

Historic Resources Code Project



Planning and Sustainability Commission Briefing
August 22, 2017

Briefing Outline

- Historic resources 101: Inventory, designation, and protection programs
- Recent State changes to historic preservation
- Why this project?
- Project focus areas
- Project timeline, outreach, and adoption process
- PSC discussion and input



Historic Resources 101

- Historic resource programs subject to Goal 5 requirements
- 2035 Comprehensive Plan contains historic resource goals and policies
- Zoning Code chapters 445 and 846 implement Portland's historic resource programs



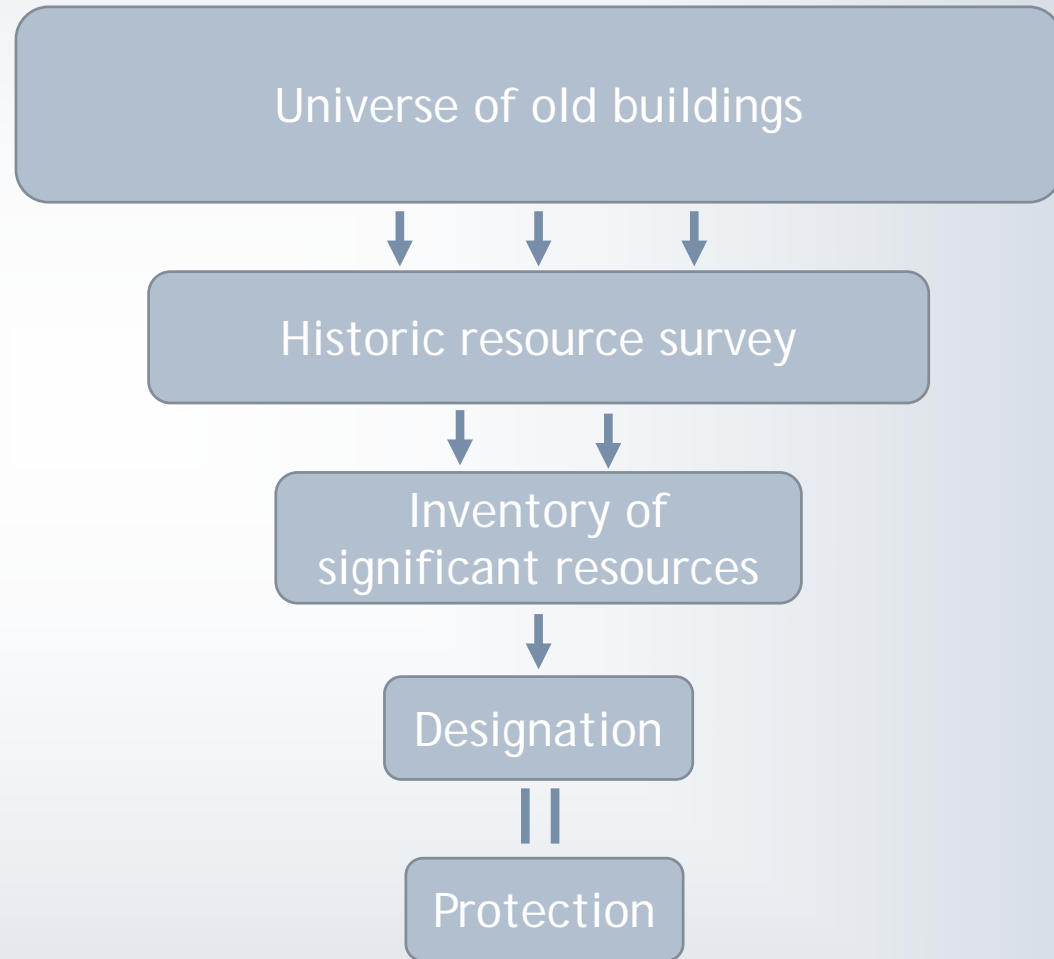
Historic Resources 101

- Historic resources can be buildings, districts, structures, objects, or sites
- To be determined significant and/or designated, a historic resource must have physical integrity and be evaluated against established criteria



