

CITY OF CLE ELUM HISTORIC PRESERVATION COMMISSION BYLAWS

SECTION I: GENERAL RULES AND PROCEDURES

These Bylaws establish the rules and procedures under which the Cle Elum Historic Preservation Commission (CEHPC or Commission) executes those duties and functions set forth in City of Cle Elum Municipal Code (CEMC) Chapter 15.22 – Historic Preservation

A. MEMBERSHIP

1. The Commission shall consist of five (5) members. They must be appointed and/or re-appointed at the expiration of their term by the Mayor and confirmed by the City Council. Terms shall be for three years. Membership on the Commission shall not be limited. Members shall be selected without respect to political affiliation.
2. The CEHPC will, by majority vote, elect a Chair and Vice Chair at the first meeting of each year who will serve throughout that year. The chair will serve no more than two consecutive terms. The Chair:
 - a. Decides all points of order and procedural matters subject to rules and Bylaws.
 - b. May appoint committees as necessary to investigate and report on matters before the Commission.

The Vice Chair will serve in place of the Chair in case of his/her absence and will have the same powers and duties.

3. CEHPC staff may consist of:
 - a. The Cle Elum City Clerk (or designee) may be responsible for notification of meetings, preparing the agenda, forwarding recommendations and documentation as required, arrange property inspections, offer secretarial and administrative support as necessary, Certified Local Government (CLG) responsibilities as determined, receiving applications, dispensing application packets and information, and other responsibilities as determined.
 - b. Committees of the Commission who may be responsible for reviewing applications for completeness, preparing staff reports and CEHPC recommendations, meeting with applicants and others, executing agreements, monitoring properties, maintaining the Historic Inventory and Register, and other responsibilities as determined.
 - c. Building Official (or designee) will be responsible for site inspections, reviewing building permits, issuing the Certificate of Appropriateness, and other responsibilities as determined.
 - d. City Attorney will be responsible for reviewing changes to ordinances, advising the Commission on legal issues, and other responsibilities as determined.
 - e. Hired consultants who will be responsible for those duties as specified in their contracts, which may include those duties and responsibilities as specified above.

- B. The Commission members shall not receive any salary or other compensation for services rendered on the Commission, but necessary expenses actually incurred and within the budget as set by the annual budget ordinance shall be paid, after first having received pre-approval from the City Council before expense is incurred.
- C. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms. Members may be removed by the Mayor with the approval of the City Council, for inefficiency, neglect of duty or malfeasance in office. Other reasons for removal may include:
 - 1. Absence from three consecutive regular meetings or six regular meetings in a twelve-month period, which shall be, regarded as constituting resignation from the Commission. This information will be forwarded to the Mayor and City Council by staff. Reinstatement may be sought through a hearing by the Commission.

- 2. Participation in a legally demonstrable case of conflict of interest.

Excused absences (sickness, death in the family, business trips or emergencies) will not affect the member's status as in (1) above, except in the case of extended illness or long absence in which case the member shall be replaced. When a member is approaching the maximum number of absences he/she will be notified by staff. Verification of attendance will be based exclusively on the minutes of each meeting.

- D. The Commission may always include at least two professionals who have experience in evaluating the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies. The temporary vacancy or unavailability of one or both of these members shall not invalidate any Commission action unless that action is related to meeting CLG responsibilities as cited in the Certification Agreement between the Mayor of Cle Elum and the State Historic Preservation officer.
- E. No member of the CEHPC shall represent the Commission in its official actions except as specifically authorized by majority vote.
- F. Commission members shall refrain from discussing or expressing opinions on matters on the Commission's agenda outside of Commission meetings except as authorized in (E), or on direction from the Chair. Any Commission member found guilty of breaching this item or of violating the open public meetings act may result in removal from the Commission.
- G. To avoid conflict of interest, no Commission member shall vote on the determination of any case in which he/she or members of his/her immediate family have a financial interest.
- H. Commission members shall not vote on any application or determination unless he/she has been in attendance at previous deliberations on the subject or shall have the approval of the Chair contingent on the Chair's determination that the member has familiarized himself/herself with the subject and the minutes of any meetings where the subject was discussed.

I. PROCEDURES FOR CONDUCTING REGULAR MEETINGS

1. Pre-Meeting

- a. If there are agenda items, regular meetings will be held at 6:00 p.m. on the last Monday of every month in the City Council chambers. In case of scheduling conflicts the meeting place may be changed at the discretion of the Chair with ten days advance notice given to CEHPC members and the public. If the last Monday of the month falls on an official holiday, the meeting may be changed to a time and place as determined by the CEHPC at

the preceding month's meeting. If such a change occurs, the regular meeting place will be posted as to the new time and place.

- b. If there are no agenda items, the Chair may cancel the regular meeting after giving all CEHPC members 24 hours and the public 24 hours advance notice. However, if a majority of CEHPC members express the desire to hold the meeting, it shall convene as scheduled. If the meeting is canceled, a notice to that effect will be posted at the regular meeting place at the regular time.
- c. Special meetings may be called by the Chair or by a majority of CEHPC members. Commission members will be given at least 24 hours advance notice of the time and place of such meetings.
- d. All regular and special meetings will be open to the public and the date, place and agenda will be publicized in accordance with the Open Public Meetings Act (Chapter 42.30 RCW) except when a majority of Commission members determine that an executive session is necessary as detailed in the Open Public Meeting Act (Chapter 42.30.110). The agenda for regularly scheduled meetings shall be posted and advertised 48 hours prior to the regularly scheduled meetings.
- e. The order of agenda items will be determined by their order of receipt. All applications, including designation review, special valuation review and National Register review must be filed at least one month before the meeting at which the case is to be considered. This allows staff sufficient time to copy and distribute materials to CEHPC members. Design Review applications must be filed at least one week prior to the regularly scheduled meetings at which they are to be considered.
- f. Staff shall be responsible for notifying principles in each case as specified under the rules for review procedures.

