

Historic Resources Code Project

Improving Portland's regulations for
identifying, designating, protecting,
and reusing historic places

RECOMMENDED DRAFT — AS-AMENDED
JANUARY 2022

VOLUME 1: STAFF REPORT



THE BUREAU OF
**PLANNING &
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Testimony on the recommended zoning code amendments:

The Portland City Council considered written and oral testimony on the Historic Resources Code Project *Recommended Draft* in fall 2022. Public hearings were held on November 3 and December 15, 2021. Written testimony was accepted online through the MapApp. The written and oral testimony period concluded on December 15, 2021.

For more information:

Visit the project webpage: www.portlandoregon.gov/bps/hrcp

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Volume 2: Code Amendments (under separate cover)



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June 30, 2021

Mayor Wheeler and City Commissioners
Portland City Hall
1220 SW 4th Avenue
Portland, Oregon 97205

Dear Mayor Wheeler and City Commissioners:

The Planning and Sustainability Commission (PSC) enthusiastically offers our support for the Historic Resources Code Project (HRCP), currently scheduled to come before Portland City Council in Fall 2021. The PSC voted unanimously on May 4, 2021, to recommend adoption of the package of Zoning Code amendments which will result in revised regulations for the identification, designation, protection, and use of Portland's historic resources.

The HRCP zoning code package provides Portland with a once-in-a-generation opportunity to rewrite the city's regulatory approach to historic preservation. The PSC's recommendation was made possible due to the loosening of Oregon Administrative Rule in 2017, an effort that the City supported as a necessary precursor to the HRCP code amendments.

The recommended changes to the Zoning Code will allow Portland's inventory of historic resources to tell more diverse stories, adapt to changing community needs, and be protected for future generations.

The PSC is especially supportive of the following changes:



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- **Require a local designation for application of design protections.** Portland currently relies on the federal National Register of Historic Places to apply demolition and design protections onto historic resources. This “coupling” of federal designation and local regulation has resulted in large residential neighborhoods such as Irvington, Eastmoreland, and Laurelhurst pursuing federal recognition as a vehicle to secure land use protections not available to other parts of the city. The recommendation reduces the automatic protections conveyed by National Register listing to the minimum required by state law: demolition review. City designation would be required to apply design protections to landmarks and districts in the future.
- **Establish a clear hierarchy of historic resource types.** The recommendation overhauls the City historic resource designation process to allow a menu of protections to be considered when new landmarks and districts are proposed for City designation. These changes offer a “hierarchy” of historic resource types (i.e. Historic Landmark, Conservation Landmark, etc.) that allow for weighing the appropriateness of protecting a given resource against Comprehensive Plan policies and other community values. Resources associated with underrepresented histories would be given greatest priority for City designation in the future.
- **Incentivize the adaptive reuse of historic resources.** Historic places need continual maintenance to be protected, including the imperative that historic buildings be upgraded for climate and seismic resilience. Additionally, for historic places to convey educational and cultural benefits they must be interpreted and used not by a few, but by the entire community. Towards that end, the recommended adaptive reuse incentives provide new economic opportunities that justify complex rehabilitation projects and allow for more diverse housing and commercial activities to take place within historic resources.
- **Revise the rules for protecting landmarks and districts.** Historic preservation must benefit the broad public, not just neighboring property owners, and must be weighed against other complementary and competing City goals and policies. The recommended changes eliminate and streamline the review of minor exterior alterations affecting designated historic resources and establish new approval criteria to be considered in demolition reviews. Together these changes balance the protection of historic resources with other community goals, allowing for win-win opportunities for historic resources themselves to be adapted in ways that best exemplify the city’s values.

In addition to meaningful changes to the City’s policy approach to historic preservation, the code amendments include numerous technical fixes requested by the Bureau of Development Services, the Historic Landmarks Commission, and development teams with non-profit and for-profit experience rehabilitating historic structures. Those fixes, while technical in nature, will allow tenants, property owners, and designers to use, improve and adapt historic resources.



To arrive at the PSC's recommendation, we held virtual public hearings on the Proposed Draft in the Fall of 2020. Seventy individuals provided verbal testimony to the PSC at the two public hearings and 278 pieces of written testimony were submitted to the PSC.

Following the close of the public testimony period, the PSC held seven work sessions from December 2020 to May 2021. Chair Kristen Minor of the Historic Landmarks Commission (HLC) participated in each of the work sessions to inform the PSC's understanding of historic resource issues and assist in shaping potential amendments to the staff Proposed Draft. In addition to the PSC's work sessions, three members of the PSC and three members of the HLC met four times to discuss possible amendments in greater detail and ask additional questions of project staff. On May 4, 2021, the PSC voted unanimously to recommend City Council adopt the amended HRCP Zoning Code package.

Although the PSC supported the majority of the Proposed Draft presented by BPS staff, 14 amendments were moved by the PSC for incorporation into the Recommended Draft. Many of these amendments were technical in nature, but three groupings of amendments may generate significant testimony at the City Council hearings. Those amendments are as follows:

1. **District designation process and criteria.** The PSC's recommendation requires a joint hearing between the PSC and HLC whenever a new Historic or Conservation District is proposed for designation and to prioritize historically excluded communities in the approval criteria applied to proposals to designate such districts. The PSC would make a formal recommendation to City Council, who would serve as the decision-maker.
2. **Increased flexibility for alterations in residential areas.** The PSC's recommendation exempts certain solar energy installations, electric vehicle charging outlets, window replacements, and new detached accessory structures from design protections.
3. **Refinements to adaptive reuse incentives.** In response to public testimony, the PSC's recommendation adds additional sideboards to the by-right incentives for accessory commercial uses in residential zones.

Finally, the PSC received testimony regarding a host of ideas related to potential future work. Although there was interest from Commissioners on both the PSC and HLC to include changes to the Official Zoning Map as part of the HRCP package, the PSC is not recommending any map changes to accompany these code amendments.

Recognizing the limited BPS budget (1 FTE) available for long-range historic resources planning, we offer the following future work ideas for Council consideration:



1. Phased updates to the Citywide Historic Resource Inventory, prioritizing and empowering communities whose stories are absent from the existing inventory.
2. Deployment of City resources to support community in the designation of districts associated with diverse stories that have been excluded from past historic preservation efforts.
3. Selective refinements to the Official Zoning Map to ensure height allowances for new buildings are neither too aggressive nor too conservative in Historic Districts.
4. Refining the Community Design Standards that apply in Conservation Districts and Design Guidelines that apply in Historic Districts to ensure clarity and consistency for tenants, owners, and design teams.
5. Advancing intangible cultural preservation strategies, including establishment of a Legacy Business program, Cultural District program, and/or citywide Cultural Resources Plan.

In conclusion, the PSC recommends City Council adopt the Historic Resources Code Project Recommended Draft and direct BPS staff to leverage the new code provisions in partnership with those communities who have been excluded from the benefits of historic preservation in the past.

Sincerely,



Eli Spevak
Chair



Section I: Summary

The Historic Resources Code Project (HRCP) makes changes to the City of Portland’s zoning code regulations for identifying, designating, protecting, and reusing historic places. The project was initiated to bring Portland into compliance with Oregon State Administrative Rule (OAR 660-023-0200) provisions governing local historic resource programs in cities and counties across Oregon. Following three cycles of public feedback—one during the concept development phase in 2017-2018, one during the Discussion Draft phase in 2019, and one during the Proposed Draft phase in 2020—the Planning and Sustainability Commission voted unanimously on May 4, 2021 to recommend the Portland City Council adopt zoning code amendments to incorporate not only State-mandated changes, but to make Portland’s historic resource regulations more equitable, effective, and responsive to the current and future needs of all Portlanders.



Historic resources in the Woodlawn Conservation District.

The code amendments uphold and advance the following value statements:

- Meaningful and tangible connections to the past enhance the lived experiences of current and future community members.
- Extending the useful life of existing buildings retains embodied carbon and reduces landfill waste.
- Historic resources provide opportunities to acknowledge, address and reverse past harms.
- The broad community should be engaged in the identification and designation of historic resources, with underrepresented histories prioritized for protection.
- Historic places must continually evolve to meet the changing needs of Portlanders.

For individuals reading this document to understand how or if the amendments would affect a specific property(s), the [Historic Resource Webmap](#) identifies all historic resources recognized by the City of Portland that may be potentially affected by these amendments.

Inequities in Portland’s Historic Resources Program

The protection of historic resources has been a City of Portland priority for more than 50 years—Provisions for identifying, designating, protecting, and reusing historic places have been codified in the zoning code; a field of historians, designers, and tradespeople have emerged to provide expertise in building restoration; and tenants, owners, and the broad public serve as stewards of wide range of historic buildings, landscapes, and structures. Since establishment of Portland’s first historic preservation ordinance in 1968, more than 700 individual landmarks and 25 districts across Portland have been designated and protected for their architectural, cultural, and historic significance. These include such iconic places as the Pittock Mansion, Paul Bunyan statue, Bagdad Theater and much of North Mississippi Avenue.

While Portland's existing roster of recognized historic places tell diverse stories about the city's history and people, significant inequities exist in the geographic and thematic distribution of the resources and protections that apply to them. For example:

- Of Portland's 725 landmarks, only five have been designated for an association with Black history (all of which were listed in just the last decade);
- East of I-205, only one landmark (the Claude Miller House) and one district (Willamette National Cemetery) have been designated for their historic significance;
- In residential areas designated as districts, the zoning code provides only limited opportunities to reverse a history of exclusion through adaptive reuse and diverse housing types; and
- Despite Portland's long legacy of LGBTQ+ leaders, events, and businesses, there is only one historic resource designated for its association with LGBTQ+ history.



The 1904 Otto and Verdell Rutherford House, the first Portland Historic Landmark designated for a direct association with African American history.

These inequities stem from a variety of institutional, systemic, and individual decisions related to the identification, designation, and protection of historic places. And while Portland's historic resource program is largely local in nature, a patchwork of related state and federal programs have long presented unique constraints in advancing more equitable historic resource regulations at the city level. These include overreliance on the National Register of Historic Places to convey protections, the criteria required to access state and federal tax incentives, National Park Service best practice guidance, the applicability of Oregon's "owner consent" law, and required compliance with the provisions of statewide land use Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces.

The amendments described in the pages that follow do not propose to add or remove any specific landmarks or districts from the City's roster of historic resources. Instead, the amendments establish new resource types, procedures, and criteria under which future designation and removal decisions can be made. Additionally, use incentives would provide new opportunities for historic resources to adapt to meet the needs of current and future Portlanders, reversing a century of exclusionary zoning, providing economically viable options for rehabilitation, and offering the public more opportunities to experience and learn from Portland's historic places. A section on future work at the end of this document describes potential future projects that could leverage these zoning code changes to achieve historic preservation outcomes that are more equitable, inclusive, and responsive.

"In many ways historic preservation, like many other city planning efforts such as urban renewal, in Portland Oregon is, and has been, racist or has resulted in outcomes that continue to disadvantage non-white populations. The politics of which buildings, neighborhoods, or areas of town get saved - and more to the point, which ones don't get saved - has always benefitted the powerful."

—2019 Portland Historic Landmarks Commission State of the City Preservation Report

Key Themes and Recommendations

The HRCP Recommended Draft is comprised of five themes. Each theme is supported by several recommendations. Each recommendation is backed by a series of specific amendments to the zoning code that are detailed in Volume 2: Code Amendments. No changes to the Zoning Map are recommended.

1. IDENTIFICATION – What are the different types of historic resources?

The citywide Historic Resources Inventory was established in 1984 but has not been comprehensively revised since. Code amendments would:

- a. Re-define the Historic Resource Inventory as an umbrella term.
- b. Establish a clear hierarchy of the historic resource types included in the inventory.
- c. Remove zoning code provisions pertaining to Unranked Resources.

2. DESIGNATION – How are historic resources determined eligible for designation? What are the criteria and processes for designating landmarks and districts?

Since the mid-1990s, Portland has relied almost exclusively on owner-initiated listings in the National Register of Historic Places as the basis for achieving Historic Landmark and Historic District protections. Code amendments would:

- a. Establish a new procedure for identifying historic resources eligible for designation.
- b. Revise the criteria and procedures for locally designating, amending, and removing landmark and district status.

3. PROTECTION – What demolition and design regulations apply to designated resources?

Existing regulations have been ineffective at protecting City-designated historic resources from demolition, have over-regulated residential Historic Districts, and have required review of proposals so minor that their possible effect on the integrity of historic resources is negligible. Amendments would:

- a. Apply demolition review to all designed historic resources, exempt certain accessory structures from demolition review, and amend demolition review approval criteria.
- b. Increase exemptions to historic resource review.
- c. Refine historic resource review approval criteria.
- d. Improve demolition delay to apply only at the time of demolition application.

4. REUSE – How can historic resources be repurposed for economic viability and community access?

The ability to adaptively reuse existing buildings is generally limited to the uses allowed by the base zone applied to the site. For historic resources – especially those built before the application of modern zoning – allowing greater use flexibility expands economic opportunities to justify complex and costly rehabilitation projects. Code amendments would:

- a. Exempt all landmarks and districts from parking requirements.
- b. Increase zoning code incentives allowing for adaptive reuse of certain designated resources.
- c. Streamline requirements and applicability for FAR transfer.

5. ADMINISTRATION – How can code provisions be improved for staff, applicants and the public?

City staff, project applicants, and interested Portlanders have identified opportunities to improve the implementation of historic resource regulations. Code amendments would:

- a. Refine purpose statements, procedure types, and associated language.
- b. Amend the role and makeup of the Historic Landmarks Commission.

Organization of the HRCP Recommended Draft

The HRCP Recommended Draft includes two volumes:

1. **Volume 1: Staff Report (this document).** The Staff Report describes the amendments and explains why they are being made and contains the following sections:
 - **Section I** (this section) summarizes key themes included in the Recommended Draft.
 - **Section II** provides an overview of relevant federal, state, and local context.
 - **Section III** describes how the project advances Comprehensive Plan guiding principles.
 - **Section IV** outlines the project’s public engagement efforts to-date.
 - **Section V** analyzes each of the recommendations and describes their benefits.
 - **Section VI** suggests potential future work.
2. **Volume 2: Code Amendments.** Volume 2 includes the zoning code amendment language with commentary to explain the changes.

