



Agenda
Community Development Committee Regular Meeting
March 5, 2026 | 5:00 PM

City Hall, 10220 270th Street NW
Stanwood, WA 98292

Members of the public may attend Stanwood Community Development Committee meetings in-person or via Zoom. The Zoom link is posted on the City's website calendar <https://www.stanwoodwa.org>.

- 1. Call to Order**
- 2. Roll Call**
- 3. Unfinished Business**
 - a. Depot Park Art Selection
- 4. New Business**
 - a. Grading and Stormwater Code Amendments
 - b. Historic Preservation Ordinance
- 5. Adjourn**



**CITY OF STANWOOD
COMMUNITY DEVELOPMENT COMMITTEE
AGENDA STAFF REPORT**

ITEM NUMBER: 2026-102
DATE: March 5, 2026
SUBJECT: Depot Park Art Project
CONTACT PERSON: Patricia Love, Community Development Director
Aaron Weinberg, Business and Community Relations Coordinator
ATTACHMENTS: 1. Depot Park Art Selection

PURPOSE

The purpose of this agenda item is for Committee review of the Depot Park Art selection recommendation.

BACKGROUND

The City of Stanwood purchased a 0.11-acre parcel on the eastern edge of Stanwood's main street business district near the Amtrak train station for an urban business district park and entry point for visitors arriving by train.



The City acquired the downtown park site as part of the Twin City Mile Downtown Revitalization Project, envisioning the creation of an urban, hard-surfaced park that would serve as a welcoming space for shoppers and visitors to pause, relax, and enjoy their surroundings.

City Council approved the park’s concept plan on June 7, 2024, and allocated funding for the final design and construction in the 2025–2026 budget. Key elements of the park include:

- A combination of covered and open seating areas for relaxation and socializing;
- A multi-purpose shelter that can function as a picnic area, performance stage, or event space;
- A signature art feature;
- Wayfinding signage; and
- Dedicated space for the holiday tree.

The overall intent of the project is to establish a vibrant and welcoming downtown space that supports and complements the business district and provides a functional community gathering space. A key feature of Depot Park will be the inclusion of a public art piece designed to complement and enhance the urban park concept described herein.

ANALYSIS

In partnership with the Stanwood-Camano Arts Advocacy Commission, a call for art was issued for the Depot Park Art Project. The Call was open from late November through February 6, 2026. Seventeen submittals were received and reviewed by a panel consisting of seven members representing local artist, business owners, SCAAC members, and the Mayor.

Review Panel
Lin McJunkin
Nate Greenland
Jason Dorsey (Moderator)
Rose Olson
Vivian Henderson
Elizabeth Boorne
Mayor Sid Roberts

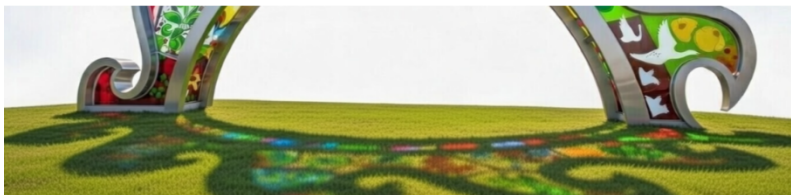
The call for art required the submitted design honor and celebrate the spirit of Stanwood by reflecting themes connecting to the city’s history, rural roots, and cultural heritage. Artists were encouraged to explore interpretations that acknowledge Stanwood’s agricultural traditions, its close relationship with the natural environment, and its historic Norwegian influences. The artwork should convey a strong sense of place and be family friendly, recognizing the city’s past while complementing its vision for a vibrant and welcoming downtown.

Artists or artist teams were evaluated based on the following criteria:

- Artistic excellence and originality – Demonstrated ability to create visually compelling, conceptually strong, and contextually relevant artwork.
- Relevance to theme – How well the proposed concept reflects Stanwood’s history, rural roots, cultural heritage, and community identity.
- Quality and durability of materials – Suitability of materials for long-term outdoor display, safety, and minimal maintenance.
- Integration with site – Compatibility of the design with Depot Park’s layout, aesthetics, and pedestrian flow.
- Community connection – Potential of the artwork to engage, inspire, and resonate with residents and visitors.

- Interaction – Opportunity for the community to interact with the artwork, explore, touch, and experience it, up close.
- Professional experience – Past success with similar public art projects, including ability to meet budgets, timelines, and technical requirements.

The review panel shortlisted proposals from four of the 17 artists. The top-ranked submission was “Many Small Streams” by Sheila Wagner of Stanwood. There were three runners up. Details from those submissions are included in an attachment.



From the artist: “Many Small Streams” is a freestanding stainless steel archway that serves as a radiant sun-river gateway at the southwest corner of Depot Park. Positioned diagonally, it faces both the Amtrak station and the park interior (northeast), creating a welcoming landmark and sense of arrival.

The design celebrates Stanwood’s Norwegian heritage, agricultural roots, and intimate bond with the Stillaguamish River through layered symbolism: merging streams, rosemaling motifs, snow geese migration, and subtle crop icons.

A small ground mosaic under the arch anchors the Norwegian proverb, “Mange bekker små gjør en stor å” translated to, “Many small streams make a large river,” inviting visitors to step into the story of resilience, unity, and renewal.

The arch (18–20 feet wide by 10–12 feet high) features polished stainless steel wave crescents at the top, evoking river flow and sun-wheel symbolism. Spaces between the waves are filled with UV-resistant tinted acrylic panels printed with custom designs: flowing Stillaguamish waves, snow geese flocking upward, Norwegian rosemaling scrolls, and agricultural elements (berries, pea pods, vines) emerging from water.

The panels allow light transmission with color play, creating luminous, shifting patterns throughout the day similar to a river’s glow or sparkle. The archway evokes transition, duality, and cultural blending, with light filtering through for an immersive experience.

RECOMMENDATIONS

Staff Recommendation:

Staff recommends accepting the review panel’s recommendation and forwarding the selected art design to the City Council for approval.

PROPOSED MOTION

None; Discussion Item

1. “Many Small Streams”

By Sheila Wagner, Stanwood



Many Small Streams is a freestanding stainless steel archway that serves as a radiant sun-river gateway at the southwest corner of Depot Park.

Positioned diagonally, it faces both the Amtrak station and the park interior (northeast), creating a welcoming landmark and sense of arrival. The design celebrates Stanwood’s Norwegian heritage, agricultural roots, and intimate bond with the Stillaguamish River through layered symbolism: merging streams, rosemaling motifs, snow geese migration, and subtle crop icons.

A small ground mosaic under the arch anchors the Norwegian proverb “Mange bekker små gjør en stor å” (“Many small streams make a large river”), inviting visitors to step into the story of resilience, unity, and renewal.

2. “Moving Through”

By Karla Matzke, Camano Island



Figure 1: Stainless steel texturizing

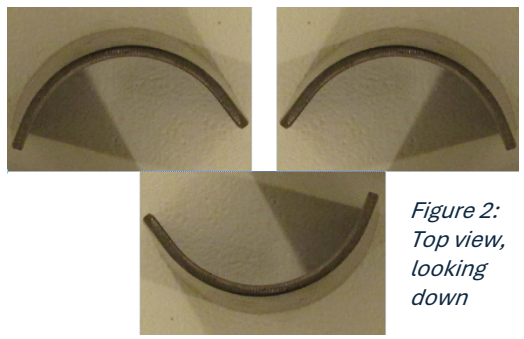
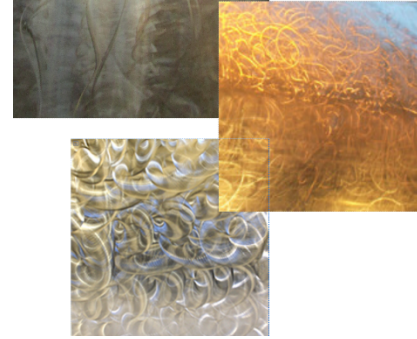


Figure 2: Top view, looking down

“Moving Through” describes the act of progressing from one point to another. It signifies transit, passage, and ongoing transformation, whether it's a person, object, or feeling traversing a space, situation, or phase. A perfect metaphor for this sculpture at the Depot Park. It emphasizes that specific stops (like stops in Stanwood) are temporary milestones in a larger, flexible itinerary. This is applicable to physical journeys (likeness to a tourist arriving by train). Their destination is to visit Stanwood but then moving on to their next destination. The “Moving Through” sculpture encourages viewers to be interactive, to walk around or through the structure, between its three sections a path is created.