2. Regular Order of Business for Meetings

- a. Business will be conducted under Robert's Rules of order except where this contradicts with the Bylaws or other special rules adopted by the CEHPC, which then take precedence. All issues will be decided by simple majority vote except amendments to the Bylaws, which require a vote of two-thirds of the membership.
- b. Three members of the non-vacant membership of the CEHPC constitutes a quorum. Meetings without a quorum will be recessed to the earliest possible date.
- c. Minutes will be taken during all CEHPC proceedings. Additionally, the meetings may be taped to further clarify the minutes.
- d. The regular order of business shall be as follows:
 - 1. Call to order
 - 2. Adoption of minutes
 - 3. Report of committees
 - 4. Citizen comment on non-agenda items (limited to 15-minutes)
 - 5. Old business

6. New business
 7. Adjournment
- e. The regular order of business for consideration of applications for local or National Register review, design review and special valuation review shall be as follows:
1. The Chair or chair-designated person shall offer a preliminary statement concerning the application.
 2. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
 3. Statements in opposition to the application.
 4. Comments by interested persons, organizations, or legal entities.
 5. Rebuttal by all concerned parties.
 6. Staff comments.
 7. Summary of above by Chair or chair-designated person.
 8. Deliberation by Commission.
 9. Motion for action.
 10. Vote.

During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the CEHPC.

- f. The CEHPC shall act on each application at the meeting unless the Chair or a majority of the Commission decides to defer consideration to a later date. Requests for continuance may be granted if all parties agree. The continuance will be publicly announced by the Chair, and the case automatically set on the agenda for the next regularly scheduled meeting. In such a case, no further notice is required for the principles in the case.
- g. In the event of the uncontrollable disruption of the meeting, the CEHPC may clear the meeting room and continue in executive session or may adjourn and reconvene at another location selected by majority vote of the members. In such a case, business shall be restricted to those items on the printed agenda. Persons or news media representatives not participating in the disturbance may be readmitted in this situation.
3. Post Meeting
- a. Staff will be responsible for notifying participants as called for under rules for specific review procedures.
 - b. Staff will be responsible for forwarding materials to participants as called for under rules for specific review procedures.
 - c. Staff will be responsible for distributing the minutes of the meeting.

J. PLAN FOR COPYING, DISTRIBUTING AND IMPLEMENTING RULES

1. Rules and procedures for conducting various historic preservation processes will be reviewed by the CEHPC. If any major changes are specified during the course of this examination, the documents will be returned to the Office of Archaeology and Historic Preservation (OAHP) for a review of the changes. The documents will then be returned to the CEHPC. A two-thirds majority is necessary for acceptance of the rules and procedures by the CEHPC.
2. The master copies of all historic preservation related rules and procedures, application standards, criteria, and standard forms will remain on file with the City of Cle Elum. Complete copies of these documents will be forwarded to the Mayor and members of the City Council. Copies of Design and Designation Review processes documents will be forwarded to the Building Official (or designee). Copies of the Designation and Impact Review processes documents will be forwarded to the Planning Commission with those sections that pertain to these entities highlighted. Complete copies of all such documents will be provided for the members of the CEHPC, the City Clerk staff and OAHP.

SECTION II: RULES AND PROCEDURES FOR DESIGNATION REVIEW – CLE ELUM REGISTER OF HISTORIC PLACES

Under the provisions of the Cle Elum Historic Preservation Ordinance (CEHPO) the Cle Elum Historic Preservation Commission (CEHPC or Commission) is directed to initiate and maintain a Cle Elum Register of Historic Places (CERHP or Register) and to review nominations to the Register.

Any building, structure, site, object or district may be placed on the Register if:

1. The CEHPC determines that it meets CERHP criteria.
2. The Cle Elum City Council approves it.

Any individual, group of property owners or other interested group or association, City or County Council member, Cle Elum Historic Preservation Commission member or CEHPC as a whole may nominate a building, structure, site, object or district for inclusion on the Register. Owner consent is required for placement on the CERHP.

A. PROCEDURES FOR DESIGNATION REVIEW MEETINGS

1. Pre-meeting

a. Applicant or Designated Agent:

1. Meets with CEHPC Staff (Staff) concerning the application form and the necessary documentation.
2. Submits the completed application to Staff at least one month before the regularly scheduled meeting at which the application is to be considered.

b. Staff:

1. Meets with the applicant concerning the application form and the necessary documentation.
2. Reviews the application for completeness and includes the case on the agenda based on determination that the application is complete. Staff review may include meetings with owners and adjacent property owners, interviews, historic research and examination of the property.
3. Prepares a report for the Commission based on the review.
4. Arranges with the property owners for an on-site inspection by the CEHPC or designated committee.
5. Notifies in writing the applicant, the owner (if different), and persons, organizations or legal entities resident, leasing or owning properties contiguous to the property in question at least one week prior to the meeting at which the application is to be considered. The date and time of the meeting will be specified in the announcement.

c. Cle Elum Historic Preservation Commission:

1. Reviews the nomination and staff report.
 2. Visits the property.
2. Meetings
- a. Designation review will occur at regularly scheduled meetings as detailed in the rules for conducting Cle Elum Historic Preservation Commission meetings.
 - b. The regular order of business for consideration of applications to the Cle Elum Register of Historic Places shall be as follows:
 1. The Chair or Chair designated person shall offer a preliminary statement concerning the application.
 2. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
 3. Statements in opposition to the application.
 4. Comments by City of Cle Elum Planning Commission, interested persons, organization or legal entities.
 5. Rebuttal by all concerned parties.
 6. Staff comments.
 7. Summary of above by Chair or designated person.
 8. Deliberation by Commission.
 9. The motion for the recommendation should be based on the designation criteria.

During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the CEHPC.

- c. Commission members apply the designation criteria, as outlined in City of Cle Elum Municipal Code Chapter 15.22.050 to the property or district to evaluate the nomination. The members should consider information related to the designation criteria as presented above during the designation meeting and from the site visit. The Commission:
 1. Determines the category of historic property.
 2. Establishes the context for evaluating the property.
 3. Identifies the level of significance (National, State, local).
 4. Evaluates the integrity of the property.
 5. Determines if there are special conditions that might make the property eligible.

