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<table>
<thead>
<tr>
<th>MEMBER</th>
<th>ADDRESS</th>
<th>PHONE</th>
<th>COMMITTEE</th>
<th>TERM EXP.</th>
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</thead>
<tbody>
<tr>
<td>Lynn Mandyke</td>
<td>1617 E 27th Ave, Spokane, WA 99203</td>
<td>455-6287 (h)</td>
<td>Nominations &amp; Determination of Eligibility</td>
<td>12/31/15 (1st term)</td>
</tr>
<tr>
<td>Chair</td>
<td></td>
<td><a href="mailto:lmandyke@gmail.com">lmandyke@gmail.com</a></td>
<td></td>
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<tr>
<td>Historian</td>
<td></td>
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<tr>
<td>Beth Fairfax</td>
<td>2015 W. Strong Rd, Spokane, WA 99208</td>
<td>465-9301 (h)</td>
<td>Nominations &amp; Determination of Eligibility</td>
<td>12/31/16 (2nd term)</td>
</tr>
<tr>
<td>Co-Vice Chair</td>
<td></td>
<td><a href="mailto:bethfairfax@gmail.com">bethfairfax@gmail.com</a></td>
<td></td>
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<td>County at Large</td>
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<tr>
<td>David Shockley</td>
<td>1325 E Nina Ave, Spokane, WA 99202</td>
<td>535-3201 (h)</td>
<td>Design Review</td>
<td>12/31/16 (1st term)</td>
</tr>
<tr>
<td>Co-Vice Chair</td>
<td></td>
<td><a href="mailto:dshockley9@comcast.net">dshockley9@comcast.net</a></td>
<td></td>
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<tr>
<td>Preservation Construction Specialist</td>
<td></td>
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<tr>
<td>Carl Durkoop</td>
<td>h: 1720 S Kahuna Dr, 99223 w: 107 S Howard St., Ste 300, Spokane, WA 99201</td>
<td>534-0579 (h) 747-0999 (w) <a href="mailto:cdurkoop@valbridge.com">cdurkoop@valbridge.com</a></td>
<td>Design Review</td>
<td>12/31/16 (1st term)</td>
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<td>Real Estate Appraiser</td>
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<tr>
<td>Gerald Baldwin</td>
<td>2522 S Manito Blvd, Spokane, WA 99203</td>
<td>838-4801 (h)</td>
<td>Special Valuation</td>
<td>12/31/16 (2nd term)</td>
</tr>
<tr>
<td>City at Large</td>
<td></td>
<td><a href="mailto:lindaandjerryb@aim.com">lindaandjerryb@aim.com</a></td>
<td></td>
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<tr>
<td>Jamie Brown</td>
<td>1906 W Summit Pkwy, Spokane, WA 99201</td>
<td>714-0249(c) 252-1534 (f)</td>
<td>Design Review</td>
<td>12/31/15 (2nd term)</td>
</tr>
<tr>
<td>Anthropologist/Archaeologist</td>
<td></td>
<td><a href="mailto:jamieemmick@hotmail.com">jamieemmick@hotmail.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jim Harper</td>
<td>315 W Riverside, Suite 401, Spokane, WA 99201</td>
<td>998-5266 (h)</td>
<td>Special Valuation</td>
<td>12/31/14 (1st term)</td>
</tr>
<tr>
<td>County at Large</td>
<td></td>
<td><a href="mailto:jhfrombsw@yahoo.com">jhfrombsw@yahoo.com</a></td>
<td></td>
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<tr>
<td>Jim Kolva</td>
<td>115 S Adams St, Spokane, WA 99201</td>
<td>458-5517</td>
<td>Nominations &amp; Determination of Eligibility</td>
<td>12/31/16 (3rd term)</td>
</tr>
<tr>
<td>Owner or Manager of Real Estate in CBD</td>
<td></td>
<td><a href="mailto:jim@kolva.comcastbiz.net">jim@kolva.comcastbiz.net</a></td>
<td></td>
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<tr>
<td>John Hagney</td>
<td>124 South Cook St, Spokane, WA 99201</td>
<td>535-2734 (h)</td>
<td>Nominations &amp; Determination of Eligibility</td>
<td>12/31/16 (1st term)</td>
</tr>
<tr>
<td>Historian</td>
<td></td>
<td><a href="mailto:johnhag@spokaneschools.org">johnhag@spokaneschools.org</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Randall Wilson</td>
<td>1203 W Riverside, Spokane, WA 99201</td>
<td>838-8240(w) 464-1956 (h) <a href="mailto:rwilson@nacarchitecture.com">rwilson@nacarchitecture.com</a></td>
<td>Design Review</td>
<td>12/31/15 (1st term)</td>
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<tr>
<td>Architect</td>
<td></td>
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<tr>
<td>Wendy Budge</td>
<td>606 W 16th Ave, Spokane, WA 99203</td>
<td>624-7579 (h)</td>
<td>Nominations &amp; Determination of Eligibility</td>
<td>12/31/15 (1st term)</td>
</tr>
<tr>
<td>City at Large</td>
<td></td>
<td><a href="mailto:billbudge@comcast.net">billbudge@comcast.net</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Megan Duvall</td>
<td>808 W Spokane Falls, Spokane, WA 99201</td>
<td>625-6543 (w) 625-6013 (f) <a href="mailto:mduvall@spokanecity.org">mduvall@spokanecity.org</a></td>
<td></td>
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</tr>
<tr>
<td>Historic Preservation Officer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emily Vance</td>
<td>808 W Spokane Falls, Spokane, WA 99201</td>
<td>625-6088</td>
<td><a href="mailto:evance@spokanecity.org">evance@spokanecity.org</a></td>
<td></td>
</tr>
<tr>
<td>Preservation Project Employee</td>
<td></td>
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</tr>
<tr>
<td>Adi McGee</td>
<td>808 W Spokane Falls, Spokane, WA 99201</td>
<td>625-6984</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary</td>
<td></td>
<td><a href="mailto:amcgee@spokanecity.org">amcgee@spokanecity.org</a></td>
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**Criteria for Evaluation**

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, association and:

A. That are associated with events that have made a significant contribution to the broad patterns of our history; or

B. That are associated with the lives of significant persons in our past; or

C. 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

D. That have yielded or may be likely to yield information important in history or prehistory.

**National Register Criteria for Evaluation**

Criterion A: Event  
Criterion B: Person  
Criterion C: Design/ Construction  
Criterion D: Information Potential

The National Register Criteria recognize different types of values embodied in districts, sites, buildings, structures and objects. These values fall into the following categories:

**Associative value** (Criteria A and B): Properties significant for their association or linkage to events (Criteria A) or persons (Criteria B) import in the past.

**Design or Construction value** (Criterion C): Properties significant as representatives of the manmade expression of culture or technology.

**Information value** (Criterion D): Properties significant for their ability to yield important information about prehistory or history.
How to Evaluate the Integrity of a Property

Integrity is the ability of a property to convey its significance. To be listed on the National Register of Historic Places, a property must not only be proven to be significant under the National Register criteria but must also have integrity. The evaluation of integrity is sometimes a subject judgment but it must always be grounded in an understanding of a property’s physical features and how they relate to its significance.

Historic properties either retain integrity or they do not. Within the concept of integrity, the National Register criterion recognizes seven aspects or qualities that, in various combinations, define integrity.

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where and when the property is significant. The seven aspects of integrity are:

1. Location
2. Design
3. Setting
4. Materials
5. Workmanship
6. Feeling
7. Association
Considerations for Special Valuation

Application for special valuation must be made no later than 24 months after the beginning date of the rehabilitation work included therein.

October 1st is the deadline for applications when special valuation is desired for the following year.

It is recommended that work not be done before a property is listed on the Spokane Register or reviewed first by the Landmarks Commission.

Improvements must be consistent with the historic character of the building and meet the Secretary of the Interior’s Standards for Rehabilitation. A Certificate of Appropriateness must be issued before work is started.

In order for a historic property to be eligible for special valuation it must have been substantially rehabilitated – 25% of assessed improvement value.

The property must be maintained in good condition as long as the special valuation is in effect.

Reduction in property taxes appears two years after special valuation approval and applies until the year following the ten-year period of special valuation.

Property owners who receive special valuation for a rehabilitation project may also apply for the Federal Investment Tax Credits for the same project.

The penalty for violating the agreement or other program requirements is substantial. Violators would have to pay the following: all back taxes that would otherwise have been owed, interest on back taxes and a penalty equal to 12% of back taxes and interest may be due.

Appeal Process: Any decision on the disqualification of a historic property for special valuation exemption or any other dispute may be appealed to the current year Board of Equalization by July 1st or 30 days after the disqualification, whichever is the later.
Expenditures that Qualify for Rehabilitation Cost Total

**Exterior:** Windows, doors, painting, roofing

**Interior:** Plumbing, electrical, lighting, wiring, flooring, doors, windows; heating/air conditioning, finish work, cabinetry (affixed to the wall)

**Other:** Architectural/consultant fees, taxes, insurance and utilities during construction, construction administration expenses, construction phase interest expenses

Demolition expenses

Asbestos removal

Cost of **exterior** rehabilitation

Windows, doors, painting, roofing, permanent fixtures (lights, railings)

Cost of **interior** rehabilitation: Plumbing, electrical

Appliances: Only if they are considered “built-in”

Permanent fixtures (lights)

Phone system (wiring only)

Flooring, doors, windows, heating/air condition, finish work

Construction administration expense (permits, code-related expenses, etc.)

Architectural fees, consultant fees, engineering fees

Construction phases interest expense

Taxes, insurance and utilities during construction (if the property is unoccupied)

State sales tax

Additional expenses and fees (itemized)
Expenditures that DO NOT Qualify for Rehabilitation Cost Total

Homeowner labor

Acquisition costs

Enlargement of the building

Costs for permanent financing

Overhead costs

Fixtures that are not attached

Landscaping costs

Homeowner labor is not considered an eligible expenditure for Special Valuation, unless the Individual(s) actually received payment for services performed. All eligible expenses must be traceable to a Capital Account.
Meeting Procedure
Checklist for Landmarks Commission

Call to Order: Chair calls the meeting to order, noting the date and time.

Attendance: Chair asks for a Roll Call for attendance.

Public Hearing Begins:
1. Are there any changes to the agenda?
2. Announce the first agenda item.
3. Ask the Applicant(s) to come forward, sign-in and sit at the table.
5. Ask for the Committee Report. Are there other Committee comments?
6. Would the Applicant like to identify him/herself and speak?
7. SHLC discussion. Are there questions for the Applicant?
8. Would anyone from the Public wish to speak?
9. Do we have a motion? The person making the motion states exactly what is being proposed.
10. Do we have a second to the motion?
11. Is there a discussion on the motion?
12. Call for a Vote. Secretary calls the roll call vote.
13. Acknowledge the Applicant(s). Thank them and note they may stay if they wish.

Subsequent public hearing items proceed in the same manner until all are heard. This concludes the Public Hearing portion of the agenda.

Commission Meeting Begins:
Are there corrections to the Minutes? Ask for a motion to approve the minutes.

Is there any old business?

Is there any new business?

Chairman’s Report

Staff Report

Is there any other business?

Motion to adjourn. Do we have a second to the motion? The meeting adjourned at: note the time.
Committee Site Visit Report and Motions

Table of Contents:
- Committee Site Visit Report
- Nomination to the Spokane Register of Historic Places Motion
- Nomination to the National Register of Historic Places Motion
- Certificate of Appropriateness Motion
- Demolition Permit (Historic District or Central Business District) Motion
- Special Valuation Motion
- Tabling a Motion

Committee Site Visit Report:
On ______ (date) ______, at ___ (time) __, ___(committee members present, Historic Preservation Officer, and other persons present)___ visited the ___(historic property name and address)___________. We verified the__ (For Nominations Committee cite category: A, B, C, and/or D title; For COA’s and Special Valuations cite the work) _______________________ and are in agreement with the findings of fact.

Nomination to the Spokane Register of Historic Places Motion:
I move, based on the Findings of Fact, the ____ (historic property name and address)____ is eligible under category ______ (A, B, C, and/or D), and recommend for approval by the City Council (or County Commissioners) to be placed on the Spokane Register of Historic Places.

Nomination to the National Register of Historic Places Motion:
I move, based on the Findings of Fact, the ____ (historic property name and address)____ meets criterion (single category) [criteria (multiple category)] ______ (A, B, C, and/or D), therefore, recommend for approval to be placed on the National Register of Historic Places.
Certificate of Appropriateness Motion:

I move based on the findings of fact, the Spokane Historic Register Management Agreement, and the Secretary of the Interiors Standards for Rehabilitation the application for a certificate of appropriateness to \( \text{(historic property name and address)} \) be approved.

For specific work requirements add:
with the following modifications \( \text{(stipulate the work and whether the Historic Preservation Officer will approve administratively, or, only historic materials may be used, etc.)} \) \( \)__________.

Demolition Permit (Historic District or Central Business District) Motion:

I move based on the findings of fact and consideration of the national register criteria 36 CFR 60 that the \( \text{(property name and address)} \) is/is not eligible for the National Register.

Special Valuation Motion:

I move based on the findings of fact, the Spokane Historic Register Management Agreement, and the Secretary of the Interiors Standards for Rehabilitation the application for Special Valuation of \( \text{(historic property name and address)} \) be approved.

Add for administrative review:
pending administrative review of the revised application and documentation.

Add for stipulated item revisions:
pending revision of the application to [include or remove] the following:

\( \)______________________________________________________________
Tabling a Motion:

I move that we temporarily table this item until _________________ and move on to the next item.
Commission Procedures and Guidelines

1. Always have a printed agenda posted in a public place prior to beginning the commission meeting.

2. Keep accurate minutes and records of all commission activities specifically outlining each case and the reasons an application was approved or denied.

3. Commission members should never speak on behalf of the commission or advise applicants on the "likelihood of approval" of applications outside of the public hearing.

4. Require an accurate representation of the applicant’s request, sufficient enough to make an informed decision about the case.

5. Always keep your elected officials and other boards and commissions informed of the role and responsibilities of the preservation commission.

6. The commission chair should maintain order at all meetings and always allow relevant public comment.

7. As a commission member, avoid any appearance of a conflict of interest due to personal, social, or financial gain in any case.

8. All commission decisions for designations or certificates of appropriateness must be based only on the review criteria in the ordinance.

9. All commission decisions must be based on a finding of fact that should be stated as a part of the motion to approve or deny the application.

10. Refer to your local preservation ordinance often if you are a commission member. It should be the basis for all actions.
Working with Local Government

1. Meet with your mayor and council at least once a year and update them on your activities, concerns, and problems.

2. Request that a member of the council be appointed to serve as a liaison with the preservation commission.

3. Get to know the other commissions and boards that serve the community as part of the local government, i.e. the planning commission, zoning appeals board, etc.

4. Print an annual report of the activities of the commission emphasizing success stories and new programs.

5. Learn how the commission can work with the housing administrator or Block Grant Administrator in your town to integrate preservation with projects serving low-income or elderly individuals.

6. Meet with the fire inspector, listen to his concerns, and tell him about those of the commission regarding the protection of historic sites.

7. Ensure that zoning ordinances, sign ordinances, etc. do not conflict with the design guidelines for landmarks and historic districts.

8. Meet with the Director of Public Works and ensure that the commission reviews all public improvements in historic districts and that the designs are compatible.

9. Meet with your city attorney before your commission runs into problems. Ask him/her to attend a meeting and critique it for proper procedural methods.

Integrating Preservation into the Planning Process

1. Coordinate the historic preservation review process with all other city or county agencies.

2. Integrate the historic sites survey material into the local planning process.

3. Review and coordinate land-use zoning in historic areas and for landmarks to avoid conflicts.

4. Establish a procedure to ensure that all state and federal review requirements have been met prior to final review by the commission.

5. Establish a phased-in procedure for reviewing large projects.

6. Establish policies and a procedure for reviewing investment tax credit projects and coordinate it with the SHPO.

7. Meet with owners of all properties and provide them with information and assistance regarding the preservation of structures before a crisis occurs.
New Commissioner Orientation

**PowerPoint Options:**
- NTHP - “Preservation Basics”
- Historic Preservation Overview
- City/County Historic Preservation Office Overview
- The National Register
- The Secretary’s Standards/Crisfield Example
- Preservation Law

**Materials to Review**
- Spokane Ordinance
- Terms of a Management Agreement (Runs with Land and sections 4 and 5)
- Easements
- Secretary’s Standards and Guidelines
- NPS Bulletin 15
- Demolition Ordinance (including Flow Charts)

**Questions:**
- What is a CLG?
- What is our authority? Importance that decisions reference proper authority

**Miscellaneous:**
- Open Meetings and Ethics
- Political Due Process
- Motion “How to”

**Work of the Nomination and Eligibility Committee**
- Review new nominations to registers
- Make recommendations on Determinations of Eligibility (per ordinance)
- Key Decision Points:
  - Is it an Appropriate Resource?
    - Age (generally 50 years)
    - Resource Category (Buildings Sites Districts Structures Objects)
  - Is there a defined Historic Context?
    - “The Story”
  - Eligibility Claimed under which Criterion?
    - ABCD and beyond
  - Does it Retain Integrity?
    - 7 aspects (Design, construction, workmanship, setting, feeling and association)
    - Relative importance - depends on the specific Criteria being used
- Key Tools:
  - Nomination form/ Staff Report & Recommendation
  - NPS Bulletin 15 (or other special bulletins)
  - Information from Site Visit
Work of the Design Review Committee:

- Enforce terms of the Management Agreement
- Review Applications for Certificates of Appropriateness (COA) After the Fact
- **Key Decision Points:**
  - Does the proposed work meet the Management Standards?
  - What is proposed?
  - What Standards apply (generally the Secretary’s Standards)?
  - Concept of “Managing Change”

- **Key Tools:**
  - Staff Report & Recommendations
  - Application for COA
  - Information from Site Visit
  - Secretary’s Standards
  - Specialist’s Input
  - Site Visit
Reviewing a Nomination for Eligibility

For more information see Title 254 WAC. The SHLC reviews nominations for both the Spokane Register and the National Register. After review, the National Register nominations will be sent to the State office.

DESCRIPTION OF PROPERTY

- **Begins with a summary paragraph** that creates a rough "sketch" of the building and its site. Briefly describes the general characteristics of the property, such as its location and setting, type, style, method of construction, size, and significant features. Describes the current condition of the property and indicates whether the property has historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association.
- The description should be concise, factual, and well organized.
- **Describes the property and its physical characteristics.** Describes the setting, buildings and other major resources, outbuildings, surface and subsurface remains (for properties with archeological significance), and landscape features. The narrative should document the evolution of the property, describing major changes since its construction or period of significance.
- **Describes the building in a logical sequence** – from the ground up, facade by facade, from the exterior to the interior – using simple but clear language and avoiding complex sentences.
- Clearly delineates between the original appearance and current appearance. Begins by describing the current appearance of a particular feature. Then describes its original appearance and any changes (modifications), noting when the changes occurred.

STATEMENT OF SIGNIFICANCE

- **See Criteria for Evaluation Sheet** for descriptions of Area of Significance (Criteria A, B, C, or D).
- The length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for Register listing. A property may have several dates of significance; all of them, however, must fall within the period of significance.
- **In the summary paragraph**, simply and clearly state the reasons why the property meets the Register criteria. Includes specific associations or characteristics through which the property has acquired significance, including historic events, activities, persons, physical features, artistic qualities, architectural styles, and archeological evidence that represents the historic contexts within which the property is important to the history of the community.
HISTORIC CONTEXT

- Discusses the chronology and historic development of the property. Highlights and focuses on the events, activities, associations, characteristics, and other facts that relate the property to its historic contexts and are the basis for its meeting the Register criteria.
- Supports the property's **significance** and **integrity**.
- Explains the importance of the property in each area of significance by showing how the property is unique, outstanding, or strongly representative of an important historic context when compared with other properties of the same or similar period, characteristics, or associations.
- Relates the property to important themes in the prehistory or history of the community. Includes information about the history of the community or larger geographical area that explains the ways the property is unique or representative of its theme, place, and time.

DESCRIPTION OF CRITERIA SIGNIFICANCE

*(A: Event; B: Person; C: Architectural/Construction; D: Archeological)*

A nomination can include more than one criteria and supporting description summary.

A. **Event**: If the property is significant for its association with historic events, what are the historically significant events or patterns of activity associated with the property? Does the existing building, object, or structure reflect in a tangible way the important historical associations? How have alterations or additions contributed to or detracted from the resource's ability to convey the feeling and association of the significant historic period?

B. **Person**: If the property is significant because of its association with an individual, how long and when was the individual associated with the property and during what period in his or her life? What were the individual's significant contributions during the period of association? Are there other resources in the vicinity also having strong associations with the individual? If so, compare their significance and associations to that of the property being documented.

C. **Design/Construction**: If the property is significant for architectural, landscape, aesthetic, or other physical qualities, what are those qualities and why are they significant? Does the property retain enough of its significant design to convey these qualities? If not, how have additions or alterations contributed to or detracted from the significance of the resource?

D. **Information Potential**: Does the property have possible archeological significance and to what extent has this significance been considered?
CITY-COUNTY of SPOKANE HISTORIC PRESERVATION
CITY HALL, THIRD FLOOR
808 WEST SPOKANE FALLS BOULEVARD
SPOKANE, WA  99201
(509) 625-6983
Fax (509) 625-6013
www.historicspokane.org

Property Address:__________________________________________________________
Applicant/Owner:__________________________________________________________
Mailing Address:____________________________________________________________
Daytime Phone:_________________________  Fax:______________________________
Email Address:______________________________________________________________

Optional Information: (property description, historic significance, historic use, architect/builder, etc…)
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

PLEASE ATTACH ONE OR TWO CLEAR PHOTOS OF BUILDING
(You may use 35mm film, Polaroid or a digital image)

Place Photo Here
Disclaimer: This form is to determine if a property, within the City of Spokane or in the unincorporated areas of Spokane County, is eligible for inclusion on the Spokane Register of Historic Places only. For information about determinations of eligibility for the National Register of Historic Places, please contact the Department of Archaeology and Historic Preservation (DAHP) at Suite 106, 1063 South Capitol Way, Olympia WA 98501, (360) 586-3065. A determination of eligibility is not required to nominate a home to the Spokane Register of Historic Places.

FOR OFFICE USE ONLY

The Historic Preservation Officer has reviewed the Determination of Eligibility and recommends, in conformance with Ordinance C-263553/82 0038 of the City/County of Spokane:

① Property is eligible for listing on the Spokane Register of Historic Places.

② Property is potentially eligible for listing on the Spokane Register of Historic Places, however more information is needed specifically on changes made to the property, including dates and extent of any past modifications.

③ Property is not eligible for listing on the Spokane Register of Historic Places due to loss of integrity, association, setting, or feeling due to the following alterations:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

Historic Preservation Officer
REQUIREMENTS FOR LISTING A PROPERTY

Spokane Register of Historic Places

The Spokane Register of Historic Places is our local government’s official list of those properties that have contributed to the community’s history. The Register was established by ordinance in both the City and County of Spokane in late 1981 and early 1982. These ordinances deem the City-County Historic Landmarks Commission responsible for the stewardship of historic and architecturally significant properties. Nominations to the Spokane Register must be accompanied by owner consent, or in the case of a district, the majority of the owners' consent.

Generally, a building, structure, object, site or district which is more than fifty years old may be designated an historic property or part of an historic district if it has significant character, interest, or value as a part of the development, heritage or cultural characteristics of the city, county, state or nation. The property must also possess integrity of location, design, materials, workmanship and association, and must qualify under one or more of the following categories to be eligible for listing on the Spokane Register (Spokane Municipal Code [SMC] 17D.040.090):

A. Property is associated with events that have made a significant contribution to the broad patterns of the history of the city, county, state or nation.

B. Property is associated with the lives of persons significant in the history of the city, county, state or nation.

C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

D. Property has yielded, or is likely to yield, information important in prehistory or history.

And must meet both of the following criteria:

1. Generally, a property must be 50 years of age or older. However, a property less than 50 years of age may be eligible of it is of exceptional importance or if it is an integral part of a district that is eligible for listing on the register.

