



# Historic Resources Code Project

City Council Work Session  
October 19, 2021



# Today's Agenda

## Part 1 (50 min)

- BPS Historic Resources Program
- BDS/Historic Landmarks Commission
- Orientation to Historic Resources
- Historic Resource Examples
- Q+A (20 min)

## Part 2 (50 min)

- Summary of HRCP Proposals
- What's Not Included in HRCP
- Future Program Work
- Q+A (20 min)



Contributing resources in the Woodlawn Conservation District

# Bureau of Planning and Sustainability (BPS) Historic Resources Program



- Portland is a National Park Service **Certified Local Government**
- City required to comply with **State and Federal historic preservation laws**
- BPS **coordinates and provides historic preservation guidance** to bureaus
- Recent cross-bureau efforts include:
  - South Park Blocks Master Plan
  - Joyce Hotel Affordable Housing
  - Elk and other statues

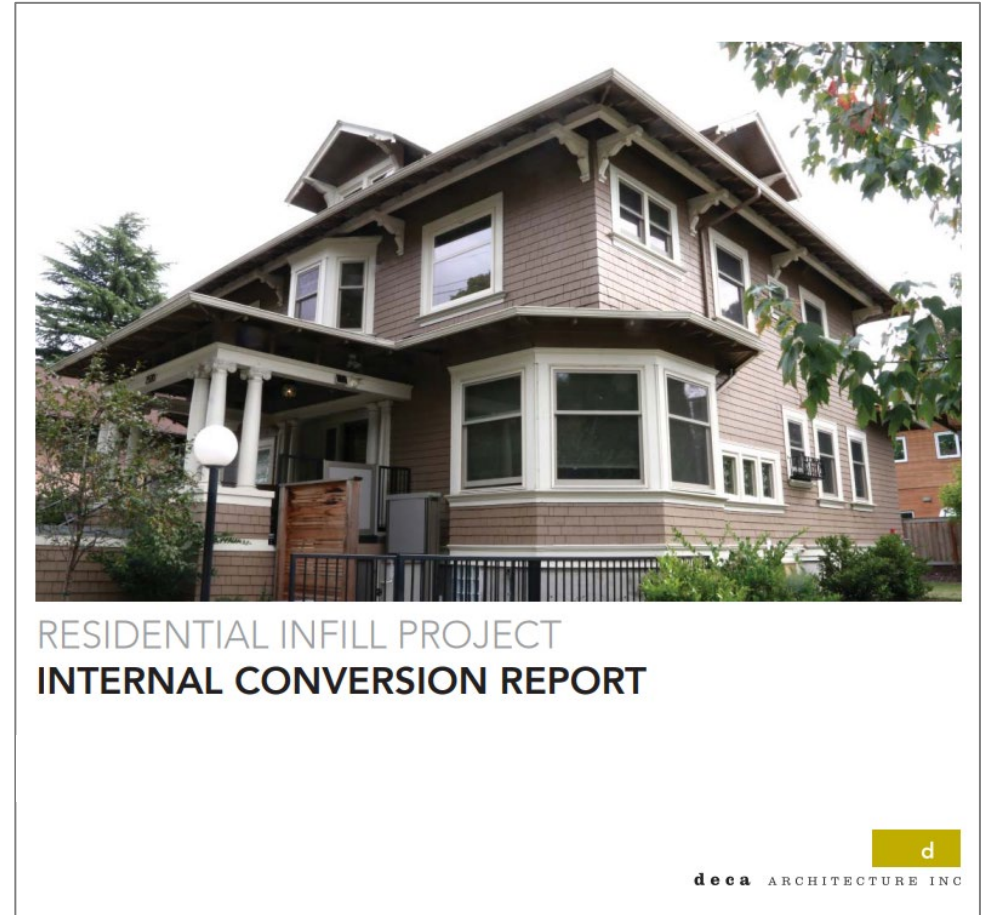


Billy Webb Elks Lodge. BPS sponsored a National Register Landmark nomination for the property in 2020.

# Bureau of Planning and Sustainability (BPS) Historic Resources Program



- Provide **public information** to owners, tenants, project teams, etc.
- Maintain of **Historic Resources Inventory database and webmap**
- Process **National Register Landmark and District nominations**
- Serve on legislative workgroups related to **preservation regulations and incentives**
- Special projects, including **technical studies**, support of **community efforts**, and **documentation of specific sites**



A BPS technical study on methods for adapting existing homes into middle housing uses

# Bureau of Planning and Sustainability (BPS) Historic Resources Program



- Supporting **Landmark designation for underrepresented historic sites**. Recent examples include:
  - Golden West Hotel
  - Dean's Barber Shop & Beauty Supply
  - Mt. Olivet Baptist Church
  - Upcoming LGBTQ+ multi-property designation project
- Refinements to **Zoning Code, Zoning Map, and Historic District Design Guidelines**
- Program resourced at **1 FTE**



Walter Cole celebrating the National Register Landmark designation of the Darcelle House and Darcelle XV Club—community-driven nominations that were supported by BPS

