

Chapter ~~17.46~~17.50 HISTORIC PRESERVATION

Sections:

~~17.46~~17.50.010 Purpose.

~~17.46~~17.50.020 Historic preservation ~~commission~~administration.

~~17.46~~17.50.030 Kelso register of historic places.

~~17.46~~17.50.040 Special valuation for historic properties.

~~17.46~~17.50.010 Purpose.

A. The purpose of this chapter is to provide for the identification, evaluation and protection of historic resources within Kelso and preserve and rehabilitate eligible historic properties within the city for future generations in order to:

1. Safeguard the heritage of Kelso as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the city's history;
2. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the city's history;
3. Stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects;
4. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;
5. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
6. Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment. (Ord. 3889 § 3 (Exh. A), 2017)

~~17.46~~17.50.020 Historic preservation ~~commission~~administration.

City of Kelso maintains administration of historic preservation policies as follows:

~~A. There is established the Kelso historic preservation commission, consisting of seven members.~~

~~Members of the historic preservation commission shall be appointed by the mayor and approved by the city council and shall be residents of the city, except as provided below.~~

~~1. This shall not preclude the city from entering into an interlocal agreement with Longview and/or Cowlitz County to establish a single local review board to carry out the purposes of Chapter 84.26 RCW.~~

~~B. All members of the commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgment.~~

~~1. The commission shall always include at least three 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 and real estate. The commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the city and the State Historic Preservation Officer. Furthermore, exception to the residency requirement of commission members may be granted by the mayor and city council in order to obtain representatives from these disciplines.~~

~~2. In making appointments, the mayor and city council may consider names submitted from any source; provided, that the city shall notify history and city 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.~~

~~3. Appointments shall be made for a four-year term; provided, that appointments can be made for a one-, two-, or three-year term in order to establish and maintain a rotation so that no more than two terms expire in a given year. Should a vacancy occur, the appointment will be for the balance of the term, unless otherwise approved by the mayor and city council.~~

~~C. All members of the commission shall serve without compensation.~~

~~D. The commission 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 commission's business.~~

~~E. The major responsibility of the historic preservation commission is to identify and actively encourage the conservation of Kelso's historic resources by initiating and maintaining a register of historic places and reviewing proposed changes to register properties; to raise community awareness of the city's history and historic resources; and to serve as the city's primary resource in matters of history,~~

historic planning and preservation. In carrying out these responsibilities, the historic preservation commission shall engage in the following:

~~1. Conduct and maintain a comprehensive inventory of historic resources.~~

~~2.1. Initiate and maintain the Kelso register of historic places of buildings, structures, sites, objects and districts identified by the commission as having historic significance worthy of recognition by the city and encouragement of efforts by owners to maintain, rehabilitate and preserve properties.~~

~~3.2. Review nominations to the Kelso register of historic places and adopt standards in its rules to be used to guide this review.~~

~~4.3. Review proposals to construct, change, alter, modify, remodel, move, demolish and significantly affect properties or districts on the Kelso register of historic places; and adopt standards in its rules to be used to guide this review and the issuance of a certificate of appropriateness or waiver.~~

~~5.4. Provide for the review either by the commission or its staff of applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources or adjacent properties.~~

~~6. Conduct all commission 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, educational and interpretive 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 Kelso.~~

~~9. Review and comment to the city council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the city, other neighboring communities, the county, the state or federal governments, as they relate to historic resources of Kelso.~~

~~10. Advise the city council generally on matters of Kelso history and historic preservation.~~

- ~~11. Perform other related functions assigned to the commission by the city council.~~
- ~~12. Provide information to the public on methods of maintaining and rehabilitating historic properties.~~
- ~~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 departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.~~
- ~~15. Participate in the process of recommending properties to the State and National Registers of Historic Places.~~
- ~~16. Investigate and report to the city council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in Kelso.~~

~~17.5.~~ 17.5. 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 ten-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. (Ord. 3889 § 3 (Exh. A), 2017)

~~17.4617.50.030~~ 17.50.030 Kelso register of historic places.