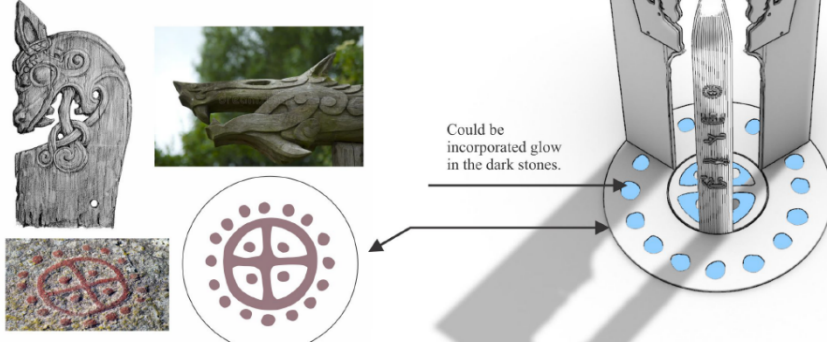
A curved pathway is created with the three Stainless steel sections installed with a minimum 6 feet of space in-between. This creates a pathway between, and the conical shape naturally leans in slightly.

T-3. “Pollination of Light,” “Circle of Light,” and “Threshold of Memory”

By Tsovinar Muradyan, Seattle

Threshold of Memory

The work is conceived as a sculptural threshold — an architectural arch that stands between past and present, land and sky, movement and stillness. Two corten steel planes rise in a gently opening V, forming a civic gateway that frames light, air, and passage. Their interior edges are shaped by iconic Norwegian motifs, abstracted into a contemporary language that feels both ancestral and modern.



Pollination of Light



Circle of Light — Stanwood

Circle of Light is conceived as a contemporary civic landmark that brings together nature, memory, and community. The work takes the form of a luminous circular ring that rests gently within the park landscape, inviting visitors to pause, gather, and reflect. Rather than standing apart as a monument, the sculpture is meant to feel rooted in the land — accessible, contemplative, and open.

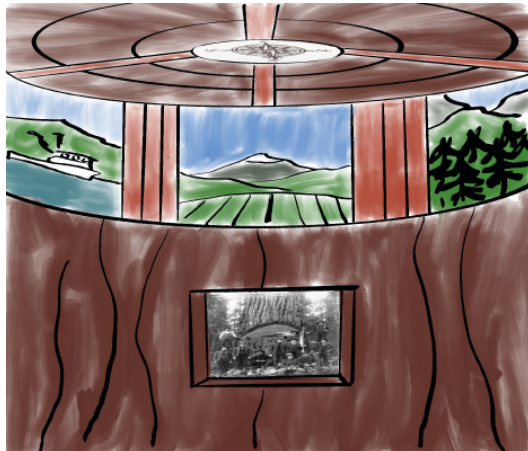


The work centers on the sun as the primary source of life, energy, and agricultural continuity in the Stillaguamish Valley. A simple circular form holds this idea — steady, enduring, and universal. Radiating lines suggest both sunlight and the rhythms of seasons that have shaped Stanwood’s farmlands for generations. Within this field, bees and native plants appear as quiet protagonists. They speak to interdependence, collective labor, and the delicate balance that sustains crops, ecosystems, and community life. The imagery is not ornamental; it reflects the real relationship between land, pollinators, and people. An open central void frames sky and horizon, allowing viewers to read the landscape through the sculpture and recognize themselves as part of this living system. Light animates the piece by day, while subtle illumination keeps it present in the park at night. Pollination of Light honors Stanwood’s agricultural heritage while reminding us of our responsibility to care for pollinators, soil, and the natural systems that sustain us.

This artist submitted three concepts. Each should be considered individually.

T-3. “Stump House”

By Blake La Rue, Stanwood



This illustration shows the “Stump House”. The stump will ideally be 8 to 10 feet in diameter at its base and about 8 feet tall. The vertical skylight will be approximately 3 feet tall. A roof will cover the piece to ensure its longevity. The overall height will be approximately 16 feet.

The stump is meant to represent the long history of the timber industry while the “silo” skylight will be designed to reflect Norwegian farmhouse architecture in the area.

Historic photos will be screen printed on glass and then fired in a kiln. This will fuse the images to the surface of the glass and will not degrade over time. I am hoping to source images from the Stanwood Area Historical Society as well as the Hibulb Cultural Center.

The stained glass windows in the skylight will carry on the theme of community, history, history, inclusivity, and the areas natural beauty.



**CITY OF STANWOOD
COMMUNITY DEVELOPMENT COMMITTEE
AGENDA STAFF REPORT**

ITEM NUMBER: 2026-69
DATE: March 5, 2026
SUBJECT: Grading and Stormwater Code Amendment Discussion
CONTACT PERSON: Patricia Love, Community Development Director
ATTACHMENTS: 1. Draft Ordinance

PURPOSE

The purpose of this agenda item is for Committee review of the draft Grading and Stormwater Code Amendments.

BACKGROUND

Similar to the other municipal code updates currently underway, related and complementary code provisions are being processed together. This next grouping consists of the City's grading and stormwater management regulations. The grading code is currently codified as SMC 17.154, and the stormwater management code is codified as SMC 17.140. As part of this update, both codes are proposed to be relocated to Title 18 under Division III, Environmental Codes, and renumbered as SMC 18.830, Grading, and SMC 18.840, Stormwater Management.

The City's grading and stormwater regulations were originally adopted in the mid-1990s and have received only minor amendments since that time. The most recent substantive updates to these codes occurred in 2013. The grading regulations were initially embedded within the City's permit procedures code and, in 2021, were readopted as a standalone chapter without substantive changes. As a result, the core provisions of both the grading and stormwater codes have remained largely unchanged for more than a decade.

ANALYSIS

The City's grading and stormwater regulations are intended to protect public health, safety, and welfare by minimizing erosion, managing runoff, preventing flooding, and protecting water quality and downstream infrastructure. These regulations also ensure that development occurs in a manner consistent with adopted engineering standards, environmental requirements, and the City's long-term maintenance standards.

Over time, changes in state and federal regulations, evolving best management practices, and experience gained through project review and construction have identified areas where the City's existing grading and stormwater codes would benefit from minor clarifying amendments.

The attached draft Grading and Stormwater code amendments reflect current best practices and have incorporated suggested amendments by the City's Public Works staff. The proposed updates are primarily clarifying and procedural in nature and are intended to improve consistency, predictability, and implementation. Key elements of the proposed codes are summarized below.

Grading Code:

- Updates the grading permit approval period to two years, with a one-time two-year extension, consistent with subdivision and general land use permit approvals. This change allows site construction to proceed without a grading permit expiring prior to the associated land use permit.
- Clarifies when a grading permit is required, including excavations or fills exceeding 50 cubic yards within a 12-month period, cuts or fills exceeding two feet, and retaining walls greater than two feet in height.
- Maintains standard exemptions, including grading associated with a building permit, solid waste disposal, agricultural activities, site investigation work, wells and utilities, and emergency repairs.
- Maintains standards related to building grades, cuts and fills, slope setbacks, drainage and terracing, erosion control, site markings, plan submittal requirements, and inspections.

Stormwater Management Code:

- Re-adopts the 2005 Edition of the Washington State Department of Ecology *Stormwater Management Manual for Western Washington*.
- The Manual requires stormwater management for all land-disturbing activities greater than 5,000 square feet; projects under 5,000 square feet must still meet applicable water quality standards.
- Maintains exemptions for agricultural activities, forest practices, and Washington State Department of Transportation highways, as regulated by state law.
- Maintains design requirements for stormwater facilities, including detention ponds and vaults.

Overall, the proposed amendments are intended to support predictable project review, reduce the potential for drainage-related impacts, and ensure that the City's grading and stormwater regulations remain technically sound, environmentally responsible, and aligned with community goals consistent with the Comprehensive Plan.

RECOMMENDATIONS

Staff Recommendation:

Staff is seeking comments and suggestions on the draft ordinance. Committee input will help ensure the amendments reflect the City's vision and community character.

