Anacortes Historic Preservation Board

Procedure Manual

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Purpose

These Bylaws establish the rules and procedures under which the Anacortes Historic Preservation Board executes those duties and functions set forth in Anacortes Ordinance No. 2530.

Membership of the Board

1. The Board shall consist of five members, appointed by the City Council. Terms shall be for three years. Membership on Board shall be limited to two consecutive full terms. Members shall be selected without respect to political affiliation. All members must be residents of the City of Anacortes.
2. The Board will, by majority vote, elect a Chair and (optionally) a Vice Chair at the first meeting of each year who will serve throughout that year. The Chair:
    a. Decides all points of order and procedural matters subject to rules and bylaws, and
    b. May appoint committees as necessary to investigate and report on matters before the board.
3. The Vice Chair will serve in the absence of the Chair with the same power and duties.
4. Board staff may consist of:
    a. The Board itself or Committees of the Board for reviewing applications for completeness and inserting 'staff only' information, preparing staff reports and Board recommendations, meeting with applicants and owners, executing agreements, monitoring properties, maintaining the Historic Inventory and Register, and other responsibilities as determined.
    b. City Liaison for scheduling and notification of Designation Review meetings, fulfilling Certified Local Government (CLG) responsibilities, receiving applications, liaising with officials in the City of Anacortes, and other responsibilities as determined.
5. The Board members shall not receive any salary or other compensation for services rendered on the Board, but necessary expenses actually incurred and within the budget as set by the annual budget ordinance shall be paid.
6. Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term. Members may be removed, after public hearing of the City Council, for inefficiency, neglect of duty or malfeasance in office.
7. Reasons for removal may include:
    a. Absence from three consecutive regular meetings or six regular meetings in a twelve-month period, which shall be regarded as constituting resignation from the Board. This information will be forwarded to the Mayor and City Council by staff.
    b. Participation in a legally demonstrable case of conflict of interest.
8. Excused absences (sickness, death in the family, business trips or emergencies) will not affect the member's status, except in the case of extended illness or long absence in which case the member will be replaced. When a member is approaching the maximum number of absences, he/she will be notified of his/her impending removal. Verification of attendance will be based exclusively on the minutes of each meeting.

9. The Board shall always include at least two (2) professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, American studies, law, engineering, or real estate. The Board action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professions positions, unless the Board action is related to meeting Certified Local Government (CLG) responsibilities cited in the certification Agreement between the Anacortes City Council and the State Historic Preservation Officer.
10. No member of the Historic Preservation Board shall represent the Board in its official actions except as specifically authorized by majority vote.
11. Members shall refrain from discussing or expressing opinions on matters on the Board's agenda outside of Board meetings except as authorized ***in D***, or on the direction from the Chair.
12. To avoid conflict of interest, no Board member shall vote on the determination of any case in which he/she or members of his/her immediate family have a financial interest.
13. Board members shall not vote on any application or determination unless he/she has been in attendance at previous deliberations on the subject or shall have the approval of the Chair contingent on the Chair's determination that the member has familiarized himself/herself with the subject and the minutes of any meetings where the subject was discussed.

Rules and Procedures for Conducting Regular Meetings

Pre-Meeting

1. If there are agenda items, regular meetings will be held at 7:00 p.m. on the third Tuesday of every month in the library of the Anacortes Museum. In case of scheduling conflicts, the meeting place may be changed at the discretion of the Chair with three days' advance notice given to Board members and the public. If the third Tuesday of the month falls on an official holiday, the meeting may be changed to a time and place as determined by the Board at the preceding month's meeting. If such a change occurs, the regular meeting place will be posted as to the new time and place.
2. If there are no agenda items, the Chair may cancel the regular meeting after giving all Board members 48 hours and the public 24 hours advance notice. However, if three Board members express the desire to hold the meeting it shall convene as scheduled. If the meeting is canceled, a notice to that effect will be posted at the regular meeting place at the regular time.
3. Special meetings may be called by the Chair or by a majority of Board members. Board members will be given at least 48 hours advance notice of the time and place of such meetings.
4. All regular and special meetings will be open to the public and the date, place and agenda will be publicized in accordance with the Open Public Meetings Act (Chapter 42.30 RCW) except when a majority of Board members determine that an executive session is necessary as detailed in the Open Public Meetings Act (Chapter 42.30.110).