6. Determines if the property meets the criteria.
 7. Votes on the recommendation.
3. Post Meeting
- a. Staff
 1. Prepare the Commission's report as a finding of fact, clearly stating the relevant designation criteria and how the property meets or fails to meet the criteria.
 2. Notify owner and applicant in writing of the CEHPC's recommendation within one week of the meeting.
 3. Notify applicant of the appeals process if the recommendation is against placement of the property on the Register.
 4. Get the owner's written acknowledgment when the property is placed on the Register.
 5. Forward the Commission's recommendation, the application, and supporting documentation, including letters of support and opposition, and the owner's written acknowledgement to the City Council for final determination.
 6. Transmit proposed historic district boundaries to the Planning Commission for review and recommendation to the City Council.
 7. Notifies the Building Official and Planning Commission if the property is listed on the Register.
 8. Notifies applicant of the City Councils final decision.
 - b. Cle Elum City Council

Once the case is with the City Council, they can concur with or reject the Commission's recommendation, or send the case back to the Commission for further study. If the Council:

 1. Concurs with a positive recommendation the property is listed on the Cle Elum Register of Historic Places (CERHP).
 2. Concurs with a negative recommendation, the property is not listed on the CERHP.
 3. Rejects the recommendation; the case goes back to the CEHPC.
 - c. Cle Elum Historic Preservation Commission

If the recommendation is rejected by the City Council, at the next regularly scheduled meeting, the Commission:

 1. If a positive recommendation was rejected, decides whether any other protection for the property is necessary or possible, including initiation of the National Register process.

2. If a negative recommendation is rejected, votes on whether to continue the case by providing more documentation, or to concur with the Council decision and list the property on the Register.

B. APPEALS OR RESUBMISSION

1. A negative recommendation or a non-acceptance of an application by the CEHPC is not irrevocable. If new information becomes available or if the applicant wishes, the application may be resubmitted with CEHPC approval to the CEHPC. In such a case, the entire procedure must be repeated.
2. If the applicant disagrees with the Commission's recommendation, the applicant may present the case directly to City Council. In such a case, documentation shall be limited to that nomination material presented during the CEHPC public meeting and the minutes of that meeting.

C. MISCELLANEOUS

1. Once a property has been approved by the CEHPC for placement on the Cle Elum Register of Historic Places, the Certificate of Appropriateness review process becomes effective. If the City Council does not concur with the CEHPC's recommendation and the property is not listed, the review process no longer applies.
2. If the case involves an historic district, the boundaries of that district are set with City Council approval.
3. In the event that any property is no longer deemed appropriate for designation to the Cle Elum Register of Historic Places, the CEHPC may initiate removal by following the same procedure as provided for listing.
4. In its designation recommendation, the Commission shall consider the Cle Elum Historic Inventory and the City Comprehensive Plan.

D. CLE ELUM REGISTER OF HISTORIC PLACES CRITERIA

The following are criteria for the inclusion of properties on the Cle Elum Register of Historic Places (CERHP) as stated in CEMC 15.22.050.

Any building, structure, site, object or district may be placed on the CERHP if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of Cle Elum; has historical integrity; is at least 50 years old, or, if younger, possesses exceptional importance; and if it meets at least one of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of national, state or local history.
2. It embodies the distinctive architectural characteristics of a type, period, style, or method of construction, or represents a significant and distinguishable entity whose components may lack individual distinction.
3. It is an outstanding work of a designer, builder or architect who has made a substantial contribution to the art.

4. It exemplifies or reflects special elements of the City's cultural, special, economic, political, aesthetic, engineering or architectural history.
5. It is associated with the lives of persons significant in national, state or local history.
6. It has yielded or is likely to yield important archaeological information.
7. It 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. It is a birthplace or grave of an historical fixture of outstanding importance and is the only surviving structure or site associated with that person.
9. It is a cemetery that derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns.
10. It is a reconstructed building that has been executed in a historically accurate manner on the original site.
11. It 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.

E. APPLICATION STANDARDS FOR CLE ELUM REGISTER OF HISTORIC PLACES

An acceptable Cle Elum Register of Historic Places application is a nomination form completed according to uniform guidelines as presented in "National Register of Historic Places, Washington State Register of Historic Places: A Nomination Guide," from the Washington State Office of Archaeology and Historic Preservation.

The Cle Elum Register of Historic Places/Survey--Inventory Form, available from the Cle Elum Historic Commission, must be typed and completely filled in. Blanks that are not applicable to the property should be filled with "N/A."

All interior and exterior features and outbuildings that contribute to the designation should be mentioned and described. District designations should include a description of proposed district boundaries, the characteristics of the district which justifies its designation, and a list of all properties including features, structures, sites, objects and open spaces which contribute to the designation of the district.

The original form should be presented along with the following documentation:

1. A U.S.G.S. map with the UTM reference points identified. A Kittitas County GIS Map with the same information identified.
2. A sketch of scaled map showing significant property elements and property boundaries for nominations involving more than a single structure or site.
3. Photographs detailing the historic nature of the property. Photo documentation should be 3" x 3" or 3" x 5" minimum format in black and white with negatives and must be clearly labeled to identify case, location, subjects and the direction the photograph was taken. The Cle Elum Historic Commission staff should be consulted regarding exact photo requirements for specific nominations.

Uncompleted forms or those with insufficient documentation will not be considered and will be returned to the applicant.

SECTION III: RULES AND PROCEDURES FOR DESIGN REVIEW – CLE ELUM REGISTER OF HISTORIC PLACES

Design Review is the process through which the Cle Elum Historic Preservation Commission (CEHPC or Commission) reviews proposed changes to Cle Elum's historic resources. Once a property is listed on the Cle Elum Register of Historic Places (CERHP), any work done on the property that would ordinarily necessitate a building permit will, in addition, require a Certificate of Appropriateness. These activities include:

1. Demolition of historic structures.
2. Alterations to historic structures.
3. New construction within historic districts.
4. Change of use.

The Certificate of Appropriateness is approved by the CEHPC as required and under powers granted it by the Historic Preservation Ordinance of the City of Cle Elum, CEMC 15.22.

