

Chapter 21.22 HISTORIC PRESERVATION

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21.22.005 Title.

This chapter shall be known, cited and referred to as the “historic preservation code” of the city of Puyallup, Washington. (Ord. 2986 § 1, 2011).

21.22.010 Purpose.

The purpose of this chapter is to provide for the identification, evaluation, designation, and protection of designated historic and prehistoric resources within the boundaries of Puyallup and preserve and rehabilitate eligible historic properties within Puyallup for future generations through special valuation, a property tax incentive, as provided in Chapter [84.26](#) RCW, in order to:

- (1) Safeguard the heritage of Puyallup as represented by those buildings, districts, objects, sites and structures which reflect significant elements of Puyallup’s history;
- (2) Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on Puyallup’s history;
- (3) Stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects;
- (4) Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites and structures;
- (5) Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
- (6) Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment. (Ord. 2986 § 1, 2011).

21.22.015 Definitions.

For the purpose of this chapter, the following words and phrases shall be construed as follows, unless otherwise expressly stated or the context clearly indicates a different intention.

- (1) “Puyallup historic inventory” or “inventory” means the comprehensive inventory of historic and prehistoric resources within the corporate boundaries of the city of Puyallup.

(2) “Puyallup design review and historic preservation board” or “board” means the board established in Chapter [2.29](#) PMC.

(3) “Puyallup register of historic places,” “local register,” “Puyallup register,” or “register” means the listing of locally designated properties as set forth in PMC [21.22.025](#).

(4) “Actual cost of rehabilitation” means costs incurred within 24 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 perimeter of the original structure; (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; (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.

(5) A “building” is a structure constructed by human beings, including both residential and nonresidential buildings, main and accessory buildings.

(6) “Certificate of appropriateness” means the document indicating that the board 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.

(7) “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.

(8) “Class of properties eligible to apply for special valuation in Puyallup,” a certified local government (CLG), means all properties listed on the Puyallup Register of Historic Places or certified as contributing to a Puyallup 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, and those properties previously approved for participation under former provisions of Chapter [21.22](#) PMC (Landmarks Preservation). This definition includes any properties within the corporate boundaries of the city of Puyallup that have been previously placed on the Pierce County register.

(9) “Cost” means the actual cost of rehabilitation, which cost shall be at least 25 percent of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.

(10) A “district” is a geographically definable urban or rural area, 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.

(11) “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.

(12) “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.

(13) “Incentives” are such rights or privileges or combination thereof that the city of Puyallup, 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.

(14) “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 Puyallup design review and historic preservation board established in Chapter [2.29](#) PMC.

(15) “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.

(16) 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.

(17) “Ordinary repair and maintenance” means work for which a permit issued by the city of Puyallup 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.

(18) “Owner” of property is the fee simple owner of record as exists in the Pierce County assessor’s records.

(19) “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 Puyallup, Pierce County, or the Central Puget Sound area of 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.

(20) 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 a ruined or now nonextant building or structure if the location itself possesses historic cultural or archaeological significance.

(21) “Special valuation for historic properties” or “special valuation” means the local option program, defined in PMC [21.22.035](#), 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 10 years, the actual cost of the rehabilitation. (Chapter [84.26](#) RCW.)

(22) “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.

(23) 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.

(24) “Universal transverse mercator” or “UTM” means the grid zone in metric measurement providing for an exact point of numerical reference.

(25) “Waiver of a certificate of appropriateness” or “waiver” means the document indicating that the board 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.

(26) “Washington State Advisory Council’s standards for the rehabilitation and maintenance of historic properties” or “state advisory council’s standards” means the rehabilitation and maintenance standards used by the Puyallup design review and historic preservation board as minimum requirements for determining whether or not a 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. (Ord. 3051 § 18, 2013; Ord. 2986 § 1, 2011).

21.22.020 Designation of local review board.

The Puyallup design review and historic preservation board shall act as the local review board as provided for in Chapter [84.26](#) RCW and Chapter [254-20](#) WAC and shall have the authority to exercise the functions and responsibilities as provided for therein. (Ord. 2986 § 1, 2011).

21.22.025 Puyallup 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 Puyallup register of historic places if it meets the requirements provided for in this subsection.