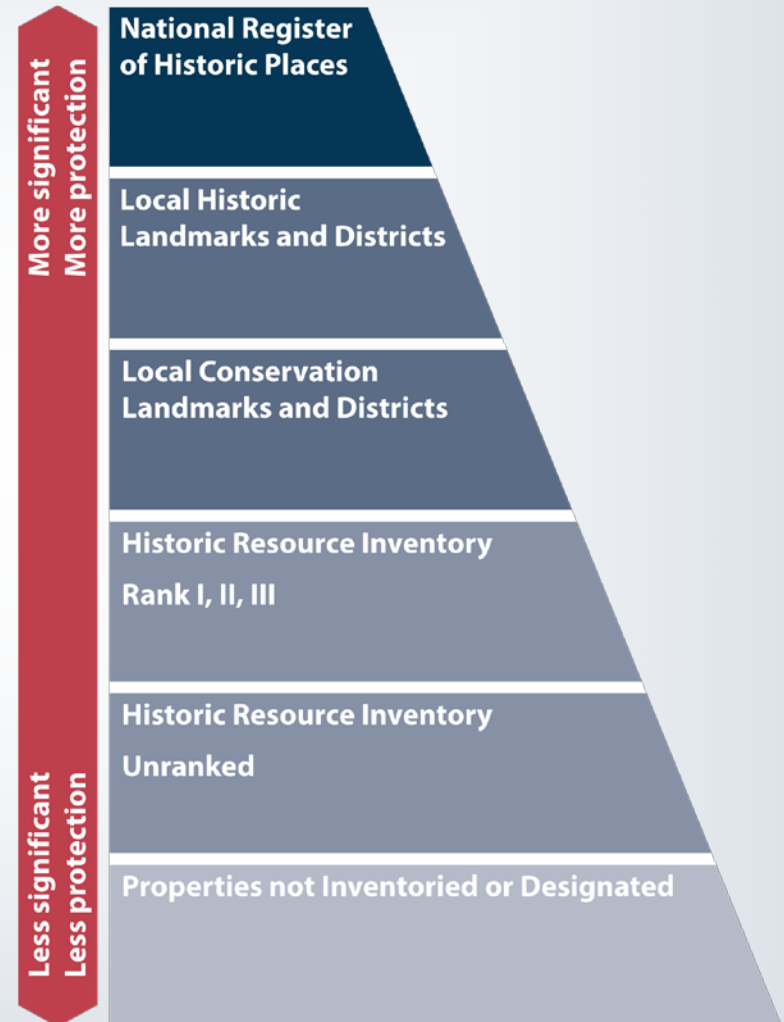
Historic Resources 101

- The standard historic preservation process:
 1. Survey resources
 2. Determine significance of surveyed resources
 3. Update citywide inventory (HRI)
 4. Selectively designate inventoried resources
 5. Apply protections to designated resources