These rules shall have no application to ordinary repairs and maintenances, including painting, or to emergency measures as defined in the Cle Elum Historic Preservation Ordinance, CEMC 15.22.

A. PROCEDURES FOR CONDUCTING MEETINGS

1. Pre-meeting

a. Applicant/Designated Agent

An applicant wishing to make such changes:

1. Applies to the Building Official (or designee) according to usual procedure.
2. Applies to the CEHPC staff for a review of proposed changes on a Cle Elum Register of Historic Places property or within an historic district.
3. Meets with CEHPC staff to review design guidelines.
4. Submits application for design review at least one week before a regularly scheduled meeting.

b. Building Official (or designee)

1. Report to the CEHPC staff on any application for a permit to work on a designated Cle Elum Register of Historic Places property or a property with a designated Cle Elum Historic District.
2. Continues processing the permit.
3. Works with the CEHPC staff in considering fire and building codes.
4. Does not issue permits until the CEHPC recommendations are received.

c. Staff

1. Notify the applicant of the Commission review requirements.
 2. Meet with the applicant to transmit design guidelines and information on necessary documentation and completion of the application form.
 3. After the form is submitted, review it for completeness.
 4. If the form is complete, place the case on the agenda for the next regularly scheduled meeting.
 5. Make arrangements if necessary for the CEHPC to visit the property. This may include interior visitation.
 6. Review the modifications and prepare a report for the Commission.
 7. Not be required to make special notification of contiguous property owners.
- d. Cle Elum Historic Preservation Commission
1. Review the application and the staff report.
 2. Visit the property if necessary.

2. Meeting

- a. Design review will occur at regularly scheduled meetings. Design review applications will be considered in the order in which the Commission received them.
- b. The regular order of business for consideration of design review applications shall be as follows:
 1. The Chair or Chair designated person shall offer a preliminary statement concerning the application.
 2. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
 3. Statements in opposition to the application.
 4. Comments by interested persons, organizations or legal entities.
 5. Rebuttal by all concerned parties.
 6. Staff comments.
 7. Summary of above by Chair or designated person.
 8. Deliberation by Commission.

During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the CEHPC.

- c. As part of this deliberation, the CEHPC shall review the proposed work, using information from the site visit and application materials, comparing this information with the design review criteria established in Rules. The design review criteria for Cle Elum shall be those as outlined in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings or the revised standards for the City of Cle Elum.
 - 1. If the alterations meet the Standards, a Certificate of Appropriateness is issued.
 - 2. If the alterations fail to meet the Standards, the Certificate of Appropriateness is not issued and the recommendation is against the Building Official (or designee) issuing the permit.
 - 3. If the alterations would meet the Standards with modification, the Certificate of Appropriateness is issued with Conditions of Issuance.

3. Post Meeting

a. Owner/Designated Agent

The owner/designated agent has the following options:

- 1. If the owner agrees in writing to comply with the CEHPC's recommendations and Conditions of Issuance, he/she receives a Certificate of Appropriateness.
- 2. If the owner disagrees with the recommendation, he/she can drop the case and reapply with modifications. The applicant should be encouraged to reapply to the Commission with modified plans.
- 3. The owner may request removal of the property from the Cle Elum Register of Historic Places, however a building permit is still required through the Building Official.

b. Staff:

- 1. Issue the commission's recommendation as a finding of fact, clearly stating the intended modifications and how they meet or fail to meet the Secretary of the Interior's Standards or the City of Cle Elum's revised Standards.
- 2. Within a week of the meeting notify the owner/designated agent in writing of the Commission's decision.
- 3. Meet with the owner/designated agent and execute an agreement to follow the Conditions of Issuance.
- 4. Get the owner/designated agent's signature on the Conditions of Issuance.
- 5. Within 30 days of the receipt of the complete application, forward the Commission's recommendation, the Certificate of Appropriateness (if issued) and any Conditions of Issuance to the Building Official.

c. Building Official (or designee)

After receiving the application, Certificate of Appropriateness (if issued) and any Conditions of Issuance from the CEHPC staff, the Building Official (or designee) will:

1. Make the final decision on the issuance of the permit.
2. Notify the CEHPC of its decision.

B. APPLICATION STANDARDS

Documentation is required for alterations to or demolition of a property on the Cle Elum Register of Historic Places (CERHP) or for new construction within a district on the Register. Required documentation shall minimally include all the materials identified illustrating:

1. Existing conditions.
2. Proposed alterations.
3. Affect on historic properties (impact).

At least one copy of the documents detailed below must be submitted with the application. These will remain on file with the CEHPC. All drawings, mean plans and elevations must be drawn to scale or have the measurements included and be signed by the architect or draftsman.

The required documentation varies with anticipated project costs. If the alteration or new construction is expected to exceed \$15,000, see (4) below.

For phased projects, one copy of all required documentation shall be submitted for each phase of the project.

1. Alterations

a. Existing conditions

1. A copy of the CERHP nomination
2. Photographs - Photos should be 3"x 3" or 3"x 5" minimum format in black and white with negatives and must be clearly labeled to identify case, location, subjects and the direction the photograph was taken. Necessary photographs include:
 - aa. Building on lot, including elevations and facades that are to be altered.
 - bb. In a historic district, photographs of structures adjoining the property, as well as those across the street and/or alley are necessary (streetscapes).

b. Proposed alterations

1. Precise written statement describing work on CEHPC.
2. Working drawings.

3. For rehabilitation or restoration work, historic photographs and statement of physical or documentary evidence for proposed changes particularly if replacement is proposed.
4. Materials, samples and additional photographs may be required by the CEHPC.
5. Descriptions of proposed signs, re-roofing plans, fences, parking lots and landscaping changes.
6. Other information as required.

c. **Impact**

Working drawings showing how proposed alterations would affect historic elements listed in the property nomination form.