# Bureau of Development Services (BDS) & Historic Landmarks Commission



- **BDS design and historic staff** conduct Land Use Reviews for development projects affecting historic resources
- The **Historic Landmarks Commission** is a seven-member voluntary board who provide expertise and serve as the decision-maker for certain Land Use Reviews for historic resources
- **Land Use Review fees** are set annually and correspond to the complexity of the review (i.e. Type I is a simple review, Type III a complex review)



An addition to the Historic Landmark Troy Laundry Building, approved in 2020 by the Historic Landmarks Commission

# What are Historic Resources?



- The **universe of places** with significance to one or more communities
- Places that are documented and included in the City **Historic Resources Inventory (HRI)**,
- Resources on the HRI determined by the City to be **significant resources**
- **City Historic Landmarks and Districts**
- **City Conservation Landmarks and Districts**
- **National Register Landmarks and Districts**
  - Current code automatically applies City Historic Landmark/District status upon National Register listing



# What are Landmarks and Districts?



- Can be **buildings, districts, signs, open spaces, structures, etc.**
- Landmarks and District must possess both **significance and integrity**
- Landmark and District designation requires **extensive documentation**
- City designation considers **land use consequences of designation**
- National Register **does not consider land use consequences of listing**
- **50% owner consent required** for City or National Register designation

United States Department of the Interior  
National Park Service

**National Register of Historic Places Multiple Property Documentation Form**

This form is used for documenting property groups relating to one or several historic contexts. See instructions in National Register Bulletin How to Complete the Multiple Property Documentation Form (formerly 16B). Complete each item by entering the requested information. For additional space, use continuation sheets (Form 10-900-a). Use a typewriter, word processor, or computer to complete all items.

New Submission  Amended Submission

**A. Name of Multiple Property Listing**  
African American Resources in Portland, Oregon, from 1851 to 1973

**B. Associated Historic Contexts**  
(Name each associated historic context, identifying theme, geographical area, and chronological period for each.)

- I. Settlement Patterns
- II. Business and Employment
- III. Journalism
- IV. Entertainment and Recreation
- V. Benevolent and Fraternal Societies
- VI. Religion and Worship
- VII. Civil Rights

**C. Form Prepared by**

Catherine Galbraith with Caitlyn Ewers, Kerrie Franey,  
name/title Matthew Davis, and Brandon Spencer-Hartle date April 27, 2020  
organization Bosco-Milligan Foundation/Architectural  
Heritage Center and City of Portland telephone 503-823-4641  
street & number 1900 SW 4<sup>th</sup> Avenue #7100 email brandon.spencer@portlandoregon.gov  
city or town Portland state OR zip code 97201

**D. Certification**  
As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this documentation form meets the National Register documentation standards and sets forth requirements for the listing of related properties consistent with the National Register criteria. This submission meets the procedural and professional requirements set forth in 36 CFR 60 and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.

(See continuation sheet for additional comments.)

[Signature] 05/22/20  
Signature and title of certifying official: Deputy State Historic Preservation Officer Date

Oregon State Historic Preservation Office  
State or Federal Agency or Tribal government

I hereby certify that this multiple property documentation form has been approved by the National Register as a basis for evaluating related properties for listing in the National Register.

Signature of the Keeper \_\_\_\_\_ Date of Action \_\_\_\_\_

**National Register of Historic Places**  
Date Listed 7-1-2020  
NRIS No. MC100005337  
Oregon SHPO

This 193-page "Multiple Property Document" establishes Landmark eligibility for scores of Black historic sites

