

Historic Resources Code Project Update



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Historic Resources Code Project Goals

- **Inventory.** Establish framework for managing the citywide Historic Resources Inventory (HRI)
- **Designation.** Incorporate State regulations and national best practice into the local designation process
- **Protection.** Refine demolition and design protections that apply to designated historic resources. Expand regulatory incentives



HRCP Project Timeline

- January 2017—New State Administrative Rule for historic resources adopted
- Late 2017-early 2018—Scoping, research, and code concept development
- Fall 2018—Staff review of *In-House Draft*
- January 14—Release of *Discussion Draft*
- January-March—Public engagement
- April 1—Public comments due on *Discussion Draft*



In early 2018, 440 people submitted 3,442 unique comments through online and paper survey forms. 200 people participated in roundtables and drop-in sessions.

Some Background

- State law requires owner consent for local historic resource designation
- Land use Goal 5 requires cities apply demolition review to federally-listed National Register resources (including districts)
- All resources listed in the federal National Register prior to January 2017 were automatically mapped as Historic Landmarks or Historic Districts
- All recognized historic resources can be viewed online: portlandoregon.gov/bps/article/643850



Existing Historic Resource Classifications

NOT
DESIGNATED

- Historic Resource Inventory (HRI)
 - Unranked
 - Rank I, II, III

DESIGNATED

- Conservation Landmarks/Districts
- Historic Landmarks/Districts
 - *Includes National Register resources listed before 2017*



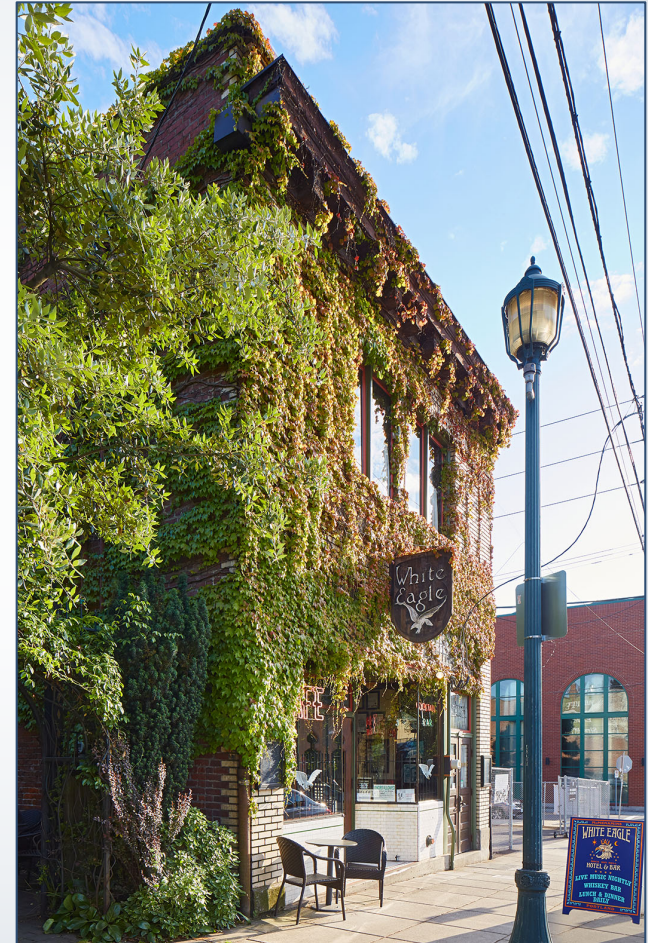
Proposed Changes to Historic Resource Inventory

- Include all documented and designated resources in the broader “Historic Resource Inventory”
- Change naming conventions for undesignated resource classifications



Proposed Changes to Historic Resource Inventory

- Allow BPS and community to document resources without land use consequences
- Allow documented resources to be determined “significant” through a legislative procedure
- Retain existing 120-day demolition delay for significant resources
- Eliminate by-right owner removal option
- Require subsequent designation procedure to apply additional protections