PROPOSED MOTION

None; Discussion Item

CITY OF STANWOOD
WASHINGTON

ORDINANCE NO. 15XX

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, REPEALING STANWOOD MUNICIPAL CODE (SMC) CHAPTERS 17.140, STORMWATER MANAGEMENT PERFORMANCE STANDARDS AND 17.154, GRADING REGULATIONS AND ADOPTING NEW CHAPTERS 18.830, GRADING AND 18.840, STORMWATER MANAGEMENT, AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Stanwood has begun a process to comprehensively update its municipal code to conform to current law and practice; and

WHEREAS, the purpose of this code amendment is to eliminate conflicts, improve clarity to ensure consistent interpretation and administration, reduce ambiguity and disputes, and improve predictability for residents, property owners, applicants, and decision-makers; and

WHEREAS, the City of Stanwood is authorized under state law to adopt grading and stormwater regulations to protect public health, safety, and welfare; and

WHEREAS, grading and stormwater standards help ensure that new development and redevelopment are designed and constructed in a manner that minimizes adverse impacts to neighboring properties, public infrastructure, and natural resources; and

WHEREAS, as part of the larger Municipal Code Update project, the grading and stormwater regulations are being updated to be current with best management practices, technical standards, and applicable state and regional requirements; and

WHEREAS clear, consistent, and up-to-date code provisions improve predictability for applicants, reduce permitting delays, and support efficient administration and enforcement; and

WHEREAS, the grading and stormwater regulations currently codified in Title 17 of the Stanwood Municipal are being updated and moved to Title 18, Unified Development Code for consistency with the new code organization structure; and

WHEREAS, updating the grading and stormwater codes implements the City's Comprehensive Plan policies for environmental protection, climate resilience, and sustainable development; and

WHEREAS, a SEPA determination of non-significance for the draft ordinance was issued on _____, 2026, and the comment / appeal period ended on _____, 2026; and

WHEREAS, pursuant to RCW 36.70A.106, the City submitted the proposed code amendment for the 60-day review to the Washington State Department of Commerce on _____, 2026. The 60-day review period was completed on _____ 2026; and

WHEREAS, the code amendment was circulated for public review on _____, 2026 through _____, 2026; and

WHEREAS, the Stanwood Community Development Committee reviewed the draft ordinance at their _____, 2026, meeting and has recommended that the City Council adopt the ordinance; and

WHEREAS, the Stanwood Planning Commission held a public hearing on ordinance on _____, 2026, and forwarded their findings of fact and conclusions recommending to approve the ordinance to the City Council; and

WHEREAS, all persons desiring to either provide written testimony or speak for or against the ordinance were given the opportunity to do so before both the Planning Commission and City Council; and

WHEREAS, the City Council held a public hearing on the draft code amendment on _____, 2026, and accepted public comment; and

WHEREAS, the City is authorized under the Constitution and laws of the State of Washington, including the Growth Management Act, Chapter 36.70A RCW, to adopt and amend land use regulations and development standards to protect the public health, safety, and welfare; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Permit Procedures. Stanwood Municipal Code Chapter 18.130, Permits is amended as provided in Exhibit A attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 2. Grading Code. Stanwood Municipal Code Chapter 18.830, Grading is adopted as provided in Exhibit B attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 3. Stormwater Management Code. Stanwood Municipal Code Chapter 18.840, Stormwater Management is adopted as provided in Exhibit C attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 4. Repealed Sections. The Stanwood Municipal Code Chapters 17.140, Stormwater Management Performance Standards and 17.154, Grading Regulations are repealed in their entirety.

Section X. Findings of Fact and Conclusions. The Stanwood City Council adopts the Findings of Fact and Conclusions as recommended by the Planning Commission and attached hereto as **Exhibit X** and incorporated herein by reference.

Section X. Citation Corrections. The Codifiers of this ordinance are here by instructed to make any and all appropriate code citation references, cross-references, and formatting adjustments necessary to ensure consistency with the amendments and revisions adopted by this ordinance.

Section X. Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but

not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section X. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2026.

CITY OF STANWOOD:

- Approve
- Veto

Sid Roberts, Mayor

Attest:

Lisa Sokolik, City Clerk

Approved as to Form:

Nikki Thompson, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

Chapter 18.310 Permits Generally

i SMC 18.310.010 (Permit terms, extension, and expiration) is amended to incorporate parts of SMC 17.154.110 (Permit expiration). Existing provisions for “renewal” of a grading permit are integrated into permit extension provisions below.

18.310.010 Permit terms, extension, and expiration.

- (1) *Applicability.* This section applies to issued project permits, which is an authorization to perform the work or establish the use identified in the permit. After the expiration of the permit, legally established uses that become nonconforming are governed by the nonconforming uses provisions of this title.
- (2) *Initial Term.*
 - (a) A permit is valid for the initial term shown in Table 18.310.010-1 unless extended by the director.
 - (b) A permit’s initial term is measured from the date of project or permit approval (as specified in the notice of decision, if one is required), except that if the decision is appealed, the effective date is the date of decision on appeal. The initial term for a shoreline permit commences on the effective date of the permit as defined in WAC 173-27-090.
 - (c) If the director determines that soil, hydrologic, or geologic conditions necessitate that grading, drainage improvements or site stabilization be completed in less time, then the director may:
 - (i) Establish a shorter initial term for a grading permit;
 - (ii) Issue a grading permit that is not renewable pursuant to subsection (5) of this section; or
 - (iii) Both of the above.
- (3) *Extension.* The director may extend a permit the number of times shown in Table 18.310.010-1, for the length of extension indicated, only if all of the following criteria are met:
 - (a) The applicant submits a written request on forms provided by the department at least 30 days prior to expiration of the permit;
 - (b) Any applicable fee has been paid;
 - (c) The permittee has proceeded with due diligence and in good faith;
 - (d) The use remains a permitted use in the zone;
 - (e) The extension is not prohibited by requirements of state or federal law;
 - (f) Proper justification consists of one or more of the following conditions:
 - (i) Economic hardship;
 - (ii) Change of ownership;
 - (iii) Unanticipated construction, or site design problems, or both;
 - (iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.
- (4) *Expiration.*

- (a) A permit issued under this title will expire if, on the date the permit expires, the permit holder has not performed the work indicated in Table 18.310.010-1 or fulfilled the requirements of the applicable permit.
- (b) Exception. The initial permit term does not include the time during which a permit was not actually pursued by construction because of pending litigation related to the permit or because the applicant was diligently pursuing permits from other agencies necessary for construction.

Table 18.310.010-1. Permit Terms and Extensions

Type of Permit	Initial Term	Number of Allowed Extensions	Length of Allowed Extension
Subdivision	5 years	1	1 year
Short Subdivision	5 years	1	1 year
Shoreline Permit	2 years	1	1 year
Conditional Use Permit	2 years to establish the use	0	n/a
Variance	2 years to establish the use	0	n/a
<u>Grading Permit</u>	<u>2 years</u>	<u>1</u>	<u>2 years</u>
All Other Type 1 Permits	1 year	1	1 year
All Other Type 2-4 Permits	2 years	1	1 year

EXHIBIT B

Division VIII Environment

Chapter 18.830 Grading

- i** The sections in Chapter 17.154 (Grading Regulations) pertaining to grading standards are included in this chapter. The sections in Chapter 17.154 pertaining to grading permitting are proposed to be included in a new chapter (Grading Permits) under Division III, Permits.
- i** SMC 17.154.050 (Applications) is not proposed to be included in Title 18 since it is redundant with Table 18.230.020-1. Grading is a Type I project permit application. A project permit for grading will need to provide the required application contents per 18.220.030, including items established in a checklist by the director. It does not need to be repeated here.
- i** SMC 17.154.060 (SEPA) is not proposed to be included in Title 18 since this will be established by Table 18.820.070-1 (Adoption of Flexible Thresholds) - once adopted - and does not need to be repeated here. Fill within a sensitive area is not exempt per WAC 197-11-908.
- i** SMC 17.154.100 (Filling of Wetlands) is not proposed to be included in Title 18. Under proposed SEPA amendments, a proposal is not exempt if it is not exempt under WAC 197-11-908 for critical areas. This means that any fill in a critical area would require SEPA. This does not need to be repeated in grading regulations. Furthermore, work in the floodplain or shoreline would be subject to flood regulations or the SMP and does not need to be repeated here.
- i** The following two sections are based on SMC 17.154.010 (Purpose and Applicability). Minor updates for plain language.

18.830.010 Purpose.

The purpose of this chapter is to establish standards to regulate grading, excavating, filling, and the creation of impervious surface to safeguard life, property, and the environment.

- i** The following section incorporates parts of SMC 17.154.020 (Exemptions) and SMC 17.154.110 (Permit expiration). Updated based on conversations with staff. Prior exemptions for volume are reframed in the positive in the applicability section.

18.830.020 Applicability.

- (1) This chapter applies to the following grading activity unless exempt by SMC 18.830.030.
 - (a) Excavation or fill exceeding 50 cubic yards in a 12 month period. Quantities of excavation and fill are calculated separately and added together.
 - (b) Excavation or fill exceeding two feet deep.
 - (c) Excavation or fill associated with construction of a retaining wall more than two feet high.

- (2) The requirements of this chapter that are not expressly temporary, including but not limited to erosion control, drainage, and slope management, do not terminate with expiration of the grading permit subject to SMC 18.310.010.

i The following section is based on SMC 17.154.020 (Exemptions).