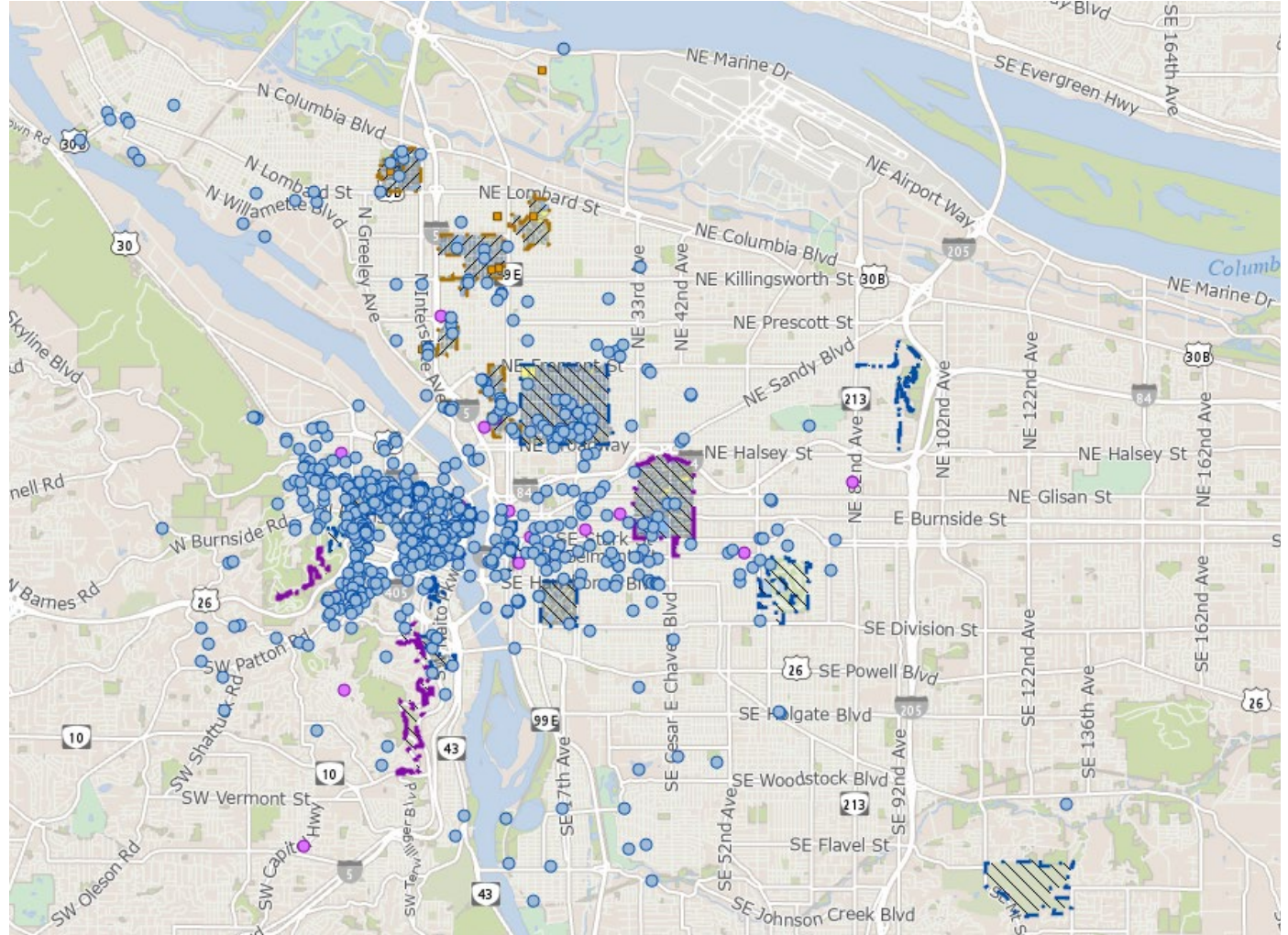


# Portland's Landmarks & Districts



- **Historic Landmarks=735\***
- **Historic Districts=20\***
- **Conservation Landmarks=12**
- **Conservation Districts=6**

\*Includes City-designated and National Register-listed Landmarks and Districts. The existing Zoning Code automatically applies Historic Landmark/District status to National Register listings



Map of existing Landmarks and Districts, reflecting the geographic and thematic inequity of designations

# Incentives for Historic Preservation

- **Federal Rehabilitation Tax Credit** provides a 20% income tax credit for major rehabilitation of income-generating properties listed in the National Register
- **State Special Assessment Program** provides a 10-year “freeze” of assessed value for privately-owned properties listed in the National Register
- **Foundation Grants** available to certain Landmarks and properties in Districts, primarily those owned by nonprofits



The Historic Landmark Sovereign Hotel utilized State and Federal tax incentives for a major rehabilitation

# State and Federal Regulatory Context

- **Historic Preservation Act** requires cities to consider effects on historic resources
- **Land Use Goal 5** requires cities to apply Zoning Code protections to Landmarks and Districts
- **Land Use Goal 5** requires cities apply at least demolition review to National Register Landmarks and Districts
- **Portland's Comprehensive Plan** policies address protection and reuse of historic resources