- A. Any building, structure, site, object or district may be designated for inclusion in the Kelso 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 fifty years old, or is of lesser age and has exceptional importance; and if it falls in 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's cultural, special, 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 which 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 an historically accurate manner on the original site; and
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. Any person may nominate a building, structure, site, object or district for inclusion in the Kelso register of historic places. In its designation decision, the ~~commission-City~~ shall consider the Kelso historic inventory and the Kelso comprehensive plan.
1. In the case of individual properties, the designation shall include the UTM reference and all features, interior and exterior, and outbuildings which contribute to its designation.
 2. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all properties including features, structures, sites and objects which contribute to the designation of the district.
 3. The ~~historic preservation commission~~City shall consider the merits of the nomination in accordance with the provisions of this chapter. If the ~~commission-City~~ finds that the nominated property is eligible for the Kelso register of historic places, the ~~commission-City~~ shall make recommendation to the city council that the property be listed in the register with owner's consent. Only properties with owner's consent shall be listed. The public, property owner(s) and the authors of the nomination, if different, and lessees, if any, shall be notified of the listing.
- C. In the event that any property is no longer deemed appropriate for designation to the Kelso register of historic places, the ~~commission-City~~ may initiate removal from such designation by the same procedure as provided for in establishing the designation.
1. A property may be removed from the Kelso register without the owner's consent.
- D. Listing on the Kelso register of historic places is an honorary designation denoting significant association with the historic, archaeological, engineering or cultural heritage of the community.
1. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures as defined in this chapter, the owner must request and receive a certificate of appropriateness from the ~~commission-City~~ for the proposed work. Violation of this rule shall be grounds for the ~~commission-City~~ to review the property for removal from the register.
 2. Prior to whole or partial demolition of a register property, the owner must request and receive a waiver of a certificate of appropriateness.
 3. Once Kelso is certified as a certified local government (CLG), only properties listed on the Kelso register of historic places may be eligible for a special tax valuation on their rehabilitation.

E. 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 Kelso register of historic places without review by the ~~commission~~City 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.

1. The following activities may not require a certificate of appropriateness or review ~~by the commission~~, as determined by the ~~e~~City:

a. Ordinary repair and maintenance, which includes painting; or

b. Emergency measures.

2. The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the city for a review of proposed changes on a Kelso register property or within a Kelso register historic district and request a certificate of appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the city for the proper review of the proposed project. The ~~commission's~~City's decisions shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.

3. Upon issuance of the certificate of appropriateness or, in the case of demolition, a waiver, the city shall attach the certificate or waiver to the building permit and any other city permits or approvals as a condition of approval.

4. Properties designated on the Kelso register of historic places shall be subject to the provisions set forth in this chapter, 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.

F. The ~~historic preservation commission~~City may issue a certificate of appropriateness based on a written finding that the proposed actions comply with the current version of Secretary of the Interior's Standards for Rehabilitation, [36](#) CFR Part [67](#), including:

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 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.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
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. (Ord. 3889 § 3 (Exh. A), 2017)

17.4617.50.040 Special valuation for historic properties.

The purpose of this section 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, in accordance with the provisions of Chapter [84.26](#) RCW.

- A. The class of historic property eligible to apply for special valuation in the city includes 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 Kelso becomes a certified local government (CLG). Once a CLG, the class of property eligible to apply for special valuation in Kelso includes properties listed on the Kelso register of historic places or properties certified as contributing to a Kelso 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.

- B. The following rehabilitation and maintenance standards shall be used by the city, in accordance with the provisions of the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC [254-20-100](#), 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.

- C. The owner of an historic property desiring special valuation shall apply to the county assessor not later than October 1st of the calendar year preceding the assessment year for which special valuation is sought.
1. The owner shall be required to pay only such fees as are necessary to process and record documents pursuant to Chapter [84.26](#) RCW.
 2. 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.
 3. For properties located within historic districts, the application shall also include 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.
 4. Property owners applying for special valuation shall provide such information as may be required by the city to document the actual cost of the rehabilitation project and the period of time during which the rehabilitation took place.
- D. Following receipt of an application for special valuation from the county assessor, the ~~historic preservation commission~~City shall, in accordance with the provisions of Chapter [84.26](#) RCW and this chapter, determine if the property meets the following criteria:
1. The property is historic property;
 2. 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;
 3. 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
 4. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant.

- E. If the ~~historic preservation commission~~City finds that the property satisfies all four of the above requirements, then the city shall 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, ~~the historic preservation commission~~City shall approve the application.
1. If the ~~local review board~~City determines that the property does not meet all of the requirements for special valuation, then it shall deny the application.
 2. An application for special valuation shall be approved or denied by the ~~historic preservation commission~~City before December 31st of the calendar year in which the application is made. The ~~commission~~City shall certify its decision in writing and state the facts upon which the approval or denial is based.
 3. If the application is approved, the city 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.
 4. Once an application for special valuation has been approved, the city will monitor the properties for continued compliance with the agreements throughout the ten-year special valuation period.
 5. If the city determines that properties are disqualified from special valuation either because of:
 - a. The owner's failure to comply with the terms of the agreement, or
 - b. Because of a loss of historic value resulting from physical changes to the building or site, then the city shall notify the owner, county assessor and State Review Board in writing and state the facts supporting its findings. (Ord. 3889 § 3 (Exh. A), 2017)