18.830.030 Exemptions.

The following grading activity is exempt from the requirements of this chapter if it occurs outside a critical area and is at least two feet from a property line:

! Would the city would like to continue to exempt any grading if a building permit has been issued? Based on peer city review, this is not a common exemption.

- (1) Grading, excavation or filling performed during the construction of a building for which a valid building permit has been issued.

! Would the city like to continue to exempt solid waste disposal sites? Consider whether this exemption is relevant to Stanwood. Does Stanwood have or anticipate having a landfill?

- (2) Operation of a solid waste disposal site subject to a solid waste permit pursuant to Chapter 70.95 RCW. The expansion, relocation, or closure of a solid waste disposal site is not exempt.

! Would the city like to continue to exempt operations for mining, quarrying, etc.? Consider whether this exemption is relevant to Stanwood. Does Stanwood have or anticipate having any of these operations?

- (3) Ongoing commercial operations involving mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate, or clay. This exemption does not apply to:

- (a) Reclamation activities;
- (b) An operation which the director determines may destabilize or undermine any adjacent or contiguous property; or
- (c) An operation which the director determines may result in adverse downstream drainage impacts.

- (4) Ongoing agricultural activities, as follows:

- (a) Tilling, soil preparation, and maintenance; and
- (b) Fallow rotation, planting, and harvesting.

- (5) Site investigative work necessary for project permit application submittals such as surveys, soil borings and test pits, percolation tests, and other related activities, provided the land-disturbing activity is the minimum necessary.

- (6) Excavation of a well for a single-family dwelling.

- (7) Excavation or filling of cemetery graves.

- (8) Utility and related underground drainage system construction and maintenance in city rights-of-way.

! Would the city like to continue to exempt the creation of less than 2,000 sf of impervious surface? If not, associated grading would be subject to volume and depth limits.

- (9) Creation of less than 2,000 square feet of impervious surface, which requires no utilities.

- (10) Emergency sandbagging, diking, ditching, or similar work immediately before, during, or after periods of extreme weather conditions, including flooding, when done to protect life or property.

i The following section incorporates parts of SMC 17.154.030 (Other Laws) and SMC 17.154.090 (Permit Issuance).

18.830.040 Grading Permit Application.

(1) General.

- (a) A grading permit application is subject to the content and procedural requirements of Division II of this title and will only be approved if found to be consistent with these requirements.
- (b) A grading permit may be part of a larger project for which additional permits are required, according to Division II of this title.

i The following section is based on SMC 17.154.040 (Accuracy of plans).

- (2) Accuracy of grading plans. The city is not responsible for the accuracy of grading plans submitted for approval. The design and implementation of a suitable grading plan is the responsibility of the owner and applicant and not the city.

i The following section is based on SMC 17.154.070 (Engineered grading).

- (3) Engineered grading. The following activities require engineered grading and must have stamp and signature from a civil engineer:
- (a) Grading in excess of 50 cubic yards. Such grading also requires submittal of a full drainage plan as specified in the application checklist provided by the city;
 - (b) Grading within rights-of-way, whether public or private. Such grading shall comply with city specifications;
 - (c) Grading associated with development activities that are subject to SEPA environmental review;
 - (d) Creation of more than 2,000 square feet of impervious surface; and
 - (e) All other grading that requires civil engineering.

i The following section is based on SMC 17.154.080 (Geotechnical reports).

- (4) Geotechnical reports. The city may determine that geologic, hydrologic, or soil conditions present special grading or drainage conditions that may damage a public right-of-way or pose a substantial threat to public health, safety, or welfare. In these cases, the city may require the applicant to submit a geotechnical engineering report that includes a soils engineering report, an engineering geology report, or both pursuant to subsection (5) of this section. If a geotechnical engineering report is required:
- (a) The applicant's geotechnical engineer or civil engineer must inspect and approve the suitability of the prepared ground to receive fills and the stability of cut slopes with respect to soil, hydrologic, and geologic conditions.
 - (b) The geotechnical evaluation must also address the need for subdrains or other groundwater drainage devices.
 - (c) To verify safety, the city may require testing for required compaction, soil bearing capacity, stability of all finished slopes and the adequacy of structural fills as a condition of approval.

- (5) Additional Engineering Reports. The city may require any of the following additional engineering reports.
- (a) Soils Engineering Report. The city may require a soils engineering report that includes:
 - (i) Data regarding the nature, distribution, and strength of existing soils;
 - (ii) Conclusions and recommendations for grading procedures and design criteria for corrective measures, including structural fills, when necessary; and
 - (iii) An opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.
 - (b) Engineering Geology Report. The city may require an engineering geology report that includes:
 - (i) An adequate description of the geology of the site;
 - (ii) Conclusions and recommendations regarding the effect of geologic conditions on the proposed development; and
 - (iii) An opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors.
 - (c) Liquefaction Report. The city may require a geotechnical investigation and report in accordance with IBC Sections 1802.2 and 1802.6, that addresses the potential for liquefaction.

18.830.060 Grading Standards.

i The following section is based on SMC 17.25.130 (Building Grades). Minor updates for plain language.

- (1) Building grades. Any building requiring yard space must be located at an elevation such that a sloping grade causes the flow of surface water to run away from the walls of the building.

i The following section is based on SMC 17.154.160 (Cuts or Excavations). Minor updates for plain language and consistency with style guide.

- (2) Cuts or excavations.
- (a) Unless otherwise recommended in the approved soils engineering report or engineering geology report, cuts must conform to the provisions of this section. These provisions do not apply to minor cuts which are less than four feet in height when such cuts do not pose a threat to adjoining property.
 - (b) The slope of cut surfaces must be no steeper than is safe for the intended use and must be no steeper than one unit vertical in two units horizontal (50% slope) unless the applicant furnishes a soils engineering report or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope is stable and does not create a hazard to public or private property.
 - (c) Slopes must be stabilized after being cut. The soils engineering report or engineering geology report, or both, must verify that the slopes are not subject to ongoing erosion that may adversely impact public or private property.

i The following section is based on SMC 17.154.170 (Fills or embankments). Minor updates for plain language and consistency with style guide.

- (3) Fills or embankments.

- (a) Unless otherwise recommended in the approved soils engineering report, fills must conform to the provisions of this section. These provisions do not apply to minor fills not intended to support structures, and which are less than four feet in height, when such fills do not pose a threat to adjoining property.
- (b) Fill slopes may not be constructed on natural slopes steeper than one unit vertical in two units horizontal (50% slope).
- (c) Fill Material.
 - (i) Detrimental amounts of organic material is not permitted in fills. Rock or similar irreducible material with a maximum dimension greater than 12 inches is not allowed to be buried or placed in fills, except:
 - (A) The director may permit placement of larger rock when the soils engineer properly devises a method of placement, and the soils engineer continuously inspects its placement and fill stability. The following conditions also apply:
 - (I) Prior to issuance of the grading permit, potential rock disposal areas must be delineated on the grading plan;
 - (II) Rock sizes greater than 12 inches in maximum dimension must be 10 feet or more below grade, measured vertically; and
 - (III) Rocks must be placed so as to assure filling of all voids with well-graded soil.
 - (ii) Compaction.
 - (A) All fills intended to support structures or private roads must be compacted to a minimum of 95% of maximum density.
 - (B) All fills within public or private rights-of-way must be compacted in accordance with city specifications.
 - (iii) The slope of fill surfaces must be no steeper than is safe for the intended use, and no steeper than one unit vertical in two units horizontal (50% slope).

i The following section is based on SMC 17.154.180 (Setbacks). Minor updates for plain language.

i SMC 17.154.180(1) on Field Marking is pulled out and proposed to be its own section (SMC 18.830.090) since it is related to process.

- (4) Setbacks.
 - (a) Cut and fill slopes must be set back from site boundaries in accordance with this section. Setback dimensions are horizontal distances measured perpendicular to the site boundary.
 - (b) The top of cut slopes may not be made nearer to a site boundary line than one-fifth of the vertical height of cut, but in no event nearer than two feet from the boundary line. The setback may be increased as necessary for stability of any required subsurface drainage or surcharge.
 - (c) The toe of fill slopes may not be made nearer to the site boundary line than one-half the height of the slope, but in no event nearer than two feet from the boundary line.

i The following section is based on SMC 17.154.190 (Drainage and terracing). Minor updates for plain language and consistency with style guide.

- (5) Drainage and terracing.