Section II: Orientation to Portland’s Historic Resources

Portland’s historic resources are unique artifacts of the city’s architectural, cultural, and historical past. Historic structures, sites, objects, and districts can provide tangible memory and meaning for Portlanders of all ages, incomes, and backgrounds, as well as provide inspiration, context and healing for the city’s future.

Since the late 1960s, the City of Portland has maintained a historic resources program to support historic preservation activities, including regulations pertaining to the identification, designation, protection and reuse of historic landmarks and districts. While the City maintains considerable authority to manage local historic preservation regulations, unique constraints at the federal and state levels establish sideboards within which the local regulations exist. The HRCP recommendations recognize these sideboards, while advancing code amendments that respond to and uphold a diversity of community values and priorities.

Federal and State Context

Since the passage of the federal Historic Preservation Act in 1966, the National Park Service has provided best practice guidance for documenting, designating and protecting historic resources. In addition to advisory guidance, the Park Service maintains the National Register of Historic Places, the nation’s official list of buildings, structures, sites, objects, and districts determined to be significant within different areas of history.

For income-producing properties listed on the National Register, a federal income tax credit is available to incentivize major rehabilitation projects. Over its four-decade existence, the historic tax credit has provided a significant economic incentive for Portland’s commercial historic property owners to complete system upgrades, seismic retrofits, and other rehabilitation projects. With the exception of properties participating in the tax credit program and projects that are funded by federal dollars, the federal government does not directly apply regulations to National Register-listed resources.

As a consequence of the City of Portland’s creation of a Historic Landmarks Commission and adoption of regulations pertaining to historic resources, Portland is formally recognized by the National



The 1928 Weatherly Building is listed on the National Register and is a contributing building in the East Portland/ Grand Avenue Historic District.

Park Service as a Certified Local Government (CLG) and receives a small (approximately \$12,000) biannual grant to conduct targeted historic preservation projects.

While largely tangential to the zoning code, the presence of these federal programs was taken into consideration by project staff and, where appropriate, incorporated into the HRCP amendments. More germane to Portland’s historic resource regulations than the federal programs, State requirements govern many aspects of the identification, designation and protection of historic resources in cities and counties across Oregon. These requirements include Oregon’s unique “owner consent” law, the administrative rules that implement statewide land use Goal 5 and the Special Assessment of Historic Property Program.

Oregon’s “owner consent” law

In 1995, Oregon became the first—and still only—state in the country to require property owner consent for a local government to designate a historic resource as a landmark or district. Although intended to give property owners veto power over proposed designations, the law ([ORS 197.772](#)) exempted National Register listing from the otherwise required State owner consent provisions.¹ Since the passage of the law, the City has not proposed any updates to the 1984 City Historic Resource Inventory or independently established any new local Historic or Conservation Districts.² Instead, Portland—like many other cities in Oregon—has relied almost exclusively on National Register listing as an automatic basis for Historic Landmark and District status. This automatic connection between National Register listing and local historic resource protection is a unique-in-the nation consequence of the 1995 owner consent law and has proven to be problematic in ensuring adequate public involvement in the listing process, limited the City’s ability to prioritize diverse histories for designation and protection and excluded consideration of other community values in advance of applying protections.

Statewide Land Use Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

In addition to the owner consent law, Portland’s historic resource regulations exist within the context of [statewide land use Goal 5](#), a mandate that since the 1970s has required cities and counties in Oregon to adopt local land use regulations protecting historic resources. Statewide land use Goal 5 and the accompanying [State Administrative Rules \(OAR 660-023-0200\)](#)

“Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon’s livability.”

—Statewide Land Use Goal 5

govern local land use regulations for historic resources, including providing specificity on the scope and applicability of the owner consent law and the corresponding relationship between National Register listing and local historic resource regulations. In early 2017, the City of Portland participated in a re-write of the administrative rules, the adoption of which created a mandate to bring the City’s historic resource regulations into conformity with the rules. The HRCP amendments are intended to align

¹ While the National Park Service also requires owner consent for properties to be listed on the National Register, the federal rules provide a unique formula for considering owner objections when districts are nominated for listing. In the case of districts, the National Register considers owner consent in the reverse, allowing a district to be listed provided more than 50% of the property owners do not *object* to the listing.

² The majority of Portland’s historic resource designations since 1995 have been a result of automatic Historic District or Historic Landmark status being conveyed upon a property or district’s listing in the National Register. Since 1995, only approximately 10 Historic and Conservation Landmarks have been designated as such through City land use decisions.

Portland’s regulations with the State rules, while also leveraging new flexibility to advance more equitable, inclusive, and responsive regulations. Significant among the 2017 changes to the Administrative Rule:

1. Resources listed in the National Register after January 2017 no longer need to be protected with design protections (but must remain subject to demolition protections);
2. Documenting resources and evaluating their potential eligibility for future designation no longer requires owner consent;
3. A list of factors must be considered when demolition or relocation is proposed for resources listed on the National Register; and
4. Specific criteria must be applied to proposals to designate or remove the designation of a landmark or district.

The clarity, flexibility, and mandate provided by the 2017 administrative rules are embedded in nearly all HRCP recommendations described in Section V.

Special Assessment of Historic Property Program

In addition to the regulatory context of the owner consent law and Goal 5 Administrative Rule, Oregon offers a property tax incentive to owners of National Register-listed properties as a companion to the federal historic tax credit. Established in 1975, the Special Assessment of Historic Property Program provides a 10-year “freeze” on the assessed value of National Register-listed properties when an owner commits to a substantial rehabilitation project. Although a State program, cities are expected to—and Portland does—monitor property owner compliance with the rehabilitation standards that are required of enrollment.

Portland’s Existing Roster of Historic Resources

A public interest in historic preservation has existed in the Portland area for more than 100 years, arguably beginning with the preservation of the McLoughlin House in Oregon City in 1909. Decades later in 1968, Portland became the second city on the West Coast to adopt a historic preservation ordinance and establish a Historic Landmarks Commission.

In the years following the establishment of statewide land use Goal 5, Portland’s historic resources program coalesced on an approach to recognize—and protect—historic resources at different levels. This approach established two tiers of designation—Historic and Conservation—and two tiers of identified-but-not-designated resources—Ranked and Unranked.

During the early 1980s, a systematic survey effort documented resources across the city for potential historic significance, with the most significant and interesting resources included in the Historic Resource Inventory as Ranked and Unranked Resources. In the years following the inventory effort, a number of Ranked Resource owners self-nominated their houses, businesses, and buildings for Historic and Conservation Landmark designation.

After a small handful of Historic Districts were established downtown in the 1970s, a large effort in 1993 led to the creation of a series of Conservation Districts in North and Northeast Portland. Two years later, when the legislature passed the owner consent law, a slate of properties that had been honorifically listed on the National Register of Historic Places

“Designation of an area as a historic conservation district can be described as a zoning tool to help property owners and residents in ‘less than historic districts’ preserve the special character of several city blocks that are unique in urban design, architectural style, and historic significance.”
 –Historic Conservation Zoning Report to City Council

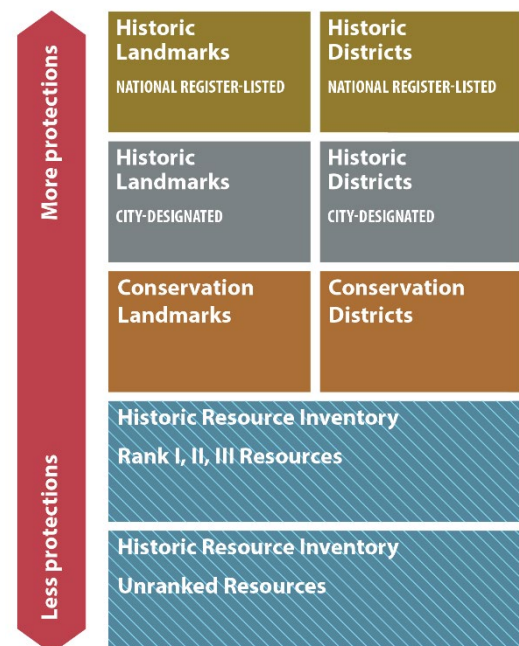
automatically became Historic Landmarks and Districts. And, since 1996, all new listings in the National Register have automatically been identified as Historic Landmarks and Districts and, therefore, are subject to the applicable Historic Landmark and District regulations of the zoning code.

While automatic Historic Landmark and District status as a consequence of listing in the National Register has satisfied the requirements of State law and allowed for efficient program administration for City staff, the automatic application of Historic District protections, specifically, has resulted in several large residential areas being nominated to the National Register in recent years. While historically significant enough to gain a spot on the National Register, neither the federal listing criteria or automatic conveyance of Historic District status has allowed the broad public or City Council to consider a menu of alternatives for protections—if any—at the time of federal listing. The 2017 change in administrative rules provides an opportunity to correct this one-size-fits-all approach to protecting landmarks and districts.

Portland’s roster of recognized historic resources generally fall into two categories, designated and undesignated:

1. *Designated resources* have been identified as having demonstrable significance and have gone through a formal nomination and designation procedure with the City or the National Park Service. In Oregon, designated resources are subject to protections that are adopted in the zoning code in accordance with State Administrative Rules. Portland’s landmarks and districts are designated as either Historic or Conservation based on the resource’s level of significance and the appropriateness of the protections that correspond to the designation type. All National Register-listed resources are currently identified as either a Historic Landmark or Historic District. Individual structures within the boundaries of landmarks and districts are classified as either *contributing* (i.e. historic) or *noncontributing* (i.e. not historic). Regardless of their contributing status, all structures within the boundaries of landmarks and districts are considered part of the designation.
2. *Undesignated resources* have been identified by the City of Portland as having potential significance but have not gone through a formal nomination and

Existing Hierarchy of Historic Resource Types

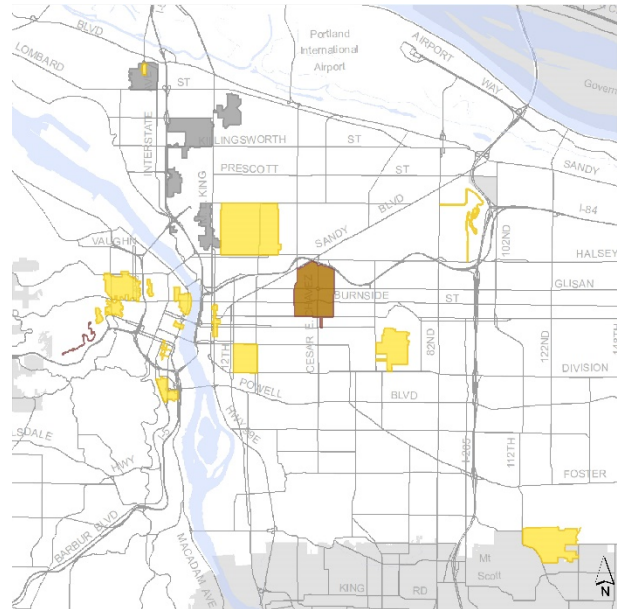


Portland’s existing historic resources hierarchy includes designated landmarks and districts, as well as undesignated Ranked and Unranked Resources.

designation procedure. These resources are often known by their significance ranking (i.e. *Ranked* or *Unranked*) and are considered by the zoning code to be on the Historic Resource Inventory.

Portland’s roster of historic resources includes the following:

- **725 Historic Landmarks** (not including 10 resources that were listed in the National Register after the 2017 change in State Administrative Rule. These are proposed to be assigned to a new National Register Landmark resource type by the code amendments)
- **12 Conservation Landmarks**
- **17 Historic Districts** comprised of 3,751 contributing resources and 1,192 noncontributing resources (not including 3 districts comprised of 1,340 contributing resources and 458 noncontributing resources that were listed in the National Register after the 2017 change in State Administrative Rule. These are proposed to be assigned to a new National Register District resource type by the code amendments)
- **6 Conservation Districts** comprised of 2,208 contributing resources and 986 noncontributing resources
- **898 Ranked Resources** (not including those that have been designated as landmarks or contributing resources in districts)



A map of Portland’s existing districts, with Historic Districts shown in gold, Conservation Districts shown in silver, and National Register Districts listed since 2017 shown in bronze. Note that this map does not show individual landmarks or Ranked Resources.

This existing roster of historic resources stand as a physical repository of much of the city’s history, telling diverse stories in tangible, interesting ways that connect people to their communities and to the larger urban environment. However, significant gaps in the geographic and thematic distribution of the city’s recognized historic resources have left many communities without recognition and protection of their important contributions to the city’s history. Largely absent from the roster of recognized historic resources are landmarks and districts in East Portland, resources associated with Black, Latinx, AAPI, LGBTQ+ and Indigenous history, and architectural expressions from the recent past. While City, private, and non-profit efforts have recently begun to expand the diversity of resources being considered for designation—the listing of the Darcelle XV Showplace in the National Register and the recent adoption of an [African American Historic Resources Multiple Property Document](#) are two examples from the past year—there exists clear inequities in the city’s roster of historic resources to tell the fullness of Portland’s stories from the past. The recommended code changes would elevate underrepresented histories for future designation and, where appropriate, allow for the removal of designations that are no longer appropriate for protection.

“Creatively reuse and preserve historic structures. Recognize cultural significance as a necessary component of assessing historic preservation targets. Preserving buildings and sites of Black Portland history is essential to maintaining historical memory.”
—Portland African American Leadership Form *People’s Plan*

Portland's Existing Demolition and Design Protections

In addition to providing formal recognition of important historic places, landmark and district designation conveys certain land use regulations related to demolition and/or design. In general, these protections are codified in zoning code Chapter 33.445, Historic Resource Overlay Zone, and Chapter 33.846, Historic Resource Reviews. The nature and magnitude of the protections are directly related to the different historic resource types (i.e. Historic Landmark versus Conservation Landmark). The paragraphs below provide summaries of the four primary demolition and design regulations that are used to protect historic resources in Portland.