A historic fourplex in the South Portland Historic District

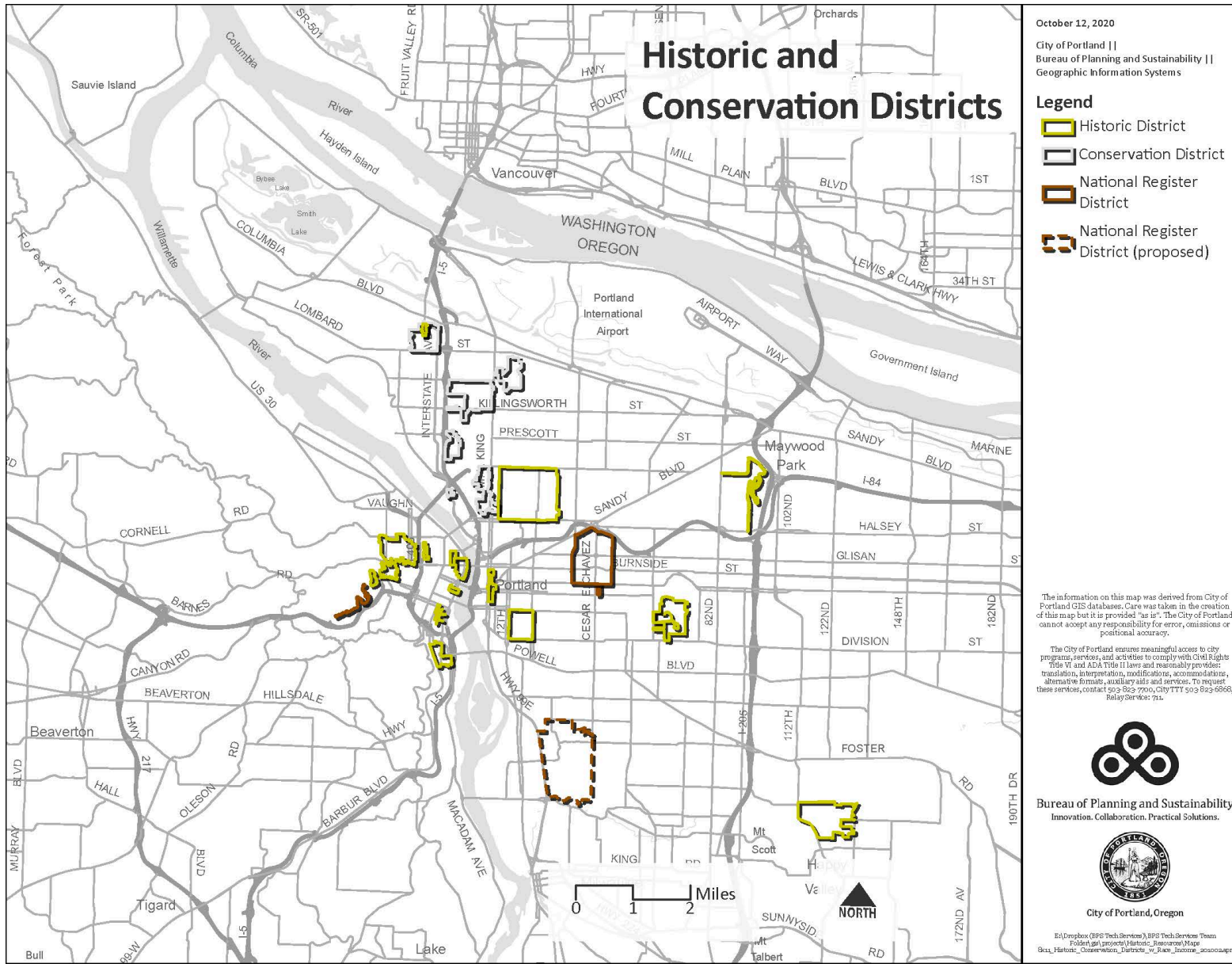
# Zoning Code Historic Resource Regulations

- **Demolition Review** requires a public hearing and decision on demolition
- **Demolition Delay** is administrative and cannot be extended or appealed
- **Historic Resource Review** ensures alterations, additions, and new construction are compatibly designed
- **Design standards** are an objective alternative to historic resource review
- **Base zone uses** allowed in Landmarks and Districts (i.e. RIP allows duplex uses)