- (a) Unless otherwise indicated on the approved grading plan, drainage facilities and terracing must conform to the provisions of this section for cut or fill slopes steeper than one unit vertical in three units horizontal (33.3% slope).
- (b) Terraces at least six feet in width must be established at not more than 30 foot vertical intervals on all cut or fill slopes to control surface drainage and debris, except that where only one terrace is required, it must be at mid-height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace at approximately mid-height must be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height must be designed by the civil engineer and approved by the director. Suitable access must be provided to permit proper cleaning and maintenance.
- (c) Swales or ditches on terraces must have a minimum gradient of .5%.
- (d) Cut or fill slopes must be provided with subsurface drainage as necessary for stability and proper conveyance of groundwater.
- (e) All drainage facilities must be designed to carry waters to the nearest practicable drainage way in a safe manner approved by the director. Outfalls or points of discharge must be designed using best management practices and construction procedures which prevent or minimize erosion.
- (f) Building pads must have a drainage gradient of 2% toward approved drainage facilities, unless waived by the director. Except the gradient from the building pad may be 1% if all of the following conditions exist throughout the permit area:
 - (i) No proposed fills are greater than 10 feet in maximum depth;
 - (ii) No proposed finish cut or fill slope faces have a vertical height in excess of 10 feet; and
 - (iii) No existing slope faces steeper than one unit vertical in 10 units horizontal (10% slope) have a vertical height in excess of 10 feet.
- (g) Paved interceptor drains must be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet measured horizontally. If required, interceptor drains must:
 - (i) Be paved with a minimum of three inches of concrete or gunite and reinforced;
 - (ii) Have a minimum depth of 12 inches;
 - (iii) Have a minimum paved width of 30 inches measured horizontally across the drain; and
 - (iv) Have a slope approved by the director.

i The following section is based on SMC 17.154.200 (Erosion control). Minor updates for plain language.

- (6) Erosion control.
 - (a) The faces of cut and fill slopes must be prepared and maintained to control against erosion. Erosion control:
 - (i) May consist of effective planting, hydroseeding, or mulching.
 - (ii) Must be installed as soon as practicable, and prior to calling for final approval.
 - (iii) Must conform to the city's adopted stormwater manual.
 - (b) Where necessary to provide safety to adjoining properties, the applicant must employ check dams, cribbing, riprap, silt fences or other devices and methods.

- (c) Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, erosion control may be omitted.

18.830.070 Grading Activity Requirements.

i The following sub-section is new.

- (1) Any person performing grading subject to a grading permit must:
 - (a) Have a copy of the issued grading permit and approved plans on the work site at all times; and
 - (b) Be responsible for compliance with the plans, specifications, and permit requirements

i The following sub-section is based on SMC 17.154.180(1) Field marking.

- (2) Field marking. Before performing any grading activities for which a permit is required pursuant to this chapter, the applicant must mark in the field:
 - (a) Limits of all grading and clearing activity;
 - (b) Critical areas and critical area buffers;
 - (c) Trees to be retained; and
 - (d) Drainage courses.

i The following section is based on SMC 17.154.150 (Modification to permits).

- (3) Grading plan modification.
 - (a) After issuance of a grading permit, the director may require modifications of grading plans, specifications, construction phasing or operations, or impose additional or more stringent standards and requirements to the extent necessary to protect public health, safety, and welfare.
 - (i) Modifications, standards, or requirements may be necessary because of unusual circumstances or newly discovered site conditions, including but not limited to soil type, topography, and weather conditions.
 - (ii) Modifications, standards and requirements may include but are not limited to scheduling, time restrictions, or a phased grading plan pursuant to subsection (b) of this section.
 - (b) Phased grading plan.
 - (i) A phased grading plan may be approved as part of a modified permit for incomplete portions of a grading proposal subject to the following requirements:
 - (A) In lieu of completing the improvements required by the grading permit, the applicant must provide a two-year bond or equivalent form of financial surety at 150% of the established cost of the improvements, if it is determined by the city engineer that the incomplete project requires additional erosion control, slope management or drainage improvements to protect adjacent and abutting property or critical areas on site;
 - (B) All phases of a plan must be completed within 24 months of the approval of the modified permit, except the director may set an earlier expiration date pursuant to SMC 18.310.010(2).
 - (ii) A phased grading plan must include:

- (A) A plan sheet delineating the phases and sequencing of proposed grading with proposed completion dates for each phase;
- (B) An explanation of why the phased plan is needed;
- (C) The percentage of remaining work to be completed as a separate phase and cost of each phase;
- (D) A revised plan sheet showing how each phase complies with the performance standards for the permit including describing the edge of the filled area and temporary erosion control; and
- (E) A description of how site drainage will be controlled until the project is complete.

i The following sub-section is based on SMC 17.154.120 (Inspections).

- (4) Grading inspections. Grading activities for which a permit is required are subject to inspection by the city. Professional inspection of grading operations must be provided by the civil engineer, soils engineer, or the engineering geologist retained by the applicant to provide services for engineered grading and as required by the city, as follows:
- (a) The civil engineer must
 - (i) Provide professional inspection services that consist of observation and review as to the establishment of line, grade, surface drainage and erosion control of the development area.
 - (ii) Prepare any revised plans that may be required during the course of work.
 - (b) The soils engineer must:
 - (i) Provide professional inspection services that consist of observation during grading and testing for required compaction.
 - (ii) Provide sufficient observation during the preparation of the natural ground, and placement and compaction of the fill, to verify that such work is being performed in accordance with the conditions of the approved plan and the requirements of this code.
 - (iii) Submit any revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports to the city.
 - (c) The engineering geologist must:
 - (i) Provide professional inspection services that consist of inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report.
 - (ii) Submit any revised recommendations relating to conditions differing from the approved engineering geology report to the soils engineer.
 - (d) The applicant or owner is responsible for the work to be performed in accordance with the approved plans and in conformance with the provisions of this code, and must engage consultants, if required, to provide professional inspections on a timely basis. In the event of changed conditions, the applicant or owner is responsible for informing the city of such change and must provide revised plans for approval.
 - (e) The public works director or city engineer may inspect grading of subdivisions to assure the future roadways, whether public or private, are graded in accordance with the approved plans and specifications and in conformance with provisions of the public works standards.
 - (f) The city must inspect the project at various stages of work to determine that adequate control is being exercised by the professional consultants.

- (g) If, in the course of fulfilling their respective duties under this chapter, the civil engineer, the soils engineer or the engineering geologist finds that the work is not being done in conformance with this code or the approved grading plans, the discrepancies must be reported immediately in writing to the city.
- (h) The city must notify the applicant or owner of any discrepancies that would necessitate plan revisions or corrections by the professional consultants when notified in subsection (5) of this section.
- (i) The types of soils inspections and standards recognized as acceptable soils tests are:
 - (i) ASTM D 1557, moisture-density relations of soils and soil aggregate mixtures;
 - (ii) ASTM D 1556, in place density of soils by the sand-cone method; ASTM D 2167, the rubber-balloon method; or ASTM D 2937, the drive-cylinder method; and
 - (iii) ASTM D 2922 and D 3017, in place moisture content and density of soils by nuclear methods.

i The following sub-section is based on SMC 17.154.130 (Transfer of responsibility).

- (5) Transfer of responsibility. If the civil engineer, soils engineer, or engineering geologist of record changes during grading, the work must be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work in compliance with approved plans. It is the duty of the applicant or owner to notify the city in writing of such change prior to the recommencement of grading.

i The following sub-section is based on SMC 17.154.140 (Completion of work).

- (6) Completion of work. Upon completion of the work, the civil engineer must submit as-built drawings and a report to the city certifying that the completed project conforms to the conditions of the permit and the approved plans, and that all grading work, drainage facilities, erosion control measures, etc., have been completed in accordance with the issued permit. Minor deviations from the approved plans must be listed in the report or noted on reproducible as-built drawings, which must be submitted with the report.

EXHIBIT C

Division VIII Environment

Chapter 18.840 Stormwater Management

i This chapter is based on Chapter 17.140 (Stormwater Management Performance Standards).

i The following section is based on SMC 17.140.010 (Purpose). Minor amendments for plain language, simplification, and consistency with style guide.