Demolition Review

Discretionary demolition review applies to Historic Landmarks and contributing resources in Historic Districts that have been listed in the National Register. Demolition review was established in 2005 as a Type IV land use procedure to ensure the most important historic resources are given full consideration prior to issuance of a demolition permit. In the current iteration of demolition review, the Portland City Council is the decision-maker and there are two criteria that can be met to gain approval—one related to economic hardship and another that considers the goals and policies of the Comprehensive Plan. While demolition reviews are relatively rare, over the past 15 years the City Council has denied, approved, and approved with conditions a small handful of demolition proposals.

Demolition Delay

120-day demolition delay applies to Historic Landmarks that have not been listed in the National Register, Conservation Landmarks, contributing resources in Conservation Districts, and undesignated Ranked Resources on the Historic Resource Inventory. Demolition delay is an administrative requirement that does not require a public hearing and does not offer an opportunity for the public to appeal the issuance of a permit. While demolition delay has provided needed time for a handful of community efforts to save historic places from demolition, demolition delay most often results in demolition. Because of this, the HRCF amendments amend demolition review to apply to all designated landmarks and primary contributing resources in districts and retain demolition delay only for Ranked Resources that have not been designated.

Historic Resource Review

Discretionary historic resource review applies to Historic and Conservation Landmarks and in Historic and Conservation Districts. Historic resource review protects significant historic features and patterns from being destroyed. In historic resource review, decision-makers apply approval criteria to review proposals for alterations, additions and new construction within the boundaries of designated landmarks and districts. Different sets of approval criteria apply to different types of historic resources, with Historic and Conservation Landmarks generally subject to baseline approval criteria and Historic and Conservation Districts generally subject to district-specific guidelines. Districts without district-specific guidelines are typically subject to the baseline approval criteria. While most historic resource review approval criteria are informed by National Park Service best practice—specifically the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#)—district-specific design guidelines often include unique place-specific deviations from the federal guidance.

The scope and impact of proposed work dictates the procedure type that applies to any given application for historic resource review. The higher the procedure type, the lengthier and more public the review process. Procedure types for historic resource review are as follows:

- Type I (BDS staff) reviews are generally for the smallest proposals.
- Type Ix (BDS staff) reviews are for generally small proposals that require more time than would be appropriate for arriving at a Type I decision.
- Type II (BDS staff) reviews are for larger proposals, such as an exterior rehabilitation of a Historic Landmark or modest-sized new building in a Conservation District.
- Type III (Historic Landmarks Commission) reviews are reserved for the largest proposals, such as the full rehabilitation of a Historic Landmark or a multi-story new building in a Historic District.

D8: RICH DETAIL AND QUALITY CONSTRUCTION

BACKGROUND:

The Italianate buildings in the District were built with deeply inset windows, textured surfaces, and substantial amounts of fine-grained detail, executed by highly-skilled craftsmen or molded in cast iron. During the period of significance buildings were expected to be lasting monuments of civic pride and commercial wealth. Infill buildings should incorporate a similarly rigorous approach to detailing to continue the pattern and rich existing texture. Emphasizing high-quality craftsmanship on new construction within the District will help continue this tradition.

GUIDELINE D8

INCORPORATE AND REFLECT A RICH TEXTURAL QUALITY, A HIGH LEVEL OF DETAIL, AND SKILLED CRAFTSMANSHIP.

Guideline D8 may be accomplished by:

Emphasizing details in areas that were traditionally heavily detailed such as floor lines, columns, window surrounds and cornices.

Guideline D8 may be accomplished by:

Using exposed rivets or other fasteners to add additional texture to the buildings.

An example of a Historic District design guideline

For resources subject to historic resource review, certain activities—such as repair and maintenance—are identified by the zoning code as exempt from historic resource review. Activities that meet the exemptions can proceed without review. Changes to historic resource review exemptions, procedure types and approval criteria are recommended in the HRCP amendments.

Community Design Standards

Clear and objective Community Design Standards are an alternative to discretionary historic resource review for most Conservation Landmarks and Conservation Districts. The Community Design Standards—also known as design plan check—provide quantitative and measurable regulations for certain activities that would otherwise be subject to historic resource review.

Cast stone in Kenton. In the Kenton Conservation District new buildings in commercial/mixed use zones must have cast stone on their street facing elevations. At least 50 percent of the total exterior wall surface of these elevations must be cast stone.

An example of a Community Design Standard

Not all proposals are eligible to meet the Community Design Standards, but the optional alternative to historic resource review for Conservation-level provides more options to applicants—however, the Standards may result in damage to historic materials or loss of design patterns.

No changes to the Community Design Standards are recommended in the HRCP amendments; however, future updates to the Standards have been identified by project staff as a possible future work opportunity.

Section III: Relationship to Comprehensive Plan Guiding Principles

Portland’s 2035 Comprehensive Plan is a long-range plan to guide the future growth and physical development of the city. The Comprehensive Plan includes five guiding principles: equity, economic prosperity, human health, environmental health, and resilience. To successfully manage growth and development, implementation of these principles must be balanced, integrated, and multi-disciplinary. The recommended zoning code amendments advance the five guiding principles in the following ways:

1. Equity

Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and underrepresented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

By advancing regulations that recognize, celebrate, and protect a broader diversity of architectural, cultural, and historic resources, the recommended code changes promote a more equitable understanding of the city’s past and create opportunities for historic resources to better meet the needs of Portlanders in the future. Additionally, clearer and more consistent historic resource types, regulations, and procedures provide clarity to property owners, tenants, and the public at large.

The HRCP recommends a new framework for updating Portland’s Historic Resource Inventory (HRI), which has not been expanded since 1984. The primary purpose of inventorying resources is to identify significant resources, both for public information and for determining eligibility for future landmark or district designation. As it exists today, the HRI underrecognizes resources that are significant for cultural and social associations. It also includes only a few properties in East Portland, which was largely annexed after the inventory was adopted in 1984. By creating a new framework for updating the HRI in the future, the HRCP recommendations open the door for greater recognition of underrepresented histories in future historic preservation efforts.

The amendments also establish new procedures and criteria for designation—and removal—of landmarks and districts. These new provisions allow for the designation and protection of culturally important resources identified as significant in inventory updates, while also providing options for removal of landmarks and districts that may reflect histories that have been overrepresented or for which protection is no longer appropriate.

Additionally, the recommended expansion of demolition review to City-designated historic resources provides new approval criteria and opportunities for community involvement in protecting historic places and, when appropriate, mitigating for their loss. With expanded demolition review, community groups and individuals will be able to organize around alternatives to demolition and propose community benefits such as affordable housing or cultural preservation as mitigation measures.

2. Economic Prosperity

Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

The HRCP recommendations advance this principle in several ways. **Refinements to regulatory protections and expansion of use incentives encourage rehabilitation and adaptive reuse projects, which support local labor and encourage investment in the local economy.** While new construction is burdened by the cost of new materials, rehabilitation projects generally allocate a greater share of the budget to skilled labor. Because of this, as compared to new construction projects, rehabilitation has been found to disproportionately invest more in local labor than in materials for every construction dollar spent.

The reuse of existing architecture also preserves embodied energy, ensuring that the economic benefits of rehabilitation simultaneously stay within the local economy and minimize carbon impacts. Furthermore, by retaining the resources that most contribute to the distinctive architectural, cultural, and historical character of the city, preservation can attract tourists and tourist dollars to support a variety of private, nonprofit, and public endeavors across the city.

Finally, **the recommended use incentives provide a competitive advantage to historic resources to adapt to new and more intense uses,** opening up the potential for existing buildings to be more creatively stewarded by a variety of tenants, customers, visitors, and owners.

3. Human Health

Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

Areas with high concentrations of historic buildings are often prioritized by market-rate and affordable housing developers for new buildings that expand upon the economic, residential, and cultural activities provided by the existing buildings. These areas are generally accommodating of multi-modal transportation options and pedestrian environments that support walking, gathering, and interacting.

The new use incentives recommended by the HRCP would encourage building rehabilitation, foster life safety improvements, incentivize seismic retrofits, and provide an impetus for accessibility upgrades. **Allowing more dwelling units in single-dwelling zones, accessory commercial uses near transit, and major adaptive reuse of landmarks in almost all zones provides the economic viability necessary to make buildings healthier and presents numerous opportunities related to building reuse.**

And, by advancing more equitable procedures and criteria for identifying and designating historic resources in the future, the HRCP amendments support intentional decision-making to ensure the collective memory of Portland's different communities is best represented and protected by the regulations.

4. Environmental Health

Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water and land.

The HRCP recommendations promote environmental health by encouraging the repair and rehabilitation of buildings through protective regulations and use incentives. **Rehabilitation and adaptive reuse of existing architecture preserves embodied energy, supports system and seismic upgrades, and encourages dense housing and commercial uses that promote the health of the region and mitigate construction-induced climate impacts.** By avoiding unnecessary demolition, usable building materials are kept out of landfills, fewer hazardous substances are released into the atmosphere, and less materials need to be produced than are necessary for ground-up new construction. Additionally, the HRCP amendments streamline the installation of solar energy systems to promote renewable energy while resulting in minimal impacts to historic resources that are reversible.

5. Resilience

Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

By encouraging the rehabilitation and retrofit of significant historic resources, the HRCP recommendations promote improved resilience and disaster preparedness. Amendments to streamline inventory and designation processes and criteria would enable the City to triage the identification and protection of the most important historic and cultural resources after a catastrophic event. Additionally, **the amendments expand use incentives, streamline access to existing FAR transfer provisions, and codify new exemptions and procedures related to seismic upgrades, thereby incentivizing upgrades to those older buildings that may be most vulnerable to a major earthquake.**

Related Comprehensive Plan Policies

The 2035 Comprehensive Plan includes a goal and numerous policies related to historic and cultural resources. Goal 4.B of the Plan states, *Historic and cultural resources are identified, protected, and rehabilitated as integral parts of an urban environment that continues to evolve.*

In addition to other policies related to preservation, rehabilitation, and reuse of existing buildings found throughout the Comprehensive Plan, the following Comprehensive Plan policies are specific to historic and cultural resources:

Policy 4.46 Historic and cultural resource protection.

Within statutory requirements for owner consent, identify, protect, and encourage the use and rehabilitation of historic buildings, places, and districts that contribute to the distinctive character and history of Portland's evolving urban environment.

Policy 4.47 State and federal historic resource support.

Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

Policy 4.48 Continuity with established patterns.

Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

Policy 4.49 Resolution of conflicts in historic districts.

Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to take into account the character of the historic resources in the district.

Policy 4.50 Demolition.

Protect historic resources from demolition. When demolition is necessary or appropriate, provide opportunities for public comment and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

Policy 4.51 City-owned historic resources.

Maintain City-owned historic resources with necessary upkeep and repair.

Policy 4.52 Historic Resources Inventory.

Within statutory limitations, regularly update and maintain Portland’s Historic Resources Inventory to inform historic and cultural resource preservation strategies.

Policy 4.53 Preservation equity.

Expand historic resources inventories, regulations, and programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.

Policy 4.54 Cultural diversity.

Work with Portland’s diverse communities to identify and preserve places of historic and cultural significance.

Policy 4.55 Cultural and social significance.

Encourage awareness and appreciation of cultural diversity and the social significance of both beautiful and ordinary historic places and their roles in enhancing community identity and sense of place.

Policy 4.56 Community structures.

Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

Policy 4.57 Economic viability.

Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

Policy 4.58 Archaeological resources.

Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to Native American archaeological resources.

Section IV: Public Involvement

Concept Development Phase

The initial open comment period for the HRCP spanned from November 2017 through February 2018. During this period, the public were given a variety of opportunities to provide 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 geographic areas. About 200 participants in total attended the community roundtables and drop-in sessions, which provided opportunities for group discussion and direct interaction with the project team.



An HRCP concept development open house at the Albina Branch Library in North Portland.

An online survey was also made available for the entire comment period, and paper versions of the same were supplied at all project events. During the three-month open comment period, 440 respondents submitted 3,442 unique comments through survey forms. Additionally, several individuals and organizations sent their comments directly to Bureau of Planning and Sustainability staff.

The feedback received at events, through survey results, and in letters directly informed the code amendments included in the Discussion Draft.

Discussion Draft Phase

The Discussion Draft of HRCP amendments was published in January 2019. A initial comment period spanned from January through April 2019, with additional comments taken throughout 2019 as project staff solicited feedback from individuals and organizations that had not participated in the initial open comment period. The additional public outreach period provided mailed information to property owners in Conservation Districts, as well as an additional open house specific to the Conservation District proposals. During the extended Discussion Draft phase, five open houses were held in Southwest, Southeast, North, and Northeast Portland. About 125 participants attended the open houses.



An HRCP Discussion Draft open house at the Architectural Heritage Center in Southeast Portland.

An online survey was made available for the initial Discussion Draft comment period. Fifty-two respondents submitted approximately 100 unique comments through the survey forms.

Extensive written comments were submitted by the Historic Landmarks Commission, Bureau of Development Services, Oregon Smart Growth, and a variety of neighborhood associations, interest groups, and individuals. These comments provided unique and detailed insights into problems with the current regulations ranging from historic resource review exemptions to approval criteria, the designation process to the designation removal process.

In addition to outreach specific to the Discussion Draft, project staff were informed by community feedback received in a variety of venues outside of the HRCP. First, project staff participated in a legislative workgroup throughout the first half of 2019, during which a legislative concept and subsequent Senate Bill were developed related to Oregon's owner consent law. Although the Senate Bill was not signed into law, participation in the work group provided additional opportunities for staff to consider revisions to the Discussion Draft as an alternative to the bill. Second, development of the African American Historic Resources Multiple Property Documentation Form and preparation of the Billy Webb Elks Lodge National Register nomination provided project staff with extensive engagement with various stakeholders regarding incorporation of cultural significance into the City's historic resource regulations. Finally, relevant public testimony submitted under the Better Housing by Design, Central City 2035, Residential Infill, and Design Overlay Zone Amendments projects during 2019 and 2020 provided staff with insights—and City Council direction—for many of the amendments included in the Recommended Draft.