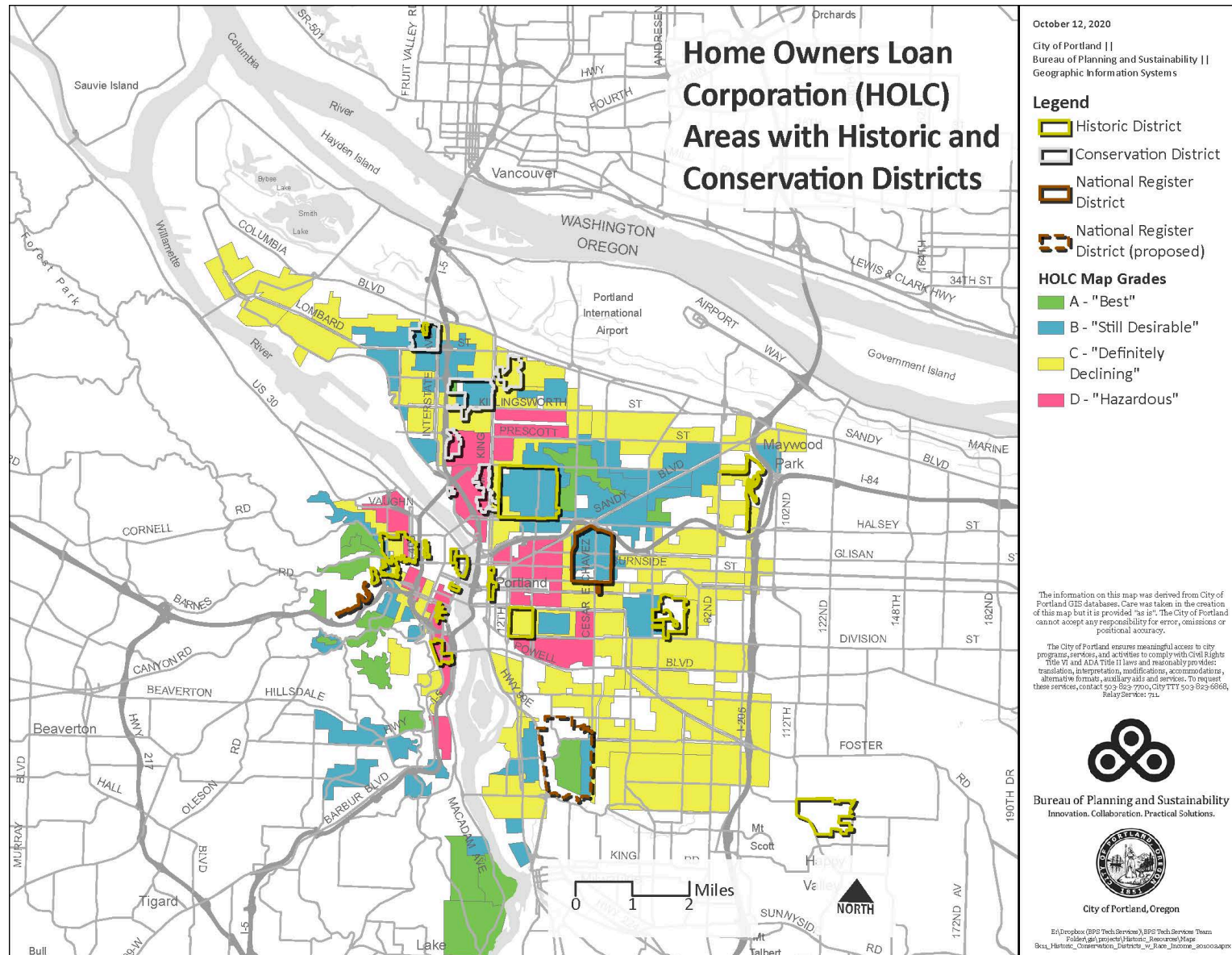


Current Zoning Code hierarchy of protections

# A Bit About Districts



# A Bit About Districts



# Example: Rutherford House Historic Landmark

- **Significant not for architecture,** but for Otto and Verdell Rutherford and NAACP
- Listed in the National Register; **automatically protected as a Historic Landmark**
- One of 5 (soon to be 8) Landmark listings specifically **designated for African American history**
- Subject to **demolition review and historic resource review**



Otto and Verdell Rutherford House

# Example: Irvington Historic District

- Significant for **architecture and development patterns**
- Nominated to National Register by **Irvington Community Association**
- Listed in the National Register; **automatically protected as a Historic District**
- Contributing (i.e. historic) resources subject to **demolition review**
- Additions, alterations, and new construction throughout the district subject to **historic resource review**



Blue lots are contributing; yellow are noncontributing



# Part 1 Council Q+A



Golden West Hotel. Photo: Intisar Abioto

# Why the Historic Resources Code Project?

- **State Admin Rule changed in 2017**, mandating Zoning Code amendments
- **National Register listing** has allowed large residential areas to be protected as Historic Districts without inclusive land use process
- Existing **regulations are unnecessarily restrictive** for minor alterations
- **Diverse histories** are underrepresented across the Historic Resource Inventory
- **Adaptive reuse flexibility** is needed to prompt seismic, safety, and energy upgrades to Landmarks and Districts



Dean's, a significant Black-owned business recently nominated to the National Register of Historic Places

# Project Value Propositions

- **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 changing needs** of Portlanders.



North Portland's Palms sign

# HRCP Engagement Process

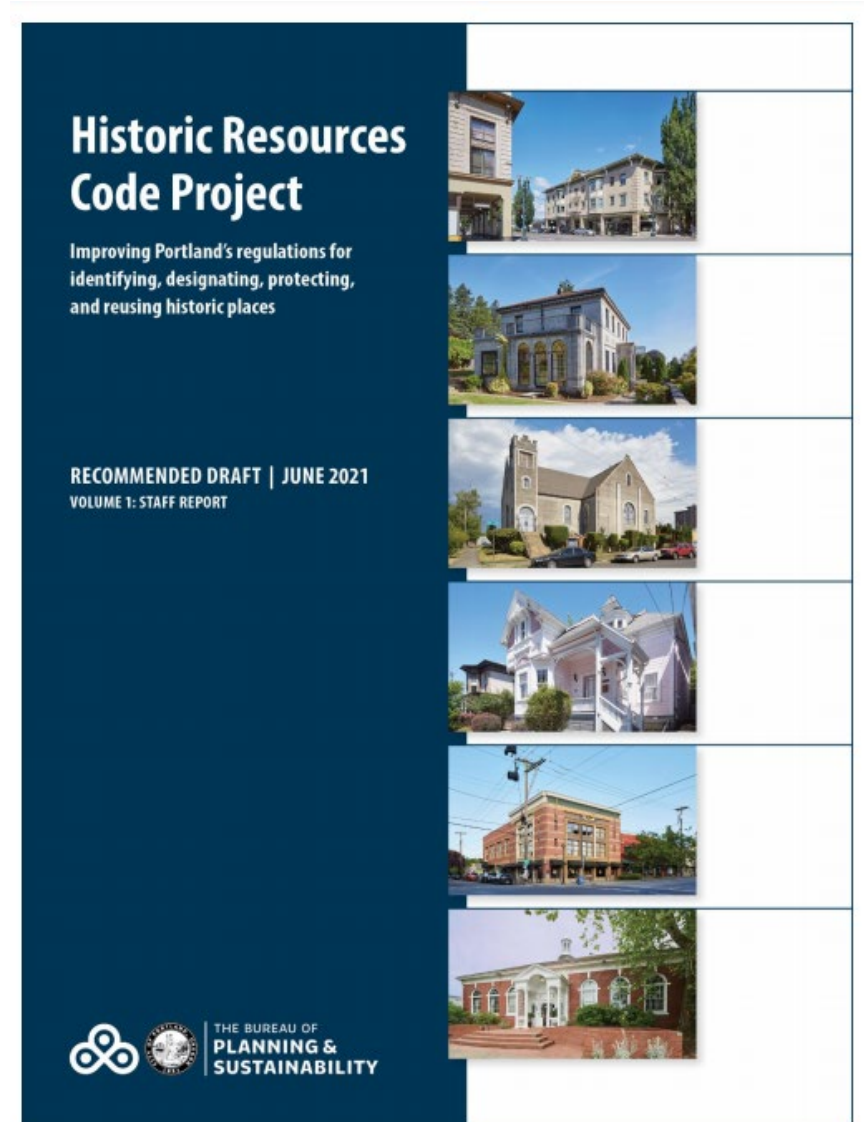
- 2018 – **Concept development** outreach at events and online
- 2019 – **Discussion Draft published;** public outreach at events and online
- 2020 – **Proposed Draft** published; public hearings held by PSC
- May 2021 – **PSC unanimously recommended adoption** following seven work sessions
- June 2021 – **Recommended Draft** published; testimony window opened
- **Mailed notice** sent to all historic resources



