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MEMORANDUM

DATE: May 3, 2016
TO: Clark County Historic Preservation Commission
FROM: Greg Turner, Land Use Manager
RE: Heritage Overlay District - process

Recently, City staff has begun to see an increase in the number of downtown building owners that are inquiring about renovating and updated their buildings. Some of these buildings are located within the Heritage Overlay District along Main Street. We thought this would be a good opportunity to discuss with the Historic Preservation Commission the review process for proposals within the overlay area and come to a common understanding on what reviews could possibly be handled at a staff level and which ones need review by the HPC.

Currently, the process for properties that are on the historic register is clearly spelled out in the Clark County Historic Preservation Program Rules and Procedures. Changes to buildings that are on the historic register require review and approval by the Historic Preservation Commission (HPC) and the issuance of a certificate of appropriateness. However, the process for projects within the City's Heritage Overlay District but not on the historic register is a little different in that City staff makes the decisions on the project with advisory review by the HPC.

Districts

As a background, the City's Heritage Overlay District is made up of two separate districts.

- **District number one** - VMC 20.510.020.A is the area generally east of C Street between Evergreen Boulevard and 12th Street (Academy property) (Exhibit 1)
- **District number two** - VMC 20.510.020.B is generally the area bounded by 11th Street on the north, Broadway to the east, E 5th Street to the south and Washington to the west. (Main Street) (Exhibit 2)

Code Provisions

Per VMC 20.510.030, developments in the Heritage Overlay District require City staff to consult or request an advisory review by the Historic Preservation Commission (HPC). The developments consist of:

- **New construction** – on any new construction project, City staff shall consult with the HPC with City staff being responsible for making the decision on the project. The standards for review include architectural style, design, arrangement, texture, materials, colors and other pertinent factors for the specific district in which the project is located.

- **Exterior alterations** – City staff shall consult with the HPC on:
 - All exterior alterations to a historic building or a structure in the Heritage Overlay District if visible from the street.
 - Exterior alterations to a building on the State or National Register of Historic Places. The review would include changes to signs, marquees, awnings, canopies or other building appendages whether a building permit is required or not. The standards for review include architectural style, design, arrangement, texture, materials, colors and other pertinent factors for the specific district in which the project is located.

After the consultation with the HPC on the alterations, City staff would then make the decision on the project.

The review of projects within the historic overlay is also mentioned in VMC 20.510.040 which states that the determination as to whether a proposed alteration to the exterior of a building or new building meets the intent, purposes, and requirements of the district shall be made by the Planning Official, with input from the HPC as needed. The term “input from the HPC as needed” seems to provide some flexibility with regard to the review process by allowing the Planning Official to exempt certain alterations. With the apparent ambiguity between the two sections, we thought it would be good to go over the types of work that is typically proposed in the historic overlay district and the review process for that work.

Type of work and the review process

In order to develop a common understanding as to what could be reviewed by the Commission and what could be reviewed by staff, I have developed a draft spreadsheet that shows the type of work proposed to buildings within the overlay and the possible reviewer of that work. Some items appear to be minor such as the painting of a building or replacing of an existing window or door which I would think could be handled by staff without input from the Commission. Work such as new exterior windows or door where there was not one before or changing of the siding would have more impact and I would think should go to the Commission for review. **Please review the draft checklist (Exhibit 4) and we can discuss possible options at the meeting.**

As a side note, on minor items, there could also be instances where staff would determine that the HPC should still be consulted. We could either bring those to the HPC or, in the interest of time, possibly establish a process where we notify the chair and County staff of the proposal to see if it is something that should be reviewed by the HPC. Since the HPC only meets once a month, providing for a streamlined process is something that would help especially on minor review items.

Other item of note

One issue that we constantly run into is the fact that we do not have an application form that was specific to changes within the Historic Overlay. We have been using the County form for Certificates of Appropriateness for historic register properties but did not have one for projects within the historic district. We have created a form will help in formalizing the process by listing the submittal requirements as well as providing links to the standards for the district. We are also using this opportunity to encourage property owners to apply to have their building put on the local register so that they can take advantage of incentives such as special valuation.

Exhibits

1. Map of Heritage Overlay District #1
2. Map of Heritage Overlay District #2
3. Copy of VMC 20.510 Heritage Overlay District
4. Draft checklist – type of work/review process