

**Tacoma Municipal Code**

**Chapter 1.38**

**MODEL CITIES LAND USE REVIEW BOARD**

*Repealed by Ord. 25574*

(Ord. 25574; passed Aug. 30, 1994)

**Chapter 1.40**

**CITY OF TACOMA BEAUTIFICATION COMMITTEE**

*Repealed by Ord. 26386*

(Ord. 26386 § 10; passed Mar. 23, 1999; Ord. 21316 § 1; passed Apr. 11, 1978)

**Chapter 1.42**

**LANDMARKS PRESERVATION COMMISSION**

Sections:

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- 1.42.040 Composition of the Landmarks Preservation Commission.
- 1.42.050 Terms of Landmarks Commissioners.
- 1.42.060 Ex officio members.
- 1.42.070 Members shall serve without compensation.
- 1.42.080 Rules and officers.
- 1.42.090 Powers and duties of the Commission.
- 1.42.100 Meetings and procedures.
- 1.42.110 Historic Preservation Officer.

**1.42.010 Short Title.**

This chapter may be referenced as “Landmarks Preservation Commission Code.” (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.020 Landmarks Preservation Commission — Declaration of purpose.**

It is hereby declared, as a matter of public policy, that the protection, enhancement, perpetuation, and use of objects, sites, structures, buildings, and districts of special historical or cultural significance within the City is a public necessity and required in the interest of the prosperity, civic pride, and general welfare of the people.

The purpose of this legislation is to:

- A. Establish the Landmarks Preservation Commission (also referred to in this chapter as “Commission”) and to provide the administrative process by which these significant objects, sites, structures, buildings, and districts that possess integrity of design, setting, materials, feeling and association located within the City may be preserved and protected;
- B. Foster civic pride in the beauty and accomplishments of the past through the publicizing and/or publishing of information concerning historic Tacoma;

C. Promote the use of the outstanding historic or architectural objects, sites, structures, buildings, and districts for the education, stimulation, and welfare of the people of the City; and

D. Promote and encourage continued private ownership and use of such objects, sites, structures, buildings, and districts now so owned and used, to the extent that the objectives listed above can be attained under such policy. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.030 Creation of a Landmarks Preservation Commission.**

In order to fulfill the purposes of this chapter, a Landmarks Preservation Commission, consisting of 11 members, is hereby established. The members of the Commission shall be appointed by the City Council in accordance with the City Charter and Rules of Procedure of the City Council. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.040 Composition of the Landmarks Preservation Commission.**

All members of the Commission shall have a demonstrated interest and familiarity with basic historic preservation issues, either through professional practice or volunteer work, and shall be residents within the boundaries of the City, except as provided elsewhere in this chapter.

The Landmarks Preservation Commission shall consist of the following:

A. Architect Positions: The Commission shall always include a minimum of three members who are currently or have been in the past professionally certified architects. These positions shall be named Architect Positions 1 through 3.

B. Professional Positions: In addition to the above, the Commission shall always include a minimum of four individuals who have had professional experience or training related to Historic Preservation originating from employment or study within the following disciplines: Arts or art history, architecture, history, architectural history, planning, prehistoric and/or historic archaeology, conservation, construction or building trades, landscape architecture, urban planning or design, structural engineering, land use or real estate law, real estate, appraisal or real estate finance, project management or contracting, or a related discipline. These positions shall be named Professional Positions 1 through 4.

C. Tacoma Arts Commission Liaison Position: One position may be appointed from the membership of the Tacoma Arts Commission upon nomination by the Tacoma Arts Commission Chair. If the Arts Commission Chair declines to make such an appointment, upon request of the Mayor, the position may be appointed by City Council according to the normal appointment procedures described in this chapter.

D. At-Large Positions: The remaining positions may be filled at-large. These shall be referred to as At-Large Positions 1 through 3.

E. Temporary vacancies of one or all of the professional positions shall not render actions by the Commission invalid, 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.

F. Exception to the residency requirement may be granted by City Council in order to fill vacancies for professional positions.

G. The Appointments Committee may, at its discretion, solicit nominations from neighborhood community associations, business districts, and professional organizations to ensure geographic and professional diversity within the Commission.