Historic Resources Code Project concept workshop (2018)

# HRCP Amendment Themes

1. **Identification** – Expand the types of resources included on the Historic Resource Inventory
2. **Designation** – Revise the process and criteria for designating—and removing—City Historic and Conservation Landmark and District designation
3. **Protection** – Refine the demolition and design regulations that apply to the different categories of Landmarks and Districts.
4. **Reuse** – Provide adaptive reuse incentives to allow for greater rehabilitation viability, community access, and inclusive uses.
5. **Administration** – Improve the code for use by applicants, City staff, and the public.

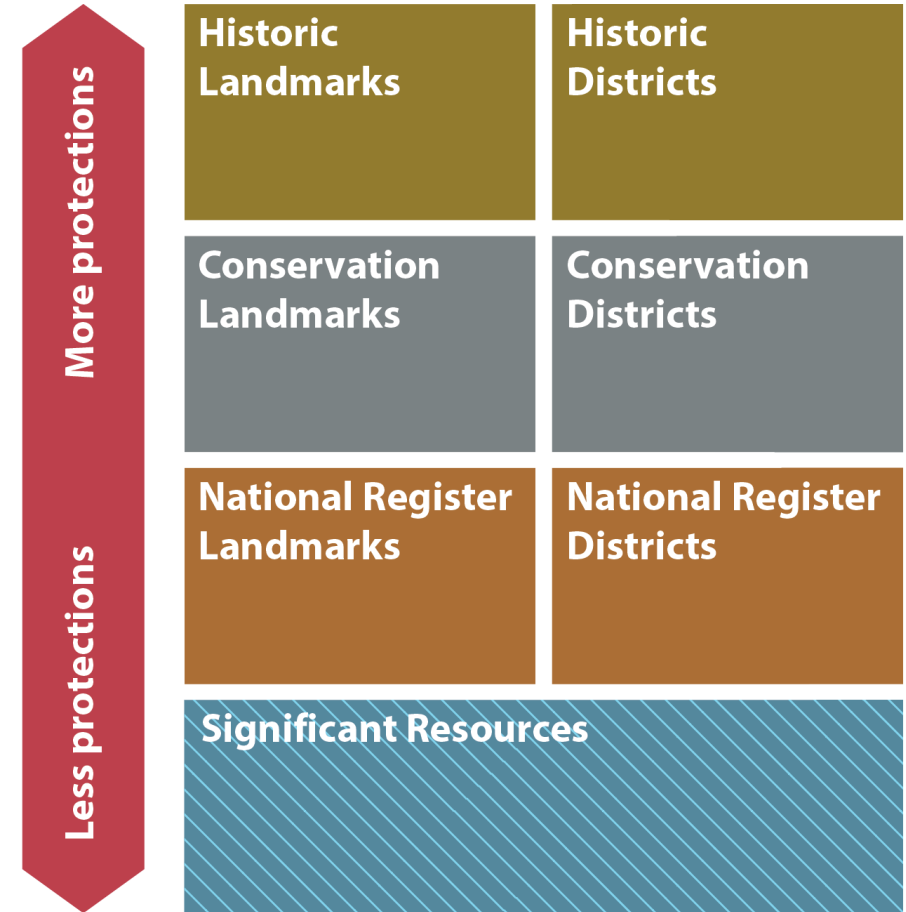


# THEME 1: IDENTIFICATION

**Proposal 1.a.** Clarify the Historic Resources Inventory (HRI) as an umbrella term and establish new definitions for all historic resource types that makeup the HRI.

**Proposal 1.b.** Establish a clear hierarchy of those historic resources for the purposes of protection. Include all National Register listings since 2017 in the lowest tier of Landmark and District protection.

**Proposal 1.c.** Remove vestigial zoning code provisions pertaining to historic resources that are not Landmarks, Districts, or determined to be Significant Resources.