The agenda for regularly scheduled meetings shall be posted and advertised six days prior to the regularly scheduled meetings.

5. The order of agenda items will be determined by their order of receipt. All applications, including designation review, special valuation review and National Register review must be filed at least one month before the meeting at which the case is to be considered.
6. Staff shall be responsible for notifying principals in each case as specified under the rules for review procedures.

Regular Order of Business for Meetings

1. Business will be conducted under common business meeting protocol. Robert's Rules of Order may be invoked at the demand of any Board member in attendance, except where this contradicts the Bylaws or other special rules adopted by the Board. All issues will be decided by simple majority vote except amendments to the Bylaws, which require a vote of two-thirds of the membership.
2. Three members of the non-vacant membership of the Board constitute a quorum. Meetings without a quorum will be recessed to the earliest possible date.
3. Minutes will be taken during all Board proceedings, approved by email, and published on the AHPB web site within two weeks of the meeting. Additionally, meetings may be audio and/or video recorded.
4. The regular order of business shall be as follows:
    a. Roll call
    b. Reading and adoption of minutes
    c. Report of committees
    d. Unfinished business
    e. New business
    f. Adjournment

Post Meeting

1. Staff will be responsible for notifying participants as called for under rules for specific review procedures.
2. Staff will be responsible for forwarding materials to participants as called for under rules for specific review procedures.

Anacortes Historic Preservation Board Rules and Procedures for Anacortes Register of Historic Places Designation Review

Under the provisions of the City of Anacortes Historic Preservation Ordinance #2530 the Anacortes Historic Preservation Board is directed to initiate and maintain an Anacortes Register of Historic Places (ARHP or Register) and to review nominations to the Register (Ordinance 2530, Section 5).

1. Any building, structure, site or object may be placed on the ARHP if:
    a. The Board determines that is meets ARHP criteria
    b. There is owner consent for placement
    c. It is approved by the Anacortes City Council

2. Any individual, group of property owners or other interested group or association, City Council member, Anacortes Historic Preservation Board member or the Board as a whole may nominate a building, structure, site or object for inclusion on the Register.

Procedures for Conducting Designation Review Meetings

Pre-Meeting

1. The Applicant or Designated Agent submits the completed application to the Museum Director.
2. The Director forwards an electronic version of the submitted application to the Preservation Board members.
3. Anacortes Historic Preservation Board:
    a. Reviews the nomination.
        i. Unacceptable nominations will be returned to the Applicant or Designated Agent with an explanation of why the nomination cannot be accepted.
    b. Two or more members visit the subject property.

Posting Procedure

For acceptable nominations, the City Liaison:

1. Reserves a room at City Hall for the hearing on the next regularly scheduled meeting date that is at least 30 calendar days into the future.
2. Completes the Public Hearing Notice, including the date, place, and time of the hearing, address of property being nominated and has
    a. The City's legal department ensure that all legal requirements have been met.
    b. The Mayor or other ranking City official approve payment for publication of the legal notice publication in the *Anacortes American*.
3. Takes the approved notice to the City Clerk to be signed.
4. Sends a copy of the public hearing notice to the *Anacortes American.*
    a. The cover memo should note that the City is to be billed.
5. Posts signed copies of the public hearing notice in the Library, the Post Office and on the second floor bulletin board in City Hall
    a. *NOTE* that permission to post must be secured from the Library and the Post Office (they will do the actual posting). The Liaison can post notices in City Hall.
6. Delivers two signed copies of the public hearing notice to the Building Department
    a. One copy for posting in front of the nominated property.
    b. One copy for the Building Department's records
7. Files the original signed copy in the AHBP designated file cabinet in the Museum Research Library.
8. Prepares and signs the Certificate of Posting and files it with the original signed copy of the public hearing notice.

Meeting

1. Designation review will occur at a regularly scheduled meeting time and date.
2. The regular order of business for consideration of applications to the Anacortes Register of Historic Places shall be as follows:
    a. The Chair or Chair-designated person shall offer a preliminary statement concerning the application.
    b. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
    c. Statements in opposition to the application.
    d. Comments by City of Anacortes Planning Department, interested persons, organizations or legal entities.
    e. Rebuttal by all concerned parties.
    f. AHPB comments.
    g. Summary of above by Chair or designated person.
    h. Deliberation by Board.
    i. The motion for the recommendation should be based on the designation criteria.
3. During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the Board.
4. Board members apply the designation criteria, as outlined in the City Ordinance, to the property to evaluate the nomination. The members should consider information related to the designation criteria as presented above during the designation meeting and from the site visit. The Board:
    a. Establishes the context for evaluating the property.
    b. Evaluates the integrity of the property.
    c. Determines if there are special conditions that might make the property ineligible.
    d. Determines if the property meets the criteria.
    e. Votes on the nomination.