H. The provisions of this chapter shall be enforced as vacancies occur following the adoption of this legislation. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.050 Terms of Commissioners.**

Terms of the Commissioners of the Landmarks Preservation Commission shall be three years.

A. Terms of all Commissioners shall begin on January 1 and end on December 31.

B. Each Commissioner may serve until an appointment and qualification of a successor.

C. In the event that a position is vacated before the expiration of the term, the City Council may appoint a successor to serve the remainder of the unexpired term. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.060 Ex officio members.**

The City Council may appoint one resident, property owner, or business owner from each local Historic Special Review District or Conservation District, as provided for in Chapter 13.07 of the Tacoma Municipal Code (“TMC”), to serve as an ex officio member of the Landmarks Preservation Commission,

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who shall act in a non-voting advisory capacity to the Commission for matters relating only to his or her Historic District under the jurisdiction of the Commission.

The Appointments Committee of City Council may, at its discretion, solicit nominations for the ex officio from community and business groups within said historic or conservation districts. Ex officio members shall be appointed by the City Council in accordance with the City Charter and Rules of Procedure of the City Council for terms of four years. Terms shall end on December 31 and begin on January 1. (Ord. 27429 § 2; passed Nov. 15, 2005)

### **1.42.070 Members shall serve without compensation.**

Members of the Landmarks Preservation Commission shall serve without compensation. (Ord. 27429 § 2; passed Nov. 15, 2005)

### **1.42.080 Rules and officers.**

A. The Commission shall have a chairperson and at least one vice chairperson with terms of one year, elected by quorum vote of the Commissioners present at a regular meeting.

B. Any Commissioner who fails to attend three consecutive meetings of the Commission without being excused may be deemed to have forfeited his or her office. The Commission shall take the necessary action to enforce this provision by causing such absence and the resulting forfeiture of office to be recorded in its official minutes, which minutes shall be transmitted to the Mayor for the purpose of nominating a successor to fill the unexpired term.

C. Members shall abide by the City's Code of Ethics as provided in TMC 1.46. (Ord. 27429 § 2; passed Nov. 15, 2005)

### **1.42.090 Powers and duties of the Commission.**

The primary duty of the Landmarks Preservation Commission is to identify and actively encourage the conservation of the City's historic resources by establishing and maintaining a register of historic landmarks, landmark sites, historic special review districts, and conservation districts; reviewing proposed changes to register properties; raising community awareness of the City's history and historic resources; and serving as the City's primary resource in matters of history, historic planning, and preservation, as provided for in this chapter and Chapter 13.07 of the TMC.

In carrying out these responsibilities, the Landmarks Preservation Commission shall engage in the following:

A. Serve as liaison to the City Council on matters of historic preservation policy.

B. Establish and maintain the Tacoma Register of Historic Places ("Register"), as provided for in TMC 13.07. The Register shall consist of buildings, structures, sites, objects, and districts identified by the Commission as having historic significance worthy of recognition and protection by the City in accordance with the purposes of this chapter.

C. Review and advise the City Council regarding nominations to the Tacoma Register of Historic Places for individual listings as well as for potential historic districts, according to criteria and procedures listed in TMC 13.07.

D. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties or districts on the register, as provided in TMC 13.07, and adopt standards, design guidelines, and district rules to be used to guide this review and the issuance of a certificate of approval.

E. Actively encourage the conservation of historic materials and make recommendations regarding mitigation measures for projects adversely affecting historic resources.

F. Review, advise, and comment to the Tacoma Planning Commission and City Council on land use, housing and redevelopment, municipal improvements and other types of planning and programs undertaken by any agency of the City, other neighboring communities, the county, and state or federal governments, as they relate to historic resources within the City.

G. Review nominations to the State and National Registers of Historic Places for historic properties within the City.

H. Make recommendations to the City Council on the use of various federal, state, local, or private funding sources available for preservation purposes within the City.

I. Officially recognize excellence in the rehabilitation of historic buildings, structures, sites, districts, and new construction in historic areas; and encourage appropriate measures for such recognition.

J. Provide information to the public on methods of maintaining and rehabilitating historic properties, incentives for the rehabilitation of historic properties, and the regulations concerning such properties. This

may take the form of pamphlets, newsletters, workshops, or similar activities.