# THEME 2: DESIGNATION

**Proposal 2.a.** Establish a procedure to determine Significant Resource status without necessitating Landmark or District designation.

**Proposal 2.b.** Revise the criteria and procedures for locally designating, amending and removing City Landmark and District status.\*

\*The City cannot add or remove resources from the National Register, but can amend the level of protection applied to those resources



A National Register Landmark. Photo: Chris Botero.

# THEME 3: PROTECTION (DEMOLITION)

**Proposal 3.a.** Ensure demolition review applies to City-designed Landmarks and contributing resources in City-designated Districts.

Expand demolition review approval criteria to scale with the level of protection (i.e. fewer demolition criteria for Historic Landmarks; more for National Register Districts).

Exempt contributing garages and sheds from demolition review



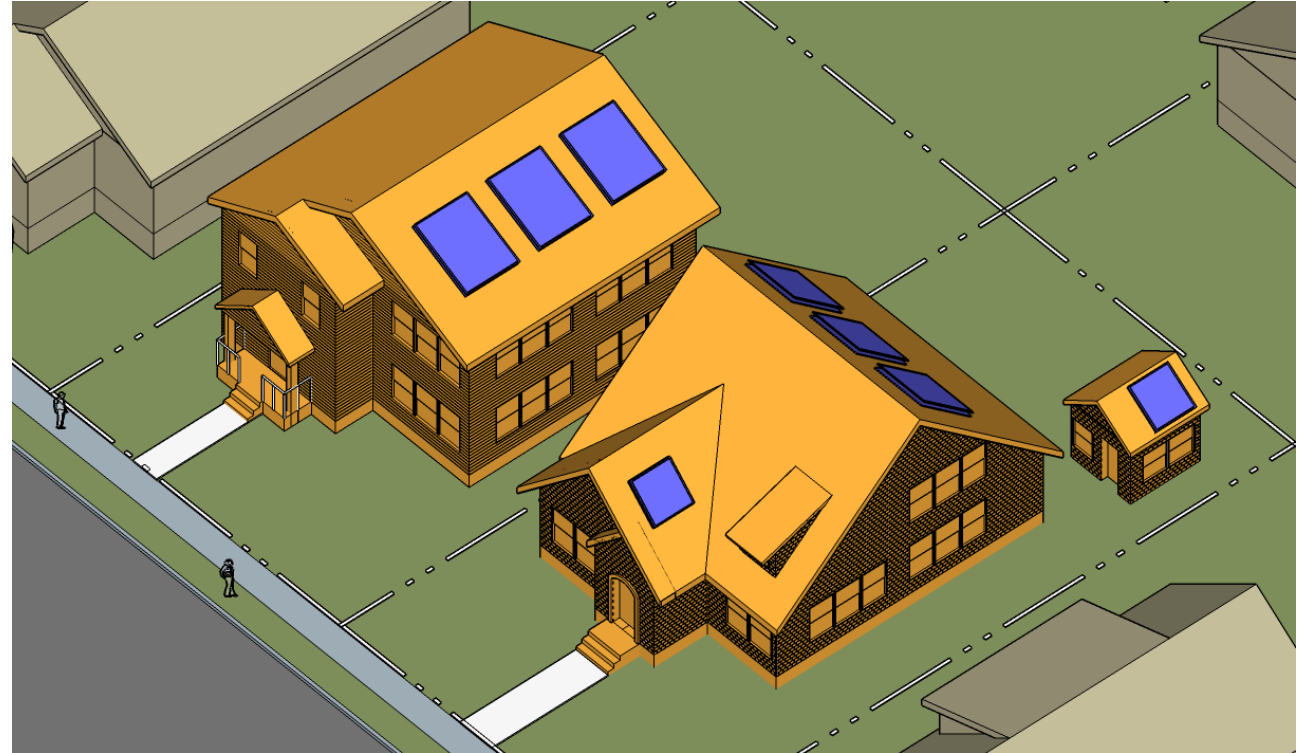
Demolition of a Significant Resource. Photo: Scott Tice.



# THEME 3: PROTECTION (DESIGN)

**Proposal 3.b.** Increase the list activities exempt from design protections for Historic and Conservation Landmarks and Districts (such as solar panels and new accessory buildings).

Exempt National Register Landmarks and Districts listed since 2017 (and those that have their City Historic Landmark or District status removed in the future) from any design protections



Certain solar installations would no longer require review

# THEME 3: SUMMARY OF PROTECTIONS



\*The code amendments would allow City Council the authority to move existing Landmarks and Districts up and down the hierarchy as the result of a future land use process. All National Register listings since 2017 would be protected as National Register Landmarks and Districts as a result of HRCPP

# THEME 4: REUSE

**Proposal 4.a.** Exempt all Landmarks and Districts from parking requirements.

**Proposal 4.b.** Expand code incentives for adaptive reuse, including additional housing types and accessory retail uses in residential zones.