2. The property is located in the City of Spokane, or in the unincorporated area of Spokane County.
THE NOMINATION PROCESS

A draft nomination should be submitted at least one month prior to the next Spokane Historic Landmarks Commission meeting, which occurs the third Wednesday of every month. The following process occurs once a nomination is received:

1. **Schedule Hearing:** Staff works with applicant to determine if the nomination is complete, and, when complete, will add the item to the Spokane Historic Landmarks Commission hearing agenda (SMC 17D.040.110, SCC 1.48.130).

2. **Public Notice:** Staff will publish a public hearing notice at least 10 days prior to the hearing date (SMC 17D.040.120, SCC 1.48.180).

3. **Site Visit:** A sub-committee of the Landmarks Commission will visit and view the exterior of the property prior to the hearing date (generally the Wednesday prior to the hearing date).

4. **Hearing:** Staff will present the nomination. The applicant, or a qualified representative or consultant, should be present and will have an opportunity to offer comments concerning the nomination.

5. **Decision:** Staff submits the nomination, Management Agreement, and Findings of Fact to City Council or the Board of County Commissioners for a final decision.

6. **Notification:** City Council or the Board of County Commissioners staff will notify the applicant of the final decision.

7. **Fees:** The fee for listing a property on the Spokane Register of Historic Places is $25.00 for residential properties, and $50.00 for commercial properties. The listing fee must be paid at the time the nomination is submitted (as a draft) to the Preservation Office. An additional $40 filing fee will be assessed once the nomination is reviewed by the Landmarks Commission.

Nominations are usually completed by the property owner or a hired consultant. A current list of verified consultants is available through the Washington Trust for Historic Preservation’s website. For a list of upcoming Landmarks Commission hearings and to learn more about the Commission, visit our website at www.historicspokane.org.
AFTER LISTING A PROPERTY

Listing a property on the Spokane Register of Historic Places entitles owners to a number of benefits in exchange for preserving the historic character of the building. The Management Agreement and Design Review process ensure the preservation of those historic and architectural features. Successful rehabilitation may qualify homeowners for a significant reduction in property tax, available through the Special Valuation tax incentive program. Additionally, owners of designated historic properties may order a historic marker that can be mounted on the exterior of the property.

Management Agreement

Once the Landmarks Commission approves the property for listing, the property owner(s) is required to sign a Management Agreement (SMC 17D.040.180, SCC 1.48.240). This agreement states that current and future owners will abide by the outlined Management Standards and obtain a Certificate of Appropriateness for any action affecting use or exterior appearance of the property. Management Standards are based on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for the Rehabilitation of Historic Buildings for Management Standards as interpreted by the Landmarks Commission.

To learn more about the Secretary of Interior Standards, visit The National Park Service’s Technical Preservation Services website.

Certificate of Appropriateness & Design Review

Property owners who wish to do work affecting use, exterior appearance, demolition, or construction attached to the structure must follow the Design Review process and obtain a Certificate of Appropriateness (COA) before beginning work (SMC 17D.040.200-210, SCC 1.48.260-265). The COA is an official notice of approval issued by the Landmarks Commission or its designee, the Historic Preservation Officer, charged with the jurisdiction for permitting or denying the appropriateness of proposed alterations or additions.

Certain limited types of work are permitted without a COA. These include:

- painting and/or staining (same color)
- general maintenance/general repairs
- new porch floors that do not alter the existing or original shape
- interior work that is not visible from the outside (unless otherwise specified in the agreement)
- repair-in-kind, if the work you want to do involves only repair using the same materials and exact same details and finishes
Examples of work that require a Certificate of Appropriateness include:

- installing synthetic siding (aluminum, steel, etc.)
- replacing roof with different finish materials
- changing existing doors
- changing existing windows, sashes or frames
- adding shutters not original to structure
- replacing existing porch
- adding/altering garages
- painting in a new color

The property owner is responsible for obtaining a COA before beginning work on a project. It is advisable to get the COA well in advance of anticipated construction and before making any financial commitments for work or materials. The fee for a COA is $25 for administrative review and $75 for Commission review. A complete application with the appropriate fee must be submitted at least three weeks before the Landmarks Commission meeting.

**Special Valuation Tax Incentive**

In 1985, the Washington State Legislature determined that the preservation of the state’s historic resources was an important goal and allowed “special valuation” for certain historic properties within the state. Under the program, rehabilitation costs, which must equal to at least 25% of the assessed value of a structure prior to rehabilitation, are subtracted from the assessed value of the property for a ten-year period. To be eligible for Special Valuation, the property must first be listed on the Spokane Register, and property owners must have spent at least 25% of the assessed value of the structure in rehabilitation costs over a twenty-four month (maximum) period. Rehabilitation costs can include interior and exterior work, such as plumbing, electrical, roof replacement, painting and flooring. Rehabilitation costs do not include anything that is not affixed to the historic structure or costs for items outside the footprint of the structure, such as fencing or landscaping. All rehabilitation must follow the Management Standards set forth in the Management Agreement, and all exterior work must be approved through
Design Review. (For more information on Special Valuation, see Chapter 84.26 of the Revised Code of Washington, and Chapters 254-20 and 458-15 of the Washington Administrative Code.)

Spokane Register Marker Program

The Historic Preservation Office and the Historic Landmarks Commission have long worked toward the establishment of an historic marker program for properties listed on the Spokane Register of Historic Places. Local artist Marcia Smith created a handsome design executed in a 10-inch bronze plaque designed for exterior mounting, and finished with a clear acrylic lacquer for extra protection against the elements.

The Spokane Register Historic Marker Program offers us the opportunity to recognize those residences and commercial properties which contribute significantly to the historic and architectural character of this community. Markers can be purchased once a property has been listed on the Spokane Register for $110.00 at the City-County of Spokane Historic Preservation Office, City Hall, 3rd Floor, 808 W. Spokane Falls Blvd.
COMPLETING THE NOMINATION FORM

The Nomination functions as a record of the historic and architectural significance of a property. Each section of the document serves an important function, and should be thoroughly researched and reviewed before submitting to the Historic Preservation Office for Approval. The following serves as a guide for completing each section of the Nomination.

1. Name of Property

**Historic Name:** This section is important not only because it identifies the specific property being nominated, but also because it provides a means of identifying and recording the different names by which the property has been known over time. It is important to use a historic name which will continue to be meaningful regardless of changes in occupancy or use. This is the name which is generally preferred in referring to a property since it ordinarily represents one of the following:

1. Original owner or builder (Patsy Clark Mansion, Kenneth & Edna Brooks House)
2. Significant persons or events associated with the property (Rose-Cecil-Kly Apartments)
3. Original or later significant uses of the property (Spokane County Courthouse)
4. Innovative or unusual characteristics of the property
5. Accepted professional, scientific, technical, or traditional names

**Common Name:** The common name represents the title by which the property is known locally. It may be representative of the history of the property or it may represent another facet (present ownership, etc.). This name will identify the property locally as well as provide a convenient means of differentiating it from similarly named properties.

2. Location

Include the number and the name of the street or road where the nominated property is located. If the road has a number rather than a name, indicate whether it is a Federal, State or County road. If a property does not have a specific address, give the names of the nearest roads. The “vicinity” category should only be marked if a property is rural and in the vicinity of a town or city.

3. Classification

**Category:** Mark one box which applies to the nominated property as described below:

A building is a structure created to shelter any form of human activity. This may refer to a house, barn, church, hotel, or similar structure. Building may refer to a historically-
related complex, such as a courthouse and jail, or a house and barn (Montvale Farm, Liberty Park United Methodist Church).

A site is the location of a significant event, activity, building, structure, or archaeological resource where the significance of the location and any archaeological remains outweigh the significance of any existing structures.

A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, it is often an engineering project large in scale (Monroe Street Bridge).

An object is a material 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 (Natatorium Carousel).

A district is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development (Hillyard Market Street District, Comstock-Shadle Historic District).

Ownership of Property: Public ownership (on the Federal, State, or local level) and private ownership are, in most cases, easily determined by the name of the owner.

Public Acquisition: If public acquisition is involved, indicate the present stage of negotiations on a Continuation Sheet.

Status of Property: It is possible to check more than one blank. If preservation work is in progress, the proposed alterations should be discussed in the description.

Accessible: This section indicates whether the public has access to the property. "Restricted" means that access is regulated. Regulation may include visits by appointment, scheduled hours, etc. "Unrestricted" means that the public has access to view exteriors seen from a public right-of-way.

Present Use of Property: Information about the present use helps to determine the function of the property.

4. Owner of Property

Include the name and contact information for the current property owner(s). If there are more than two owners, use a Continuation Sheet.

5. Location of Legal Description

In Spokane County, the legal description is kept on file in the Assessor’s Office at the Spokane County Courthouse, 1116 West Broadway, Spokane, Washington, 99201. The chain of title, book and page reference to the title are not necessary. The legal description can also be found online at the Assessor’s website: http://www.spokanecounty.org/pubpadal/.
6. Representation of Existing Surveys

Do not complete this section. Historic Preservation Office staff will check the nominated property against its files and inventory records to identify recognition in existing inventories. The surveys considered in this section are historical surveys only.

7. Description

**Condition:** The condition of the property is important in making an accurate judgment of its architectural integrity. Check the blanks that best describe the present condition of the property. In district nominations, more than one blank may be checked.

**Excellent:** The building is structurally sound and weatherproof, with no damage.

**Good:** The building is structurally sound and weatherproof. Siding loose, masonry cracked, roof faulty.

**Fair:** The building may or may not be structurally sound and weatherproof. Siding loose, masonry cracked, roof faulty.

**Deteriorated:** The building is not structurally sound and weatherproof. Major elements open to the weather. Structure facing, either masonry or wood, collapsing. Usually abandoned and not maintained.

**Ruins:** The visible remains of a structure which is no longer recognizable as an entity and whose original appearance is evident.

**Unexposed:** Generally refers to archaeological sites.

**Altered or Unaltered:** Refers to the present state of the property as compared to its condition at the time it achieved significance. Normal weathering or aging does not ordinarily constitute an alteration. Known alterations should be described and documented in the written statement of appearance. It is particularly important to supply dates if available.

A rehabilitation or remodel is considered an alteration even if an attempt has been made to restore the property to its original form. In cases involving numerous alterations to buildings, it would be helpful to include a floor plan with the nomination.

**Moved or Original Site:** If a property has been moved, the following information should be given in the description wherever possible: (1) date of move; (2) original location and description; (3) distance the property has been moved; (4) explanation of the effect of the move on the historic integrity of the property and upon its new location; (5) justification for the move.

Moved homes may not be eligible for inclusion on the Spokane Register if the property has lost its significance in regard to its setting and location. Properties that are
nominated under Category C because the property embodies distinctive characteristics of a type, period, or method of construction may still be eligible for listing.

**Narrative Description:** Using the Continuation Sheet, describe the physical appearance of the property. The description should be concise, factual, detailed and articulate, and should be limited to 1-2 pages. Information relating to the history, significance, or use of the property should not be included in Item 7; include that information in Item 8. The description should also detail what changes, additions, or alterations, if any, have been made to the property throughout its history.

It is appropriate to include the following types of information in descriptions of buildings, structures, and objects:

- Type of building (home, church, store)
- Stylistic type (Gothic Revival, Queen Anne, Craftsman)
- Building placement (detached, row)
- General characteristics
- Overall shape or plan (rectangle, L-shaped)
- Number of stories
- Number of vertical divisions or bays
- Construction materials (brick, frame, masonry) and wall finish (kind of bond, coursing, shingle)
- Roof shape (gabled, hipped, shed)
- Specific features, including location, number, and appearance of porches, windows, doors, chimneys, and dormers
- Decorative elements and details
- Major interior features contributing to the significance of the building such as stairs, interior trim, mantels and wall coverings, floors, and lighting fixtures
- Number, type, and location of outbuildings, as well as dates
- Other man-made elements (roadways, significant landscaping) included in the nominated area

The first paragraph of the description should include the date the house was built, the style, and the architect.
The second paragraph should be a description of the exterior. It should begin with a description of the roof, then the first floor, and on up, including any porches. Special details should be described in architectural terms.

The third paragraph should be a description of the interior. It should begin with a description of the first floor, then the second floor, etc. Special details should be described in architectural terms.

The fourth paragraph should be a description of any changes, additions, or alterations that have been made to the home, including dates of those changes.

Special attention should be given to describing elements which will be included in the Management Agreement, such as a carriage house or interior foyer.

Our office recommends the following guides for assistance in determining the appropriate architectural classification of a nominated property:


8. Spokane Register Categories and Statement of Significance

Mark the Categories (SMC 17D.040.090, SCC 1.48.110) that best apply to the property:

**Category A** is for properties associated with events that have made a significant contribution to the broad patterns of the history of the city, county, state or nation. *Example:* The Carlyle Hotel for its association as one of several single-room occupancy (SRO) hotels in the downtown.

**Category B** is for properties associated with the lives of persons significant in the history of the city, county, state or nation. *Example:* The Glover Mansion for its association with James Glover, one of Spokane’s early leaders.
**Category C** is for properties that embody the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction. *Example:* The Patsy Clark Mansion for its high-style architecture and association with prominent local architect Kirtland K. Cutter.

**Category D** is for properties, such as archaeological sites of historical importance, that have yielded, or are likely to yield, information important in prehistory or history. *Examples:* The Battle of Spokane Plains Monument, commemorating the site where the battle took place.

Consider the following when nominating a building, structure, or object:

- If a building or structure is nominated for its significance in architecture, does it retain enough of its significant design, aspect, or feeling to be recognizable, or could the important elements of design or appearance be restored? (This does not mean that buildings which have additions or alterations are not eligible, since they may reflect later significant styles and design.)

- If a building or structure is nominated for historical significance, does the existing building have an identifiable relationship to the history described?

- Is the building or structure located where originally constructed? If not, explain fully in the description (Item 7) and justify the new location and the reason for the move. If a building, structure, or object may be moved in the near future, mention should be made of this.

- Does the building, structure or object have an unusually important association with its location?

Consider the following when nominating a site:

- Does the property retain integrity compatible with the subject being commemorated? (The present site of a treaty signing which took place in a forest is probably not eligible if the area is now a suburban development.)

- If the site has been nominated in the area of archaeological significance, has the site contributed, or does it have potential to contribute, useful information in the reconstruction of the cultural sequence? How does the site relate to other similar investigations and archaeological findings?

**Narrative Statement of Significance:** Using the Continuation Sheet, describe in concise terms why the nominated property deserves to be included in the Spokane Register. This statement is based on written records, and should provide information relating to human associations and events as they are pertinent to the nominated structure or site. The first paragraph is written as a summary of the entire statement to follow. The opening paragraph achieves its purpose if it can be "lifted" from the
nomination to convey the essential importance of the property and should state immediately which Categories the property is nominated under and the reasons why it follows those Categories. Also include in the statement which historic area(s) of significance the property would fall under (see list and definitions below).

It is appropriate to include the following types of information in the statement of significance for buildings, structures, and objects:

- History of the neighborhood or development patterns associated with a nominated property's neighborhood
- Information about the first homeowners and/or subsequent homeowners associated with the home
- Information about significant persons associated with the home
- Information about the architect, builder, or engineer, including lifespan, professional training, span of career, general scope of the body of work, building types, and other known associated properties
- Information on the building type or architectural style
- History of the property's use (single-family, multi-family, commercial)
- Provide specific dates for original construction, later additions, dates of occupancy, dates of the most significant residents, or date(s) of significant events connected with the property.

Also choose at least one Area of Significance. If the nominated property is being considered under Category C, the appropriate area of significance would be Architecture. If the property is significant under Architecture and for its association with a local musician, for example, include both Architecture and Music.

**Archaeology-Prehistoric:** The scientific study of the life and culture of Indigenous peoples who lived before the advent of written records

**Archaeology-Historic:** The scientific study of the life and culture of indigenous people who lived after the advent of written records, and the scientific study of the life and culture of non-indigenous peoples (European, African, Asiatic) in the new world

**Agriculture:** Farming, livestock-raising, and horticulture

**Architecture:** Style and construction of buildings and structures

**Art:** Concerning creative works and their principles; Fine arts and crafts; Does not include architecture, sculpture, music, or literature
**Commerce:** Production and exchange of goods and the social contacts thereby encouraged

**Communications:** Art or science of transmitting information

**Community Planning:** Design of communities from predetermined principles

**Conservation:** Official maintenance or supervision of natural or man-made resources

**Economics:** The science that deals with the production, distribution, and consumption of wealth

**Education:** Formal schooling that deals with training and developing knowledge, ability, and character

**Engineering:** Applied science concerned with utilizing products and sources of power for supplying human needs in the form of structures, and machines

**Exploration/Settlement:** Investigation of regions previously unknown or little known; The establishment of a new colony or community

**Industry:** Enterprises producing goods and services

**Invention:** Something originated by experiment or ingenuity

**Landscape Architecture:** The art or practice of planning or changing land and water elements for the enhancement of the physical environment

**Literature:** Production of writings, especially those of an imaginative nature

**Military:** Concerning the armed forces and individual soldiers

**Music:** The art of combining vocal or instrumental sounds or tones

**Philosophy:** A system of principles for the conduct of life; the theory or analysis of the principles of underlying thought or knowledge and the nature of the universe

**Political government:** An established system of political administration by which a nation, state, or district is governed and the processes which determine how it is to be conducted

**Religion:** Systems and expressions of belief in a superhuman power that have made a contribution to the patterns of a culture

**Science:** A systematic study of nature

**Sculpture:** The art of forming material into three-dimensional representation
Social/Humanitarian: Concerning human beings living together in a group or the promotion of the welfare of humanity

Theater: Dramatic arts and the places where they are enacted

Transportation: Concerning the work or business or means of conveying passengers or materials

9. Major Bibliographical References

This section lists the sources used to compile the nomination. General reference works on architecture, archaeology, etc. should be included, especially if they specifically mention the property by name. Use a standard bibliographical style, listing author, full title, date and location of publication, and publisher. For an article, list the magazine or journal from which it was taken, volume number, and date. For unpublished manuscripts, indicate where copies are available. Interviews should also be listed, giving name and address of the informant and date of the interview. Bibliographic references should be listed on a Continuation Sheet.

10. Geographical Data

Acreage of Property: This information can be obtained from the Spokane County Assessor’s Office at the Spokane County Courthouse, 1116 West Broadway, Spokane, Washington, 99201, or online at http://www.spokanecounty.org/pubpadal/.

Verbal Boundary Description: This information is also held at the Assessor’s Office.

Examples: Heaths 4th Addition, Block 40, Lot 10
           Havermale Addition, Block 4, Lots 5 & 6

Verbal Boundary Justification: The justification will often read as follows: Nominated property includes entire parcel and urban legal description.

11. Form Prepared By

Write in the name(s), address, email address, and telephone number of the person directly involved in compiling information contained in the nomination form. Include the zip code and date.

12. Additional Documentation

Photographs are required as part of a complete nomination form. Six to ten representative black & white photographs are required showing the primary and secondary exterior elevations, and the landscape, with at least one photograph showing the property in the context of its neighborhood (the streetscape). Six to ten representative interior photos of significant interior features are also required (to be submitted with the draft version of the nomination or separately prior to the Landmarks Commission meeting).
Additionally, six to ten color slides, photographs, or scanned/digital photographs are required when you submit the first draft of the nomination. Six to ten color slides, color prints or color digital photographs (color photographs can be prints, slides, or scanned color prints and slides, with at least 300 dpi resolution as a .jpg or .tif file; individually scanned photographs only) showing the primary and secondary exterior elevations and the landscape, with at least one photograph showing the property in the context of its neighborhood (streetscape). Six to ten representative interior color photos are also required of significant interior features (please submit prior to the Landmarks Commission meeting and include with draft forms of the nomination).

All print photographs must be 3 x 5 inch or larger, unmounted, and of good quality. Illustrative maps are also required and can include plat maps showing the location of the nominated property, U.S.G.S. Topographic Quadrangle maps showing the location of the property, or Sanborn Fire Insurance maps. Optional maps may include sketch site maps, and floor or architectural plans. Label the various buildings and important features associated with the property and include the property name and address on the map.

For examples of completed nomination forms for properties currently listed on the Spokane Register, visit our website at www.historicspokane.org, or visit the Northwest Room at the Spokane Public Library, 906 W. Main, Spokane, Washington, 99201, or the Joel E. Ferris Library at the Northwest Museum or Arts & Culture (MAC), 2316 W. First, Spokane, Washington, 99204.
If a nomination falls within the jurisdiction of a Certified Local Government, review is required by the local landmark commission or historic review board before any nomination to the National Register is heard by the State Advisory Council on Historic Preservation as per the National Historic Preservation Act of 1966 and the CLG program requirements as amended in 1993. This form must be received by OAHP two days in advance of the State Advisory Council meeting. The CLG should review the final National Register nomination, not a draft form.

Property Name: __________________________________________
Address: ________________________________________________
Certified Local Government Name: __________________________
Date of public meeting in which nomination was reviewed ______

Applicable Criteria: (Please Check the Appropriate Box)

- Criterion A (Historical Events)
- Criterion B (Important Person)
- Criterion C (Architecture)
- Criterion D (Archaeological)

Please check the following box that is appropriate to the nomination.

- The Commission recommends that the property or properties should be listed on the National Register of Historic Places.
- The Commission recommends that the property or properties should not be listed in the National Register for the following reasons: __________________________________________________________

- The Commission chooses not to make a recommendation on this nomination for the following reasons: __________________________________________________________

The Commission would like to make the following recommendations regarding the nomination: (use additional sheets if necessary)

________________________________________________________________________
________________________________________________________________________

Approved By: (both signatures required)

Landmarks Commission/Historic Review Board Chair or Representative
Print Name: ____________________________ Approved ☐ Not Approved ☐
Signature: _________________________________

Elected Official/Designee
Print Name: ____________________________ Approved ☐ Not Approved ☐
Signature: _________________________________
General Review
____ Have all the blanks been filled, including “n/a” where applicable?

Section 1. Name of Property
____ Is the name entered the one that best reflects the property’s historic importance or was commonly used for the property during the period of significance?

Section 2. Location
____ Are all items completed? Are the correct codes used? Is the name of the federal land area noted, if pertinent? If the property needs certain protection, has “not for publication” been checked?

Section 3. Certification
____ Is a Level of Significance checked?
____ Is the form signed by a SHPO, THPO, FPO, or authorized delegate?
____ For concurrent nominations, have both parties signed the form?

Section 5. Classification
____ Are all items completed? Is there a clear identification of the number of contributing and noncontributing resources?
____ Does the resource count agree with the narrative in Section 7?

Sections 6. Function or Use
____ Have the historic and current functions been indicated, using functions listed in the How To Complete the NR Registration Form Bulletin?

Section 7. Description
____ Have the Architectural Classification and Materials sections been completed (where appropriate)?
____ Is there an initial paragraph that identifies what is being nominated, summarizes its appearance, and describes the property’s integrity?
____ Have all alterations to the building/site over time been described and dated, to the extent possible? Do the descriptions of contributing/noncontributing resources agree with the resource counts in Section 5?
____ For historic districts, is there a complete inventory list or accompanying sketch map identifying all resources counted and marked whether they contribute or not?

Section 8. Statement of Significance
____ Has all pertinent information been included? The following are mandatory: Applicable NR Criteria, Areas of Significance, and Period of Significance. The following may be needed: Significant Person (if Criterion B is applicable), Cultural Affiliation (if Criterion D—and in some cases Criterion A—is applicable), Significant Dates and Criteria Considerations, as pertinent, and Architect/Builder (if “work of a master” pertains).
____ Does the Narrative Statement include a summary paragraph indicating the pertinent NR Criteria, the period of significance, and the areas and level of significance of the property?
____ In subsequent paragraphs, is the case made for each Area of Significance as it relates to a particular historic context/theme?

Section 9. Major Bibliographical References
____ Are bibliographic sources provided?

Section 10. Geographical Data
____ Does the verbal boundary description delineate the precise area within the boundaries of the property, not just a general location?
____ Is the specific number of acres given? Is it consistent with the size of the area noted within the boundaries?
____ Are lat/long coordinates or UTM references provided? Is the minimal requirement of three points given, if the property is10 or more acres in area?

