**10 things Every Washington CLG Should Know**

**2024**

1. **NPS, DAHP, CLG Partnership:**

In essence, historic preservation in the United States is a partnership between the National Park Service, the State Historic Preservation Office, and Certified Local Governments. Being part of the [CLG Program](https://www.nps.gov/subjects/historicpreservationfund/certified-local-government-program.htm), which began in 1980 as an amendment to [The National Historic Preservation Act](https://ncshpo.org/resources/national-historic-preservation-act-of-1966/), simply means that your local Historic Preservation Commission in Certified by NPS. NPS administers the historic preservation program at the federal level, the Department of Archaeology and Historic Preservation (DAHP) also known as the State Historic Preservation Office (SHPO) administer the historic preservation program at the state level, and CLGs administer their local program. Each CLG opted into the program. In Washington State there are [60 CLG communities](https://dahp.wa.gov/local-preservation/certified-local-government-program/clg-program-participants).

1. **CLG Federal Code:**

<https://www.ecfr.gov/current/title-36/chapter-I/part-61/section-61.6>

<https://www.ecfr.gov/current/title-36/chapter-I/part-61/section-61.7>

1. **CLG State and Local Responsibilities:**

In addition to the federal code above, CLGs must also adhere to the [State of Washington](https://dahp.wa.gov/sites/default/files/WA%20State%20CLG%20Requirements%20and%20Procedures.pdf)

[CLG Program Requirements and Procedures](https://dahp.wa.gov/sites/default/files/WA%20State%20CLG%20Requirements%20and%20Procedures.pdf)

CLGs must also adhere to local requirements found in you [local Historic Preservation Ordinance](https://mrsc.org/research-tools/washington-city-codes) and Bylaws. If you don’t have a copy of your bylaws, contact me. I have most of the original bylaws in a hard copy.

1. **CLG Grants/HPF fund**

Each year the federal government, through NPS, provides each SHPO with funding to run their state historic preservation program. Known as the [Historic Preservation (HPF) Fund](https://www.nps.gov/subjects/historicpreservation/historic-preservation-fund.htm). Funding is provided from Outer Continental Shelf oil and gas lease revenues, not tax dollars, and an amount is appropriated annually by Congress. By federal law, 10% of the monies received by each SHPO *must* be sub awarded to that state’s CLGs in the form of annual competitive grants. In our state, the CLG grant application period usually opens in January and close at the end of April.

To view the HPF Manual in its entirety: <https://www.nps.gov/subjects/historicpreservationfund/upload/HPF_Manual.pdf>

\*Chapter 3 (Conflict of Interest), Chapter 6, Chapter 7, and, most importantly, Chapter 9 relate to relate to the CLG) Program.

1. **Advisory or Quasi-Judicial**

Every CLG in Washington State has either advisory or quasi-judicial powers when conducting a design review in order to approve a Certificate of Appropriateness for proposed changes to a property listed on your local historic register. Advisory power is just that. Quasi-judicial commissions have authority to approve or deny the proposed work. Your commission can be only one. It is imperative that you have read your local ordinance and understand the commission’s advisory or quasi-judicial status. Whether or not your local commission is advisory or quasi-judicial status was decided upon locally when your community became a CLG.

1. **Design Review Standards:**

Every commission must have available to them the criteria that they follow when conducting a Design Review for locally listed buildings seeking a Certificate of Appropriateness. Very commonly, these criteria are the [*Secretary of the Interior's Standards for the Treatment of Historic Properties: Rehabilitation as a Treatment and Standards for Rehabilitation*](https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm)*.* However, this is not true in all cases. You may have similar local standards or even additional criteria. Your CLG’s criteria should be found in your local ordinance or sometimes in your bylaws/rules. If you do not have your criteria, please contact your CLG Coordinator at DAHP. It is vitally important to the integrity of the CLG Program that communities follow and do not stray from their Design Review Criteria. **Personal opinion has no place in a Design Review.** Also be aware that you are setting precedent. If you get stuck on a particular subject, it is advised that you consult the [Preservation Briefs](https://www.nps.gov/orgs/1739/preservation-briefs.htm). These are put out by NPS as a companion guide to the Secretary of the Interior’s Standards and can offer more in-depth guidance of many individual subjects.