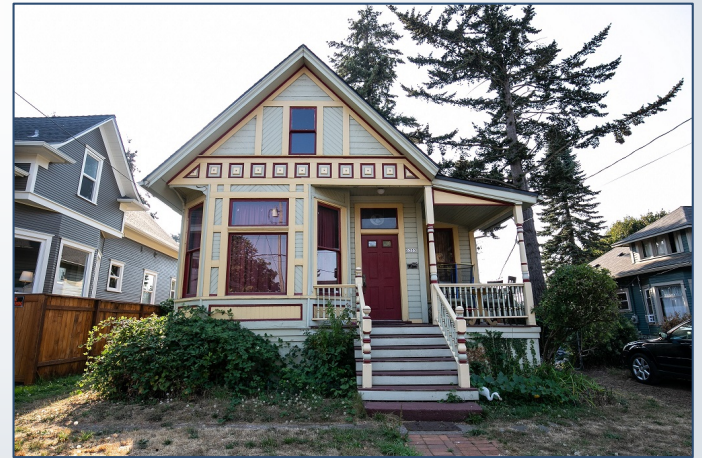
Proposed Changes to Local Designation

- Retain and refine the existing two-tier local designation/protection system:
 - Historic Landmarks/Districts
 - Conservation Landmarks/Districts
- Establish new criteria for designation (including social, ethnic, gender, and cultural history)
- Create new classification for National Register resources listed after January 2017 (they no longer become automatic Historic Landmarks/Districts)



Proposed Changes to Local Designation

- Quasi-judicial path for Historic/Conservation Landmarks and Historic/Conservation Districts with 16 or fewer properties
- Legislative path for Historic/Conservation Landmarks (no PSC recommendation req'd) and Historic/Conservation Districts (PSC recommendation req'd)



Proposed Historic Resource Classifications (Historic Resource Inventory)

NOT
DESIGNATED

- Documented (formerly unranked)
- Significant Resource (formerly ranked)



DESIGNATED

- Conservation Landmarks/Districts
- Historic Landmarks/Districts
 - *Includes National Register resources listed before 2017*
- National Register resources listed after 2017



Proposed Protections for National Register Resources Listed After 2017

- Apply Council-level demolition review to historic “contributing” structures
- Apply staff-level demolition review to historic “contributing” accessory structures
- Apply no additional protections unless or until locally designated



Proposed Protection Changes for Historic Landmarks/Districts

- Expand Council-level demolition review to locally-designated Historic Landmarks (currently subject to 120-day demolition delay; however, Historic Landmarks on the National Register are subject to Type IV)
- Establish a lower staff-level demolition review for historic “contributing” accessory structures



Proposed Protection Changes for Historic Landmarks/Districts

- Retain historic resource review for alterations, additions, and new construction
- Expand list of exemptions from review
- Refine review type thresholds
- Modify design approval criteria for Historic Landmarks and Historic Districts without adopted guidelines



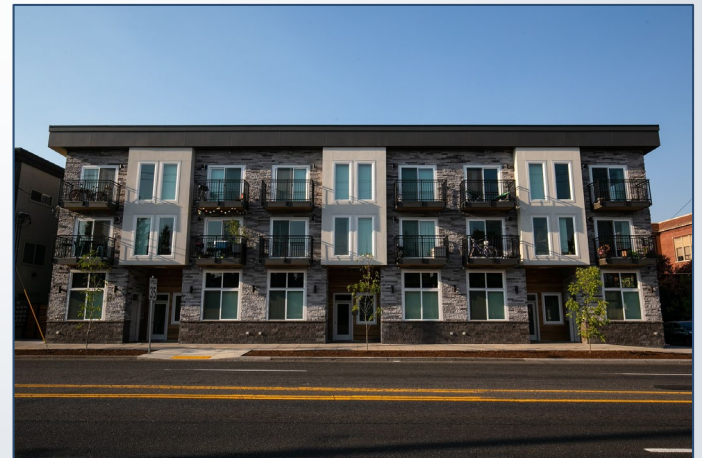
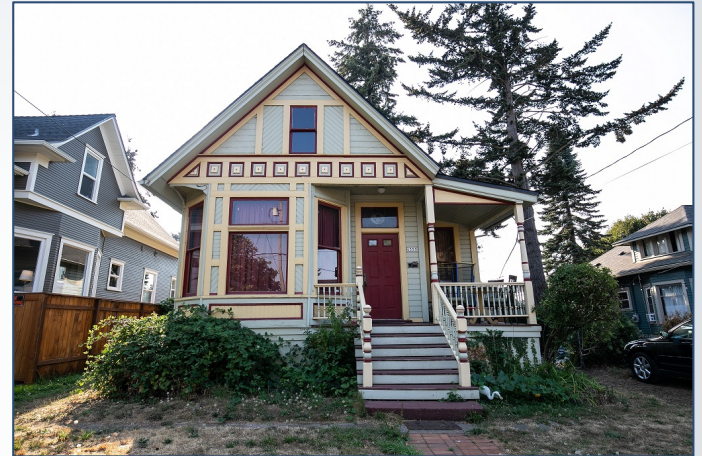
Proposed Protection Changes for Conservation Landmarks/Districts

