing in 2011

- ✓ 1. PURD Ordinance ****COMPLETED****
- ✓ 2. Commercial Vehicle Parking in Residential Districts – Review Weight Limit
- ✓ 3. Review Home Occupation Criteria with Regards to Traffic Generation
- * 4. Develop Card Room Zoning Standards
5. Amend Code to Set Expiration Dates for Site Plan and Variance Approvals
6. Amend Land Use and SEPA Appeal Procedures
- * 7. Minor Variance Standards - Relax Industrial Side and Rear Setback Standards
- * 8. Mixed-Use Downtown and Gateway Districts Architectural and Site Design Standards
9. ~~Review and Reprioritize Capital Facility List in the Comprehensive Plan~~

Proposed 2011 Work Items

- * 1. Establish Historic Preservation Program and Become a Certified Local Government (Planning Commission to Start Project by Recommending a Process and Timeline)
2. Zoning Text Changes:
 - Clarify Non-Conforming Use Standards (Clarify the Term “Actively” and Investigate Whether the City Should have an Avenue for Pre-Existing Non-Conforming Uses to be Able to Expand)
 - Clarify Pet/Domestic Animal Code
3. Zoning Text Changes:
 - Amend Off-Site Improvement Standards for Commercial and Residential Zoning Districts
 - Review WMC’s Late-Comer Fees for Water and Sanitary Sewer System and Make Consistent with State Statute
4. Develop Standards for Solar Panels and Wind Turbines

✓ = Completed

* = currently working on

Planning Project Updates

Wednesday, June 8, 2011

Les Schwab

Land Use Approval, with Conditions, issued May 13, 2011

Woodland Swimming Pool

No change

Wal-Mart Sign Variance

Public Hearing scheduled for June 7th at 3 p.m.

Commercial Vehicle Parking in Residential Zones

To go before CC June 6 (Second Reading)

Home Occupation Review Criteria

To go before CC June 6 (First Reading)

Mixed Use Downtown & Gateway Districts

Carolyn is collecting cost information and information on the public notification process used.

2011 Sidewalk Construction Project

Public Hearing scheduled for June 7 at 3:00 p.m.

Schurman/Dike Access Reconstruction Project

May 16 construction started