Post Meeting

1. The designated Secretary for the meeting:
    a. Prepares the Board's report as a finding of fact, clearly stating the relevant designation criteria and how the property meets or fails to meet the criteria.
    b. Notifies the owner and applicant in writing of the Board's recommendation within one week of the meeting.
        i. Notifies the applicant of the appeals process if the recommendation is against placement of the property on the Register.
2. The City Liaison will
    a. Obtains the owner's written permission for placing the property on the Register.
    b. Forwards the Board's recommendation, the application, and supporting documentation, including letters of support and opposition, and the owner's written permission to the City Council for final determination.
    c. Notifies applicant of the City Council's final decision.

   d. If the property is listed on the Register, notifies the Building and Planning Departments.

3. The Anacortes City Council

   The City Council can concur with or reject the Board's recommendation, or send the case back to the Board for further study. If the Council:

   a. Concurs with a positive recommendation, and the owner's permission has been secured, the property is listed on the Anacortes Register of Historic Places.
   b. Concurs with a negative recommendation, the property is not listed on the Anacortes Register of Historic Places.
   c. Rejects a positive recommendation by the Board, the Board at its next regularly scheduled meeting, will decide whether any other protection for the property is necessary or possible, including initiation of the National Register process.
   d. Rejects a negative recommendation by the Board, the Board, at its next regularly scheduled meeting, votes on whether to continue the case by providing more documentation or to concur with the Council's decision to list the property on the Register.

Appeals or Resubmission

1. A negative recommendation or a non-acceptance of an application by the Board is not irrevocable. If new information becomes available or if the applicant wishes, the application may be resubmitted to the Board. In such a case, the entire procedure must be followed.
2. If the applicant disagrees with the Board's recommendation, the applicant may present the case directly to City Council. In such a case, documentation shall be limited to that nomination material presented during the Anacortes Historic Preservation Board public meeting and the minutes of that meeting. At least one Board member will present the case along with the appellant(s) at this meeting.

Additional Considerations

1. Once a property has been approved by the Board for placement on the Anacortes Register of Historic Places, the certificate of appropriateness review process becomes effective. If the City Council does not concur with the Board's recommendation and the property is not listed, the review process no longer applies.
2. In the event that any property is no longer deemed appropriate for designation on the Anacortes Register of Historic Places, the Board may initiate removal by following the same procedure as provided for listing.
3. In its designation recommendation, the Board shall consider the Anacortes Historic Inventory and the City Comprehensive Plan.

Anacortes Register of Historic Places Application Standards

The application form is an electronic file that is downloaded from the AHPB web-site (http://museum.cityofanacortes.org/AHPB/). All form fields but for those designated 'staff only' must be completed by the applicant and submitted in the same file format type as the native application form (e.g., *.doc). Photographs and additional documentation may be placed on

pages appended to the form or submitted in separate electronic files (with documentation of the association of each file to specific items of the application).

An acceptable Anacortes Register of Historic Places application is a nomination form completed according to uniform guidelines as presented in National Register of Historic Places or Washington State Register of Historic Places: A Nomination Guide, from the Washington State Office of Archaeology and Historic Preservation. All interior and exterior features and outbuildings that contribute to the designation should be mentioned and described.
The completed form is to be presented in its original electronic format along with the following documentation:

1. Satellite imagery of the property and its immediate environs, OR
    a. A U.S.G.S. map with the UTM reference points identified.
    b. A city map indicating the significant property elements and property boundaries.
2. Photographs detailing the historic nature of the property. If submitted in separate files, photo documentation should digital and in jpeg (*.jpg), png (*png), or gif (*.gif) format. Each photo file must be no larger than 2 Mbytes.

Nominations with insufficient documentation will be returned to the applicant and not accepted until the deficiencies are remedied.

