

ORDINANCE NO. 2530

AN ORDINANCE, to provide for the identification, evaluation, and protection of historic resources within the City of Anacortes and to preserve and rehabilitate eligible historic properties within the City of Anacortes for future generations through special valuation, a property tax incentive, as provided in Chapter 84.26 RCW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANACORTES
as follows:

SECTION 1. PURPOSE

The purpose of this ordinance is to provide for the identification, evaluation, and protection of historic resources within the City of Anacortes and to preserve and rehabilitate eligible historic properties within the City of Anacortes for future generations through special valuation, a property tax incentive, as provided in Chapter 84.26 RCW in order to:

- A. Safeguard the heritage of the City of Anacortes as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the City of Anacortes' history;
- B. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the City of Anacortes' history;
- C. Stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects;
- D. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;
- E. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
- F. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

SECTION 2. SHORT TITLE

The following sections shall be known and may be cited as the "Historic Preservation Ordinance of the City of Anacortes."

SECTION 3. DEFINITIONS

The following words and terms when used in this ordinance shall mean as follows, unless a different meaning clearly appears from the context:

- A. "The City of Anacortes Historic Inventory" or "Inventory" means the comprehensive inventory of historic resources within the boundaries of the City of Anacortes.
- B. "The City of Anacortes Historic Preservation Board" or "Board" means the Board created by Section 4 thereof.
- C. "The City of Anacortes Register of Historic Places", "Local Register", or "Register" means the local listing of properties provided for in Section 5 thereof.
- D. "Actual Cost of Rehabilitation" means cost incurred within twenty-four months prior to the date of application for Special Valuation and directly resulting from one or more of the following:
 - 1) improvements to an existing building located on or within the perimeters of the original structure; or
 - 2) 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; or
 - 3) architectural and engineering services attributable to the design of the improvements; or
 - 4) all costs defined as "qualified rehabilitation expenditures" for purposes of the Federal Historic Preservation Investment Tax Credit.
- E. A "building" is a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.
- F. "Certificate of Appropriateness" means the Board has reviewed the proposed changes to the local register property and has certified the changes as not adversely affecting the historic characteristic of the property which contribute to its designation as provided for in Section 5.
- G. "Certified Local Government" or "CLG" means the local government has been certified by the State Historical Preservation Officer as having established its own historical preservation board and a program meeting Federal and State standards.
- H. "Class of properties eligible to apply for Special Valuation in the City of Anacortes" means all properties listed on the National Register of Historic Places or certified as contributing to a National Register Historic District which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW, until the City of Anacortes becomes a Certified Local Government (CLG).

Once a CLG, the class of properties eligible to apply for Special Valuation in the City of Anacortes means those properties listed on the City of Anacortes Register of Historic Places or those properties listed on the National Register of Historic Places, or properties certified as contributing to a National Register Historic District, or have been determined as eligible for listing in the National Register of Historic Places which have been substantially rehabilitated at a cost and within a time period which meet the requirements set forth in Chapter 84.26 RCW.

- I. "Cost" means the actual cost of rehabilitation, which cost shall be at least twenty-five (25) percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.
- J. A "district" is a geographically definable area - urban or rural, small or large - possessing a significant concentration, linkage, or continuity of sites buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.
- K. "Emergency repair" means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.
- L. "Historic property" means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is listed in a local register of a Certified Local Government or the National Register of Historic Places.
- M. "Incentives" are such rights or privileges or combination thereof which the Anacortes City Council, or other local, state, or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of Register properties.

Examples of economic incentives include, but are not limited to, tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, beneficial placement of public improvements or amenities, or the like.

- N. "Local Review Board", or "Board," used in Chapter 84.26 RCW and Chapter 254-20 WAC for the special valuation of historic properties, means the board created in Section 4.
- O. "National Register of Historic Places" means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering, or cultural heritage.
- P. An "object" is a 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.

- Q. "Ordinary repair and maintenance" means work for which a permit issued by the City of Anacortes is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage.
- R. "Owner" of property is the owner of record as it exists on the Skagit County Assessor's records.
- S. "Significance" or "significant" used in the context of historic significance means the following: a property with local, state, or national significance is one which helps in the understanding of the history of the local area, state, or nation (whichever is applicable) by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area includes the City of Anacortes, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.
- T. A "site" is a place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupation or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may not have been actively occupied. A site may be the location of a ruined or now non-extant building or structure with the location itself possessing historic, cultural or archaeological significance.
- U. "Special Valuation for Historic Properties" or "Special Valuation" means the local option program which when implemented makes available to property owners a special tax valuation for rehabilitation of historic properties under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation. (Chapter 84.26 RCW).
- V. "Washington Heritage Register" means the state listing of properties significant to the community, state, or nation but which do not meet the criteria of the National Register.
- W. A "structure" is a work made up of interdependent and inter-related parts in a definite pattern of organization, constructed by mankind.
- X. "Universal Transverse Mercator" or "UTM" means the grid zone in metric measurement providing for an exact point of numerical reference.