**Proposal 4.c.** Streamline floor-to-area ratio (FAR) transfer provisions.



Anna Mann House, a Historic Landmark, currently undergoing rehabilitation for 129 family-oriented affordable housing units

# THEME 5: ADMINISTRATION

**Proposal 5.a.** Refine purpose statements, procedure types, and associated language.

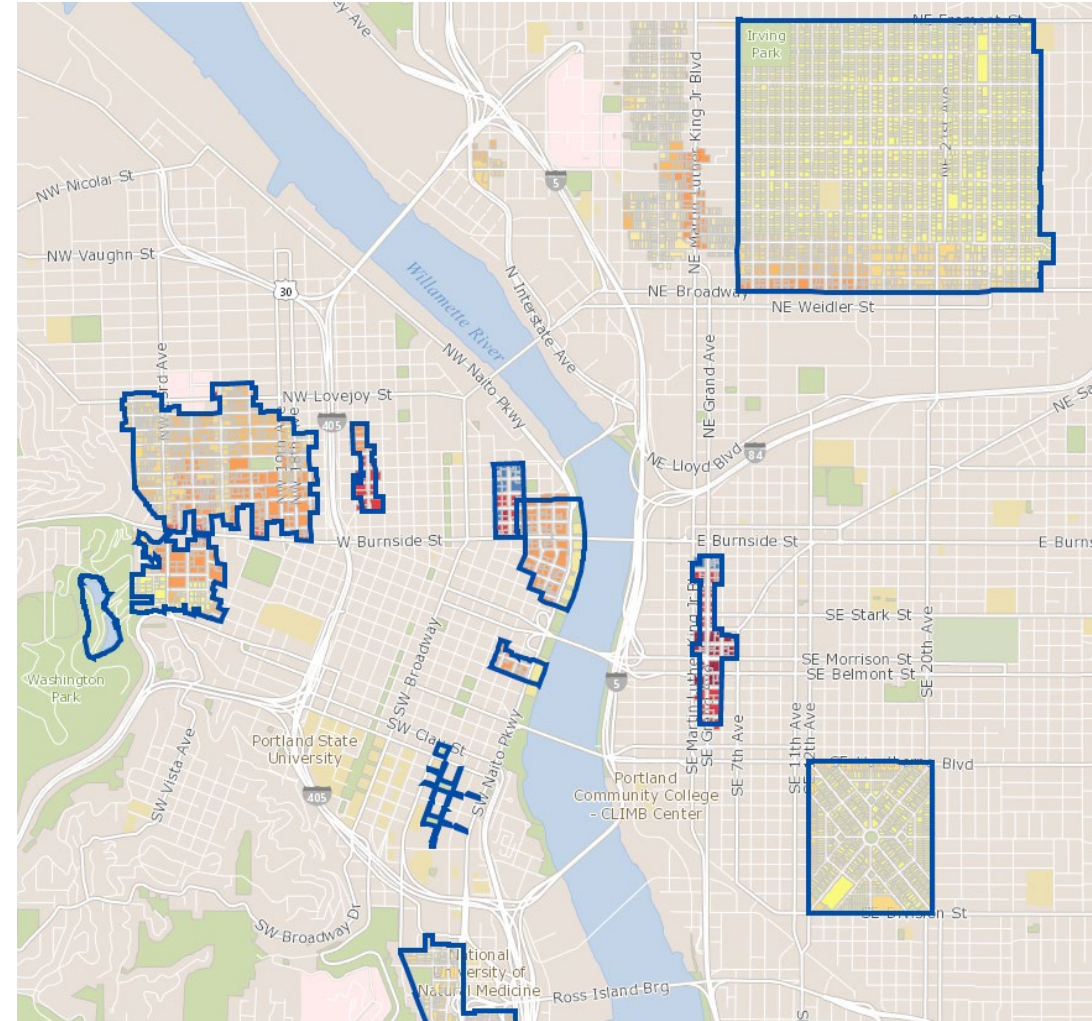
**Proposal 5.b.** Amend the role and makeup of the Historic Landmarks Commission.



NW 13<sup>th</sup> Avenue Historic District

# What's Not Included in HRCPP

1. **New Designations** – Scope of community engagement and research requires outside funding
2. **Existing Designations** – HRCPP establishes a framework for reevaluating specific Landmarks and Districts
3. **Height and FAR allowances** – Zoning refined in most Historic Districts over last 5 years, with extensive findings justifying those decisions
4. **District-specific guidelines** – Revisions to South Portland Historic District Design Guidelines on deck for 2022 adoption



Allowed height limits in Historic Districts

# Possible Future Work (Funding TBD)

1. **Historic Resource Inventory updates**—including new Landmark and District designations—in partnership with underrepresented communities
2. **Reevaluation of existing Landmark and District designations** within new code framework
3. Updates to outdated Historic and Conservation District **design guidelines and standards**
4. **Legacy Business and/or Cultural District Programs** outside of the Zoning Code



The Other Inn, one of Portland's first gay venues

# HRCP Adoption Timeline

- **November 3** – Council Hearing; written record closes
- **November 12** – Council amendment requests due to BPS
- **November 24** – Amendments published
- **December 8** – Amendments hearing
- **January 5** – Council vote
- **January 12** – Council second reading
- **March 1** – Code effective date



Arleta Library, a Historic Landmark

# Part 2 Commissioner Q+A

- Testimony being submitted on **Map App**
- November 3 hearing expected to generate significant virtual testimony



Washington High School (Revolution Hall)