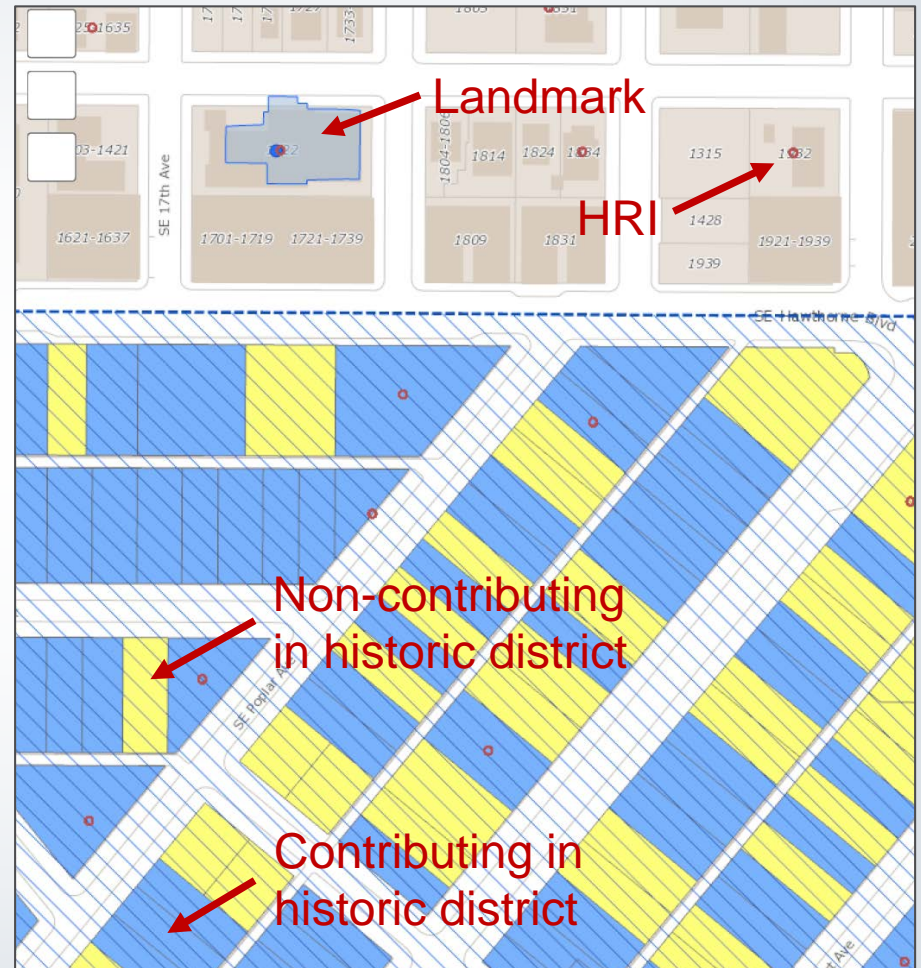
Historic Resource Classifications

- Historic Resource Inventory is not a “designation”
- Local Historic and Conservation Landmark/District designation is a local land use decision
- National Register listing is a federal designation
- Owner consent required for local designation (ORS 197.772)



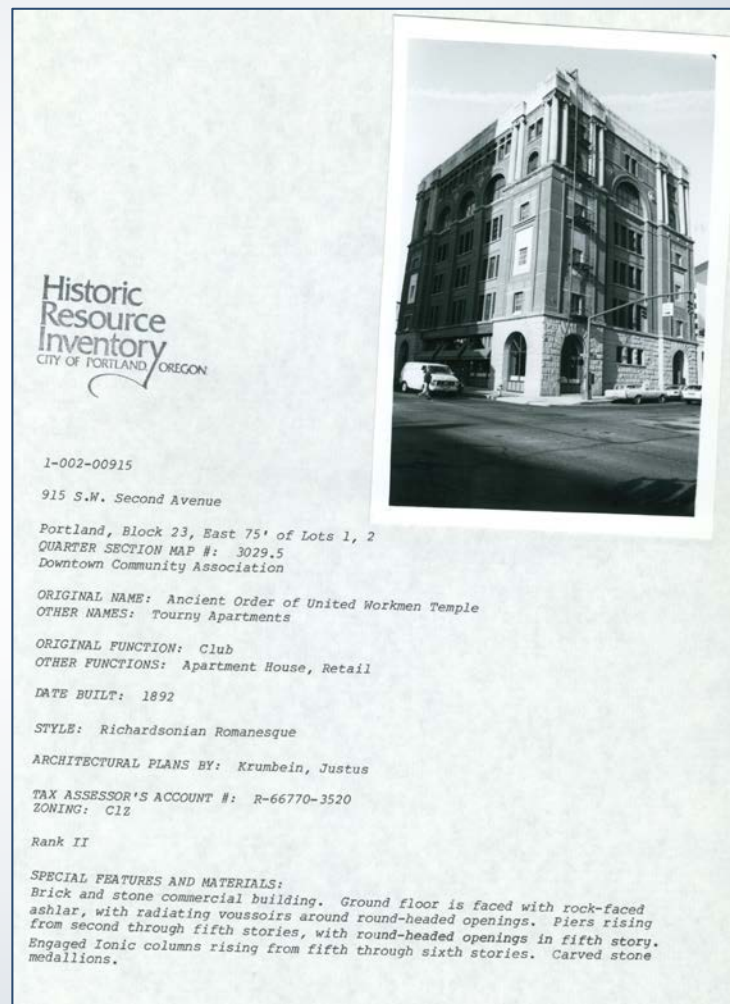
Historic Resource Classifications

- Historic resource map: tinyurl.com/yc89k9d8
- Landmarks are individual properties
- Districts contain “contributing” (i.e. historic) and “non-contributing” (i.e. not historic) resources

