



Oregon  
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development  
635 Capitol Street, Suite 150  
Salem, OR 97301-2540  
(503) 373-0050  
Fax (503) 378-5518  
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/09/2013

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment  
DLCD File Number 004-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, September 26, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. **NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.**

Cc: Kimberli Fitzgerald, City of Salem  
Gordon Howard, DLCD Urban Planning Specialist  
Angela Lazarean, DLCD Regional Representative  
Amanda Punton, DLCD Natural Resources Specialist

<paa> YA



FORM 2

DLCD

# Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person  electronic  mailed

DEPT OF

SEP 05 2013

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Salem**

Local file number: **CA13-06**

Date of Adoption: **8/26/2013**

Date Mailed: **8/30/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: **4/11/2013**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amending the existing Historic Preservation Chapter 230 of Salem Revised Code to add design standards for alterations to public historic resources. Additional amendments have been added to Chapter 230 which provide a streamlined process for State agencies to work with either the Oregon State Historic Preservation Office or the City of Salem to satisfy both local and State historic design review and mitigation requirements.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **NA**

to:

Zone Map Changed from: **NA**

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD File No. 004-13(19794) [17595]

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Kimberli Fitzgerald, Historic Plann** Phone: (503) 540-2397 Extension:  
Address: **555 Liberty St SE, Rm 305** Fax Number: **503-588-6005**  
City: **Salem** Zip: **97301-** E-mail Address: **kfitzgerald@cityofsalem.net**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

September 3, 2013

***Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173.***

**NOTICE OF FINAL DECISION: Ordinance No. 25-13  
Amending SRC Chapter 230, Historic Preservation**

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 25-13 at the August 26, 2013 session. Ordinance No. 25-13 replaces section 230.060, Public Historic Districts, with new sections within Chapter 230 which include historic design review criteria for public historic resources. A copy of the ordinance is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, **not later than 21 days after September 3, 2013**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions, modifications, and conditions of approval, if any is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.



Jason Richling,  
AIC Urban Planning Administrator

cc: See Attached List

<http://www.cityofsalem.net/planning>

**Ordinance No. 25-13**  
**(Code Amend. CA13-06)**  
**SRC Chapter 230**  
**Historic Preservation**

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ATTN: Mona West  
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Marion Co. Brd of Commissioners  
P.O. Box 14500  
Salem Oregon 97309-5036

Polk Co Brd of Commissioners  
Polk County Courthouse  
850 Main St  
Dallas OR 97338

State of Oregon  
State Historic Preservation Office  
ATTN: Roger Roper  
725 Summer St NE, Suite C  
Salem OR 97301-1266

State of Oregon  
Oregon Health Authority  
ATTN: Jodie Jones  
P.O. Box 13624  
Salem OR 97309

State of Oregon  
Dept. of Transportation  
ATTN: Susan Haupt  
4040 Fairview Ind. Dr SE  
Salem OR 97302-1142

Historic Preserv. League of OR  
ATTN: Peggy Moretti, Exec Dir  
24 NW 1<sup>st</sup> Ave  
Portland OR 97209

State of Oregon  
Dept. of Forestry  
ATTN: Robert McKee  
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Community Dev., Room 305

*Via EMAIL*  
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G:\CD\PLANNING\CASE APPLICATION Files  
2011-On\CODE AMENDMENTS\1-Forms-  
Templates\1 - MAILING MATRIX for Recomend's  
to Council or SIGNED Council ORD's 8-27-13.doc



1 **ORDINANCE BILL NO. 25-13**

2 RELATING TO THE HISTORIC DISTRICTS AND THE PRESERVATION OF PUBLIC  
3 HISTORIC RESOURCES; AMENDING SRC 230.005, SRC 230.020 AND SRC 230.085;  
4 CREATING NEW PROVISIONS; AND REPEALING SRC 230.060

5 *The City of Salem ordains as follows:*

6 **Section 1.** SRC 230.005 is amended to read as follows:

7 **230.005. Definitions; Rules of Decision; Administrative Resources.**

8 (a) Unless the context specifically indicates otherwise, as used in this Chapter the  
9 following mean:

10 (1) Alteration means a physical modification of the exterior of a historic  
11 resource that does not include an expansion of the building footprint.

12 Alterations do not include painting, color selection, or ordinary maintenance  
13 or repair of the resource.

14 (2) Addition means an expansion or physical modification of the exterior of a  
15 historic resource that includes the expansion of the building footprint.

16 Additions do not include painting and color selection or ordinary maintenance  
17 or repair of the resource.

18 (3) Building means a structure created to shelter any form of human activity,  
19 such as a house, barn, church, hotel, or similar structure. Building may refer  
20 to a historically related complex such as a courthouse and jail or a house and  
21 barn.

22 (4) Primary façade means that part of a historic resource where the main entry  
23 is located. On a corner lot each wall fronting the street shall be considered a  
24 primary façade.

25 (5) Historic district means a geographically definable area containing a  
26 significant concentration, linkage, or continuity of buildings, structures, sites,  
27 or objects united historically or aesthetically by plan or physical development,  
28 and listed as a historic district in the National Register of Historic Places. A  
29 historic district may also comprise individual elements separated  
30 geographically but linked by association or history. Historic districts are

1 defined by a period of significance. National Register District nominations for  
2 historic district designation are processed by the Oregon State Historic  
3 Preservation Office (SHPO) and reviewed by the State Advisory Committee  
4 on Historic Preservation (SACHP). The final decision for listing on the  
5 National Register of Historic Places is made by the National Park Service.  
6 Property owners within the proposed National Register Districts are notified  
7 by SHPO and have the opportunity to object. 36 CFR 60.6 provides that if  
8 fifty-one percent of owners object to the proposed district, the nomination  
9 cannot proceed to review by SACHP and the National Park Service. The  
10 Historic Landmarks Commission and City Council have the opportunity to  
11 comment and make recommendations on the nomination prior to review by  
12 SACHP.

13 (6) Historic contributing building means a building or structure in a historic  
14 district that existed during the period of significance, and has retained  
15 sufficient integrity to convey the history of the district and to contribute to its  
16 character.

17 (7) Historic non-contributing building means a building or structure in a  
18 historic district that existed during the period of significance, but has been so  
19 altered that it no longer conveys the history of the district or contributes to its  
20 character.

21 (8) Historic preservation means preservation, restoration, or rehabilitation of  
22 a historic resource.

23 (9) Historic resource means a historic contributing building, individually  
24 listed resource, a site or an object that is an individually listed resource or  
25 designated as a historic-contributing site or an object in a historic district.

26 (10) Individually listed resource means a building, structure, site, or object  
27 listed individually on the National Register of Historic Places or designated as  
28 a local historic resource by the City Council.

29 (11) Local historic resource means a building, structure, site, or object  
30 designated as a local historic resource pursuant to this Chapter.

1 (12) Non-contributing building means a historic non-contributing building or  
2 a non-historic non-contributing building.

3 (13) Non-historic non-contributing building means a building or structure in a  
4 historic district that did not exist during the period of significance.

5 (14) Object means a material thing of functional, aesthetic, cultural, historic  
6 or scientific value that may be, by nature or design, movable yet related to a  
7 specific setting or environment.

8 (15) Original means the component was constructed on or added to the  
9 building during the period of significance.

10 (16) Period of significance means the dates stated in the official designation  
11 of a historic district by the National Parks Service that identifies the period or  
12 periods of time when geographic area attained the characteristics which  
13 qualify the area for designation as a historic district.

14 (17) Property pending designation means a building, structure, site, or object  
15 for which a formal application for local historic designation has been initiated,  
16 or which has been recommended for nomination to the National Register of  
17 Historic Places by SACHP, or a building, structure, site, or object within a  
18 proposed historic district for which a formal application for historic  
19 designation has been submitted, but which have not yet been reviewed by the  
20 Keeper of the National Register, or has been reviewed by the Keeper and  
21 determined to be "eligible."

22 (18) Preservation means the act or process of applying measures necessary to  
23 sustain the existing form, integrity, and materials of a historic resource.  
24 Work, including preliminary measures to protect and stabilize the resource,  
25 generally focuses on the ongoing maintenance and repair of historic materials  
26 and features rather than extensive replacement and new construction. New  
27 exterior additions are not considered preservation; however, the limited and  
28 sensitive upgrading of mechanical, electrical, and plumbing systems and other  
29 code-required work to make properties functional is appropriate within a  
30 preservation project.

1                   (19) Public agency means the State of Oregon, and all the administrative  
2                   subdivisions thereof, including, but not limited to, the Oregon Department of  
3                   Administrative Services.

4                   (20) Public historic resource means a historic resource that is owned by a  
5                   public agency.

6                   ~~(1921)~~ Restoration means the act or process of accurately depicting the form,  
7                   features, and character of a historic-contributing resource or historic-non-  
8                   contributing resource as it appeared at a particular period of time by means of  
9                   the removal of features from other periods in its history and reconstruction of  
10                  missing features from the restoration period. The limited and sensitive  
11                  upgrading of mechanical, electrical, and plumbing systems and other code-  
12                  required work to make properties functional is appropriate within a  
13                  preservation project.

14                  ~~(2022)~~ Rehabilitation means the process of making possible a compatible use  
15                  for a historic-contributing resource or individually listed resource through  
16                  repair, alterations, and additions, while preserving those portions or features  
17                  which convey its historical, cultural, or architectural values.

18                  ~~(2123)~~ Reconstruction means the act or process of depicting, by means of  
19                  new construction, the form, features, or detailing of a non-surviving building,  
20                  or structure for the purpose of replicating its appearance at a specific period of  
21                  time and in its historic location.

22                  (24) SHPO means the Oregon State Historic Preservation Office.

23                  ~~(2225)~~ Site means the location of a significant event, a prehistoric or historic  
24                  occupation or activity, or a building or structure, whether standing, ruined, or  
25                  vanished, where the location itself maintains historical or archaeological value  
26                  regardless of the value of any existing structure.

27                  ~~(2326)~~ Structure means a work made up of interdependent and interrelated  
28                  parts in a definite pattern of organization. Constructed by humans, a structure  
29                  is often an engineering project large in scale.  
30

1                   (2427) Visible means the resource, or a portion of the resource can be seen  
2                   from the public right of way. For example, typically the primary façade of a  
3                   historic resource can be seen from the public right of way.

4                   **(b) Supplemental Standards and Guidelines for Historic Design Review.** In  
5                   the event the standards and guidelines contained in this Chapter fail to provide  
6                   regulations for a specific type of historic resource, the rules of the decision will be  
7                   the Secretary of the Interior's Standards for Rehabilitation and Guidelines for  
8                   Rehabilitating Historic Buildings, published by the U.S. Department of the  
9                   Interior, National Park Service.

10                  **(c) Authority to Promulgate Guidelines.** The Director may, upon consultation  
11                  with the Historic Landmarks Commission, promulgate illustrative guidelines to  
12                  provide general guidance to interested persons on the application of the standards  
13                  in this Chapter.

14                  **Section 2.** The following SRC 230.017 is hereby added to SRC Chapter 230:

15                  **230.017. Recording Notice of Historic District.** The Director shall cause to be recorded in  
16                  the docket of city liens created pursuant to SRC 21.060 a notice of historic district for each  
17                  property where any portion of the property lies within the historic district. The recording of  
18                  such notice shall not create, and shall not be deemed to create, a lien or other encumbrance  
19                  on such property.

20                  **Section 3.** The following SRC 230.018 is hereby added to SRC Chapter 230:

21                  **230.018. Public Historic Design Review Jurisdiction.** The City of Salem has jurisdiction  
22                  over historic design review for all public historic resources. If the public agency is the State  
23                  of Oregon, or any administrative subdivision of the State of Oregon, the public agency may  
24                  enter into a program with SHPO for the conservation of the historic resource pursuant to  
25                  ORS 358.653, in which case historic design review for that historic resource is exempted  
26                  from this Chapter, provided, however, that such program complies with Secretary of the  
27                  Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings,  
28                  published by the U.S. Department of the Interior, National Parks Service, and the public  
29                  agency provides the Director with notice of such election, no later than the date the contract  
30                  for construction is advertised for bids.

1 **Section 4.** SRC 230.020 is amended to read as follows:

2 **230.020. Historic Design Review.**

3 (a) **Applicability.** Unless undertaken by a public agency pursuant to a program  
4 established between the public agency and SHPO under ORS 358.653, no exterior  
5 portion of a historic resource, non-contributing building, or new construction in a  
6 historic district shall be erected, altered, restored, moved or demolished until  
7 historic review approval has been granted, as provided in this section.

8 (1) Historic design review is required for the following:

9 (A) Remodeling or repair that would change, in any manner, the exterior  
10 of a historic resource or a building or structure in a historic district, but  
11 excluding painting.

12 (B) Moving a historic resource, or moving a building or structure into or  
13 out of a historic district.

14 (C) Construction of a new building in a historic district.

15 (D) Alteration of, or addition to, a historic resource, or to a non-  
16 contributing building in a historic district.

17 (E) Construction of new walks, fences, parking facilities, and other  
18 features on the site of a historic resource, when adjacent to or within view  
19 of public right-of-way.

20 (F) Demolition of a historic resource.

21 (G) Streetscape improvements in historic districts.

22 (2) Historic design review is not required for the following:

23 (A) Ordinary maintenance or repair of any exterior architectural feature of  
24 a historic resource or non-contributing building in a historic district to  
25 correct deterioration, decay, or damage, or to sustain the existing form.  
26 By way of illustration, but not of limitation, ordinary maintenance and  
27 repair includes replacement of cracked or broken window panes; surface  
28 treatment that is consistent with accepted historic preservation methods;  
29 replacement of broken hardware; repair of a portion of a window frame or  
30 sash, part of a roof or a small percentage of siding.

1 (B) Change in paint color of a historic resource or a non-contributing  
2 building in a historic district.

3 (C) Work conducted entirely within the interior of a historic resource or  
4 non-contributing building in a historic district which has no effect on  
5 exterior architectural features.

6 **(3) Buildings Partially Within and Partially Without Historic Districts.**

7 Where addition or alteration to the exterior of a historic contributing resource  
8 or non-contributing building in a historic district, or construction of a new  
9 building in a historic district, will occur partially inside and partially outside  
10 of the district boundaries, historic design review is required for that portion of  
11 the building that is within the district and, if the majority of the area of the  
12 building is inside the historic district, for that portion of the building that is  
13 not within the historic district.

14 **(4) Relationship to Other Land Use Reviews.** Projects that require historic  
15 design review may also require other land use reviews. If other land use  
16 reviews are requirements for development, such reviews shall be held prior to  
17 or concurrently with historic design review.

18 **(b) Objectives.**

19 The standards in this chapter shall be construed to do the following:

20 **(1) Historic Contributing Buildings and Individually Listed Resources.**

21 Historic contributing buildings and individually listed resources are valuable  
22 community resources that contribute immeasurably to the City's identity,  
23 history, unique sense of place, and quality of life. Preserving these buildings  
24 and resources involves careful planning, conscientious maintenance and  
25 repair, knowledgeable and informed restoration, and sensitive rehabilitation  
26 that accommodates modern business and residential lifestyles. The standards  
27 set forth in this Chapter for historic contributing buildings and individually  
28 listed resources are intended to preserve and enhance the buildings, resources  
29 and districts generally, while allowing for adaptive reuse through sensitive  
30 rehabilitation of these buildings and resources.

1                   **(2) Non-Contributing Buildings.** Some buildings and structures in a  
2 historic district are non-contributing. These buildings and structures typically  
3 do not contribute to the district’s historic significance because they either date  
4 from outside the district’s period of significance or their historic significance  
5 has been materially impaired by additions and alterations. The standards set  
6 forth in this Chapter for non-contributing buildings and structures do not  
7 require restoration to their original appearance or require imitation of the  
8 appearance of a historic contributing building or structure; rather, the  
9 objectives are two-fold. First, the objective for historic non-contributing is to  
10 return, when feasible, these buildings to a historic contributing state. Second,  
11 the objective for all non-contributing buildings is to maintain the visual  
12 coherence of the historic district as a whole.

13                   **(3) New Construction.** New buildings and structures will be built in historic  
14 districts. These new buildings and structures should enhance, rather than  
15 detract, from the overall character of the district. It is crucial that the existing  
16 harmony of proportions and materials be enhanced when new construction  
17 occurs. Therefore, the objective of the standards set forth in this Chapter for  
18 new construction is to ensure that the design and construction of new  
19 buildings and structures is consistent and compatible with the architectural  
20 styles of historic contributing buildings that are found in the district.

21                   **(c) Classes.** Historic design review is either “Minor” or “Major.” Table 230-1  
22 and Table 230-2 sets forth the activities that are Minor and Major Historic Design  
23 Review. Notwithstanding Table 230-1 and 230-2, any activity proposed that is not  
24 covered by the table or does not meet the specific standards set forth for historic  
25 contributing buildings in SRC 230.025, ~~and~~ SRC 230.040 and 230.061; or for non-  
26 contributing buildings and structures the standards set forth in SRC 230.030, ~~and~~  
27 SRC 230.045 and 230.063 of this section requires Major Historic Design Review.