Proposed Draft Phase

The HRCP Proposed Draft was released for public review in September 2020 and included two volumes—Volume 1 (staff report) and Volume 2 (proposed zoning code amendments). Mailed notice of the Proposed Draft was provided to 16,076 property owners and a list of parties who have requested official notice of land use projects. Emailed notice was provided to all individuals who had previously requested updates on the project. During the open testimony period—which spanned from September 15 through November 10, 2020—project staff hosted three virtual open houses for interested community members and provided virtual briefings to the following groups:

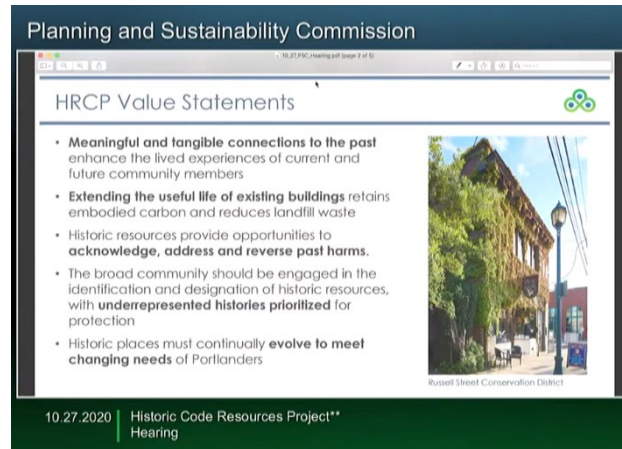
- Portland Historic Landmarks Commission
- Downtown Neighborhood Association
- Pearl District Neighborhood Association
- Portland Development Review Advisory Committee
- Southeast Uplift
- Architectural Heritage Center
- Portland Neighbors Welcome
- North Portland Land Use Group
- Hosford-Abernathy Neighborhood Development
- Irvington Community Association
- Northwest District Association
- Old Town/Chinatown Neighborhood Association
- Homebuilders Association of Metropolitan Portland

Additional meetings were held with groups of interested individuals, including advocacy organizations, housing providers and property owners. In addition to the briefings, open houses and meetings, project staff fielded phone calls from approximately 450 Portlanders during the open testimony period. The majority of those who called project staff were property owners who had received mailed notice of the

Proposed Draft code amendments. Of those owners who communicated with project staff, few submitted written or verbal testimony to the Planning and Sustainability Commission.

On October 13, 2020, project staff briefed the Planning and Sustainability Commission on the Proposed Draft code amendments in advance of public hearings on October 27 and November 10, 2020. The public testimony period concluded on November 10, 2020. Between the two hearings, seventy individuals provided verbal testimony to the Planning and Sustainability Commission. A total of 278 pieces of written testimony were submitted, each of which were entered into the [MapApp for review by the public and Commissioners](#).

The Planning and Sustainability Commission held work sessions on December 8, 2020, and January 12, February 9, March 9, March 23, April 27 and May 4, 2021. Work sessions reviewed items identified by testifiers and explored possible revisions to the Proposed Draft. To increase the Planning and Sustainability Commission’s understanding of historic resource issues, Chair Kristen Minor of the Historic Landmarks Commission was invited to participate in the work sessions as a non-voting member.



Planning and Sustainability Commission briefings, hearings, and work sessions were conducted virtually and broadcast live

In addition to the PSC’s seven work sessions, three members of the Planning and Sustainability Commission and three members of the Historic Landmarks Commission convened four times during the work session process to discuss historic resource issues in greater detail and ask additional questions of project staff. No decisions were made at these supplemental “3x3” meetings as they were intended to inform members of both commissions in advance of the Planning and Sustainability Commission taking action to amend and recommend the HRCP zoning code package.

On April 27 and May 4, 2021, the Planning and Sustainability Commission considered and voted to support 14 amendments to the Proposed Draft. The 14 amendments:

1. Added code language to require a joint hearing of the Planning and Sustainability Commission and Historic Landmarks Commission when a Historic or Conservation District is proposed for designation or removal.
2. Refined code language related to designation and designation removal to ensure clarity and refined approval criteria for designation to prioritize underrepresented histories.
3. Refined the thresholds for demolition review.
4. Expanded the list of exemptions to demolition review to include certain contributing detached accessory structures in districts.
5. Reorganized, streamlined and revised demolition review application requirements and criteria.
6. Expanded the historic resource review exemption for solar energy systems in districts.
7. Expanded the historic resource review exemption for window replacement in districts zoned for single-dwelling use.

8. Refined historic resource review exemptions to allow for removal of meters and installation of electric vehicle outlets.
9. Expanded the historic resource review exemption for new detached accessory structures in districts zoned for residential use.
10. Refined reuse incentive code language for clarity.
11. Expanded the residential infill incentives to apply in the Commercial Residential (CR) zone.
12. Amended incentive code language and amend historic preservation incentive review approval criteria to protect multi-family housing from conversion to Retail Sales and Service or Office use.
13. Consolidated historic resource type descriptions into one list of definitions.
14. Executed minor and technical amendments requested by BPS and BDS staff.

On May 4, 2021, the Planning and Sustainability Commission voted unanimously recommend that City Council adopt HRCP Volumes I and 2, as amended. Volume I (this document) and Volume II serve as the Recommended Draft.

Recommended Draft Phase

The HRCP Recommended Draft was released in June 2021, well in advance of project staff scheduling a City Council hearing date. The written record opened at this time. City Council held a virtual hearing on the recommended zoning code amendments on November 3, 2021. The written record was closed on November 5, 2021. Over 300 pieces of testimony were submitted.

On December 1, 2021, the Bureau of Planning and Sustainability published to the [project website](#) a list of eight potential amendments to the Recommended Draft. The written record was reopened on December 1, 2021, and a virtual City Council hearing was held on December 15, 2021, on the eight potential amendments. The eight potential amendments addressed the following topics:

1. Bonus height allowances in the CM2 zone.
2. Historic resource review procedure types for affordable housing.
3. Demolition review approval criteria.
4. Refinements to 120-day delay (AKA demolition delay).
5. Legislative processes to establish or remove local districts.
6. Historic Landmarks Commission membership categories.
7. Historic resource review procedure types for the New Chinatown/Japantown Historic District.
8. Minor and technical amendments provided by staff from the bureaus of Planning and Sustainability as well as Development Services.

Following the close of oral and written testimony on December 15, 2021, City Council voted on the eight amendments. Amendments 1, 2, 3, 4, and 8 were approved by majority vote. An amended version of Amendment 6 was approved by majority vote. Amendments 5 and 7 failed. Volumes I and II of the Recommended Draft-As Amended reflect these amendments.

Section V: Analysis of Amendments

Summary of Key Themes and Amendments

1. IDENTIFICATION – What are the different types of historic resources?

The citywide Historic Resources Inventory was established in 1984 but has not been comprehensively revised since. Code amendments would:

- a. Re-define the Historic Resource Inventory as an umbrella term.
- b. Establish a clear hierarchy of the historic resource types included in the inventory.
- c. Remove zoning code provisions pertaining to Unranked Resources.

2. DESIGNATION – How are historic resources determined eligible for designation? What are the criteria and processes for designating landmarks and districts?

Since the mid-1990s, Portland has relied almost exclusively on owner-initiated listings in the National Register of Historic Places as the basis for achieving Historic Landmark and Historic District protections. Code amendments would:

- a. Establish a new procedure for identifying historic resources eligible for designation.
- b. Revise the criteria and procedures for locally designating, amending, and removing landmark and district status.

3. PROTECTION – What demolition and design regulations apply to designated resources?

Existing regulations have been ineffective at protecting City-designated historic resources from demolition, have over-regulated residential Historic Districts, and have required review of proposals so minor that their possible effect on the integrity of historic resources is negligible. Amendments would:

- a. Apply demolition review to all designed historic resources, exempt certain accessory structures from demolition review, and amend demolition review approval criteria.
- b. Increase exemptions to historic resource review.
- c. Refine historic resource review approval criteria.
- d. Improve demolition delay to apply only at the time of demolition application.

4. REUSE – How can historic resources be repurposed for economic viability and community access?

The ability to adaptively reuse existing buildings is generally limited to the uses allowed by the base zone applied to the site. For historic resources – especially those built before the application of modern zoning – allowing greater use flexibility expands economic opportunities to justify complex and costly rehabilitation projects. Code amendments would:

- a. Exempt all landmarks and districts from parking requirements.
- b. Increase zoning code incentives allowing for adaptive reuse of certain designated resources.
- c. Streamline requirements and applicability for FAR transfer.

5. ADMINISTRATION – How can code provisions be improved for staff, applicants and the public?

City staff, project applicants, and interested Portlanders have identified opportunities to improve the implementation of historic resource regulations. Code amendments would:

- a. Refine purpose statements, procedure types, and associated language.
- b. Amend the role and makeup of the Historic Landmarks Commission.

THEME 1: IDENTIFICATION

What are the different types of historic resources?

In 1984, the City of Portland comprehensively documented and evaluated over 5,000 buildings, structures and sites for potential historic significance. Adopted in October 1984, this Historic Resource Inventory (HRI) established an expansive roster for understanding some of the city’s most notable historic places and provided baseline determinations of eligibility for future landmark and district designation. These determinations of eligibility were organized by a ranking system—Ranked Resources were determined likely eligible for future designation, and Unranked Resources were determined to be interesting but unlikely eligible for future designation. Since 1984, many Ranked Resources have been designated as landmarks or contributing resources within districts.



“Mini Pittock Mansion” in Montavilla was given Rank II status in 1984. The HRCP amendments change the resource type name from Ranked Resource to Significant Resource.

While the 1984 effort was comprehensive and inclusive for the time, the HRI was never intended to be definitive. In the 37 years since its adoption, properties on the original HRI have been demolished, the city’s boundaries have been expanded, and a broader understanding of historic resources has illuminated the significance of many important cultural places and BIPOC institutions once considered ordinary by largely white preservation professionals. Furthermore, the current definition of HRI as a category of resource types—Ranked and Unranked Resources—rather than a master list of all historic resource types, has perpetuated confusion and administrative inconsistencies in managing the citywide historic resources program.

The HRCP provides an opportunity to comprehensively restructure the HRI as a master list of recognized historic resources, as well as intentionally revise the names and hierarchy of the historic resource types and protections included in the zoning code. Specifically, changes to the hierarchy of resource types (Recommendation 1.b) provides a foundation on which many of the other HRCP amendments are built.

Recommendation 1.a: Re-define the Historic Resource Inventory as an umbrella term.

Background: The citywide survey effort that led to the adoption of the 1984 HRI documented over 5,000 historic resources, many of which have subsequently been designated as landmarks or as contributing parts of districts. Since its initial adoption, there have been no “updates” to the HRI because the term “HRI” has been defined as specific category of resource types—Ranked and Unranked Resources that have not been designated. However, whenever a new landmark or district is designated—and whenever a landmark or property in a district is demolished—those actions effectively “update” the City’s roster of historic resources.

Recommendation: The amendments restructure the HRI as an umbrella term capturing the full list of historic resources recognized by the City, including but not limited to those historic resources regulated by the zoning code. The zoning code currently defines the HRI narrowly—Ranked and

Unranked Resources that have not been designated. A new definition for the HRI will more accurately include the complete roster of documented and designated historic resources.

Benefit: Broadening the HRI to become an umbrella term amounts to a significant change in nomenclature but does not, in and of itself, represent a change in the regulations that apply to different types of historic resources. The related changes to historic resource names and the hierarchy of protections included in Recommendation 1.b provide clarity about the different historic resource types that populate the re-defined HRI list. Changing the names—including clearer definitions—provides City staff, decision-makers, and the interested public with clarity that has long been lacking regarding the composition of the citywide HRI. Furthermore, redefining the HRI as the master list of recognized historic resources will allow for the ongoing updating of the inventory contemplated by the Comprehensive Plan and requested by the community.



Code section(s) affected: The new definition for HRI is included in Chapters 33.445 and 33.910. The new names for and definitions of specific historic resource types are provided in Chapter 33.910.

Recommendation 1.b: Establish a clear hierarchy of the historic resource types included in the inventory.

Background: Beginning in the 1970s, the zoning code has organized the different historic resource types—and their associated protections—into a multi-tiered hierarchy. The levels of the hierarchy correspond with different demolition and design regulations intended to protect historic resources, with greater protections applied to some resource types and fewer protections applied to others.

In general, the existing hierarchy applies the greatest design and demolition protections to those Historic Landmarks and Historic Districts that have also been listed on the National Register of Historic Places. City-designated Historic Landmarks and Historic Districts not listed on the National Register are provided with similar design protections but fewer demolition protections than those on the National Register.³

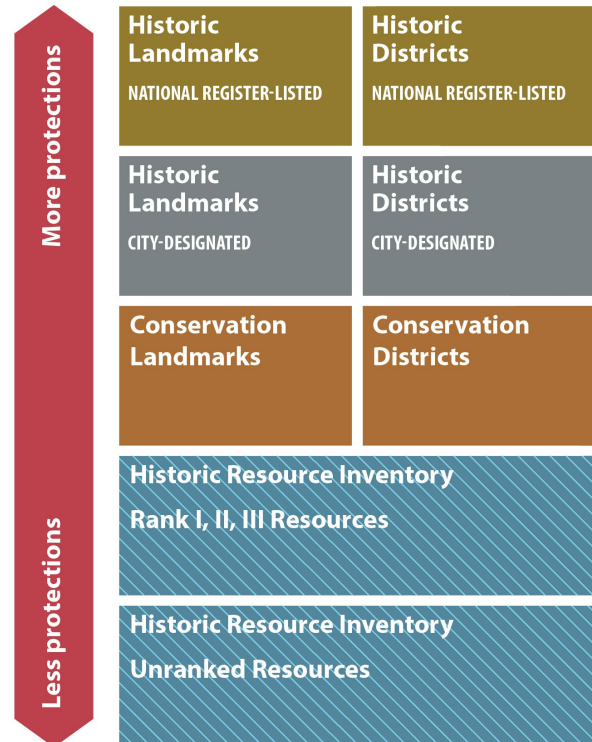
³ Resources listed in the National Register since January 2017 are effectively a *third* category of Historic Landmark and Historic District. This category is not shown on the existing hierarchy diagram because the zoning code has not been amended to incorporate the 2017 changes to State Administrative Rules (these code amendments do that). The new hierarchy incorporates the changes to administrative rules by creating new resource types for National Register Landmarks and Districts. National Register listings that have occurred since 2017 (such as the Laurelhurst and Peacock Lane districts) would populate these new resource types, as would future National Register listings that have not been independently designated by the City.