Section 11. Form Prepared By
____ Is the preparer identified, with contact information?

Maps
____ Is a locational map with defining coordinates enclosed and properly labeled?
____ Is a map enclosed for historic districts that contains a north arrow and a scale?

Photos (Updated NR Photo Policy 2013)
____ Are the photographs on the correct paper and appropriately identified and labeled?
____ Is a photo log included? For historic districts, are photos keyed to the district map?
____ Are the photo files saved as TIF files at the correct resolution on an archival quality CD?
What is Design Review?

Owners of properties listed on the Spokane Register of Historic Places agree to follow Management Standards outlined in the Management Agreement. This Agreement states that an owner must obtain a **Certificate of Appropriateness** for any action affecting use, exterior appearance, new construction or demolition of the designated historic structure.

The Certificate

The **Certificate of Appropriateness** is an official notice of approval issued by the Landmarks Commission or its designee (Historic Preservation Officer), charged with the jurisdiction for permitting or denying the appropriateness of proposed changes or additions to historic structures.

Basis for Review

In order to determine compatibility as objectively as possible, the Landmarks Commission refers to the Secretary of the Interiors **Standards for Rehabilitation** when conducting design review. These broad guidelines serve as the basis for rehabilitation design review.

1. Change-of-Use Review

   Every reasonable effort shall be made to provide a compatible use for a property, which requires minimal alteration of the building, structure, or site and its environment. The Landmarks Commission will consider the impact of the proposed use on the historic or architectural significance of the structure or historic district.

2. New Structures or Alterations in Historic Districts

   Alterations to an historic landmark or building, or the construction of new structures in an historic district, should be architecturally compatible with the character of the landmark, building, or neighboring structures within the district. The Landmarks Commission shall determine the compatibility of proposals for alterations and new construction.

   Design elements of contemporary proposals will be evaluated according to sensitivity to the surrounding structures regarding height, bulk, shape and configuration, as well as placement on the property in relation to patterns or spacing. Approval will be based upon review of plans and elevations of the new structure.

   For new multi-family or non-residential structures, the Landmarks Commission will require site plans drawn to scale, showing the location of structures, drives, surface material of walks and parking area, and proposed landscaping.

3. Signs, Lighting and Other Appurtenances

   Signs, exterior lighting and other appurtenances such as walls, fences, awnings and landscaping, shall be visually compatible with the traditional architectural character of the historic structure.

4. Demolition Review

   For procedures regarding demolition of historic landmarks, or structures in historic districts, see **Section 17D.040.220** of the Ordinance.
### Type of Work to be Reviewed

<table>
<thead>
<tr>
<th>Type of Work</th>
<th>No Review</th>
<th>Staff Review</th>
<th>Commission Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exterior Renovation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If visible from the street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Awning – change of color</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Awning – change of style</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Awning- new</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Paint with Same Color</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Paint unpainted brick, stucco or stone</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Paint with Non-historic color</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Paint With New Historic Color</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Landscaping/Gardening</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install Garden Structures</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replace Windows</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Replace Doors</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Repair Porch</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Replace Porch</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Repair old siding</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install New Siding</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Demolish historic Garage</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Demolish non-historic Garage</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install New Fence</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install Sidewalk</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Roofing with like material</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>New Roofing with new material</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Change Roofline</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install mechanical &amp; Utility Equipment</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Minor Construction not easily seen from street</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install shutters not original to the building</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Install exterior fire exits</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Minor work not approved by Staff</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>New Construction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Build New Addition</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Build New Porch</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Build New Deck</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Move a Building</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

### The Process

A Certificate of Appropriateness application may be obtained through the Historic Preservation Office (HPO).

**Fees:**
- Commission Review: $75 (waived for local historic districts); Staff review: $25. Fees must be paid when the Certificate of Appropriateness is filed.

**Appeals:**
Appeals are made to the Hearing Examiner. SMC 17D.040.160.

**Non-Compliance:**
If tax incentives have been utilized for the property, the incentives are in jeopardy, and fines and penalties may be assessed. If tax incentives have not been used, the Landmarks Commission may recommend that the property be removed from the Spokane Register of Historic Places.

**Benefits:**
Design review ensures that the historic character and appearance of properties is preserved, and that the unique quality of Spokane’s past continues to be represented in the community.

**Restrictions:**
Work must occur exactly according to approved plans. **ANY** revisions, omissions, or additions to plans must be reviewed by the Landmarks Commission prior to execution, or a permit will not be issued for the proposed work.

**Note:** Normal maintenance or repair does NOT require design review if no changes are made to the appearance of the building.

### Other Informative Links

- The Rehab YES/NO Learning Program
- The Secretary of Interior’s Standards for the Treatment of Historic Properties
- The Secretary of Interior’s Standards for Rehabilitation

### Contact Information

Spokane City-County Historic Preservation Office
808 West Spokane Falls Boulevard
Spokane, WA 99201
Phone: (509) 625-6543
FAX: (509) 625-6013
Web Page: [http://www.historicspokane.org](http://www.historicspokane.org)
E-mail: bdsinfo@spokanecity.org
Spokane Historic Landmarks Commission Policy on Special Valuation

1. **Does an item approved on one application always set a precedent for the future?**
   No. Items are reviewed on a case-by-case basis. Property owners or their representatives are asked to attend the hearings in order to explain their application and answer questions.

2. **How is “24 months from the month you apply” interpreted?**
   When the applicant applies, qualified expenditures which occurred 24 months prior to the application month can be included (i.e. if application is made April 14 of 2003, any expense dated between (and including) April 1, 2001 and April 30, 2003 can be included.) The date is defined as the date when the item is paid.

3. **If some of the work does not meet the Secretary of the Interior’s Standards can the applicant simply not include those expenses?**
   No. If not, then how does the Commission judge whether or not the property has met the Design Review standards if some of the work does not meet the Secretary of the Interior’s Standards?
   The Commission makes a determination as to whether, overall, the property still retains its significance (i.e. if the property has not been altered to the point that it is no longer historic), based on, in part, recommendations from the Nominations and Design Review committees.

4. **Can Special Valuation be claimed for expenses associated with noncontributing additions?**
   Any expenditure attributable to an enlargement of an existing structure, i.e. a new addition, is specifically excluded from the definition of a qualified rehabilitation expenditure. A building is enlarged to the extent that the total volume of the building increases. (26 CFR Ch. 1.48-12(10) Enlargement-defined).

   **How to deduct costs for additions/enlargements of non-historic additions:**
   1. The costs should be broken out in the summary sheet: “exterior”, “interior” “addition”.
   2. The use of a formula as follows: total cost of the renovation divided by the finished square footage of the house to arrive at a price per square foot of the project. The price per square foot of the renovation could then be multiplied by the size of the addition to arrive at an approximate cost allocation total; or
   3. If the Commission feels that the above calculations do not reasonably represent the costs due to mitigating factors of the renovation, the Commission will then request that the homeowner provide a contractor’s estimate from either the original contractor or a secondary bid; or
   4. Have the contractor remove all costs associated with the addition.

5. **Can Special Valuation be taken for work done outside the footprint of the building?**
   The “footprint” of the building is determined by the Landmarks Commission on a case-by-case basis. Work outside the walls of the home (i.e. installation of gas line, storm sewer, etc.) is rarely approved and must be fully documented and justified.
Two references can help clarify this determination:

WAC 254-20-030, cost of rehabilitation includes:
(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 usable but shall not include rentable/habitable floor space attributable to new construction.

26CFR ch. 1.48-12
(10) Enlargement defined-(1) in general. “A building is enlarged to the extent that the total volume of the building is increased. An increase in floor space resulting from interior remodeling is not considered an enlargement. The total volume of a building is generally equal to the product of the floor area of the base of the building and the height from the underside of the lowest floor (including the basement) to the average height of the finished roof (as it exists or existed).”

6. When does a taxpayer receive Special Valuation?
Special Valuation reduction in property tax occurs two years after the application year (i.e. if the application is made in 2003, the property tax will be reduced in 2005). Note: Assessor's Policy, not SHLC policy.

7. What are some expenses that DO qualify for Special Valuation?
Any expenditure for a structural component of a building will qualify for Special Valuation. Treasury Regulation 1.48-1(e)(2) defines structural components to include walls, partitions, floors, ceilings, permanent coverings such as paneling or tiling, windows and doors, components of central air conditioning or heating systems, plumbing and plumbing fixtures, electrical wiring and lighting fixtures, chimneys, stairs, escalators, elevators, sprinkling systems, fire escapes, and other components related to the operation or maintenance of the building.

In addition to the above named “hard costs”, there are “soft costs” which also qualify. These include construction period interest and taxes, architect fees, engineering fees, construction management costs, reasonable developer fees, and any other fees paid that would normally be charged to a capital account.

8. What is NOT included in qualified rehabilitation expenditures?
   1. Costs of acquiring the building or interest therein. See Treasury Regulation 1.48-12(c)(9).
   2. Enlargement costs that expand the total volume of the existing building (Interior remodeling which increases floor space is not considered enlargement.) See Treasury Regulation 1.48-12(c)(10)
   3. Expenditures attributable to work done to facilities related to a building such as parking lots, sidewalks and landscaping. See Treasury Regulation 1.48-12(c)(5).

What are some examples of expenses that do NOT qualify for Special Valuation?
· Acquisition costs
· Appliances (if not built in) – Built in is further defined as “finished on its sides regardless of wiring or plumbing installation methods or the size of the appliance”
- Cabinets (if not built in)
- Carpeting (if tacked in place and not glued)
- Decks (if not part of original building)
- Demolition costs (removal of a building on property site)
- Enlargement costs (increase in total volume)
- Fencing
- Feasibility studies
- Financing fees
- Furniture
- Landscaping
- Leasing Expenses
- Moving (building) costs (if part of acquisition)
- Outdoor lighting remote from building
- Parking lot
- Paving
- Planters
- Porches and Porticos (if not part of original building)
- Retaining walls
- Sidewalks
- Signage
- Storm sewer construction costs
- Window treatments (if not attached to the building)
- Meals for employees
- Homeowner labor (homeowner’s family is ok, if proof of payment is submitted)

9. What is the difference between listing an element in the Spokane Register nomination and list it in the Management Agreement (i.e. rock wall).

1. Listing an element in the Spokane Register nomination is done for the purposes of justifying the significance of the entire property.
2. Listing an element in the Management Agreement is done after the nomination is approved by the Landmarks Commission, and means that the owner agrees that the element will undergo design review. Listing of interior elements is available only for interiors accessible to the public, because of the difficulty of monitoring interior elements.
3. Neither listing an element in the Spokane Register nomination nor listing it in the Management Agreement guarantees that the element will receive Special Valuation. As always, whether or not Special Valuation is received is determined by the Landmarks Commission during the public hearing.

10. If a property has undergone a renovation, is not on the Spokane Register, and the owner wants to apply for Special Valuation (which has a 24 month eligibility period) what is the process?

If filed before June 1, the owner has 90 days to then file a completed Spokane Register nomination with the Spokane Historic Preservation Office.

If filed after June 1, the entire review may be continued until the following year, at the discretion of the Landmarks Commission.
11. **Condominiums:** If a condominium has separate parcel numbers then each are treated as separate applications. Condominiums are charged as residential properties. To determine the formula for “shared” space that is being attributed to each individual condo i.e. the roof, common areas, then the applicants must use the following formula to determine the breakdown of costs applied to each condo unit: Total square footage divided by individual square footage = percentage. Take the percentage times the total $ claimed = individual condo $.
Spokane Historic Landmarks Commission’s Policy
And Frequently Asked Questions on
Special Valuation
Updated June 12, 2006

1. **Does an item approved on one application always set a precedent for the future?**

   No. Items are reviewed on a case-by-case basis. Property owners or their representatives are asked to attend the hearings in order to explain their application and answer questions.

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   When the applicant applies, qualified expenditures which occurred 24 months prior to the application month can be included (i.e. if application is made April 14 of 2003, any expense dated between (and including) April 1, 2001 and April 30, 2003 can be included). The “date” is defined as the date when the item is paid.

3. **If some of the work does not meet the Secretary of the Interior’s Standards, can the applicant simply not include those expenses?**

   No.

   If not, then how does the Commission judge whether or not the property has met the Design Review standards if some of the work does not meet the Secretary of the Interior’s Standards?

   The Commission makes a determination as to whether, overall, the property still retains its significance (i.e. if the property has not been altered to the point that it is no longer historic), based on, in part, recommendations from the Nominations and Design Review committees.

4. **Can Special Valuation be claimed for expenses associated with noncontributing additions?**

   No. Any expenditure attributable to an enlargement of an existing structure, (i.e. a new addition), is specifically excluded from the definition of a qualified rehabilitation expenditure. A building is enlarged to the extent that the total volume of the building increases. (26 CRF Ch 1.48-12(10) Enlargement-defined).

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Two references can help clarify this determination:

WAC 254-20-030, cost of rehabilitation includes:
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- Retaining walls
- Sidewalks
- Signage
- Storm sewer construction costs

-3-
- Window treatments (if not attached to the building)
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   Neither listing an element in the **Spokane Register nomination** nor listing it in the **Management Agreement** guarantees that the element will receive Special Valuation. As always, whether or not Special Valuation is received is determined by the Landmarks Commission during the public hearing.

10. **If a property has undergone a renovation, is NOT on the Spokane Register, and the owner wants to apply for a Special Valuation (which has a 24 month eligibility period) what is the process?**

    The property owner should prepare a nomination to the Spokane Register and then, once it is approved, apply for Special Valuation. (Note: as of April 19, 2006, the Commission will accept applications for Special Valuation only if the property is actually listed on the Spokane Register by the Spokane City Council at the time of application).
CONSIDERING CONFLICT OF INTEREST

James K. Reap, Attorney at Law, Public Service Associate, College of Environment and Design, University of Georgia; and Melvin B. Hill, Jr. Robert G. Stephens, Jr. Senior Fellow in Law and Government, University of Georgia

NAPC regularly receives inquiries about situations involving possible conflict of interest involving historic preservation commission members. Most questions concern the interpretation of the conflict of interest provisions of some local historic preservation ordinances and/or by-laws.1 Attorneys James K. Reap and Melvin B. Hill have provided the following advice.

The principal questions presented are:
Does ownership of property in a proposed or existing historic district by itself constitute a conflict of interest for a preservation commission member?

Does membership or involvement in an historic preservation organization or neighborhood association sponsoring a nomination or taking a position on a matter before the commission by itself constitute a conflict of interest for a preservation commission member?

The generally accepted concept of a conflict of interest disqualifies an official from participating in discussion or voting on an issue in which the official, a family member, or entity connected with the official may receive a benefit or advantage that may not accrue to others similarly situated. A definition to that effect may be found in some local historic preservation ordinances and commission by-laws and local government codes. Financial or personal gain derived from the official action is generally the test.

Historic District Designation and Financial Benefit
First, let us consider the case of historic district designation. Whatever advantages or disadvantages accrue to properties in a designated historic district are shared by each and every property within that historic district. A commission member who owns a property in a proposed district has no advantage or expectation of benefit from a designation that is not shared by all property owners within that district. Such commission member owner derives no preference from the designation.

Many studies have shown that properties in designated local historic districts tend to become more attractive in the marketplace and over the years generally increase more in market value than properties located in a similarly situated district that has not been designated. After the designation of a historic district, it is the rising tide that frequently raises values of all properties indiscriminately. Yet, such general studies cannot constitute a reason to argue that a commission member who owns property in a proposed historic district has a conflict of interest in the designation process because of the mere possibility of future increase in value.

On the other hand, many consider the imposition of land use controls on private property as onerous, if not confiscatory. Considered from this point of view, a commission member who votes for designation of a district that includes his property may well be voting against his or her own best interests. Such a vote would not be considered a financial benefit for the commissioner.

It should also be noted that the only legal entity that can actually designate property as historic is the governing authority itself (i.e., the mayor and council or the county commission). Therefore, the vote of a preservation commission is not dispositive of the issue and the vote of a member who owns property in a proposed historic district itself will not directly affect the outcome.

Review of Certificate of Appropriateness and Financial Benefit
Second, let us consider whether a conflict exists when a commissioner owning property in an historic district votes on an application for a certificate of appropriateness.
If the application for a project comes from the commission member, a close relative or an entity in which the member has a property interest, there would be an obvious financial conflict of interest. Similarly, a conflict would exist when the applicant is a client of the commission member. A clear example would be where the commission member is the architect or builder for the applicant. However, this analysis shouldn’t be taken too far. The key should be direct financial interest. The mere speculative possibility of benefit should not require recusal.2

In the situation where the commission member is merely a property owner within the district without any interest in the property subject to the application for a certificate of appropriateness, a similar analysis could be used as in the case of designation (above). A commission member who owns a property in a district has no advantage or expectation of benefit (or harm) from the issuance of a certificate of appropriateness not shared by all property owners within that district.

Some preservation ordinances do state as a matter of policy that a commission member who owns property within a certain distance of a property subject to an application for a certificate (e.g. 1,000 feet) may not participate or vote. Absent such a policy declaration by the local governing authority, there should not be a bar to participation without a demonstrated specific financial benefit or harm to the commissioner.

Membership in an Historic Preservation Organization and Conflict of Interest
Most ethicists would concede that conflicts of interest could go beyond financial issues alone. Many ethics codes also speak of “personal interests” as potentially disqualifying. One example of a disqualifying personal interest would be a personal animosity between a commission member and an applicant that would render the commissioner incapable of rendering an unbiased decision. Another example might be a situation where a certificate of appropriateness is requested for an addition to a neighboring house that would block the commissioner’s view of the mountains.

What if a commissioner is a member of an historical society or historic preservation organization? Having personal values, philosophy, or beliefs about historic preservation should not be considered a disqualifying bias. Many states' historic preservation legislation call for the appointment of members who have knowledge and experience in the subject and live in the historic preservation jurisdiction. For example:

"A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all members shall reside within the historic preservation jurisdiction of their respective municipality or county."

In many cases, the law goes further by specifically authorizing the local governing body to consult with preservation organizations and historical societies in making appointments:

"In establishing such a commission and making appointments to it, a local governing body may seek the advice of any State or local historic agency, society, or organization."

Logically, these organizations would make recommendations from among their membership, which would be reflective of their interest and expertise. The smaller the community, the more likely this is to be true. Many local ordinances go on to specify professions that should be represented on a commission like historian or architect. Professionals in these fields with interest and experience in preservation are likely to be members of local organizations. How should commission members use their expertise? Again, many states’ historic preservation legislation identifies among the duties of preservation commission members such things as preparing an inventory of properties with a potential for designation, recommending properties to the local governing body for designation and reviewing applications for certificates of appropriateness.
Assuming the appropriateness of having commissioners with memberships or involvement in historic preservation organizations, what are their ethical responsibilities when that organization takes a position on a matter before the commission? If we apply the general principle that one should not be an advocate as well as a judge on any matter, we would have to look at the role of the commissioner in the nonprofit organization and the issue the organization is taking a position on. Generally ordinary members of nonprofit organizations have little role in the development of the organization’s position on issues or in advocating actively for those positions. That role is usually relegated to the board of directors and officers.

An officer, board member, or other member who has been actively involved in preparing or advocating for a nomination or on a pending application for a certificate of appropriateness might be logically viewed as being unable to make an unbiased decision. A commissioner who is only a member of an organization and has taken no such development or advocacy role should be able to view the position of the nonprofit organization as just another piece of evidence to be weighed and balanced like any other.

Similarly, an architect who is an member of the local AIA chapter or a developer who is a member of the local homebuilders’ association shouldn’t be prevented for bringing their expertise to bear on the subject simply because their professional organization takes a position on a matter - unless they were involved in developing or advocating that position or were otherwise incapable of making an unbiased decision.

The possibility of conflict would be even more remote where a commission member has previous tangential dealings with the organization. A commissioner who is an attorney might, for example, have provided pro bono assistance to a preservation organization in drafting their bylaws or advising them on tax matters. That relationship could be considered de minimis and not rising to the level of a conflict where the organization takes a position on a matter before the commission.

The decision whether to recuse oneself in these situations is generally made by the member. However, many commissions provide that members disclose potential conflicts and seek guidance from the other members of the commission as to whether a conflict or appearance of conflict exists. Certainly this kind of disclosure is important so the public can see the member in question is not hiding a relationship that might influence his decision. If the commission decides that there is an appearance of a conflict, or if an individual member believes that his or her participation will be perceived as a conflict, then the individual commissioner should not participate in discussion or vote on the matter where the potential conflict exists.

Ultimately, the question is whether the public official by reason of a personal interest is placed in a situation of temptation to serve his own purposes to the prejudice of those for whom the laws authorize him to act. Put another way, would an impartial concerned citizen, apprised of all the facts, feel there was the potential for non-objectivity on the part of the commissioner making the decision? If so, the commissioner should remove himself from the situation.

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1 There are provisions in some historic preservation ordinances and by-laws of historic preservation commissions that provide for the commission to discuss any alleged conflict of interest with the affected member and make a decision about it. Because this question could arise in a variety of jurisdictions, we thought we would clarify our understanding of the meaning of such provisions. Note that we say “understanding,” rather than “opinion,” because we are not the attorneys of record for any particular historic preservation commission.
2 The “Bag of Bagels Rule” provides an example of a benefit too remote to bar participation by a commission member. Suppose a commission member owns a bagel shop. A customer who buys a bag of bagels every weekend applies for a certificate of appropriateness. There is no direct connection between the business relationship and the matter before the commission. It is also highly unlikely the commissioner would allow this minor business relationship to affect the execution of his public responsibility. This situation could be described as de minimis, not rising to the level of a real conflict.
3 O.C.G.A. §44-10-24
4 Id.
National Alliance of Preservation Commissions
Code of Ethics for Commissioners and Staff

Preamble

Preservation commissions have been established by local governments throughout the United States to promote the preservation and appropriate development of heritage resources in their communities. The National Alliance of Preservation Commissions (NAPC) is the only organization devoted solely to representing the nation's preservation commissions. Its mission is “to build strong local preservation programs through education, advocacy and training.” As part of that mission, the NAPC has developed this Code of Ethics to promote and maintain the highest standards of honesty, integrity and professionalism among the commissioners and staff who serve their communities through preservation commissions.

These principles are derived from general societal values and recognized principles of professional responsibility. As societal values compete, so may ethical principles. The need for full public disclosure may compete with the need to respect confidential information, for example. The ethical commissioner or staff member must carefully balance various public and private interests based on the facts and context of each situation guided by the commitment to serve the public interest.

Individual commissioners should be knowledgeable, accurate, honest and forthright in their dealings with other commissioners, local elected officials and staff, applicants and the general public. Although not elected by the public, preservation commissioners are accountable for their actions in the communities they serve.

This Code of Ethics comprises guidelines for ethical conduct organized under three main categories:

- Responsibility to the Community
- Responsibility to the Profession
- Standards of Professional Conduct

Under each category are statements of principle to guide preservation commissioners and staff in choosing ethical courses of action for heritage preservation in their communities. The NAPC endorses this Code as the ethical benchmark to which all its members should aspire. In the absence of professional licensure for preservation commissioners and staff, the adherence to a code of ethics is a matter of personal responsibility. However, preservation commissions may wish to adopt these principles and standards as a guide. Although stated in the plural, each suggested rule also applies to an individual commissioner or staff member.
Responsibility to the Community

The most effective historic preservation takes place locally, and all preservation commissioners and staff should remember that it is their duty, as public servants, to advance the greater good of the community.

1. Commissioners and Staff should be advocates for the community’s heritage resources, striving to protect their integrity while recognizing the rights of citizens, individually and collectively, to their beneficial use and enjoyment.
2. Commissioners and Staff should promote public awareness, appreciation, access and support for the preservation of heritage resources.
3. Commissioners and Staff should develop standards and guidelines that are appropriate for the resources and protect the community’s unique character, environment and quality of life.
4. Commissioners and Staff should respect the diversity of heritage resources that may hold different meanings for various groups and communities.
5. Commissioners and Staff should respect the public’s right to know by providing full, clear and accurate information and observing both the letter and spirit of open meetings and open records laws.
6. Commissioners and Staff should provide opportunities for meaningful public participation in the work of the commission.
7. Commissioners and Staff should make timely, fair, informed and impartial decisions that guarantee citizens’ rights to due process and equal protection under the law.
8. Commissioners and Staff should be sensitive to the interrelatedness of their decisions and the long-term implications for the resources and the community.
9. Commissioners and Staff should seek compromises or search for alternatives where necessary to achieve overall preservation goals and provide substantial justice for citizens.
10. Commissioners and Staff should recognize that the historic built environment changes over time and encourage new development that respects the historic character and fabric that preceded it.
11. Commissioners and Staff should continually evaluate and update their plans, ordinances, standards, guidelines and procedures to ensure they meet the community’s current and future needs.
12. Commissioners and Staff should always strive to make decisions that are in the best interest of the community.