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TABLE 230-1

HISTORIC DESIGN REVIEW BY REVIEW CLASS

Table 230-1: Historic Design Review by Review Class

Activity Proposed	Review Class					
	Historic Contributing			Non-Contributing		
	Visible	Not Visible	Applicable Code Section	Visible	Not Visible	Applicable Code Section
<b>Residential Historic Districts</b>						
Alterations and Additions	Major	Minor	230.025(g)	Major	Minor	230.030(g)
Deck Replacement and Additions	Major	Minor	230.025 (h)	Minor	N/A	230.030 (h)
Door Replacement	Major	Minor	230.065 230.025 (c)	Minor	N/A	230.070 230.030 (c)
Door Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (c)	Minor	N/A	230.030 (c)
Fences	Major	Minor	230.025 (j)	Minor	N/A	230.030 (j)
New Accessory Structures	Major	Minor	230.025 (i)	Major	Minor	230.030 (i)
Porch Replacement	Major	Minor	230.065 230.025 (d)	Minor	N/A	230.070 230.030 (d)
Porch Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (d)	Minor	N/A	230.030 (d)
Restoration of Missing Features	Major	Minor	230.025 (f)	Minor	N/A	230.030 (f)
Retaining Walls	Major	Minor	230.025 (k)	Minor	N/A	230.030 (k)
Roof Replacement	Minor	Minor	230.065 230.025 (e)	Minor	N/A	230.070 230.030 (e)
Roof Replacement <i>(In-Kind)</i>	N/A	N/A	230.025 (e)	N/A	N/A	230.030 (e)
Siding, Exterior Trim and Minor Architectural Features Replacement	Major	Minor	230.065 230.025 (a)	Minor	N/A	230.070 230.030 (a)
Siding, Exterior Trim and Minor Architectural Features Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (a)	Minor	N/A	230.030 (a)
Site Features Replacement	Major	Minor	230.065 230.025 (l)	Minor	N/A	230.070 230.030 (l)
Site Features Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (l)	Minor	N/A	230.030 (l)
Streetscape	Minor	-----	230.075	Minor	-----	230.075
Window Replacement	Major	Minor	230.065 230.025 (b)	Minor	N/A	230.070 230.030 (b)
Window Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (b)	Minor	N/A	230.030 (b)
<b>Commercial Historic Districts</b>						
Accessibility Alterations and Additions	Major	Minor	230.040 (h)	Minor	N/A	230.045 (h)
Alterations and Additions	Major	Minor	230.040 (f)	Major	Minor	230.045 (g)
Awnings and Canopies Replacement or Installation	Major	Minor	230.040 (k)	Minor	Minor	230.045 (k)
Awnings and Canopies Replacement or Installation <i>(In-Kind)</i>	Minor	Minor	230.040 (k)	Minor	N/A	230.045 (k)
Door Replacement	Major	Minor	230.065 230.040 (c)	Minor	N/A	230.070 230.045 (c)
Door Replacement <i>(In-Kind)</i>	Minor	Minor	230.040 (c)	Minor	N/A	230.045 (c)
Energy	Major	Minor		Minor	N/A	
Lintels, Architraves, Sills, and other Architectural Details Replacement	Major	Minor	230.065 230.040 (g)	Minor	N/A	230.070 230.045 (f)
Lintels, Architraves, Sills, and other	Minor	Minor	230.040 (f)	Minor	N/A	230.045 (g)

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**Table 230-1: Historic Design Review by Review Class**

Activity Proposed	Review Class					
	Historic Contributing			Non-Contributing		
	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>
Architectural Details Replacement <i>(In-Kind)</i>						
Masonry, Siding, and Exterior Trim Replacement	Major	Minor	230.065 230.040 (a)	Minor	N/A	230.070 230.045 (a)
Masonry, Siding, and Exterior Trim Replacement <i>(In-Kind)</i>	Minor	Minor	230.040 (a)	Minor	N/A	230.045 (a)
Mechanical Equipment and Service Areas Addition and Replacement	Major	Minor	230.065 230.040 (i)	Minor	N/A	230.070 230.045 (i)
Murals	Major	Minor	230.055	Major	N/A	230.055
Roof and Cornice Replacement	Major	Minor	230.065 230.040 (e)	Minor	N/A	230.070 230.045 (e)
Roof and Cornice Replacement <i>(In-Kind)</i>	N/A	N/A	230.040 (e)	N/A	N/A	230.045 (e)
Storefront, or Component of Storefront, Replacement	Major	Minor	230.065 230.040 (d)	Minor	N/A	230.070 230.045 (d)
Storefront, or Component of Storefront, Replacement <i>(In-Kind)</i>	Major	Minor	230.040 (d)	Minor	N/A	230.045 (d)
Streetscape	Minor	-----	230.075	Minor	-----	230.075
Window Replacement	Major	Minor	230.065 230.040 (b)	Minor	N/A	230.070 230.045 (b)
Window Replacement <i>(In-Kind)</i>	Minor	Minor	230.040 (b)	Minor	N/A	230.045 (b)
<b>Public Historic Districts</b>						
Streetscape	Minor		230.075	Minor		230.075
<b>Individually Listed Historic Resources</b>						
Any activity proposed	Follows review class for historic contributing buildings for the type of resource					
Activity Proposed <i>(New Construction)</i>	Review Class					
	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>			
Residential Historic Districts	Major	Major	230.035			
Commercial Historic Districts	Major	Major	230.050			
Public Historic Districts	Major	Major	230.065			

**TABLE 230-2**  
**PUBLIC HISTORIC DESIGN REVIEW BY REVIEW CLASS**

**Table 230-2: Public Historic Design Review by Review Class**

<u>Activity Proposed</u>	<u>Review Class</u>					
	<u>Historic Contributing</u>			<u>Non-Contributing</u>		
	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>
<b>Public Historic District</b>						
<u>Accessibility Alterations and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (j)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (j)</u>
<u>Alterations and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (g)</u>	<u>Major</u>	<u>Minor</u>	<u>230.063 (g)</u>
<u>Awnings and Canopies Replacement or Installation</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (m)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.063 (m)</u>
<u>Awnings and Canopies Replacement or Installation (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (m)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (m)</u>
<u>Decks Replacement and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (h)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (h)</u>
<u>Door Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (c)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (c)</u>
<u>Door Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (c)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (c)</u>
<u>Energy</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (k)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (k)</u>
<u>Fences</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (o)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (o)</u>
<u>Lintels, Architraves, Sills, and other Architectural Details Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (i)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (i)</u>
<u>Lintels, Architraves, Sills, and other Architectural Details Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (i)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (i)</u>
<u>Masonry, Siding, and Exterior Trim Replacement Details Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Masonry, Siding, and Exterior Trim Replacement Details Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Mechanical Equipment and Service Areas Addition and Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (l)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (l)</u>
<u>Signs</u>	<u>Major</u>	<u>Minor</u>	<u>230.062</u>	<u>Major</u>	<u>N/A</u>	<u>230.061</u>
<u>New Accessory Structures</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (n)</u>	<u>Major</u>	<u>Minor</u>	<u>230.063 (n)</u>
<u>Porch Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (d)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (d)</u>
<u>Porch Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (d)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (d)</u>
<u>Restoration of Missing Features</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (f)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (f)</u>
<u>Retaining Walls</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (p)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (p)</u>
<u>Roof and Cornice Replacement</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (e)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.063 (e)</u>
<u>Roof and Cornice Replacement (In-Kind)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.061 (e)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.063 (e)</u>
<u>Site Features Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (q)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (q)</u>

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**Table 230-2: Public Historic Design Review by Review Class**

<u>Activity Proposed</u>	<u>Review Class</u>					
	<u>Historic Contributing</u>			<u>Non-Contributing</u>		
	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>
<u>Site Features Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Streetscape</u>	<u>Minor</u>	<u>-----</u>	<u>230.075</u>	<u>Minor</u>	<u>-----</u>	<u>230.075</u>
<u>Window Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (b)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (b)</u>
<u>Window Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (b)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (b)</u>

**(d) Procedure Type.**

- (1) Minor Historic Design Review is processed as a Type I procedure under SRC Chapter 300.
- (2) Major Historic Design Review is processed as a Type III procedure under SRC Chapter 300.

**(e) Additional Submittal Requirements.**

- (1) In addition to the submittal requirements specified in SRC Chapter 300, an application for Minor Historic Design Review shall include the following:
  - (A) Plan and elevation drawings, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, of the existing building or structure and of the proposed changes, including materials;
  - (B) Photos of the existing building or structure; and
  - (C) Historic photos of the existing building or structure, if available.
- (2) In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for Major Historic Design Review shall include the following:
  - (A) Plan and elevation drawings of the existing building or structure and of the proposed changes, including materials;
  - (B) Photos of the existing building or structure;
  - (C) Historic photos, if available; and
  - (D) Plan and elevation drawings of adjacent properties, or photo-

1 simulation, for additions that increase the gross square footage of the  
2 structure by more than fifty percent, or new construction in a historic  
3 district.

4 (f) **Criteria.** Historic design review approval shall be granted if the application  
5 satisfied the applicable standards set forth in this Chapter.

6 **Section 5.** SRC 230.085 is amended to read as follows:

7 **230.085. Historic Resource Adaptive Reuse.**

8 (a) **Applicability.** This section allows adaptive reuse of historic-contributing  
9 buildings and individually listed resources in all public and residential zones and  
10 in the Commercial Office zone, in order to preserve these buildings or structures,  
11 where other uses would not be economically practical, and where a zone change  
12 would be inappropriate.

13 (b) **Procedure Type.** Historical resource adaptive reuse is a Type III procedure  
14 under SRC Chapter 300.

15 (c) **Additional Submittal Requirements.** In addition to the submittal  
16 requirements for a Type III application under SRC Chapter 300, an application for  
17 historic resource adaptive reuse shall include:

18 (1) Cost/benefit analysis.

19 (2) Documentation of good faith efforts by the property owner to put the  
20 property to economically beneficial use including but not limited to leasing  
21 the building or resource;

22 (3) Any capital expenditures associated with the building or structure during  
23 the two years immediately preceding the application for adaptive reuse.

24 (4) Site plan identifying the following:

25 (A) All streets that abut the site and their designation (i.e., arterial,  
26 collector etc); and

27 (B) Proposed parking, if applicable.

28 (d) **Criteria.** An application for historic resource adaptive reuse shall be granted  
29 if the following criteria are met:

30 (1) The building is a historic contributing building or an individually listed

1 resource.

2 (2) Adaptive reuse is allowed in the zone.

3 (3) Use of the building or structure for any other use allowed in the zone is  
4 not economically practical, and the property does not meet the criteria for a  
5 zone change.

6 (4) Allowing the proposed use will encourage preservation of the resource.

7 (5) The building or structure will not be structurally expanded, or if historic  
8 non-contributing, will be restored.

9 (6) The building or structure is located on an arterial or collector street.

10 (7) Parking that meets the requirements of SRC Chapter 133 will be provided.

11 (8) The proposed limited commercial use will not have a substantial adverse  
12 impact on public health, safety, and welfare and any other reasonably likely  
13 adverse impacts of the limited commercial use on the immediate  
14 neighborhood can be minimized through the imposition of conditions. The  
15 following shall apply in making the determination of substantial adverse  
16 impact:

17 (A) To preserve the integrity of residential historic districts, limited  
18 commercial uses in residential buildings or structures located within a  
19 residential historic district is discouraged.

20 (B) In the RS or RD zones, adaptive reuse shall only be allowed on  
21 arterial or collector streets that form the perimeter of the zone.

22 (9) The proposed limited commercial use, as conditioned, will be compatible  
23 with and have minimal impact on the livability or appropriate development of  
24 surrounding property.

25 (e) **Conditions.** The review authority shall impose such conditions on the historic  
26 resource adaptive reuse permit as are necessary to establish compliance with the  
27 approval criteria.

28 (f) **Approval to Run with the Land.** Unless otherwise provided in the decision  
29 granting, historic adaptive reuse permits shall run with the land.  
30

1 (g) **Historic Design Review.** Historic design review is required for any exterior  
2 alterations to a building or structure that has received historic resource adaptive  
3 reuse approval.

4 (h) **Uses Permitted.** The uses permitted for adaptive reuse pursuant to this  
5 section, either singularly or in combination, are:

6 (1) **Additional dwelling units:**

7 (A) RS - maximum of four units;

8 (B) RD - maximum of four units;

9 (2) **Telephone answering service;**

10 (3) **Professional offices:**

11 (A) Accounting services (SIC 8721);

12 (B) Artists;

13 (C) Engineering, architectural, and surveying services (SIC 871);

14 (D) Legal services (SIC 81);

15 (E) Offices of physicians (SIC 801), dentists (SIC 802), osteopathic  
16 physicians (SIC 803), and other health practitioners (SIC 804).

17 (4) **Retail:**

18 (A) Used merchandise store (SIC 5931);

19 (B) Men's and Boys' Clothing and Accessory Stores (SIC 561);

20 (C) Women's ready-to-wear stores (SIC 562);

21 (D) Women's accessory and specialty stores (SIC 563);

22 (E) Children's and Infants' Wear Stores (SIC 564);

23 (F) Art gallery and framing shop;

24 (5) **Services:**

25 (A) Interior decorating studio;

26 (B) Child day care services (SIC 835);

27 (C) Residential care (SIC 836).

28 (6) **Other:** Other office, service, and retail uses not otherwise enumerated in  
29 this subsection that are substantially similar in traffic generation, noise  
30

1 generation, parking demand, hours of operation, and other similar  
 2 characteristics relating to compatibility with surrounding uses.

3 **Section 6.** The following SRC 230.057 is hereby added to SRC Chapter 230:

4 **230.057. Oregon State Capitol.** Unless approved pursuant to SRC 230.065, no significant  
 5 features on existing resources within the boundary of the Oregon State Capitol as identified  
 6 in Table 230-3 shall be altered.

7 **Table 230-3**  
 8 **Oregon State Capitol**

9

10 **Table 230-3: Oregon State Capitol**

11 Zone	Resource	Significant Features
12 1	Capitol Building and adjacent wings	<ul style="list-style-type: none"> <li>▪ Rotunda.</li> <li>▪ Gold Oregon Pioneer Statue.</li> <li>▪ Cast bronze Bas-Reliefs.</li> </ul>
	Additions	
13 2	Oregon Migration Relief Sculpture	<ul style="list-style-type: none"> <li>▪ Figures of Pioneers and a Covered Wagon.</li> <li>▪ Map of Oregon Trail.</li> </ul>
14	Lewis & Clark Relief Sculpture	<ul style="list-style-type: none"> <li>▪ Figures of Lewis, Clark and Sacagawea.</li> <li>▪ Map of Expedition</li> </ul>
15 3	Willson Park	<ul style="list-style-type: none"> <li>▪ Breyman Fountain.</li> <li>▪ Waite Fountain.</li> <li>▪ Walk of Flags.</li> <li>▪ Liberty Bell Replica.</li> <li>▪ Gazebo.</li> <li>▪ Parade of Animals Sculpture.</li> <li>▪ Douglas-Fir tree grown from seed that rode aboard Apollo 14.</li> <li>▪ Capitol Beaver Family Sculpture.</li> </ul>
16 4	Capitol (East) Park	<ul style="list-style-type: none"> <li>▪ Circuit Rider Statue.</li> <li>▪ John McLoughlin Statue.</li> <li>▪ Jason Lee Statue.</li> <li>▪ Corinthian Columns remaining from Second Capitol.</li> <li>▪ Memorial to Oregon Recipients of Congressional Medal of Honor.</li> </ul>
17 5	North Plaza, Sunken Terrace	<ul style="list-style-type: none"> <li>▪ Sprague Fountain.</li> <li>▪ Wall of Water Fountain.</li> </ul>

18

19

20

21 **Section 7.** The following SRC 230.058 is hereby added to SRC Chapter 230:

22 **230.058. Oregon State Hospital District.** Unless approved pursuant to SRC 230.065, no  
 23 significant features on existing resources within the Oregon State Hospital District as  
 24 identified in Table 230-4 shall be altered. Any alterations or additions within Zone 1 of the  
 25 Oregon State Hospital District shall be limited to secondary facades. No alterations shall be  
 26 allowed on primary facades or significant features as identified in Table 230-4.



**TABLE 230-4  
OREGON STATE HOSPITAL DISTRICT RESOURCES**

<b>Table 230-4: Oregon State Hospital District Resources</b>			
Zone	Structure/Building	Primary Facade	Significant Features
1	Memorial Bldg.	South (Greenway Dr.) North (Recovery Dr.) South (Recovery Dr.)	<ul style="list-style-type: none"> <li>▪ Double-hung Windows.</li> <li>▪ Decorative Brick Corbelling at Roofline.</li> </ul>
	Kirkbride Building	West (24 <sup>th</sup> St.) North (Center St.)	<ul style="list-style-type: none"> <li>▪ Cupola Spire.</li> <li>▪ Arched multi-light double hung Windows.</li> <li>▪ Roof Corbelling and Brackets.</li> </ul>
	Dome Building	West (23 <sup>rd</sup> St.) South (Center St. - includes south facade of east wing) North (Bittern Street)	<ul style="list-style-type: none"> <li>▪ Dome.</li> <li>▪ Wood Multi-light Windows.</li> <li>▪ Front Entry Staircase.</li> </ul>
2	Kirkbride Grounds Structures/Historic Park	West (24 <sup>th</sup> St.) North (Center St.)	<ul style="list-style-type: none"> <li>▪ Fountain area with 'Baby Hercules' Statue.</li> <li>▪ Memorial Circle with Vault Markers.</li> <li>▪ Park Entrance Pillars.</li> </ul>
3	R01- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	<ul style="list-style-type: none"> <li>▪ Roof Gables.</li> <li>▪ Wooden lintels.</li> <li>▪ Multi-light double-hung windows.</li> <li>▪ Brick/stucco-clad chimneys.</li> </ul>
	R02- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	
	R03- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	
	R04- Cottage	North (Greenway Dr.)	
	R05- Cottage	North (Greenway Dr.)	
	R06- Cottage	North (Greenway Dr.)	
	R07- Cottage	North (Greenway Dr.)	
	R08- Cottage	North (Greenway Dr.)	
	R09- Cottage	North (Greenway Dr.)	
	R10- Cottage	North (Greenway Dr.)	
	R11- Cottage	North (Greenway Dr.)	
	R12- Cottage	North (Greenway Dr.)	
	R13- Cottage	North (Greenway Dr.)	
	R14- Cottage	West (24 <sup>th</sup> Pl.)	
	R15- Cottage	West (24 <sup>th</sup> Pl.)	
	R16- Cottage	West (24 <sup>th</sup> Pl.)	
	R17- Cottage	East (24 <sup>th</sup> Pl.)	
	R18- Cottage	East (24 <sup>th</sup> Pl.)	
	R19- Cottage	North (Bates Dr.)	
	R20- Cottage	North (Bates Dr.)	
	R21- Cottage	North (Bates Dr.)	
	S07- Cottage	North (private rd. off of Park Ave.)	

Table 230-4: Oregon State Hospital District Resources			
Zone	Structure/Building	Primary Facade	Significant Features
	S08- Cottage	North (private rd. off of Park Ave.)	
4	Oregon State Hospital (Primary Treatment Building)	West (24 <sup>th</sup> St.) North (Center St.) (Considered an addition to the Kirkbride structure)	▪ Front Entry
	S04- Physical Plant	North (Center St.) East (Park Ave.) West	▪ Corbelled cornices, flat roof, wood doors and transoms.
5	Yaquina Hall	South (Bittern St.)	▪ Front Entries
	Santiam Hall	West (27 <sup>th</sup> Pl.)	
	Breitenbush Hall	South (Center St.)	
	McKenzie Hall	West (25 <sup>th</sup> St.)	
	Eola Hall	South (Bittern St.)	
6	Open Space	North (D Street NE) West (23 <sup>rd</sup> Street NE) East (Park Ave NE)	▪ Trees abutting the Right of Way along D Street and Park Ave. NE

**Section 8.** The following SRC 230.060 is hereby added to SRC Chapter 230:

**230.060. Standards for Historic Contributing Buildings in Public Historic Districts and Individually Listed Public Historic Resources.** Modification to historic contributing buildings in public historic districts and individually listed public historic resources shall comply with this section.

**(a) Masonry, Siding, Exterior Trim and Minor Architectural Features.**

Replacement of masonry, siding, exterior trim, and minor architectural features of historic contributing buildings and individually listed public historic resources shall be allowed only where the owner has attempted to repair the original siding, exterior trim or minor architectural feature, but repair was determined to be unfeasible due to the poor condition of the original materials. If the masonry, siding, or trim is not original then every effort shall be made to replicate the original materials; the effort shall be substantiated by historic, physical, or pictorial evidence. If the masonry, siding, or trim cannot be replicated then it should be of a compatible design and material.