18.840.010 Purpose.

The purpose of this chapter is to:

- (1) Ensure that development is consistent with the land use, utilities and natural features elements of the Comprehensive Plan;
- (2) Minimize water quality degradation and sedimentation in rivers, streams, ponds, lakes, wetlands, and other water bodies;
- (3) Minimize the impact of increased runoff, erosion, and sedimentation caused by land development and maintenance practices;
- (4) Maintain and protect groundwater resources;
- (5) Minimize adverse impacts of alternations on ground and surface water quantities, locations, and flow patterns;
- (6) Decrease potential landslide, flood, and erosion damage to public and private property;
- (7) Promote site planning and construction practices that are consistent with natural topographical, vegetational, and hydrological conditions;
- (8) Maintain and protect the city's stormwater management infrastructure and those downstream;
- (9) Provide a means of reviewing clearing and grading of private and public land while minimizing water quality impacts in order to protect public health and safety;
- (10) Provide minimum development regulations and construction procedures that will preserve, replace, or enhance, to the maximum extent practicable, existing vegetation to preserve and enhance the natural qualities of lands, wetlands and water bodies; and
- (11) Encourage low impact development (LID) techniques for stormwater.

i The following section is based on SMC 17.140.030 (Applicability), 17.140.020 (General Provisions), and SMC 17.170.040 (Regulated activities and allowed activities). Minor amendments for clarity, plain language, organization, and consistency with style guide.

i Under regulated activities, new development and redevelopment subsections were consolidated since there was substantial overlap between the listed activities.

i SMC 17.140.030(3) is not included in Title 18. This subsection included requirements for a small parcel erosion and sediment control plan, large parcel erosion and sediment control plan, and permanent stormwater quality control plan. There are no clear thresholds for when these plans are required, or

required contents. It appears the approval standards and minimum requirements for these plans were repealed by Ordinance 1110 in 2002 (SMC 17.140.060-070). The Stormwater Manual includes requirements for a Stormwater Site Plan and Construction Stormwater Pollution Prevention plan. The city is not required to establish separate or more restrictive requirements.

18.840.020 Applicability.

- (1) This chapter applies to new development or redevelopment that includes a regulated activity.
- (2) Regulated activities. The director may approve the following activities subject to the requirements of this chapter, unless exempted by subsection (3) of this section:
 - (a) Land disturbing activities;
 - (b) Structural development, including construction, installation or expansion of a building or other structure;
 - (c) Creation or addition of impervious surfaces;
 - (d) Replacement of impervious surface that is not part of a routine maintenance activity;
 - (e) Class IV general forest practices that are conversions from timber land to other uses; and
 - (f) Subdivision, short subdivision, and binding site plans, as defined in RCW [58.17.020](#).
- (3) Exemptions. This chapter does not apply to the following activities:
 - (a) Commercial agriculture and forest practices regulated by WAC Title [222](#), except for Class IV general forest practices that are conversions from timber land to other uses; and
 - (b) Development undertaken by the Washington State Department of Transportation in state highway rights-of-way regulated by Chapter [173-270](#) WAC, the Puget Sound Highway Runoff Program.
- (4) Conflict. When any other requirement of this code conflicts with this chapter, the requirement that provides more environmental protection applies unless otherwise established.
- (5) Greater restrictions. It is not the intent of these standards to repeal, abrogate, or impair any existing regulations, easements, covenants, or deed restrictions. However, where these standards impose greater restrictions, the provisions of these standards prevail.

i The following section is based on SMC 17.140.050 (General Requirements). Minor amendments for plain language and consistency with style guide.

! Need to add a cross reference to standards regarding dedication to city. Staff to review code and standards to determine whether it includes adequate language regarding condition of facilities when turned over to the city (i.e. facilities must be clean condition and in good working order).

18.840.040 Stormwater Standards.

- (1) Stormwater designs must be consistent with:
 - (a) The 2005 Edition of the Washington State Department of Ecology’s “Stormwater Management Manual for Western Washington” (manual), which is hereby adopted by reference. Local exceptions are included in Chapter 3 of the Street and Utility Standards (Chapter [14.08](#) SMC).
 - (b) The Street and Utility Standards (Chapter [14.08](#) SMC).
- (2) Required Stormwater Best Management Practices (BMPs).

- (a) General.
 - (i) BMPs must be used to control pollution from stormwater.
 - (ii) BMPs must be used to comply with this chapter.
 - (iii) BMPs may be found in the manual.
- (b) Experimental BMPs.
 - (i) In those instances where appropriate BMPs are not in the manual, experimental BMPs may be considered.
 - (ii) Experimental BMPs are encouraged as a means of solving problems in a manner not addressed by the manual in an effort to improve stormwater quality technology.
 - (iii) Experimental BMPs must be approved in accordance with the approval process outlined in the manual.
- (3) Illicit discharges to stormwater drainage systems are prohibited.
- (4) Design Requirements for Stormwater Facilities.
 - (a) New stormwater ponds must be designed with an irregular shape that utilizes the natural contours of the site and limits the use of manmade concrete walls to no more than 50% of the length of the perimeter pond embankment, measured at the pond bottom.
 - (b) Ponds that are surrounded by a fence must utilize chain link fencing coated in black vinyl to reduce the aesthetic impact of the fencing.
 - (c) Stormwater ponds must incorporate landscaping that provides visual screening of the pond for a minimum of 40% of the pond perimeter using either shrubs and evergreen trees or living fences.
 - (i) Spaces between planting clusters must utilize ground cover.
 - (ii) Trees and shrubs must be grouped to provide a minimum of six feet for consideration of mowing equipment.
 - (iii) Deciduous trees and shrubs are not allowed within or around the pond area.
 - (iv) Plants considered acceptable for living fences include:
 - (A) Barberries (*Berberis darwinii* and *B. veruculosa*);
 - (B) Camelia (*Camelia sasanqua*);
 - (C) Quince (*Chenomeles*);
 - (D) Cotoneaster (*Cotoneaster horizontalis*, *C. simonsii*);
 - (E) Forsythia (*Forsythia suspensa sieboldii*);
 - (F) Winter jasmine (*Jasminum nudiflorum*);
 - (G) Euonymous (*Euonymous fortunei*);
 - (H) Bittersweet (*Celastrus orbiculatus*); and
 - (I) Russian vine (*Polygonum*).
 - (v) Plants considered acceptable for shrubs include:
 - (A) English laurel;
 - (B) Photinia;

- (C) Yew;
 - (D) Arbor-vitae;
 - (E) Hemlock;
 - (F) Western red cedar;
 - (G) Hornbeam (Carpinus);
 - (H) Hawthorn (Crataegus);
 - (I) Cypress (Cupressocyparis); and
 - (J) Beech (Fagus).
- (d) Functional integration (such as fountains, basketball courts, tennis courts, open play areas, etc.) is strongly encouraged with stormwater facilities.



**CITY OF STANWOOD
COMMUNITY DEVELOPMENT
COMMITTEE
AGENDA STAFF REPORT**

ITEM NUMBER: 2026-100
DATE: March 5, 2026
SUBJECT: Historic Preservation Ordinance
CONTACT PERSON: Patricia Love, Community Development Director
ATTACHMENTS: 1. Draft Historic Preservation Ordinance

PURPOSE

The purpose of this agenda item is for Committee review and consideration of adopting a Historic Preservation Ordinance as part of the Downtown Initiative work.

BACKGROUND

As part of the ongoing Stanwood Downtown Initiative, staff has prepared a draft Historic Preservation Ordinance for the Commission's review and consideration. The proposed ordinance is based on the Washington State Department of Archaeology and Historic Preservation (DAHP) Model Ordinance and is intended to provide the framework for identifying, protecting, and enhancing historically significant buildings, structures, sites, and districts within the City.

The ordinance supports and is complementary to the Creative Arts District and Main Street concepts which are currently under review. Preservation of historic structures contributes to Stanwood's character and sense of place. A historic preservation program is a significant component of a Main Street district, as it helps maintain the architectural integrity and walkable character that define traditional downtowns.

The Commission's review of the draft ordinance is an important step in advancing the Downtown Initiative and aligning historic preservation efforts with the City's broader economic development and placemaking objectives.

ANALYSIS

The Washington State Department of Archaeology and Historic Preservation (DAHP) provides a model historic preservation ordinance that includes the key requirements for cities establishing a local historic preservation program and seeking designation as a Certified Local Government (CLG).

A Certified Local Government is a local jurisdiction that has been formally recognized by the National Park Service and DAHP as meeting specific federal and state standards for historic preservation. To qualify, a city must adopt a qualifying preservation ordinance, establish a historic preservation commission, maintain an inventory of historic resources, and provide for public participation in preservation decisions.

CLG designation allows a city to participate directly in the federal historic preservation program and provides access to exclusive grant funding, technical assistance, and training opportunities. It also strengthens coordination between local, state, and federal preservation efforts.

