

# 8 FLASHBACK to 2008

## Chronology of District Formation

Dayton Local Register Washington Street & South Side Historic Districts

### INFORMATIONAL MEETINGS and NOTICE

- 7 /10/2008 Letter to District Residents
  - 10/ 1/2008 Letter of invitation to all property owners within the South Side and Washington Street Historic Districts informational meetings
  - 10/21/2008 Creation of Historic Districts Informational meeting\*
  - 10/22/2008 Creation of Historic Districts Informational meeting\*
- \*See meeting PowerPoint presentation

### BALLOTS for DISTRICT FORMATION

- 10/24/2008 Mailed Ballots for formation of WA Street Local Historic District
- 10/27/2008 Mailed Ballots for formation of South Side Local Historic District
- 11/14/2008 **Washington Street Local Historic District Formation**  
Vote Results per Columbia County Auditor's Office:  
Rec'd 9 ballots out of 13 sent / **Rec'd: For Dist. – 6 Against - 3**
- 11/14/2008 **South Side Local Historic District formation**  
Vote Results per Columbia County Auditor's Office:  
Rec'd 55 ballots out of 88 sent / **Rec'd: For Dist. – 30 Against - 25**

### CREATION of DISTRICTS by CITY COUNCIL

- 11/20/2008 Public Hearing Notice, published Nov 26 and Dec 3, 2008
- 11/21/2008 Public Notice published for District voting outcome
- 12/ 1/2008 Received completed WA Street Nomination Form
- 12/10/2008 Public Hearings on the creation of the Districts
- 1 /14/2009 Recommendation made by DHPC to City Council to create both Districts
- 1 /26/2009 City Council formally creates Dayton Register Washington Street Historic District (WSHD)
- 7 /12/2009 Received South Side District Nomination Form
- 8 /10/2009 City Council formally creates Dayton Register South Side Historic District (SSHD)

# Local Historic Districts

Washington Street & Southside, Dayton



# Dayton's Story

- The Washington Street and Southside Neighborhoods are already National Register Historic Districts
- So, why a local historic district?



# What is a Local Historic District?

- Historic districts are made up of the city's significant historic and architectural resources
- Districts are listed through a public process – this meeting is part of that process
- Local historic districts rely exclusively on local designation criteria



# What is a Local Historic District?

- Local district is different from a National Register district in several ways:
  - Nomination is made to the local historic preservation commission
  - Criteria is generally less stringent than that of the National Register
  - Protection of the historic character is achieved through a fair design review process
  - Special valuation tax incentives are available to ***contributing*** properties within a local district in a Certified Local Government

# Contributing vs. Non-contributing

- Local districts will define properties within the boundaries in two ways – contributing or non-contributing
- Contributing properties are those which meet local criteria such as age and integrity
- Properties deemed “non-contributing” are those that are less than 50 years old, or those that may meet the age criteria, but have been significantly changed over the years

# Contributing vs. Non-contributing

- Who makes that call? A historic preservation professional was hired to determine each property's status as well as to create the nominations for the districts with the guidance of the HPC
- Let's look at some examples from Dayton

# Contributing vs. Non-contributing

2003



**CONTRIBUTING!**

1985



# Contributing vs. Non-contributing

2003



**Additional Description of Physical Appearance & Significant Architectural Features**  
(Architectural significance, can include interior & site features, address integrity issues specifically)

Small low bungalow, recessed porch altered. Square columns - no porch floor left or balustrade. Put in small steps by door - out of character. Resided and lost all window surroundings. Replaced all double hung of single sash with sliding windows.

From the 1985  
inventory form

**NON-CONTRIBUTING**

# Contributing vs. Non-contributing



This is an interesting one, this house is probably late 1950s, so could meet the age criteria – looks intact...

What do you think?

**DEPENDS ON THE "PERIOD OF SIGNIFICANCE" FOR THE NEIGHBORHOOD**

# Benefits of a Local District



- Local districts protect the investments of owners and residents through a fair design review process
- Local districts encourage better design
- One of the best ways to keep the look and feel of the place you call "home" is through a local design review process



# Benefits of a Local District

- Can provide for review of proposed demolitions within the district, and provide delays to allow for preservation alternatives to be considered
- Special Valuation tax incentive available for contributing properties in a CLG



# Special Tax Valuation

- Enabling legislation passed in 1985
- Local government implements the law through ordinance
- Local government determines which property types are eligible – generally only those properties listed on the local register in a CLG
- Can be used for a substantial rehabilitation (25% of structure value) for either residential or commercial property – 24 month period prior to application
- Amount of rehab subtracted from property value for a period of ten years



# Special Tax Valuation

\$ REHAB = AT LEAST 25% OF BUILDING VALUE  
MINUS LAND



Building Value = \$50,000

25% = \$12,500 (minimum)