The existing hierarchy applies modest design and demolition protections to City-designated Conservation Landmarks and Conservation Districts. These Conservation-level resources have been colloquially described as ‘preservation lite,’ with several Conservation Districts seeking—and receiving—Historic District status after experiencing demolitions of contributing resources.⁴

At the bottom of the existing hierarchy are resources identified in the 1984 HRI as Ranked and Unranked Resources. These resources are not designated and, therefore, are subject to the most minimal State-required regulations. Ranked Resources—those that were determined to have enough significance to be eligible for future designation—are subject to demolition delay. Unranked Resources—those that were interesting, but likely not eligible for designation—are addressed by the zoning code but not subject to protections.

Importantly, the hierarchy graphics used in this staff report do not differentiate by contributing status of resources within the boundaries of designated landmarks and districts. All historic resource types may contain contributing elements—such as a historic house in a Historic District—and noncontributing elements—such as a new ADU in the backyard of a Conservation Landmark. If located within the boundary of a designated landmark or district, contributing and noncontributing resources are both considered to be part of the resource (although demolition protections do not apply to noncontributing resources).

Existing Hierarchy of Historic Resource Types



The existing historic resources hierarchy as codified in the zoning code. The two types shown at the bottom of the hierarchy—Ranked and Unranked—are not designated.

With the adoption of new State Administrative Rules in January 2017, an opportunity is presented to restructure the codified hierarchy of historic resource types.

Recommendation: The amendments incorporate the new State Administrative Rule and respond to public feedback by establishing a more intentional hierarchy of historic resource types included in the umbrella HRI described in Recommendation 1.a.

The recommended historic resources hierarchy has four discrete tiers— Historic Landmarks and Districts (gold standard), Conservation Landmarks and Districts (silver standard), National Register Landmarks and Districts (bronze standard) and Significant Resources (eligibility standard). Historic

⁴ The Irvington, Ladd’s Addition, and South Portland Historic Districts were all initially City-designated as Conservation Districts.

resources that are not one of these types (such as Unranked Resources) may still be included in the umbrella HRI for informational purposes, but would not be subject to zoning code protections and, therefore, are not identified in the recommended hierarchy.

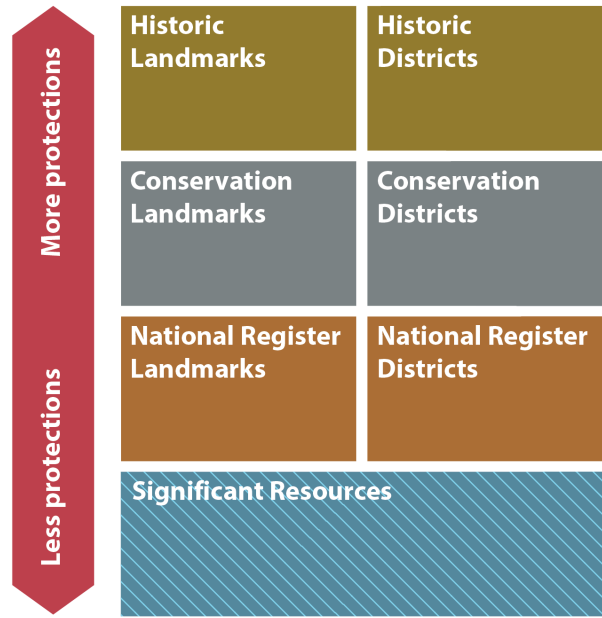
Establishing a clear hierarchy of historic resource types is necessary to codify a menu of demolition and design regulations scaled to the different levels of the hierarchy. The amendments described in Recommendations 3.a, 3.b and 3.c implement the new hierarchy by refining the protections that apply to the different historic resource types, providing the greatest protection to the highest type (Historic) and progressively less protection to the lower types.

Recommendation 1.c provides procedures and criteria for adding resources to the hierarchy, removing resources from the hierarchy, and changing the level of resources already on the hierarchy.

Prior to the change in State Administrative Rule in 2017, National Register listing and the automatic Historic Landmark or District designation that came with it effectively served as Portland’s gold standard for historic resource designation and protection. With the proliferation of residential National Register Districts in recent years, broad public concerns have been raised regarding the automatic application of protections to National Register listings. While State Rules require the City apply demolition review to National Register resources, the recommended new hierarchy reduces National Register-level resources to the bottom tier of the designated resource types, elevates City-designated Conservation-level resources to the middle tier, and retains existing and City-designated Historic-level resources as the gold standard for significance and protection. The recommended zoning code amendments would not in and of themselves amend the designation of any existing Historic Landmarks or Historic Districts that were identified as such because of their listing in the National Register prior to January 2017; however, Recommendation 2.b would establish new procedures and criteria allowing previously-listed resources to be moved up or down the hierarchy in the future based upon resources’ historic significance and the appropriateness of continued protections when considering other community values.

To ensure clarity and accuracy, the existing Ranked Resource type would change in name to Significant Resource. This change does not in and of itself amend any regulations (see Recommendation 3.d for an unrelated change in the regulations that apply to this group of resources). All existing Rank I, II, and III Resources that have not been previously demolished or

Recommended Hierarchy of Historic Resource Types



The historic resources hierarchy recommended for codification in the zoning code. The new type shown at the bottom of the hierarchy—Significant Resources—includes all existing Ranked Resources. All historic resource types shown in the hierarchy would be included in the broader Historic Resource Inventory described in Recommendation 1.a. The new definition of the Inventory includes resources that are designated (landmarks and districts) and those that are not (Significant Resources).

requested by their owner for removal would be included as Significant Resources. Changing the name to Significant Resource more accurately describes this category of undesignated resources and further clarifies the change in terminology for HRI included in Recommendation 1.a.

Benefit: Restructuring the hierarchy of historic resources types establishes clearer and more consistent categories of historic resources regulated by the zoning code. The new hierarchy would include fewer resource types than the existing hierarchy making the program easier to understand and administer. It would also elevate City-designated resources to the highest levels of protection, giving the community more control in determining the best level of protection for different historic resources. Finally, creating three discrete tiers of designated resource types—gold, silver, and bronze—provides decision-makers, property owners, and the broad community with a menu of options for how best to protect—or not—specific resources in the future.

Code section(s) affected: The recommended hierarchy of historic resource types is embedded throughout Chapter 33.445, with definitions of the different types provided in Chapter 33.910.

Recommendation 1.c: Remove zoning code provisions pertaining to Unranked Resources.

Background: The 1984 Historic Resource Inventory effort included documentation of properties that were found to be interesting but determined to be not imminently eligible for landmark or district designation. These Unranked Resources are recognized by the City and currently included in the zoning code. No demolition or design protections apply to these resources.

Recommendation: The amendments remove references to Unranked Resources from the zoning code, but information on these resources would be retained in the umbrella HRI for informational purposes.

Benefit: Unranked resources are unlikely to be eligible for designation as a landmark or district, therefore they are not appropriate for inclusion in the City’s historic resource regulations. Removing reference to them from the zoning code will clarify that these are not significant historic resources while still allowing public access to the documentation assembled on these properties. Rehabilitation of a previously altered Unranked Resource or future research that demonstrates historic significance that was previously unknown or unsubstantiated could, in some instances, render an Unranked Resource eligible to become a Significant Resource, landmark, or part of a district (see Recommendations 2.a and 2.b).

Code section(s) affected: Reference to Unranked Resources are removed from the zoning code.

THEME 2: DESIGNATION

How are historic resources determined eligible for designation? What are the criteria and processes for designating landmarks and districts?

Since the mid-1970s, Portland’s historic preservation regulations have recognized two tiers of undesignated resources (Ranked and Unranked Resources) and two tiers of designated resources (Historic Landmarks/Districts and Conservation Landmarks/Districts). Many of the city’s first designated historic resources were in the Central City, such as individual buildings and collections of buildings adjacent to what is now Waterfront Park. As interest in designation began to expand beyond the downtown core, a concept for less-regulatory neighborhood Conservation Districts emerged, first in Lair Hill and then in Ladd’s Addition (both areas become Historic Districts in the 1990s upon their listing in the National Register of Historic Places). Following the 1984 Historic Resource Inventory campaign, individual Historic and Conservation Landmark designations began to proliferate in the inner ring of neighborhoods and commercial areas adjacent to the Central City. And, when the City Council adopted the Albina Community Plan in 1993, a slate of Conservation Districts were established in North and Northeast Portland.



Neighborhood House was built by the National Council of Jewish Women in 1910. In 1977, it became part of the Lair Hill Conservation District. In 1979, it was added to the National Register of Historic Places. And in 1998 it became part of the South Portland Historic District.

Following the 1995 passage of Oregon’s owner consent law—and the ensuing connection between National Register listing and local land use regulations—Portland’s zoning code was amended to automatically identify all past and future National Register listings as either Historic Landmarks or Historic Districts. Due to ease of implementation and natural alignment of regulations and benefits, the automatic conveyance of Historic Landmark and District status to National Register listings has served as the primary vehicle for applying historic resource designations for the past 25 years. However, the 2017 change to State Administrative Rule—in part a reaction to the rapid proliferation of large residential areas being nominated to the National Register to secure local Historic District protections—established new options for how local governments apply protections to National Register listings (see Recommendation 3.a, 3.b. and 3.c for amendments related to the protection of designated resources). The change in administrative rules and the feedback received by the public throughout the HRCF process provide an opportunity to revise the procedures and criteria used to identify significant resources and to designate, remove or amend landmark and district status in the future.

Recommendation 2.a: Establish a new procedure for identifying resources eligible for designation.

Background: The 1984 citywide survey of historic resources resulted in a foundational inventory that has been useful in determining eligibility of resources for future designation and providing the public with information about individual historic places. However, no similar efforts have occurred

since 1984 resulting in geographic and thematic areas of the city's history being noticeably underrepresented.

Recommendation: The amendments would establish a legislative procedure for adding Significant Resources to the HRI without necessitating owner consent or conveying a landmark or district designation to the property.

In the future, additions of Significant Resources to the HRI would be periodically proposed by City staff following targeted or comprehensive surveys of potential historic resources. When City staff propose identifying new Significant Resources, the Historic Landmarks Commission would hold a public hearing to evaluate information presented to them regarding the resources.

After evaluating the significance of resources at the hearing, the Commission would make a recommendation to the Portland City Council. Following an additional public hearing, the City Council would hold a vote to add the Significant Resources to the HRI. The same process would apply to proposals to remove Significant Resource status.



Interest groups such as Restore Oregon (pictured above) regularly survey historic resources. Current code regulations do not allow the City to document and evaluate the significance of potential historic resources without owner consent.

Significant Resources are generally deemed eligible for a landmark or district designation, but being identified as a Significant Resource does not designate the resource. Designation as a landmark or district is a separate process (see Recommendation 2.b).

Benefit: The lack of a viable process to officially recognize historic resources as eligible for designation has long stymied efforts to comprehensively update the HRI. Furthermore, previous ambiguity that has now been clarified regarding the applicability of the owner consent law resulted in owner consent being required by the zoning code for the mere documentation and determination of eligibility of historic resources. Establishing a legislative procedure to add—and remove—Significant Resources from the HRI without owner consent and without a corresponding designation will allow City staff to more nimbly support requests from the community to document and evaluate the significance of potential historic resources. With these changes, the City can work with—and in service of—communities to inventory underrepresented historic places and evaluate them for eligibility for future historic landmark or district designation. Without these changes, updates to the Historic Resource Inventory would only result from designation of landmarks and districts—exactly what has happened since 1984, resulting in geographic and thematic inequities in the roster of recognized historic resources.

Code section(s) affected: The amended listing and removal processes for Significant Resources can be found in new sections 33.445.300 through .310.

Recommendation 2.b: Revise the criteria and procedures for locally designating, amending, and removing landmark and district status.

Background: Portland’s existing designation and designation removal procedures and criteria have not been updated since the 1990s and are not aligned with State Administrative Rule or Comprehensive Plan polices. Because National Register listing has been the de-facto path to establishing new Historic Landmarks and Districts since 1995, the change in administrative rules provide a new opportunity to revise the processes for adding, removing, or changing City landmark and district designation. While Oregon law requires owner consent for local designation of landmarks and districts, the new historic resources hierarchy in Recommendation 1.b provides property owners, decision-makers, and the community a menu of options for historic resource designation and protection—as well as options for changing or removing existing designations when they’re no longer appropriate.

Recommendation: The amendments modernize the criteria and procedures used in establishing, amending, and removing Historic and Conservation Landmark and Historic and Conservation District status. The new criteria would elevate archaeological, architectural, cultural, and historical significance as the primary areas eligible for historic resource designation, as well as insert new integrity criteria to ensure that sufficient physical elements from the historic period remain to justify a designation. State-required owner consent would be included as an application requirement in quasi-judicial reviews to designate a landmark and incorporated into legislative procedures to designate a landmark or district. Specific to the approval criteria for listing and removal, underrepresented histories would be made explicitly eligible for future designation and the goals and policies of the Comprehensive Plan could be invoked to change or remove an existing designation. Furthermore, proposals to establish any new Historic or Conservation Districts would need to demonstrate significant association with an underrepresented community or convey multiple areas of significance to the broader community.



A contributing resource in the Woodlawn Conservation District

The recommended changes to the procedures for listing, amending, and removing designations would allow the Historic Landmarks Commission to designate new Historic and Conservation Landmarks and remove existing Historic and Conservation Landmark status through owner-initiated quasi-judicial procedures. The amendments also allow the boundaries and contributing status of existing designated resources to be changed quasi-judicially by staff as the result of historic designation review or historic designation removal review.