(a) It is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community;

(b) It has integrity;

(c) It is at least 50 years old or is of lesser age and has exceptional importance; and

(d) It falls in at least one of the following categories:

(i) Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history;

(ii) 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;

(iii) Is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art;

- (iv) Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, or architectural history;
- (v) Is associated with the lives of persons significant in national, state, or local history;
- (vi) Has yielded or may be likely to yield important archaeological information related to history or prehistory;
- (vii) 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 a historic person or event;
- (viii) Is a birthplace or grave of a historical figure of outstanding importance and is the only surviving structure or site associated with that person;
- (ix) Is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns;
- (x) Is a reconstructed building that has been executed in a historically accurate manner on the original site; or
- (xi) 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 Puyallup Register of Historic Places.

- (a) Nomination. A nomination to the register may be made by a property owner, members of the board, or the board as a whole may generate nominations and may sponsor nominations submitted by members of the public. A nomination of a property requires the consent of the property owner.
- (b) Designation by Board. The board shall follow the provisions of this subsection in considering nominations to the Puyallup register.
 - (i) The board shall consider the Puyallup historic register, Puyallup comprehensive plan, and the criteria in subsection (1) of this section in making its decision.
 - (ii) Individual Properties. The designation shall include the tax parcel number, UTM reference, a full legal description of the property, references, and all features – interior and exterior – and outbuildings that contribute to its designation.
 - (iii) 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.
 - (iv) Public Meeting. The board shall consider the merits of a nomination at a public meeting. Notice of the public meeting shall be provided according to standards for public meetings established in applicable rules and in compliance with Chapter [42.30](#) RCW, Open Public Meetings Act, including publication in a newspaper of general circulation in Puyallup, and any other form of notification deemed appropriate by the city development services director or

his/her designee. For individual properties, notice of such public meeting shall be provided by first class mail to the owner of record, the author of the nomination if different from the owner and not a member of the board, and lessees, if any, of the subject property, and owners of property immediately abutting the subject property, prior to the public meeting. For districts, notice of such public meeting shall be provided by first class mail to the owners of record of all property within the proposed district, the author of the nomination if different from the owner and not a member of the board, lessees, if any, of the subject properties, and owners of property immediately abutting the proposed district boundary.

(v) Board Recommendation. If the board determines that the nominated property and/or district should be placed on the Puyallup historic register, the board shall transmit such recommendation to the Puyallup city council for its consideration.

(3) City Council Review. Upon receiving the board's recommendation, the city council may approve or modify the board's recommendation by ordinance, reject the board's recommendation, or remand the board's recommendation back to the board for further consideration.

(4) Zoning Designation. Properties listed on the Puyallup 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.

(5) Removal of Properties from the Register. In the event that any property is no longer deemed appropriate for designation to the Puyallup historic register, the designation may be removed by the same procedures as provided in establishing the designation.

(6) Properties on Pierce County Register. All properties within the corporate boundaries of the city of Puyallup that have been placed on the Pierce County register of historic places shall be removed from the Pierce County register and placed on the Puyallup historic register.

(7) Significance of Listing on the Puyallup Historic Register.

(a) Listing on the Puyallup historic register is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to a historic district.

(b) All properties listed on the Puyallup historic register may be eligible for special tax valuation pursuant to PMC [21.22.035](#) based on the rehabilitation of the subject property. (Ord. 2986 § 1, 2011).

21.22.030 Review of changes to properties on Puyallup historic register.

(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 Puyallup historic register without review by the board and without receipt of a certificate of appropriateness, or in the case of demolition, a waiver, as a result of the review.

(a) Prior to the commencement of any work on a property that is on the Puyallup historic register, the owner must request and receive a certificate of appropriateness from the board for the proposed work. Violation of this rule shall be grounds for the board to review the property for removal from the

register.

(b) Prior to whole or partial demolition of a property that is on the Puyallup historic register, the owner must request and receive a waiver of a certificate of appropriateness.

(c) The review required in this section shall apply to all features of the property, interior and exterior, which contribute to the property's designation on the register and are listed on the nomination form. The information required for board review of the proposed changes is established in rules.

(d) All other applicable building, development, zoning and similar regulations apply in addition to the requirements of this subsection.

