

17.35.050 Snoqualmie historical design review board – Created.

- A. There is hereby created the Snoqualmie historical design review board consisting of five members, at least three of whom shall reside within the city. The members of the historic design review board shall be appointed by the mayor and confirmed by city council. The historic design review board shall be made up as follows:
 - 1. One member shall be a member of the Snoqualmie planning commission.
 - 2. One member shall be a property owner or business owner within the downtown or Meadowbrook historic district overlay zone.
 - 3. One member shall be a property owner or business owner within the downtown landmark district.
 - 4. One member shall be the special member of the Snoqualmie landmarks and heritage commission.
 - 5. One member shall be a person with demonstrated interest or expertise in historic architecture, local history or historic preservation.
- B. The historical design review board shall by resolution adopt rules governing its organization and procedures. The board shall meet not less than once a month. The board may hold special meetings on such notice as is required by law as may be required to render historical design review decisions in a timely manner.
- D. The historic preservation officer or his or her designee shall advise the historical design review board.

17.35.120 Types of projects requiring historical design review –Designated

There are hereby established four types of projects for which historical design review shall be required, to be known as Type I, Type II, Type III, and Type IV, as follows:

- A. Type I projects include the following:
 - 1. Routine maintenance, and repair or replacement of exterior features of noncontributing buildings or structures;
 - 2. Exterior painting of noncontributing buildings or structures, using approved colors; and
 - 3. Temporary signs to be placed for not more than 60 days;
 - 4. Routine maintenance, and repair or replacement of exterior features of contributing buildings or structures that use the same materials and design as used on the building before 1940, and using approved colors;
 - 5. All additions to non-contributing buildings or structures; and
 - 6. All permanent signs.
- B. Type II projects include the following:
 - 1. For contributing buildings or structures, any alteration in exterior appearance or replacement of historic materials with nonhistoric materials;
 - 2. For noncontributing buildings or structures, any exterior repairs (other than emergency repairs needed for the immediate protection of property, life or safety) or alterations other than those designated as Type I;
 - 3. The demolition or removal of a non-contributing building or structure, or demolition or removal of a significant portion thereof4. All additions to contributing buildings or structures; and
 - 5. All new construction.
- C. Type III projects include the following:
 - 1. The demolition or removal of a contributing building or structure;
 - 2. The demolition or removal of a significant feature of a contributing building or structure, including removal of a significant portion thereof;

3. Excavation of a designated landmark site; and
4. Excavation, test boring, site clearing or grading activity on an archaeological site.

17.35.150 Historical design review.

- A. Type I projects shall be reviewed by the historic preservation officer, who shall approve, approve with conditions, or refer the project to the historical design review board. The historic preservation officer shall render a decision on a Type I project or refer such project to the historical design review board within 15 calendar days from the determination of a complete application. Referral of a Type I project to the historical design review board shall be at the sole discretion of the historic preservation officer. If a Type I project is referred to the historical design review board, the board shall render its decision on such project at the next regular meeting of the board, unless the applicant consents to a longer period of time, or the board determines that additional information must be submitted in order for it to render its decision. Type I projects shall be considered Category I or II permits per SMC 14.30.020.
- B. Type II and Type III projects shall be reviewed by the historic preservation officer. The historic preservation officer shall make a staff report and recommendation to the historical design review board. The historic preservation officer may, at their sole discretion, request the technical assistance of the King County historic preservation program staff with respect to any proposed project with a landmark district or relating to a designated landmark outside a landmark district. The board may request the technical assistance of the King County historic preservation program staff. The board shall consider the application at a regular or special meeting open to the public within 45 days after the determination of a complete application. The board shall render its decision within 30 days after the meeting at which the application was first considered, which may be to approve, approve with conditions or deny the application; provided, such time periods may be extended by the board in the event modifications to the project require consideration at more than one meeting of the board. Type III projects shall be considered Category IV permits per SMC 14.30.020.
- C. The standards established in this chapter are mandatory. The board may consider variances from the strict application of the standards of this chapter if the applicant demonstrates the need for such a variance; and provided, that the request is in keeping with the intent and purposes of this chapter. Should an applicant for a Type I project request a variance from the strict application of the standards of this chapter, the board shall review and make a decision on the project and the variance. The board shall take the following factors into consideration with respect to decisions on variances:
 1. The extent to which the project would adversely affect the character of the building or the overall historic district;
 2. The reasonableness of the proposed project in light of other alternatives available to achieve the objectives of the owner and the applicant; and
 3. The extent to which the proposed variance may be necessary to meet the requirements of a law or regulation, such as the building code, including the Washington State Barrier Free regulations, the Model Toxic Control Act or the Flood Hazard regulations.
- D. Type III projects, to the extent that they represent an irreplaceable loss to the historic fabric of the city in the opinion of the board, may only be approved when the action is required to alleviate a threat to public health and safety, when needed due to economic impacts, or when required to accomplish a significant public purpose. The board shall consider such application at a public meeting within 45 days after the date of referral, and render its decision within 30 days after the meeting at which the application was first considered.