**(1) Materials.** The replacement materials are the same type and quality as the original siding, exterior trim or minor architectural feature, or duplicate, to

1 the greatest degree possible, the appearance and structural qualities of the  
2 material being replaced.

3 **(2) Design.** The replacement reproduces the appearance of the original  
4 siding, exterior trim or minor architectural feature.

5 **(3) Energy Efficiency.** Improvements to improve energy efficiency are  
6 allowed, provided the exterior appearance of the historic resource is preserved  
7 to the greatest extent possible. Example: Adding additional insulation to  
8 attics, crawl spaces or basements.

9 **(b) Windows.** Replacement of windows and individually listed public historic  
10 resources shall be allowed only where the owner has attempted to repair the  
11 original window, but repair was not feasible due to the poor condition of the  
12 original materials. If the window is not original then every effort shall be made to  
13 replicate the original window; the effort shall be substantiated by historic, physical,  
14 or pictorial evidence. If the window cannot be replicated then it should be of a  
15 compatible design and material.

16 **(1) Materials.** All features of the window, including the window frame,  
17 sash, stiles, rails, muntins, lamb's tongues and glass, are replaced with  
18 materials that duplicate, to the greatest degree possible, the appearance and  
19 structural qualities of the original.

20 **(2) Design.** Overall design of the window profile of all parts of the window  
21 shall reproduce the appearance of the original window.

22 **(3) Energy Efficiency.**

23 **(A)** The use of weather stripping, insulation, or materials to either repair  
24 or improve the energy efficiency shall be evaluated as means to achieve  
25 the desired energy efficiency objectives prior to seeking authorization to  
26 replace a window.

27 **(B)** If an owner wishes to improve the energy efficiency of windows  
28 located on the primary façade, only energy efficiency measures that are  
29 removable and do not permanently alter the resource shall be used. This  
30 includes, but is not limited to: exterior storm windows, weather-stripping.

1 (C) If an owner wishes to improve the energy efficiency of windows  
2 located on a façade other than the primary façade, measures that are  
3 removable and do not permanently alter the resource shall be used. This  
4 includes but is not limited to: exterior storm windows, weather-stripping.  
5 Reuse of the original window frame and sash with replacement glass that  
6 maintains the overall design and appearance of the window is allowed.  
7 Example: Replacement of single pane glass with new energy efficient  
8 double-paned glass is permissible, so long as the window is in satisfactory  
9 condition, muntins are wide enough to hold the double-paned glass, the  
10 double-paned glass can be inserted into the original window sash, there are  
11 only minor alterations to the overall design of the window, and the double-  
12 paned glass is not visibly tinted or reflective.

13 (c) **Doors.** Replacement of doors in historic contributing buildings and  
14 individually listed public historic resources shall be allowed only where the owner  
15 has attempted to repair the original door, but repair was not feasible due to the  
16 poor condition of the original materials. If the doors are not original, then every  
17 effort shall be made to replicate the original doors; the effort shall be substantiated  
18 by historic, physical, or pictorial evidence. If the door cannot be replicated then it  
19 should be of a compatible design and material.

20 (1) **Materials.** All features of the door shall be replaced with materials that  
21 duplicate, to the greatest degree possible, the appearance and structural  
22 qualities of the original door.

23 (2) **Design.** The overall design of the door shall reproduce, to the greatest  
24 degree possible, the appearance of the original door.

25 (d) **Porches.** Replacement of porches on historic contributing buildings and  
26 individually listed public historic resources shall be allowed only where the owner  
27 has attempted to repair the original porch, but repair was not feasible due to the  
28 poor condition of the original materials. If the porch is not original, then every  
29 effort shall be made to replicate the original porch; the effort shall be substantiated  
30

1 by historic, physical, or pictorial evidence. If the porch cannot be replicated then it  
2 should be of a compatible design and material.

3 (1) **Materials.** All features of the porch shall be replaced with material that  
4 duplicate, to the greatest degree possible, the appearance and structural  
5 qualities of the original porch.

6 (2) **Design.** The overall design of the porch shall reproduce, to the greatest  
7 degree possible, the appearance of the original porch.

8 (e) **Roofs and Cornices.** Replacement of roofs and cornices on historic  
9 contributing buildings and individually listed public historic resources shall be  
10 allowed only where the owner has attempted to repair the original roof, but repair  
11 was not feasible due to the poor condition of the original materials.

12 (1) **Materials.**

13 (A) Historic specialty roofing materials, such as original tile, slate, or  
14 rolled composition roofing should be maintained in place whenever  
15 possible.

16 (B) New roof materials should match the original materials in scale and  
17 texture as closely as possible. Use of plastic or concrete simulated  
18 materials is not allowed.

19 (C) Composition roofing is allowed as a substitute for wood shingles in a  
20 complete replacement.

21 (D) Imitation slate and wood are allowed as a substitute for original  
22 materials in a complete replacement.

23 (2) **Design.**

24 (A) The original roof and cornice form and detailing shall be preserved.

25 (B) Original eave overhangs shall be maintained.

26 (C) Cutting back roof rafter and soffits, boxing in exposed rafter tails,  
27 adding fascia boards where none existed, or otherwise altering the  
28 historical roof overhang is not allowed.

29 (D) To the extent feasible, inappropriate repairs or additions should be  
30 removed or corrected.

1 (3) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels  
2 and other rooftop mechanical structures may be added to historic contributing  
3 buildings and individually listed public historic resources.

4 (A) **Materials.**

5 (i) Non-reflective glass and metal panels are allowed.

6 (ii) Reflective glass and plastic frames are prohibited.

7 (B) **Design.**

8 (i) Solar panels shall not alter the existing profile of the roof, and  
9 shall be mounted parallel to the roof plane on rear-facing roofs or  
10 placed on the ground in an inconspicuous location.

11 (ii) Satellite dishes, TV antennae and other rooftop mechanical  
12 structures shall be installed so they are not visible from the street and  
13 do not damage or obscure significant architectural features of the  
14 resource.

15 (iii) Skylights shall be flat and shall not alter the existing profile of  
16 the roof. Bubble-type skylights are prohibited.

17 (f) **Missing Features.** Features that were present on a historic contributing  
18 building and individually listed public historic resources during the period of  
19 significance but which were later removed may be reconstructed.

20 (1) **Materials.** Materials used in the replacement shall match as closely as  
21 practicable the composition, design, texture, and other visual qualities of the  
22 materials of the missing feature.

23 (2) **Design.** The design shall accurately duplicate the missing feature. The  
24 design shall be substantiated by historic, physical, or pictorial evidence.  
25 Evidence does not include conjectural designs, or the appearance of features  
26 or different elements from other buildings or structures built during the period  
27 of significance.

28 (g) **Alterations and Additions.** Additions to and alterations of the historic  
29 contributing building and individually listed public historic resources are allowed.

30 (1) **Materials.**

1 (A) Building materials shall be of traditional dimensions.

2 (B) Material shall be of the same type, quality and finish as original  
3 material in the building.

4 (C) New masonry added to a building shall, to the greatest extent feasible,  
5 match the color, texture and bonding pattern of the original masonry.

6 (D) For those areas where original material must be disturbed, original  
7 material shall be retained to the maximum extent possible.

8 **(2) Design.** Alterations or additions shall:

9 (A) Be located at the rear, or on an inconspicuous side, of the building.

10 (B) Be designed and constructed to minimize changes to the building.

11 (C) Be limited in size and scale such that a harmonious relationship is  
12 created with the original building.

13 (D) Be designed and constructed in a manner that significant historical,  
14 architectural or cultural features of the building are not obscured,  
15 damaged, or destroyed.

16 (E) Be designed to be compatible with the size, scale, material, and  
17 character of the building, and the district generally.

18 (F) Not destroy or adversely impact existing distinctive materials,  
19 features, finishes and construction techniques or examples of  
20 craftsmanship that are part of the building.

21 (G) Be constructed with the least possible loss of historic materials.

22 (H) Not create a false sense of historical development by including  
23 features that would appear to have been part of the building during the  
24 period of significance but whose existence is not supported by historical  
25 evidence.

26 (I) Be designed in a manner that makes it clear what is original to the  
27 building and what is new.

28 (J) Be designed to reflect, but not replicate, the architectural styles of the  
29 period of significance.  
30

1 (K) Preserve features of the building that have occurred over time and  
2 have attained significance in their own right.

3 (L) Preserve distinguishing original qualities of the building and its site.

4 (M) Not increase the height of a building to more than four stories.

5 (h) **Decks.** Replacement and addition of decks in historic contributing buildings  
6 and individually listed public historic resources is allowed.

7 (1) **Materials.** The deck shall be constructed of wood, a wood composite, or  
8 a material available during the period of significance.

9 (2) **Design.** The deck shall:

10 (A) Be located off the rear of the resource.

11 (B) Not obscure any significant architectural features of the resource.

12 (C) Be of a reasonable size and scale in relationship to the resource.

13 (D) Shall not extend beyond the width of the existing footprint of the  
14 resource.

15 (i) **Lintels, Architraves, Sills, and other Architectural Details.** Replacement of  
16 lintels, architraves, sills and other architectural details in historic contributing  
17 buildings and individually listed public historic resources shall be allowed only  
18 where the owner has attempted repair, but repair was unfeasible due to the poor  
19 condition of the original materials. If the feature is not original then every effort  
20 shall be made to replicate the original feature; the effort shall be substantiated by  
21 historic, physical, or pictorial evidence. If the feature cannot be replicated then it  
22 should be of a compatible design and material.

23 (1) **Materials.**

24 (A) Existing architectural details shall be retained.

25 (B) Original material shall, if possible, be retained or repaired.

26 (C) If replacement material is required, similar material shall be used.

27 (2) **Design.**

28 (A) The replacement shall, to the greatest extent feasible, match design,  
29 size, proportions, and profile of the original architectural details.  
30



1 (B) Architectural details should not be added unless there is archival  
2 evidence suggesting their presence and design.

3 (j) **Accessibility.** Additions or alterations to improve accessibility are allowed.

4 (1) **Materials.** To the greatest extent practicable, materials shall be of the  
5 same type, quality, design, size, finish, proportions and configuration of the  
6 original materials in the building.

7 (2) **Design.**

8 (A) Additions or alterations to improve accessibility should be designed  
9 in a manner that identifies the building's character-defining spaces and  
10 features and prevents their damage or loss.

11 (B) Additions and alterations to improve accessibility should be designed  
12 in a manner that is compatible with the building and its setting.

13 (k) **Energy Efficiency.** Retrofitting historic contributing buildings and  
14 individually listed public historic resources to achieve energy efficiency is  
15 permitted, if the retrofitting preserves the building's historic character.

16 (1) **Materials.**

17 (A) Materials shall be of a type and quality that will not result in  
18 degradation of original material in the resource. Example: Addition of  
19 insulation to exterior walls should not negatively affect the function of the  
20 wall assembly.

21 (B) The materials for any retrofitted architectural elements shall comply  
22 with the standards for materials for such elements set forth in this section.  
23 This includes, but is not limited to, windows and doors.

24 (2) **Design.**

25 (A) To the extent practicable, original systems to control ventilation, such  
26 as double hung, transom windows and awnings, shall be preserved.

27 (B) Before seeking to replace windows or doors, improve thermal  
28 efficiency through weather stripping, storm windows, interior shades,  
29 blinds and awnings.  
30

1 (C) The designs of any retrofitted architectural elements shall comply  
2 with the standards for replacement of such elements set forth in this  
3 section.

4 (D) Retrofitting shall be designed in a manner that prevents loss of  
5 original material or architectural elements.

6 (I) **Mechanical Equipment and Service Areas.** Addition and replacement of  
7 mechanical equipment is permitted. This includes, but is not limited to: heating  
8 and cooling systems, solar panels, telecommunications equipment and dumpster  
9 enclosures.

10 (1) **Materials.** Materials shall be harmonious in type, color, scale, texture,  
11 and proportions with the building and the district generally.

12 (2) **Design.**

13 (A) Mechanical equipment and service areas should be located out of  
14 public view and designed as an integral part of the overall building design.

15 (B) Mechanical equipment and service areas should be placed at the rear  
16 of the building, recessed on the roof of the building, or screened by  
17 appropriate fencing.

18 (C) Low-profile mechanical units and elevator shafts may be placed on  
19 rooftops if they are not visible from the street, or are set back and screened  
20 from view.

21 (D) Solar panels should have low profiles and not be visible from right of  
22 way, other than alleys, and shall be installed in a manner that minimizes  
23 damage to historic materials.

24 (E) Skylights shall be flat and shall not alter the existing profile of the  
25 roof. Bubble-type skylights are prohibited.

26 (F) Mechanical equipment placed at street level should be screened in a  
27 manner that is compatible with the streetscape and adjacent buildings.

28 (G) New skylights and vents shall be placed behind and below the parapet  
29 level.  
30

1                   **(m) Awnings and Canopies.**

2                   **(1) Materials.** Replacement or installation of awnings and canopies on  
3 historic contributing buildings and individually listed public historic resources  
4 is allowed.

5                   (A) Materials that are compatible with the character of the building's  
6 period and style shall be used.

7                   (B) Canvass is an approved material for awnings and canopies.

8                   **(2) Design.**

9                   (A) Awnings shall be located within window openings and below  
10 transoms.

11                   (B) Umbrella-type awnings and non-historic forms are not permitted.

12                   (C) Awnings shall be attached in such a manner that historic materials or  
13 features are not damaged.

14                   (D) Marquees may be used where compatible with the building and  
15 neighboring buildings.

16                   (E) Awnings, canopies, or marquees shall not obscure significant  
17 architectural features on the building.

18                   (F) Awnings, canopies, or marquees shall have size, scale and design that  
19 are compatible with the building and neighboring buildings.

20                   **(n) New Accessory Structures.** New accessory structures may be built on the  
21 site of historic contributing buildings and individually listed public historic  
22 resources.

23                   **(1) Materials.** New accessory structures shall have the same siding material  
24 as the primary resources, or consistent with other primary structures in the  
25 zone.

26                   **(2) Design.** New accessory structures shall:

27                   (A) **Not** be located on or around the primary façade of an existing  
28 resource.

29                   (B) Be no taller than one story.

30                   (C) Be similar in character to those built during the period of significance.

1                   (D) Be subordinate to the primary structure in terms of mass, size, and  
2                   height.

3           (o) **Fences.** Fences may be added to sites of historic contributing buildings and  
4           individually listed public historic resources, provided the fence will not result in  
5           the removal or destruction of site features identified as significant on the historic  
6           resource inventory.

7                   (1) **Materials.** The fence shall be constructed of traditional materials that  
8                   were available during the period of significance.

9                   (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
10                  taller than six feet in side and rear yards.

11           (p) **Retaining Walls.** Retaining walls may be added to sites of historic  
12           contributing buildings and individually listed public historic resources, provided  
13           the retaining wall will not result in the removal or destruction of site features  
14           identified as significant on the historic resource inventory.

15                   (1) **Materials.** The retaining wall shall be constructed of traditional materials  
16                   that were available during the period of significance. Example: If the period of  
17                   significance is 1920-1940 the materials that were available included, but were  
18                   not limited to, rusticated stone, formed concrete, poured concrete, and brick.

19                   (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
20                   four feet on the side and rear yards.

21           (q) **Site Features.** Replacement or alteration of site features of a historic  
22           contributing building and individually listed public historic resources that are  
23           identified as significant features on the historic resource inventory, including, but  
24           not limited to, driveways, sidewalks, gardens, significant trees, or geological  
25           features is allowed, unless the replacement or alteration would materially alter or  
26           destroy the features.

27                   (1) **Materials.** Materials shall duplicate, to the greatest degree possible, the  
28                   appearance and physical qualities of the original materials. Example:  
29                   Rhododendron hedge planted during the period of significance is replanted  
30                   with heritage varieties available during the period of significance.

1 (2) **Design.** The design shall reproduce, to the greatest extent possible, the  
2 appearance of the original site feature. Example: If the site contains a Lord  
3 and Schryver garden, the replacements shall be allowed provided the original  
4 design and location of plantings of the historical garden are retained.

5 **Section 9.** The following SRC 230.062 is hereby added to SRC Chapter 230:

6 **230.062. Signs in Public Historic Districts.** Signs in public historic districts and on an  
7 individually listed public historic resource shall comply with this section, as well as any  
8 applicable requirements set forth in SRC Chapter 900.

9 (a) Historic signs shall be retained whenever possible, particularly if the sign is  
10 associated with historic figures, events or places, significant as evidence of the  
11 history of the product, business or service advertised, significant as reflecting the  
12 history of the building or the development of the historic district, characteristic of a  
13 specific period, or integral to the building's or structure's design or physical fabric.

14 (b) Reconstruction of historic signs shall only be allowed if there is sufficient  
15 historical, pictorial, and physical documentation to replicate the sign's appearance  
16 at a specific period of time and in its historic location.

17 (c) New signs shall:

18 (1) Be compatible with the size, scale, and design of the historic resource.

19 (2) Be located where they do not obscure significant features of a historic  
20 resource.

21 (3) Use materials that are compatible with and characteristic of the period of  
22 significance.

23 (4) Be attached in a manner that prevents damage to historic materials.

24 (5) Any sign identifying the use of the building or structure shall be limited to  
25 the minimum size necessary to provide such identification.

26 **Section 10.** The following SRC 230.063 is hereby added to SRC Chapter 230:

27 **230.063. Standards for Non-Contributing Buildings and Structures in Public Historic**  
28 **Districts.** Modifications to non-contributing buildings in public historic districts shall  
29 comply with this section.  
30

1                   **(a) Masonry, Siding, Exterior Trim, and Minor Architectural Features.**

2                   Replacement of masonry, siding, and exterior trim of non-contributing buildings is  
3                   allowed.

4                   **(1) Materials.**

5                   (A) For historic non-contributing buildings, material dating from the  
6                   period of significance shall, if possible, be retained or repaired.

7                   (B) Replacement materials shall be, to the greatest degree possible, of the  
8                   same type, quality, design, size, finish, proportions, and configuration of  
9                   the materials commonly used on other buildings in the district.

10                  **(2) Design.**

11                  (A) The design shall, to the greatest degree possible, match the color,  
12                  texture and bonding pattern of the original materials.

13                  (B) For historic non-contributing buildings the appearance of original  
14                  materials that were used on the building during the period of significance  
15                  shall be restored or reconstructed whenever possible.

16                  **(b) Windows.** Replacement of windows in historic non-contributing buildings is  
17                  allowed.

18                  **(1) Materials.**

19                  (A) Windows dating from the period of significance shall, if feasible, be  
20                  retained and repaired or restored.

21                  (B) Replacement materials shall be, to the greatest extent practicable, of  
22                  the same type, quality, design, size, finish, proportions and configuration  
23                  of windows commonly used on other buildings in the district.