Responsibility to the Profession

Preservation commissioners and staff are drawn from many disciplines and backgrounds. The common thread that joins them is their interest and commitment to preserve heritage resources in their communities. A multi-disciplinary profession has developed over the years from the historic preservation movement, and commissioners and staff have an obligation to advance the best interests of this profession in the context of their commission work.

1. Commissioners and Staff should be mindful that they are representatives of the greater local, state, and national preservation community and conduct themselves in a way that brings credit to their commission and the profession.
2. Commissioners and Staff should share their knowledge and experience and contribute to the
development of other colleagues, particularly newly appointed commissioners, students, and interns.

3. Commissioners and Staff should actively promote heritage preservation and strive to increase the involvement of underrepresented groups.

4. Commissioners and Staff should support through their memberships and other contributions organizations that promote heritage preservation.

5. Commissioners and Staff should work collaboratively with related professionals and professional organizations whose actions also affect heritage conservation including, but not limited to, planners, code officials, architects, landscape architects, archaeologists, attorneys, realtors, and developers.

6. Commissioners and Staff should treat fairly and comment responsibly on the professional views of colleagues and members of other professions.

7. Commissioners and Staff should render all practicable assistance to other colleagues and organizations in an emergency when heritage resources are at risk.

8. Commissioners and Staff should acquire a depth of knowledge that will enable them to explain to others the role of heritage preservation in a complex, modern world.

9. Commissioners and Staff should recognize that the field of heritage preservation is constantly evolving and actively pursue continuing educational opportunities in order to maintain, refine and enhance their capabilities as practitioners.

**Standards of Professional Conduct**

*As public servants, commissioners and staff are expected to conduct themselves in accordance with the law. These standards set forth both a baseline for such legal conduct as well as aspirational goals for ethical behavior that may require a conscientious effort to attain.*

1. Commissioners and Staff should thoroughly understand the legal framework of heritage preservation and consistently operate within the bounds of their authority and responsibility under the law.

2. Commissioners and Staff should treat all citizens fairly, impartially and with respect, and refrain from discrimination or harassment of any kind.

3. Commissioners and Staff should not accept gifts or favors under any circumstances where it might appear that acceptance could influence their judgment.

4. Commissioners and Staff should disclose all personal or financial advantages that might accrue to them, their business interests or family members either directly or indirectly from a recommendation or decision.

5. Preservation Commissioners and Staff who have an actual or apparent conflict of interest in a matter coming before them should recuse themselves entirely from deliberations and decisions.

6. Commissioners and Staff are obligated to utilize their knowledge and experience to make decisions and therefore should abstain from participating and voting only in cases of a *bona fide* conflict of interest.

7. Commissioners and Staff should not disclose confidential information obtained in the course of their duties, except as required by the law, or use confidential information to further a personal interest.

8. Commissioners and Staff should not abuse their office by advancing an agenda that is not in
the best interest of the community or heritage preservation.
9. Commissioners and Staff should seek the advice of colleagues or other professionals on matters that fall outside their expert knowledge or competence.
10. Commissioners and staff should be consistent in their actions and recommendations, treating similarly situated properties similarly and providing clear explanations when different treatment is required.
11. Commissioners and Staff should reveal illegal conduct on the part of other commissioners, staff, officials, applicants or their representatives to an appropriate higher authority.
12. Commissioners and Staff should not participate in deliberations or decisions without adequate preparation and knowledge of the matter before them.
Commissioners and Staff should avoid dishonesty, never misrepresenting facts or distorting information to achieve a desired outcome.
13. Commissioners and Staff should recognize the uniqueness of heritage properties, applying preservation theories, methods, and standards appropriate to each particular case.
14. Commissioners and Staff should be sensitive to ethical issues and ensure they are raised, critically analyzed, and addressed by the commission and other appropriate authorities.

This Code of Ethics was developed by members of the NAPC through an interactive process beginning with a series of facilitated sessions held during the July 2006 NAPC FORUM in Baltimore, MD. The resulting set of principles was further developed and refined by members during the following three-month period leading up to the November 2006 annual meeting of NAPC in Pittsburgh, PA. The effort was supported by the Board of Directors and staff of NAPC and coordinated by Professor James K. Reap, an attorney and member of the Board, with the involvement of the Historic Preservation Advocacy and Professional Development class in the Master of Historic Preservation Program at the University of Georgia. The NAPC would like to acknowledge the organizations whose guidelines and materials were relied on in developing this code: the American Institute of Architects (AIA), American Planning Association (APA), American Institute of Certified Planners (AICP), American Institute for Conservation of Historic and Artistic Works (AIC), and International Council on Monuments and Sites (ICOMOS).
Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

Standard Number 1: Compatible use
“A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.”

Standard Number 2: Retention of Historic Character
“The historic character of a property shall be retained and reserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.”

Standard Number 3: Recognition of Historic Period
“Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.”

Standard Number 4: Preserve Record of Change
“Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.”

Standard Number 5: Preserve Character Defining Features
“Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.”

Standard Number 6: Repair/Replacement Based on Evidence
“Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.”

Standard Number 7: Appropriate Treatment
“Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.”
**Standard Number 8: Protect Archeological Resources**

“Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.”

**Standard Number 9: Compatible New Additions/Alterations**

“New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

**Standard Number 10: Reversible Alterations**

“New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired.”
Learning about the history of your home can be a fun and fascinating process. You may find information about the people who used to live there, or you may learn what architectural style your house represents and try to find out the name of the original architect and builder. Your research could uncover information about important people or events associated with your home. Above all, researching your house will give you a sense of appreciation for its history and lend insight into the customs and lifestyles of your predecessors.

Staff members in the Northwest Room of Downtown Spokane Public Library are happy to assist you as you conduct your research. Many of the research materials you will need are available at the library.

**Getting Started**

If your home is in the City of Spokane, you may first visit Property Development, a sector of the Permit Department, Third Floor, City Hall, 808 West Spokane Falls Blvd. There are usually permits on file here that show water connections, sewer connections, permits for remodeling and if the home was constructed after 1912, there will be a Building Permit. Ask the receptionist to see the microfiche on your address to view these files. County residents may see their building permits dating back to 1930 at the County Building Department Public Works Building, 811 North Jefferson. Ask to see the Assessor’s workbook that will show any additions or remodeling done to your home.

Information uncovered at these offices may provide names and dates that will be invaluable as you conduct further research.

**Tracing the owners of your home**

This process is called creating a Chain of Title and may be accomplished with a visit to a Title Insurance Company. This Company may provide you with a list of owners and any business transactions attached to the property. There are several Title companies in Spokane, and most may charge a fee for this service. Before approaching a Company, be prepared with a legal description of your property, which may be found by consulting your property’s tax records. The description is shown in the upper left hand corner. (Example: HEATH’S L5 B6, meaning Heath’s Addition, Lot 5, Block 6). If your tax records are not readily available, a computer printout may be obtained at the Assessor’s Office, Spokane County Courthouse, 1116 West Broadway.

**Tracing the History of the Owners of Your Home**

After learning the names of previous owners of your property, you can put together a history using the R. L. Polk Spokane City Directories. Dating back to 1883, these books list the names and occupations of Spokane residents. Beginning in the 1929 directories, information is cross-referenced, so you may look search by either address or name. It is important to note that prior to 1891, the streets in Spokane used the river to divide north and south and Howard Street to divide east and west, while in directories dated after 1891, the major dividing lines are Division for east and west and Sprague for north and south. Suburban directories are available from 1956, and the library also maintains are county maps and a few Valley directories that may be helpful. These materials are all available for use at the Downtown Library, 906 West Main Avenue.

For more information, call (509) 444-5338 or visit the Northwest Room at the Spokane Public Library, 906 W. Main, Spokane, Washington 99201.
1. **How can I get my home listed on the Spokane Register?**

A home eligible for listing on the Spokane Register must be at least 50 years of age or older and maintain its historic character, meaning no extensive changes have been made to the exterior of the home. The home must meet one of four additional criteria considerations to be eligible. For more information or to learn if your home is eligible for listing, visit [www.historicspokane.org/spokane_register.htm](http://www.historicspokane.org/spokane_register.htm) or call 509.625.6983.

2. **What is the nomination process?**

Once your home has been determined eligible for listing, a nomination form must be filled out. Nomination forms can be filled out by property owners, or a historic consultant can be hired to complete the form. Nominations are reviewed for approval by the Spokane Historic Landmarks Commission every month. To get a copy of the nomination form or a list of historic consultants, visit [www.historicspokane.org](http://www.historicspokane.org) or call 509.625.6983.

3. **What does it mean to have a home listed on the Spokane Register?**

Once the Commission approves a nomination for listing, the property owner(s) must sign a Management Agreement. This agreement states that he/she will abide by the outlined Management Standards and obtain a Certificate of Appropriateness for any action affecting use or exterior appearance, or involving demolition or new construction attached to the structure. The Management Standards are the mechanism used to ensure that structures maintain their historic character and architectural integrity.

4. **Am I allowed to make changes to my home if it is listed on the Spokane Register?**

Yes. If your home is listed on the Spokane Register, you may make changes to the home as long as all changes have been reviewed prior to the start of work and are in keeping with the historic character of the property. Changes to listed properties can be reviewed through a Certificate of Appropriateness. For a copy of a Certificate of Appropriateness, visit [www.historicspokane.org](http://www.historicspokane.org) or call 509.625.6983.

5. **Are there any tax incentives associated with the listing of a home on the Spokane Register?**

Yes. Properties listed on the Spokane Register are eligible to take advantage of a Special Valuation Tax Incentive. Special Valuation offers a reduced property tax for the certified rehabilitation of listed properties. If property owners spend 25% of the assessed improvement value of the home in rehabilitation over a 2 year period, that dollar-for-dollar amount is deducted off the assessed value of the home resulting in a lowered property tax that is good for 10 years. For more information on Special Valuation, visit [www.historicspokane.org/incentives.htm](http://www.historicspokane.org/incentives.htm).

6. **How can my neighborhood become a local Spokane Register Historic District?**

Creating a Spokane Register Historic District involves the same process as the individual listing of properties, but requires majority consent. To determine if your neighborhood is eligible for a local district designation, contact us at 509.625.6983.

7. **How can I find out if my home is already listed on the Spokane Register?**

To find out if your home is already listed on the Spokane Register, call 509.625.6983.
The **Spokane Register of Historic Places** is our local government's official list of those properties that have contributed to the community's history. The Register was established by ordinance in both the City and County of Spokane in late 1981 and early 1982. These ordinances deem the Spokane Historic Landmarks Commission responsible for the stewardship of historic and architecturally significant properties. Nominations to the Spokane Register must be accompanied by owner consent, or in the case of a district, the majority of the owners' consent.
## Resources for Historic Property Research

<table>
<thead>
<tr>
<th>Location</th>
<th>Contact Person/ Email</th>
<th>Phone Number</th>
<th>Website</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spokane Public Library, Northwest Room</strong>&lt;br&gt;906 W Main Ave&lt;br&gt;Spokane, Washington 99201</td>
<td>Rayette Sterling&lt;br&gt;<a href="mailto:rsterling@spokanelibrary.org">rsterling@spokanelibrary.org</a></td>
<td>(509) 444-5338</td>
<td><a href="http://www.spokanelibrary.org/research/northwest/">http://www.spokanelibrary.org/research/northwest/</a></td>
<td>Copies of National and Local Register nominations, photographs, local history, Sanborn Maps, Polk Directories, plat maps, vertical file</td>
</tr>
<tr>
<td><strong>Museum of Arts &amp; Culture (MAC), Joel E. Ferris Library</strong>&lt;br&gt;(Eastern Washington Historical Society)&lt;br&gt;2316 W First Ave&lt;br&gt;Spokane, Washington 99204</td>
<td>Rose Krause&lt;br&gt;<a href="mailto:rosek@northwestmuseum.org">rosek@northwestmuseum.org</a> or&lt;br&gt;Jane Davey&lt;br&gt;<a href="mailto:janed@northwestmuseum.org">janed@northwestmuseum.org</a></td>
<td>(509) 363-5342</td>
<td><a href="http://www.northwestmuseum.org/">http://www.northwestmuseum.org/</a></td>
<td>Large photograph collection, Polk Directories, biographies, vertical file, architectural plans</td>
</tr>
<tr>
<td><strong>Spokane County Assessor’s Office</strong>&lt;br&gt;1116 W Broadway&lt;br&gt;County Courthouse, 1st Floor&lt;br&gt;Spokane, Washington 99201</td>
<td><a href="http://www.spokanecounty.org/ContactAssessor/">http://www.spokanecounty.org/ContactAssessor/</a></td>
<td>(509) 477-3698</td>
<td><a href="http://www.spokanecounty.org/assessor/">http://www.spokanecounty.org/assessor/</a></td>
<td>Property legal descriptions, tax parcel information, assessed values, construction dates</td>
</tr>
<tr>
<td><strong>Building Department</strong>&lt;br&gt;808 W Spokane Falls Blvd&lt;br&gt;City Hall, 3rd Floor&lt;br&gt;Spokane, Washington 99201</td>
<td>-</td>
<td>(509) 625-6300</td>
<td><a href="http://www.buildingspokane.org/">http://www.buildingspokane.org/</a></td>
<td>View building permits on microfiche; includes build dates, dates of remodels or additions, and names of contractors or architects</td>
</tr>
</tbody>
</table>
# Resources for Historic Property Research

<table>
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<tr>
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<th>Website</th>
<th>Resources</th>
</tr>
</thead>
</table>
| City of Cheney Historic Preservation Office  
Cheney Planning Department  
112 Anderson Road  
Cheney, Washington 99004 | Sue Beeman  
sbeeman@cityofcheney.org | (509) 498-9240 | [http://www.cityofcheney.org/site/history/preservation](http://www.cityofcheney.org/site/history/preservation) | Preservation process, registered properties, Cheney Register nomination forms, Cheney historic property inventory forms |
| Eastern Washington University Special Collections  
JFK Library, EWU  
Cheney, Washington 99004-2453 | Charles Mutschler  
cmutschler@mail.ewu.edu | (509) 359-2475 | [http://www.ewu.edu/x43065.xml](http://www.ewu.edu/x43065.xml) | University archive, historic photographs, special collections, theses, digital collections |
| Whitworth Archives  
Harriet Cheney Cowles Library  
Whitworth College  
Spokane, Washington 99251 | Janet Hauck  
jhauck@whitworth.edu | (509) 777-4751 | [http://www.whitworth.edu/library/archives/index.htm](http://www.whitworth.edu/library/archives/index.htm) | University archive, historic photographs, special collections |
| Gonzaga Special Collections  
Foley Library  
Gonzaga University  
Spokane, Washington 99258 | spcoll@gonzaga.edu | (509) 323-3847 | [http://www.gonzaga.edu/Academics/Libraries/Foley+Library/Departments/Special+Collections/](http://www.gonzaga.edu/Academics/Libraries/Foley+Library/Departments/Special+Collections/) | University archive, special collections, rare book collection, Bing Crosby Collection |
| Spokane CityMap Viewer | - | - | [http://www.spokeancity.org/services/citymap/](http://www.spokeancity.org/services/citymap/) | Provides easy access to GIS map information for the City of Spokane; search by property address, find out if your home is in a historic district (under Layers, Planning), and view aerial photos |
| Spokane Sea Service Museum  
NOSC Spokane  
5101 N. Assembly Street  
Spokane, Washington 99205 | William Aller  
w.aller99205@juno.com | (509) 325-9067 | [http://www.navyleaguespokane.org/](http://www.navyleaguespokane.org/) | Local military history, U.S. Navy history in Spokane, artifacts, documents, historic photographs |
1. **Name of Property**

   Historic Name
   And/Or Common Name

2. **Location**

   Street & Number
   City, State, Zip Code
   Parcel Number

3. **Classification**

<table>
<thead>
<tr>
<th>Category</th>
<th>Ownership</th>
<th>Status</th>
<th>Present Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>building</td>
<td>public</td>
<td>occupied</td>
<td>agricultural</td>
</tr>
<tr>
<td>site</td>
<td>private</td>
<td>work in progress</td>
<td>commercial</td>
</tr>
<tr>
<td>structure</td>
<td>both</td>
<td></td>
<td>educational</td>
</tr>
<tr>
<td>object</td>
<td>Public Acquisition</td>
<td>Accessible</td>
<td>entertainment</td>
</tr>
<tr>
<td></td>
<td>in process</td>
<td>yes, restricted</td>
<td>religious</td>
</tr>
<tr>
<td></td>
<td>being considered</td>
<td>yes, unrestricted</td>
<td>scientific</td>
</tr>
<tr>
<td></td>
<td></td>
<td>no</td>
<td>military</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>other</td>
</tr>
</tbody>
</table>

4. **Owner of Property**

   Name
   Street & Number
   City, State, Zip Code
   Telephone Number/E-mail

5. **Location of Legal Description**

   Courthouse, Registry of Deeds: Spokane County Courthouse
   Street Number: 1116 West Broadway
   City, State, Zip Code: Spokane, WA 99260
   County: Spokane

6. **Representation in Existing Surveys**

   Title: City of Spokane Historic Landmarks Survey
   Date: Federal__ State__ County__ Local ___
   Depository for Survey Records: Spokane Historic Preservation Office
7. Description

Architectural Classification
(see nomination, section 8)

Condition
Check One
__excellent __unaltered
__good __altered
__fair
__deteriorated
__ruins __original site
__unexposed __moved & date ______________

Narrative statement of description is found on one or more continuation sheets.

8. Spokane Register Criteria and Statement of Significance

Applicable Spokane Register of Historic Places Categories: Mark “x” on one or more for the categories that qualify the property for the Spokane Register listing:

___A Property is associated with events that have made a significant contribution to the broad patterns of Spokane history.
___B Property is associated with the lives of persons significant in our past.
___C Property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
___D Property has yielded, or is likely to yield, information important in prehistory history.

Narrative statement of significance is found on one or more continuation sheets.

9. Major Bibliographical References

Bibliography is found on one or more continuation sheets.

10. Geographical Data

Acreage of Property
Less than one acre.

Verbal Boundary Description

Verbal Boundary Justification
Nominated property includes entire parcel and urban legal description.

11. Form Prepared By

Name and Title
Organization
Street, City, State, Zip Code
Telephone Number
E-mail Address
Date Final Nomination Heard

12. Additional Documentation

Map
Photographs
13. Signature of Owner(s)

________________________________________________________________________
________________________________________________________________________

14. For Official Use Only:

Date nomination application filed: ________________________________

Date of Landmarks Commission Hearing: ________________________________

Landmarks Commission decision: ________________________________

Date of City Council/Board of County Commissioners’ hearing: __________

I hereby certify that this property has been listed in the Spokane Register of Historic Places based upon the action of either the City Council or the Board of County Commissioners as set forth above.

Kristen Griffin
City/County Historic Preservation Officer
City/County Historic Preservation Office
Third Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Attest: ________________________________
Approved as to form: ________________________________

City Clerk

Assistant City Attorney
DESCRIPTION OF PROPERTY
Summary Statement

CURRENT APPEARANCE & CONDITION

ORIGINAL APPEARANCE & SUBSEQUENT MODIFICATIONS

Areas of significance
Period of Significance
Built Date
Architect
Builder
Other

STATEMENT OF SIGNIFICANCE
Summary Statement

HISTORICAL CONTEXT

SIGNIFICANCE

BIBLIOGRAPHY
CHECKLIST FOR A COMPLETE SPOKANE REGISTER NOMINATION

Applicants are advised to contact the Spokane City-County Office of Historic Preservation at (509) 625-6983 prior to initiating the nomination process.

1) SPOKANE REGISTER NOMINATION FORM:
DRAFT: A draft nomination to the Spokane Register of Historic Places should be submitted, at a minimum, four weeks prior to the Landmarks Commission monthly meeting (see the deadline schedule for dates), which is conducted on the third Wednesday of each month. Submit the form in hard copy to the Historic Preservation Office, or electronically via email to kmarshall@spokanecity.org. Please include photographs of the property being nominated with the electronic or hard copy of the draft. Staff will respond within seven days with suggestions or revisions. If you do not want to prepare the nomination yourself, you may wish to contact the Preservation Office for a list of experienced consultants.

FINAL FORM: The final nomination to the Spokane Register must be submitted by the date set forth in the deadline schedule to be placed on the agenda for that month’s Landmarks Commission meeting. Completed final nomination forms and accompanying documents (maps and photographs) may be submitted electronically or delivered as hard copies to the Historic Preservation Office.

2) MAPS: Illustrative maps.

3) BLACK & WHITE PHOTOGRAPHS: Six to ten black & white prints showing primary and secondary exterior elevations, and landscape; at least one photograph showing the property in the context of its neighborhood (the streetscape); and six to ten representative interior photos of significant interior features (please submit prior to the Landmarks Commission meeting).

4) COLOR PHOTOGRAPHS: Six to ten color slides, color prints or color digital photographs (color photographs can be prints, slides, or scanned color prints and slides, with at least 300 dpi resolution as a .jpg or .tif file; individually scanned photographs only) showing primary and secondary exterior elevations and landscape; at least one photograph showing the property in the context of its neighborhood (streetscape); and six to ten representative interior photos of significant interior features (please submit prior to the Landmarks Commission meeting and include with draft forms of the nomination).

5) FEES: Application fee: $25.00 for residential properties and $50.00 for commercial (payment must be paid at the time the nomination is submitted; please make checks payable to the City of Spokane). An additional $40 filing fee will be assessed after the Landmarks Commission approves the nomination.
City-County of Spokane
Historic Preservation Office

Spokane Register
Property Owner Handbook

City-County of Spokane
Historic Preservation Office
City Hall, Third Floor
808 W Spokane Falls Boulevard
Spokane Washington 99201
www.historicspokane.org
(509) 625-6983

March, 2014
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- Management Agreement
- Special Valuation Program Highlights
- Special Valuation Application, Affidavit and Checklist
- Historic Marker Program Order Form
- Spokane Register FAQ’s
INTRODUCTION

Spokane Register of Historic Places

Congratulations! Your property has been approved for listing on the Spokane Register of Historic Places by the Spokane Historic Landmarks Commission (SHLC). After you’ve signed the Management Agreement, and the City Council or Spokane County Commission (for properties outside the city limits) has approved the property for official listing on the Spokane Register, you’re eligible to apply for the Special Valuation property tax incentive and you can purchase a plaque for your home or commercial property.

Owning a property on the Spokane Register is both a privilege and a responsibility. Property owners can benefit from generally increased property values, local tax incentives for rehabilitation, and protection from the threat of destructive planning. In return, owners are responsible for helping to maintain the distinctive characteristics which make an historic building unique.

This handbook has been created to assist property owners in understanding their responsibilities. Inside you’ll find information on the design review process and how to get exterior changes or modifications to your property approved, the Special Valuation property tax incentive, and how to acquire a historic plaque indicating your property’s historic designation.

RESULTS OF LISTING A PROPERTY ON THE SPOKANE REGISTER

Management Agreement

Once the Landmarks Commission approves a Spokane Register nomination for listing, the property owner(s) are required to sign a Management Agreement. This agreement states that he/she will abide by the outlined Management Standards and obtain a Certificate of Appropriateness for any action affecting use or exterior appearance; or involving demolition or new construction attached to the nominated property. The Management Standards are the mechanism used to ensure that structures maintain their historic character and architectural integrity. The Management Standards are the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for the Rehabilitation of Historic Buildings (36 CFR Part 67):
Secretary of the Interior’s Standards

1) The property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5) Distinctive features, finishes, and construction techniques, or examples of craftsmanship that characterize a historic property shall be preserved.

6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. If such resources must be disturbed, mitigation measures shall be undertaken.

