

06/01/20

06/15/20

ORDINANCE NO. M- 4297

AN ORDINANCE revising VMC 20.220.050, “Land Use Decisions” relating to the authority, composition, terms and responsibilities of the Clark County Historic Preservation Commission and providing for an effective date.

WHEREAS, the one of the goals in the City’s Strategic Plan provides is to continue to build high quality historical and cultural experiences for residents and visitors; and

WHEREAS, the City of Vancouver and Clark County have a combined Historic Preservation Program that includes a heritage register, an education and outreach program and a Historic Preservation Commission; and

WHEREAS Clark County recently updated Clark County Code 40.250.030 “Historic Preservation and Historic Preservation Commission Rules and Procedures; and

WHEREAS, the City is updating VMC 17.39 “Historic Preservation” to make it consistent with current practices and with the recent changes in Clark County’s historic preservation code; and

WHEREAS; VMC Title 20.220 “Land Use Decisions” includes a section with the authority, composition, terms and responsibilities of the Historic Preservation Commission and needs to be revised to be consistent with the revisions in 17.39.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

SECTION 1. Legislative Findings. The recitals set forth above are adopted as the legislative findings of the City Council of the City of Vancouver in support of adoption of this ordinance.

SECTION 2. Clark County Historic Preservation Commission. Vancouver Municipal Code Section 20.220.050 is hereby revised to read as follows:

VMC Section 20.220.050 Clark County Historic Preservation Commission.

A. *Authority.* The City of Vancouver is established as a “Certified Local Government” as determined by state and federal historic preservation standards. The standards require a commission to serve as the review authority on matters of historic preservation. The Clark County Historic Preservation Commission, as provided in Clark County Code, Section 40.250.030, shall serve as the review authority on matters of historic preservation as outlined in subsection ~~(C)~~ (D) of this section for properties within the City of Vancouver.

B. *Composition of the commission.*

1. The Clark County Historic Preservation Commission shall consist of seven (7) members. Five (5) members of the Commission shall be appointed by the Clark County Council and shall be residents of the county and two (2) members of the Commission shall be appointed by the Vancouver City Council and shall be residents of the City except as provided for in Section 20.220.050(B)(2). ~~Appointments to the commission shall be made by the Clark County Board of Commissioners. All members shall be selected based on the professional or demonstrated expertise criteria (Clark County Code Section 18.328.040(B)), rather than by geographic distribution.~~

2. The Vancouver City Council and the Clark County Council shall coordinate to ensure that the Commission includes at least two (2) professionals who have experience in identifying, evaluating and protecting historic and cultural resources and are selected from among the disciplines of history, public history, architecture, architectural history, historic preservation, planning, cultural anthropology, cultural geography, American studies or the practice of historic rehabilitation or restoration. The Commission may take action even if there is a temporary vacancy in one (1) or all of the professional positions. An exception to the residency requirement of the Commission members may be granted by the Vancouver City Council for the commission members appointed by the City Council in order to obtain representatives from these disciplines.

C. *Terms.* The terms shall be for three (3) years. Membership on the commission shall be limited to two (2) full consecutive three (3) year terms. Reappointment after two (2) consecutive terms may be made after at least a one (1) year absence. Vacancies occurring other than through the

expiration of terms shall be filled for the unexpired term. Members may be removed by the city or county councils for inefficiency, neglect of duty or malfeasance in office.

€. D Powers and duties. The major responsibilities of the Commission are to identify and actively encourage the conservation of the city and county's historic and cultural resources by initiating and maintaining a register of historic places and reviewing proposed changes to register property(ies); to raise community awareness of the county's historic and cultural resources; and to serve as the county's primary resource in matters of historic preservation. In carrying out these responsibilities, the commission shall engage in the following activities:

1. Conduct and m~~M~~aintain a comprehensive inventory of historic and cultural resources within the boundaries of the City of Vancouver to be included in the Clark County Cultural Resource Inventory; publicize, and periodically update inventory results;
2. Maintain the Clark County Heritage Register (CCHR). This official register shall be comprised of buildings, structures, sites, objects and districts identified by the commission as having historic significance worthy of recognition by the county and encouragement of efforts by owners to maintain, rehabilitate, and preserve properties;
3. Review nominations to the Clark County Heritage Register and National Register of Historic Places according to criteria in VMC Sections [17.39.060](#) and [17.39.070](#) of this chapter and adopt standards in its Rules and Procedures to be used to guide this review; Make designations to the Clark County heritage register;
4. Review proposals to construct, change, alter, modify, remodel, move, demolish or significantly affect properties or districts on the Clark County Heritage Register as provided in Section VMC 17.30.080; and adopt standards in its Rules and Procedures to guide this review and the issuances of a Certificate of Appropriateness or Waiver; Review proposals as required in Chapter [20.520](#) VMC, Historic Preservation, for historic districts on the Clark County Heritage Register or National Registers;
5. Provide advisory review for structures located in the city's Heritage Overlay Districts per VMC 20.510;
6. Submit nominations to the Washington State Heritage Register and National Register of Historic Places;
- 6- 7. Review nominations to the National Register of Historic Places and provide recommendations to the applicable agency;