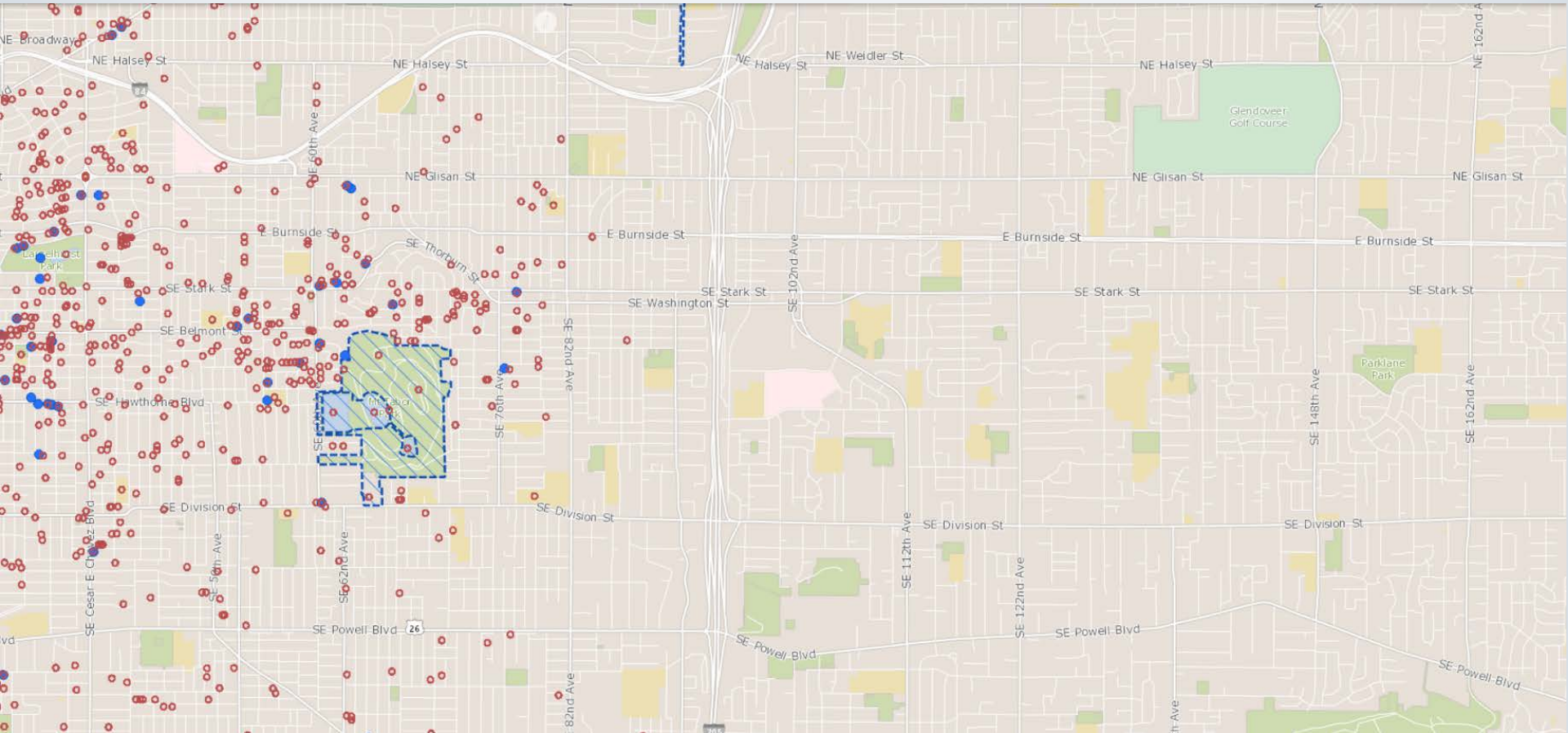


Historic Resource Inventory (HRI)