Some CLG Communities have further adopted [Design Guidelines](https://www.nps.gov/crps/tps/workingonthepast/canandcannot.htm). Design Guidelines are useful in guiding the preservation of a *particular* district or neighborhood of your community. Design Guidelines take into account the existing historic character of an individual neighborhood and are more prescriptive that the Secretary of the Interior’s Standards. Design Guidelines are most commonly applied to a local historic district. Design Guidelines typically address things such as setbacks, window and door patterns, and even paint colors. Design Guidelines are not meant to be used in place of the Secretary of the Interior’s Standards they are a way to apply more specific guidance to a particular area. Here is an example: <http://www.historicspokane.org/wp-content/uploads/Brownes-Addition-Design-Standards.pdf>

1. **Adding to a Historic Register**

There are three possible historic registers that a property in our state can be on:

* [National Register of Historic Places](https://dahp.wa.gov/historic-registers/national-register-of-historic-places)
* [Washington Heritage Register](https://dahp.wa.gov/historic-registers/washington-heritage-register)
* Local Historic Register

Note that these are three *totally separate registers*, each with an individual process for adding a building to it. Understandably, many people get confused by which register(s) their community’s building are on and often conflate them. Know that a resource could be on one, two, or all three registers.

**The National Register of Historic Places (NRHP),** administered by NPS, is the most difficult register to be included in. This register in honorary, meaning that there should be absolutely no local review to changes to or demolition of these buildings. The only time a review is conducted to proposed changes or demolition of NRHP listed buildings is when a process like [Section 106](https://dahp.wa.gov/project-review/section-106) is triggered or the property owner is receiving federal historic preservation financial incentives. These reviews are conducted by a partnership between DAHP and NPS not the local CLG.

**The Washington Heritage Register (WHR)** is also honorary, and changes or demolition requires no federal, state, or CLG review. The only potential exception being a building owner receiving state funded historic preservation grants.

**Local Historic Register:** Your local historic register was, in effect, created when your community joined the CLG Program. The foundations for it are laid out in your local ordinance. It is important to reiterate that your local register is a completely separate entity from the NRHP or the WHR. To be added to your local register, your CLG must follow the process laid out in your ordinance for adding a resource to your local register.

**\***Resources listed on the NRHP AND WHR can be found on DAHP’s database [WISAARD](https://wisaard.dahp.wa.gov/).

**WISAARD Tutorial:** <https://wisaard.dahp.wa.gov/portal/apps/MapJournal/index.html?appid=5e11c017f0f748019f84be9b87d624d8>

\*Your properties listed on your local register should be kept somewhere locally. It is always a good idea to make this information updated and available on your local historic preservation webpage. Example: <https://www.cityoftacoma.org/government/city_departments/planning_and_development_services/historic_preservation/tacoma_landmarks>

1. **To Create a Local District, a Procedure Must be in Your Local Ordinance:**

The same process above describing the three registers also applies to historic districts. For example, having a National Register Historic District does not mean your community has a Local Historic District. Your commission may not review proposed changes or demolition to resources in a National Register or Washington Heritage Register Historic District solely for the fact that one of these types of districts exists in your community. In order to create a Local Historic District, you must follow the procedure for doing so as it is laid out in your local historic preservation ordinance. If your ordinance does not include language for the creation of a local district, then your community can not possibly have a local district which would give your CLG the authority to review proposed changes to buildings within the local district. Also remember that there have been a few recent state substitution house bills that speak specifically to historic districts. Understanding the type of district, you have is very important.

Two very helpful resources:

<https://rowman.com/ISBN/9780759107564/The-Politics-of-Historic-Districts-A-Primer-for-Grassroots-Preservation>

<https://www.youtube.com/watch?v=MJRVtryNk3M&list=PL666rmD_0-GJSTDDHDkpkad0L28udjlyh>

1. **Read Ordinance and Bylaws**.

Finally, I cannot state enough how important it is that your read and understand your local historic preservation ordinance and bylaws. Your ordinance is your go to guide for the powers, limitations, and procedures that must be followed by your CLG commission.

1. **Resources/ I Will Train You!**

Finally, never hesitate to reach out to me with questions, clarifications, training requests, etc. That is my job and I love doing it. I do trainings around the state all the time either virtually or in person. There are some preservation issues that DAHP doesn’t have all of the answers for, but we will do our best to point you to the right place. Remember, as a CLG you are holding up your end of the bargain by serving on your local commission and following your ordinance and other CLG duties. In return, it is DAHP’s responsibility to combine our preservation expertise to support, train, and answer questions from our CLG partners.