2. **New Construction**

New construction refers to building within a historic district listed on the CERHP.

a. **Existing conditions**

1. **Site plan or measured drawings indicating the following:**
 - aa. Existing adjacent buildings
 - bb. Property lines and utilities
 - cc. Right of ways
 - dd. Building setbacks and allowed side yards
 - ee. Existing planting materials and size
2. **Photographs - Photos should be 3" x 3" or 3" x 5" minimum format in black and white with negatives and must be clearly labeled to identify case, location subjects and the direction the photograph was taken. Photographs of structures adjoining the property, as well as those across the street and/or alley are necessary (streetscapes).**
3. **Other information as required.**

b. **Proposed construction**

Precise written statement describing work on CEHPC application form. Site plan including that information specified above and:

1. The proposed buildings outline with dimensions relative to property lines and existing buildings adjacent to the property.
2. New parking areas, driveways, utilities, etc.

3. Any proposed planting and landscaping, sidewalks, and patios, mechanical equipment and other appurtenances such as walls, gates and accessory buildings.
 4. Other information as required.
- c. Impact
1. Precise written description of how the proposed new construction would affect the historic nature of the district.
 2. Sketch of affected streetscapes.
3. Demolition
- a. A copy of the nomination of the property to the Cle Elum Register of Historic Places.
 - b. Description of structural integrity.
 - c. Reason or justification for demolition (should include statements of why the property is not salvageable or why it cannot be maintained).
 - d. Any planned new construction.
 - e. Photographs of all sides of structure and the interior.
 - f. Survey plat.
 - g. Any additional documentation required by the Commission.
4. Requirements for projects over \$15,000
- a. Existing conditions
 1. A scaled site plan or plans illustrating existing conditions, including:
 - aa. Building dimensions relative to property lines and existing building adjacent to the property.
 - bb. Right-of-ways.
 - cc. Building setbacks.
 - dd. Utilities.
 - ee. Any planting and landscaping, parking lots, driveways, sidewalks and patios, mechanical equipment and other appurtenances such as walls, gates and accessory buildings.
 - ff. Features mentioned in the nomination and their condition.
 - gg. Other information as required.

2. Building elevations and typical building cross section illustrating existing conditions, including:
 - aa. Vertical dimensions.
 - bb. Existing grade.
 - cc. Cladding.
 - dd. Roof type, slopes and material.
 - ee. Window type and material.
 - ff. Mechanical vents.
 - gg. Types of outdoor light fixtures.
 - hh. Design and location of signage.
 - ii. Features mentioned in the nomination and their condition.
 - jj. Other information as required.
 3. If historic significance is related to interior features, floor plans depicting:
 - aa. The arrangement of the interior spaces.
 - bb. Location of windows and doors.
 - cc. Features mentioned in the nomination.
 - dd. Other information as required.
- b. Proposed alteration or construction
- Complete blueprints and construction plans of project.
- c. Impact
1. A scaled site plan or plans showing conditions after the proposed construction including those items listed under (a) (1) above and with specific depictions and descriptions of how changes will affect those items under (a)(1)(ff) above.
 2. Building elevations and typical building cross section showing conditions after the proposed construction including those items listed under (a) (2) above and with specific depictions and descriptions of how changes will affect those items under (a)(2)(ii) above.
 3. Interior floor plans after the proposed construction including those items under (a) (3) and with specific depictions and descriptions of how changes will affect those items under (a)(3)(cc) above.

C. Criteria

The Secretary of the Interior has established Standards for Rehabilitation to be considered during the Design Review process. When necessary, refer to these Standards to guide in the design review criteria.

To achieve those listed goals and to safeguard the heritage of the City of Cle Elum as called for in the Historic Preservation Ordinance, a two-part evaluation is necessary:

- Part 1. The identification of those materials, features and combinations of features that confers significance to properties or districts on the Cle Elum Register of Historic Places.
- Part 2. Assessing the potential impact of rehabilitation work necessary for efficient contemporary utilization of the property.

Many features define the historic character of a property or district. Cladding whether of wood or masonry; style, composition and decorative features of the roof; the presence of architectural metals; window number, arrangements and styles; entrances and porches; storefronts on commercial buildings; internal arrangement and detailing; and the historic relationship between buildings, landscape features and open space, as well as many other materials and features can all contribute to a property's character.

After identifying the distinguishing historic characteristics of a property subject to the Design Review process, retention and preservation of those features and materials is the primary goal of the Design Review effort.

This is accomplished through the review process individual to each property. However, there are preferred options, specified by the Secretary of the Interior, common to each property.

- 1. Protecting and Maintaining
 - a. Providing proper drainage so that water does not cause damage to
 - 1. Masonry
 - 2. Flat, horizontal and decorative wooden features
 - 3. Flat, horizontal and decorative metal features
 - 4. Structural members, foundations and walls
 - 5. The historic landscape
 - b. Providing proper venting which helps prevent moisture condensation damage and subsequent insect damage.
 - c. Cleaning features and materials only when necessary using only the gentlest methods. This includes cleaning gutters and downspouts on roofs and replacing flashings on the roof and over windows.
 - d. Removing rust from metal structural and decorative features.
 - e. Examining protective coating systems (paint, shellac, etc.), and removal of loose or deteriorated materials to the next intact layer by the gentlest means possible. (This

may include electric heating devices, chemicals, or scraping and brushing.) Reapplication of compatible protective coating systems following proper surface preparation in historically accurate colors is then necessary to prevent deterioration.

- f. Applying non-obtrusive chemical and physical preservatives to features not previously protected.
- g. Providing non-obtrusive insulation, recaulking and weather-stripping to improve thermal efficiency.
- h. Carefully testing of all the above materials and methods in non-conspicuous areas to gauge their effect on the historic fabric.
- i. Carefully inspecting materials and features to see if repairs or replacement is necessary. This may include using such nondestructive techniques as x-ray photograph to evaluate the structural integrity of buildings or structures.

2. Repairs

Repairs may include patching, splicing, piecing in, or reinforcing present materials and features (including upgrading individual elements of a feature), following recognized preservation methods. If there are seriously deteriorated or missing elements along with surviving models or prototypes, repairs may also include limited in kind replacement or replacement with a compatible substitute material if the original material is not economically feasible.

In repairing, duplication of the appearance, strength, composition, color and texture is sought. For example, in repainting masonry, care should be taken to replicate the size and shape of the mortar joint and the color of the mortar. For repairing stucco, the damaged material should be removed and the stucco matched in strength, composition, color and texture.