24                  (C) Glass block or tinted, mirrored, opaque, or colored glass is not  
25                  permitted, unless it is the historic glazing type.

26                  **(2) Design.**

27                  (A) Replacement windows should, to the greatest degree possible, match  
28                  design, size, proportions, configuration, reflective qualities and profile of  
29                  the original windows dating from the period of significance, if  
30                  documentary evidence of the appearance is available.

1 (B) The size and shape of the window openings dating from the period of  
2 significance should be preserved so that the configuration of the façade is  
3 not changed.

4 (C) Original openings that have been covered or blocked should be re-  
5 opened when feasible.

6 (D) New window openings into the principal elevations, enlargement or  
7 reduction of original window openings, and infill of original window  
8 openings are not permitted.

9 (E) Window styles historically used on upper levels shall not be installed  
10 at storefront level, and storefront windows shall not be installed on upper  
11 levels.

12 (F) Commercial window types shall not be substituted with residential  
13 window types, unless the type of window being replaced is residential.

14 (G) Interior grilles, grilles between layers of insulating glass, or stenciled  
15 mullions in lieu of true divided lights or exterior mullions are not  
16 permitted.

17 (c) **Doors.** Replacement of doors in non-contributing buildings shall be allowed.

18 (1) **Materials.**

19 (A) Doors dating from the period of significance shall, if possible, be  
20 retained and repaired or restored.

21 (B) Replacement materials shall be, to the greatest degree possible, of the  
22 same type, quality, design, size, finish, proportions and configuration of  
23 the doors commonly found in the district.

24 (2) **Design.**

25 (A) Replacement doors shall, to the greatest degree possible, match  
26 design, size, proportions and profile of the original door dating from the  
27 period of significance, if documentary evidence of the appearance is  
28 available.

29 (B) Original door openings that have been covered or blocked should be  
30 reopened when feasible.

1 (C) The size and shape of original door openings should be preserved so  
2 that the configuration of the façade is not changed.

3 (D) Commercial door types shall not be substituted with residential door  
4 types, unless the type of door being replaced is residential.

5 (d) **Porches.** Replacement of porches on non-contributing buildings is allowed.

6 (1) **Materials.**

7 (A) All features of the porch shall be replaced with material that  
8 duplicate, to the greatest degree possible, the appearance and structural  
9 qualities of the original porch.

10 (B) Replacement materials shall duplicate, to the greatest degree possible,  
11 the appearance and structural qualities that are consistent with building  
12 materials on buildings in the district.

13 (C) Wood lap, shingles, brick, and stone are appropriate materials.

14 (D) Alternative materials shall appear similar in scale, proportion, texture  
15 and finish with buildings in the district.

16 (2) **Design.** The design should be similar in dimension, style, pattern and  
17 detail to porches on buildings in the district.

18 (e) **Roofs and Cornices.** Replacement of roofs and cornices on non-contributing  
19 buildings shall be allowed.

20 (1) **Materials.**

21 (A) Historic specialty roofing materials, such as original tile, slate, or  
22 rolled composition roofing dating from the period of significance should  
23 be maintained in place whenever possible.

24 (B) Replacement materials that are visible from the street shall be, to the  
25 greatest degree possible, of the same type, quality, design, size, finish,  
26 proportions and configuration of the roof and cornices commonly found in  
27 the district. Plastic or concrete simulated materials are not allowed.  
28 Imitation slate and wood are allowed as a substitute for original materials  
29 in a complete replacement.  
30



1                   **(2) Design.**

2                   **(A)** To the extent practicable, original roof and cornice components  
3                   visible from the street dating from the period of significance shall be  
4                   preserved.

5                   **(B)** Eave overhangs dating from the period of significance shall be  
6                   maintained.

7                   **(C)** Restoration of the appearance of the roof and cornice that is visible  
8                   from the street, based on historical research and physical evidence from  
9                   the period of significance, is preferred.

10                  **(D)** Replacement of roofs and cornices that are contemporary in design  
11                  shall be compatible with the scale, proportions, massing, height, rhythm,  
12                  materials, color and texture of historic buildings in the district.

13                  **(E)** Cutting back roof rafters and soffits, boxing in exposed rafter tails,  
14                  adding fascia boards where none existed, or otherwise altering material  
15                  that dates from the period of significance is not allowed.

16                  **(F)** To the extent practical, inappropriate repairs or additions that  
17                  occurred after the period of significance should be removed or corrected.

18                  **(f) Missing Features.** Features that were present on a non-contributing building  
19                  during the period of significance but which were later removed may be  
20                  reconstructed.

21                  **(1) Materials.** Materials used in the replacement shall match as closely as  
22                  practicable the composition, design, texture, and other visual qualities of the  
23                  materials of the missing feature.

24                  **(2) Design.** The design accurately duplicates the missing feature. The design  
25                  shall be substantiated by historic, physical, or pictorial evidence. Evidence  
26                  does not include conjectural designs, or the appearance of features or different  
27                  elements from other buildings or structures built during the period of  
28                  significance.

29                  **(g) Alterations and Additions.** Additions and alterations that comply with the  
30                  standards in this section may be made to historic non-contributing buildings.

1 Whenever practical, additions and alterations to historic non-contributing  
2 buildings should result in the restoration of missing features from the period of  
3 significance, or the removal of alterations that were made outside of the period of  
4 significance.

5 **(1) Materials.**

6 (A) Materials shall be consistent with those present in buildings in the  
7 district generally.

8 (B) Roofing materials shall have a non-reflective, matte finish.

9 **(2) Design.**

10 (A) The location for an addition shall be at the rear, or on an  
11 inconspicuous side of the building.

12 (B) Changes to features of a historic non-contributing building that date  
13 from the period of significance shall be minimized.

14 (C) The design shall be compatible with the character of non-contributing  
15 buildings in the historic district and create a harmonious relationship with  
16 historic contributing buildings in the district generally. Factors in  
17 evaluating the design under this paragraph include, but are not limited to:

18 (i) Similarities in the size and scale to those used in historic  
19 contributing buildings in the district generally.

20 (ii) Use of architectural features that reflect, or are similar to, the  
21 architectural style of historic contributing buildings in the district.

22 (iii) Simple gable or hipped roofs with a pitch similar to surrounding  
23 buildings are generally appropriate. Flat roofs may be appropriate  
24 when the prevailing styles of architecture provide an appropriate  
25 context. Exotic or complex roof forms that detract from the visual  
26 continuity of the district are generally inappropriate.

27 (iv) Additions should have a similar mass to surrounding buildings.

28 (v) Front elevations should appear similar in scale to those seen  
29 traditionally in the surrounding neighborhood.  
30

1 (vi) The width and height of the addition should not exceed the  
2 typical dimensions seen in the district.

3 (vii) Simple rectangular building forms are generally preferred.

4 (D) The design shall make clear what is original and what is new.

5 (E) Features that have been added over time and have attained  
6 significance in their own right shall be preserved, even if the features do  
7 not reflect the period of significance.

8 (F) An addition that adds stories shall increase the height of a building to  
9 no more than four stories.

10 (h) **Decks.** Replacement and addition of decks in non-contributing buildings is  
11 allowed, subject to the following standards:

12 (1) **Materials.** The deck shall be constructed of wood, a wood composite, or  
13 a material available during the period of significance.

14 (2) **Design.** The deck shall:

15 (A) Be located off the rear of the resource.

16 (B) Be of a reasonable size and scale in relationship to the resource.

17 (i) **Lintels, Architraves, Sills, and other Architectural Details.** Replacement  
18 of lintels, architraves, sills, and other architectural details on non-contributing  
19 buildings is allowed.

20 (1) **Materials.**

21 (A) Materials dating from the period of significance shall, if possible, be  
22 retained and repaired or restored.

23 (B) Replacement materials shall be, to the greatest extent practicable, of  
24 the same type, quality, design, size, finish, proportions and configuration  
25 commonly found in the district.

26 (2) **Design.**

27 (A) To the extent practicable, original material dating from the period of  
28 significance shall be preserved.

1 (B) Restoration of the appearance of architectural details that are visible  
2 from the street, based on historical research and physical evidence from  
3 the period of significance, is preferred.

4 (C) Replacement of architectural details that are contemporary in design  
5 shall be compatible with the scale, proportions, massing, height, rhythm,  
6 materials, color, and texture of historic buildings in the district.

7 (j) **Accessibility.** Additions or alterations to improve accessibility are allowed.

8 (1) **Materials.** Materials shall be, to the greatest extent practicable, of the  
9 same type, quality, design, size, finish, proportions and configuration of the  
10 original materials in the building.

11 (2) **Design.**

12 (A) Additions or alterations to improve accessibility shall be designed in a  
13 manner that identifies the building's character-defining spaces and  
14 features, and prevents their damage or loss.

15 (B) Additions and alterations to improve accessibility should be designed  
16 in a manner that is compatible with the building and its setting.

17 (k) **Energy Efficiency.** Retrofitting non-contributing buildings to achieve  
18 energy efficiency is permitted, if the retrofitting preserves the character of the  
19 historic district.

20 (1) **Materials.** The materials for any retrofitted architectural elements shall  
21 comply with the standards for materials for such elements set forth in this  
22 section. This includes, but is not limited to, windows and doors.

23 (2) **Design.**

24 (A) To the extent practicable, original systems to control ventilation, such  
25 as double hung, transom windows and awnings, dating from the period of  
26 significance shall be preserved.

27 (B) The designs of any retrofitted architectural elements shall comply  
28 with the standards for replacement of such elements set forth in this  
29 section. This includes, but is not limited to, windows and doors.  
30

1 (C) Retrofitting shall be designed in a manner that prevents loss of  
2 original material or architectural elements dating from the period of  
3 significance.

4 (l) **Mechanical Equipment and Service Areas.** Addition and replacement of  
5 mechanical equipment is permitted. This includes, but is not limited to: heating  
6 and cooling systems, solar panels, telecommunications equipment, and dumpster  
7 enclosures.

8 (1) **Materials.** Materials shall be harmonious in type, color, scale, texture,  
9 and proportions with the building and the district generally.

10 (2) **Design.**

11 (A) Mechanical equipment and service areas should be located out of  
12 public view and designed as an integral part of the overall building design.

13 (B) Mechanical equipment and service areas should be placed at the rear  
14 of the building, recessed on the roof of the building, or screened by  
15 appropriate fencing.

16 (C) Low-profile mechanical units and elevator shafts may be placed on  
17 rooftops if they are not visible from the street, or are set back and screened  
18 from view.

19 (D) Solar panels should have low profiles and not be visible from right of  
20 way, other than alleys, and shall be installed in a manner that minimizes  
21 damage to historic materials.

22 (E) Skylights shall be flat and shall not alter the existing profile of the  
23 roof. Bubble-type skylights are prohibited.

24 (F) Mechanical equipment placed at street level should be screened in a  
25 manner that is compatible with the streetscape and adjacent buildings.

26 (G) New skylights and vents shall be placed behind and below the parapet  
27 level.

28 (m) **Awnings and Canopies.** Replacement or installation of awnings and  
29 canopies on non-contributing buildings is allowed.

1                   **(1) Materials.**

2                    (A) Materials that are compatible with the character of the district shall be  
3                    used.

4                    (B) Canvass is an approved material for awnings and canopies.

5                   **(2) Design.**

6                    (A) Awnings shall be located within window openings, and below  
7                    transoms.

8                    (B) Umbrella-type awnings and non-historic forms are not permitted.

9                    (C) Awnings shall be attached in such a manner that historic materials or  
10                    features are not damaged.

11                   (D) Marquees may be used where compatible with the building and  
12                    neighboring buildings.

13                   (E) Awnings, canopies, or marquees shall not obscure significant  
14                    architectural features on the building.

15                   (F) Awnings, canopies, or marquees shall have size, scale, and design that  
16                    are compatible with the building and neighboring buildings.

17                   **(n) New Accessory Structures.** New accessory structures may be built on the  
18                    site of non-contributing buildings, subject to the following standards:

19                    **(1) Materials.**

20                      (A) Building materials shall be of traditional dimensions.

21                      (B) Siding material shall be consistent with those present in buildings in  
22                      close proximity to the accessory, generally.

23                    **(2) Design.** New accessory structures shall:

24                      (A) Not be located on or around the primary façade of an existing  
25                      resource.

26                      (B) Be no taller than one story.

27                      (C) Be of a reasonable size and scale in relationship to the building.

28                    **(o) Fences.** Fences may be added to sites of non-contributing buildings,  
29                    provided the fencing will not result in the removal or destruction of site features  
30                    identified as significant on the historic resource inventory for the district.

1 (1) **Materials.** Fences shall be constructed of traditional materials that were  
2 available during the period of significance.

3 (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
4 taller than six feet in side and rear yards.

5 (p) **Retaining Walls.** Retaining walls may be added to sites of non-contributing  
6 buildings, provided the retaining wall will not result in the removal or destruction  
7 of site features identified as significant on the historic resource inventory for the  
8 district.

9 (1) **Materials.** The retaining wall shall be constructed of traditional materials  
10 that were available during the period of significance. Example: If the period of  
11 significance is 1920-1940, the materials that were available included, but were  
12 not limited to, rusticated stone, formed concrete, poured concrete, and brick.

13 (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
14 four feet on the side and rear yard.

15 (q) **Site Features.** Replacement or alteration of site features of a non-  
16 contributing building that are identified as significant features on the historic  
17 resource inventory for the district, including, but not limited to, driveways,  
18 sidewalks, gardens, significant trees, or geological features is allowed, unless the  
19 replacement or alteration would materially alter or destroy the features.

20 (1) **Materials.** Materials shall duplicate, to the greatest degree practicable, the  
21 appearance and physical qualities of the original materials. Example:  
22 Rhododendron hedge planted during the period of significance is replanted  
23 with heritage varieties available during the period of significance.

24 (2) **Design.** The design shall reproduce, to the greatest extent practicable, the  
25 appearance of the original site feature. Example: If the site contains a Lord  
26 and Schryver garden, the replacements shall be allowed provided the original  
27 design and location of plantings of the historical garden are retained.

28 **Section 11.** The following SRC 230.064 is hereby added to SRC Chapter 230:

29 **230.064. Standards for New Construction in Public Historic Districts.** New buildings  
30 may be constructed in public historic districts, subject to the following standards:

1                   **(a) Materials.**

2                   (1) The primary facade shall be constructed of building materials that are  
3                   consistent with other primary structures in the vicinity.

4                   (2) Materials used in the construction shall be identical or similar those  
5                   available for similar buildings or structures built during the period of  
6                   significance.

7                   (3) Materials shall be similar in scale, proportion, texture, and finish to those  
8                   found on nearby historic structures.

9                   **(b) Design.**

10                  (1) Within all public historic districts, other than the Oregon State Hospital  
11                  District, the design shall be compatible with general character of historic  
12                  contributing buildings in the historic district. Factors in evaluating  
13                  compatibility include, but are not limited to:

14                        (A) The height, width, proportions, size and scale is consistent with those  
15                        used in similar historic contributing buildings in the district generally.

16                        (B) The design reflects, but does not replicate, the architectural style of  
17                        historic contributing buildings in the district.

18                        (C) Architectural elements that are similar to those found on historic  
19                        contributing buildings in the historic district are used.

20                        (D) Architectural elements such as lintels, cornices, doors, and windows  
21                        reflect the spacing, placement, scale, orientation and proportion of  
22                        buildings in the district.

23                        (E) The front façade is designed with proportions that are compatible with  
24                        adjacent buildings in the vicinity.

25                  (2) Within the Oregon State Hospital District the design shall be compatible  
26                  with general character of the historic contributing buildings, as identified in  
27                  Table 230-4, located in the zone, as identified in Figure 230-5, where the work  
28                  is occurring.

29                        (A) The height, width, proportions, size and scale is consistent with those  
30                        used in similar historic contributing buildings in the district generally.



1 (B) The design reflects, but does not replicate, the architectural style of  
2 historic contributing buildings in the district.

3 (C) Architectural elements that are similar to those found on historic  
4 contributing buildings in the historic district are used.

5 (D) Architectural elements such as lintels, cornices, doors, and windows  
6 reflect the spacing, placement, scale, orientation, and proportion of  
7 buildings in the district.

8 (E) The front façade is designed with proportions that are compatible with  
9 adjacent buildings in the vicinity.

10 (c) **Mechanical Equipment and Service Areas.** Mechanical equipment,  
11 including, but not limited to heating and cooling systems, solar panels, and  
12 telecommunications equipment, and service areas including, but not limited to  
13 dumpster enclosures, shall meet the following standards:

14 (1) **Materials.** Materials shall be harmonious in type, color, scale, texture,  
15 and proportions with the building and the district generally.

16 (2) **Design.**

17 (A) Mechanical equipment and service areas should be located out of  
18 public view and designed as an integral part of the overall building design.

19 (B) Mechanical equipment and service areas should be placed at the rear  
20 of the building, recessed on the roof of the building, or screened by  
21 appropriate fencing.

22 (C) Low-profile mechanical units and elevator shafts may be placed on  
23 rooftops if they are not visible from the street, or are set back and screened  
24 from view.

25 (D) Solar panels should have low profiles and not be visible from the  
26 street.

27 (E) Skylights shall be flat and shall not alter the existing profile of the  
28 roof. Bubble-type skylights are prohibited.

29 (F) Mechanical equipment placed at street level should be screened in a  
30 manner that is compatible with the streetscape and adjacent buildings.

1 (G) Skylights and vents shall be placed behind and below the parapet  
2 level.

3 (d) **Accessory Structures.** Accessory structures may be built on the site of new  
4 construction.

5 (1) **Materials.**

6 (A) Building materials shall be of traditional dimensions.

7 (B) Siding material shall be consistent with those present in buildings in  
8 the district generally.

9 (2) **Design.**

10 (A) The accessory structure shall be located at the rear of the lot or parcel.

11 (B) The accessory structure shall be no taller than one story.

12 (C) The accessory structure shall be of a reasonable size and scale in  
13 relationship to the building.

14 (c) **Awnings and Canopies.** Awnings and canopies on new construction shall  
15 meet the following standards:

16 (1) **Materials.**

17 (A) Materials that are compatible with the character of the district shall be  
18 used.

19 (B) Canvass is an approved material for awnings and canopies.

20 (2) **Design.**

21 (A) Awnings shall be located within window openings, and below  
22 transoms.

23 (B) Umbrella-type awnings and non-historic forms are not permitted.

24 (C) Marquees may be used where compatible with the building and  
25 neighboring buildings.

26 (D) Awnings, canopies, or marquees shall not obscure significant  
27 architectural features on the building.

28 (E) Awnings, canopies, or marquees shall have size, scale, and design that  
29 are compatible with the building and neighboring buildings.

30 (f) **Fences.** Fences may be included in new construction.

1 (1) **Materials.** Fences shall be constructed of traditional materials available  
2 during the period of significance.