- Last updated in 1984
- At least 33 historic resource surveys have occurred since, but none were adopted onto the HRI
- Several hundred landmark and district designations have occurred since 1984
- Outside consultant recommendations to be published in September



HRI Equity



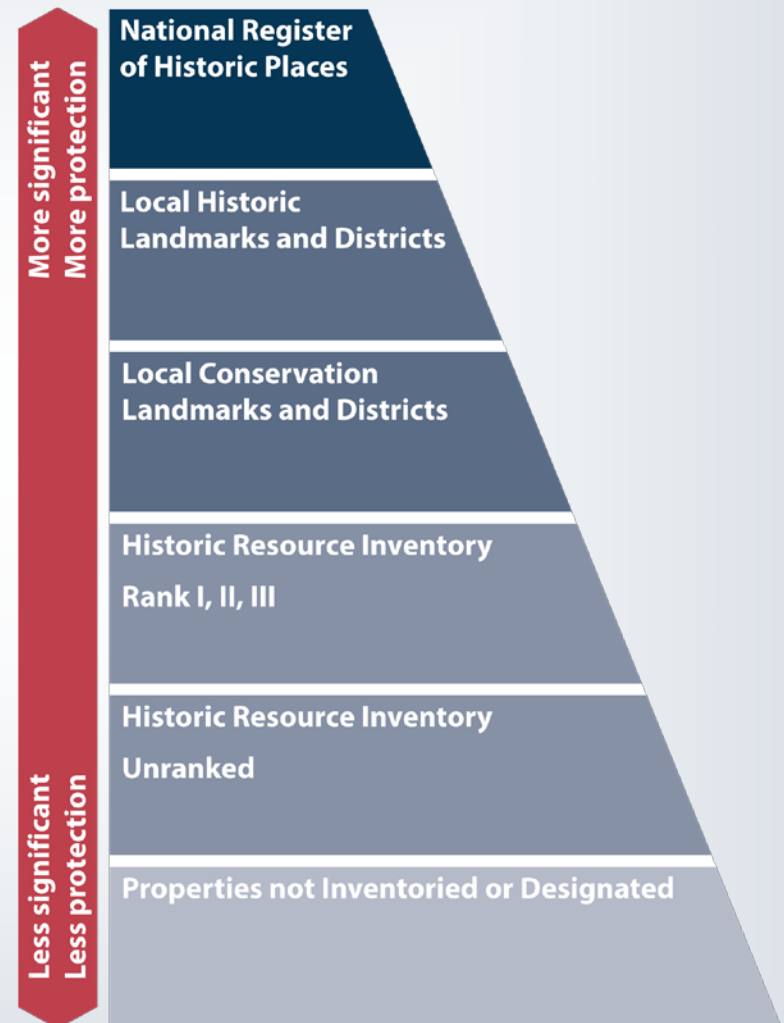
National Register Listing

- Only City involvement is a Historic Landmarks Commission advisory review
- Nomination vetted by State, approved by NPS
- Protections apply immediately upon designation
- City has applied design/demolition protections to National Register resources for 20+ years



Historic Resource Protections

- Demolition review (Type IV City Council hearing)
- Demolition delay (administrative process)
- Historic resource review (discretionary land use procedure)
 - General approval criteria
 - District-specific guidelines
- Design standards (clear and objective rules)



Historic Landmarks Commission

- Provides expertise on architectural, cultural, and historic resources
- Reviews alteration, addition, and new construction projects for landmarks and historic districts
- Supported by BDS design and historic review team



Recent Historic Preservation Changes

- *King v Clackamas County*
 - Upheld use flexibility as an accepted regulatory tool for preservation
- “Carman House” case
 - Narrowed application of owner consent law to just the owner at the time of designation
- Goal 5 Admin Rules
 - Allows for update to inventories without owner consent, provides options for local and conservation district designation, clarifies minimum protection standards for National Register resources (demolition review)



Why This Project? Why Now?

- Growing list of historic resource review threshold, procedure, and exemption issues raised by staff and customers that should be addressed
 - Contributing garage demolition
 - Land divisions on Landmark properties
 - Minor exterior signs and vents
 - Adjustments and modifications
 - Rooftop solar installations
 - Application of historic resource review to new National Register listings



Why This Project? Why Now?