(2) Exemptions. A certificate of appropriateness is not required for ordinary repair and maintenance and emergency repair as such terms are defined in PMC [21.22.015](#). Property owners are encouraged to consult with city staff prior to commencing such exempt activities to ensure that they do not compromise or jeopardize the historic register designation.

(3) Review Process for Certificate of Appropriateness or Waiver.

(a) A completed application for a certificate of appropriateness or waiver shall include the following:

(i) A completed application on a form provided by the development services department, including any required application and processing fee established in the city's fee schedule;

(ii) A written description of the existing use of the registered structure and the proposed use of the registered structure;

(iii) Comprehensive exterior photographs showing all exterior facades of the registered structures, and close-up photographs of all existing architectural detailing and characteristics of the structure (e.g., siding, trim, turnings, braces, window design) and, if available, historic photos that show the structure's original or earlier design and detailing;

(iv) A written description of the proposed changes to the registered structure, including:

(A) Information on building materials proposed for removal and/or replacement, and stated reasons for removal or replacement as opposed to repair and retention;

(B) Changes to door and window design (fenestration);

(C) Changes to siding, trim and architectural detailing; and

(D) Changes to the existing massing or form of the building, including additions, demolitions, roof modifications, and enclosure of porches, decks, etc.;

(v) Elevation drawings, minimum one-quarter inch scale, depicting the structure with all proposed changes (except demolitions);

(vi) A written description of proposed cleaning, refinishing or resurfacing techniques, explaining how retained historic materials will be protected and preserved;

(vii) A description of existing exterior building colors, original building colors (if known) and

proposed building colors; and

(viii) Written confirmation that the proposed work has been reviewed by city development services and meets all applicable codes and regulations.

(b) Permit Review. The city development services director or designee shall transmit to the board any complete permit application pertaining to any proposed changes to a property on the Puyallup historic register. The city shall not issue any permit for work on a property that is on the register until a certificate of appropriateness or a waiver is received from the board. City staff will assist the board in considering building and fire code requirements.

(c) Board Review of Applications. Review of applications shall follow the process as provided in this subsection.

(i) All complete applications for a certificate of appropriateness or a waiver shall be forwarded to the board for review and final decision. The board shall complete its review and approve, deny, or modify the application within 60 calendar days of the date of submittal of a complete application to the city by the applicant. If needed, the board may extend its decision up to an additional 30 calendar days if, in the opinion of the board chairperson, more time is needed to reach a decision or an extension of time may be mutually agreed upon between the board and applicant.

(ii) The board shall meet with the applicant and review the proposed work according to the design review criteria established in rules. Unless legally required by the proposed action, there shall be no notice, posting, or publication requirements for action on the application; however, all such actions shall be made at regular or special meetings of the board.

(iii) The board's decision shall be in writing and shall state the findings of fact and reasons relied upon for the decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the certificate of appropriateness. If the owner agrees to the board's recommendations, a certificate of appropriateness shall be awarded by the board, and the city development services director or designee may issue permits for the proposed work. If the owner does not agree with the board's decision, then permits may only be issued by the city if the property is removed from the Puyallup historic register. Issuance of any permit pursuant to this chapter shall not provide an exemption from compliance with any other applicable code or ordinance including, but not limited to, fire, plumbing, and mechanical codes.

(d) Criteria for Certificate of Appropriateness Approval. In determining whether to approve an application for a certificate of appropriateness, the board shall use the standards for rehabilitation and maintenance of historic properties as provided for in WAC [254-20-100](#) as currently enacted, or as hereafter amended or recodified.

(4) Demolition. A waiver of the certificate of appropriateness is required before a permit may be issued by the city to allow whole or partial demolition of property that is on the Puyallup historic register or in a Puyallup historic district.

(a) The owner of such property shall apply for a permit for any such demolition work and apply for a waiver from a certificate of appropriateness. The city development services director or designee shall not issue a demolition permit until the board has approved a waiver from the requirements of a

certificate of appropriateness. All complete applications for a waiver of a certificate of appropriateness shall be forwarded to the board for review and final decision.

(b) The applicant shall meet with the board in an attempt to find alternatives to demolition. The board shall complete its review and approve, deny, or modify the request for waiver within 60 calendar days of the date of submittal of a complete demolition permit application to the city by the applicant. If needed, the board may extend its decision up to an additional 30 calendar days if, in the opinion of the board chairperson, more time is needed to reach a decision or an extension of time may be mutually agreed upon between the board and applicant.