- Y. "Waiver of a Certificate of Appropriateness" or "Waiver" means the Board has reviewed the proposed whole or partial demolition of a local register property or in a local register historic district and failing to find alternatives to demolition has issued a Waiver of a Certificate of Appropriateness which allows the building or zoning official to issue a permit for demolition.
- Z. "Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties" or "State Advisory Council's Standards" also known as the U.S. Secretary of the Interior's Standards for Rehabilitation means the rehabilitation and maintenance standards used by the City of Anacortes Historic Preservation Board 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.

SECTION 4. CITY OF ANACORTES HISTORIC PRESERVATION BOARD

A. Creation and Size

There is hereby established a City of Anacortes Historic Preservation Board, consisting of five (5) members, as provided in subsection "B" below. Members of the City of Anacortes Historic Preservation Board shall be appointed by the Anacortes City Council. Board members must be residents of the City of Anacortes.

B. Composition of the Board

1. All members of the Board must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgment.
2. 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 and 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 professional 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.
3. In making appointments, the Anacortes City Council may consider names submitted from any source, but the Anacortes City Council shall notify history-related and City of Anacortes development-related organizations of vacancies so that names of interested and qualified individuals may be submitted by such organizations for consideration along with names from any other source.

C. Terms

The original appointment of members to the Board shall be as follows: three (3) for two (2) years, and two (2) for three (3) years. Thereafter, appointments shall be made for a three (3) year term. Vacancies shall be filled by the Anacortes City Council for the un-expired term in the same manner as the original appointment. No member shall serve more than two consecutive terms.

D. Powers and Duties

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

In carrying out these responsibilities, the Historic Preservation Board shall engage in the following:

1. Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the City of Anacortes and known as the City of Anacortes Historic Inventory; publicize and periodically update inventory results. Properties listed on the inventory shall be recorded on official building permit records with an "HI" (for Historic Inventory) designation. This designation shall not change or modify the underlying zone classification.
2. Initiate and maintain the City of Anacortes Register of Historic Places. This official register shall be compiled of buildings, structures, sites, and objects identified by the Board as having historical significance worthy of recognition by the City of Anacortes and encouragement of efforts of owners to maintain, rehabilitate, and preserve such properties.
3. Review nominations to the City of Anacortes Register of Historic Places according to criteria in Section 5 of this ordinance and adopt standards in its rules to be used to guide this review.
4. Review proposals to construct, change, alter, modify, remodel, move, demolish, and significantly affect properties on the register as provided in Section 5; and adopt standards in its rules to be used to guide this review and the issuance of a Certificate of Appropriateness or Waiver.
5. Provide for the review either by the Board or its staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources and adjacent properties.

6. Conduct all Board meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and adopt standards in its rules to guide this action.
7. Participate in, promote and conduct public information, and educational programs pertaining to historic resources.
8. 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 City of Anacortes.
9. Review and comment to the City of Anacortes Council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the City of Anacortes, the state or federal governments, as they relate to historic resources of the City of Anacortes.
10. Advise the City of Anacortes Council generally on matters of historic preservation.
11. Perform other related functions assigned to the Board by the Anacortes City Council.
12. Provide information to the public on methods of maintaining and rehabilitating historic properties. This may take the form of pamphlets, newsletters, workshops, or similar activities.
13. Officially recognize excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas; and encourage appropriate measures for such recognition.
14. Be informed about and provide information to the public and City of Anacortes departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive re-use of historic properties.
15. Submit nominations to the Washington Heritage Register and National Registers of Historic Places.
16. Investigate and report to the City of Anacortes Council on the use of various federal, state, local, or private funding sources available to promote historic resource preservation in the City of Anacortes.

17. Serve as the local review board for Special Valuation and:
- a) Make determination concerning the eligibility of historic properties for Special Valuation;
 - b) Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance;
 - c) Enter into agreements with property owners for the duration of the Special Valuation period as required under WAC 254-20-070(2);
 - d) Approve or deny applications for Special Valuation;
 - e) Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the 10 year Special Valuation period; and
 - f) Adopt bylaws and/or administrative rules and comply with all other local review board responsibilities identified in Chapter 84.26 RCW.
18. The Board shall adopt rules of procedure to address items 3, 4, 6, and 17 inclusive with Council confirmation.