By incorporating DAHP’s standard requirements, the draft ordinance positions the City to establish a compliant preservation program and, if desired, pursue Certified Local Government status in the future. Major components of the draft Historic Preservation Ordinance include:

Ordinance Topic:	Summary Description:
Historic Preservation Commission:	<ul style="list-style-type: none"> ▪ A 5-member board appointed by the Mayor and approved by Council. ▪ Members must have demonstrated interest or professional experience in historic preservation. ▪ Serves as the City’s primary advisory body on historic preservation matters.
Primary Duties:	<ul style="list-style-type: none"> ▪ Maintain a Historic Inventory (HI). ▪ Establish and maintain the Stanwood Historic Register (HR). ▪ Review nominations to the Register. ▪ Review proposed changes to listed properties. ▪ Review demolition requests. ▪ Administer and monitor the Special Property Tax Valuation program. ▪ Advise City Council on historic preservation matters.
Establishes a Stanwood Historic Preservation Register:	<p>Properties may be listed if they:</p> <ul style="list-style-type: none"> ▪ Are generally at least 50 years old (or exceptionally significant if younger). ▪ Retain historic integrity. ▪ Meet criteria related to architecture, events, persons, or cultural significance. <p>Effects of Listing:</p> <ul style="list-style-type: none"> ▪ Major alterations require a Certificate of Appropriateness (COA). ▪ Demolition requires a waiver from the Commission. ▪ Ordinary maintenance and emergency repairs are exempt.

	<ul style="list-style-type: none"> ▪ Listing does not change zoning. ▪ Owner consent is required for listing and removal.
Special Tax Credits	The ordinance authorizes a 10-year property tax incentive for qualifying historic rehabilitation projects. Rehabilitation costs (minimum 25% of assessed building value) may be excluded from taxable value for 10 years.

RECOMMENDATIONS

Staff recommends that the Commission conduct an initial review of the draft Historic Preservation Ordinance and provide policy direction on whether the City should pursue adoption of the ordinance and implementation of a historic preservation program.

If the Commission expresses support for moving forward, staff will initiate outreach and coordination meetings with the Stanwood Area Historical Society and the Downtown Initiative Group to solicit their input and recommendations before returning with a revised draft for further consideration.

PROPOSED MOTION

None; Discussion Item

Title 2

Chapter 2.34 Historic Preservation Commission

STANWOOD HISTORIC PRESERVATION ORDINANCE

- 2.34.010 Purpose**
- 2.34.020 Title**
- 2.34.030 Definitions**
- 2.34.040 Stanwood Historic Commission**
- 2.34.050 Stanwood Register of Historic Places**
- 2.34.060 Review of Changes to the Stanwood Historic Register Properties**
- 2.34.070 Review and Monitoring of Properties for Special Property Tax Valuation**
- 2.34.080 Appeals**

2.34.010 Purpose

- (1) The purpose of this ordinance is to provide for the identification, evaluation, designation, and protection of designated historic and prehistoric resources within the boundaries of the City of Stanwood and preserve and rehabilitate eligible historic properties within the City of Stanwood 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 Stanwood in Snohomish County as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the City of Stanwood’s 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 Stanwood’s 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.

2.34.020 Short Title

The following sections shall be known and may be cited as the “historic preservation ordinance of the City of Stanwood.”

2.34.030 Definitions

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

“The City of Stanwood Historic Inventory” or “Inventory” means the comprehensive inventory of

historic and prehistoric resources within the boundaries of the City of Stanwood.

“The City of Stanwood Historic Preservation Commission” or “Commission” means the commission created by Section 2.34.040 herein.

“The City of Stanwood Register of Historic Places”, “Local Register”, or “Register” means the listing of locally designated properties provided for in Section 2.34.050 herein.

“Actual Cost of Rehabilitation” means costs incurred within twenty-four months prior to the date of application and directly resulting from one or more of the following: a) improvements to an existing building located on or within the perimeters of the original structure; or b) improvements outside of but directly attached to the original structure which are necessary to make the building fully useable but shall not include rentable/habitable floor-space attributable to new construction; or c) architectural and engineering services attributable to the design of the improvements; or d) all costs defined as “qualified rehabilitation expenditures” for purposes of the federal historic preservation investment tax credit.

A “building” is a structure constructed by human beings. This includes both residential and nonresidential buildings, main and accessory buildings.

“Certificate of Appropriateness” means the document indicating that the commission has reviewed the proposed changes to a local register property or within a local register historic district and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation.

“Certified Local Government” or “CLG” means the designation reflecting that the local government has been jointly certified by the State Historic Preservation Officer and the National Park Service as having established its own historic preservation commission and a program meeting Federal and State standards.

“Class of properties eligible to apply for Special Valuation in the City of Stanwood” 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 Stanwood becomes a Certified Local Government (CLG). Once a CLG, the class of properties eligible to apply for Special Valuation in the City of Stanwood means all properties listed on the local and national Register of Historic Places or properties certified as contributing to an local or national 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.

“Cost” means the actual cost of rehabilitation, which cost shall be at least twenty-five percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.

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.

“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.

“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.

“Incentives” are such rights or privileges or combination thereof which the City of Stanwood / Snohomish County 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.

“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 commission created in Section 2.34.040 herein.

“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.

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.

“Ordinary repair and maintenance” means work for which a permit issued by the City of Stanwood is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of 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.

“Owner” of property is the fee simple owner of record as exists on the Snohomish County Assessor’s records.

“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 or prehistory 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 can include the City of Stanwood, or northwest Washington, 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.

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 ruined or now non-extant building or structure of the location itself possesses historic cultural or archaeological significance.

“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).

“State Register of Historic Places” means the state listing of properties significant to the community, state, or nation but which may or may not meet the criteria of the National Register.

A “structure” is a work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.

“Universal Transverse Mercator” or “UTM” means the grid zone in metric measurement providing for an exact point of numerical reference.

“Waiver of a Certificate of Appropriateness” or “Waiver” means the document indicating that the commission 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.

“Washington State Advisory Council’s Standards for the Rehabilitation and Maintenance of Historic Properties” or “State Advisory’s Council’s Standards” means the rehabilitation and maintenance standards used by the City of Stanwood’s Historic Preservation Commission 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.

2.34.040 Stanwood Historic Commission

- (1) Creation and Size. There is hereby established a Stanwood Historic Preservation Commission, consisting of 5 members, as provided in the subsection below. Members of the Stanwood Historic Preservation Commission shall be appointed by the Mayor and approved by the City Council and shall be residents of the City of Stanwood, except as provided below.
- (2) Composition of the Commission:
 - (a) All members of the commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and broad judgement.
 - (b) The commission shall always include at least 5 professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, 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 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 and the City of Stanwood Council in order to obtain representatives from these disciplines.

- (c) In making appointments, the Mayor may consider names submitted from any source, but the Mayor shall notify history and the City of Stanwood 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) Terms. The original appointment of members to the commission shall be as follows: three (3) members for two (2) years, and two (2) members for three (3) years;. Thereafter, appointments shall be made for a three (3) year term. Vacancies shall be filled by the Mayor for the unexpired term in the same manner as the original appointment.
- (4) Powers and Duties. The major responsibility of the Historic Preservation Commission is to identify and actively encourage the conservation of the City of Stanwood’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 of Stanwood’s history and historic resources; and to serve as the City of Stanwood’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:
 - (a) Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the City of Stanwood and known as the City of Stanwood 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.
 - (b) Initiate and maintain the City of Stanwood 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 Stanwood and encouragement of efforts by owners to maintain, rehabilitate, and preserve properties.
 - (c) Review nominations to the City of Stanwood Register of Historic Places according to criteria in Section 2.34.050 of this ordinance and adopt standards in its rules to be used to guide this review.
 - (d) Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register as provided in Section 2.34.060; and adopt standards in its rules to be used to guide this review and the issuance of a certificate of appropriateness or waiver.
 - (e) 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 or adjacent properties.
 - (f) 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.
 - (g) Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic and prehistoric resources.
 - (h) 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 Stanwood area.

- (i) Review and comment to the City of Stanwood Council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of the City of Stanwood, other neighboring communities, Snohomish County, the state or federal governments, as they relate to historic resources of the City of Stanwood.
 - (j) Advise the City of Stanwood Council and the Chief Local Elected Official generally on matters of City of Stanwood's history and historic preservation.
 - (k) Perform other related functions assigned to the Commission by the City of Stanwood Council or the Chief Local Elected Official.
 - (l) 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.
 - (m) 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.
 - (n) Be informed about and provide information to the public and the City of Stanwood departments on incentives for preservation of historic resources including legislation, regulations and codes which encourage the use and adaptive reuse of historic properties.
 - (o) Review nominations to the State and National Registers of Historic Places.
 - (p) Investigate and report to the City of Stanwood Council on the use of various federal, state, local or private funding sources available to promote historic resource preservation in the City of Stanwood.
 - (q) Serve as the local review board for Special Valuation and:
 - (i) Make determination concerning the eligibility of historic properties for special valuation;
 - (ii) Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance;
 - (iii) Enter into agreements with property owners for the duration of the special valuation period as required under WAC 254-20-070(2);
 - (iv) Approve or deny applications for special valuation;
 - (v) Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the 10 year special valuation period; and
 - (vi) Adopt bylaws and/or administrative rules and comply with all other local review board responsibilities identified in Chapter 84.26 RCW.
 - (r) The commission shall adopt rules of procedure to address items 3, 4, 6, and 18 inclusive.
- (5) Compensation. All members shall serve without compensation.
- (6) 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.
- (7) Commission Staff. Commission and professional staff assistance shall be provided by the City of Stanwood 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 ordinance.