3 (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
4 taller than six feet in side and rear yards.

5 (g) **Retaining Walls.** Retaining walls may be included in new construction,  
6 provided the retaining wall will not result in the removal or destruction of site  
7 features identified as significant on the historic resource inventory for the district.

8 (1) **Materials.** The retaining wall shall be constructed of traditional materials  
9 that were available during the period of significance. Example: If the period  
10 of significance is 1920-1940, the materials that were available included, but  
11 were not limited to, rusticated stone, formed concrete, poured concrete, and  
12 brick.

13 (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
14 four feet on the side and rear yard.

15 (h) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels  
16 and other rooftop mechanical structures may be included in new construction.

17 (1) **Materials.**

18 (A) Non-reflective glass and metal panels are allowed.

19 (B) Reflective glass and plastic frames are prohibited.

20 (2) **Design.**

21 (A) Solar panels shall not alter the existing profile of the roof, and shall  
22 be mounted flush on rear-facing roofs or placed on the ground in an  
23 inconspicuous location.

24 (B) Satellite dishes, TV antennae and other rooftop mechanical structures  
25 shall be installed so they are not visible from the street and do not damage  
26 or obscure significant architectural feature of the resource.

27 (C) Skylights shall be flat and shall not alter the existing profile of the  
28 roof. Bubble-type skylights are prohibited.

29 **Section 12.** The following SRC 230.082 is hereby added to SRC Chapter 230:

30 **230.082. Public Historic Mitigation.**

(a) A public agency shall avoid inadvertent impacts to a historic resource for which the agency is responsible.

(b) A public agency that alters an historic resource for which the agency is responsible to the degree where the alteration has adverse effect on the historic resource shall mitigate the adverse effect as provided in this subsection.

(1) **Level of Effect.** Any proposed alteration that will have an adverse effect to the historic resource shall be classified as to the level of effect, as set forth in Table 230-5. The level of effect is based on the scale of work and the location of the work. Example: An alteration that involves minor work on a secondary façade will not have as high of an adverse effect on a public historic resource as a project involving major work on a primary façade.

**TABLE 230-5  
PUBLIC HISTORIC MITIGATION – LEVEL OF EFFECT**

<b>Table 230-5: Public Historic Mitigation – Level of Effect</b>				
<b>Activity Proposed</b>	<b>Primary Facade</b>	<b>Level of Effect</b>	<b>Secondary Facade</b>	<b>Level of Effect</b>
<b>Public Historic District</b>				
Demolition	Adverse Effect	Level Three	Adverse Effect	Level Two
Accessibility Alterations and Additions	Adverse Effect	Level One	No Adverse Effect	None
Alterations and Additions	Adverse Effect	Level Two	No Adverse Effect	None
Awnings and Canopies Replacement or Installation	Adverse Effect	Level One	No Adverse Effect	None
Awnings and Canopies Replacement or Installation (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Decks Replacement and Additions	Adverse Effect	Level One	No Adverse Effect	None
Door Replacement	Adverse Effect	Level One	No Adverse Effect	None
Door Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Energy	Adverse Effect	Level One	No Adverse Effect	None
Fences	Adverse Effect	Level One	No Adverse Effect	None

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<b>Table 230-5: Public Historic Mitigation – Level of Effect</b>				
<b>Activity Proposed</b>	<b>Primary Facade</b>	<b>Level of Effect</b>	<b>Secondary Facade</b>	<b>Level of Effect</b>
Lintels, Architraves, Sills, and other Architectural Details Replacement	Adverse Effect	Level One	No Adverse Effect	None
Lintels, Architraves, Sills, and other Architectural Details Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Masonry, Siding, and Exterior Trim Replacement Details Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Masonry, Siding, and Exterior Trim Replacement Details Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Mechanical Equipment and Service Areas Addition and Replacement	Adverse Effect	Level One	No Adverse Effect	None
Murals & Signs	Adverse Effect	Level One	No Adverse Effect	None
Murals & Signs (Meeting Standards)	No Adverse Effect	None	No Adverse Effect	None
Porch Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Porch Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Restoration of Missing Features	No Adverse Effect	None	No Adverse Effect	None
Retaining Walls	Adverse Effect	Level One	No Adverse Effect	None
Roof and Cornice Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Roof and Cornice Replacement (In-Kind)	No Adverse Effect	None	No Effect	None
Site Features Replacement	Adverse Effect	Level One	No Adverse Effect	None
Site Features Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Window Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Window Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None

1 (2) **Mitigation Required.** Mitigation shall be commensurate with the level,  
2 as set forth in this paragraph.

3 (A) **Level One: Minor Adverse Effect.**

4 Work involves loss of historic features or minor alterations. Mitigation  
5 shall include photo documentation of original feature or features prior to  
6 removal and an Intensive Level documentation of the historic resource.  
7 The historic resource shall be documented utilizing the standards for  
8 photographing and documenting historic resources established by the  
9 SHPO.

10 (B) **Level Two: Moderate Adverse Effect.**

11 Work involves major alterations or additions. Mitigation shall include  
12 photo documentation of original feature or features prior to  
13 commencement of work, ILS level documentation of the historic resource,  
14 and the development of both on-site and stand-alone educational materials  
15 which will meaningfully educate the public about the historic resource.  
16 Examples of stand-alone educational materials include, but are not limited  
17 to, informational websites and pamphlets. A digital version of any  
18 educational materials shall be provided and adequate hard copies printed  
19 for distribution by the City. On-site materials include, but are not limited  
20 to, informational kiosks or panels containing historical photos,  
21 architectural information and maps relating to the historic resource and  
22 site that are installed on the site of the historic resource.

23 (C) **Level Three: Major Adverse Effect.**

24 Work results in demolition of a historic resource. Mitigation shall include  
25 photo documentation of historic resource prior to commencement of  
26 demolition. ILS level documentation of the historic resource, and the  
27 development of both on-site and stand-alone educational materials which  
28 will meaningfully educate the public about the historic resource, and  
29 donation to the City's Historic Preservation Trust Fund, as provided in this  
30 paragraph. Examples of stand-alone educational materials include, but are

1 not limited to, informational websites and pamphlets. A digital version of  
2 any educational materials shall be provided along, and adequate hard  
3 copies printed for distribution by the City. On-site materials include, but  
4 are not limited to, informational kiosks or panels containing historical  
5 photos, architectural information and maps relating to the historic resource  
6 and site that are installed on the site of the historic resource. The public  
7 agency shall donate 0.1% of the estimated market value of the historic  
8 resource to the City's Historic Preservation Trust Fund.

9 (3) **Completion of Mitigation.** Mitigation shall be complete at the time of  
10 completion of project giving rise to the required mitigation.

11 **Section 13.** The following SRC 230.200 is hereby added to SRC Chapter 230:

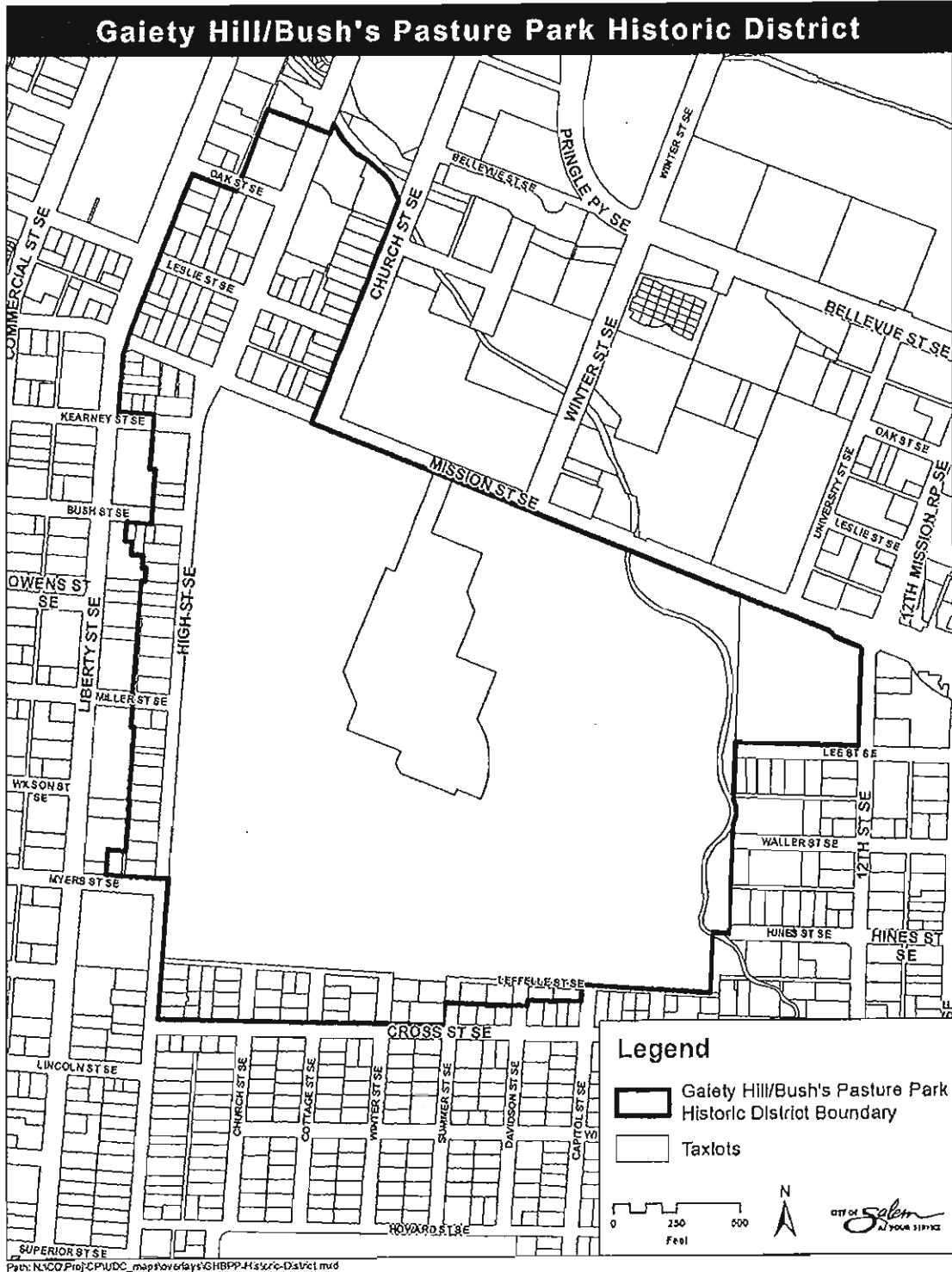
12 **230.200. Historic Districts.** The historic districts in Salem are:

13 (a) **Gaiety Hill/Bush's Pasture Park Historic District (Figure 230-1).** The  
14 Gaiety Hill/Bush's Pasture Historic District was listed on the National Register of  
15 Historic Places in 1986. The period of significance is 1878-1938. The area of the  
16 District is 143 acres, and includes one hundred and thirteen historic contributing  
17 resources and thirty-two non-contributing resources. Resources are primarily  
18 residential, and the most predominant style the Craftsman Bungalow. The District  
19 includes four major Lord and Schryver gardens. The District is most noted for  
20 Bush's Pasture Park, located at the center of the District.

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FIGURE 230-1

GAIETY HILL/BUSH'S PASTURE PARK





(b) **Court Street-Chemeketa Street Historic District (Figure 230-2).** The Court Street-Chemeketa Historic District was listed on the National Register of Historic Places in 1987. The period of significance is 1860-1937. The area of the District is 38.75 acres and includes ninety-nine historic contributing and forty-eight non-contributing resources. The overall character of the District is that of a late 19<sup>th</sup> and early 20<sup>th</sup> century neighborhood. Resources are primarily residential. The District is named for its two east-west streets. Court Street is a 99-foot wide boulevard lined with larger and older houses. Chemeketa Street is narrower and lined primarily with bungalows and cottages, some of which front Mill Creek.

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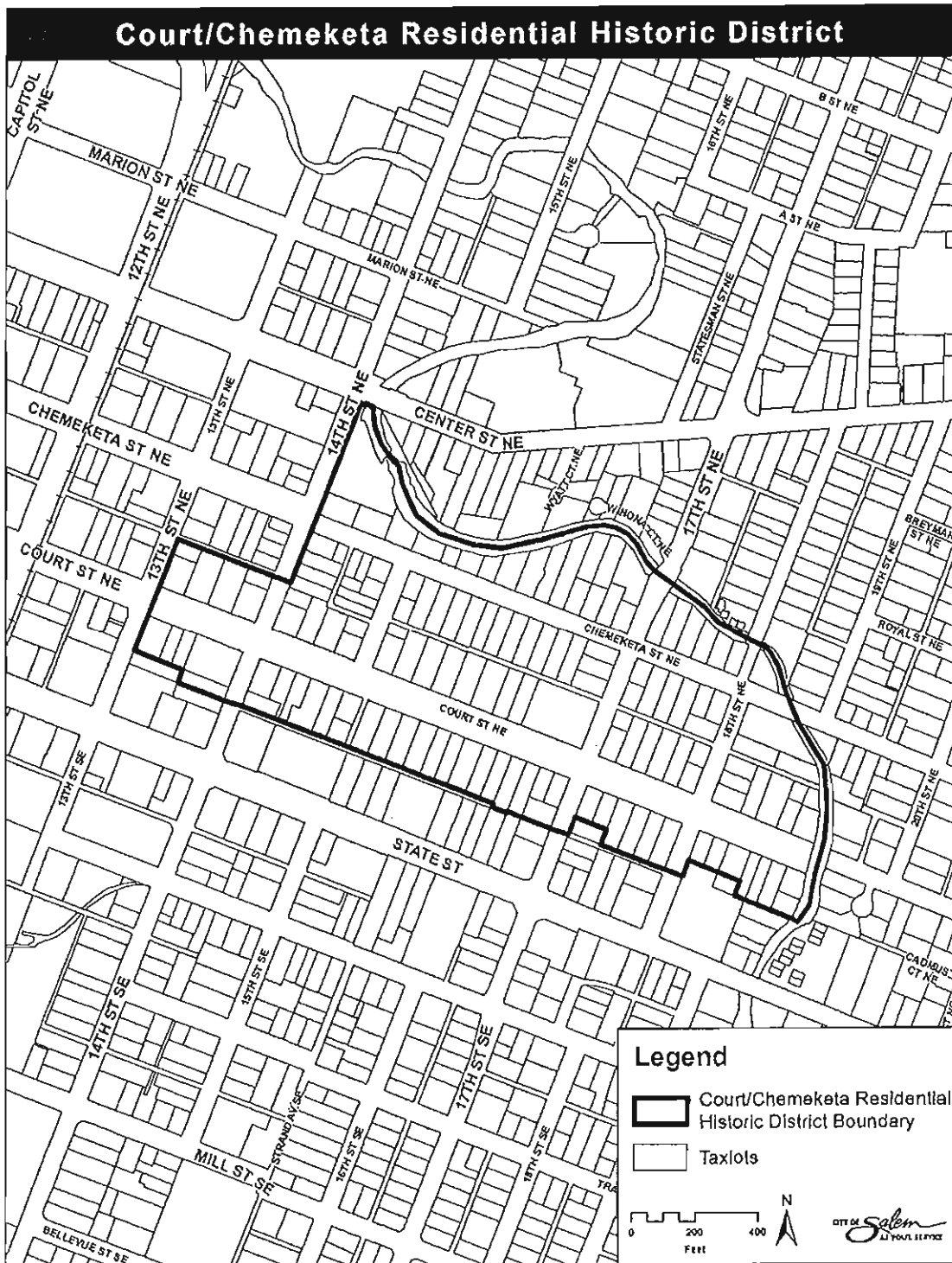
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FIGURE 230-2  
 COURT/CHEMEKETA DISTRICT



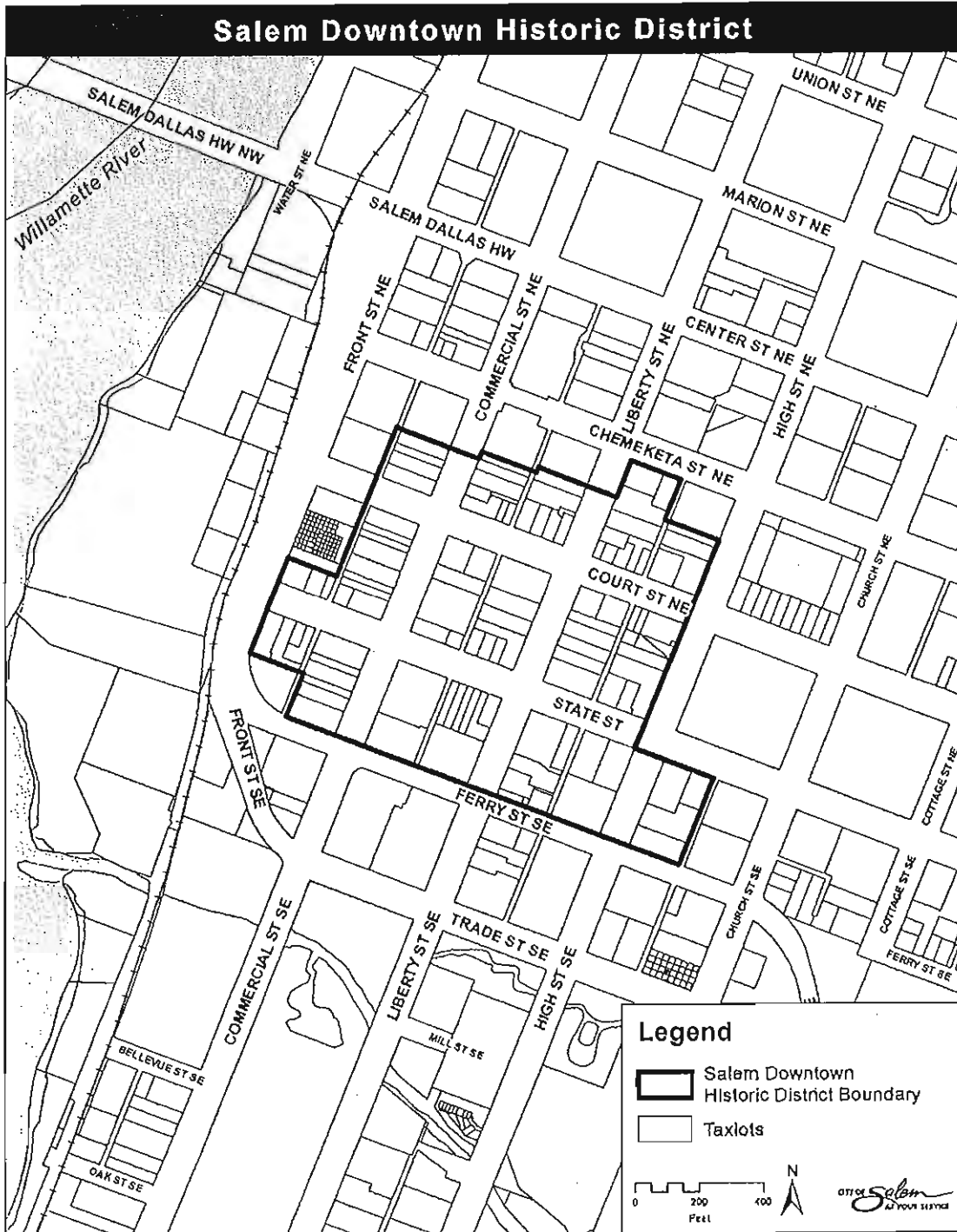
Path: N:\CD\Proj\CP\WDC\_maps\relays\CCR-Historic-District.mxd

1 (c) **Salem Downtown Historic District (Figure 230-3).** The Salem Downtown  
2 Historic District was listed on the National Register of Historic Places in 2001. The  
3 period of significance is 1867-1950. The District is comprised of approximately  
4 seven city blocks and includes fifty-seven historic contributing resources and thirty-  
5 five non-contributing resources. Resources are primarily commercial in character.  
6 The District comprises commercial buildings which share a continuity of scale, lot-  
7 line development at the street, common building materials such as brick and  
8 concrete, and stylistic elements derived from traditional architectural styles such as  
9 Richardsonian Romanesque and Italianate. The storefronts throughout the District  
10 reflect both the downtown's early development, as well as efforts to modernize over  
11 time.

