

ORDINANCE NO. 2019-_____

AN ORDINANCE amending the City of Yakima Municipal Code Section 11.62.040 Yakima historic preservation commission.

WHEREAS, the City of Yakima established a Historic Preservation Commission in 2005, the requirements of which are now found under Chapter 11.62 of the Yakima Municipal Code; and

WHEREAS, the Historic Preservation Commission has specific duties associated with historic resources in Yakima, educating the public on historic resources, and supporting historic preservation objectives; and

WHEREAS, the commission currently is required to seat seven (7) members; and

WHEREAS, there have been open seats on the commission for over a year, and it has been difficult to find people to fill the commission seats that have been open, leaving a situation for the commission where in some months there are not enough members present to have a quorum and conduct business; and

WHEREAS, the work done by the commission could be done with fewer commission members just as effectively as with seven members; and

WHEREAS, the City Council of the City of Yakima finds that it is in the best interest of the City and its residents to amend YMC 11.62.040 to change the number of Historic Preservation Commission members from seven to five; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Chapter 11.62.040 of the Yakima Municipal Code is hereby amended to read as follows:

11.62.040 Yakima historic preservation commission.

A. Creation and Size. There is hereby established a Yakima historic preservation commission consisting of five members, as provided in subsection B of this section. Members of the Yakima historic preservation commission shall be appointed by the mayor with the approval of the Yakima city council and shall be residents of the city of Yakima.

B. Composition of the Commission.

(1) All members of the commission must have a demonstrated interest and competence in historic preservation, history, urban planning, or architecture and possess qualities of impartiality and broad judgment.

(2) The commission shall always include at least one professional who has experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, landscape architecture, historic preservation, planning, folklore, cultural anthropology, prehistoric and historic archaeology, American studies, curation, traditional building crafts, the practice of historic rehabilitation or restoration, finance and banking, law, and real estate, or related disciplines. 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 mayor Yakima and the State Historic Preservation Officer on behalf of the state. Furthermore, exception to the residency requirement of commission members may be granted by the mayor of Yakima with the approval of the Yakima city council in order to obtain representatives from these disciplines.

(3) In making appointments, the mayor may consider names submitted from any source, but the mayor shall notify Yakima history, heritage, preservation, and 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 initial appointments to the commission shall be staggered. Two members shall be appointed for one year, three members shall be appointed for two years, and two members shall be appointed for four years. Thereafter, the terms shall be made for four years. There shall be no consecutive term limit for membership on the commission. Vacancies shall be filled by the mayor with the approval of the council for a new or unexpired term in the same manner as the original appointment.

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

In carrying out these responsibilities, the commission shall engage in the following:

- (1) Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the city of Yakima and known as the Yakima historic inventory, and publicize and periodically update inventory results. Properties listed on the inventory shall be recorded on official zoning records with an "HI" (for historic inventory designation). This designation shall not change or modify the underlying zone classification.
- (2) Initiate and maintain the Yakima register of historic places. This official register shall be compiled of buildings, structures, sites, objects, and districts identified by the commission as having historic significance worthy of recognition and protection by the city of Yakima and encouragement of efforts by owners to maintain, rehabilitate, and preserve properties.
- (3) Review nominations to the Yakima register of historic places according to criteria in YMC [11.62.045](#) and adopt standards in its rules to be used to guide this review.
- (4) Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register as provided in YMC [11.62.050](#) and adopt standards and design guidelines 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 commission or its staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources.
- (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 and prehistoric 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 Yakima.
- (9) Review and comment to the Yakima city council on land use, housing and redevelopment, economic development strategies, municipal improvements and other types of planning and programs undertaken by agencies of the city of Yakima, other neighboring communities, Yakima County, the state or federal governments, as they relate to historic resources of the city of Yakima.
- (10) Advise the Yakima city council and the mayor of Yakima generally on matters of Yakima history and historic preservation.
- (11) Perform other related functions assigned to the commission by the Yakima 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, websites, 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 Yakima departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.
- (15) Review nominations to the State and National Registers of Historic Places.
- (16) Investigate and report to the Yakima city council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in the city of Yakima.
- (17) Serve as the local review board for special valuation and:
 - a. Make determinations 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 board responsibilities identified in Chapter 84.26 RCW.

E. Compensation. All members shall serve without compensation.

F. Rules and Officers. 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.

G. Commission Staff. Commission and professional staff assistance shall be provided by the Department of Community Development with additional assistance and information to be provided by other city departments as may be necessary to aid the commission in carrying out its duties and responsibilities under this chapter. (Ord. 2015-004 § 1 (Exh. A) (part), 2015: Ord. 2013-22 § 1, 2013: Ord. 2011-28 § 1 (Exh. A) (part), 2011: Ord. 2005-02 § 2 (part), 2005).

Section 2. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this ____ day of ____, 2019.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____