8) Significant archeological resources affected by a project shall be protected and preserved.

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

To learn more about the Secretary of Interior Standards, visit: http://www.cr.nps.gov/hps/tps/tax/rhb/stand.htm.
Certificate of Appropriateness & Design Review

Owners of properties designated historic and listed on the Spokane Register have signed a document stating that they will abide by Management Standards outlined within the Management Agreement. They must also agree to obtain a Certificate of Appropriateness (COA) for any action affecting use, exterior appearance, demolition, or new construction attached to the structure.

The Management Agreement and design review process ensures the preservation of those historic and architectural features that allowed the structure to be placed on the Spokane Register. A Certificate of Appropriateness is the tool used to provide this protection for a designated structure or district. The Certificate of Appropriateness is an official notice of approval issued by the administrative commission (the Landmarks Commission), or its designee (The Historic Preservation Officer), charged with the jurisdiction for permitting or denying the appropriateness of proposed alterations or additions.

Certain limited types of work are permitted without a Certificate of Appropriateness. These are as follows:

1.) Painting and/or staining (same color)

2) General maintenance/general repairs (see item 5)

3) New porch floors that do not alter the existing or original shape.

4) Interior work that is not visible from the outside (unless otherwise specified in the agreement)

5) Repair-in-kind, if the work you want to do involves only repair, using the same materials and exact same details and finishes. It is, however, a good idea to notify the Historic Preservation Office when you are planning in-kind maintenance.

Examples of work that require a Certificate of Appropriateness include:

1) Installing synthetic siding (aluminum, steel, etc.)

2) Installing ornamental fencing

3) Replacing roof, with different finish materials
4) Changing existing windows, sashes or frames
5) Adding shutters not original to structure
6) Altering or adding sidewalks, driveways or parking areas
7) Adding/altering garages
8) Painting: change of color
9) Additional landscaping and planting

Obtaining a Certificate of Appropriateness is the responsibility of the property owner(s). It is advisable to get the Certificate of Appropriateness well in advance of anticipated construction and before making any financial commitments for work or materials.

The fee for a Certificate of Appropriateness is $25.00 for the application and $75.00 for Landmarks Commission review; the fee will be billed to the property owner following review of the COA.

To learn more about the Design Review process and required documentation to be submitted with the Certificate of Appropriateness, visit: http://www.historicspokane.org/design-review.htm.

See appendix for a Certificate of Appropriateness.

**INCENTIVES**

**Special Valuation Tax Incentive**

In 1985, the Washington State Legislature determined that the preservation of the state’s historic resources was an important goal and allowed “special valuation” for certain historic properties within the state. Under the program, rehabilitation costs, which must equal to at least 25% of the assessed value of a structure prior to rehabilitation, are subtracted from the assessed value of the property for a ten-year period. To be eligible for the Special Valuation, the property must first be listed on the Spokane Register before an application for Special Valuation is filed, and property owners have spent at least 25% of the assessed value of the property.
structure in rehabilitation costs over a twenty-four month (maximum) period. Rehabilitation costs can include interior and exterior work; such as plumbing, electrical, roof replacement, painting, and flooring. Rehabilitation costs preclude anything that isn’t affixed to the historic structure and does not include costs for items outside the footprint of the structure, such as fencing or landscaping, and all rehabilitation must follow the Management Standards set forth in the Management Agreement.

**Eligibility**

To be classified as eligible for special valuation, a property must first meet the following criteria:

1) The property **must** be listed on the Spokane Register of Historic Places, individually, or certified as a contributing property within a Local Register District.

2) The Historic Landmarks Commission must have approved the work that was completed.

3) Work must have been completed no more than 24 months prior to the application.

4) Rehab costs must be equal to at least 25% of the assessed value of the structure, not including land, prior to rehabilitation. The County Assessor’s Office sets the value of the property.

**Guidelines for Rehabilitation**

All work must comply with the Management Standards, Secretary of the Interior’s Standards for Rehabilitation and Guidelines for the Rehabilitation of Historic Buildings (36 CFR Part 67).

**Deadlines to Remember**

- Application for special valuation must be made no later than 24 months after the beginning date of the rehabilitation work included therein.

- September 30th is the deadline for applications when special valuation is desired for the following year.

**NOTE:** Due to lag in property tax payments, the tax reduction will appear two years after approval, and it applies until the year following the end of the 10-year special valuation period.
### Application Process

**Step 1:** Property is listed on the Spokane Register.

**Step 2:** Property owner applies for Certificate of Appropriateness (COA) on proposed work and then rehabilitates building in accordance with the Secretary of the Interior’s Standards.

**Step 3** Property owner files application for Special Valuation with the Spokane County Assessor’s Office prior to October 1.

**Step 4:** Preservation Office meets with applicant to discuss application requirements and procedures.

**Step 5:** Property owner files paperwork and Preservation Office processes application.

**Step 6:** Landmarks Commission conducts public hearing on application.

**Step 7:** If approved, Preservation Office sends approved amount to the County Assessor.

**Step 8:** Property owner sees a reduction in Spokane County property tax bill within two years.

### Important Considerations

- It is recommended that work not be done before a property is listed on the Spokane Register or reviewed first by the Landmarks Commission.

- Improvements must be consistent with the historic character of the building, and meet the Secretary of the Interior’s Standards for Rehabilitation.

- A Certificate of Appropriateness should be issued before work is started.

- In order for a historic property to be eligible for special valuation, it must have been substantially rehabilitated (25% of the assessed improvement value; (visit the Spokane County Assessor’s website for more information) within 24 months prior to the date of application.

- The property must be maintained in good condition as long as the special valuation is in effect.

- Applications may be submitted at any time; however, the deadline is October 1 when special valuation is desired for two years following approval. Reduction in property taxes
appears two years after special valuation approval and applies until the year following the ten-year period of special valuation.

- Property owners who receive special valuation for a rehabilitation project may also apply for the Federal Investment Tax Credits for the same project.

**Penalty**

The penalty for violating the agreement or other program requirements is substantial: all back taxes that would otherwise have been owed, interest on back taxes and a penalty equal to 12% of back taxes and interest may be due.

**Below are examples of expenditures that **DO** qualify for Special Valuation:**

- Walls and roofs
- Partitions
- Floors
- Ceilings
- Permanent coverings such as paneling or tiling
- Windows and doors
- Components of central air conditioning or heating systems
- Plumbing and plumbing fixtures
- Electrical wiring and lighting fixtures
- Chimneys
- Stairs
- Escalators
- Elevators
- Sprinkling systems
- Fire escapes and other components related to the operation or maintenance of the building
- Construction period interest and taxes
- Architect and engineering fees
- Construction management costs
- Reasonable developer fees
- Any other fees paid that would normally be charged to a capital account.

**Below are examples of expenditures that **DO NOT** qualify for Special Valuation:**

- Costs of acquiring the building or interest therein; acquisition costs
- Enlargement costs that expand the total volume of the existing building (Interior remodeling which increases floor space is not considered enlargement)
- Non-contributing additions
- Parking lots, sidewalks, paving and landscaping
- New building construction costs
- Appliances (if not built in)
- Cabinets (if not built in)
- Carpeting (if tacked in place and not glued)
- Decks (if not part of original building)
- Demolition costs (removal of a building on property site)
- Enlargement costs (increase in total volume)
- Fencing
- Feasibility studies
- Financing fees
- Furniture
- Leasing Expenses
- Moving (building) costs (if part of acquisition)
- Outdoor lighting remote from building
- Planters
- Porches and Porticos (if not part of original building)
- Retaining walls
- Signage
- Storm sewer construction costs
- Window treatments (if not attached to the building)
- Meals for employees
- Homeowner labor (homeowner’s family is ok, if proof of payment is submitted)

Application fees for Special Valuation are $150.00 for residential properties, and from $250.00 for all other properties. Price will vary on commercial property depending upon the dollar amount of the rehabilitation at the time of filing.

To learn about other incentives available for local Spokane Register listed properties, visit: http://www.historicspokane.org/incentives.htm.

See appendix for a Special Valuation Application form, checklist and affidavit.

**Spokane Register Marker Program**

The Historic Preservation Office and the Historic Landmarks Commission have long worked toward the establishment of an historic marker program for properties listed on the Spokane Register of Historic Places. Local artist, Marcia Smith, created a handsome design executed in a ten inch bronze plaque designed for exterior mounting, and finished with a clear acrylic lacquer for extra protection against the elements.
The Spokane Register Historic Marker Program offers us the opportunity to recognize those residences and commercial properties which contribute significantly to the historic and architectural character of this community. Markers can be purchase for $110.00, once a property has been listed on the Spokane Register at the City-County of Spokane Historic Preservation Office, City Hall, Third Floor, 808 W Spokane Falls Boulevard.

See appendix for an order form, or visit: http://www.historicspokane.org/spokane_register.htm.

RESOURCES

City-County of Spokane Historic Preservation Office
http://www.historicspokane.org

Department of Archaeology and Historic Preservation (DAHP)
http://www.dahp.wa.gov

Spokane County Assessor
http://www.spokanecounty.org/assessor

Spokane Preservation Advocates (SPA)
http://www.spokanepreservation.org

Contact
For questions or more information, contact the Spokane City/County Historic Preservation Office at bsdinfo@spokanecity.org or (509) 625-6983.
MANAGEMENT AGREEMENT

The Management Agreement is entered into this _____ day of ______________, 2011, by and between the City of Spokane (hereinafter “City”), acting through its Historic Landmarks Commission (“Commission”), and _____________________, hereinafter “Owner(s)”), the owner of the property located at ______________________, commonly known as the ______________________ in the City of Spokane.

WHEREAS, the City of Spokane has enacted Chapter 6.05 of the Spokane Municipal Code (SMC) and Spokane has enacted Chapter 1.48 of the Spokane County Code (SCC), both regarding the establishment of the Historic Landmarks Commission with specific duties to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the city and county is a public necessity and.

WHEREAS, both Ch. 17D.040 SMC and Ch. 1.48 SCC provide that the City/County Historic Landmarks Commission (hereinafter “Commission”) is responsible for the stewardship of historic and architecturally significant properties in the City of Spokane and Spokane County; and

WHEREAS, the City has authority to contract with property owners to assure that any owner who directly benefits by action taken pursuant to City ordinance will bind her/his benefited property to mutually agreeable management standards assuring the property will retain those characteristics which make it architecturally or historically significant;

NOW THEREFORE, -- the City and the Owner(s), for mutual consideration hereby agree to the following covenants and conditions:

1. CONSIDERATION. The City agrees to designate the Owner’s property an Historic Landmark on the Spokane Register of Historic Places, with all the rights, duties, and privileges attendant thereto. In return, the Owner(s) agrees to abide by the below referenced Management Standards for his/her property.

2. COVENANT. This Agreement shall be filed as a public record. The parties intend this Agreement to constitute a covenant that runs with the land, and that the land is bound by this Agreement. Owner intends his/her successors and assigns to be bound by this instrument. This covenant benefits and burdens the property of both parties.
3. **ALTERATION OR EXTINGUISHMENT.** The covenant and servitude and all attendant rights and obligations created by this Agreement may be altered or extinguished by mutual agreement of the parties or their successors or assigns. In the event Owner(s) fails to comply with the Management Standards or any City ordinances governing historic landmarks, the Commission may revoke, after notice and an opportunity for a hearing, this Agreement.

4. **PROMISE OF OWNERS.** The Owner(s) agrees to and promises to fulfill the following Management Standards for his/her property which is the subject of the Agreement. Owner intends to bind his/her land and all successors and assigns. The Management Standards are: “THE SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS (36 CFR Part 67).” Compliance with the Management Standards shall be monitored by the Historic Landmarks Commission.

5. **HISTORIC LANDMARKS COMMISSION.** The Owner(s) must first obtain from the Commission a “Certificate of Appropriateness” for any action which would affect any of the following:

   (A) demolition;

   (B) relocation;

   (C) change in use;

   (D) any work that affects the exterior appearance of the historic landmark; or

   (E) any work affecting items described in Exhibit A.

6. In the case of an application for a “Certificate of Appropriateness” for the demolition of a landmark, the Owner(s) agrees to meet with the Commission to seek alternatives to demolition. These negotiations may last no longer than forty-five (45) days. If no alternative is found within that time, the Commission may take up to forty-five (45) additional days to attempt to develop alternatives, and/or to arrange for the salvage of architectural artifacts and structural recording. Additional and supplemental provisions are found in City ordinances governing historic landmarks.
This Agreement is entered into the year and date first above written.

___________________________________
Owner

___________________________________
Owner

CITY OF SPOKANE

By: ________________________________
Title: ________________________________

ATTEST:

___________________________________
City Clerk

Approved as to form:

___________________________________
Assistant City Attorney
STATE OF WASHINGTON  )
                        ) ss
County of Spokane       )

On this ______ day of _____________, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared ____________________________________________________________, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that _____(he/she/they) signed the same as ____ (his/her/their) free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _______ day of _____________, 2011.

________________________________
Notary Public in and for the State of Washington, residing at Spokane

My commission expires______________

STATE OF WASHINGTON  )
                        ) ss.
County of Spokane       )

On this ____ day of __________, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared THOMAS E. DANEK, JR. and TERRI L. PFISTER, to me known to be the City Administrator and the City Clerk, respectively, of the CITY OF SPOKANE, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ______ day of _____________, 2011.

________________________________
Notary Public in and for the State of Washington, residing at Spokane
My commission expires______________
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
FOR THE SPOKANE REGISTER OF HISTORIC PLACES

Please include all of the following information with your application. Insufficient application materials will result in a delay in processing of your application. Payment must be filed with the Certificate of Appropriateness. If you have any questions regarding application requirements or management standards for properties listed on the Spokane Register of Historic Places, please call the Historic Preservation Officer at 509.625.6300.

PART 1: PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Building/Property Name</th>
<th>________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building/Property Address</td>
<td>____________________________________</td>
</tr>
<tr>
<td>Property Owner’s Name (printed)</td>
<td>________________________________</td>
</tr>
<tr>
<td>Property Owner’s Address</td>
<td>____________________________ zip code</td>
</tr>
<tr>
<td>Property Owner’s Phone</td>
<td>____________________ Email</td>
</tr>
</tbody>
</table>

PART 2: TYPE OF WORK FOR WHICH COA IS BEING REQUESTED

Mark all that apply.

- [ ] Exterior remodeling
- [ ] Change of exterior color
- [ ] New construction (an addition or a new building)
- [ ] Signs/awnings/lighting
- [ ] Demolition
- [ ] Preliminary Review
- [ ] Change of use

Estimated cost of proposed work $ ____________

PART 3: APPLICATION CHECKLIST

You may be required to provide the following information.

- [ ] General overview of project, including quantities and dimensions of elements such as signs (i.e. “one proposed 24 X 60” sign, with 12” extruded letters, to be located on the south façade…”)
- [ ] List of features to be removed, replaced or added
- [ ] Site plan/location map and scale elevations (for any additions or new construction)*
- [ ] Details of method(s) of attachment for signs, awnings and canopies*
- [ ] Color photographs of existing conditions. If possible please provide digital along with hardcopy.
- [ ] True color paint and/or finish samples (for change of exterior color)*

* if applicable
PART 4: PROJECT NARRATIVE AND DESCRIPTION
Please use the space below to describe the project. Attach additional pages if necessary. All proposed changes must be included in this description. Please see APPLICATION CHECKLIST (previous page).

I hereby certify that I am the owner of the property or that the proposed work is authorized by the owner of record and I have been authorized by the owner to make this application as his/her authorized agent.

Many certificates can be approved by staff within a few working days; however, some are referred to the Landmarks Commission for review. If the application is referred to the Commission, I understand that a public hearing notice will be published. The Commission meets the third Wednesday of every month in the Briefing Center, City Hall, 808 W. Spokane Falls Blvd, at a time to be determined. The completed application must be submitted no later than 21 days prior to the scheduled meeting. Once a Certificate of Appropriateness is obtained, it may be necessary to apply for a building or zoning permit.

Date

Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

The Historic Preservation Officer and/or the Landmarks Commission have reviewed the Certificate of Appropriateness and recommend, in conformance with Spokane Municipal Code Chapter 17D.040 and Spokane County Code 1.48:

- Preliminary Approval of Certificate of Appropriateness
- Final Approval of Certificate of Appropriateness
- Denial of Certificate of Appropriateness

Historic Preservation Officer _______________________ Chair, Landmarks Commission _______________________
# PART 5: INSTRUCTIONS

## STEPS FOR SUBMITTING APPLICATIONS

1. **Application:** The application for a Certificate of Appropriateness may be obtained from the Historic Preservation Office, City Hall, 808 W. Spokane Falls Blvd., (509) 625-6300 or can be found online at [www.historicspokane.org](http://www.historicspokane.org)

2. **Receipt of Request:** Complete and return the application with payment made out to the City of Spokane. A request will then be made to the Landmarks Commission for design review of the proposed action, if deemed necessary by the Historic Preservation Officer. The application must be submitted at least 21 days prior to the Landmarks Commission’s next scheduled meeting (by the last Wednesday of the month prior to the desired Commission meeting). Commission staff will transmit copies of the request and any supplemental information to the Landmarks Commission members, the property owner(s) or applicant, and interested parties of record, 14 days prior to the next scheduled meeting of the Landmarks Commission.

3. **Landmarks Commission Review:** At its next scheduled meeting, the Landmarks Commission shall review the request and decide whether to issue a Certificate of Appropriateness.

   **PLEASE NOTE:** Commission Meetings are held on the third Wednesday of each month at 3:00 p.m., unless otherwise noted, in the Council Briefing Center, Lower Level, City Hall. For the current meeting date and agenda, visit [www.historicspokane.org](http://www.historicspokane.org).

4. **Application Fees (contact office for appropriate fee):**
   a) $25.00 - Administrative Review of a Certificate of Appropriateness application
   b) $75.00 - Public Hearing/Landmarks Commission Review of a Certificate of Appropriateness application

   Should the request for a Certificate of Appropriateness be denied, the owner(s) have the right to arbitration as set forth in Spokane Municipal Code Chapter 17D.040 and Spokane County Code 1.48. In unusual or complex cases, the owner(s), Commission, or the Historic Preservation Officer may request that specific negotiated management standards be developed for modifications to particular properties.

   **Submit** the completed application and application fee (payable to City of Spokane) to:

   Spokane City-County Historic Preservation Office
   City Hall, Third Floor
   808 W. Spokane Falls Boulevard
   Spokane, Washington 99201
   Phone: 509.625.6300
   Fax: 509.625.6013
   Email: preservation@spokanecity.org
BYLAWS
of the
SPOKANE CITY/COUNTY HISTORIC LANDMARKS COMMISSION

Revised March 2003

ARTICLE I – NAME

The name of this organization shall be the Spokane City/County Historic Landmarks Commission, hereinafter termed the “Commission”.

ARTICLE II – PURPOSE

The Commission serves as the official historic preservation advisory body to the City of Spokane and Spokane County. Its purpose is to identify, recognize, preserve, protect, enhance and educate the public about those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, pre-historical, architectural, archaeological, and cultural heritage of the City and County. The Commission is responsible for the stewardship of historic and architecturally significant properties in the City, unincorporated areas of the County, and, upon request, incorporated towns, in order to affect the recognition and preservation of such properties (Spokane Municipal Code 06.05.010/Spokane County Code 1.48.010).

ARTICLE III – AUTHORITY

The Commission shall be governed by the terms of the Spokane Municipal Code 06.05 and Spokane County Code Chapter 1.48, as they may be amended or revised. The Commission uses Robert’s Rules of Order as the established rules for the conduct of its meetings and the transaction of its business.

Section 1. Location.
The principal office of the Commission shall be the same as the Spokane City/County Historic Preservation Office: City Hall, W. 808 Spokane Falls Boulevard, Spokane, WA 99201-3333.

ARTICLE IV – MEMBERSHIP

The Commission shall consist of eleven (11) residents of the City of Spokane or Spokane County who have demonstrated experience and/or interest in historic preservation.

Section 1. Appointments.
The Spokane City Council, hereinafter termed “City Council”, and the Spokane County Board of County Commissioners, hereinafter termed “Board of County Commissioners”, shall jointly appoint:
1. an architect who is registered in the State of Washington;
2. a state-certified general real estate appraiser;
3. two (2) historians with appropriate degrees or equivalent experience;
4. a professional archaeologist or anthropologist with appropriate degrees;
5. an owner or managing agent in a fiduciary capacity of real estate in the City of Spokane’s central business district; and
6. an experienced preservation construction specialist

The City Council shall appoint:
1. two (2) City residents at large.

The Board of County Commissioners shall appoint:
1. two (2) County residents at large.

Exception to the residency requirement for Commission members may be granted with approval of the Commission for members listed above. A maximum of two nonresidents may serve on the Commission at any one time.

Section 2. Terms of Appointment.
The length of term of the appointment is three (3) years. No member will be deemed to have served one term if he/she resigns or is removed after appointment or if he/she serves an unexpired term of less than two years. All members hold their offices at the pleasure of the appointing authorities. No member may serve more than two consecutive terms of three years, unless the council and/or board shall so designate. In the event of a vacancy, the City Council or Board of County Commissioners shall be asked by the Commission to fill the unexpired term.

Section 3. Duties.
The Commission sets historic preservation policies for the City and County of Spokane. The major responsibilities of the Commission are to:
1. identify and actively encourage the conservation of city and county historic resources;
2. recommend the designation of historic landmarks and districts;
3. raise community awareness of historic resources; and
4. advise the City Council and Board of Commissioners on matters of history, historic planning and preservation.

Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances, and rules of procedure relating to the Commission as time and circumstances permit. Members shall familiarize themselves with agenda items prior to the Commission’s deliberations on such items.

Section 4. Attendance.
Faithful and prompt attendance at all meetings of the Commission and conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Commission. Each member is expected to attend all meetings scheduled by the Commission. In the event attendance is not possible, the Commission member shall inform the secretary prior to the meeting to advise the Commission of the absence.
Unnecessary absence from three consecutive regular meetings or a total of five regular meetings in any one calendar year shall be grounds for the commission recommending dismissal to the Board of County Commissioners and/or the City Council. The Commission may recommend to the Board of County Commissioners or the City Council dismissal or removal for inefficiency, neglect of duty or malfeasance of any member.

**ARTICLE V – RESPONSIBILITIES**

The responsibilities of the Commission include, but are not limited to the following:

**Section 1. Registers of Historic Places.**
The Commission shall:
1. submit nominations to the State and National Registers of Historic Places;
2. review nominations to the Spokane Register, according to the criteria established in SMC Chapter 6.05 and Spokane County Code Chapter 1.48;
3. initiate and maintain the Spokane Register of Historic Places.

**Section 2. Design Review**
The Commission shall:
1. review proposals to construct, change, alter, modify, remodel, move, demolish or significantly affect properties or districts which are listed on the Registers;
2. review all applications for alterations to buildings on which the City or County owns a façade easement, and make recommendations to the appropriate building officials concerning the approval or denial of a permit; and
3. review all applications for Historic Overlay Zones under SMC Section 11.19.270 and make recommendations concerning the approval or denial of the overlay zone and suggest conditions, if appropriate, to the Spokane Hearing Examiner.

**Section 3. Special Valuation.**
The Commission shall:
1. serve as the local review board for special valuation of historic property within Spokane City and County;
2. make determinations concerning the eligibility of historic properties for special valuation;
3. verify that the improvements are consistent with the requirements established by the Secretary of the Interior's Standards, IRS and Washington State;
4. enter into agreements with property owners for the duration of the special valuation period;
5. approve or deny applications for special valuation; and
6. adopt administrative rules and comply with all other local review board responsibilities.

**Section 4. Public Plans and Programs.**
The Commission shall:
1. conduct and maintain a comprehensive inventory of historic resources within the boundaries of Spokane County and publicize and periodically update inventory results;
2. implement and maintain the City and County historic preservation plans, upon the direction of the City planning commission and County Commissioners;
3. review and comment to the City Council or Board of County Commissioners on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of City or County government, other neighboring communities, the state or federal governments, as they relate to historic resources in Spokane and Spokane County; and
4. 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 Spokane County area.

Section 5. Public Education.