Regarding districts, the recommendation would require City Council to serve as the decision-maker in the establishment of new Historic and Conservation Districts and in the removal of entire existing Historic and Conservation Districts. The Planning and Sustainability Commission would hold a joint hearing with the Historic Landmarks Commission prior to the Planning and Sustainability Commission making a recommendation to City Council. The new joint hearing allows for efficiency in public engagement and provides the Historic Landmarks Commission the opportunity to directly

advise the Planning and Sustainability Commission on the significance, integrity, and appropriate level of protection for the district. The City Council would remain the decision-maker.

The recommended changes to City designation, amendment, and removal procedures and criteria would not supersede any federal decisions to list, amend, or remove a landmark or district from the National Register of Historic Places. However, the changes would allow National Register-listed resources that were automatically identified as Historic Landmarks and Historic Districts in the past to have their City designation reduced or removed as the result of owner-initiated historic designation removal review or a City Council legislative decision. Similarly, the changes would allow National Register Landmarks and Districts to be designated by the City as Historic or Conservation Landmarks or Districts when appropriate.

Benefit: Changes to the criteria and procedures used to designate, amend, or remove Historic and Conservation Landmark and District status would better infuse equity, inclusion, and community values into decisions concerning the protection of historic places. The amendments incorporate State Administrative Rule and better align with the goals and policies of the Comprehensive Plan, as well as ensure that property owners, decision-makers, and the interested public are meaningfully engaged in City designation and designation removal processes.

Code section(s) affected: Designation and removal procedures are specified for each historic resource type in Chapter 33.445, with procedure types and criteria provided in Section 33.846.030 for designation and Section 33.846.040 for removal. Additional affected sections are 33.710.060, 33.720.020, 33.720.030, 33.730.030, 33.740.030, 33.855.075, and 33.910.

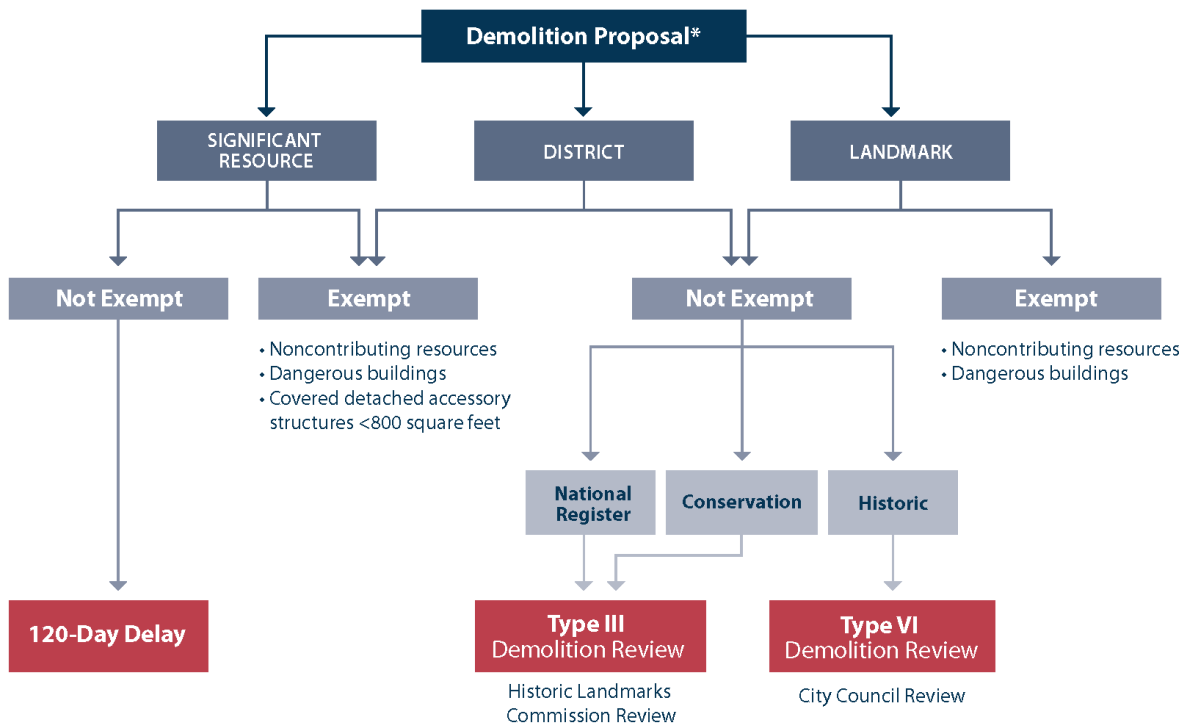
THEME 3: PROTECTION

What demolition and design regulations apply to designated resources?

In addition to formally recognizing the significance of historic resources, landmark and district designation is the vehicle by which the City of Portland applies land use regulations that protect historic resources. In recent decades, Portland's regulations for protecting historic resources have been routinely fine-tuned through code amendment projects such as this one. As Portland changes, new technologies become available, and preservation professionals evolve their thinking on the application of best practices, opportunities will continually emerge to better ensure the regulations protecting historic resources are meaningful, flexible, and implementable.

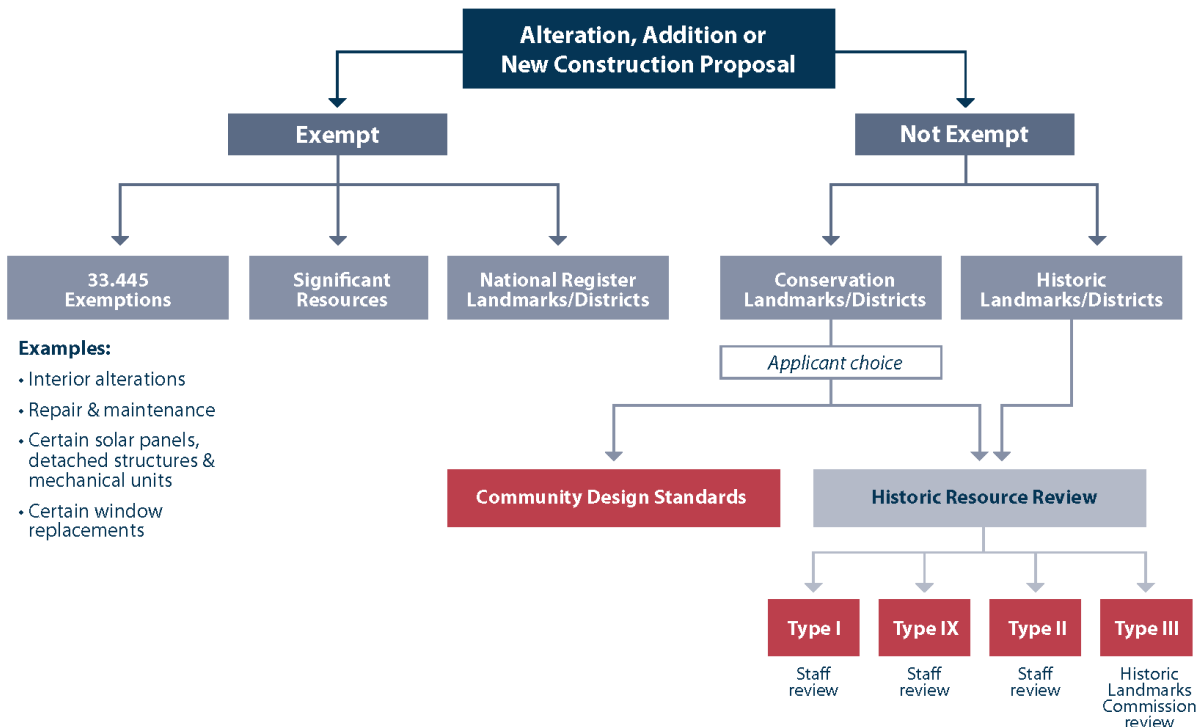
The HRCP recommends amending Portland's historic resource regulations to ensure public involvement in all applications to demolish designated historic resources, align the recommended hierarchy of historic resource types with progressive tiers of protection, and streamline the historic resource review process for certain minor alteration and new construction proposals. Recommended changes to protections would align with the hierarchy described in Recommendation 1.b, with National Register Landmarks and Districts serving as a bronze standard for regulations, Conservation Landmark and District designation serving as a silver standard, and Historic Landmark and District designation serving as a gold standard. Significant Resources (which are not designated) would be subject to 120-day demolition delay, a modest protection (and the maximum allowed by State Administrative Rule) intended to allow time for the owner community to consider alternatives to demolition.

Overview of Recommended Historic Resource Demolition Protections



*procedures for uncommon proposals, such as major alterations and removal of signs, are not reflected here

Overview of Recommended Historic Resource Design Protections



Recommendation 3.a: Apply demolition review to all designated historic resources, exempt certain accessory structures from demolition review, and amend demolition review approval criteria.

Background: Portland’s strongest regulation for protecting historic resources from demolition—demolition review—is limited in its current application to those landmarks and contributing resources in districts that have been listed in the National Register of Historic Places. City-designated Historic Landmarks, Conservation Landmarks, and contributing resources in Conservation Districts that are not also listed in the National Register are only subject to 120-day demolition delay, which provides no opportunity for meaningful public involvement, mitigation for the loss of a resource, or denial of an application for demolition.

Demotion review is a discretionary land use review; current regulations require a public hearing and decision by the Portland City Council for all applications subject to demolition review. Applicants for demolition review today must meet one of two approval criteria—one related to economic hardship or another related to the Comprehensive Plan.



This “1922 bungalow” was altered in 2018 without meeting the threshold necessary to require a demolition permit. A new definition of demolition specific to historic resources is recommended.

Recommendation: The amendments apply the demolition review requirement to all landmarks and contributing properties in districts, establish threshold definitions for demolition of historic resources, exempt most detached accessory structures from demolition review, amend the procedure types that apply to different types of demolition applications, and amend the list of approval criteria that may be met to gain approval for demolition.

The recommendation would extend demolition review to approximately 2,300 City-designated landmarks and contributing resources in Conservation Districts that are currently subject to demolition delay. In extending demolition review to City-designated resources, the amendments also establish objective thresholds that codify discretionary language in State Administrative Rule defining demolition as “any act that destroys, removes, or relocates, in whole or part, a significant historic resource such that its historic, cultural, or architectural character and significance is lost.” The new local definition applies to all historic resource types addressed by Chapter 33.445, not to all instances of demolition regulations in the city. The definition ensures that minor alteration proposals that do not result in the irreparable loss of the resource are not subject to demolition review and, therefore, approval criteria that are germane only to the forever loss of the resource.

New exemptions to demolition review are provided for each historic resource type addressed by Chapter 33.445. For all resource types, noncontributing resources and resources required to be demolished due to immediate danger would be exempt from demolition review. For Historic Districts, Conservation Districts, and National Register Districts, demolition of covered detached accessory structures smaller than 800 square feet (including those identified as contributing) would be exempt from demolition review. For all other landmarks and contributing resources in districts, alterations that would otherwise qualify as demolition could be reviewed through historic resource

review as an alternative to demolition review. This alternative is intended to allow major rehabilitation projects—such as a seismic upgrade that may require removal of walls—to be reviewed against the more appropriate historic resource review approval criteria, rather than demolition review approval criteria that are likely to be irrelevant to the rehabilitation proposal. Proposals for total demolition would not be eligible for this demolition review bypass provision.

Coupled with the expansion of demolition review, the amendments establish new demolition review procedure types and approval criteria. Historic Landmarks and contributing resources in Historic Districts would remain subject to Type IV (City Council) review with a singular approval criterion related to the goals and policies of the Comprehensive Plan; consideration of a list of factors would be required prior to a decision being made. Because of their ‘silver standard’ position on the new hierarchy of historic resource types, Conservation Landmarks and contributing resources in Conservation Districts would be subject to a lower Type III (Historic Landmarks Commission) review with an option of the approval criteria available to Historic-level resources or a new criterion related to mitigation. And, because of their ‘bronze standard’ position on the new hierarchy of historic resource types, National Register Landmarks and contributing resources in National Register Districts would be subject to a Type III (Historic Landmarks Commission) review with an option of the approval criteria available to Historic-level and Conservation-level resources and, for contributing resources in single-dwelling zones, a new criterion related to affordable housing. This new criterion would ensure that the listing of a residential area on the National Register not inhibit production of affordable housing. A new Type II (staff) review and an additional approval criterion apply to applications to demolish the small number of accessory structures that would still be subject to demolition review (e.g. signs and objects).

The recommended changes to demolition review remove application requirements previously required by an approval criterion and ensure State-required factors are considered.

Benefit: Applying demolition review—with new procedure types and approval criteria—to all City-designated landmarks and all contributing resources in City-designated districts would ensure that the most important historic resources are given consideration prior to demolition, with the decision-maker provided the authority to approve, approve with conditions, or deny proposals. Extending demolition review to City-designated resources would provide the public an opportunity to meaningfully engage with proposals to demolish resources that have gone through a City designation process. Furthermore, demolition review would allow the decision-maker to deny, approve, or approve with conditions (such as mitigation) demolition proposals after considering factors relevant to the historic resource, community, and owner.

Without applying demolition review to City-designated resources, there will remain no protection program to ensure the historic value of City-designated historic resources are considered against other relevant community values when the loss of such resources is proposed. Additionally, without applying demolition review to City-designated resources, National Register listing will remain the only viable option for protecting historic places from demolition, perpetuating the exclusive reliance on federal decision-making to convey meaningful demolition protections to historic resources in Portland.

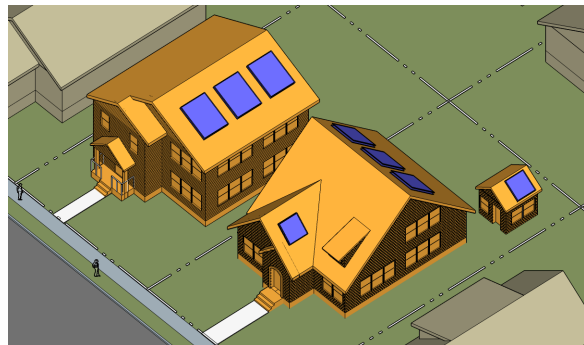
Eliminating the requirement for demolition review for approximately 1700 garages, sheds, and outbuildings in Historic, Conservation, and National Register Districts will streamline and facilitate the removal of vestigial covered vehicular storage and construction of new accessory dwelling units.