- An update to the citywide Historic Resources Inventory requires Zoning Code changes
 - Code requires owner consent for listing
 - Code allows for by-right removal following 120-day demolition delay
 - Listing procedure is not clearly defined by the code



Why This Project? Why Now?

- Identification of viable alternatives to National Register designation and protection
 - Local Historic and Conservation District designation not today viable due to 100% consent rule
 - Regulatory protection programs for Local Historic and Conservation Landmarks/Districts are inadequate
 - Revised local designation options could provide a more robust land use process than is provided by the federal designation



Why This Project? Why Now?

- Explore new and expanded regulatory incentives to better align historic preservation with other planning goals
 - Review covenant and land use process requirements for existing incentives
 - Explore new use-based incentive options for landmarks and districts
 - Dovetail with Residential Infill Project alternative housing options



Project Support and Coordination

- Project managed by BPS
 - Brandon Spencer-Hartle, PM
 - Shannon Buono, code editor
 - Caity Ewers, intern
- Supported by Bureau of Development Services
 - Design and historic review team
- Historic Landmarks Commission input



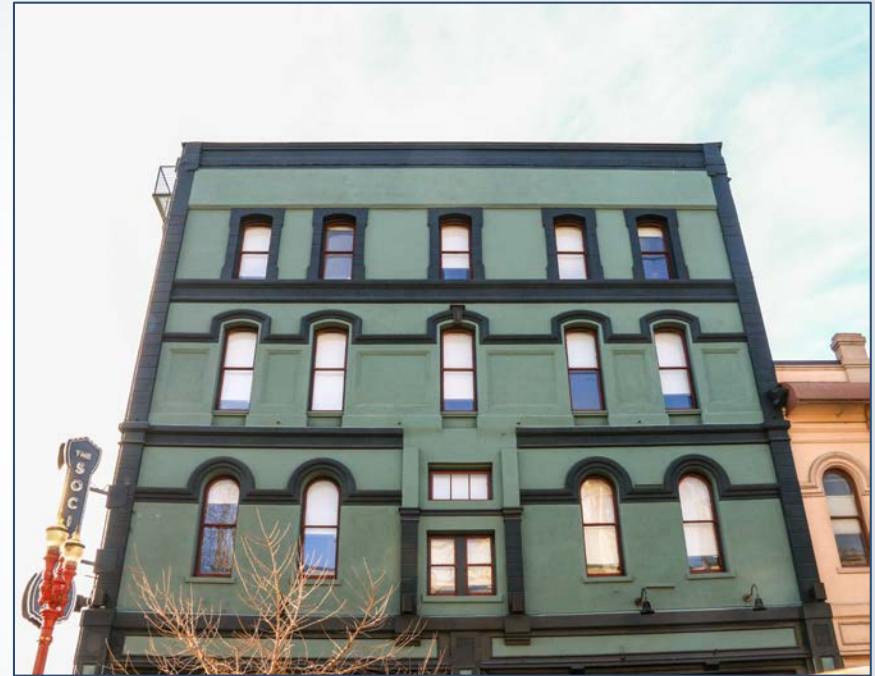
Project Focus Areas

1. Historic Resource
Inventory code specifics
2. Designation of local
historic and conservation
landmarks and districts
3. Protection of designated
historic resources
 - Overhaul of rules for local
Historic and Conservation
Landmarks/Districts
 - Review Historic Resource
Review thresholds,
procedures, and exemptions



What's Not Included?

- New or updated design guidelines or standards
- Designation of new landmarks or districts
- Addition or removal of properties on the HRI
- Financial incentives
- Building regulations