E. Compensation

All members shall serve without compensation.

F. Rules and Officers

The Board shall establish and adopt its own rules of procedure, and shall select from among its membership a chairperson and such other officers as may be necessary to conduct the Board's business.

G. Board Staff

Board and professional staff assistance shall be provided by Museum staff with additional assistance and information to be provided by other City of Anacortes department staff as available to aid the Board in carrying out its duties and responsibilities under this ordinance.

SECTION 5. CITY OF ANACORTES REGISTER OF HISTORIC PLACES

A. Criteria for Determining Designation in the Register

Any building, structure, site, or object may be designated for inclusion in the City of Anacortes Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least 50 years old, or is of a lesser age and has exceptional importance; and if it falls into at least one of the following categories.

1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.

2. Embodies the distinctive architectural characteristics of a type, period, style, or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction.
3. Is an outstanding work of a designer, builder or architect who has made a substantial contribution to the art.
4. Exemplifies or reflects special elements of the City of Anacortes' cultural, social, economic, political, aesthetic, engineering, or architectural history.
5. Is associated with the lives of persons significant in national, state, or local history.
6. Has yielded or may be likely to yield important archaeological information related to history or prehistory.
7. 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. Is a birthplace or grave of an historical figure of outstanding importance and is the only surviving structure or site associated with that person.
9. Is a cemetery that derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns.
10. Is a reconstructed building that has been executed in a historically accurate manner on the original site.
11. 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.

B. Process for Designating Properties to the City of Anacortes Register of Historic Places

1. Any person may nominate a building, structure, site, or object, for inclusion in the City of Anacortes Register of Historic Places. Properties may only be registered with the owner's consent. Members of the Historic Preservation Board or the Board as a whole may generate nominations. In its designation decision, the Board shall consider the Anacortes Historic Inventory and the City of Anacortes Comprehensive Plan.
2. In the case of individual properties, the designation shall include the UTM reference and all features -- interior and exterior -- and outbuildings that contribute to its designation.

3. The Historic Preservation Board shall consider the merits of the nomination, according to the criteria in Section 5.A. and according to the nomination review standards established in rules, at a public meeting.

Adequate notice will be given to the public, the owner(s) and the authors of the nomination, if different, and lessees, if any, of the subject property prior to the public meeting according to standards for public meetings established in rules and in compliance with Chapter 42.30 RCW, Open Public Meetings Act. Such notice shall include publication in a newspaper of general circulation in the Anacortes area and posting of the property. If the Board finds that the nominated property is eligible for the City of Anacortes Register of Historic Places, and secures the owners consent, the Board shall make a recommendation to the Anacortes City Council that the property be listed in the register. The public, property owner(s) and the authors of the nomination, if different, and lessees, if any, shall be notified of the listing.

4. Properties listed on the City of Anacortes Register of Historic Places shall be recorded on official building permit records with an "HR" (for Historic Register) designation. This designation shall not change or modify the underlying zone classification.

C. Removal of Properties from the Register

In the event that any property is no longer deemed appropriate for designation to the City of Anacortes Register of Historic Places, the Board may initiate removal from such designation by the same procedure as provided for in establishing the designation, Section 5.A. A property may be removed from the City of Anacortes Register without the owner's consent.

A property may be removed from designation by the owner upon proper notification of the Board.

D. Effects of Listing on the Register

1. Listing on the City of Anacortes Register of Historic Places is an honorary designation denoting significant association with the historic, archaeological, architectural, engineering, or cultural heritage of the community. Properties are listed individually.
2. Prior to the commencement of any repair or rehabilitation on a register property, excluding ordinary repair and maintenance and emergency measures defined in Section 8.C.4., the owner must request and receive a Certificate of Appropriateness from the Board for the proposed work. Violation of this rule shall be grounds for the Board to review the property for removal from the register.
3. Prior to whole or partial demolition of a register property, the owner must request and receive a Waiver of a Certification of Appropriateness.

4. Once the City of Anacortes is certified as a Certified Local Government (CLG), all properties listed on the City of Anacortes Register of Historic Places may be eligible for a special tax valuation on their rehabilitation (Section 8).