The Commission shall:
1. participate in, promote and conduct public informational, educational and interpretive programs pertaining to historic resources;
2. provide, by the way of pamphlets, newsletters, workshops and similar activities, information to the public on methods of maintaining and rehabilitating historic properties;
3. be informed about and provide information to the public and City and County departments on the use of various federal, state, local and private funding sources available to promote historic resource preservation and other incentives for preservation of historic resources, including legislation, regulations and codes which encourage the use and adaptive re-use of historic properties;
4. officially recognize excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas;
5. encourage appropriate measures for recognition of excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas;
6. 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; and
7. advise the City Council or Board of County Commissioners generally on matters of Spokane County history and historic preservation.

ARTICLE VI – OFFICERS

The Officers of the Commission shall include an elected Chair, City Vice-Chair and a County Vice-Chair from its membership.

Section 1. Chair.
The Commission shall elect a Chair from its membership to serve for one year, with a maximum of two consecutive terms. It is the duty of the Chair to communicate to the Board of County Commissioners and the City Council such matters as may be directed by the Commission, and to
perform other duties as may be requested by the Commission. Vacancy of the Chair shall be filled by the Vice-Chair.

Section 2. Vice-Chair.
The Commission shall elect a City Vice-Chair and a County Vice-Chair from its membership to serve for one year, with a maximum of two consecutive terms. The Vice-Chairs of the Commission shall perform all duties of the Chair during the absence of the Chair. Vacancy of the Vice-Chair shall be filled by a nomination and election at the next regular meeting following the meeting at which the vacancy has been announced.

Section 3. Election of Officers.
The Commission shall elect a City Vice-Chair and a County Vice-Chair from its membership to serve for one year, with a maximum of two consecutive terms. The Commission shall elect a City Vice-Chair and a County Vice-Chair from its membership to serve for one year, with a maximum of two consecutive terms. The Vice-Chairs of the Commission shall perform all duties of the Chair during the absence of the Chair. Vacancy of the Vice-Chair shall be filled by a nomination and election at the next regular meeting following the meeting at which the vacancy has been announced.

ARTICLE VII - STAFF

Section 1. Historic Preservation Officer.
The Spokane City/County Historic Preservation Officer (HPO) conducts the work program of the City/County Historic Preservation Office and serves as the primary staff person for the Spokane City/County Landmarks Commission, and shall provide such technical, administrative, and clerical assistance as required by the Commission.

Section 2. Secretary.
The Spokane City/County Historic Preservation Office staff shall act as Secretary of the Commission. The Historic Preservation Office staff shall:
1. assist the Commission in preparing necessary correspondence and documents related to their official duties and functions;
2. keep an attendance record of the members of the Commission for all regular and special meetings;
3. contact and advise the members in advance of all regular and special meetings; and
4. fulfill all requirements for public disclosure of meetings, according to the Revised Code of Washington and the Washington Administrative Code.

ARTICLE VIII - MEETINGS

Section 1. Regular Meetings.
Regular meetings of the Commission shall be held on the third Wednesday of each month. All meetings are open to the public. Regular meetings shall consist of a briefing, public hearing and business meeting. A briefing is held prior to each regularly scheduled meeting and consists of committee reports and review of the upcoming meeting’s agenda. Public Hearing portion of the regular meeting consists of scheduled applications for nominations to the Spokane and National Register of Historic Places, Design Review applications, and Special Valuation applications. The
Public Hearing portion of the meeting is followed by the Business Meeting, at which business of the Commission is conducted, including approval of minutes of past meetings, old and new business, Chairman’s report, and Staff report.

Section 2. Special Meetings.
Special meetings may be called at any time by the Chair of the Commission or a majority of the Commission members. Notice of the time and place of special meetings shall be given to the secretary in sufficient time to meet public meeting disclosure requirements. Workshops or other educational sessions are considered special meetings.

All regular and special Commission meetings shall be open to the public. Notices of all regular and special meetings shall comply with applicable Washington State Laws, including but not necessarily limited to RCW Chapter 42.30.

Section 4. Quorum.
A majority of members of the Commission shall constitute a quorum for the transaction of business at a regular or special meeting of the Commission.

Section 5. Conflicts of Interest.
No Commission member shall in an official capacity as a Commission member take part in any hearing, consideration, determination or vote concerning any matter of business or property before the Commission or a Commission committee in which the Commission member or a close relative (spouse, sibling, child or parent) is the applicant before the Commission; owns property within 100 feet of the matter of business or subject property before the Commission; or is a party to or has a financial interest in the matter of business or subject property before the Commission.

In addition, a Commission member may request to be excused from taking part in an official capacity as a Commission member in any hearing, consideration, determination or vote concerning a property or matter of business before the Commission in which a business associate or employer of the Commission member is the applicant before the Commission; owns property within 100 feet of the matter of business or subject property before the Commission; or is a party to or has a financial interest in the matter of business or subject property before the Commission. Any Commission member who has such an interest in any official act or action before the Commission or Commission Committee, shall publicly disclose on the record for the Commission such interest, and shall withdraw from any official consideration of the matter if excused by the body.

Any Commission member who has a professional relationship, with regard to past employers or as a director or policy maker for any organization, association, or non-profit corporation that has a matter of business or property before the commission, shall publicly disclose on the record of the Commission as early as possible the Commission member’s relationship with the past employer or organization, and may elect to withdraw from any official consideration of the matter if excused by the body.
Nothing in this section shall prevent the Commission from voting to excuse or prevent a Commission member from taking part in an official capacity as a Commission member in any hearing, consideration, determination or vote where the Commission believes that there is an appearance of conflict of interest.

These conflict of interest provisions shall not be construed to prevent Commission members from addressing the Commission on such matters once they have been properly excused from taking part in an official capacity as a Commission member in any business before the Commission.

Section 6. Cancellation of Meetings.
Whenever there is no business for the Commission the Chair may dispense with a regular meeting by giving notice to all members not less than twenty-four hours prior to the time set for the meeting. In the event of severely inclement weather, or for good cause, the Chair may dispense with a regular meeting by giving reasonable notice to all members prior to the time set for the meeting. In the event of cancellation, the secretary shall inform the City Council and Board of County Commissioners.

Section 7. Conduct of Members at Public Hearings.
The Commission may, at its discretion, view the premises of a property and obtain additional facts concerning any application before arriving at a decision. Site visits are defined as information gathering sessions, and all members of the Commission are encouraged to attend. Attendees at a site visit shall be disclosed at the Commission meeting by the Committee.

Members of the Commission shall not express individual opinions on the proposed judgment of any application prior to the determination of that application, except in accordance with the rules of procedure stated herein.

All decisions of the Commission shall be supported by appropriate Findings of Fact, and where necessary, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the conditions.

ARTICLE IX - COMMITTEES

Section 1. Commission Nominating Committee.
The Nominating Committee shall consist of the Chair and two (2) members of the Commission as appointed by the Chair. It shall be the duty of this Committee to:
   1. Prepare an annual slate of officers for consideration of the Commission;
   2. Present a nomination in the event of a vacancy in any office;
   3. Identify and solicit qualified candidates for new appointments to the Commission; and
   4. Report its findings to the Chair for recommendation to the City Council and Board of County Commissioners.

Section 2. Nominations to Historic Registers Committee.
The Nominations to Historic Registers Committee shall consist no fewer than three (3) members of the Commission as appointed by the Chair, and may include the Chair.

   It shall be the duty of this Committee to:
1. Review applications for nominations to the National and Spokane Registers of Historic Places, based on criteria outlined in SMC Section 6.05.110 of the Spokane Municipal Code and National Register Bulletin #15, “How to Apply the National Register Criteria for Evaluation”.
2. Visit the property to review proposed nomination. Other members of the Commission may also attend site visits.
3. Designate a Commission member to give a report at the Commission meeting, and to give the recommendation of the committee as to action by the Commission.

**Section 3. Design Review Committee.**

This Committee shall be responsible for review of applications to construct, change, alter, modify, remodel, move, demolish or significantly affect properties or districts on the Spokane Register and as provided in SMC Section 6.05.260. The Committee also reviews applications for alterations to buildings on which the City or County owns a façade easement and makes recommendations to the appropriate building officials.

The Design Review Committee shall consist of no fewer than three (3) members of the Commission as appointed by the Chair, and may include the Chair. It shall be the duty of this Committee to:

1. Review applications for design review, based on the Secretary of the Interior’s Standards for Rehabilitation or guidelines approved for historic districts
2. Visit the property to review proposed design change. Other members of the Commission may also attend site visits.
3. Designate a Commission member to give a report at the Commission meeting, and to give the recommendation of the committee as to action by the Commission.

**Section 4. Special Valuation Committee.**

The Commission serves as the local review board for Special Valuation of historic property in Spokane County (Resolution 85-66, November 4, 1985). It will make determinations concerning the eligibility of historic properties for special valuation; verify that the improvements are consistent with the Washington State Advisory Council’s Standards for Rehabilitation and Maintenance; enter into agreements with property owners for the duration of the special valuation period; approve or deny applications for special valuation; and adopt administrative rules and comply with all other local review board responsibilities.

The Special Valuation Committee shall consist of no fewer than three (3) members of the Commission as appointed by the Chair, and may include the Chair. It shall be the duty of this Committee to:

1. Review applications for Special Valuation, based on criteria outlined in SMC Section 06.05.100 of the Spokane Municipal Code.
2. Visit the property to review completed work as described in application. Other members of the Commission may also attend site visits.
3. Designate a Commission member to give a report at the Commission meeting, and to give the recommendation of the committee as to action by the Commission.
Section 5. Other Committees.
The Chair may appoint and establish as many committees as deemed necessary in order to carry out the functions of the Commission. Membership of a committee shall consist of that number of members as the Chair deems appropriate.

ARTICLE X – AMENDMENTS

These Bylaws and may be amended by a two-thirds vote of the members present and voting at any regular meeting of the Commission, provided that the total votes in favor of the amendment is a majority of the membership of the Commission, and provided that the text of the proposed amendment has been presented at the previous regular meeting and sent to the members at least two weeks in advance of the regular meeting at which it is to be voted upon.

ARTICLE XI – SEVERABILITY

If any provision of these bylaws or its application by any person or circumstances is held invalid, the remainder of the bylaws or the application or provision to other persons or circumstances is not affected.


____________________________________
Chairperson

____________________________________
Vice-Chairperson

____________________________________
Secretary
Chapter 27.34 RCW
STATE HISTORICAL SOCIETIES — HISTORIC PRESERVATION

RCW Sections
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27.34.010
Purpose.

The legislature finds that those articles and properties which illustrate the history of the state of Washington should be maintained and preserved for the use and benefit of the people of the state. It is the purpose of this chapter to designate the two state historical societies as trustees of the state for these purposes, and to establish:

(1) A comprehensive and consistent statewide policy pertaining to archaeology, history, historic preservation, and other historical matters;

(2) Statewide coordination of historical programs; and

(3) A coordinated budget for all state historical agencies.

[1993 c 101 § 9; 1983 c 91 § 1.]

Notes:

Findings -- 1993 c 101: "The legislature finds that:

(1) There is a strong community of interest between the Washington state historical society and the state capital historical association. This community of interest is expressed through many common goals, missions, and heritage programs, as well as a close geographic proximity between these two state historical agencies.

(2) The capacity to preserve our state's rich and diverse heritage and the unique political and cultural history of the state capital will be strengthened if the programs of both agencies are combined into a single, cohesive entity.

(3) In a time of limited state resources, operational efficiencies and savings can be achieved if the programs and personnel of both agencies are managed by a single entity.

It is, therefore, the purpose of this act to transfer the powers and duties of the state historical agency known as the state capital historical association to the Washington state historical society. However, it is the intent of the legislature that as the consolidation of these two agencies occurs, the unique missions and programs of the state capital historical association and the state capital historical museum be preserved." [1993 c 101 § 1.]
(2) "Department" means the department of archaeology and historic preservation.

(3) "Director" means the director of the department of archaeology and historic preservation.

(4) "Federal act" means the national historic preservation act of 1966 (Public Law 89-655; 80 Stat. 915).

(5) "Heritage barn" means any large agricultural outbuilding used to house animals, crops, or farm equipment, that is over fifty years old and has been determined by the department to: (a) Be eligible for listing on the Washington heritage register or the national register of historic places; or (b) have been listed on a local historic register and approved by the advisory council. In addition to barns, "heritage barn" includes agricultural resources such as milk houses, sheds, silos, or other outbuildings, that are historically associated with the working life of the farm or ranch, if these outbuildings are on the same property as a heritage barn.

(6) "Heritage council" means the Washington state heritage council.

(7) "Historic preservation" includes the protection, rehabilitation, restoration, identification, scientific excavation, and reconstruction of districts, sites, buildings, structures, and objects significant in American and Washington state history, architecture, archaeology, or culture.

(8) "Preservation officer" means the state historic preservation officer as provided for in RCW 43.334.020.

(9) "Project" means programs leading to the preservation for public benefit of historical properties, whether by state and local governments or other public bodies, or private organizations or individuals, including the acquisition of title or interests in, and the development of, any district, site, building, structure, or object that is significant in American and Washington state history, architecture, archaeology, or culture, and property used in connection therewith, or for its development.

(10) "State historical agencies" means the state historical societies and the department.

(11) "State historical societies" means the Washington state historical society and the eastern Washington state historical society.

(12) "Cultural resource management plan" means a comprehensive plan which identifies and organizes information on the state of Washington's historic, archaeological, and architectural resources into a set of management criteria, and which is to be used for producing reliable decisions, recommendations, and advice relative to the identification, evaluation, and protection of these resources.

[2007 c 333 § 5; 2005 c 333 § 13; 1995 c 399 § 13; 1993 c 101 § 10; 1986 c 266 § 9; 1983 c 91 § 2.]

Notes:

Finding -- Purpose -- 2007 c 333: See note following RCW 27.34.400.

Findings -- 1993 c 101: See note following RCW 27.34.010.

Severability -- 1986 c 266: See note following RCW 38.52.005.

Transfer of powers and duties of office of archaeology and historic preservation -- Construction of statutory references: See note following RCW 38.52.005.
27.34.060
State historical societies — Budget requests.

Each state historical society shall submit its budget requests to the heritage council for review and comment.

[1983 c 91 § 6.]

27.34.070
State historical societies — Powers and duties.

(1) Each state historical society is designated a trustee for the state whose powers and duties include but are not limited to the following:

(a) To collect, catalog, preserve, and interpret objects, manuscripts, sites, photographs, and other materials illustrative of the cultural, artistic, and natural history of this state;

(b) To operate state museums and assist and encourage cultural and historical studies and museum interpretive efforts throughout the state, including those sponsored by local historical organizations, and city, county, and state agencies;

(c) To engage in cultural, artistic, and educational activities, including classes, exhibits, seminars, workshops, and conferences if these activities are related to the basic purpose of the society;

(d) To plan for and conduct celebrations of significant events in the history of the state of Washington and to give assistance to and coordinate with state agencies, local governments, and local historical organizations in planning and conducting celebrations;

(e) To create one or more classes of membership in the society;

(f) To engage in the sale of various articles which are related to the basic purpose of the society;

(g) To engage in appropriate fund-raising activities for the purpose of increasing the self-support of the society;

(h) To accept gifts, grants, conveyances, bequests, and devises, of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, invest, or expend the same or the proceeds, rents, profits, and income therefrom except as limited by the donor’s terms. The governing boards of the state historical societies shall adopt rules to govern and protect the receipt and expenditure of the proceeds, rents, profits, and income of all such gifts, grants, conveyances, bequests, and devises;

(i) To accept on loan or lend objects of historical interest, and sell, exchange, divest itself of, or refuse to accept, items which do not enhance the collection; and

(j) To charge general or special admission fees to its museums or exhibits and to waive or decrease such fees as it finds appropriate.

(2) All objects, sites, manuscripts, photographs, and all property, including real property, now held or hereafter acquired by the state historical societies shall be held by the societies in trust for the use and benefit of the people of Washington state.

[2005 c 333 § 14; 1983 c 91 § 7.]
27.34.075
Educational publications printing.

The provisions of *chapter 43.78* RCW shall not apply to the printing of educational publications of the state historical societies.

[1994 c 82 § 2.]

Notes:

*Reviser's note: Chapter 43.78 RCW was entirely repealed or recodified by 2011 1st sp.s. c 43 § 306.

27.34.080
State historical societies — Appointment of directors — Removal.

The governing board of each state historical society shall appoint its respective director with the consent of the governor. The governor may remove a director for cause or if a majority of the society’s governing board votes for removal.

[1983 c 91 § 8.]

27.34.200
Archaeology and historic preservation — Legislative declaration.

The legislature hereby finds that the promotion, enhancement, perpetuation, and use of structures, sites, districts, buildings, and objects of historic, archaeological, architectural, and cultural significance is desirable in the interest of the public pride and general welfare of the people of the state; and the legislature further finds that the economic, cultural, and aesthetic standing of the state can be maintained and enhanced by protecting the heritage of the state and by preventing the destruction or defacement of these assets; therefore, it is hereby declared by the legislature to be the public policy and in the public interest of the state to designate, preserve, protect, enhance, and perpetuate those structures, sites, districts, buildings, and objects which reflect outstanding elements of the state’s historic, archaeological, architectural, or cultural heritage, for the inspiration and enrichment of the citizens of the state.

[1983 c 91 § 10.]
27.34.220  
**Director — Powers.**

The director or the director's designee is authorized:

(1) To promulgate and maintain the Washington heritage register of districts, sites, buildings, structures, and objects significant in American or Washington state history, architecture, archaeology, and culture, and to prepare comprehensive statewide historic surveys and plans and research and evaluation of surveyed resources for the preparation of nominations to the Washington heritage register and the national register of historic places, in accordance with criteria approved by the advisory council established under RCW 27.34.250. Nominations to the national register of historic places shall comply with any standards and regulations promulgated by the United States secretary of the interior for the preservation, acquisition, and development of such properties. Nominations to the Washington heritage register shall comply with rules adopted under this chapter.

(2) To establish a program of matching grants-in-aid to public agencies, public or private organizations, or individuals for projects having as their purpose the preservation for public benefit of properties that are significant in American or Washington state history, architecture, archaeology, and culture.

(3) To promote historic preservation efforts throughout the state, including private efforts and those of city, county, and state agencies.

(4) To enhance the effectiveness of the state preservation program through the initiation of legislation, the use of varied funding sources, the creation of special purpose programs, and contact with state, county, and city officials, civic groups, and professionals.

(5) To spend funds, subject to legislative appropriation and the availability of funds, where necessary to assist the Indian tribes of Washington state in removing prehistoric human remains for scientific examination and reburial, if the human remains have been unearthed inadvertently or through vandalism and if no other public agency is legally responsible for their preservation.

(6) To consult with the governor and the legislature on issues relating to the conservation of the man-made environment and their impact on the well-being of the state and its citizens.

(7) To charge fees for professional and clerical services provided by the *office.

(8) To adopt such rules, in accordance with chapter 34.05 RCW, as are necessary to carry out RCW 27.34.200 through 27.34.280.

[1997 c 145 § 1; 1987 c 505 § 8; 1986 c 266 § 11; 1985 c 64 § 2; 1983 c 91 § 12.]

**Notes:**

*Reviser's note:* Powers, duties, and functions of the office of archaeology and historic preservation were transferred to the department of archaeology and historic preservation pursuant to 2005 c 333 § 12.

**Severability -- 1986 c 266:** See note following RCW 38.52.005.
27.34.230
Director — Duties.

The director or the director's designee shall:

(1) Receive, administer, and disburse such gifts, grants, and endowments from private sources as may be made in trust or otherwise for the purposes of RCW 27.34.200 through 27.34.220 or the federal act; and

(2) Develop and implement a cultural resource management plan.

[2005 c 333 § 15; 1986 c 266 § 12; 1983 c 91 § 13.]

Notes:

Severability -- 1986 c 266: See note following RCW 38.52.005.

27.34.240
Apportionment of grants.

The amounts made available for grants to the public agencies, public or private organizations, or individuals for projects for each fiscal year shall be apportioned among program applicants by the director or the director's designee, with the advice of the preservation officer, in accordance with needs as contained in statewide archaeology and historic preservation plans developed by the department.

[1986 c 266 § 13; 1983 c 91 § 14.]

Notes:

Severability -- 1986 c 266: See note following RCW 38.52.005.

27.34.250
Advisory council on historic preservation — Members.

(1) There is hereby established an advisory council on historic preservation, which shall be composed of nine members appointed by the governor as follows:

(a) A representative of a local or state heritage organization;

(b) Six members of the public who are interested and experienced in matters to be considered by the council including the fields of history, architecture, and archaeology;

(c) A representative from the Washington archaeological community; and

(d) A native American.
(2) Each member of the council shall serve a four-year term.

(3) A vacancy in the council shall not affect its powers, but shall be filled in the same manner as the original appointment for the balance of the unexpired term.

(4) The chairperson of the council shall be designated by the governor.

(5) Five members of the council shall constitute a quorum.


Notes:

Effective date -- 1993 c 185: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 30, 1993." [1993 c 185 § 2.]

Findings -- 1993 c 101: See note following RCW 27.34.010.

27.34.260
Advisory council — Compensation and reimbursement of members.

The directors of the state historical societies shall serve as members of the advisory council on historic preservation without additional compensation. All other members of the advisory council shall be reimbursed for travel expenses incurred in the performance of the duties of the council in accordance with RCW 43.03.050 and 43.03.060.

[1983 c 91 § 18.]

27.34.270
Advisory council — Duties.

The advisory council shall:

(1) Advise the governor and the department on matters relating to historic preservation; recommend measures to coordinate activities of state and local agencies, private institutions, and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities; and

(2) Review and recommend nominations for the national register of historic places to the preservation officer and the director.

[1997 c 145 § 2; 1986 c 266 § 14; 1983 c 91 § 17.]

Notes:

Severability -- 1986 c 266: See note following RCW 38.52.005.
Advisory council, heritage council — Financial and administrative services.

The department shall provide administrative and financial services to the advisory council on historic preservation and to the Washington state heritage council.

[1986 c 266 § 15; 1983 c 91 § 16.]

Notes:

Severability -- 1986 c 266: See note following RCW 38.52.005.

Heritage capital projects — Proposals for funding — Prioritized list.

The Washington state historical society shall establish a competitive process to solicit proposals for and prioritize heritage capital projects for potential funding in the state capital budget. The society shall adopt rules governing project eligibility and evaluation criteria. Application for funding of specific projects may be made to the society by local governments, public development authorities, nonprofit corporations, tribal governments, and other entities, as determined by the society. The society, with the advice of leaders in the heritage field, including but not limited to representatives from the office of the secretary of state, the eastern Washington state historical society, and the department of archaeology and historic preservation, shall establish and submit a prioritized list of heritage capital projects to the governor and the legislature in the society’s biennial capital budget request. The list shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed ten million dollars. The prioritized list shall be developed through open and public meetings and the amount of state funding shall not exceed thirty-three percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the society shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.


Notes:

Reviser’s note: This section has two effective dates. Section 239, chapter 371, Laws of 2006 provided that "section 232 of this act" takes effect June 30, 2007, and section 242, chapter 371, Laws of 2006 provided that "this act" takes effect immediately [March 31, 2006].

Expiration dates -- 2006 c 371 §§ 229 and 231: "(1) Section 229 of this act expires June 30, 2011. (2) Section 231 of this act expires June 30, 2007." [2006 c 371 § 238.]

Part headings not law -- Severability -- Effective date -- 2006 c 371: See notes following RCW 43.325.040.

Expiration date -- 2005 c 333 §§ 16-18: "Sections 16 through 18 of this act expire June 30, 2007." [2005 c 333 § 26.]

Findings -- 1995 c 182: "The legislature finds that the state of Washington has a rich heritage in historical sites and artifacts that have the potential to provide lifelong learning opportunities for citizens of the state. Further, the legislature finds that many of these historical treasures are not readily accessible to citizens, and that there is a need to create an ongoing program to support the capital needs of heritage organizations and facilities." [1995 c 182 § 1.]

27.34.350
Governor's award for excellence in teaching history.

(1) Many people throughout the state contribute significantly to the promotion of historical study as a means to give the state's citizens a better sense of the past. The Washington state historical society recognizes the accomplishments of many men and women in the teaching professions whose skill and achievement in the inculcating of historic values are not given the recognition nor the support they deserve or given the encouragement to continue their work.

