

ORDINANCE 2011-984

**AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, AMENDING
TITLE 2 CHAPTER 6 REGARDING THE HISTORIC PRESERVATION
COMMISSION AND TITLE 10 CHAPTER 1Q OF THE WAITSBURG MUNICIPAL
CODE REGARDING THE APPLICATION FOR MODIFICATION OF HISTORIC
BUILDING WITHIN THE OVERLAY ZONE**

WHEREAS, updates are needed to portions of the City's Municipal Code in order to clarify standards regarding the service requirements of the Historic Preservation Commission, as well as regarding the application for structural modifications within the overlay zone; and

WHEREAS, it is necessary to amend certain portions of the Code to provide for certain procedural changes as set forth above:

NOW THEREFORE, the City Council of the City of Waitsburg does ordain as follows:

02.06.040 City of Waitsburg Historic Preservation Commission

A. Creation and Size. There is hereby established a City of Waitsburg Historic Preservation Commission consisting of five (5) members. Members of the Commission shall be appointed by the Waitsburg City Council and shall be residents of the City of Waitsburg or own property within the city limits. The city recognizes that the decisions of the commission will often be subjective in nature, but that is normal for panels such as this one. The commission members will make every effort to provide fair and unbiased decisions, as reflected by a cross section of Waitsburg residents and property owners. An appeals process also serves to protect the rights of property owners.

B. Composition of the Commission. All members of the Commission must have a demonstrated interest and competence in historic preservation, possess qualities of impartiality and broad judgment, and be residents of the City of Waitsburg or own property within the city limits.

1. Ideally, the Commission should include at least 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. If professionals are not available, members should be selected who have experience with building modifications and maintenance. The Commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the Commission action is related to meeting Certified Local Government (CLG) responsibilities cited in the Certification Agreement between the City of Waitsburg and the State Historic Preservation Officer on behalf of the State.

2. In making appointments, the City Council may consider names submitted from any source, but the City Clerk shall notify history and local development related organizations of vacancies so that names of interested and qualified individuals may be

submitted by such organizations for consideration along with names from any other source.

C. Terms. The original appointment of members to the Commission shall be as follows: five (5) for a (3) three-year term. Terms may be renewed through the same process as new nominations. Vacancies shall be filled by the City Council for the unexpired term in the same manner as the original appointment.

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

In carrying out these responsibilities, the Historic Preservation Commission shall engage in activities aiming to further the purposes of this ordinance. This may include networking with other organizations and boards with similar objectives. Duties of the commission include working toward the following:

E. The Commission shall adopt rules of procedure to address items 3, 4.

F. The Commission is responsible to the City Council and will report on activities, status, and progress as requested by the Council.

Portions of Waitsburg Municipal Code Section 10.1Q.060 are revised and amended as follows:

10.1Q.060. Application and Permit Requirements. A Historic Preservation Permit is required as follows:

- a. In order to modify or alter any real property (whether the modification or alteration involves a building, a structure, a natural feature, or work to a lot) identified as part of the HP Overlay Zone, as such terms are defined at WMC 10.1Q.020, whether or not a building permit or other permit is also required under a separate chapter, and whether or not such modification is temporary or permanent. Historic Preservation permits are not required for any work which is not visible from Main Street and Preston Avenue. All other permit requirements are still in effect.
- d. For all exterior painting within the HP Overlay Zone, except for touch up painting with identical colors.
- g. Certain low impact work is exempted from these requirements, as outlined in ordinance 2009-952. A smaller fee and a streamlined process are provided by this ordinance.

The applicant must submit a thirty dollar (\$30.00) filing fee when delivering the completed application to the City. Such fee must be paid prior to any consideration of the application by the Historic Preservation Commission. Applications by other than the building owner must include evidence of official agency (power of attorney) or be co-signed by the owner(s).

Applications for a Historic Preservation Permit include the following components, as necessary to clearly outline the proposed work and facilitate a decision by the commission:

A. A section requiring the applicant to explain the historic nature of the alterations or modifications proposed.

B. A section requiring the applicant to certify that she or he has complied with the requirements of this Chapter.

C. A list of all other permits (building, electrical, business, etc.) which the project will require for completion.

D. Color photographs showing external views of all existing structures on the site and on properties immediately adjacent thereto, including across a street or alley.

E. The legal description of the property.

F. A site plan, drawn to scale, showing:

1. Existing and proposed structures and their relationship to adjacent buildings;
2. Existing and proposed natural features, with preference given for preferred plants identified by the Historic Preservation Commission, except, however, the applicant is not required to use such plants;

3. Existing and proposed landscaping and plantings;

4. Existing and proposed parking and loading areas;

5. Existing and proposed sidewalks and other pedestrian walks or paths;

6. Existing and proposed street furniture;

7. Existing and proposed outdoor lighting; and

8. Existing and proposed walls, fences, retaining walls, and terraces.

G. Architectural and related drawings, drawn to scale, showing:

1. Height and scale of existing and proposed buildings in relation to adjacent buildings;

2. All four elevations of any structure depicting walls and materials, roof and roof related design, including chimneys and gutters, and treatment of windows and doors, including moldings and trim;

3. Color scheme of buildings, trim, signs, and other features;

a. Colors shall be limited to colors appropriate to the Historic District, examples of which shall be available at city hall. However, applicants shall not be limited to a specific color so long as such is historic. It is recognized that appropriate colors are subjective, and will be reviewed in the collective judgment of the commission.

4. Street furniture, signs, and any other architectural features in public view.

a. Where an applicant requests an Historic Preservation Permit to post a non-transitory sign in the HP Overlay Zone, the applicant should address the following factors:

1. Signs should be part of the architectural concept of the real property and in line with the nature of the HP Overlay Zone.

2. Size, material, color, lettering, location, number, and arrangement, should be harmonious with the building design.

3. The number and size of signs should be minimized to avoid visual clutter.

4. Color should be used with restraint and be consistent with the historic character of the zone.

5. Examples of historically appropriate signs shall be available at city hall. However, applicants shall not be limited to specific types of signage so long as such is appropriate.

b. Where an applicant requests an Historic Preservation Permit to install, modify, or alter an exterior lighting system within the HP Overlay Zone, the applicant should address the following factors:

1. Lighting should be harmonious with the design
2. If external spot or flood lighting is used, it should be arranged so that the light source is shielded from view and not obtrusive to the historical nature of the HP Overlay Zone.

H. An estimate of the amount of time required to complete the project.

A new section 10.1Q.175 is hereby added to read as follows:

10.1Q.175. Filing Fees. A reduced filing fee of five dollars (\$5) shall be paid upon the filing of each application for a minor historic preservation permit.

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect immediately upon passage by the Council and publication as required by law.

Passed by the Waitsburg City Council this 21th day of September, 2011.

Approved:

Attest:

Walt Gobel, Mayor

Randy Hinchliffe, City Clerk

Approved as to form:

Kristian E. Hedine, City Attorney