Anacortes Historic Register Criteria

The following are criteria for the inclusion of properties on the Anacortes Register of Historic Places as stated in the Anacortes Historic Preservation Ordinance, Section 5.
Any building, structure, site or object may be placed on the ARHP if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of Anacortes; has historical integrity; is at least 50 years old, or, if younger, possesses exceptional importance; and if it meets at least one of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of national, state or local history.
2. It embodies the distinctive architectural characteristics of a type, period, style, or method of construction, or represents a significant and distinguishable entity whose components may lack individual distinction.
3. It is an outstanding work of a designer, builder or architect who has made a substantial contribution to the art.
4. It exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering or architectural history.
5. It is associated with the lives of persons significant in national, state or local history.
6. It has yielded or is likely to yield important archaeological information related to history or prehistory.
7. It is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with an historic person or event.
8. It is a birthplace or grave of an historical fixture of outstanding importance and is the only surviving structure or site associated with that person.
9. It is a cemetery that derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns.

10. It is a reconstructed building that has been executed in a historically accurate manner on the original site.
11. It is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories.

Designation Review Procedures for Applicant

Pre-Meeting

The Applicant or designated agent:

1. Obtains application form from the Anacortes Historic Preservation Board web-site.
2. Submits the completed application to the Anacortes Museum Director.
    a. The Director will advise the applicant of the available means for submitting the electronic files.

Meeting

The Applicant or designated agent:

1. Presents statements in favor of the application including relevant pictures, models, etc.

Post Meeting

If the Applicant or designated agent disagrees with the AHP Board recommendation:

1. Application may be resubmitted.
2. Case may be presented directly to City Council.

Anacortes Historic Preservation Board Staff Designation Review Procedures

Pre-Meeting

1. AHPB provides application forms to applicant.
2. Museum staff receives the application and forwards completed materials to AHP Board.
3. Notifies the Board of application submission.
4. AHP Board places completed application on next meeting agenda provided there is 30 days advance notice.

Post Meeting

1. After the meeting, Museum Staff or the Chairman of the AHPB will:
    a. Prepare the Board's report as a finding of fact, clearly stating the relevant designation criteria and how the property meets or fails to meet the criteria.
    b. Notify owner and applicant in writing of the AHP Board's recommendation within one week of the meeting.
    c. Notify applicant of the appeals process if the recommendation is against placement of the property on the Register.
    d. Attempt to get the owner's written permission for placement of the property on the Register if the recommendation is for placement on the Register.

e. Forward the Board's recommendation, the application, and supporting documentation, including letters of support and opposition, and the owner's written permission to the City Council for final determination.
f. Notifies the Building and Planning Departments if the property is listed on the Register.
g. Notifies applicant of the City Council's final decision.
h. Notifies Anacortes Historic Preservation Board of Council's final decision.

Anacortes Historic Preservation Board Designation Review Procedures

Pre-Meeting

1. Anacortes Historic Preservation Board:
    a. Reviews the nomination.
    b. Visits the property.

Meetings

The regular order of business for consideration of applications to the Anacortes Register of Historic Places shall be as follows:

1. The Chair or Chair-designated person shall offer a preliminary statement concerning the application.
2. The applicant or the designated agent of the applicant presents statements in favor of the application including relevant pictures, models, etc.
3. Statements in opposition to the application.
4. Comments by City of Anacortes Planning Department, interested persons, organizations, or legal entities.
5. Rebuttal by all concerned parties.
6. Staff comments.
7. Summary of above by Chair or designated person.
8. Deliberation by Board.
9. The motion for the recommendation should be based on the designation criteria.

Board members apply the designation criteria, as outlined in the City Ordinance, to the property or district to evaluate the nomination. The members should consider information related to the designation criteria as presented above during the designation meeting and from the site visit.
The Board:

1. Determines the category of historic property.
2. Establishes the context for evaluating the property.
3. Identifies the level of significance.
4. Evaluates the integrity of the property.
5. Determines if there are special conditions that might make the property eligible.
6. Determines if the property meets the criteria.
7. Votes on the recommendation.

Post Meeting

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

1. If a positive recommendation was rejected, decides whether any other protection for the property is necessary or possible, including initiation of the National Register process.
2. If a negative recommendation is rejected, votes on whether to continue the case by providing more documentation, or to concur with the Council decision and list the property on the Register.