SECTION 6. REVIEW OF CHANGES TO THE CITY OF ANACORTES REGISTER OF HISTORIC PLACES PROPERTIES

A. Review Required

No person shall change the use, construct any new building or structure, or reconstruct, alter, restore, remodel, repair, move, or demolish any existing property on the City of Anacortes Register of Historic Places without review by the Board and without receipt of a Certificate of Appropriateness, or in the case of demolition, a Waiver, as a result of the review.

The review shall apply to all features of the property, interior and exterior that contribute to its designation and are listed on the nomination form. Information required by the Board to review the proposed changes are established in rules.

B. Exemptions

The following activities do not require a Certificate of Appropriateness or review by the Board: ordinary repair and maintenance that include painting or emergency measures defined in Section 3.K.

C. Review Process

1. Requests for Review and Issuance of a Certificate of Appropriateness or Waiver

The building official shall report any application for a permit to work on a designated City of Anacortes Register property to the Board. Board review will occur concurrently with City permit review process. If the activity is not exempt from review, the Board shall notify the applicant of the review requirements. The building official shall not issue any such permit until a Certificate of Appropriateness or a Waiver is received from the Board, but shall work with the Board in considering building and fire code requirements. Life safety codes must be maintained.

2. Board Review

The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the Board for a review of proposed changes on a City of Anacortes Register property and request a Certificate of Appropriateness or, in the case of demolition, a Waiver. Each application for review of proposed changes shall be accomplished by such

information as is required by the Board established in its rules for the proper review of the proposed project.

The Board shall meet with the applicant and review the proposed work according to the design review criteria established in rules. Unless legally required, there shall be no notice, posting, or publication requirements for action on the application, but all such actions shall be made at regular meetings of the Board.

The Board shall complete its review and make its recommendations within thirty (30) days of the date of receipt of the application. If the Board is unable to process the request, the Board may ask for an extension of time. The Board's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted if the owner agrees to the Board's recommendations,

The Board, according to the standards established in the Board's rules, shall award a Certificate of Appropriateness. The Board's recommendations and, if awarded, the Certificate of Appropriateness shall be transmitted to the building or zoning official. If a Certificate of Appropriateness is awarded, the building or zoning official may then issue the permit.

3. Demolition

A Waiver of the Certificate of Appropriateness is required before a permit may be issued to allow whole or partial demolition of a designated City of Anacortes Register property. The owner or his/her agent shall apply to the Board for a review of the proposed demolition and request a Waiver. The applicant may meet with the Board in an attempt to find alternatives to demolition. These negotiations may last no longer than forty-five (45) days from the initial meeting of the Board, unless either party requests an extension. If no request for an extension is made and no alternative to demolition has been agreed to, the Board shall act and advise the official in charge of issuing a demolition permit of the approval or denial of the Waiver of a Certificate of Appropriateness. Conditions in the case of granting a demolition permit may include allowing the Board up to forty-five (45) additional days to develop alternatives to demolition. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permit granted. After the property is demolished, the Board shall initiate removal of the property from the register.

4. Appeal of Approval or Denial of a Waiver of a Certificate of Appropriateness

The Board's decision regarding a Waiver of a Certificate of Appropriateness may be appealed to the City of Anacortes Council within ten (10) days. The appeal must state the grounds upon which the appeal is based. The appeal shall be reviewed by the Anacortes City Council with comments to Council presented by at least one

Board member and the appellant(s), in addition to all records pertaining to appeal. Owner retains option, after Council appeal, to remove property from the Register. Appeal of the City Council's decision regarding a Waiver of a Certificate of Appropriateness may be appealed to Superior Court.

SECTION 7. RELATIONSHIP TO ZONING

Properties designated to the Register shall be subject to the provisions set forth herein, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions.

SECTION 8. REVIEW AND MONITORING OF PROPERTIES FOR SPECIAL PROPERTY TAX VALUATION

A. Time Lines

1. Rehabilitation work is begun and completed within two (2) years prior to date of application for Special Property Tax Valuation.
2. Applicant submits application to the Skagit County Assessor before October 1 (if Special Valuation is desired for the following year).
3. Assessor completes the review and submits the application to the Board within ten (10) working days.
4. The Board approves (or denies) the application and executes agreements (for approved applications) before December 31.
5. The Board submits the approved application and agreement to the Skagit County Assessor, recording such documents, within ten (10) days of the Board's decision.
6. Special valuation becomes effective January 1 (year one).
7. Taxes reflect Special Valuation for the second through eleventh years.
8. Special Valuation ends on the tenth year.
9. Taxes reflect revaluation of property following the end of Special Valuation in the twelfth year.

