

Historic Resources Code Project: Summary of Public Feedback Received During Concept Development Period

Project Background

Initiated in late 2017, the [Historic Resources Code Project](#) (HRCP) is a zoning code project that will make changes to how the City of Portland identifies, designates, and protects historic resources. To better align the City's historic preservation programs with other community goals, the HRCP will analyze deficiencies in Portland's existing programs and propose zoning code changes addressing the procedures, thresholds, and incentives that apply to inventoried and designated historic resources.

In drafting these changes to existing zoning code, the HRCP will incorporate national best practices, feedback from Bureau of Planning and Sustainability and Bureau of Development Services staff, and concepts proposed by community members. An initial open comment period spanned November 2017 through February 2018. Collected public comments, which are summarized below, will inform the development of an initial Discussion Draft Zoning Code to be released in summer 2018.

Overview of Outreach

During the initial concept development period, the public were afforded a variety of opportunities to provide project feedback. Four community roundtables and two informal drop-in sessions were held on weeknights in various locations around Portland, with the intention of making these events accessible to a wide range of community members in different geographical areas. An online survey was made available for the entire comment period, and paper versions of the same were supplied at all project events. The public were also invited to connect with project staff directly by emailing concepts to historic.resources@portlandoregon.gov.

Opportunities to comment were advertised through several channels. The [HRCP website](#) posted notice of each community roundtable and provided access to the online survey. Roundtables were further advertised on the Historic Resources Program Instagram account, [@portland1984](#), one week prior to each event. Project updates, including the survey link, were distributed by email to the project [mailing list](#) of over 680 addresses. HRCP notices were also featured in Bureau of Planning and Sustainability and Bureau of Development Services e-newsletters.

Public Engagement and Comments Received

During the three-month open public comment period, 440 Portlanders submitted 3,442 unique comments through online and paper survey forms. Survey questions, while organized by theme, were largely open-ended to allow for broad feedback during this exploratory phase. City staff transcribed all handwritten forms and reviewed each online submission, extracting potential concepts for consideration and refinement by the project team. Five individuals and two organizations sent comments directly to the Historic Resources Program; these were similarly reviewed by City staff.

Also during the open comment period, about 200 participants attended the four community roundtables and two drop-in sessions. These events provided an opportunity for group discussion and direct interaction with the project team. A summary of each community roundtable, including a transcript of all staff notes and participant comments, can be found on the [HRCP blog](#).

Key Issues Raised in Public Comments

Through survey responses, emailed concepts, and direct interaction at roundtable and drop-in events, staff collected several thousand public comments during the concept development period. Comments addressed a range of topics, but many were focused on the Historic Resource Inventory, cultural resources, housing density and affordability, historic district designations, Historic Resource Review, and demolition protections for designated landmarks and districts.

Historic Resource Inventory

The second Historic Resources Code Project roundtable, “New Tools for Inventorying and Adapting Historic Resources,” and several survey questions addressed the utility and content of a citywide Historic Resource Inventory. Many commenters asserted that a publicly-accessible inventory would be a useful research tool for academics, homeowners, and City staff alike. Others expressed concern with the inventory process, primarily around the topic of owner consent. When asked whether owner consent should be required for listing a property in an informational inventory of historic resources, 58% of online survey respondents answered “no,” 35% answered “yes,” and 7% were unsure. Specific comments related to the inventory listing process included:

- *No, owner consent should not be required for listing. Historic buildings are a community and city-wide resource and asset, not just [an asset to] the current owners.*
- *No, owner notification would be nice, but owner consent should not be required. Significance does not depend on the current owner's views regarding preservation.*
- *Yes, unless there are no adverse economic or damaging effects on an owner.*
- *Owners should have the opportunity to consent prior to the listing in some capacity.*
- *Depends on if listing it limits how an owner can use the property.*

Cultural Significance and Historic Resources

In both survey and roundtable responses, the public expressed a strong interest in better identifying and protecting resources with cultural and social significance. Some commenters suggested the creation of new designation types, such as cultural or thematic districts, in which regulations are carefully tailored to address only the social or cultural attributes of the resource. Specific comments included:

- *Protecting culturally, if not architecturally, significant neighborhoods can be designated a public good and standards developed to determine eligibility.*
- *Ethnic and cultural resources might be deemed historic because of their use + the accompanying stories.*
- *Include cultural and ethnic criteria for conservation designation.*
- *Cultural resources could be protected via cultural districts.*

- *We should identify similar ethnic and cultural designations and find ways to promote and le rare communities, even if they have already been destroyed. For example, legacy African American communities in Portland could be celebrated by identifying locations of key buildings (even if the originals have been destroyed).*

Density and Affordability

A number of commenters expressed concern about real and/or perceived conflicts between historic designation and housing affordability and opportunity. Some proposed disallowing future historic districts. Others suggested ways to reconcile the conflict, such as by facilitating and incentivizing internal conversions and reducing parking requirements in historic districts, especially where resources are in close proximity to a transit corridor. Specific comments included:

- *Designation of historic landmarks and districts should not restrict the creation of new housing (ADUs, internal subdivisions, and at least a review of demolition and replacement).*
- *Demolition and design protections should be loosened to allow Portland to accommodate our housing needs.*
- *Allow for more ADU/internal divisions of historic single family homes.*
- *Get rid of parking requirements.*
- *Designate only individual properties, not districts. For instance, in a "district" such as Laurelhurst, it may suit to pick out a few significant buildings, which are not within a 1/2 mile radius of a light-rail station, so that more housing can be constructed in that radius without harming designated resources.*