Actual amount spent on  
rehab = \$50,000

Building reassessed on  
normal schedule = \$60,000

Subtract "special valuation"  
of \$50,000

**Taxed on = \$10,000**

# Perceived Disadvantages of a Local District

- Percentage of property owners needed for owner consent. In Dayton – a simple majority is required.
- All properties within the district are subject to design review – including non-contributing and new construction
- Property rights issues
- Potentially longer building permit process because of the design review issue

# So, how did we get here?

- Why now? After the passage of the local downtown district several years ago, it seemed time to offer more protection to residential districts
- Historic Preservation Commission was interested in giving property owners in these districts the Special Tax Valuation incentive
- Seems to be several properties that may be taking on significant work in the near future – and they should be able to have the tax advantage

# How does this work?

- Balloting – every parcel gets a vote. If you own more than one parcel, you have more than one vote!
- Ballots will go out upon completion of the nomination(s) for each district. Washington Street will be first, Southside in 2009.
- If you don't return your ballot, it will be counted as a "YES" vote (also known as "implied consent")



# Ballot Example

A Ballot NOT RETURNED is  
counted as a "FOR" vote

## BALLOT

FOR THE FORMATION OF THE  
**WASHINGTON STREET** LOCAL HISTORIC DISTRICT

FOR the formation of the district

AGAINST the formation of the district

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Signature of parcel owner

Date

Ballot **MUST BE RETURNED** to Dayton City Hall, 111 South  
1<sup>st</sup> Street, Dayton WA 99328 by **NOVEMBER 14, 2008.**

# “Opting Out” of the District

- If a district is established, all parcels within the boundaries are considered part of the district
- **There is no “opt-out” provision in Dayton’s historic preservation ordinance**
- All owners are subject to design review – only when a building permit is sought
- Non-contributing properties may be treated less stringently than contributing properties

# Next Steps...

- Once the balloting is complete, if a simple majority agree to the formation of the district, the next step will be a formal review by the HPC
- The HPC will hold a public hearing
- Recommendation will be made to City Council
- Council makes the final decision



## In the Spirit of Full-Disclosure...

- In 2001, the City passed an ordinance creating an historic overlay zone which covers the Washington Street, Southside and Downtown areas
- An overlay zone acts much the same way as a district – the difference? No incentives
- Why hasn't the City been using the overlay zone for design review?
  - Vague regulations with no “design standards” to use
  - No policy for enforcement

# Historic Overlay Zone

- So, the City has the tools already in place to do exactly what the district formation would do – but, it would not have the benefit of offering Special Valuation to all “contributing” properties
- You are really voting for the incentives

195 Historic District Overlay Zone. The intent of the Historic District Overlay Zone is to maintain the historic nature of these neighborhoods. The following restrictions are in addition to the limits included in the applicable residential zone:

- Exterior building material should be similar in appearance to the materials in the historic buildings within this zone,
- The style of new buildings should be compatible with the historic buildings within the zone,
- No Mobile or Manufactured homes are permitted in these zones, and
- No temporary structures may be installed and used in this zone for more than 30 days.

Finale!



A Ballot NOT RETURNED is  
counted as a "FOR" vote

# BALLOT

FOR THE FORMATION OF THE  
**WASHINGTON STREET LOCAL HISTORIC DISTRICT**

FOR the formation of the district

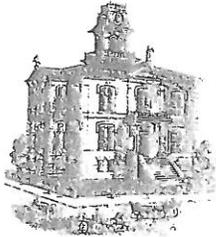
AGAINST the formation of the district

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Signature of parcel owner

Date

**Ballot MUST BE RETURNED to Dayton City Hall, 111 South  
1<sup>st</sup> Street, Dayton WA 99328 by NOVEMBER 14, 2008.**



## Dayton Historic Preservation Commission

111 South First Street  
Dayton WA 99328-1341

Phone (509) 382-2361  
Fax (509) 382-2539

Email: [cityclerk@daytonwa.com](mailto:cityclerk@daytonwa.com)

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### THE DAYTON REGISTER OF HISTORIC PLACES: DESIGN REVIEW FOR CERTIFICATE OF APPROPRIATENESS

The City of Dayton adopted Dayton Historic Preservation Ordinance 1544 on November 10, 1992. This ordinance provides that the Commission is responsible for the stewardship of historic and architecturally significant properties in the City of Dayton. This ordinance requires review by the Dayton Historic Preservation Commission of any proposed changes to properties or districts listed on the Dayton Register of Historic Places.

Owners of property designated on the Dayton Register have signed an agreement stating that they will abide by the terms of Ordinance 1544 Section 5.D. A Certificate of Appropriateness must be obtained before any action is taken affecting use, exterior appearance, contributing historical interior features, demolition, new construction attached to the structure, or reconstruction/replacement.

This agreement and design review process ensures the preservation of those historic and architectural features that allowed the structure to be placed on the Register. A Certificate of Appropriateness is the tool used to provide this protection for a designated structure or district. The Certificate of Appropriateness is an official notice of approval issued by the Dayton Historic Preservation Commission, charged with permitting or denying the appropriateness.