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FIGURE 230-3

SALEM DOWNTOWN HISTORIC DISTRICT

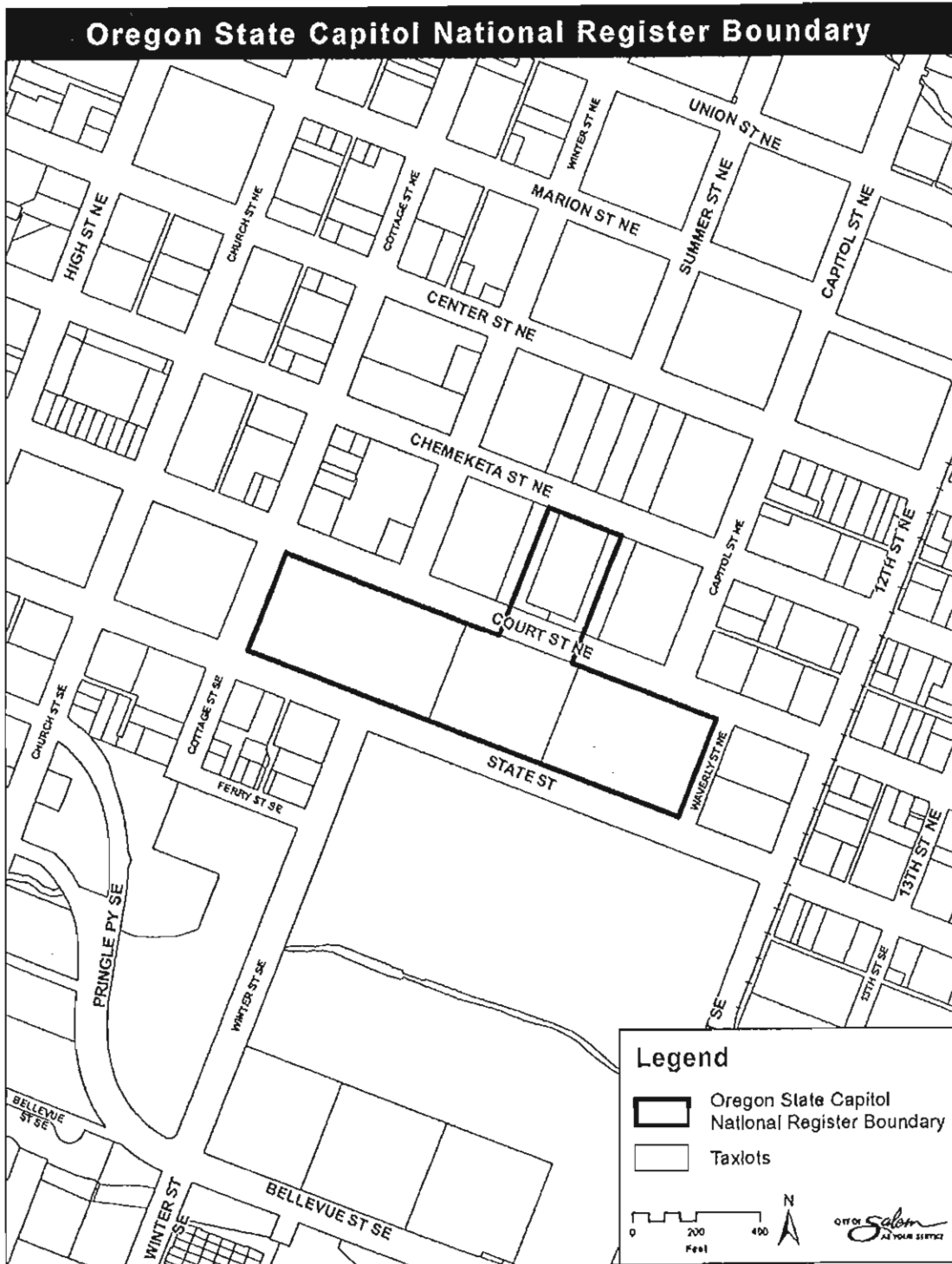


(d) **Oregon State Capitol (Figure 230-4).** The Oregon State Capitol was listed on the National Register of Historic Places in 1988. The Oregon State Capitol was constructed between 1936 and 1938, is 14.49 acres; includes the Capitol Building and adjacent wings, Wilson Park to the west, Capitol Park to the east, and extends to the north from the Capitol steps across Court Street to include one block of the former East and West Summer Streets and the sunken lawn terrace between these two streets.

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FIGURE 230-4  
OREGON STATE CAPITOL



1 (e) Oregon State Hospital District (Figure 230-5). The Oregon State Hospital  
2 District was listed on the National Register of Historic Places in 2008. The period  
3 of significance is 1883-1958. The area of the District had sixty-seven resources at  
4 the time of designation. The resources included buildings constructed for office  
5 use, a physical plant and support buildings, patient treatment wards, and staff  
6 residences.

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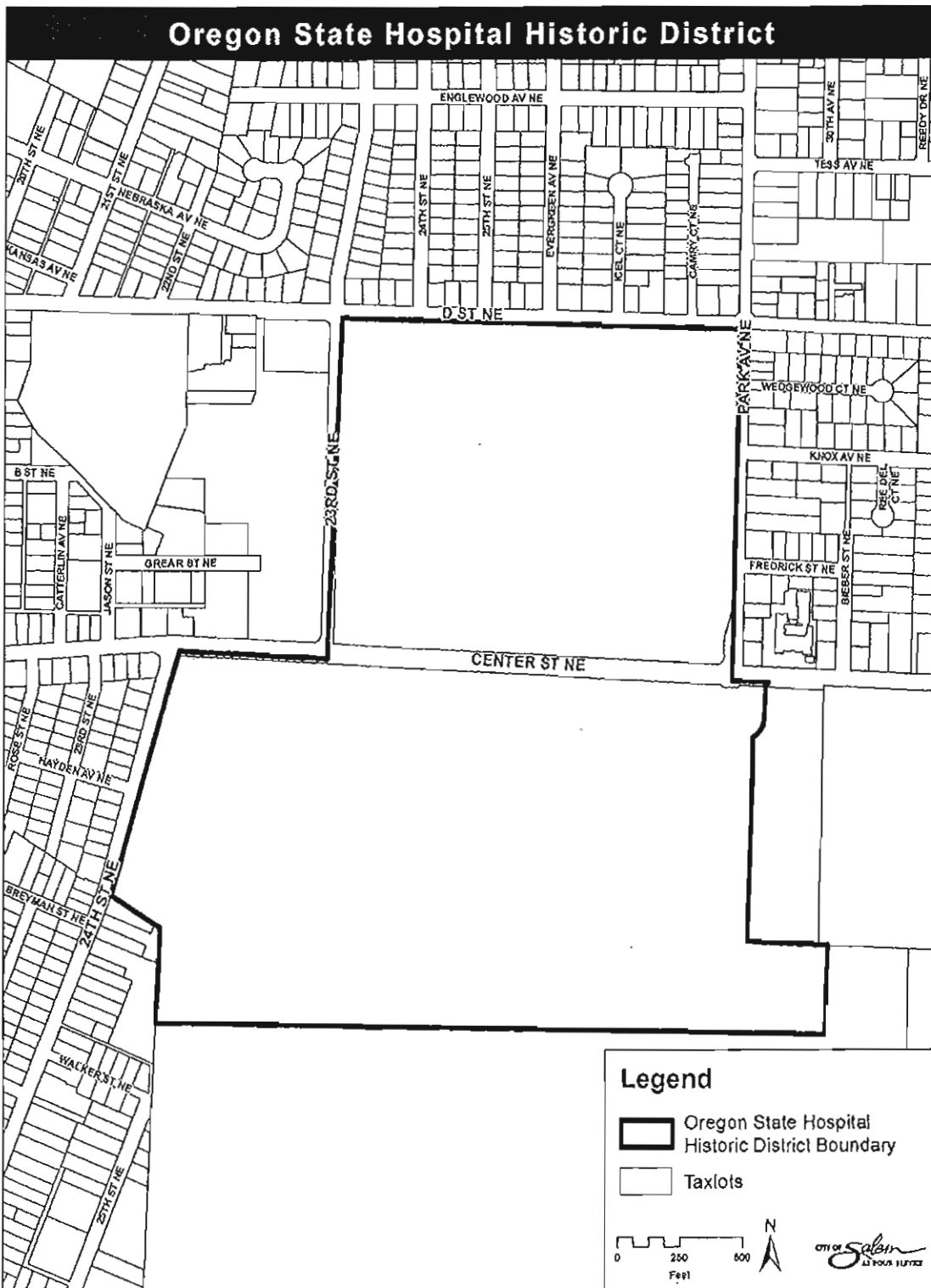
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FIGURE 230-5

OREGON STATE HOSPITAL DISTRICT



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1 **Section 13.** The following SRC 230.225 is hereby added to SRC Chapter 230:

2 **230.225. Individually Listed Resources.** The list of individually listed local resources shall  
3 be maintained by the Director. The list may be maintained electronically, and shall be  
4 available to the general public.

5 **Section 14.** SRC 230.060 is repealed:

6 ~~**230.060. Public Historic Districts.** Historic preservation activity in districts that contain  
7 primarily public buildings shall comply with the Secretary of the Interior's Standards for  
8 Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S.  
9 Department of the Interior, National Park Service.~~

10 **Section 15. Severability.** The sections and subsections of this ordinance are severable. The  
11 invalidity of one section or subsection shall not affect the validity of the remaining sections or  
12 subsections.

13 **Section 16. Codification.** In preparing this ordinance for publication and distribution, the City  
14 Recorder shall not alter the sense, meaning, effect, or substance of this ordinance, but within  
15 such limitations, may:

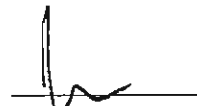
- 16 (a) Renumber sections and parts of sections of the ordinance;
- 17 (b) Rearrange sections;
- 18 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 19 (d) Delete references to repealed sections;
- 20 (e) Substitute the proper subsection, section, or chapter or other division numbers;
- 21 (f) Change capitalization and spelling for the purpose of uniformity; and
- 22 (g) Correct manifest clerical, grammatical, or typographical errors.

23 PASSED by the City Council this 26<sup>th</sup> day of August, 2013.

24 ATTEST:

25  
26 

27 City Recorder



28 Approved by City Attorney: 

29 Checked by: K. Fitzgerald

30 g:\group\legal\council\2013\062413 historic districts and preservation of public historic resources ord 25-13.doc

FOR COUNCIL MEETING OF:  
AGENDA ITEM NO.:

June 24, 2013  
8.1 (a)

TO: MAYOR AND CITY COUNCIL  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM: VICKIE HARDIN WOODS, DIRECTOR   
COMMUNITY DEVELOPMENT DEPARTMENT  
SUBJECT: SUPPLEMENTAL REPORT FOR PROPOSED HISTORIC PRESERVATION  
CODE AMENDMENTS FOR PUBLIC HISTORIC RESOURCES (CA 13-06)

**ISSUE:**

Should the City Council schedule a public hearing on Ordinance Bill No. 25-13 to amend the historic preservation chapter, replacing the existing section SRC 230.060, Public Historic Districts, with new sections within Chapter 230 which include historic design review criteria for public historic resources?

**RECOMMENDATION:**

Staff recommends that the City Council schedule a public hearing on Ordinance Bill No. 25-13 to consider adoption of the ordinance and, after the hearing, advance Ordinance Bill No. 25-13 to second reading for enactment.

**BACKGROUND:**

On June 17, 2013 the City Council received a Future Report recommending that City Council advance Ordinance Bill No. 25-13 to second reading for enactment. While the Historic Landmarks Commission (HLC) initiated the code amendment process on March 21, 2013 and the HLC held a public hearing on the amendments on May 16, 2013, there have been a small number of minor revisions made to the proposed amendments since that original public hearing. Therefore, it is recommended that the City Council hold a public hearing to consider adoption of the ordinance. The revisions made between May 16, 2013 and June 17, 2013 were not substantive in nature but were meant to clarify the proposed amendments, which will provide clearer criteria and an improved, streamlined process for State agencies that own and manage public historic resources in Salem.

  
\_\_\_\_\_  
Glenn W. Gross, Urban Planning Administrator

Prepared by Kimberli Fitzgerald, Senior Historic Planner

- Attachments:
1. HLC Recommendation to Council / Resolution HIS13-01
  2. Fact Sheet / List of State-owned public historic resources
  3. Letters of Support (6)

**NOTICE OF  
RECOMMENDATION**

**RECOMMENDATION OF HISTORIC LANDMARKS COMMISSION  
CODE AMENDMENT CASE NO. CA13-06**

WHEREAS, on March 21, 2013, amendments to the Salem Revised Code (SRC) were initiated by the Salem Historic Landmarks Commission to amend SRC Chapter 230 (Historic Preservation); and

WHEREAS, after due notice, a public hearing on the proposed amendments was held before the Historic Landmarks Commission on May 16, 2013. While no oral testimony was offered, six letters of written support were received; and

WHEREAS, the Historic Landmarks Commission having carefully considered the entire record of this proceeding, including the testimony presented at the hearing, and after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Historic Landmarks Commission hereby adopts as its findings of fact the staff report on this matter dated May 16, 2013, herewith attached and by this reference incorporated herein.

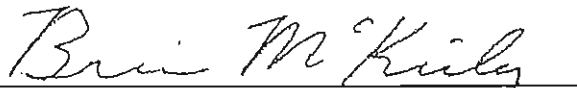
Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Historic Landmarks Commission RECOMMENDS the City Council take the following action:

Schedule first reading of Ordinance Bill No. 25-13 to amend the historic preservation chapter, replacing existing section SRC 230.060, Public Historic Districts, with new sections within Chapter 230 that include historic design review criteria for public historic resources.

**HISTORIC LANDMARKS COMMISSION VOTE**

7 YES      0 NO      1 ABSENT (Carmichael)

  
\_\_\_\_\_  
Brian McKinley, Chair  
Historic Landmarks Commission

Pursuant to SRC 300.1110(h) the City Council may proceed with adoption of an ordinance, hold a public hearing to receive additional evidence and testimony, refer the proposal back to the Historic Landmarks Commission for additional deliberation, or abandon the proposal.

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m. Contact Kimberli Fitzgerald, Case Manager, at 503-540-2397 or [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net) to review the case file.

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



HISTORIC LANDMARKS COMMISSION  
RESOLUTION HL13-1

Whereas, the Salem Historic Preservation Plan ("Plan") was adopted by the Historic Landmarks on September 16, 2010; and

Whereas, the Plan identifies several goals, strategies, and actions to improve the City's land use regulatory process for Historic Resources; and

Whereas, the Salem Historic Landmarks Commission ("Commission") established as Goal 1 of the Plan, *improve the application and review process and revise the historic preservation code and design guidelines*; and

Whereas, an identified action is to *revise the Historic Preservation Chapter (SRC Chapter 230)*; and

Whereas, after staff and the Commission conducted public outreach with residents, property owners, and other stakeholders, SRC Chapter 230, was adopted by City Council in December 2010, which substantially revised the City's previous Historic Resource code; and

Whereas, SRC Chapter 230 does not include a complete section of design guidelines for Public Historic properties; and

Whereas, the Department of Administrative Services and the Oregon State Hospital Replacement Team, with the support of City staff, have prepared section SRC 230.060, Public Historic Districts; and

Whereas, a code amendment to adopt this new section and minor revisions to SRC Chapter 230 have been proposed in order to streamline the existing historic design review process; and

Whereas, proposed code amendments to the Salem Zoning Code may be initiated by the Salem Historic Landmarks Commission by resolution under SRC 300.1110(a)(2); and

Whereas, a 35-day notification to the Department of Land Conservation and Development (LCD) is required under ORS 197.610 and OAR Chapter 660- Division 18; and

Whereas, under SRC 300.1110(e), the Urban Planning Administrator must set a date for a public hearing before the Historic Landmarks Commission and cause notice to be published; NOW THEREFORE

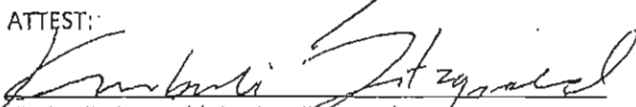
BE IT RESOLVED BY THE HISTORIC LANDMARKS COMMISSION

Section 1. The matter of amending the Salem Revised Code, Chapter 230, modifying the existing Chapter in order to streamline the existing historic design review process and add design guidelines for Public historic properties, be set for a public hearing on May 16, 2013 before the Salem Historic Landmarks Commission in the Council Chambers, Civic Center, Salem, Oregon, pursuant to SRC 300.1110(e).

Section 2. The purpose of the public hearing is to receive testimony on the issue of amending the Salem Revised Code.

ADOPTED by the Salem Historic Landmarks Commission this 21<sup>st</sup> day of MARCH, 2013.

  
Brian McKinley, HLC Chair

ATTEST:  
  
Kimberli Fitzgerald, Senior Historic Planner

# Public Historic Code -- Fact Sheet

## City of Salem Historic Landmarks Commission Proposed Code Update 2013

### **Background**

Existing Salem Revised Code (SRC) Chapter 230 does not include any processes or local historic design review standards for public resources. As the mitigation for the demolition of portions of the Kirkbride and associated structures within the Oregon State Hospital District, the Oregon State Hospital Replacement Team provided a proposed set of design standards. The HLC and Staff then updated the proposal to include additional provisions which would be applicable to any public resources within the City of Salem.