Code Development Process



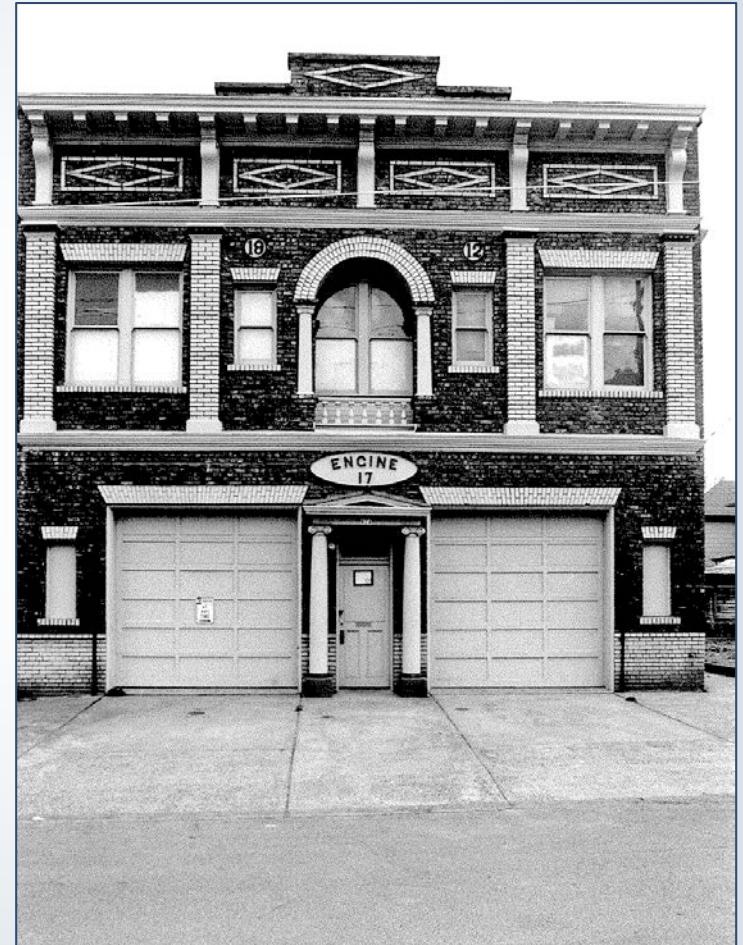
- Historic Landmarks Commission provides guidance, input, support
- Planning and Sustainability Commission provides input, holds hearings, recommends to City Council
- City Council holds hearings, adopts final code

Outreach Plan

- Historic Landmarks Commission and Planning and Sustainability Commission briefings and work sessions
- Technical roundtables on different project focus areas and discussion draft concepts
- Direct outreach to neighborhood associations and preservation organizations
- Project drop-in hours in every quadrant
- Targeted outreach to and interviews with communities underrepresented in the 1984 HRI

Outstanding Questions

- Project name:
 - Historic Resources Code Project
 - Portland Preservation Code Project
- PHLC-PSC subcommittee to track project development?
- Discussion of PSC priorities:
 - Project scope
 - Project outreach
 - Project timeline
 - Coordination with staff/PHLC