K. Serve as the local review board for the special tax valuation program and:

1. Make determination concerning the eligibility of historic properties for special valuation;
2. Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance;
3. Approve or deny applications for special valuation;
4. Advise the City Council regarding implementing agreements with property owners for the duration of the special valuation period, as required under WAC 254-20-070(2);
5. Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the 10-year special valuation period; and
6. Adopt bylaws and/or administrative rules and comply with all other local review board responsibilities identified in Chapter 84.26 RCW.

L. Adopt and maintain architectural standards and design guidelines for Historic Special Review Districts and historic properties.

M. The Commission shall have such further powers and duties as may, from time to time, be delegated to it by the City Council. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.100 Meetings and procedures.**

A. The Commission shall establish a regular time and place for meetings and shall meet a minimum of 12 times per calendar year, or additionally, as necessary, to conduct Commission business. Special meetings may be called by the chairman or by any three members of the Commission upon personal notice being given to all members or written notice being mailed to each member at least 24 hours prior to the date set for such meeting, unless such notice requirement is waived in writing.

B. A simple majority of appointed filled positions shall constitute a quorum.

C. All Commission meetings shall be conducted in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and the Commission shall adopt standards in its rules to guide this action.

D. The Commission's chairman shall submit an annual report to the City Council, sending a copy thereof to the City Clerk. (Ord. 27429 § 2; passed Nov. 15, 2005)

**1.42.110 Historic Preservation Officer.**

To ensure adequate commission and professional staff assistance, the Director of the Tacoma Economic Development Department shall appoint a Historic Preservation Officer for the City. The Historic Preservation Officer shall possess expertise in the field of historic preservation, with professional qualifications in the disciplines of archaeology, architecture, architectural history, history, urban planning, art history, or a closely related field.

Under the direction of the Commission, the Historic Preservation Officer shall act as ex officio secretary and shall keep accurate records of the Commission's proceedings and transactions, conduct official correspondence, assist in organizing and supervising the Landmarks Preservation Commission, and organize and supervise clerical and technical work of the Commission to the extent required to administer this chapter.

In addition, the Historic Preservation Officer shall:

A. Carry out, assist, and collaborate in surveys and programs designed to identify and evaluate objects, improvements, and sites worthy of preservation;

B. Provide information to civic groups, public agencies, and citizens interested in historic preservation;

C. Provide recommendations to the Landmarks Preservation Commission regarding objects, improvements, and sites which are believed worthy of preservation;

D. Provide information to the public concerning objects, improvements, and sites deemed worthy of preservation, and encourage and advise owners in the protection, enhancement, and perpetuation of such objects, improvements, and sites;

E. Advise the City and its agencies regarding methods and practices that encourage historic preservation and adaptive reuse, and make appropriate recommendations to the City and other bodies and agencies, both public and private;

F. Recommend such policies, rules, and regulations for adoption by the Commission as are deemed necessary to carry out the purposes of this chapter and Chapter 13.07 of the TMC;

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G. Subject to such limitations and within such standards as the Commission may establish from time to time, grant administrative certificates of approval, all without prejudice to the right of the owner at any time to apply directly to the Commission for its consideration and action on such matters;

H. With respect to the goals and policies contained within this chapter and the Comprehensive Plan, represent the Historic Preservation CLG program for Tacoma and review, advise, and comment upon environmental analyses performed by other agencies and mitigation proposed, including NEPA and SEPA, Section 106, and other similar duties.

I. Upon request by the Public Works Department, review permit applications for appropriateness and consistency with the purposes of this chapter and Chapter 13.07 of the TMC;

J. Respond to requests for interpretations of the codes relating to landmarks and to landmark districts, as provided in those codes.

K. From time to time, perform other duties as required by the City Manager or City Council..  
(Ord. 27429 § 2; passed Nov. 15, 2005)

### Chapter 1.43

#### CITIZEN SUGGESTION/OUTSTANDING ACHIEVEMENT AWARDS COMMITTEE<sup>30</sup>

*Repealed by Ord. 24872*

(Ord. 24872 § 1; passed Mar. 26, 1991)

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<sup>30</sup> Ord. 24872 provides, in part, that “the duties of said Citizen Suggestion Award Board are herewith assigned to and henceforth shall be made a part of the duties of the Citizen Appreciation and Participation Program Steering Committee, to be renamed by action of this Council by resolution, the Citizen Recognition Committee.”