(2) The governor's award for excellence in teaching history is created to annually recognize teachers and public and private nonprofit historical organizations that have organized, conducted, published, or offered on a consistently exemplary basis, outstanding activities that promote a better understanding and appreciation of the state's history. One cash award to an individual teacher and one cash award to an organization shall be made each year. The sums described in this section shall be raised through solicitations from private donors.

(3) The Washington state historical society's board of trustees shall make the final determination of award recipients.

[1997 c 263 § 1.]

27.34.360
Women's history consortium — Created — Washington state historical society as managing agency.

(1) A women's history consortium is created with the Washington state historical society as the managing agency. To ensure geographic, demographic, and subject matter diversity, the consortium shall be managed by a board of advisors representing a range of perspectives, including private citizens, business, labor, historical societies, colleges and universities, educators, tribes, and public officials. Appointment of the board of advisors must be completed by September 30, 2005.

(2) The consortium is attached to the Washington state historical society as the managing agency. Accordingly, the agency shall:
(a) Direct and supervise the budgeting, recordkeeping, recording, and related administrative and clerical functions of the consortium;

(b) Include the consortium's budgetary requests in the society's departmental budget;

(c) Collect all nonappropriated revenues for the consortium and deposit them in the proper fund or account;

(d) Provide staff support for the consortium;

(e) Print and disseminate for the consortium any required notices, rules, or orders adopted by the consortium; and

(f) Allocate or otherwise provide office space for the consortium as may be necessary.

[2005 c 391 § 2.]

Notes:

Finding -- Intent -- 2005 c 391: "The legislature finds that Washington state is widely recognized as being a steady leader in advancing rights and opportunities for women in all spheres of life. The legislature declares its intent to initiate the establishment of a Washington women's history consortium. This will improve the availability of historical information about the many actions taken by Washingtonians which have resulted in such notable and influential achievements for women and girls, for use by citizens, educators, researchers, and historians." [2005 c 391 § 1.]

27.34.365
Women's history consortium — Board of advisors.

The board of advisors shall consist of fifteen members. The director of the state historical society shall appoint eleven members to the board of advisors. Two members of the senate, one each representing the two largest caucuses of the senate, shall be appointed by the president of the senate, and two members of the house of representatives, one each representing the two largest caucuses of the house of representatives, shall be appointed by the speaker of the house of representatives.

The women's history consortium board of advisors may meet no more than two times per calendar year. If state funds are not available for travel, the board may meet on a voluntary basis at members' expense.

[2010 1st sp.s. c 7 § 124; 2005 c 391 § 3.]

Notes:

Effective date -- 2010 1st sp.s. c 26; 2010 1st sp.s. c 7: See note following RCW 43.03.027.

Finding -- Intent -- 2005 c 391: See note following RCW 27.34.360.
27.34.370
Women's history consortium — Responsibilities of board of advisors.

Key responsibilities of the board of advisors include:

(1) Organizational and fiscal planning, management, and oversight;

(2) Adopting criteria and procedures for consortium membership and member responsibilities;

(3) Identifying short-term and long-term priorities of the consortium, with special emphasis on short-term priorities relating to preserving historical information from the last several decades before it is lost;

(4) Appointing special committees and task forces including people from consortium members and nonmembers to assist with the consortium's tasks; and

(5) Developing recommendations for statewide commemoration of the centennial of the adoption in 1910 of the fifth amendment to the Washington state Constitution, guaranteeing women's suffrage.

[2005 c 391 § 4.]

Notes:

Finding -- Intent -- 2005 c 391: See note following RCW 27.34.360.

27.34.375
Women's history consortium — Responsibilities.

Within available resources, the consortium responsibilities include:

(1) Compiling a comprehensive index of existing historically relevant materials and making it available in electronic and print form;

(2) Identifying topics, historical periods, materials, or activities not well represented in publicly accessible collections and developing strategies for making them publicly available, including topics related to motherhood and the accomplishments of mothers in Washington;

(3) Encouraging collection and preservation of materials important to understanding Washington women's history, with special emphasis on the last several decades;

(4) Referring potential donors of historical materials to appropriate museums, archives, libraries, and other organizations throughout the state;

(5) Developing protocols for protection of donations, loans, leases, and purchases of historically relevant materials;

(6) Encouraging exhibit development and sharing among member organizations and others;

(7) Encouraging public access and educational institution access to women's history information, materials, and exhibits;

(8) Seeking private donations to assist with consortium work;
(9) Developing a concept for a grant program;
(10) Developing a volunteer program; and
(11) Encouraging development of curriculum materials.

[2005 c 391 § 5.]

Notes:

Finding -- Intent -- 2005 c 391: See note following RCW 27.34.360.

27.34.380
Women's history consortium — Report to the legislature.

The consortium board of advisors shall provide a report to the appropriate committees of the legislature by December 1, 2006, addressing the following:

(1) Progress on activities identified in RCW 27.34.370 and 27.34.375; and
(2) Consortium needs and plans for the future.

[2005 c 391 § 6.]

Notes:

Finding -- Intent -- 2005 c 391: See note following RCW 27.34.360.

27.34.390
Vancouver national historic reserve.

The legislature affirms that the state of Washington is partner in the Vancouver national historic reserve as mandated under Public Law 104-333: The omnibus parks and public lands management act of 1996. As such, the state will take an active role in supporting the protection, preservation, interpretation, and rehabilitation of the Vancouver national historic reserve.

[2007 c 138 § 2.]

Notes:

Finding -- Purpose -- 2007 c 138: "The three hundred sixty-six acre Vancouver national historic reserve was created by Congress through Public Law 104-333: The "omnibus parks and public lands management act of 1996" in recognition of the significant cultural, historic, and natural resources of the area. The historic reserve includes Fort Vancouver national historic site, Pearson airfield, Pearson air museum, officers row, Vancouver barracks, and a section of the Columbia river waterfront. The four legislatively designated partners in the
reserve are the national park service, the United States army, the state of Washington, and the city of Vancouver.

The Vancouver national historic reserve trust, a 501(c)(3), was created in 1998 as the official nonprofit for the reserve. P.L. 104-333 required that the reserve be administered under a general management plan to be developed no later than three years after the enactment of the law. The management plan was adopted in February 2000 with the state of Washington as one of the signatories.

The legislature finds that the state of Washington, as one of four federally designated partners in the Vancouver national historic reserve, should be actively engaged in the protection, preservation, interpretation, and rehabilitation of the historic reserve for the use and benefit of the people of the state. Southwest Washington is a traditionally underserved area of the state with regard to cultural and recreational opportunities. The Vancouver national historic reserve is a unique historic site that offers a variety of historic, cultural, natural, and recreational opportunities and currently serves almost one million visitors per year. From the Hudson's Bay company fort, the story of the early settlers and fur traders to Vancouver barracks, over one hundred fifty years of military history, to the story of pioneering aviation and the golden age of flight at Pearson field, the historic reserve is unique because of the layers of history visitors can experience in one location. In addition, the historic reserve offers acres of green space and waterfront in the midst of the large Portland/Vancouver metropolitan area.

The legislature has declared through RCW 27.34.200 that it is the public policy and in the public interest of the state to designate, preserve, protect, enhance, and perpetuate those structures, sites, districts, buildings, and objects that reflect outstanding elements of the state's historic, archaeological, architectural, or cultural heritage, for the inspiration and enrichment of the people of the state. The Vancouver national historic reserve is on both the state and federal registers as a historic district and encompasses some of the richest historic, archaeological, architectural, and cultural resources in the state.

It is the purpose of this act to:

(1) Confirm the role of the state of Washington in the development and management of the Vancouver national historic reserve;

(2) Identify the role of state agencies in the Vancouver national historic reserve; and

(3) Establish an account in the state treasury through the Washington state historical society for funds designated specifically for the Vancouver national historic reserve. “[2007 c 138 § 1.]”

27.34.395

Vancouver national historic reserve — Designated partner representative — Duties of Washington state historical society.

The legislature affirms that the Washington state historical society is the state’s designated partner representative for the Vancouver national historic reserve. Accordingly, the Washington state historical society shall:

(1) Participate in the regularly scheduled coordination meetings of the Vancouver national historic reserve partners;

(2) Participate in the development of management, education, and interpretive plans and policies associated with the Vancouver national historic reserve;

(3) Partner with Washington State University and other agencies for purposes of managing the center for
Heritage barn preservation program.

(1) The Washington state heritage barn preservation program is created in the department.

(2) The director, in consultation with the heritage barn preservation advisory board, shall conduct a thematic study of Washington state's barns. The study shall include a determination of types, an assessment of the most unique and significant barns in the state, and a condition and needs assessment of historic barns in the state.

(3)(a) The department, in consultation with the heritage barn preservation advisory board, shall establish a heritage barn recognition program. To apply for recognition as a heritage barn, the barn owner shall supply to the department photos of the barn, photos of the farm and surrounding landscape, a brief history of the farm, and a construction date for the barn.

(b) Three times a year, the governor's advisory council on historic places shall review the list of barns submitted by the department for formal recognition as a heritage barn.

(4) Eligible applicants for heritage barn preservation fund awards include property owners, nonprofit organizations, and local governments.

(5) To apply for support from the heritage barn preservation fund, an applicant must submit an application to the department in a form prescribed by the department. Applicants must provide at least fifty percent of the cost of the project through in-kind labor, the applicant's own moneys, or other funding sources.

(6) The following types of projects are eligible for funding:

(a) Stabilization of endangered heritage barns and related agricultural buildings, including but not limited to repairs to foundations, sills, windows, walls, structural framework, and the repair and replacement of roofs; and

(b) Work that preserves the historic character, features, and materials of a historic barn.

(7) In making awards, the advisory board shall consider the following criteria:

(a) Relative historical and cultural significance of the barn;

(b) Urgency of the threat and need for repair;

(c) Extent to which the project preserves historic character and extends the useful life of the barn or associated
agricultural building;
(d) Visibility of the barn from a state designated scenic byway or other publicly traveled way;
(e) Extent to which the project leverages other sources of financial assistance;
(f) Provision for long-term preservation;
(g) Readiness of the applicant to initiate and complete the project; and
(h) Extent to which the project contributes to the equitable geographic distribution of heritage barn preservation fund awards across the state.

(8) In awarding funds, special consideration shall be given to barns that are:
(a) Still in agricultural use;
(b) Listed on the national register of historic places; or
(c) Outstanding examples of their type or era.

(9) The conditions in this subsection must be met by recipients of funding in order to satisfy the public benefit requirements of the heritage barn preservation program.

(a) Recipients must execute a contract with the department before commencing work. The contract must include a historic preservation easement for between five to fifteen years depending on the amount of the award. The contract must specify public benefit and minimum maintenance requirements.

(b) Recipients must proactively maintain their historic barn for a minimum of ten years.

(c) Public access to the exterior of properties that are not visible from a public right-of-way must be provided under reasonable terms and circumstances, including the requirement that visits by nonprofit organizations or school groups must be offered at least one day per year.

(10) All work must comply with the United States secretary of the interior's standards for the rehabilitation of historic properties; however, exceptions may be made for the retention or installation of metal roofs on a case-by-case basis.

(11) The heritage barn preservation fund shall be acknowledged on any materials produced and in publicity for the project. A sign acknowledging the fund shall be posted at the worksite for the duration of the preservation agreement.

(12) Projects must be initiated within one year of funding approval and completed within two years, unless an extension is provided by the department in writing.

(13) If a recipient of a heritage barn preservation fund award, or subsequent owner of a property that was assisted by the fund, takes any action within ten years of the funding award with respect to the assisted property such as dismantlement, removal, or substantial alteration, which causes it to be no longer eligible for listing in the Washington heritage register, the fund shall be repaid in full within one year.

[2007 c 333 § 2.]

Notes:

Finding -- Purpose -- 2007 c 333: “The legislature finds that historic barns are essential symbols of Washington's heritage representing a pioneering spirit of industriousness. Important for their association with
broad patterns of agricultural history and community development and as examples of distinct architectural
styles and methods of construction, historic barns serve as highly visible icons for local residents and visitors
alike. The legislature acknowledges that factors such as changes in the agricultural economy and farming
technologies, prohibitive rehabilitation costs, development pressures, and regulations restricting new uses,
collectively work to endanger historic barns statewide and contribute to their falling into decay or being
demolished altogether.

As historic barns represent irreplaceable resources, and recognizing that barn preservation will work to retain
these structures as functional and economically viable elements of working lands, the purpose of this act is to
create a system acknowledging heritage barns statewide that provides emergency assistance to heritage barn
owners through matching grants, assesses the need for long-term barn preservation, and considers additional
incentives and regulatory revisions that work toward the preservation of heritage barns as integral components
of Washington's historic landscapes." [2007 c 333 § 1.]

27.34.410
Heritage barn preservation fund.

(1) The heritage barn preservation fund is created as an account in the state treasury. All receipts from
appropriations and private sources must be deposited into the account. Moneys in the account may be spent
only after appropriation. Expenditures from the account may be used only to provide assistance to owners of
heritage barns in Washington state in the stabilization and restoration of their barns so that these historic
properties may continue to serve the community.

(2) The department shall minimize the amount of funds that are used for program administration, which shall
include consultation with the "department of general administration's barrier-free facilities program for input
regarding accessibility for people with disabilities where public access to historic barns is permitted.

(3) The primary public benefit of funding through the heritage barn preservation program is the preservation
and enhancement of significant historic properties that provide economic benefit to the state's citizens and
enrich communities throughout the state.

[2007 c 333 § 4.]

Notes:

*Reviser's note: The "department of general administration" was renamed the "department of enterprise
services" by 2011 1st sp.s. c 43 § 107.

Finding -- Purpose -- 2007 c 333: See note following RCW 27.34.400.

27.34.415
Cemeteries — Burial sites — Centralized database.

The department of archaeology and historic preservation shall develop and maintain a centralized database
and geographic information systems spatial layer of all known cemeteries and known sites of burials of human
remains in Washington state. The information in the database is subject to public disclosure, except as
provided in RCW
42.56.300: exempt information is available by confidentiality agreement to federal, state, and local agencies for purposes of environmental review, and to tribes in order to participate in environmental review, protect their ancestors, and perpetuate their cultures.

Information provided to state and local agencies under this section is subject to public disclosure, except as provided in RCW 42.56.300.

[2008 c 275 § 6.]

Notes:

Reporting requirements--2008 c 275: See note following RCW 68.50.645.

27.34.900

State capital historical museum.

The building and grounds designated as Block 2, Grainger's Addition to the City of Olympia, County of Thurston, acquired by the state under senate joint resolution No. 18, session of 1939, is hereby designated a part of the state capitol, to be known as the state capital historical museum. This structure is to be used to house and interpret the collection of the Washington state historical society. This section does not limit the society's use of other structures.

[1993 c 101 § 13; 1981 c 253 § 3; 1941 c 44 § 3; Rem. Supp. 1941 § 8265-6. Formerly RCW 27.36.020.]

Notes:

Findings -- 1993 c 101: See note following RCW 27.34.010.

27.34.906

Pickett House — In trust — Reverter.

Said chapter, by acceptance of such conveyance, shall be deemed to have agreed to hold said property in trust for the state of Washington, and to maintain and keep the same open to the public as an historical site, and, in case of its failure so to do, title to said property shall revert to the state of Washington.

[1965 c 31 § 2. Formerly RCW 27.28.022.]
27.34.910
Effective date — 1983 c 91.

This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1983.

[1983 c 91 § 27.]

27.34.915
Severability — 1993 c 101.

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

[1993 c 101 § 16.]

27.34.916
Effective date — 1993 c 101.

This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1993.

[1993 c 101 § 17.]
Chapter 254-20 WAC
SPECIAL VALUATION FOR HISTORIC PROPERTIES

WAC Sections

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254-20-040 Responsibilities of the local legislative authority.
254-20-050 Defining the class of eligible historic property.
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254-20-070 Responsibilities of local review boards.
254-20-080 Responsibilities of the state historic preservation officer.
254-20-090 Responsibilities of the owner—Application requirements.
254-20-100 Washington state advisory council's standards for the rehabilitation and maintenance of historic properties.
254-20-110 Eligibility and disqualification.
254-20-120 Historic preservation special valuation agreement.

254-20-010
Purpose.

The purpose of these rules is to implement special tax valuation for rehabilitation of historic properties under which the assessed value of eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-010, filed 10/20/86.]

254-20-020
Authority.

These rules are promulgated by the advisory council on historic preservation under the authority granted in RCW 84.26.120.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-020, filed 10/20/86.]
Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout these rules:

1. "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 floorspace 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.

2. "Certified historic structure" means property located within a national register historic district which has been:
   (a) Certified by the secretary of the interior as contributing to the significance of a national register historic district pursuant to 36 C.F.R. 67.4; or
   (b) Certified, under a process specified in local administrative rules, as contributing to the significance of an historic district in a local register of historic places which has been created by a local government historic preservation program certified by the secretary of the interior as provided in P.L. 96-515.

3. "Class of historic property" means all historic property meeting any neutral, objective criteria for determining which types of historic property are eligible for special valuation that have been adopted by the local legislative authority under an ordinance or administrative rule, consistent with the purposes of chapter 84.26 RCW.

4. "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.

5. "Historic district" means historic property consisting of multiple buildings, sites, structures, or objects located in proximity to one another and related in historic period or theme.

6. "Historic property" means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is:
   (a) Listed in a local register of historic places created by comprehensive ordinance, certified by the secretary of the interior as provided in P.L. 96-515; or
   (b) Listed in the National Register of Historic Places.

7. "Local legislative authority" means the municipal government within incorporated cities and the county government in unincorporated areas.

8. "Local review board" means any appointed committee designated by local ordinance to make determinations concerning the eligibility of historic properties for special valuation and to approve or deny applications therefor.

9. "Owner" means the owner of record.

10. "Rehabilitation" is the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving
those portions and features of the property which are significant to its architectural and cultural values.

(11) "State review board" means the advisory council on historic preservation established under chapter 27.34 RCW, or any successor agency designated by the state to act as the state historic preservation review board under federal law.

(12) "Special valuation" means the determination of the assessed value of the historic property subtracting, for up to ten years, such cost as is approved by the local review board.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-030, filed 10/20/86.]

254-20-040
Responsibilities of the local legislative authority.

(1) Each local jurisdiction, at the option of the local legislative authority, shall designate a local review board and establish one or more classes of historic property that are eligible for special valuation under these rules.

(2) Multiple jurisdictions within the same county may elect to jointly designate, under an interlocal agreement, a single local review board to carry out the purposes of chapter 84.26 RCW.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-040, filed 10/20/86.]

254-20-050
Defining the class of eligible historic property.

(1) Each "class of eligible historic property" shall be defined by the local legislative authority using objective criteria which lead to consistent decisions on determinations of eligibility.

(2) The criteria for the class of eligible historic property may take into account such factors as geographic location, date of construction, type of use, local landmarks designation, and other verifiable criteria consistent with the purposes of chapter 84.26 RCW, and these rules.

(3) Within historic districts, only certified historic structures may be included in the class of eligible historic property.

(4) Once a local jurisdiction has established a class of eligible historic property, it may amend the criteria defining the class at any time. However, if the new criteria are more restrictive than the previous criteria, the new criteria may not take effect for a period of two years following October 1 of the year in which the change is made. Amendments to the criteria shall not have the effect of disqualifying property already subject to special valuation.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-050, filed 10/20/86.]
254-20-060
Requirements for local review boards.

(1) The local review board may be an existing board or commission of local government or a special purpose authority, but shall not be the same as the local legislative authority.
(2) The local review board shall be identified by local ordinance as having responsibility to:
   (a) Make determinations concerning the eligibility of individual properties;
   (b) Verify that the improvements are consistent with the advisory council's standards for rehabilitation and maintenance;
   (c) Enter into agreements as required under WAC 254-20-070(2);
   (d) Approve or deny applications for special valuation; and
   (e) Monitor property for continued compliance with the agreement and statutory eligibility requirements.
(3) The local review board shall adopt bylaws and/or administrative rules governing:
   (a) Compliance with the Open Public Meetings Act (chapter 42.30 RCW);
   (b) Rules of parliamentary procedure;
   (c) Order and conduct of business; and
   (d) Frequency of meetings.
[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-060, filed 10/20/86.]

254-20-070
Responsibilities of local review boards.

(1) Following receipt of an application for special valuation from the county assessor, the local review board shall, consistent with locally adopted rules of procedure, determine if the property meets 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 local legislative authority under an ordinance or administrative rule;
   (c) The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the date of application; and
   (d) The property has not been altered in any way which adversely affects those elements which qualify it as historically significant.
(2) If the local review board finds that the property satisfies all four of the above requirements, then it shall, on behalf of the local jurisdiction, enter into an agreement with the owner which, at a minimum, includes the provisions set forth in WAC 254-20-120. Upon execution of said agreement between the owner and the local review board, the local review board shall approve the application.
(3) If the local review board determines that the property does not meet all of the requirements for special valuation, then it shall deny the application.
(4) An application for special valuation shall be approved or denied by the local review board before December 31 of the calendar year in which the application is made. The local review board shall certify its decision in writing and state the facts upon which the approval
(5) If the application is approved, the local review board shall forward a copy of the agreement, the application, and supporting documentation as required by WAC 254-20-090(4) to the county assessor for recording and shall notify the state review board that the property has been approved for special valuation.

(6) Once an application for special valuation has been approved, the local review board shall determine, according to its bylaws and rules of procedure, whether or not the property has become disqualified, either because of the owner's failure to comply with the terms of the agreement, or because of a loss of historic value resulting from physical changes to the building or site. In the event that a local review board concludes that a property is no longer qualified for special valuation, it shall notify the owner, the county assessor, and the state review board in writing and state the facts supporting its findings.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-070, filed 10/20/86.]

254-20-080
Responsibilities of the state historic preservation officer.

(1) The state historic preservation officer will, upon request, provide technical assistance to the local legislative authority and the local review board in conducting special valuation activities.

(2) The state historic preservation officer shall inform the local review board if the state review board is notified by the owner of property subject to special valuation that the property no longer qualifies for special valuation under chapter 84.26 RCW.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-080, filed 10/20/86.]

254-20-090
Responsibilities of the owner—Application requirements.

(1) The owner of an historic property desiring special valuation shall apply to the assessor of the county in which the historic property is located upon forms prescribed by the department of revenue and supplied by the county assessor.

(2) In order to be eligible for special valuation, applications must be made not later than October 1 of the calendar year preceding the assessment year for which special valuation is sought.

(3) The owner shall be required to pay only such fees as are necessary to process and record documents pursuant to chapter 84.26 RCW.

(4) Applications shall include a legal description of the historic property. The owner shall also provide comprehensive exterior and interior photographs of the historic property before and after rehabilitation, architectural plans or other legible drawings depicting the completed rehabilitation work, and 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.
(5) For properties located within historic districts, the application shall also include, in addition to the information specified in subsection (4) of this section, a statement from the secretary of the interior or the appropriate local official, as specified in local administrative rules, or by the local government, indicating that the property is a certified historic structure.

(6) Property owners applying for special valuation under these rules shall make available to the local review board documentation as to the actual cost of the rehabilitation project and the period of time during which the rehabilitation took place.

[Statutory Authority: RCW 84.26.120. WSR 87-03-039 (Order 86-11), § 254-20-090, filed 1/16/87; WSR 86-21-103 (Order 86-11), § 254-20-090, filed 10/20/86.]

254-20-100
Washington state advisory council's standards for the rehabilitation and maintenance of historic properties.

The following rehabilitation and maintenance standards shall be used by local review boards 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:

(1) Rehabilitation.

(a) Every reasonable effort shall be made to provide a compatible use for an historic property which requires minimal alteration of the building, structure, or site and its environment, or to use an historic property for its originally intended purpose.

(b) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

(c) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

(d) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

(f) Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

(g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

(h) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
(i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

(j) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

(2) Maintenance.

(a) Buildings and structures shall not be allowed to deteriorate beyond the point where routine maintenance and repair will return them to good condition.

(b) Buildings shall be kept in a safe and habitable condition at all times. Structural defects and hazards shall be corrected. Any condition which constitutes a fire hazard shall be eliminated.