(c) When issuing a waiver, the board may require the owner to mitigate the loss of the property from the Puyallup historical register by means determined by the board, and may include a historic American building survey (HABS) or historic plaques or monuments placed on the site to provide information of the site and importance of the historic structure. The applicant may voluntarily comply with any conditions recommended by the board. After the property is demolished, the board shall initiate removal of the property from the Puyallup historic register.

(5) Appeal of Board Decision. Any final decision made by the board pursuant to this section may be appealed to the city hearing examiner, as provided for in Chapter [2.54](#) PMC. The appeal must state, with specificity, the factual and/or legal basis for such appeal. (Ord. 2986 § 1, 2011).

21.22.035 Review and monitoring of properties for special property tax valuation.

(1) Time Limits.

(a) Applications shall be forwarded to the board by the Pierce County assessor within 10 calendar days of filing.

(b) Applications shall be reviewed by the board before December 31st of the calendar year in which the application is made.

(c) The board's final decision regarding an application shall be certified in writing and filed with the Pierce County assessor within 10 calendar days of issuance.

(2) Procedure for Determining Special Property Tax Valuation.

(a) The Pierce County assessor forwards the application to the board.

(b) The board reviews the application, consistent with its rules of procedure, and determines if the application is complete and if the property meets the criteria set forth in WAC [254-20-070](#)(1).

(i) If the board finds the property meets all the criteria, they shall transmit such decision to the city council. The city council, by resolution, may authorize the city manager to execute a historic preservation special valuation agreement, as set forth in WAC [254-20-120](#) and approved as to form by the city attorney, between the city and owner. The execution of an agreement between the city and owner shall constitute board final approval of the application.

(ii) If the board determines the property does not meet all the criteria in WAC [254-20-070](#)(1), then it shall deny the application.

(c) The board certifies its decisions in writing and states the facts upon which the approval or denial

is based and files a copy of the certification with the Pierce County assessor.

(d) When the board approves an application, the board will:

- (i) Forward a copy of the agreement, application, and supporting documentation required by WAC [254-20-090](#)(4) to the Pierce County assessor;
- (ii) Notify the Washington State Advisory Council on Historic Preservation that the property has been approved for special valuation; and
- (iii) Monitor the property for continued compliance with the agreement throughout the 10-year special valuation period.

(e) The board determines, in a manner consistent with its rules of procedure, whether or not properties are disqualified from special valuation because of one or both of the following:

- (i) The owner's failure to comply with the terms of the agreement; or
- (ii) A loss of historic value resulting from physical changes to the building or site.

(f) For a disqualified property, in the event that the board concludes that a property is no longer qualified for special valuation, the board shall notify the owner, Pierce County assessor, and Washington State Advisory Council on Historic Preservation in writing and state the facts supporting its findings.

(3) Criteria.

(a) Historic Property Criteria. The class of historic property which shall be eligible for special valuation in accordance with Chapter [84.26](#) RCW ("State Act") shall be property which is a historic property meeting the criteria or requirement as set forth and defined in the State Act, and which is listed on the Puyallup historic register and which has undergone qualifying rehabilitation work within state standards.

(b) Application Criteria. Complete applications shall consist of the documentation listed in this subsection:

- (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;
- (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 board 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 board shall determine if a property meets all the following criteria in this subsection:

- (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 under subsection (3)(a) of this section;
- (iii) The property has been rehabilitated at a cost which meets the definition set forth in RCW [84.26.020](#)(2) within 24 months prior to the date of application; and
- (iv) 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 found at WAC [254-20-100](#)(1).

(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 board as minimum requirements for determining whether or not a 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 described in WAC [254-20-120](#) shall be used by the city as the minimum agreement necessary to comply with the requirements of RCW [84.26.050](#)(2).

(5) Appeals.

(a) Any decision of the board acting on an application for classification as a historic property eligible for special valuation may be appealed to superior court in addition to any other remedy of law.

(b) 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. (Ord. 3051 § 19, 2013; Ord. 2986 § 1, 2011).

The Puyallup Municipal Code is current through Ordinance 3086, passed April 7, 2015.

Disclaimer: The City Clerk's Office has the official version of the Puyallup Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.