- Apply new staff-level demolition review to Conservation Landmarks and historic “contributing” resources in Conservation Districts (currently only subject to 120-day demolition delay)
- New staff-level demolition review would consider historic merits of the building and would generally require mitigation for approval



Proposed Protection Changes for Conservation Landmarks/Districts

- Retain two-track option for small alterations, additions, and (possibly) new construction:
 1. Clear and Objective Design Standards
 2. Discretionary Design Guidelines
- Require discretionary review for major alterations and additions and (possibly) all new construction projects over a certain size
- Expand list of exemptions from review
- Refine review type thresholds
- Provide more flexibility for large additions to Conservation Landmarks



Proposed Zoning Code Incentives

- Expand housing flexibility for all Historic and Conservation Landmarks and Districts
- Eliminate redundant requirements to access incentives (including FAR transfer)
- Eliminate parking requirements for all Historic and Conservation Landmarks and Districts
- Allow nonresidential uses in residential zones in certain situations



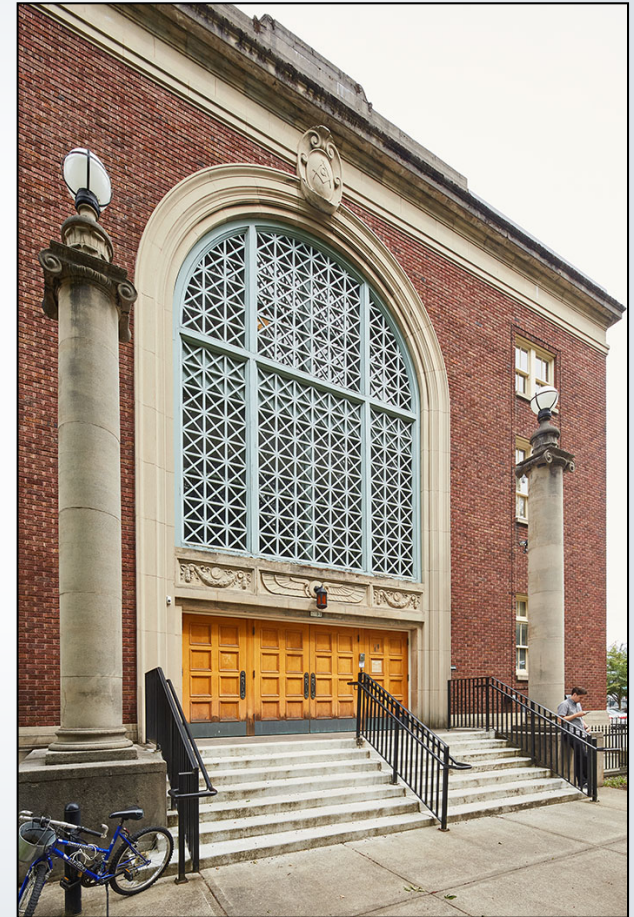
Proposed Administrative Changes

- Change Historic Landmarks Commission makeup, annual report schedules, and powers and duties
- Allow for adjustments to historic resource boundaries and contributing resource status through quasi-judicial and legislative paths



Summary of Proposed Changes

- Restructure the Historic Resource Inventory to enable future survey and evaluation of resources
- Limit the consequences of National Register listing to State-required baseline protection
- Retool the two-tier local designation program
- Increase demolition protections for locally-designated Historic and Conservation resources
- Refine design protections for locally-designated Historic and Conservation resources
- Expand adaptive reuse incentives



Next Steps

- Outreach and public events in February-March
- Public comments due April 1
- Staff watching for possible changes in Salem
- Revised *Proposed Draft* to be published this summer for PSC review



2019 Legislative Watchlist

Per Restore Oregon, the bill would:

- Repeal owner consent law for local designation (ORS 197.772)
- Eliminate automatic protections for future National Register listings
- Maintain current protections for existing National Register listings
- Retain Special Assessment of Historic Property program
- Establish a Rehabilitation Tax Credit for certain projects