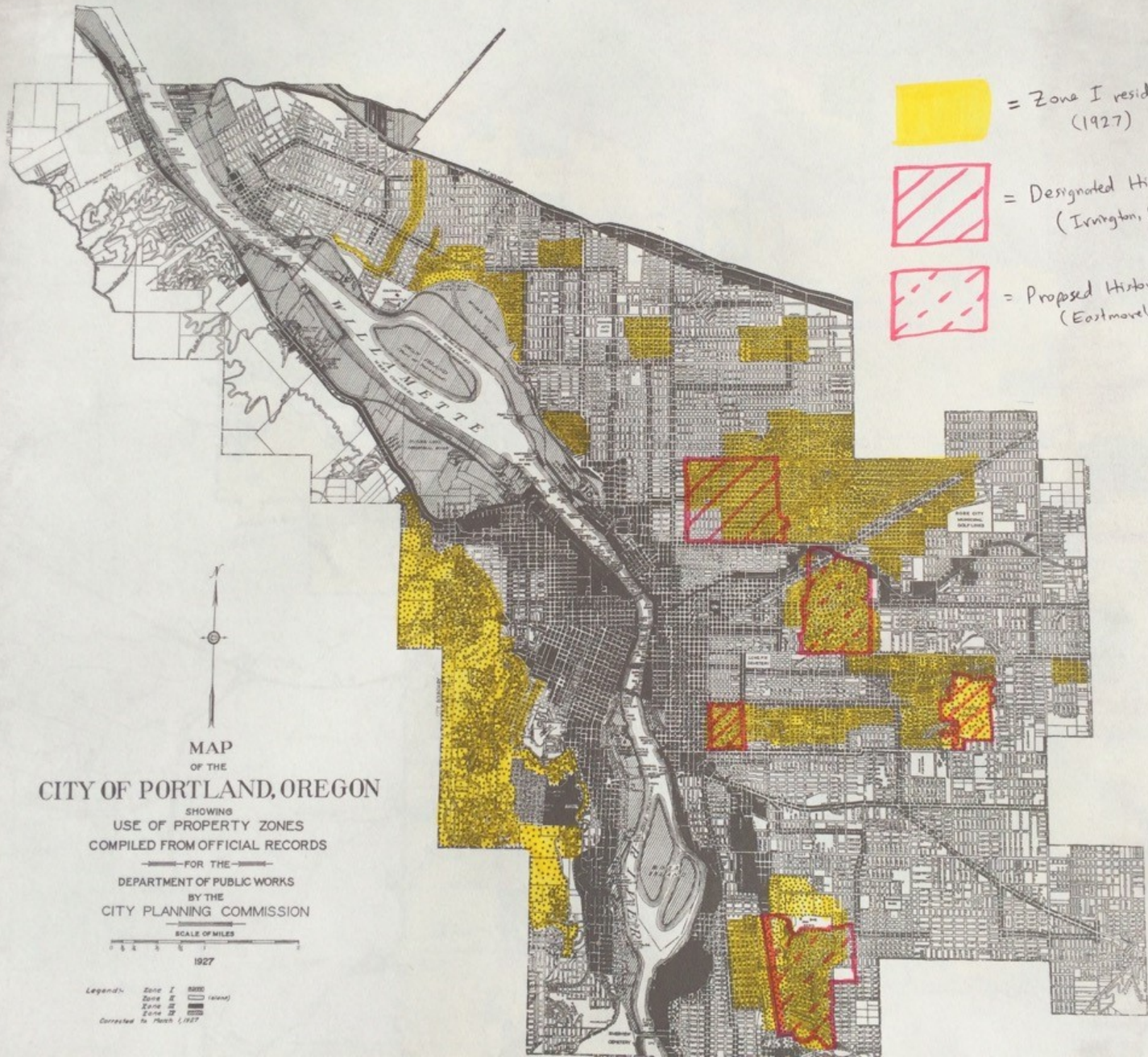


Building and Housing Codes, in full compliance with the regulations for a hotel or lodging house, may be used for housekeeping room purposes, if such rooms comply with sections 2, 4 and 6 hereof.

Section 15, Zoning Regulations. No new building coming under the regulations of this ordinance shall be located in a Class I residential district or in a Class I special two-family residential district, as designated in the zoning ordinance.

An existing building in a Class I residential district or in a Class I special two-family residential district may be altered and used under the regulations of this ordinance, provided there is filed with the Bureau of Buildings on forms supplied by the Bureau, the written consent of the owners of at least sixty per cent (60%) in area of all privately owned property within a radius of two hundred (200) feet of the property on which the building which is proposed to be altered is located.

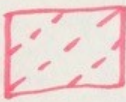
Section 16. Limit of Time. The owner of any building coming under the regulations of this ordinance shall sign an agreement approved by the City Attorney as to form, that within six (6) months after the war is over and a declaration of peace has been made, the owner will change the building and its use to comply with the Housing, Building and other codes applying to existing or new buildings, as the case may be, or that he will cause the building to be torn down.



= Zone I residential
(1927)



= Designated Historic Districts
(Irrington, Ladd's Addition, Tabor Park)

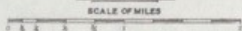


= Proposed Historic Districts
(Eastmoreland, Laurelhurst)

MAP
OF THE
CITY OF PORTLAND, OREGON

SHOWING
USE OF PROPERTY ZONES
COMPILED FROM OFFICIAL RECORDS

— FOR THE —
DEPARTMENT OF PUBLIC WORKS
BY THE
CITY PLANNING COMMISSION



1927

Legend: Zone I [stippled] Zone II [cross-hatched] Zone III [diagonal lines] Zone IV [dots]
Corrected to March, 1927