2.34.050 City Of Stanwood Register Of Historic Places

- (1) Criteria for Determining Designation in the Register. Any building, structure, site, object, or district may be designated for inclusion in the Stanwood Historic Register 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 lesser age and has exceptional importance; and if it falls in at least one of the following categories.
 - (a) Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
 - (b) 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.
 - (c) Is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art.
 - (d) Exemplifies or reflects special elements of Stanwood's cultural, special, economic, political, aesthetic, engineering, or architectural history.
 - (e) Is associated with the lives of persons significant in national, state, or local history.
 - (f) Has yielded or may be likely to yield important archaeological information related to history or prehistory.
 - (g) 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.
 - (h) Is a birthplace or grave of an historical figure of outstanding importance and is the only surviving structure or site associated with that person.
 - (i) Is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns.
 - (j) Is a reconstructed building that has been executed in an historically accurate manner on the original site.
 - (k) 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.

- (2) Process for Designating Properties or Districts to the City of Stanwood Historic Register
 - (a) Property owners or the Stanwood Historical Society may nominate a building, structure, site, object, or district for inclusion in the City of Stanwood. Members of the Historic Preservation Commission or the commission as a whole may generate nominations. In its designation decision, the commission shall consider the Stanwood Historic Inventory and the City of Stanwood Comprehensive Plan.
 - (b) 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.

- (c) In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district justifying its designation; and a list of all properties including features, structures, sites, and objects contributing to the designation of the district.
 - (d) The Historic Preservation Commission shall consider the merits of the nomination, according to the criteria in this Section 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 City of Stanwood, and any other form of notification deemed appropriate by the City of Stanwood. If the commission finds that the nominated property is eligible for the Stanwood Historic Register, the commission shall list the property in the register with owner's consent. In the case of historic districts, the commission shall consider a simple majority of property owners to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The public, property owner(s) and the authors of the nomination, if different, and lessees, if any, shall be notified of the listing.
 - (e) Properties listed on the Stanwood Historic Register shall be recorded on official zoning records with an "HR" (for Historic Register) designation. This designation shall not change or modify the underlying zone classification.
- (3) Removal of Properties from the Register. In the event that any property is no longer deemed appropriate for designation to the Stanwood Historic Register, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation. A property may not be removed from the Stanwood Historic Register without the owner's consent.
- (4) Effects of Listing on the Register
- (a) Listing on the Stanwood Historic Register is a designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to an historic district.
 - (b) Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures, the owner must request and receive a Certificate of Appropriateness from the commission for the proposed work. Violation of this rule shall be grounds for the commission to review the property for removal from the register.
 - (c) Prior to whole or partial demolition of a register property, the owner must request and receive a waiver of a Certificate of Appropriateness.
 - (d) Once the City of Stanwood is certified as a Certified Local Government (CLG), All properties listed on the Stanwood Historic Register may be eligible for Special Tax Valuation on their rehabilitation (Section 2.34.070).

2.34.060 Review Of Changes To The City Of Stanwood Register Of Historic Places Properties

- (1) 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 Stanwood Historic Register or within an historic district without review by the commission and without receipt of a Certificate of Appropriateness, or in the case of demolition, a waiver, as a result of the review.
 - (a) 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 commission to review the proposed changes are established in rules.

- (2) Exemptions. The following activities do not require a Certificate of Appropriateness or review by the commission: ordinary repair and maintenance, which includes painting, or emergency measures as defined in this chapter.

- (3) Review Process
 - (a) Requests for Review and Issuance of a Certificate of Appropriateness or Waiver. The building or zoning official shall report any application for a permit to work on a designated Stanwood Historic Register property or in a historic district to the commission. If the activity is not exempt from review, the commission or professional staff shall notify the applicant of the review requirements. The building or zoning official shall not issue any such permit until a Certificate of Appropriateness, or a waiver is received from the commission but shall work with the commission in considering building and fire code requirements.
 - (b) Commission Review . The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the commission for a review of proposed changes on a Stanwood Historic Register property or within a 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 commission established in its rules for the proper review of the proposed project.
 - (c) The commission 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 commission. The commission shall complete its review and make its recommendations within thirty (30) calendar days of the date of receipt of the application. If the commission is unable to process the request, the commission may ask for an extension of time.
 - (d) The commission'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 commission's recommendations, a Certificate of Appropriateness shall be awarded by the commission according to standards established in the commission's rules. The commission'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.

(4) 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 Stanwood Historic Register property or in a historic district. The owner or his/her agent shall apply to the commission for a review of the proposed demolition and request a waiver. The applicant shall meet with the commission in an attempt to find alternatives to demolition. These negotiations may last no longer than 45 calendar days from the initial meeting of the commission, unless either party requests an extension. If no request for an extension is made and no alternative to demolition has been agreed to, the commission 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 commission up to 45 additional calendar days to develop alternatives to demolition. When issuing a waiver the commission may require the owner to mitigate the loss of the Stanwood historic register property by means determined by the commission at the meeting. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the permits granted. After the property is demolished, the commission shall initiate removal of the property from the register.

(5) Appeal of Approval or Denial of a Waiver of a Certificate of Appropriateness. The commission's decision regarding a waiver of a Certificate of Appropriateness may be appealed to the City of Stanwood Council within ten days. The appeal must state the grounds upon which the appeal is based. The appeal shall be reviewed by the council only on the records of the commission. Appeal of Council's decision regarding a waiver of a Certificate of Appropriateness may be appealed to Superior Court.

2.34.070 Review And Monitoring Of Properties For Special Property Tax Valuation

(1) Time Lines.

- (a) Applications shall be forwarded to the commission by the assessor.
- (b) Applications shall be reviewed by the commission before December 31 of the calendar year in which the application is made.
- (c) Commission decisions regarding the applications shall be certified in writing and filed with the assessor within 10 calendar days of issuance.

(2) Procedure.

- (a) The assessor forwards the application(s) to the commission.
- (b) The commission 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 criteria listed in this chapter.
 - (i) If the commission finds the properties meet all the criteria, then, on behalf of the City of Stanwood, it enters into an Historic Preservation

Special Valuation Agreement (set forth in WAC 254-20-120 with the owner. Upon execution of the agreement between the owner and commission, the commission approves the application(s).

- (ii) If the commission determines the properties do not meet all the criteria, then it shall deny the application(s).
- (c) The commission 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.
- (d) For approved applications:
 - (i) The commission forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4) and by this chapter) to the assessor,
 - (ii) Notifies the state review board that the properties have been approved for special valuation, and
 - (iii) Monitors the properties for continued compliance with the agreements throughout the 10-year special valuation period.
- (e) The commission determines, in a manner consistent with its rules of procedure, whether or not properties are disqualified from special valuation either because of
 - (i) The owner's failure to comply with the terms of the agreement or
 - (ii) Because of a loss of historic value resulting from physical changes to the building or site.
- (f) For disqualified properties, in the event that the commission concludes that a property is no longer qualified for special valuation, the commission shall notify the owner, assessor, and state review board in writing and state the facts supporting its findings.

(3) Criteria.

- (a) Historic Property Criteria: The class of historic property eligible to apply for Special Valuation in the City of Stanwood 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 Stanwood becomes a Certified Local Government (CLG). Once a CLG, the class of property eligible to apply for Special Valuation in the City of Stanwood means all properties listed on the Stanwood Historic Register of Historic Places or properties certified as contributing to a local or 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.
- (b) Application Criteria: Complete applications shall consist of the following documentation:
 - (i) A legal description of the historic property,
 - (ii) Comprehensive exterior and interior photographs of the historic property before and after rehabilitation,
 - (iii) Architectural plans or other legible drawings depicting the completed rehabilitation work, and
 - (iv) 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 commission upon request, and
- (v) 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.
- (c) Property Review Criteria: In its review the commission shall determine if the properties meet all the following criteria:
 - (i) The property is historic property;
 - (ii) The property is included within a class of historic property determined eligible for Special Valuation by the City of Stanwood;
 - (iii) 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 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 the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties.
 - (d) Rehabilitation and Maintenance Criteria: The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the commission 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.
- (4) Agreement: The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).

2.34.080 Appeals:

Any decision of the commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to Superior Court under Chapter 34.05.510 - 34.05.598 RCW in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the County Board of Equalization.