3. Replacing

If an entire feature is too deteriorated to repair, but the overall form and detailing are still evident, the feature should be replaced. The replacement should attempt to replicate the original, using the physical evidence to guide the new work. If using the exact material is not technically or economically feasible, a compatible substitute material may be considered. The substituted material should offer the same, or greater, structural support.

4. Design for Missing Historic Features

Due to its complex technical and/or design implications, this option should only be considered after the other possibilities have been explored. It entails designing and installing a copy when the historic feature or model is physically missing. A restoration using historical descriptions, pictorial representations, and/or physical documentation may be attempted, or a new design, compatible in size, scale, material and color may be substituted.

5. Alterations and Additions

New additions to historic buildings should be a last resort and should be placed to minimize loss, damage or the obscuring of character defining features. Both internal and external alterations should be as inconspicuous as possible from public right-of-ways and from main interior spaces. Such new features should be compatible with overall building design in terms of size, scale, material and color, but should not try to duplicate existing historical features.

Excavations adjacent to historic foundations should be limited to avoid damage to those foundations or to any archeological deposits that may be nearby.

Alterations for health and safety codes or for energy retrofitting should be done so that the historic building's character defining spaces, features, etc., will not be impacted.

SECTION IV: SPECIAL VALUATION REVIEW – CLE ELUM REGISTER OF HISTORIC PLACES

In 1985, the Washington State Legislature passed a "special valuation" law which makes it possible for Certified Local Governments (CLGs), for a ten year period, to insure that property taxes will not reflect substantial improvements made to certain classes of properties as identified by the CLG.

The CLG may amend the criteria for eligibility, however, if made more restrictive these do not become effective for two years following October 1 of the year they were enacted. This means that owners of certain types of historic properties have the potential to realize substantial tax savings.

Only properties on the Cle Elum Register of Historic Places or properties within the Cle Elum Historic District are eligible for special valuation.

A. PROCEDURES FOR CONDUCTING MEETINGS

1. Pre-Meeting

a. Applicant or Designated Agent

At least one month prior to the meeting, the applicant must:

1. Consult with the Cle Elum Historic Preservation Commission (CEHPC) staff prior to beginning rehabilitation work.
2. Submit the application to the County Assessor on a Department of Revenue form no later than 24 months after initiating work. The application must be submitted before October 1 for action before December 31 of that year.
3. Monitor construction work to ensure that it conforms to the Washington State Advisory Council's Standards for Rehabilitation (Standards).
4. Maintain accurate records of project costs and dates.

b. County Assessor

1. Reviews the application for completeness.
2. Verifies the legal owner and legal description.
3. Submits the application to the CEHPC within ten working days of receipt of the completed application.

c. Staff

1. Places the case on the agenda for the next regularly scheduled meeting as long as there is at least 20 days review period before that meeting. If there is not 20 days, the case will be scheduled for the next month's regularly scheduled meeting.
2. Reviews the case and prepares a report for the Commission.
3. If necessary, arranges a property visitation with the owner for the Commission.

- d. Cle Elum Historic Preservation Commission:
 - 1. Reviews the application and the staff report.
 - 2. If necessary, visits the property.
- 2. Meeting

Special valuation Review will occur at regularly scheduled Cle Elum Historic Commission meetings. The Special Valuation cases will be considered in the order the staff receives them.

- a. The regular order of business for consideration of Special Valuation applications shall be as follows:
 - 1. The Chair or Chair designated person shall offer a preliminary statement concerning the application.
 - 2. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
 - 3. Statements in opposition to the application.
 - 4. Comments by City of Cle Elum Planning Department, interested persons, organizations, or legal entities.
 - 5. Rebuttal by all concerned parties.
 - 6. Staff comments.
 - 7. Summary of above by Chair or designated person.
 - 8. Deliberation by Commission.

During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the CEHPC.

- b. Cle Elum Historic Preservation Commission determines if:
 - 1. The property is on the Cle Elum Register of Historic Places or within the boundaries of a Cle Elum Historic District.
 - 2. The work was done within 24 months prior to the application date. The applicant must submit evidence to this effect.
 - 3. The work complies with the Standards by not adversely affecting those elements that contribute to the property's significance.
 - 4. The "qualified rehabilitation expenditures" constitute at least 25 percent of the assessed value of the property prior to the rehabilitation.
- c. If all the conditions are satisfied, the CEHPC votes on the recommendation to the City Council.

3. Post Meeting

a. Staff

1. Forward the recommendation to the City Council within 10 days of the meeting.
2. Notifies the owner in writing within a week of the meeting of the Commission's recommendation.
3. If the property is ineligible, advise the applicant of the reasons for the denial and inform him/her of the appeals process.
4. If the City Council grants special valuation status to the property, prepares the terms of agreement for the Commission.
5. If the applicant signs the terms of agreement and the Commission approves the application, transmits the application and agreement to the County Assessor's office for recording.
6. If the applicant signs the terms of agreement and the Commission approves the application, transmits the application and agreement to the County Assessor's office for recording.
7. Notify the Washington State Advisory Council of the application approval.
8. Monitors, at least once a year during the special valuation 10-year period, the owner's compliance with the terms of the agreement.
9. If the owner fails to comply with the terms of the agreement or, because of the rehabilitation the property loses historic value to such an extent that it is no longer deemed appropriate for inclusion to the Cle Elum Register of Historic Places by a majority of the CEHPC members, notify the owner, the assessor, and the Washington State Advisory Council of the disqualification.

b. Cle Elum Historic Preservation Commission

1. Enters into an agreement on behalf of the City of Cle Elum. This agreement shall cover the 10-year special valuation period and shall include the minimum standards as detailed below. The owner shall:
 - aa. Monitor the property for its continued qualification for special valuation.
 - bb. Comply with rehabilitation plans and minimum standards of maintenance as defined in the agreement.
 - cc. 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.
 - dd. Apply to the Commission for recommended approval or denial of any demolition or alteration.

ee. Comply with any other provisions in the original agreement as may be appropriate.