- E. The respective decisions of the historic preservation officer and historical design review board shall be in writing, and state applicable findings, conclusions, and decision, including any conditions; provided, the historical design review board may adopt all or portions of the staff report as their findings and conditions. A copy of the findings and decision shall be provided to the property owner and applicant within five days after the decision, and shall be provided to each person who has requested a copy of such findings and decision.

17.35.160 Reconsideration.

In the event new information becomes available, or if the owner or applicant believes that the decision of the historical design review board was based upon erroneous findings, the owner or applicant may file a request for reconsideration within 14 days of the date of the decision. Such request shall be filed with the historic preservation officer, and shall include all supporting documentation. The request for reconsideration shall be heard and decided within 70 days of the date of filing of the request. A request for reconsideration shall not be deemed a prerequisite for appeal of any decision.

17.35.170 Appeal.

- A. The findings and decision of the historic preservation officer for a Type I project may be appealed to the hearing examiner by filing a notice of appeal as specified in Chapter 14.40 SMC. The hearing examiner shall render their decision on the appeal per Chapter 14.40 SMC and Chapter 2.14 SMC.
- B. Decisions of the historical design review board for a Type II or Type III project may be appealed to the city council as specified in Chapter 14.40 SMC. The city council shall render its decision on the appeal per Chapter 14.40 SMC.
- C. The decisions of the Snoqualmie hearing examiner or the city council on appeals shall be final unless appealed to the superior court pursuant to the Land Use Petition Act within the time period therein provided.

14.40.010 Time limit for appeals.

- A. Notwithstanding any provision of this code to the contrary, all appeals of Category I, II and IV project permit decisions shall be filed with 14 days after the notice of decision or other notice that the decision has been made and is appealable; provided:
 - 1. The period for appeal shall be extended for an additional seven days if public consent is allowed on a determination of nonsignificance issued as a part of the appealable project permit decision; and
 - 2. The date from which the 14-day appeal period shall run for any city staff decision made prior to the date of the single report shall be the issuance date of the single report containing a statement that the decision has been made and is appealable.
- B. Unless otherwise specified by another provision of this code, appeals must be received by 5:00pm..
- C. Notwithstanding any provision of this code to the contrary, all appeals of land use decisions to Superior Court shall be filed within 21 days after the decision is issued, as provided in Chapter 36.70C RCW.

14.40.030 Procedure for appeal.

- A. Appeals of Category I and Category II project permit decisions shall be open record appeals, heard by the hearing examiner. Such appeals shall be heard and determined within 90 days after filing of the notice of appeal.
- B. Appeals of Category IV project permit decisions shall be closed record appeals, and shall be heard and determined within 60 days after filing of the notice of appeal. Such appeals shall be heard on the basis of the record before the hearing examiner or planning commission; provided, additional oral testimony or exhibits may be received by stipulation or if required in the discretion of city council to clarify or supplement such record. The city council shall affirm the decision and findings of the hearing examiner or planning commission unless the city council shall find such finding and decision to be clearly erroneous.
- C. The time limitations set forth in subsections A and B of this section may be extended by agreement of all parties to the appeal.
- D. Appeals of Category III project permit decisions to Superior Court shall be as provided by Chapter 36.70C RCW.
- E. The provisions of SMC 2.14.100 and SMC 2.14.105 shall apply to all appeals under this chapter.