Historic District Designations

Historic district designation proved to be a divisive issue among commenters. All historic districts created in Portland since 1993 have been designated at the federal level as National Register Historic Districts; the HRCF intends to create and/or refine local alternatives to the National Register. Many commenters showed interest in local historic district designations that may be more flexible in terms of listing criteria and associated protections. Other respondents proposed disallowing district designation at the local level, limiting the number of properties included in potential districts, and/or prohibiting the designation of districts near transit. Still others were supportive of existing district listings and protections, responding that district designation is the most effective tool to protect the integrity of historic neighborhoods. Additionally, many commenters felt that a local district designation should be supported by property owners through an affirmative process where each property owner may cast a vote for the designation. Specific comments included:

- *Another way to lend legitimacy to historic preservation efforts is to place legal limits on their density: no more than X structures per square mile.*
- *No districts should be formed in areas near high-quality transit service, such as frequent service bus lines or Light Rail. In these close-to-transit locations, individual Landmarks can be considered, but not a District.*
- *Resources in a group such as a district or neighborhood are more significant that individual ones. There should be special attention payed to mixed use or commercial preservation as it plays heavily into profitability of a commercial zone by defining and preserving a City's character.*

- *Change historic designation for neighborhoods to require affirmative vote of impacted homeowners.*
- *Not all needs to be saved but I believe it is important to protect what has been designated and add key neighborhoods to capture the flavor.*

Historic Resource Review

Many commenters held conflicting opinions about the relevance and effectiveness of Historic Resource Review; while some believed that existing protections are too restrictive, others felt that they may be too lax. Some suggested that district-specific guidelines might be the most effective way to preserve the historic character of a designated area. Of the many suggested regulations and exemptions concerning alterations to historic resources, numerous commenters expressed a desire to exempt solar panels and seismic straps from Historic Resource Review. Others requested greater flexibility for window replacement and alterations and additions not visible from the public right-of-way. Specific comments included:

- *Discretionary design standards particular to each district should apply to historic districts. Design standards could be less restrictive for conservation districts.*
- *The city should develop clear, easy-to-understand design guidelines. It may make sense to develop district-specific guidelines.*
- *I think there should be more flexibility with solar panels for one. They are not permanent to the house and could be removed.*
- *We recommend that installation of these brackets for seismic tie-down purposes be exempt for all structures subject to HRR, provided that the individual brackets must be less than 0.5 square feet each.*
- *Alterations that still maintain basic character of the house should be exempt. Changing windows, roof, additions to back of house or second story could be exempt.*

Demolition Protections

The demolition of Portland's historic resources was of particular concern to many commenters. In roundtable events and through survey responses, many members of the public expressed a fear that existing demolition protections are allowing for widespread loss of resources. These commenters frequently advocated for increased demolition delay periods and/or expanded demolition review programs. Others felt that the existing demolition protections are unnecessarily restrictive and asked that demolition review be relaxed. Specific comments included:

- *Demolitions should be a last resort and only acceptable where there are clear and provable issues of safety.*
- *Strengthen the demolition review process for all historic buildings, but especially historic and conservation landmarks, and extend the review period.*
- *Demolition delays are nothing. They do not prevent demolitions, as we've seen repeatedly.*
- *There should be demo prohibitions on certain highly significant resources. Then there should be long demo delays for other resources....6 months to a year.*
- *I disagree with the use of demolition and design protections. They are being used to mark off certain neighborhoods from the issues faced by the city as a whole.*

Additional Issues

While these six key issues represent the majority of collected commentary, they do not fully express the diversity of feedback gathered by HRCP staff. For instance, several commenters suggested that the City institute a plaque program or design walking tours to familiarize the public with Portland's historic resources. Many others expressed interest in the National Register of Historic Places designation process and the State of Oregon's Goal 5 land use protections that apply to National Register listings. These comments will be considered by staff, acknowledging that the Portland Zoning Code cannot nullify or amend State or Federal regulations pertaining to National Register resources.

To provide a complete record of material received during this initial open comment period, all paper forms [\[create link\]](#), online forms [\[create link\]](#), and emails from organizations [\[create link\]](#) and individuals [\[create link\]](#) (personal information redacted) have been compiled and are available as PDF files for public review.

Next Steps

BPS and BDS staff began refining concepts collected during the open comment period in March 2018 and are preparing a Discussion Draft of the amended zoning code for public review in summer 2018. Following the release of the Discussion Draft, the public will be invited to provide comment through a second series of stakeholder roundtables. These events will be announced on the [HRCP webpage](#), with reminders sent to the Historic Resources Program [email list](#). An online survey with questions targeted to specific concepts will be made available on the project website when the Discussion Draft is released. Feedback received on the Discussion Draft will then be considered by staff, with a revised Proposed Draft Zoning Code released in the fall.

The public will then be invited to submit formal testimony on the Proposed Draft to the Planning and Sustainability Commission, in writing or in person at one or more public hearings. After reviewing public testimony, the Planning and Sustainability Commission may amend the Proposed Draft before making a recommendation to Portland City Council. City Council will hold an additional public hearing(s) to take formal testimony on this Recommended Draft. It is expected that City Council will vote to adopt the final zoning code changes in early 2019.