8. Provide for comment by the commission on all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic or cultural resources or adjacent property(ies) upon staff request;

~~7.~~ 9. Provide information, comment, and support to the public and agencies on matters related to historic preservation;

~~8.~~ 10. Encourage recognition of noteworthy efforts in the rehabilitation or maintenance of historic buildings, structures, sites, and districts, and new construction in historic areas;

~~9.~~ 11. Serve as the local review board for ~~sSpecial~~ vValuation pursuant to RCW [84.26](#).

12. Conduct all commission meetings in compliance with RCW [42.30](#), Open Public Meetings Act, to provide for adequate public participation.

~~D.~~ E. *Rules and officers.*

1. The commission shall establish and adopt its rules and procedures not inconsistent with this chapter.

2. The commission shall select from among its membership a chair~~person~~ and vice-chair to conduct the commission's business.

3. All official actions of the commission shall require a majority vote of the members present. No member shall be eligible to vote upon a matter unless that member attended the hearing.

~~E.~~ F. *Commission staff.* Staffing for the commission shall be provided by the Clark County Community Planning Department and the City of Vancouver. ~~of Community Development with additional assistance and information to be provided by other county or City of Vancouver departments as may be necessary to aid the commission in carrying out its duties and responsibilities under this chapter.~~

~~F.~~ G. ~~*Inter-jurisdictional*~~ *Interlocal agreement required.* An ~~inter-jurisdictional~~ interlocal agreement shall be established between the City of Vancouver and Clark County implementing the provisions of this chapter.

~~G.~~ H. *City Review Staff.* City ~~Community and Economic Development Department~~ shall provide ~~trained~~ staff with knowledge of the local resources, and the designation and review processes will ~~assist county staff in~~ preparing staff reports, and recommendations, and will attend

commission work sessions, and public hearings concerning properties within the Vancouver urban area. ~~Other city staff with specialized knowledge shall provide additional assistance as necessary.~~

~~H. *Support services.* Development Review Services Department staff shall solicit comments and advice from the County Department of Community Development staff and other appropriate city staff on proposals concerning property(ies) within the incorporated area to ensure that the city has adequate opportunity to provide input to the commission.~~

I. *Appeals.* Appeals of decisions rendered by the Clark County Historic Preservation Commission pertaining to property(ies) within the City of Vancouver shall be heard by the Vancouver City Council.

J. *Education services.* ~~The City Community and Economic Development Department and the Clark County Community Development Department shall equally share responsibility for providing~~ shall provide heritage education services, including but not limited to public workshops, lectures, seminars and educational materials and professional education for commissioners and staff, for both the City of Vancouver and Clark County as agreed to in the interlocal agreement. follows:

- ~~1. Quarterly workshops or seminars on the local, state, and national historic registers; Washington State Special Valuation for Historic Properties; Investment Tax Credits for Historic Properties; and/or sensitive rehabilitation treatments;~~
- ~~2. Quarterly workshops or seminars may be targeted toward different audiences, such as homeowners, neighborhoods, business community, professionals or building trades;~~
- ~~3. Fees will be based on actual costs, and will be the same for city and county residents; and~~
- ~~4. An annual training session for the Clark County Historic Preservation Commission on a topic selected by the commission.~~

SECTION 3. Effective Date. This ordinance shall go into effect thirty days after final passage.

Read first time: June 8, 2020

Ayes: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: None

Read second time: June 15, 2020


Passed by the following vote: 7-0

Ayes: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle


Nays: None

Absent: None


SIGNED this 15th day of June, 2020

DocuSigned by:

58CB15C0632F403...
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

BCF6734E40E94AE...
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:

9A7DC2E31F694A2...
Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. M-4297

AN ORDINANCE revising VMC 20.220.050, “Land Use Decisions” relating to the authority, composition, terms and responsibilities of the Clark County Historic Preservation Commission and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 360-487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).