Certain limited types of work are permitted without a Certificate of Appropriateness. These are as follows;

1. Painting and/or staining.
2. Ordinary repair and maintenance (Ordinance 1544 Section 3.Q).
3. Repair-in-kind, if the work you want to do involves only repair using the same materials and exact same details and finishes. It is, however, a good idea to notify the Historic Preservation Commission when you are planning in-kind maintenance.
4. Emergency measures and repairs (Ordinance 1544 Section 3.K).

Examples of work that require a Certificate of Appropriateness include but are not limited to:

1. installing replacement siding (aluminum, steel, vinyl, etc.);
2. replacing roof, with different finish materials;
3. changing existing windows, sashes or frames;

4. altering or adding sidewalks, driveways or parking areas;
5. adding/altering garages;
6. altering/adding/removing chimney;
7. altering/adding/removing foundation;
8. altering/removing contributing historical exterior/interior features;
9. exterior signs.

Obtaining a Certificate of Appropriateness is the responsibility of the property owner(s). It is advisable to get the Certificate of Appropriateness well in advance of anticipated construction and before making any financial commitments for work or materials.

The Historic Preservation ordinances are administered to preserve the character of the property or district and to discourage changes that adversely affect the appearance of the property or district. The Dayton Historic Preservation Commission will encourage either:

1. maintenance of the existing style and character, or
2. changes that return the property or district to its original style.

Changes are reviewed carefully and will be allowed only when other options are not feasible. The historic value must not be compromised by changes in key elements which establish the style, character and setting. In each case, the question of economic feasibility is given proper consideration.

## **BASIS FOR DESIGN REVIEW**

In order to determine compatibility as objectively as possible, the following Standards for Rehabilitation have become established criteria for Design Review. These broad guidelines, developed by the Technical Preservation Services Division of the United States Department of the Interior, serve as a basis for all rehabilitation design review.

### Standards for Rehabilitation

1. Every reasonable effort shall be made to provide compatible use for a property, which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

(Note: Respectful Rehabilitation and the Preservation Briefs, both published by the Technical Preservation Services Division of the National Park Service, United States Department of the Interior, expand on the basic ten guidelines and should prove helpful resources.)

### **Change-of-Use Review**

As previously stated in the Standards for Rehabilitation, every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment. The Dayton Historic Preservation Commission will consider the impact of the proposed use on the historical or architectural importance of the structure or historic district.

### **Alterations in Historic Districts**

Alterations to an historic property in an historic district shall be architecturally compatible with the character of the property or neighboring structures within the district. The Dayton Historic Preservation Commission shall determine the compatibility of proposals for alterations.

## **Signs, Lighting and Other Appurtenances**

Signs, exterior lighting and other appurtenances such as walls, fences, awnings and landscaping shall be visually compatible with the traditional architectural character of the historic structure.

## **Demolition Review**

For procedures regarding demolition of historic landmarks, or structures in the city of Dayton, see Ordinance 1768, DMC Section 5-18.37.

The Dayton Historic Preservation Commission encourages the preservation of historic landmarks, or property within an historic district. Where demolition is proposed, however, the following factors will be considered.

1. Importance of the structure to its general surroundings
2. Importance of the structure historically
3. Importance of the structures as a prime example of a style
4. Importance of the structure due to its irreplaceable qualities or features
5. Proposed use of the property after demolition

Restoration and adaptive re-use of structures and outbuildings is encouraged. Deterioration of a structure due to the property owner's lack of maintenance shall not be considered a valid reason for approval of demolition.

In historic districts on the local register, voluntary compliance with the regulations of the district, as well as familiarizing new residents and assisting neighbors with the appropriate procedures, will contribute to a successful preservation effort in Dayton's historic areas.

## **PROCEDURES FOR OBTAINING A CERTIFICATE OF APPROPRIATENESS**

An applicant wishing to make changes to properties on the Dayton Register of Historic Places or within an historic district:

1. Applies to the Building Department for a building permit.
2. Applies to the Dayton Historic Preservation Commission staff/City Planner for a review of proposed changes on a Dayton Historic Register property or within an historic district.
3. Meets with Dayton Historic Preservation Commission staff/City Planner to review guidelines.
4. Submits application for Certificate of Appropriateness to Dayton Historic Preservation Commission staff/City Planner at least one week before a regularly scheduled meeting of Dayton Historic Preservation Commission.
5. A site visit may be requested in some instances.

At the regularly scheduled meeting the applicant or the designated agent of the applicant presents statements in favor of the application, including relevant plans, pictures, models, etc.

Following the meeting, the owner/designated agent has the following options:

1. The owner signs an agreement to comply with the Dayton Historic Preservation Commission's recommendations and conditions and receives a Certificate of Appropriateness.
2. If the owner disagrees with the recommendations (s)he can drop the case, reapply with modifications, or remove the property from the Dayton Register of Historic Places. The applicant is encouraged to reapply to the Dayton Historic Preservation Commission with modified plans.
3. The owner may appeal the decision of the Dayton Historic Preservation Commission to the City Council (Ordinance 1544 Section 6.C.4).