B. Procedure

1. The assessor forwards the application(s) to the Board.
2. The Board reviews the application(s), consistent with its rules of procedure, and determines if the application(s) are complete and if the properties meet the criteria set forth in WAC 254-20-070(1) and listed in Section 5 of this ordinance.

- a. If the Board finds the properties meet all the criteria, then, on behalf of the City of Anacortes, it enters into an Historic Preservation Special Valuation Agreement (set forth in WAC 254-20-120 and in Section 8.D. of this ordinance) with the owner. Upon execution of the agreement between the owner and Board, the Board approves the application(s).
 - b. If the Board determines the properties do not meet all the criteria, then it shall deny the application(s).
3. The Board certifies its decisions in writing and states the facts upon which the approvals or denials are based and files copies of the certifications with the assessor.
 4. For approved applications the Board:
 - a. Forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4) and identified in Section 8.2. of this ordinance) to the assessor,
 - b. Notifies the state review board that the properties have been approved for Special Valuation, and
 - c. Monitor the properties for continued compliance with the agreements throughout the ten- (10) year Special Valuation Period.
 5. The Board determines, in a manner consistent with its rules of procedure, whether or not properties are disqualified from special valuation either because of
 - a. the owner's failure to comply with the terms of the agreement or
 - b. a loss of historic value resulting from physical changes to the building or site.
 6. For disqualified properties, in the event that the Board concludes that a property is no longer qualified for Special Valuation, the Board shall notify the owner, assessor and state review board in writing and state the facts supporting its findings.

C. Criteria

1. Historic Property Criteria:

The class of historic property eligible to apply for Special Valuation in the City of Anacortes means all properties listed on the National Register or certified as contributing to a National Register Historic District which have been substantially rehabilitated at a cost and within a time period (84.26 RCW), until the City of Anacortes becomes a Certified Local Government (CLG).

Once a CLG, the class of property eligible to apply for Special Valuation in the City of Anacortes means all properties listed on the City of Anacortes Register of Historic Places or those properties listed in the National Register of Historic Places, or property certified as contributing to a National Register Historic District, or have been determined as eligible for listing in the National Register of Historic Places which have been substantially rehabilitated at a cost and within a time period which meet the requirements set forth in Chapter 84.26 RCW.

2. Application Criteria:

Complete applications shall consist of the following documentation:

- a. A legal description of the historic property,
- b. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation.
- c. Architectural plans, existing architectural plans (if available) or other legible drawings depicting the completed rehabilitation work, and
- d. 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 and documentation of both to be made available to the Board upon request, and
- e. For properties located within historic districts, in addition to the standard application documentation, a statement from the secretary of the interior or appropriate local official, as specified in local administrative rules or by the local government, indicating the property is a certified historic structure is required.

3. Property Review Criteria:

In its review the Board shall determine if the properties meet all the following criteria:

- a. The property is historic property;
- b. The property is included within a class of historic properties determined eligible for Special Valuation by the City of Anacortes under Section 5 of this ordinance;
- c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) (and identified in Section 5 of this ordinance) within twenty-four (24) 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 as determined by applying Washington State Advisory Council's Standards for Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1) and listed in Section 5 of this ordinance.
4. Rehabilitation and Maintenance Criteria: The Washington State Advisory Council's Standards for Rehabilitation and Maintenance of Historic Properties, also known as the Secretary of the Interior's Standards for Rehabilitation.

The following rehabilitation and maintenance standards shall be used by the Board 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:

a. **Standards of Rehabilitation for Special Valuation:**

- 1) Every reasonable effort shall be made to provide a compatible use for an historic property that requires minimal alteration of the building, structure, or site and its environment, or to use an historic property for its original intended purpose.
- 2) 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.
- 3) 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.
- 4) Changes that 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.
- 5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.
- 6) 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 historical, physical,

or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- 7) 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.
- 8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
- 9) Contemporary design for alterations and additions to existing properties shall not be discouraged when 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.
- 10) 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.

b. **Maintenance Standards for Special Valuation:**

- 1) Buildings and structures shall not be allowed to deteriorate beyond the point where routine maintenance and repair will return them to good condition.
- 2) Buildings shall be kept in a safe and habitable condition at all times. Structural defects and hazards shall be corrected. Any condition that constitutes a fire hazard shall be eliminated.
- 3) 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.
- 4) Deteriorated exterior architectural features and any broken or missing doors and windows shall be repaired or replaced.
- 5) 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.

PASSED BY THE CITY COUNCIL OF THE CITY OF ANACORTES,
WASHINGTON, this _____ day of _____, 2000.

CITY COUNCIL

By _____
Mayor

Attest:

City Clerk