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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 08-153

RELATING TO HISTORIC PRESERVATION, REVISING POWERS AND DUTIES
OF THE SNOHOMISH COUNTY HISTORIC PRESERVATION COMMISSION,
PROVIDING FOR PROJECT FUNDING AND ADMINISTRATION, AND
CONTAINING A DEADLINE FOR COMMISSION ACTION

WHEREAS, the Snohomish County Historic Preservation Commission ("Commission") was created to carry out a variety of functions relating to the protection and preservation of archeological and historic resources, sites, and districts; and

WHEREAS, pursuant to RCW 36.22.170, the County Auditor collects a surcharge on recorded documents a part of which is deposited into the general fund for use at the discretion of the County Council to promote historical preservation or historical programs; and

WHEREAS, the County Council believes it appropriate that Council discretion under RCW 36.22.170 be exercised following a competitive process that includes submission of applications for project funding and Commission review and presentation of recommendations to the Council;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.96.030, adopted by Amended Ordinance No. 06-038 on December 13, 2006, is amended to read:

2.96.030 Powers and duties.

The commission shall have the following powers and duties:

(1) Survey historic resources and maintain, publicize and periodically update a comprehensive inventory of those resources within the boundaries of Snohomish County to be known as the Snohomish County Historic Resources Inventory.

(2) Solicit, review, and evaluate nominations to the local register and National Register of Historic Places as provided in chapter 30.32D SCC and in the National Historic Preservation Act, 16 U.S.C. 470. Designate to the local register, with owner consent, such buildings, sites, structures, objects, and districts identified by the commission as having historic significance worthy of recognition by Snohomish County according to the criteria listed in SCC 30.32D.040.

(3) Review proposals to modify, remodel, move, demolish, or significantly

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1 affect properties or districts on the register as provided in chapter 30.32D SCC,
2 and issue certificates of appropriateness or waivers of certificates of
3 appropriateness.

4 (4) Review and make recommendations to staff and/or county council
5 regarding applications for approvals, permits, environmental assessments or
6 impact statements and other similar documents pertaining to identified local,
7 state and national registered sites.

8 (5) Conduct and participate in public information, educational, interpretive,
9 and recognition-of-excellence programs pertaining to archaeological sites and
10 historic properties.

11 (6) Exercise the powers and duties contained in SCC 2.96.030(1)-(5) for
12 incorporated cities that have executed interlocal agreements with Snohomish
13 County for historic preservation services.

14 (7) Serve as the local review board for special valuation pursuant to
15 chapter 84.26 RCW, WAC 254-20-060, and WAC 254-20-070 as follows:

16 (a) Make determinations concerning the eligibility of individual properties
17 for special valuation.

18 (b) Verify that improvements are consistent with the Secretary of the
19 Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic
20 Buildings, referred to in WAC 254-20-100 and used by the Washington State
21 Advisory Council on Historic Preservation and by the commission.

22 (c) Enter into agreements pursuant to WAC 254-20-070(2).

23 (d) Approve or deny applications for special valuation.

24 (e) Monitor property for continued compliance with agreements entered
25 into under SCC 2.96.030(7)(c) and statutory eligibility requirements.

26 (f) Following receipt of an application for special valuation from the county
27 assessor, the commission shall, consistent with its adopted administrative rules,
28 determine if the property meets the criteria for special valuation as set forth in
29 SCC 4.31.050, and has not been altered in any way that adversely affects those
30 elements that qualify it as historically significant.

31 (g) If the commission finds that the property satisfies the criteria set forth
32 in SCC 2.96.030(7)(f), it shall, on behalf of Snohomish County, enter into an
33 agreement with the owner that, at a minimum, includes the provisions set forth in
34 WAC 254-20-120. Upon execution of said agreement between the owner and
35 the commission, the commission shall approve the application for special
36 valuation.

37 (h) If the commission determines that the property does not meet all of
38 the requirements for special valuation, then it shall deny the application.

39 (i) An application for special valuation submitted pursuant to SCC
40 4.31.060 shall be approved or denied by the commission before December 31 of
41 the calendar year in which the application is made. The commission shall certify
42 its decision in writing and state the facts upon which the approval or denial is
43 based. The commission shall file a copy of the certification with the county

1 assessor within ten days of issuing a decision.

2 (j) If the application is approved, the commission shall forward a copy of
3 the agreement, the application, and supporting documentation as required by
4 WAC 254-20-090(4) to the county assessor for recording and shall notify the
5 state review board that the property has been approved for special valuation.

6 (k) Once an application for special valuation has been approved, the
7 commission shall determine, according to its bylaws and rules of procedure,
8 whether the property has become disqualified, either because of the owner's
9 failure to comply with the terms of the agreement, or because of a loss of historic
10 value resulting from physical changes to the building or site. In the event that the
11 commission concludes that a property is no longer qualified for special valuation,
12 it shall notify the owner, the county assessor, and the state review board in
13 writing and state the facts supporting its findings.

14 (8) Make recommendations to the county council for use of funds
15 available for historic preservation or historical programs under RCW 36.22.170
16 following an application process to be developed by the commission and
17 approved by the council. In addition to other elements determined appropriate by
18 the commission, the application process shall include:

19 (a) provision for technical assistance by county economic development
20 program staff, if any;

21 (b) a means of comparing and evaluating applications, and making
22 recommendations on a competitive basis;

23 (c) a procedure for prioritizing projects and stating priorities in commission
24 recommendations; and

25 (d) one or more application deadlines, with recommendations to be
26 submitted to the council on an annual basis; provided that the council may
27 exempt specific projects from application deadlines or commission review.

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29 Section 2. Snohomish County Code Section 2.96.080, last amended by
30 Amended Ordinance No. 07-015 on March 21, 2007, is amended to read:

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32 **2.96.080 Staff.**

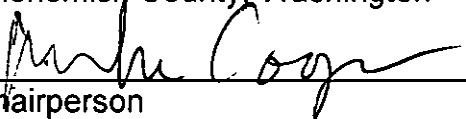
33 Staff assistance shall be provided for the commission by the county
34 executive subject to annual or biennial budget review and appropriation by the
35 county council.
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37 Section 3. **Implementation.** On or before April 1, 2009, the Snohomish County
38 Historic Preservation Commission shall submit to the Clerk of the Council a proposed

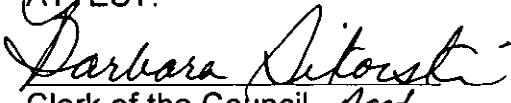
1 application process for funding historic preservation projects and programs for approval
2 by the County Council pursuant to SCC 2.96.030(8).

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4 PASSED this 4th day of March, 2008.9

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6 SNOHOMISH COUNTY COUNCIL
7 Snohomish County, Washington

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10 Chairperson

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12 ATTEST:

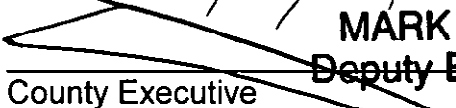
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14 Clerk of the Council, *Asst.*

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16 APPROVED

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18 () EMERGENCY

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20 () VETOED

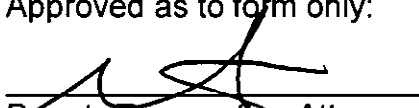
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23 DATE: 3/9/09

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25 **MARK SOINE**
26 **Deputy Executive**
27 County Executive

28 ATTEST:

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33 Approved as to form only:

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36 Deputy Prosecuting Attorney

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