Finally, in their adoption of the Better Housing by Design and Residential Infill projects, the Portland City Council prohibited use of development bonuses on sites where a designated historic resource is demolished without demolition review. National Register-listed Historic Landmarks and contributing resources in Historic Districts are currently subject to demolition review, therefore National Register property owners are eligible to access development bonuses if their application for demolition review is approved by the decision-maker. The expansion of demolition review to all designated resources allows owners of City-designated resources to similarly pursue development bonuses when a proposed demolition meets one of the applicable demolition review approval criteria. In all cases where development bonuses are allowed following approval of demolition review, the decision-maker would be reviewing the demolition application against the approval criteria, including consideration of the merits of the proposed replacement building.

Code section(s) affected: The recommended demolition review requirement—including definitions, exemptions, and permit issuance standards—is provided in relevant sections for landmarks and districts in Chapter 33.445. The new procedure types and approval criteria are provided in Section 33.846.080, demolition review. Corresponding refinements to the applicability of the Community Design Standards are recommended to ensure demolition of Conservation-level resource cannot be approved using the standards (see Section 33.445.510). The development bonuses provided by the base zones are not recommended to change.

Recommendation 3.b: Increase exemptions to historic resource review.

Background: New construction and alterations to Historic Landmarks, Conservation Landmarks, and properties in Historic and Conservation Districts are subject to historic resource review. For these resource types, exemptions to historic resource review are provided by the code. These exemptions range from minor maintenance to certain rooftop mechanical units. Conservation Landmarks and properties in Conservation Districts have the option of meeting clear and objective design standards as an alternative to historic resource review when review is required. When activities affecting a Conservation Landmark or Conservation District are exempt from historic resource review, the activity is also exempt from required compliance with the Community Design Standards. Exemptions to historic resource review were last amended in 2013 with the Historic Resources Code Improvement Project.



A recommended exemption would allow rooftop solar panels on all pitched roof slope in Historic Districts without requiring historic resource review.

Recommendation: The amendments retain the general approach to historic resource review that applies today, including offering the Community Design Standards as an alternative for Conservation Landmarks and Districts, but expands the list of exemptions to historic resource review for all designated resource types. National Register Landmarks and Districts are recommended to be exempt from historic resource review altogether unless the application is for relocation or an applicant voluntarily elects to pursue historic resource review.

While the amendments increase the number of exemptions for both Historic and Conservation-level resources, landmarks are provided fewer new exemptions than districts since individual landmarks are often less forgiving of change than entire collections of buildings that make up districts.

For landmarks, new exemptions relate to minor exterior alterations, signs, rear-facing rooftop solar installations, electric vehicle outlets, non-historic window replacement, and other relatively benign alterations.



A recommended exemption would allow certain detached accessory structures—such as the one pictured above—to be built in Historic and Conservation Districts without requiring historic resource review.

For districts, new exemptions go beyond those provided to landmarks to allow for flexibility in areas where collections of resources—not just one singular resource—convey an area’s significance. Recommended exemptions in Historic and Conservation Districts include allowing, without historic resource review, certain rooftop solar installations on flat and pitched roofs, larger new detached accessory structures, and replacement of windows on rear elevations and on noncontributing resources. The full list of recommended exemptions is provided by resource type in Volume 2 and are too numerous to recite in this staff report.

Benefit: The recommended exemptions respond to a variety of sometimes competing requests from the public, from neighborhood associations representing Historic Districts and Bureau of Development Services staff. The changes are intended to ensure the ongoing protection of historic resources, while eliminating unnecessary reviews for minor changes, presenting new opportunities to create housing in Historic Districts and expanding roof area that could be put into solar energy production without resulting in irreversible change to historic resources.

Code section(s) affected: Exemptions are provided in the relevant sections for landmarks and districts in Chapter 33.445.

Recommendation 3.c: Refine historic resource review approval criteria.

Background: When historic resource review is required for alteration, addition, or new construction proposals, section 33.846.060 provides the approval criteria that must be met. For Conservation Landmarks and properties in Conservation Districts, the clear and objective Community Design Standards can be met as an alternative to historic resource review. No changes to the Community Design Standards are recommended by these code amendments, but changes to the standards have been identified as a needed regulatory improvement (see Section VI for a discussion of potential future work that would update the standards).

Recommendation: The amendments make numerous changes to section 33.846.060 for clarity, alignment with the amendments in Chapter 33.445, and application of the hierarchy of historic resource types included in Recommendation 1.a. Changes to the applicable procedure types for historic resource review are included in Recommendation 5.a.

In general, the amendments to the historic resource review section do not change the applicability of the approval criteria that currently apply to Historic Landmarks, Historic Districts, and Conservation Landmarks.; however, there four primary areas that are recommended to change.

First, new approval criteria for relocation (structure moves) have been added as subsection 33.846.060.I. While relocation proposals are rare, State Administrative Rule requires consideration of certain factors when National Register-listed resources are proposed for relocation. These factors have been incorporated into new approval criteria that must be met for relocation of most designated resources to be approved by the review body.

Second, new more flexible approval criteria for proposals affecting Conservation Landmarks have been added as subsection 33.846.060.H. Because Conservation-level resources generally have less historic significance, diminished physical integrity, or are less appropriate for the highest level of protections (as compared to Historic-level resources), the new criteria provide flexibility for design changes to Conservation-level resources. Although there are only 12 Conservation Landmarks that would benefit from the new more flexible criteria today, these code amendments anticipate more will be designated in the future, including some Historic Landmarks that may have their designation reduced to Conservation Landmark through legislative or quasi-judicial procedures.

Third, minor changes to the existing approval criteria in subsection 33.846.060.G that generally apply to Historic Landmarks and Historic Districts without adopted design guidelines are recommended for clarity and to resolve ambiguities about compatibility in those Historic Districts where the general criteria apply. The changes related to compatibility are primarily intended to provide clarity in the Irvington Historic District, which is subject to the 33.846.060.G criteria as that district has no district-specific design guidelines. A recommended 200-foot radius for considering compatibility in the district context reflects the length of a typical Portland block.

Finally, minor changes clarify the hierarchy of applicability of historic resource review approval criteria in the Alphabet Historic District.

Benefit: Changes to the historic resource review section and approval criteria will provide clarity to applicants, City staff and interested community members. Furthermore, the amendments will ensure State-required factors are considered when historic resources are considered for relocation, Conservation Landmarks will be subject to more flexible historic resource review approval criteria and the approval criteria that apply in Historic Districts without adopted district-specific guidelines will be revised to resolve ambiguities.

Code section(s) affected: Section 33.846.060.

Recommendation 3.d: Improve demolition delay to apply only at the time of demolition application.

Background: State Administrative Rule requires local governments apply a 120-day demolition delay to historic resources that have been evaluated and formally determined to be significant (termed Significant Resources, as described in Recommendation 2.a). These resources are not designated but are determined *eligible* for designation.

Recommendation: The 120-day demolition delay provision currently exists in the zoning code and will not be substantively changed except for allowing interior permits to be issued during the delay period.

However, an amendment limits the list of actions that can initiate 120-day delay. Since 1996, Portland has allowed owners of Significant Resources (heretofore called Ranked Resources) to request removal from the HRI as a property right (albeit subject to 120-day delay). The zoning code changes would eliminate this proactive removal option. Instead, under the amendment, an applicant would need to apply for a demolition permit to initiate the 120-day delay. This change would ensure the community is notified of the 120-day demolition delay only when demolition is being proposed for the property, not preemptively. The change takes effect on the effective day of the new code; However, any property that is within the 120-day delay period at the time of the effective date of the new code will be removed from the Inventory at the conclusion of its specific delay period.

Benefit: The amendments would ensure the community is notified of the 120-day demolition delay only when demolition of a Significant Resource is being proposed. This would limit public confusion about requests for 120-day delay and ensure the identification of Significant Resources provides useful and lasting information for academics, architects, realtors, tenants, planners, and the general public. The changes would also eliminate an existing unnecessary suspension of issuance of interior permits during the 120-day delay.

Code section(s) affected: The 120-day demolition delay process for Significant Resources can be found in new code sections 33.445.310 through .340.



Despite its historic significance, the Palms sign could have its Significant Resource status removed with a simple owner request even if demolition is not proposed.

THEME 4: REUSE

How can historic resources be repurposed for economic viability and community access?

Historic resources are designated and protected because of their important role in establishing memory, meaning, and learning opportunities for current and future residents. Inherent in the value of historic preservation is the ability for the broad public to experience and engage with historic resources. The existing codified demolition and design regulations have generally protected the exterior features of historic resources such that they can be appreciated from the public realm, allowing Portlanders to experience the architecture of a unique façade—such as the Historic Landmark Hollywood Theater—or the patterns unique to a specific area—such as the loading docks of the NW 13th Avenue Historic District.

Providing economic opportunities to owners of historic resources encourages needed upgrades, discourages demolition proposals, and provides the opportunity for greater public access and use. Although the HRCP recommendations do not include direct financial incentives, several regulatory incentives would expand the existing use incentives available to owners and tenants of designated landmarks and districts. The incentives are intended to promote economic viability and allow for modern uses that interpret—and reinterpret—the histories of landmarks and districts while simultaneously increasing public access to the resources.

Recommendation 4.a: Exempt all landmarks and districts from parking requirements.

Background: Automobile parking is required in some areas and for some uses. Many of Portland’s historic resources were built during a time when automobile use and parking was non-existent or less commonplace than it has been in more recent decades.

Recommendation: A new exception to minimum parking requirements provides designated historic resources with greater flexibility for continued use, adaptive reuse, alterations, and compatible infill. Providing this exception allows for removal of unused parking pads, reuse of garages as ADUs or other uses, and flexibility for landmarks and properties in districts to adapt to more intensive uses without the need for paving site area or harming historic features to accommodate vehicles. This exception also allows for construction of new buildings in districts to more closely follow the design patterns of development seen prior to the proliferation of the automobile.



Eliminating parking requirements for all landmarks and districts will provide opportunities to re-establish the historic public realm experience.

Benefit: Accommodating on-site automobile parking often requires designs that depart from historic patterns. Reducing required parking to zero on all sites in Historic, Conservation, and National Register Districts provides designers of new buildings with greater flexibility to propose new buildings that are more compatible with the surrounding contributing properties than would be the

case if on-site parking were required. Similarly, reducing required parking to zero on all sites with a Historic, Conservation, or National Register Landmark allows for adaptive reuse proposals to proceed without retaining or incorporating automobile parking.

Code section(s) affected: Section 33.266.110.

Recommendation 4.b: Increase zoning code incentives allowing for adaptive reuse of certain designated resources.

Background: Many historic resources have the potential to be adapted to new and creative uses without harming significant historic features. Allowing for the reuse of historic resources provides economically viable options for rehabilitation, increases public access to historic places and provides opportunities for interpreting the past through the lens of contemporary values.

“Goal 5 requires a local government to do what it can, within the limits of the goal and rule, to help willing property owners achieve the actual (and not merely nominal) conservation of historic resources for present and future generations.”

—Land Use Board of Appeals (King vs. Clackamas County)

Across Portland, there exists countless examples of historic buildings that have been adapted to new uses. A few well-known examples are the McMenamins Kennedy School (a 1915 Historic Landmark), St Johns Signal Station Pizza (a 1939 National Register-listed gas station), Pine Street Market (an 1886 contributing building in the Skidmore/Old Town Historic District), and the Old Church (an 1882 Historic Landmark). Adaptively reusing a historic building prolongs its useful life by physically improving the structure, establishing an investment-backed expectation of longevity, and providing evolving uses relevant to Portlanders today and into the future. In areas where zoning allows for the conversion of buildings to new uses, such as in the Central City, incremental use changes and major adaptive reuse projects are relatively commonplace, with property owners regularly enrolling in state and federal incentive programs to defray costs associated with facade rehabilitation, systems upgrade, and seismic retrofit. In other areas of the city—namely single-dwelling zones—the potential for historic resources to be adapted to new and relevant uses is capped by the narrow residential uses allowed by the base zone.

Recommendation: To maximize the potential for historic resources to be preserved, rehabilitated, reused, and enjoyed by the full diversity of Portlanders, the amendments greatly expand the existing use incentives provided to historic resources. New use incentives would allow certain additional primary and accessory dwelling units in single-dwelling zones (beyond those allowed by the Residential Infill Project) and certain primary and accessory commercial uses in residential zones. Historic and Conservation Landmarks would be



Use flexibility allowed this former single-family home in SE Portland to evade a proposed demolition and be repurposed into seven rental homes.

provided the greatest opportunities for use incentives, sites in Historic Districts would be provided with several opportunities for use incentives, and sites with at least one contributing resource in Conservation Districts would be provided with a few opportunities for use incentives. National Register Landmarks and Districts would not be allowed to access the use incentives because of the absence of design protections applicable to those resource types.

Many of the recommended uses would be allowed by right when certain conditions are met (such as maximum size for non-residential uses and limitations on outdoor activities), with more aggressive adaptive reuse proposals requiring approval through historic preservation incentive review.

Benefit: Allowing historic resources to adapt to new and financially viable uses is critical to their long-term preservation. While the new uses may deviate from the uses present in a historic structure in the past, adaptive reuse provides unique opportunities to increase public visitation to historic resources and interpret historic places through new and creative storytelling. Adaptive reuse in districts that were historically hostile towards Black, Indigenous, and Portlanders of Color provides a unique opportunity for acknowledging the past and fostering healing through increased residential and commercial diversity in those historic places. Adaptive reuse is integral to the protection of and public benefit conveyed by historic resources and the recommended incentives intend to provide historic resources with a competitive advantage to serve the needs of current and future Portlanders.