2. Upon the execution of the agreement with the applicant, approve the application.

3. If the property is consequently sold, enter into an agreement with the new owner. That agreement will contain those minimum standards as detailed above and will be effective for the duration of the 10-year period.

c. Cle Elum City Council

Cle Elum City Council votes on whether to grant special valuation to the property.

B. APPLICATION STANDARDS

Documentation shall include, at a minimum, all identified materials illustrating: That the property is eligible for Special Valuation status; when the work occurred; whether special valuation financial requirements have been fulfilled; and whether the work complies with the Secretary of the Interior's Standards for Rehabilitation.

To properly document each of these divisions, at least one copy of the following documents must be submitted with the application. These will remain on file with the CEHPC. For phased development plans, the complete process as detailed in rules and regulations must be followed and documentation submitted for each phase. All drawings, mean plans and elevations must be drawn to scale or have the measurements included and be signed by the architect or draftsman.

For phased projects, complete documentation must be submitted for every phase of the project.

1. Eligibility

A copy of the nomination form to the Cle Elum Register of Historic Places clearly indicating when the property was listed on the Cle Elum Register of Historic Places.

2. When the work occurred

A notarized affidavit of completion of the rehabilitation work within 24 months of the date of application is required.

3. Special valuation financial requirements required documentation

a. Notarized affidavit attesting to the actual costs of the rehabilitation work.

b. The most recent Adams County Assessor's assessment of the value of the rehabilitated structure.

4. Compliance with the Secretary of the Interior's Standards

To assure that the applicant has complied with the Standards, the following materials are necessary:

a. Precise written statement describing the completed rehabilitation work on the Cle Elum Historic Commission's application form.

- b. If the property was on the Cle Elum Register of Historic Places prior to the project, the Design Review application and accompanying documentation, Certificate of Appropriateness for the rehabilitation work from the Cle Elum Historic Preservation Commission, and a copy of the terms of agreement as specified under the Special Valuation rules and procedures.
- c. Materials as specified in Application Standards for Design Review illustrating conditions prior to construction (existing conditions), and proposed alterations. If the property was not on the CERHP prior to construction, this material must include:
 - 1. Photographs taken prior to construction.
 - 2. All working drawings including blueprints, site plans, scaled drawings, and other items as specified under Proposed Alterations in Application Standards for Design Review.
- d. Materials illustrating the impact of construction as specified in Application Standards for Design Review under Impact. However, actual construction impacts rather than projected ones must be documented. If the property was not subject to design review, required documentation shall minimally include:
 - 1. A precise written description on an CEHPC form of how the alterations have affected those features listed as determining the property's historic character on the CERHP nomination form.
 - 2. Drawings illustrating those features with notes on how they have been affected by construction.
 - 3. Photographs - Photos should be 3" x 3" or 3" x 5" minimum format in black and white with negatives and must be clearly labeled to identify case, location, subjects, and the direction the photograph was taken. Necessary photographs include:
 - aa. Historic photographs of replicated features.
 - bb. If in a historic district, a current streetscape.
- e. Samples of utilized materials may be required by the Cle Elum Historic Preservation Commission.
- f. Other information as required.

C. CRITERIA

The criteria to be followed in the Special Valuation process is the Secretary of the Interior's Standards for Rehabilitation as established in the Federal Code of Regulations (36 CFR 67). For the Special Valuation process no new construction is eligible except as it is non-habitable, non-rentable space.

SECTION V: NATIONAL REGISTER REVIEW

As a Certified Local Government (CLG) under the National Historic Preservation Amendments Act of 1980 (P.L. 96-515), one of the principle duties of the City of Cle Elum is to take responsibility for review of nominations of properties to the National Register of Historic Places. Under the State of Washington Certified Local Governments Program Requirements and Procedures (Section III(A)) and in accordance with the CLG Certification Agreement between the City of Cle Elum and the State Historic Preservation Officer (SHPO) of Washington, the Cle Elum Historic Preservation Commission (CEHPC or Commission), is made responsible for reviewing National Register Nominations.

These rules and regulations then are intended to satisfy the State of Washington Certified Local Governments Program Requirements and Procedures (Section I(G)) which requires CLG to establish local laws, Bylaws or administrative rules, that will provide for participation in the National Register Nomination process.

Within 30 days after receipt of an adequately documented National Register Inventory-Nomination Form, the State Historic Preservation Officer (SHPO) notifies the property owner and the Mayor of Cle Elum and forwards a copy of the nomination to the CEHPC.

If qualified Staff, Commission members, or consultants are not available the review must be expedited. Expedited review can be initiated locally by the CLG or at the State level by SHPO. A locally initiated request for expedited review must contain the signatures of the Mayor and the Chair of the CEHPC.

A. RULES AND PROCEDURES

1. Pre-hearing
 - a. Staff
 1. Schedules a hearing or determines on expedited review.
 2. At least one week prior to the hearing, notifies the public by posting legal notice.
 3. At least one week prior to the hearing, notifies in writing the applicant, all principle property owners and persons, organizations, or legal entities residing, leasing or owning contiguous properties of the date, time and location of the hearing.
 4. Shall schedule a site visit for the Commission.
 5. Shall prepare and mail materials to Commission members.
 6. If the Staff is qualified, or a consultant, shall visit the site and prepare the staff recommendation.
 7. In case of a locally initiated expedited review, prepare letter of request, obtain the signatures of the CEHPC Chair and the Mayor, and mail the letter to the SHPO.
 - b. Cle Elum Historic Preservation Commission shall:
 1. Review the nomination.

2. Visit the property.
3. In case of a locally initiated expedited review, the Chair signs the request.

2. Hearing

Designation review will occur at specially scheduled hearings. Nominations will be considered in the order in which the Commission received them.