### **Similar General Design Standards for Public Resources**

Design Standards have been established for both Historic-Contributing and Non-Contributing buildings within Public Historic Districts. As with other types of resources, if a property is individually designated, the standards established within the district relating to its historic (original) use shall be used for the purpose of historic design review. Standards have been developed for alterations to individual features, such as windows and doors, major additions, and new construction. The format for these design standards follows that found within the sections for Residential and Commercial districts with criteria within two sections: (1) Materials and (2) Design.

### **New Provisions**

- **Oregon State Hospital**

The Oregon State Hospital Replacement team worked with HLC staff to develop a map which identifies six separate zones within the Oregon State Hospital National Register District. These zones include: Zone 1: Historic Kirkbride, Dome Building and Building 60; Zone 2: Historic Park; Zone 3: Cottages; Zone 4: Non-historic Kirkbride Additions and Building 505; Zone 5: Facility Services and Institutional Buildings north of Center Street; and Zone 6: Openspace south of D Street. Another table defines the primary facades for each of the resources within the districts. Table 230-2.1 defines the review process for public resources. The type of review is determined by two factors: (1) the location of the work (primary/secondary facade) and (2) the type of resource (historic contributing/non-contributing). Historic design review criteria can be found in SRC 230.061 and 230.063.

- **Oregon State Capitol**

A map and table identifying the significant features of the Oregon State Capitol have been developed. The primary facades and significant features have been identified, and type of review is determined by the location of the work and the significance of the feature affected. As with the State Hospital District, historic design review criteria can be found in SRC 230.061 and 230.063.

- **Public Historic Clearance Review**

As authorized through ORS 358.653, currently all public agencies responsible for property fifty years old or older are required to work with the Oregon State Historic Preservation Office (SHPO) to ensure that any alterations to these resources do not adversely affect these properties. This proposed new section implements this existing process through Salem's local historic preservation program, and is meant to streamline and coordinate historic design review with the SHPO and assist public agencies by providing a predictable process. Under this new code, public agencies will have a choice, to either work with the SHPO to satisfy their responsibilities under ORS 358.653 or with the City and the HLC through the new public historic property clearance review process. Components of the City's process include a table which identifies and defines what type of work is considered an adverse effect and therefore will require mitigation.

# Publically (State) Owned Designated Resources in Salem

## *Buildings*

1. Oregon State Hospital District
2. Oregon State Capitol and Grounds
3. SP Railroad Station and Depot
4. OR State Fair Stadium and Poultry Bldg
5. State Forestry Building
6. Supreme Court Building
7. Justice Center
8. OR State Penitentiary Gatehouse/Pillars

## *Address*

2600 Center St NE (NR)  
900 Court St NE (NR)  
500 13<sup>th</sup> St. NE (NR)  
2330 17<sup>th</sup> St. NE (NR)  
2600 State St (NR)  
1163 State St. (L)  
1162 Court St NE (L)  
2605 State St. (L)



# Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department  
State Historic Preservation Office  
725 Summer St NB, Ste C  
Salem, OR 97301-1266  
(503) 986-0671  
Fax (503) 986-0793  
www.oregonheritage.org

RECEIVED

MAR 07 2013

February 27, 2013

COMMUNICATIONS DIVISION



The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, Oregon 97301-3503

*Copies to council*  
RECEIVED  
MAR 4 2013  
By *Jana Cate*

RE: Historic Code Amendments for Public Buildings

Dear Mayor Peterson and members of the Salem City Council:

During the current course of historic code amendments, the city of Salem has been working hard to address the issue of design review of historic public buildings within the city. These buildings often have different rehabilitation and use requirements and are under different pressures than the residential or commercial buildings toward which the current code is focused. The city's intent is to provide agency project managers with a streamlined regulatory approach that offers more predictability for better cost and timeline management.

Thank you for the opportunity to be part of the discussions about the public code. We often work in tandem with the city to ensure that projects on public buildings meet the Secretary of the Interior's Standards for Rehabilitation. In our opinion, the adoption of the new public code will help achieve the city's goals of streamlining and predictability and it will help strengthen the relationships between the city and the public agencies it works with every day. As Oregon's capital city, Salem is uniquely positioned to help protect some of the state's most important historic buildings. We think the new public code will help make that protection process easier, at both the state and local levels.

Sincerely,

Roger Roper  
Deputy State Historic Preservation Officer

cc: Brian McKinley, Salem Historic Landmarks Commission





ADDICTIONS AND MENTAL HEALTH  
OSH Replacement Project

John A. Kitzhaber, M.D., Governor

Oregon  
**Health**  
Authority

PO Box 13624, 2575 Bittern St NE  
Salem, OR 97309

Voice: 503-945-9245

Fax: 503-373-1893

<http://www.oregon.gov/OHA/OSHRP>

March 18, 2013

Mr. Brian McKinley, Chairman  
Historic Landmarks Committee  
City of Salem, Community Development Department  
555 Liberty Street, Room 305  
Salem, OR 97301

Dear Mr. McKinley,

As the administrator of the Oregon State Hospital Replacement Project, I have been working closely with the City of Salem and the Historic Landmarks Commission since the hospital campus was placed on the National Register of Historic Places in 2008.

I have read the new historic guidelines and found them to be relevant and detailed. They will serve as a clear guide for public agencies in regard to mitigation efforts, and alterations and additions to historic buildings.

Of particular note, was the effort to preserve the essential historic and architectural significance of the HLC's two major public historic resources – the Oregon State Capitol and the hospital buildings on the north side of Center Street, including the Dome Building.

The review process outlined in the new guidelines is very prescriptive and specifically addresses a number of elements, including masonry, design, materials, and missing features.

The HLC is committed to protecting and preserving valued historic resources for generations to come and these new guidelines will assure preservation issues are addressed effectively.

Sincerely,

Jodie Jones, Administrator  
OSH Replacement Project





24 NW First Avenue  
Portland, OR 97209

503 243-1923  
[www.HistoricPreservationLeague.org](http://www.HistoricPreservationLeague.org)

March 18, 2013

Anna Peterson, Mayor  
Salem City Council  
555 Liberty Street SE, Room 305  
Salem OR 97301

Re: Historic Code Amendments for Public Buildings

Mayor Peterson,

The Historic Preservation League of Oregon (HPLO) supports the City of Salem's recent efforts to add consistency, clarity, and simplicity to the design review process for historic public buildings. The HPLO recognizes that public buildings are often faced with unique challenges for reuse and rehabilitation—not the least of which is the need to minimize unnecessary public expenditures. The proposed code amendments make historic design review more efficient, while still upholding the public's expectations that historic buildings receive adequate regulatory protection.

Salem has a large number of very significant historic public buildings, many of which are in need of rehabilitation and upgrade. As the likelihood of a Cascadia Subduction Zone earthquake becomes more known to policy-makers and facility planners, we can expect a growing number of seismic retrofit projects to take place in historic public buildings in Salem and elsewhere across Oregon. The proposed code amendments would offer project managers a streamlined regulatory process for implementing these critical rehabilitation projects while also ensuring that the Secretary of the Interior's Standards for Rehabilitation are met.

We are hopeful that the Salem's efforts to make historic design review more streamlined and predictable for public properties will be successful enough to serve as a model for other jurisdictions across Oregon.

Thank you.

A handwritten signature in cursive script that reads "Peggy Moretti".

Peggy Moretti  
*Executive Director*

*cc. Brian McKinley, Chair, Salem Historic Landmarks Commission*



# Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation  
Highway Division/Technical Services  
Geo-Environmental Section  
4040 Fairview Industrial Dr SE  
Salem, OR 97302-1142

May 6, 2013

File Code:

The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, OR 97301-3503

**RE: Historic Code Amendments for Public Buildings**

Dear Mayor Peterson and members of the Salem City Council:

It has been brought to my attention, through my Cultural Resource staff, that an historic code amendment is afoot to help reduce redundancy for design review of historic public buildings within the City. If the City's intent is to provide public agencies, like the Oregon Department of Transportation (ODOT), with a less complicated regulatory approach that will lower both the cost and shorten the timeline, while keeping the historic buildings well-being at the forefront, there seems like little downside.

ODOT has a wide array of historic buildings, from train stations, to barns to even our own facilities as we turn 100 years this year, 2013, therefore this Code Amendment is of great importance to us. We generally work in collaboration with both the SHPO and the City to ensure that projects are compliant with SHPO and the City's compliance requirements, but providing us with a predictable and less cumbersome process that allows us to work with one or the other, versus both, will make the protection process easier, and given that both are vested in the protection of historic buildings in the City of Salem, we are certain this will not adversely affect our historic facilities.

Thank you for the opportunity to review and comment on this important piece of legislation.

Sincerely,

Susan Haupt  
Chief Environmental Officer  
Oregon Department of Transportation

cc: Jim Norrhan, Environmental Planning Unit  
Michelle Eraut, Federal Highways



# Oregon

John A. Kitzhaber, MD, Governor

Department of Forestry  
State Forester's Office  
2600 State Street  
Salem, OR 97310-1336  
503-945-7200  
Fax 503-945-7212  
<http://www.odf.state.or.us>

May 8, 2013



The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, OR 97301

RE: Historic Code Amendments for Public Buildings

Dear Mayor Peterson and members of the Salem City Council:

As an owner of a significant public historic resource located within the City of Salem, the Oregon Department of Forestry (ODF) is pleased to express its support for the new provisions to the Historic Preservation Code, Chapter 230.

In particular ODF supports the provision that creates a clear delineation of regulatory responsibility for oversight, as well as choice for our agency when undertaking required design review processes on projects related to our historic property.

In the past, the requirement to concurrently work with both the City of Salem and the Oregon State Historic Preservation Office has lead to inefficiencies on projects causing project scope, cost and schedule impacts. We recognize and truly appreciate the City of Salem's interest as presented within these amendments to provide public agencies with a more predictable and streamlined process.

ODF looks forward to a continued positive relationship with the City of Salem as we work together to undertake the restoration of the historic State Forester's Office Building over the next several years.

Sincerely,

Robert McKee  
Facilities Director

Cc: Doug Decker, State Forester  
Satish Upadhyay, ODF Administrative Services Division Chief



**Kimberli Fitzgerald - RE: public code**

---

**From:** "Isaac Randy" <randy.isaac@state.or.us>  
**To:** Kimberli Fitzgerald <kfitzgerald@cityofsalem.net>  
**Date:** 5/10/2013 4:01 PM  
**Subject:** RE: public code

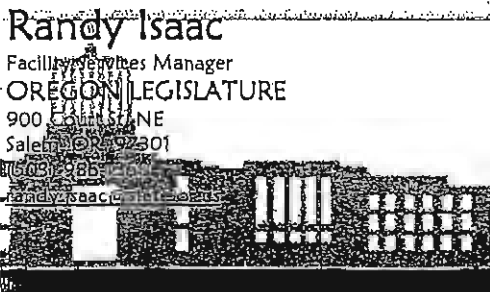
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Kimberly,



Facilities Services Department of the Legislative Administration has reviewed the changes proposed to the City of Salem Code, and is in support of these changes related to historic design review. These provide excellent opportunities for successful projects with enough flexibility to adjust for particular project needs.

Thank you for involving us in the development and revision process.

Respectfully,



FUTURE REPORT FOR: June 17, 2013  
FOR COUNCIL MEETING OF: June 24, 2013  
AGENDA ITEM NO.: 8.1 (a)

TO: MAYOR AND CITY COUNCIL  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM: VICKIE HARDIN WOODS, DIRECTOR   
COMMUNITY DEVELOPMENT DEPARTMENT  
SUBJECT: HISTORIC PRESERVATION CODE AMENDMENTS FOR PUBLIC  
HISTORIC RESOURCES (CA 13-06)

**ISSUE:**

Should the City Council advance to second reading for enactment Ordinance Bill No. 25-13 to amend the historic preservation chapter, replacing the existing section SRC 230.060, Public Historic Districts, with new sections within Chapter 230 which include historic design review criteria for public historic resources?

**RECOMMENDATION:**

Staff recommends that the City Council advance to second reading for enactment Ordinance Bill No. 25-13 to amend the historic preservation chapter, replacing existing section SRC 230.060, Public Historic Districts, with new sections within Chapter 230 which include historic design review criteria for public historic resources. The proposed changes will provide clearer criteria and an improved, streamlined process for public agencies who manage these public historic resources.

**BACKGROUND:**

On September 16, 2010, the Salem Historic Preservation Plan was adopted by the Historic Landmarks Commission. The purpose of the Plan is to guide the work program for the Historic Landmarks Commission and staff over the next ten years. Based upon public outreach, revision of the historic preservation ordinance was identified as the first priority.

A number of revisions to the historic code were adopted by City Council in December 2010 which made improvements to the review processes associated with the different types of historic design review applications for both residential and commercial historic resources, and the design review standards and guidelines applicable to them.

Existing SRC 230 does not provide specific standards for Salem's public historic resources. As mitigation for the demolition of portions of the Kirkbride and associated structures within the Oregon State Hospital District, the Oregon State Hospital Replacement Team provided a set of proposed design standards for public resources in June 2012. The HLC and staff have been working for the past year on the submitted draft to ensure that these standards can be applicable to any State-owned public historic resources (Attachment 3) within the City of Salem. Specific standards were also developed for the Oregon State Hospital District and the Capitol Building and grounds.

## **FACTS AND FINDINGS:**

### ***Procedural Findings***

1. Pursuant to SRC 300.1110(a)(2), legislative land use proceedings may be initiated by the Historic Landmarks Commission (HLC) by the adoption of a resolution referring the matter to public hearing for review and recommendation to the City Council.

On March 21, 2013, the HLC adopted Resolution 13-01 initiating the code amendment process for the public historic code. On May 16, 2013 the HLC held a public hearing and voted to unanimously recommend that City Council enact an Ordinance to replace existing SRC 230.060.

2. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was delivered on April 11, 2013.
3. ORS 227.186 requires that notice be provided to all property owners of a hearing on certain zone changes that would affect their property. Staff determined that the proposed revisions did not constitute a zone change as defined by 227.186(9). No changes to the base zone classification of any property are proposed and the proposed revisions do not limit or prohibit land uses previously allowed.
4. Pursuant to SRC 300.1110(c) public notice was mailed on April 25, 2013, to all neighborhood associations and other interested parties. The legal notice was published in the *Statesman-Journal* newspaper on May 2, 2013, and May 9, 2013.
5. The draft of the proposed code amendments, a detailed summary of the proposed changes, and a fact sheet explaining the proposed changes were published on the City's website on March 20, 2013.

### ***Public Outreach***

1. The draft code language was prepared by the Oregon State Hospital Replacement Team and submitted to the City of Salem in June 2012.
2. On June 21, 2012, August 16, 2012, September 20, 2012, November 15, 2012 and December 20, 2012, work sessions on the proposed revisions were held with the Historic Landmarks Commission.
3. Between November 2012 and January 2013, staff personally met with representatives from various agencies to present the proposed revisions and receive initial feedback.
4. On January 10, 2013, a meeting of representatives from State Agencies which are responsible for designated public historic properties was held. Representatives from Oregon Department of Administrative Services, the Oregon State Capitol, the Oregon State Hospital, and the Oregon State Historic Preservation Office were in attendance. Staff met personally with other representatives from the state agencies who were not able to attend the January meeting.
5. On January 17, 2013, the Historic Landmarks Commission voted to approve the revisions, with minor modifications, and recommended that a resolution be prepared to initiate the amendment process.
6. On March 21, 2013 the Historic Landmarks adopted Resolution 13-01 initiating the code amendment process for the public historic code.

7. Letters of support for the proposed changes were received from the following agencies: Oregon State Historic Preservation Office, Oregon Health Authority/Oregon State Hospital Replacement Project, Oregon Department of Transportation, Oregon Department of Forestry, Oregon State Legislature (Capitol) and the Historic Preservation League of Oregon.

### ***Proposed Code Amendments***

1. The proposed revisions are in response to the Historic Preservation Plan, adopted in 2010, and the identified need to make changes to the City's historic preservation regulations for residential and commercial resources which were adopted in 2010 (CA 10-07). However, SRC Chapter 230 does not include a complete section of design guidelines for Public Historic properties, the need for which was identified during the review process for the Oregon State Hospital Replacement Project. Important elements/concepts being addressed by the proposed revisions include:

- a) Design Review Standards for public resources will be consistent with existing Standards

The historic design review standards adopted in December 2010 within SRC Chapter 230 are generally organized by the type of historic district (e.g. residential or commercial), and then by resource type (i.e., historic contributing, historic non-contributing, non-historic non-contributing, or new construction). The proposed amendments to SRC Chapter 230 for public historic resources establishes the design standards for specific types of work on public resources, such as siding, exterior trim and minor architectural features; windows, doors, roofs, and porches; solar panels, and rooftop mechanical devices; additions/alterations; and new construction.

The design standards are organized following a consistent format which first describes the intent of the standard and then identifies the specific requirements for materials and design for each work type. In general, for historic contributing resources, the standards first encourage the repair of original materials in order to preserve as much historic material as possible. For non-contributing resources, standards relating to the alteration of these resources encourage that the material and design be compatible with the surrounding historic district.

- b) A broader range of projects can be approved administratively

During the public outreach it was discovered that owners of properties that are subject to the historic preservation ordinance would prefer that a broader range of projects be approved administratively by staff because of the amount of time needed to obtain Historic Landmark Commission (HLC) approval. Currently there are only a few categories of historic design review projects that can be approved administratively. On average, the review process for HLC historic design review is 52 days. By comparison, a staff, administrative design review averages 25 days.

Table 230-1, adopted in 2010, is organized by type of historic district (residential or commercial) and then by the category of historic design review. Proposed Table 230-2 provides clarification for alterations proposed within public historic districts. Revising the historic preservation regulations to allow for an increased range of projects to be approved administratively will shorten the process for applicants that meet the criteria.

- c) Clearer design standards will be established for public historic resources

Agency representatives who are responsible for public resources and individually listed public historic resources pointed out that the standards need to be clearer and provide a measure of certainty for applicants to know what is approvable and what is not. It was stated that the standards are nearly as vague as the guidelines and provide applicants and the HLC little guidance. Table 230-2 defines the review process for public resources. The type of review is determined by two factors: (1) the location of the work (primary/secondary façade); and (2) the type of resource (historic contributing/non-contributing).

Historic design review criteria can be found in SRC 230.061 and 230.063. Additionally, specific standards, as described below, have been provided for Salem's two primary public historic resources, the Oregon State Hospital and the Oregon State Capitol:

- **Oregon State Hospital**

The Oregon State Hospital Replacement team worked with the HLC and staff to develop a map which identifies six separate zones, ranked from the most significant to the least within the Oregon State Hospital National Register District. These zones include: Zone 1 - Historic Kirkbride, Dome Building, and Building 60; Zone 2 - Historic Park; Zone 3 - Cottages; Zone 4 - Non-historic Kirkbride Additions and Building 505; Zone 5 - Facility Services and Institutional Buildings north of Center Street; and Zone 6 - Open space south of D Street. Table 230-4 defines the primary facades for each of the resources within the districts. The type of review is determined by the location of the work and the significance of the feature affected.