Recommended zoning code amendments would allow for accessory commercial uses in residential zones, such as converting an unused garage to a small café.

Code section(s) affected: Historic resource incentives and incentive requirements can be found in section 33.445.400. The procedures and approval criteria for historic preservation incentive review can be found in section 33.846.050.

Recommendation 4.c: Streamline requirements and applicability for FAR transfer.

Background: City Council recently adopted new provisions to allow the transfer of unused development potential known as floor area ratio (FAR) from sites containing certain historic resources to other sites. FAR transfer is allowed in the Central City plan district and several base zones, including the multi-dwelling and commercial/mixed use zones. Transfer of historic resource FAR currently requires the property owner sign a covenant subjecting the historic resource to demolition review.

Recommendation: The amendments eliminate the demolition review covenant requirement and expand the types and locations of historic resources eligible to transfer FAR for greater consistency and eligibility. National Register Landmarks and contributing resources in National Register Districts

would not be eligible to transfer FAR because of the lack of design protections applicable to those resource types.

Benefit: The changes to the FAR transfer provisions for historic resources streamlines and aligns the applicability of the incentive in areas where transfers are currently allowed. FAR transfer from historic resources decreases the potential for demolition applications, increases financial opportunities for historic resource owners, and offsets lost development capacity by allowing unused FAR to be put into use elsewhere.

Code section(s) affected: Amendments affect each code section applicable to historic resource FAR transfer, including sections 33.120.210, 33.130.205, 33.140.205, 33.445.400, and 33.510.205.

THEME 5: ADMINISTRATION

How can code provisions be improved for staff, applicants and the public?

In addition to changes to designation and protection regulations, the HRCP recommendations would amend several areas of existing zoning code language to ensure more efficient program administration for the benefit of tenants, property owners, City staff and decision-makers. These include clearer definitions and purpose statements, refinements to procedure types, conforming amendments to other sections and titles, and amendments to sections related to the role and makeup of the Historic Landmarks Commission. The recommended administrative changes are largely the result of requests from the Bureau of Development Services and previous historic resource review applicants who commented on the HRCP proposals at each phase of the project.

Recommendation 5.a: Refine purpose statements, procedure types, and associated language.

Background: In addition to specific amendments, related sections of the code are amended for consistency, clarity and conformance with the primary recommendations. Additionally, applicants and City staff have identified opportunities to amend the procedure types for historic resource review to better align the impact of proposed work with the necessary project review timeline and application fee schedule.

Recommendation: The amendments make changes to historic resource-related purpose statements, language regarding historic resource types and the procedure types for historic resource reviews. The changes also clarify which types of resources are applicable to existing sections of the code that broadly reference historic resources, including references in Title 32. The changes to purpose statements and code language throughout affected sections of the zoning code are intended to better incorporate Comprehensive Plan polices, State Administrative Rules, and the new hierarchy of historic resource types. Recommended changes to the procedure types (i.e. Type I, Type II, etc.) that apply to historic resource review applications would streamline the review of minor changes and elevate the



Changes to procedure types would reduce sign applications from a Type Ix to a Type I historic resource review

level of review for projects that require additional staff time or a public hearing to review the proposal. Additionally, changes to the procedure types would allow certain affordable housing proposals to elect staff-level review—with a required design advice request meeting before the Historic Landmarks Commission—to expedite the review and approval of such projects while still requiring applicable historic resource review criteria to be met.

Benefit: Refining purpose statements, editing language for consistency and revising historic resource review thresholds ensures the code is responsive to community priorities and suited for efficient implementation by the Bureau of Development Services. Changes to procedure types align the impact of proposals with the level of review required. These changes benefit applicants and decision-makers, while also bringing greater efficiency to the historic resource review process.

Code section(s) affected: Chapters 33.445 and 33.846 and sections 33.207.040, 33.207.050, 33.510.119, 33.510.120, 33.815.125, 33.815.126, 33.815.129, 33.855.075, and 33.910. Chapter 32.34.020.C.

Recommendation 5.b: Amend the role and makeup of the Historic Landmarks Commission.

Background: Portland was the second city on the West Coast to appoint an official Historic Landmarks Commission and has been recognized as a Certified Local Government by the National Park Service for maintaining a historic resources program.

Recommendation: The amendment streamlines the membership requirements of the 7-member Historic Landmarks Commission. Broadening the categories of Commission membership was requested by the Bureau of Development Services to allow for more flexibility in recruiting a diverse and responsive slate of prospective commissioners when vacancies arise. The changes do not increase the size of the Commission or change the number of at-large Commission members but provides a larger applicant pool from which most prospective commissioners can be recruited. At least two commissioners would be required to have professional expertise in historic preservation, architecture, architectural history, and/or local history. Additional changes amend the responsibilities of the Historic Landmarks Commission to align with changes in chapters 33.445 and 33.846 related to legislative procedures and quasi-judicial land use reviews. A final change would amend the schedule on which the Historic Landmarks Commission delivers their annual report.

Benefit: Recommended changes to the roles of the Historic Landmarks Commission would implement the new and revised quasi-judicial and legislative land use reviews in Chapters 33.445 and 33.846. Additionally, changes to the makeup of the Commission and annual report schedule provide greater opportunities for the Commission to better reflect the makeup of the community and inform City Council of their activities during the annual budgeting process.

Code section(s) affected: Sections 33.710.060, 33.720.020, 33.720.030.

Section VI: Potential Future Work

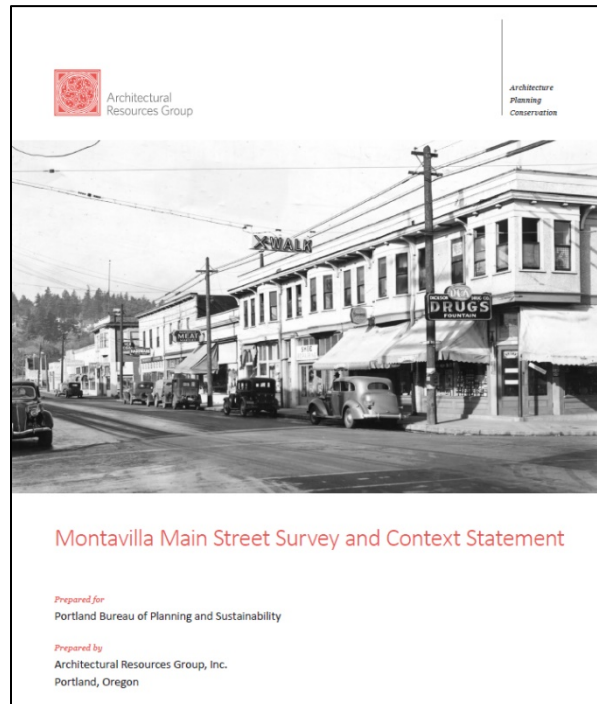
The HRCP recommends significant changes to the historic resource provisions of the zoning code but does not recommend changes to the Official Zoning Map, such as adding or removing landmarks or changing the base zones within districts. Additionally, the amendments do not include policy changes outside of the zoning code, such as modified building regulations, new or expanded financial incentives for rehabilitation, establishment of a legacy business program or greater recognition of or reparations for populations whose legacies have long been underrepresented by City programs.

During the each phase of public outreach, numerous concepts were raised by members of the public that were not included in the Volume 2 zoning code amendments due to scope, sequencing, and/or the need for deeper engagement with potentially affected populations. The recommended code amendments neither necessitate nor ensure the advancement of the future City-sponsored or community-led projects, but the HRCP provides a framework within which a new iteration of historic preservation work can be facilitated by the City of Portland in the future. Although the work items detailed in this section are neither scoped nor funded, the concepts are included here to provide a flavor of the range of historic preservation work that could follow adoption of the HRCP amendments. In addition to the staff-identified future work possibilities described below, both the Planning and Sustainability Commission and Historic Landmarks Commission identified several concepts for future work during the work session process.

Historic Resource Inventory updates

The Historic Resource Inventory (HRI) has not been comprehensively updated since 1984. In 2019, BPS undertook a small pilot survey of the Montavilla Main Street area to better understand the technological constraints and opportunities available to the City to efficiently document historic resources with the involvement of community volunteers. The survey documented over 200 properties and determined eight to be potentially eligible for future landmark designation. Although the pilot survey results won't be added to the HRI until after these code amendments are adopted, the pilot effort allowed BPS staff to identify and troubleshoot problems that are likely to arise in future inventory updates. Once the HRCP amendments are codified, BPS staff intend to bring forward the Montavilla survey results for adoption onto the HRI, including proposing eligible resources be identified by the City Council as Significant Resources.

In addition to the Montavilla pilot survey, codification of the HRCP amendments would allow staff to begin the process of updating the HRI, including surveying new parts of the city, working with property owners on landmark designation applications, and ensuring City resources are deployed



Results from a pilot survey of the Montavilla Main Street area will be considered for inclusion in the new more expansive Historic Resource Inventory following adoption of the HRCP code amendments.

to empower historically unrepresented communities to document their histories. HRI updates could be the result of a thematic study—such as an umbrella LGBTQ+ or AAPI historic context document—or the result of a geographic study—such as a component of an area plan. Future HRI update efforts could also simultaneously propose the removal of designations that are no longer appropriate (see below).

Reevaluation of existing designations

In addition to being potentially included as an element of future HRI updates, the HRCP amendments would allow City staff to evaluate the boundaries and appropriateness of existing Historic and Conservation Districts. During both the Discussion Draft and Proposed Draft phases, numerous members of the community requested a mapping component be added to the HRCP scope. While staff lacked the bandwidth and basis for parallel changes to the zoning map as part of the HRCP, reevaluation of existing designations would become possible following the codification of HRCP amendments related to historic resource types and procedures for adding, removing and amending existing designations.

Future efforts to reevaluate existing designations may look like reevaluating the boundaries of existing Conservation Districts, lowering the level of protection for a specific Historic District by reducing its designation to Conservation District, or proposing further protection of a specific National Register District by increasing its designation Conservation District.

Community Design Standards and Guidelines update

The [Design Overlay Zone Amendments \(DOZA\)](#) project is replacing the existing Community Design Standards and Guidelines for areas of the city within the Design Overlay Zone. Although many of the new Design Standards and Citywide Design Guidelines address context and adjacency to historic resources, they do not amend the Community Design Standards and Community Design Guidelines that apply to Conservation Districts and Conservation Landmarks. As was the case for the Design overlay zone, the standards and guidelines that apply to Conservation Districts and Landmarks are outdated and in need of replacement.

Following the adoption of the DOZA changes and the HRCP amendments, a future follow-up project could replace the Community Design Standards and Guidelines that apply to Conservation Landmarks and District with new standards and guidelines informed by the DOZA changes and, possibly, a reevaluation of the existing Conservation Districts. Replacing the vestigial Community Design Standards and Guidelines that apply to Conservation Landmarks and Districts would improve development and alterations in existing Conservation areas and make Conservation District designation a viable alternative to Historic District designation in areas appropriate for a lighter approach to preservation regulations, such as low-rise commercial storefront areas and geographic areas that are not appropriate for the highest level of preservation protections.

In addition, several Historic Districts have Design Guidelines that are outdated and needlessly limit opportunities for infill. BPS staff intended to bring an update to one such set of guidelines—the South Portland Historic District Design Guidelines—to City Council shortly after adoption of the HRCP amendments.

Map improvements

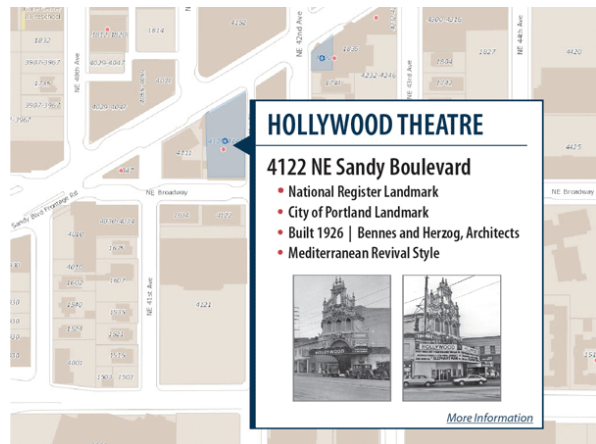
Over the past five years, BPS staff have digitized scores of paper records into the [Historic Resources Webmap](#), an online tool available to the general public and integrated with the City’s PortlandMaps platform. Although volumes of historical information are available on the webmap, there are many opportunities to continue populating the map with reliable data, images and information for broad public use. Additionally, the findings from over three dozen previous City- and State-supported historic resource survey projects still await inclusion onto the webmap.

Potential future work would continue the expansion and refinement of the Historic Resources Webmap so that the tool can be made even more useful for students, tenants, researchers, realtors, and others in the community for whom historical information would prove valuable.

Preservation of intangible resources

City staff, the Historic Landmarks Commission, Planning and Sustainability Commission and many members of the public have expressed interest in expanding historic preservation programs beyond physical places to protect intangible resources such as legacy businesses, culturally specific activities and the preservation of communities of people vulnerable to displacement. San Antonio, San Francisco, and Seattle have recently begun implementing new historic preservation programs intended to empower and protect aspects of communities’ lived history. While such a program for Portland would likely fall outside of the purview of Title 33, City staff are encouraged by the experience of peer cities in developing intangible historic preservation programs.

Future work could deploy City historic resources expertise to support ongoing and emergent community efforts to stem residential, commercial, and cultural displacement. Furthermore, a focus on lived history could allow communities to better document and prioritize even physical places for landmark or district designation, where appropriate and supportive of community goals. Any initiative to deploy City support for the protection of legacy businesses or cultural districts would necessitate leadership from within the community, with City staff working in service to those communities seeking preservation of their living histories.



Improvements to the Historic Resources Webmap could offer better access to records and images associated with properties included in the Historic Resource Inventory.



Dean’s Barber Shop and Beauty Salon is Portland’s oldest continuously operating Black-owned business. While the City sponsored a National Register nomination for the *building* in 2021, there are few tools available to protect *institutions* from displacement. Photo by Intisar Abioto.