(c) Buildings shall be protected against ongoing water damage due to defective roofing, flashing, glazing, caulking, or other causes. Moisture condensation resulting from inadequate heat or ventilation shall be eliminated if present at levels sufficient to promote rot or decay of building materials.

(d) Deteriorated exterior architectural features and any broken or missing doors and windows shall be repaired or replaced.

(e) Painted exterior surfaces shall be maintained and repainted as necessary to prevent a deteriorated appearance or damage to the substrate. Exterior masonry surfaces shall be tuck pointed where required to maintain the mortar in sound condition. Finished tuck pointing shall match the original mortar joint in hardness and appearance.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-100, filed 10/20/86.]

254-20-110

Eligibility and disqualification.

(1) The actual cost of the rehabilitation work shall be calculated on the basis of expenses incurred for improvements or work elements completed prior to the date of application. Properties subject to ongoing or phased rehabilitation work shall be eligible for special valuation so long as the property meets the criteria of WAC 254-20-070(1).

(2) No application for special valuation under these rules shall be made after December 31, 1991.

(3) When property has once been classified and valued as eligible historic property, the expiration of the ten-year period allowed for special valuation shall not have the effect of disqualifying the property and thereby invoking the additional tax, interest, and penalty otherwise due when a property is disqualified or determined ineligible.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-110, filed 10/20/86.]
Historic preservation special valuation agreement.

The following historic preservation special valuation agreement shall be used by local review boards as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2):

This Historic Preservation Agreement is entered into on this . . . . . day of . . . . . , 19 . . . . , by and between . . . . . (hereinafter referred to as APPLICANT) and . . . . . (hereinafter referred to as LOCAL REVIEW BOARD).

WHEREAS APPLICANT is the owner of record of the historic property commonly known as . . . . . . . . , located at . . . . . . , State of Washington, as more fully described in Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as PROPERTY);

WHEREAS APPLICANT has requested special valuation of the PROPERTY pursuant to chapter 84.26 RCW; and

WHEREAS the LOCAL REVIEW BOARD has determined that the PROPERTY has been substantially rehabilitated within the two year period preceding the date of application and the actual cost of said rehabilitation equals or exceeds twenty-five percent of the assessed valuation of the PROPERTY prior to the improvements; and

WHEREAS the LOCAL REVIEW BOARD has verified that the PROPERTY is historic property that falls within a class of properties determined eligible for special valuation by local ordinance or administrative rule; and

WHEREAS the LOCAL REVIEW BOARD finds that the rehabilitation work has not altered the PROPERTY in any way which adversely affects those elements which qualify it as historically significant;

NOW THEREFORE, in recognition of the foregoing, the APPLICANT enters into this Agreement with the LOCAL REVIEW BOARD and agrees to adhere to the following terms and conditions for the ten-year period of the special valuation classification:

1. APPLICANT agrees to comply with the Washington State Advisory Council's Standards for the Maintenance and Rehabilitation of Historic Properties as set forth in Exhibit B, which is attached hereto and by this reference incorporated herein.

2. APPLICANT agrees the property shall not be altered without the prior written consent of the LOCAL REVIEW BOARD signed by a duly authorized representative thereof. No construction, alteration or remodelling or any other action shall be undertaken or permitted to be undertaken which would affect the historic character of the PROPERTY which classifies it as eligible for special valuation, or which would affect the appearance of the PROPERTY as depicted in the photographs attached hereto and incorporated herein by this reference as Exhibits . . . . . . through . . . . . . , or which would adversely affect the structural soundness of the PROPERTY; provided, however, that the reconstruction, repair, repainting, or refinishing of presently existing parts or elements of the PROPERTY subject to this Agreement, damage to which has resulted from casualty loss, deterioration or wear and tear, shall be permitted without the prior approval of the LOCAL REVIEW BOARD, provided that such reconstruction, repair, repainting, or refinishing is performed in a manner which will not alter the appearance of those elements of the PROPERTY subject to this Agreement as they are as of this date. Exterior changes which shall require the consent of the LOCAL REVIEW BOARD shall include, but not be limited to, any substantial structural change or any change in design, color or materials.

3. APPLICANT agrees the PROPERTY shall not be demolished without the prior written consent of the local review board.

4. APPLICANT agrees to make historic aspects of the PROPERTY accessible to the public one day each year if the PROPERTY is not visible from a public right of way.

5. APPLICANT agrees to monitor the PROPERTY for its continued qualification for special valuation and notify the appropriate County Assessor within 30 days if the PROPERTY becomes disqualified because of
   a. a loss of historic integrity,
   b. sale or transfer to new ownership exempt from taxation, or
   c. sale or transfer to new ownership which does not intend to agree to the terms of this Agreement nor file a notice of compliance form with the County Assessor.

6. The APPLICANT and LOCAL REVIEW BOARD both agree that there shall be no changes in standards of maintenance, public access, alteration, or report requirements, or any other provisions of this Agreement,
during the period of the classification without the approval of all parties to this Agreement.

**Term of the Agreement.** This Agreement shall take effect immediately upon signature and remain in effect until the property is no longer eligible for special valuation either through disqualification under RCW 84.26.080 or upon expiration of the ten-year period of special valuation commencing January 1, 19 . . . . , and ending December 31, 19 . . . .

**Hold Harmless.** The APPLICANT or its successors or assigns shall hold the State and the LOCAL REVIEW BOARD harmless from any and all liability and claims which may be asserted against the State and the LOCAL REVIEW BOARD as a result of this Historic Preservation Special Valuation Agreement or the participation by the APPLICANT in the Special Valuation Program.

**Governing Law.** The terms of this Agreement shall be construed in accordance with the laws of the state of Washington.

[Statutory Authority: RCW 84.26.120. WSR 86-21-103 (Order 86-11), § 254-20-120, filed 10/20/86.]
Chapter 458-15 WAC

HISTORIC PROPERTY

WAC Sections

458-15-005 Purpose.

458-15-010 Authority.


458-15-030 Multiple applications.

458-15-040 Costs and fees.

458-15-050 Qualifications.

458-15-060 Processing of the agreement.

458-15-070 Disqualification or removal.

458-15-080 Disqualification or removal—Effective date.

458-15-090 Additional tax.

458-15-100 Appeals.

458-15-110 Exemption of portion of historic property.

458-15-120 Revaluation and new construction.

458-15-005 Purpose.

The purpose of these rules is to implement the provisions of chapter 84.26 RCW relating to the administration of the act. These rules are to be used in conjunction with chapter 254-20 WAC as adopted by the advisory council on historic preservation.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-005, filed 2/13/87.]

458-15-010 Authority.

These rules are promulgated by the department under RCW 84.08.010(2).

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-010, filed 2/13/87.]


Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Act" means chapter 84.26 RCW.

(2) "Additional tax" means those additional taxes, interest, and penalties specified in RCW 84.26.090.

(3) "Agreement" means an instrument executed by an applicant and the local review board.

(4) "Applicant" means the owner(s) of record of property who submit(s) an application for special valuation.

(5) "Assessed value" means the true and fair value of the property for which each special valuation is sought.

(6) "Board" or "local review board" means any appointed committee designated by local ordinance to make determinations concerning the eligibility of historic properties for special valuation and to approve or deny applications therefor.

(7) "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.

(8) "County recording authority" means the county auditor or the county recording authority which records real property transactions.

(9) "Department" means the department of revenue.

(10) "Disqualification" means the loss of eligibility of a property to receive special valuation.

(11) "Eligible historic property" means a property determined by the board to be:
(a) Within a class approved by the local legislative authority; and
(b) Eligible for special valuation.

12. "Historic property" means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is:
   (a) Listed in a local register of historic places created by comprehensive ordinance, certified by the secretary of the interior as provided in P.L. 96-515; or
   (b) Listed in the national register of historic places.

13. "Special valuation" means the determination of the assessed value of the historic property subtracting, for up to ten years, such cost as is approved by the local review board: Provided, That the special valuation shall not be less than zero.

14. "Local legislative authority" means the municipal government within incorporated cities and the county government in unincorporated areas.

15. "Rehabilitation" is the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its architectural and cultural values. (See WAC 458-15-050.)


1. The application for special valuation under the act shall be submitted to the assessor of the county where the property is located upon forms prescribed by the department of revenue and supplied by the county assessor.

2. Applications shall be filed by October 1 of the calendar year preceding the first assessment year for which the special valuation is sought.

3. Upon receipt of the application the assessor shall verify:
   (a) The assessed valuation of the building carried on the assessment roll twenty-four months prior to filing the application;
   (b) The owner of the property; and
   (c) Legal description and parcel or tax account number.

4. Within ten days after the filing of the application with the county assessor the application for special valuation shall be forwarded to the board for approval or denial.

458-15-030 Multiple applications.

If rehabilitation of a historic property is completed in more than one phase the cost of each phase shall be determined at the time of application.

458-15-040 Costs and fees.

The assessor may charge such fees as are necessary for the processing and recording of the certification and agreement for special valuation of historic property. These fees shall be payable to the county recording authority.
Qualifications.

Four criteria must be met for special valuation under this act. The property must:

1. Be an historic property;
2. Fall within a class of historic property determined eligible for special valuation by the local legislative authority under an ordinance or administrative rule;
3. Be rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the application for special valuation; and
4. Be protected by an agreement between the owner and the board as described in RCW 84.26.050(2).

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-050, filed 2/13/87.]

Processing of the agreement.

Upon receipt from the board of documentation that the property is an eligible historic property and the agreement between the applicant and the board, the assessor shall:

1. Record the original agreement, the certification and the application with the county recording authority.
2. Enter upon the assessment rolls for the subsequent year the special valuation as defined in WAC 458-15-015(13).
3. The assessor shall calculate and enter on the assessment rolls a special value each succeeding year. The property shall receive the special valuation until:
   a. Ten assessment years have elapsed; or
   b. The special valuation is lost through disqualification or removal.
4. Retain copies of all documents.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-060, filed 2/13/87.]

Disqualification or removal.

When property has been granted special valuation as historic property, the special valuation shall continue until the property is disqualified or removed by the assessor upon:

1. Expiration of the ten-year special valuation period;
2. Notice by the owner to remove the special valuation;
3. Sale or transfer to an ownership making it exempt from taxation;
4. Sale or transfer of the property through the exercise of the power of eminent domain;
5. Sale or transfer to a new owner; and
   a. The property no longer qualifies as historic property; or
   b. The new owner does not sign the notice of compliance contained on the real estate excise tax affidavit;
6. Determination by the board that the property no longer qualifies as historic property; or
7. Determination by the board and notice to the assessor that the owner has failed to comply with the conditions established under RCW 84.26.050, chapter 254-20 WAC or the agreement.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-070, filed 2/13/87.]

Disqualification or removal—Effective date.

The disqualification from special valuation shall be effective on the date the event that led to the disqualification occurs.

1. If the owner gives notice to discontinue the special valuation, the owner shall specify in the notice the effective date of removal.
2. In case of sale or transfer, the date of disqualification shall be the date of the instrument of conveyance.
3. If removal is based on a board decision, the board shall determine the effective date of disqualification to be the date of any disqualifying change in the property or the owner's noncompliance with conditions established under RCW 84.26.050. If the board does not specify the date of such an occurrence, then the date of the board order shall be the effective date of disqualification.
(4) After the board has sent notice to the owner that it has determined that property is disqualified or after property has been sold and no notice of compliance has been signed, the owner shall not be deemed able to act in the good faith belief that the property is qualified. Until such time, if the owner was acting in the good faith belief that the property remained qualified, the effective date of the disqualification shall be suspended during the pendency of that good faith belief. When an owner raises a good faith belief at a board proceeding, the board may enter a finding as to when the owner's good faith belief ceased.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-080, filed 2/13/87.]

458-15-090

Additional tax.

An additional tax shall be imposed upon the disqualification or removal from the special valuation provided for by chapter 84.26 RCW as follows:

(1) No additional tax shall be levied prior to the assessor notifying the owner by mail, return receipt requested, that the property is no longer qualified for special valuation.

(2) Except as provided for in subsection (3) of this section, an additional tax shall be due which is the sum of the following:

(a) The cost shall be multiplied by the levy rate for each year the property received the special valuation.

(b) For the year of disqualification or removal, the cost multiplied by the levy rate shall be multiplied by a fraction, the denominator of which is the number of days in the current year and the numerator of which shall be the number of days in the current year the property received the special valuation.

(c) Interest at the statutory rate on delinquent property taxes shall be added for each year of special valuation from April 30th of that year to the effective date of disqualification or removal.

(d) A penalty in the amount of twelve percent of the sum of (a), (b) and (c) of this subsection.

(3) No additional tax shall be due if the disqualification or removal resulted solely from:

(a) Expiration of the ten-year special valuation period;

(b) Sale or transfer of the property to an ownership making it exempt from taxation;

(c) Alteration or destruction through no fault of the owner; or

(d) A taking through the exercise of the power of eminent domain.

(4) The additional tax shall become a lien on the property which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the property may become charged or liable.

(5) The additional tax shall be due and payable in full within thirty days after the tax statement is rendered by the county treasurer and shall be delinquent and subject to:

(a) The delinquent property tax rate after that date; and

(b) Foreclosure as provided for in chapter 84.64 RCW.

Such additional tax when collected shall be distributed by the county treasurer in the same manner in which current taxes applicable to the subject property are distributed.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-090, filed 2/13/87.]

458-15-100

Appeals.

(1) The owner may appeal a determination of eligibility of special valuation by a local review board to superior court under RCW 34.05.510 through 34.05.598 or to the legislative authority if local ordinances so provide.

(2) Disqualification or removal of the property from special valuation may be appealed to the county board of equalization in accordance with RCW 84.40.038.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 09-04-034, § 458-15-100, filed 1/29/09, effective 3/1/09; WSR 87-05-022 (Order PT 87-2), § 458-15-100, filed 2/13/87.]
Exemption of portion of historic property.

When a portion of a historic property is exempt under chapter 84.36 RCW and rehabilitation was completed on the entire building, only the cost of rehabilitation attributable to that portion of the property that is not exempt shall be used for the special valuation. If the cost of rehabilitation for the nonexempt portion is not readily discernible, the allocation of the cost may be made on a square foot basis.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-110, filed 2/13/87.]

Revaluation and new construction.

(1) The assessor shall continue to revalue the historic property on the regular revaluation cycle, deducting the cost from the assessed value to determine the special valuation.

(2) While rehabilitation is being accomplished, the assessor shall assess the property as required by the new construction assessment dates contained in RCW 36.21.080.

[Statutory Authority: RCW 84.08.010(2) and 84.08.070. WSR 87-05-022 (Order PT 87-2), § 458-15-120, filed 2/13/87.]
Chapter 84.26 RCW
HISTORIC PROPERTY

RCW Sections

84.26.010 Legislative findings.
84.26.020 Definitions.
84.26.030 Special valuation criteria.
84.26.040 Application -- Fees.
84.26.050 Referral of application to local review board -- Agreement -- Approval or denial.
84.26.060 Notice to assessor of approval -- Certification and filing -- Notation of special valuation.
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84.26.080 Duration of special valuation -- Notice of disqualification.
84.26.090 Disqualification for valuation -- Additional tax -- Lien -- Exceptions from additional tax.
84.26.100 Payment of additional tax -- Distribution.
84.26.110 Special valuation -- Request for assistance from state historic preservation officer authorized.
84.26.120 Rules.
84.26.130 Appeals from decisions on applications.

84.26.010
Legislative findings.

The legislature finds and declares that it is in the public interest of the people of the state of Washington to encourage maintenance, improvement, and preservation of privately owned historic landmarks as the state approaches its Centennial year of 1989. To achieve this purpose, this chapter provides special valuation for improvements to historic property.

[1985 c 449 § 1.]
Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Historic property" means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is:

(a) Listed in a local register of historic places created by comprehensive ordinance, certified by the secretary of the interior as provided in P.L. 96-515; or

(b) Listed in the national register of historic places.

(2) "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.

(3) "Special valuation" means the determination of the assessed value of the historic property subtracting, for up to ten years, such cost as is approved by the local review board.

(4) "State review board" means the advisory council on historic preservation established under chapter 27.34 RCW, or any successor agency designated by the state to act as the state historic preservation review board under federal law.

(5) "Local review board" means a local body designated by the local legislative authority.

(6) "Owner" means the owner of record.

(7) "Rehabilitation" is the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its architectural and cultural values.

[1986 c 221 § 1; 1985 c 449 § 2.]

Special valuation criteria.

Four criteria must be met for special valuation under this chapter. The property must:

(1) Be an historic property;

(2) Fall within a class of historic property determined eligible for special valuation by the
local legislative authority;

(3) Be rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the application for special valuation; and

(4) Be protected by an agreement between the owner and the local review board as described in RCW 84.26.050(2).

[1986 c 221 § 2; 1985 c 449 § 3.]

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84.26.040

Application — Fees.

An owner of property desiring special valuation under this chapter shall apply to the assessor of the county in which the property is located upon forms prescribed by the department of revenue and supplied by the county assessor. The application form shall include a statement that the applicant is aware of the potential tax liability involved when the property ceases to be eligible for special valuation. Applications shall be made no later than October 1 of the calendar year preceding the first assessment year for which classification is requested. The assessor may charge only such fees as are necessary to process and record documents pursuant to this chapter.

[1986 c 221 § 3; 1985 c 449 § 4.]

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84.26.050

Referral of application to local review board — Agreement — Approval or denial.

(1) Within ten days after the filing of the application in the county assessor’s office, the county assessor shall refer each application for classification to the local review board.

(2) The review board shall approve the application if the property meets the criterion of RCW 84.26.030 and is not altered in a way which adversely affects those elements which qualify it as historically significant, and the owner enters into an agreement with the review board which requires the owner for the ten-year period of the classification to:

(a) Monitor the property for its continued qualification for the special valuation;

(b) Comply with rehabilitation plans and minimum standards of maintenance as defined in the agreement;
(c) Make the historic aspects of the property accessible to public view one day a year, if the property is not visible from the public right-of-way;

(d) Apply to the local review board for approval or denial of any demolition or alteration; and

(e) Comply with any other provisions in the original agreement as may be appropriate.

(3) Once an agreement between an owner and a review board has become effective pursuant to this chapter, there shall be no changes in standards of maintenance, public access, alteration, or report requirements, or any other provisions of the agreement, during the period of the classification without the approval of all parties to the agreement.

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

(5) The local review board is authorized to examine the records of applicants.

[1986 c 221 § 4; 1985 c 449 § 5.]

84.26.060
Notice to assessor of approval — Certification and filing — Notation of special valuation.

(1) The review board shall notify the county assessor and the applicant of the approval or denial of the application.

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

(3) The assessor shall record the certificate with the county auditor.

(4) The assessor, as to any historic property, shall value the property under RCW 84.26.070 and, each year the historic property is classified and so valued, shall enter on the assessment list and tax roll that the property is being specially valued as historic property.

[1985 c 449 § 6.]
84.26.070
Valuation.

(1) The county assessor shall, for ten consecutive assessment years following the calendar year in which application is made, place a special valuation on property classified as eligible historic property.

(2) The entitlement of property to the special valuation provisions of this section shall be determined as of January 1. If property becomes disqualified for the special valuation for any reason, the property shall receive the special valuation for that part of any year during which it remained qualified or the owner was acting in the good faith belief that the property was qualified.

(3) At the conclusion of special valuation, the cost shall be considered as new construction.

[1986 c 221 § 5; 1985 c 449 § 7.]

84.26.080
Duration of special valuation — Notice of disqualification.

(1) When property has once been classified and valued as eligible historic property, it shall remain so classified and be granted the special valuation provided by RCW 84.26.070 for ten years or until the property is disqualified by:

(a) Notice by the owner to the assessor to remove the special valuation;

(b) Sale or transfer to an ownership making it exempt from property taxation; or

(c) Removal of the special valuation by the assessor upon determination by the local review board that the property no longer qualifies as historic property or that the owner has failed to comply with the conditions established under RCW 84.26.050.

(2) The sale or transfer to a new owner or transfer by reason of death of a former owner to a new owner does not disqualify the property from the special valuation provided by RCW 84.26.070 if:

(a) The property continues to qualify as historic property; and

(b) The new owner files a notice of compliance with the assessor of the county in which the property is located. Notice of compliance forms shall be prescribed by the state department of revenue and supplied by the county assessor. The notice shall contain a statement that the new owner is aware of the special valuation and of the potential tax liability involved when the property ceases to be valued as historic property under this
chapter. The signed notice of compliance shall be attached to the real estate excise tax affidavit provided for in RCW 82.45.150. If the notice of compliance is not signed by the new owner and attached to the real estate excise tax affidavit, all additional taxes calculated pursuant to RCW 84.26.090 shall become due and payable by the seller or transferor at time of sale. The county auditor shall not accept an instrument of conveyance of specially valued historic property for filing or recording unless the new owner has signed the notice of compliance or the additional tax has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer.

(3) When the property ceases to qualify for the special valuation the owner shall immediately notify the state or local review board.

(4) Before the additional tax or penalty imposed by RCW 84.26.090 is levied, in the case of disqualification, the assessor shall notify the taxpayer by mail, return receipt requested, of the disqualification.

[2000 c 103 § 22; 1999 c 233 § 19; 1986 c 221 § 6; 1985 c 449 § 8.]

Notes:

Effective date -- 1999 c 233: See note following RCW 4.28.320.

84.26.090
Disqualification for valuation — Additional tax — Lien — Exceptions from additional tax.

(1) Except as provided in subsection (3) of this section, whenever property classified and valued as eligible historic property under RCW 84.26.070 becomes disqualified for the valuation, there shall be added to the tax an additional tax equal to:

(a) The cost multiplied by the levy rate in each year the property was subject to special valuation; plus

(b) Interest on the amounts of the additional tax at the statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the property had not been valued as historic property under this chapter; plus

(c) A penalty equal to twelve percent of the amount determined in (a) and (b) of this subsection.

(2) The additional tax and penalties, together with applicable interest thereon, shall become a lien on the property which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the property may become charged or liable.
(3) The additional tax, interest, and penalty shall not be imposed if the disqualification resulted solely from:

(a) Sale or transfer of the property to an ownership making it exempt from taxation;
(b) Alteration or destruction through no fault of the owner; or
(c) A taking through the exercise of the power of eminent domain.

[1986 c 221 § 7; 1985 c 449 § 9.]

84.26.100
Payment of additional tax — Distribution.

The additional tax, penalties, and/or interest provided by RCW 84.26.090 shall be payable in full thirty days after the date which the treasurer's statement therefor is rendered. Such additional tax when collected shall be distributed by the county treasurer in the same manner in which current taxes applicable to the subject land are distributed.

[1985 c 449 § 10.]

84.26.110
Special valuation — Request for assistance from state historic preservation officer authorized.

The local legislative authority and the local review board may request the assistance of the state historic preservation officer in conducting special valuation activities.

[1985 c 449 § 11.]

84.26.120
Rules.

The state review board shall adopt rules necessary to carry out the purposes of this chapter. The rules shall include rehabilitation and maintenance standards for historic properties to be used as minimum requirements by local review boards to ensure that the historic property is safe and habitable, including but not limited to:
(1) Elimination of visual blight due to past neglect of maintenance and repair to the exterior of the building, including replacement of broken or missing doors and windows, repair of deteriorated architectural features, and painting of exterior surfaces;

(2) Correction of structural defects and hazards;

(3) Protection from weather damage due to defective roofing, flashings, glazing, caulking, or lack of heat; and

(4) Elimination of any condition on the premises which could cause or augment fire or explosion.

[1985 c 449 § 12.]

84.26.130
Appeals from decisions on applications.

Any decision by a local review board on an application for classification as historic property eligible for special valuation may be appealed to superior court under RCW 34.05.510 through 34.05.598 in addition to any other remedy at law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization in accordance with RCW 84.40.038.

[2001 c 185 § 2; 1989 c 175 § 178; 1985 c 449 § 13.]

Notes:

Application -- 2001 c 185 §§ 1-12: See note following RCW 84.14.110.

Effective date -- 1989 c 175: See note following RCW 34.05.010.

84.26.900
Severability — 1985 c 449.

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

[1985 c 449 § 15.]