The Cle Elum Historic Preservation Commission:

- a. Commission members apply National Register criteria to the property or district to evaluate the nomination. The members should only consider information related to the designation criteria as presented in federal regulations (36 CFR 60 and 36 CFR 63) during the review.
 - b. Determines the category of historic property.
 - c. Establishes the context for evaluating the property.
 - d. Identifies the level of significance.
 - e. Evaluates the integrity of the property.
 - f. Determines if there are special conditions that might make the property eligible.
 - g. Determines if the property meets the criteria.
3. The regular order of business for consideration of applications for National Register review shall be as follows:
- a. The Chair or Chair designated person shall offer a preliminary statement concerning the application.
 - b. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
 - c. Statements in opposition to the application.
 - d. Comments by interested persons, organizations, or legal entities.
 - e. Rebuttal by all concerned parties.
 - f. Staff comments.
 - g. Summary of above by Chair or designated person.
 - h. Deliberation by Commission. The motion for designation should be based on the designation criteria.

During the hearing, the above procedure may be temporarily modified by the concurrence of all parties and the CEHPC.

4. Post hearing

After the hearing, Staff will:

- a. Prepare the Commission's report as a Finding of Fact. The Finding of Fact should clearly state the relevant designation criteria and how the property meets or fails to meet the criteria.
- b. Forward the Commission's recommendation and the application to the Mayor for the official recommendation.
- c. The Commission's report and the Mayor's recommendation must be returned to SHPO within 60 days of the original delivery date.

B. APPLICATION STANDARDS

An acceptable National Register of Historic Places application is a nomination form completed according to uniform guidelines as presented in "National Register of Historic Places, Washington State Register of Historic Places: A Nomination Guide" from the Washington State office of Archaeology and Historic Preservation (OAHP).

The National Register of Historic Places/Survey--Inventory Form, available from OAHP, must be typed and completely filled in. Blanks that are not applicable to the property should be filled with "N/A".

All interior and exterior features and outbuildings that contribute to the designation should be mentioned and described. District designations should include a description of proposed district boundaries, the characteristics of the district which justifies its designation, and a list of all properties including features, structures, sites, objects and open spaces which contribute to the designation of the district.

The original form should be presented along with the following documentation:

1. A U.S.G.S. map with the UTM reference points identified.
2. A sketch or scaled map showing significant property elements and property boundaries for nominations involving more than a single structure or site.
3. Photographs detailing the historic nature of the property. Photos documentation includes 8" x 10" glossy black and white photographs with negatives and color slides, which must be clearly labeled to identify case, location, subjects and the direction the photograph was taken. OAHP should be consulted regarding exact photo requirements for specific nominations.

Incomplete forms or those with insufficient documentation will not be considered and will be returned to the applicant.

C. CRITERIA

The following are criteria for the inclusion of properties to the National Register of Historic Places as established in the Code of Federal Regulations (36CFR 60).

The quality of significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That has yielded, or may be likely to yield, information important in prehistory or history.

SECTION VI: REFERENCE GUIDE

One of the primary purposes of the City of Cle Elum's Historic Preservation program as stated in the Historic Preservation ordinance is to "promote and facilitate the early identification and resolution of conflicts between the preservation of historic resources and alternative land uses," (Cle Elum Historic Preservation Ordinance, Chapter 15.22.020,(E)., one of the most efficient, effective methods of reaching this goal is the incorporation of historically relevant information into the City's planning and building processes. If information on what properties or what features of properties are historically significant is present at early stages of project planning, impact to those features or properties can be avoided, minimized, or mitigated.

Historically relevant information can best be indicated by the inclusion of an HI - for properties identified in the Cle Elum Inventory of Historic Places or an HR - for properties listed in the Cle Elum Register of Historic Places. These designations are included in the City's department records and are triggering devices for processes within the Building Official and Planning Commission.

This document addresses three questions:

1. How to enter HI and HR information into the city department records.
2. How to maintain HI and HR information in city department records.
3. When and how to use the HI and HR information.

A. HOW TO ENTER HI AND HR INFORMATION:

The staffs of the Cle Elum Historic Preservation Commission (CEHPC), the Building Official (or designee) and the Planning Commission are involved in this process.

1. CEHPC Staff
 - a. Forwards a list of HI and HR properties to the Building Official (or designee) and the Planning Commission.
2. Building Official (or designee)/Planning Commission
 - a. Enters this information (the HI or HR designations) by address in the appropriate column.

B. HOW TO MAINTAIN HI AND HR INFORMATION:

This information must be maintained in two separate forms (1) the HR/HI designations entered into the computer files and (2), the original inventory and register forms kept on file.

1. Maintaining Computer Files
 - a. CEHPC staff
 1. Forwards the additions or subtractions of HI and HR properties to the Building Official (or designee) and Planning commission.
 - b. Building Official (or designee)/Planning Commission

1. Enters or subtracts this information (the HI or HR designations).
2. Maintaining Originals

Original Cle Elum Inventory of Historic Places and Cle Elum Register of Historic Places forms are to be kept with the Cle Elum City Clerk.

- a. CEHPC staff will:
 1. Add information to the forms on a monthly basis. Information may be added directly to the form or on an addendum sheet.
 2. Check all forms at five year intervals for possible rewrite.

C. HOW AND WHEN TO USE HR/HI INFORMATION:

CEHPC staff usage of HR/HI information is included in rules and procedures for specific review processes. Building Official (or designee)/Planning Commission utilization of this information is restricted to the Building Permit process and the Site Review Process.

1. Building Permit Process

On receipt of a Building Permit application, the Building Official (or designee) will:

- a. Check computer printout.
- b. If an HI is displayed:
 1. Inform the applicant that the property is on the Historic Inventory.
 2. Provide information on how the property could be entered on the Register or refer applicant to CEHPC staff.
- c. If an HR is displayed:
 1. Inform the applicant that the property is on the Historic Register and how to initiate the design review procedure.
 2. Continue processing but not issue the permit.
 3. Notify the CEHPC.
 4. Not issue the permit until the CEHPC recommendation is received.
 5. Upon receipt of the recommendation, issues or denies permit.

2. Site Review Process

During the Site Review Process the Planning Commission will:

- a. Check computer printout for the affected property for the HI or HR designation or check a map of HI/HR properties.

- b. Provide the CEHPC or CEHPC staff all applications for approvals, permits, environmental assessments or impact statements, and other similar documents that may potentially affect HR or HI designated properties or properties adjacent to designated properties.
- c. Solicit CEHPC or CEHPC staff determination of negative impact or non-effect for historic properties for the proposed project.