**Oregon State Capitol**

A map and table identifying the significant features of the Oregon State Capitol were developed. The primary facades and significant features were identified, and type of review is determined by the location of the work and the significance of the feature affected. As with the State Hospital District, historic design review criteria can be found in SRC 230.061 and 230.063.

d) Streamlined Review

As currently authorized through ORS 358.653, all public agencies responsible for property fifty years old or older are required to work with the Oregon State Historic Preservation Office (SHPO) to ensure that any alterations to these resources do not adversely affect these properties. The proposed new sections SRC 230.018 and 230.082 implement this existing process through Salem's local historic preservation program, and are meant to streamline and coordinate historic design review with the SHPO and assist public agencies by providing a predictable process. Under this new code, public agencies will have a choice to either work with the SHPO to satisfy their responsibilities under ORS 358.653 or with the City and the HLC through the new public historic property clearance review process. Components of the City's process include a table which identifies and defines what type of work is considered an adverse effect which, therefore, will require mitigation.

2. The proposed new sections SRC 230.018, 230.057, 230.058, 230.060, 230.062, 230.063, 230.064, 230.082, 230.200 AND 230.225; will replace existing SRC Chapter 230.060. SRC 230.005, 230.020 will be amended within SRC Chapter 230 to accommodate additional definitions and define processes for the review of alterations for public historic resources.

***Consistency with the Salem Area Comprehensive Plan***

1. The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development within the Salem/Keizer Urban Growth Boundary. The overall goal of the SACP is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.
2. Sections IIB.7, Historic Landmarks, provides for the designation of local landmarks and districts and requires that a listing of the landmarks be on file at the City. Section IV.N, Scenic and Historic Areas, provides that the character of the resources on both the local landmarks list and the National Register of Historic Places be preserved, and that proposed alterations of these resources be reviewed.



The proposed amendments are consistent with and implement the SACP by modifying and clarifying the standards applicable to historic buildings and structures to ensure that designated structures are preserved. The proposed amendments include additional criteria which simplify and clarify the processes for historic designation and alteration review of public historic resources.



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Glenn W. Gross, Urban Planning Administrator

Prepared by Kimberli Fitzgerald, Senior Historic Planner

- Attachments:
1. HLC Recommendation to Council / Resolution HIS13-01
  2. Fact Sheet / List of State-owned public historic resources
  3. Letters of Support (6)

G:\CD\PLANNING\HISTORIC\COUNCIL Reports & RESOLUTIONS\Public Bldgs Code Amendmt 2013\CA 13-06 (CC Future Report-6-17-13) kk.doc

NOTICE OF  
RECOMMENDATION

RECOMMENDATION OF HISTORIC LANDMARKS COMMISSION  
CODE AMENDMENT CASE NO. CA13-06

WHEREAS, on March 21, 2013, amendments to the Salem Revised Code (SRC) were initiated by the Salem Historic Landmarks Commission to amend SRC Chapter 230 (Historic Preservation); and

WHEREAS, after due notice, a public hearing on the proposed amendments was held before the Historic Landmarks Commission on May 16, 2013. While no oral testimony was offered, six letters of written support were received; and

WHEREAS, the Historic Landmarks Commission having carefully considered the entire record of this proceeding, including the testimony presented at the hearing, and after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Historic Landmarks Commission hereby adopts as its findings of fact the staff report on this matter dated May 16, 2013, herewith attached and by this reference incorporated herein.

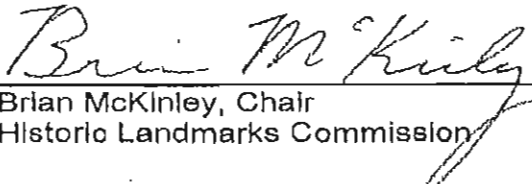
Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Historic Landmarks Commission RECOMMENDS the City Council take the following action:

Schedule first reading of Ordinance Bill No. 25-13 to amend the historic preservation chapter, replacing existing section SRC 230.060, Public Historic Districts, with new sections within Chapter 230 that include historic design review criteria for public historic resources.

HISTORIC LANDMARKS COMMISSION VOTE

7 YES      0 NO      1 ABSENT (Carmichael)

  
\_\_\_\_\_  
Brian McKinley, Chair  
Historic Landmarks Commission

Pursuant to SRC 300.1110(h) the City Council may proceed with adoption of an ordinance, hold a public hearing to receive additional evidence and testimony, refer the proposal back to the Historic Landmarks Commission for additional deliberation, or abandon the proposal.

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m. Contact Kimberli Fitzgerald, Case Manager, at 503-540-2397 or [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net) to review the case file.

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



HISTORIC LANDMARKS COMMISSION  
RESOLUTION HL13-1

Whereas, the Salem Historic Preservation Plan ("Plan") was adopted by the Historic Landmarks on September 16, 2010; and

Whereas, the Plan identifies several goals, strategies, and actions to improve the City's land use regulatory process for Historic Resources; and

Whereas, the Salem Historic Landmarks Commission ("Commission") established as Goal 1 of the Plan, *Improve the application and review process and revise the historic preservation code and design guidelines*; and

Whereas, an identified Action is to *Revise the Historic Preservation Chapter* (SRC Chapter 230); and

Whereas, after staff and the Commission conducted public outreach with residents, property owners, and other stakeholders, SRC Chapter 230, was adopted by City Council in December 2010, which substantially revised the City's previous Historic Resource code; and

Whereas, SRC Chapter 230 does not include a complete section of design guidelines for Public Historic properties; and

Whereas, the Department of Administrative Services and the Oregon State Hospital Replacement Team, with the support of City staff, have prepared section SRC 230.060, Public Historic Districts; and

Whereas, a code amendment to adopt this new section and minor revisions to SRC Chapter 230 have been proposed in order to streamline the existing historic design review process; and

Whereas, proposed code amendments to the Salem Zoning Code may be initiated by the Salem Historic Landmarks Commission by resolution under SRC 300.1110(a)(2); and

Whereas, a 35-day notification to the Department of Land Conservation and Development (LCDC) is required under ORS 197.610 and OAR Chapter 660- Division 18; and

Whereas, under SRC 300.1110(e), the Urban Planning Administrator must set a date for a public hearing before the Historic Landmarks Commission and cause notice to be published; NOW THEREFORE

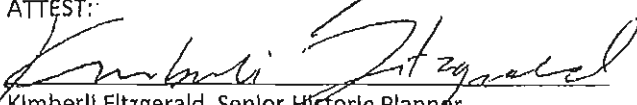
BE IT RESOLVED BY THE HISTORIC LANDMARKS COMMISSION

Section 1. The matter of amending the Salem Revised Code, Chapter 230, modifying the existing Chapter in order to streamline the existing historic design review process and add design guidelines for Public historic properties, be set for a public hearing on May 16, 2013 before the Salem Historic Landmarks Commission in the Council Chambers, Civic Center, Salem, Oregon, pursuant to SRC 300.1110(e).

Section 2. The purpose of the public hearing is to receive testimony on the issue of amending the Salem Revised Code.

ADOPTED by the Salem Historic Landmarks Commission this 21<sup>st</sup> day of MARCH, 2013.

  
\_\_\_\_\_  
Brian McKinley, HLC Chair

ATTEST:  
  
\_\_\_\_\_  
Kimberli Fitzgerald, Senior Historic Planner

# Public Historic Code -- Fact Sheet

## City of Salem Historic Landmarks Commission Proposed Code Update 2013

### **Background**

Existing Salem Revised Code (SRC) Chapter 230 does not include any processes or local historic design review standards for public resources. As the mitigation for the demolition of portions of the Kirkbride and associated structures within the Oregon State Hospital District, the Oregon State Hospital Replacement Team provided a proposed set of design standards. The HLC and Staff then updated the proposal to include additional provisions which would be applicable to any public resources within the City of Salem.

### **Similar General Design Standards for Public Resources**

Design Standards have been established for both Historic-Contributing and Non-Contributing buildings within Public Historic Districts. As with other types of resources, if a property is individually designated, the standards established within the district relating to its historic (original) use shall be used for the purpose of historic design review. Standards have been developed for alterations to individual features, such as windows and doors, major additions, and new construction. The format for these design standards follows that found within the sections for Residential and Commercial districts with criteria within two sections: (1) Materials and (2) Design.

### **New Provisions**

- **Oregon State Hospital**

The Oregon State Hospital Replacement team worked with HLC staff to develop a map which identifies six separate zones within the Oregon State Hospital National Register District. These zones include: Zone 1: Historic Kirkbride, Dome Building and Building 60; Zone 2: Historic Park; Zone 3: Cottages; Zone 4: Non-historic Kirkbride Additions and Building 505; Zone 5: Facility Services and Institutional Buildings north of Center Street; and Zone 6: Openspace south of D Street. Another table defines the primary facades for each of the resources within the districts. Table 230-2.1 defines the review process for public resources. The type of review is determined by two factors: (1) the location of the work (primary/secondary façade) and (2) the type of resource (historic contributing/non-contributing). Historic design review criteria can be found in SRC 230.061 and 230.063.

- **Oregon State Capitol**

A map and table identifying the significant features of the Oregon State Capitol have been developed. The primary facades and significant features have been identified, and type of review is determined by the location of the work and the significance of the feature affected. As with the State Hospital District, historic design review criteria can be found in SRC 230.061 and 230.063.

- **Public Historic Clearance Review**

As authorized through ORS 358.653, currently all public agencies responsible for property fifty years old or older are required to work with the Oregon State Historic Preservation Office (SHPO) to ensure that any alterations to these resources do not adversely affect these properties. This proposed new section implements this existing process through Salem's local historic preservation program, and is meant to streamline and coordinate historic design review with the SHPO and assist public agencies by providing a predictable process. Under this new code, public agencies will have a choice, to either work with the SHPO to satisfy their responsibilities under ORS 358.653 or with the City and the HLC through the new public historic property clearance review process. Components of the City's process include a table which identifies and defines what type of work is considered an adverse effect and therefore will require mitigation.

# Publically (State) Owned Designated Resources in Salem

## *Buildings*

1. Oregon State Hospital District
2. Oregon State Capitol and Grounds
3. SP Railroad Station and Depot
4. OR State Fair Stadium and Poultry Bldg
5. State Forestry Building
6. Supreme Court Building
7. Justice Center
8. OR State Penitentiary Gatehouse/Pillars

## *Address*

- 2600 Center St NE (NR)  
900 Court St NE (NR)  
500 13<sup>th</sup> St. NE (NR)  
2330 17<sup>th</sup> St. NE (NR)  
2600 State St (NR)  
1163 State St. (L)  
1162 Court St NE (L)  
2605 State St. (L)



# Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department  
State Historic Preservation Office  
725 Summer St NE, Ste C  
Salem, OR 97301-1266  
(503) 986-0671  
Fax (503) 986-0793  
www.oregonheritage.org

RECEIVED

MAR 07 2013

February 27, 2013

COMMUNICATIONS DIVISION



The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, Oregon 97301-3503

*Copies to council*

RECEIVED  
MAR 4 2013  
By *Janea Carter*

RE: Historic Code Amendments for Public Buildings

Dear Mayor Peterson and members of the Salem City Council:

During the current course of historic code amendments, the city of Salem has been working hard to address the issue of design review of historic public buildings within the city. These buildings often have different rehabilitation and use requirements and are under different pressures than the residential or commercial buildings toward which the current code is focused. The city's intent is to provide agency project managers with a streamlined regulatory approach that offers more predictability for better cost and timeline management.

Thank you for the opportunity to be part of the discussions about the public code. We often work in tandem with the city to ensure that projects on public buildings meet the Secretary of the Interior's Standards for Rehabilitation. In our opinion, the adoption of the new public code will help achieve the city's goals of streamlining and predictability and it will help strengthen the relationships between the city and the public agencies it works with every day. As Oregon's capital city, Salem is uniquely positioned to help protect some of the state's most important historic buildings. We think the new public code will help make that protection process easier, at both the state and local levels.

Sincerely,

Roger Roper  
Deputy State Historic Preservation Officer

cc: Brian McKinley, Salem Historic Landmarks Commission





ADDICTIONS AND MENTAL HEALTH  
OSH Replacement Project

John A. Kitzhaber, M.D., Governor

Oregon  
**Health**  
Authority

PO Box 13624, 2575 Bittern St NE  
Salem, OR 97309

Voice: 503-945-9245

Fax: 503-373-1893

<http://www.oregon.gov/OHA/OSHRP>

March 18, 2013

Mr. Brian McKinley, Chairman  
Historic Landmarks Committee  
City of Salem, Community Development Department  
555 Liberty Street, Room 305  
Salem, OR 97301

Dear Mr. McKinley,

As the administrator of the Oregon State Hospital Replacement Project, I have been working closely with the City of Salem and the Historic Landmarks Commission since the hospital campus was placed on the National Register of Historic Places in 2008.

I have read the new historic guidelines and found them to be relevant and detailed. They will serve as a clear guide for public agencies in regard to mitigation efforts, and alterations and additions to historic buildings.

Of particular note, was the effort to preserve the essential historic and architectural significance of the HLC's two major public historic resources – the Oregon State Capitol and the hospital buildings on the north side of Center Street, including the Dome Building.

The review process outlined in the new guidelines is very prescriptive and specifically addresses a number of elements, including masonry, design, materials, and missing features.

The HLC is committed to protecting and preserving valued historic resources for generations to come and these new guidelines will assure preservation issues are addressed effectively.

Sincerely,

Jodie Jones, Administrator  
OSH Replacement Project



24 NW First Avenue  
Portland, OR 97209

503 243-1923  
[www.HistoricPreservationLeague.org](http://www.HistoricPreservationLeague.org)

March 18, 2013

Anna Peterson, Mayor  
Salem City Council  
555 Liberty Street SE, Room 305  
Salem OR 97301

Re: Historic Code Amendments for Public Buildings

Mayor Peterson,

The Historic Preservation League of Oregon (HPLO) supports the City of Salem's recent efforts to add consistency, clarity, and simplicity to the design review process for historic public buildings. The HPLO recognizes that public buildings are often faced with unique challenges for reuse and rehabilitation—not the least of which is the need to minimize unnecessary public expenditures. The proposed code amendments make historic design review more efficient, while still upholding the public's expectations that historic buildings receive adequate regulatory protection.

Salem has a large number of very significant historic public buildings, many of which are in need of rehabilitation and upgrade. As the likelihood of a Cascadia Subduction Zone earthquake becomes more known to policy-makers and facility planners, we can expect a growing number of seismic retrofit projects to take place in historic public buildings in Salem and elsewhere across Oregon. The proposed code amendments would offer project managers a streamlined regulatory process for implementing these critical rehabilitation projects while also ensuring that the Secretary of the Interior's Standards for Rehabilitation are met.

We are hopeful that the Salem's efforts to make historic design review more streamlined and predictable for public properties will be successful enough to serve as a model for other jurisdictions across Oregon.

Thank you.

A handwritten signature in cursive script that reads "Peggy Moretti".

Peggy Moretti  
Executive Director

*cc. Brian McKinley, Chair, Salem Historic Landmarks Commission*





# Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation  
Highway Division/Technical Services  
Geo-Environmental Section  
4040 Fairview Industrial Dr SE  
Salem, OR 97302-1142

May 6, 2013

File Code:

The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, OR 97301-3503

**RE: Historic Code Amendments for Public Buildings**

Dear Mayor Peterson and members of the Salem City Council:

It has been brought to my attention, through my Cultural Resource staff, that an historic code amendment is afoot to help reduce redundancy for design review of historic public buildings within the City. If the City's intent is to provide public agencies, like the Oregon Department of Transportation (ODOT), with a less complicated regulatory approach that will lower both the cost and shorten the timeline, while keeping the historic buildings well-being at the forefront, there seems like little downside.

ODOT has a wide array of historic buildings, from train stations, to barns to even our own facilities as we turn 100 years this year, 2013, therefore this Code Amendment is of great importance to us. We generally work in collaboration with both the SHPO and the City to ensure that projects are compliant with SHPO and the City's compliance requirements, but providing us with a predictable and less cumbersome process that allows us to work with one or the other, versus both, will make the protection process easier, and given that both are vested in the protection of historic buildings in the City of Salem, we are certain this will not adversely affect our historic facilities.

Thank you for the opportunity to review and comment on this important piece of legislation.

Sincerely,

Susan Haupt  
Chief Environmental Officer  
Oregon Department of Transportation

cc: Jim Norman, Environmental Planning Unit  
Michelle Eraut, Federal Highways





# Oregon

John A. Kitzhaber, MD, Governor

Department of Forestry  
State Forester's Office  
2600 State Street  
Salem, OR 97310-1336  
503-945-7200  
Fax 503-945-7212  
<http://www.odf.state.or.us>

May 8, 2013



The Honorable Anna Peterson, Mayor of Salem  
Salem City Council  
555 Liberty Street SE, Room 220  
Salem, OR 97301

RE: Historic Code Amendments for Public Buildings

Dear Mayor Peterson and members of the Salem City Council:

As an owner of a significant public historic resource located within the City of Salem, the Oregon Department of Forestry (ODF) is pleased to express its support for the new provisions to the Historic Preservation Code, Chapter 230.

In particular ODF supports the provision that creates a clear delineation of regulatory responsibility for oversight, as well as choice for our agency when undertaking required design review processes on projects related to our historic property.

In the past, the requirement to concurrently work with both the City of Salem and the Oregon State Historic Preservation Office has led to inefficiencies on projects causing project scope, cost and schedule impacts. We recognize and truly appreciate the City of Salem's interest as presented within these amendments to provide public agencies with a more predictable and streamlined process.

ODF looks forward to a continued positive relationship with the City of Salem as we work together to undertake the restoration of the historic State Forester's Office Building over the next several years.

Sincerely,

Robert McKee  
Facilities Director

Cc: Doug Decker, State Forester  
Satish Upadhyay, ODF Administrative Services Division Chief



**Kimberli Fitzgerald - RE: public code**

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**From:** "Isaac Randy" <randy.isaac@state.or.us>  
**To:** Kimberli Fitzgerald <kfitzgerald@cityofsalem.net>  
**Date:** 5/10/2013 4:01 PM  
**Subject:** RE: public code

---

Kimberly,

Facilities Services Department of the Legislative Administration has reviewed the changes proposed to the City of Salem Code, and is in support of these changes related to historic design review. These provide excellent opportunities for successful projects with enough flexibility to adjust for particular project needs.

Thank you for involving us in the development and revision process.

Respectfully,

**Randy Isaac**

Facilities Services Manager

OREGON LEGISLATURE

900 COURT ST. N.E.

Salem, OR 97301

(503) 865-6111

randy.isaac@state.or.us



ORDINANCE BILL NO. 25-13

RELATING TO THE HISTORIC DISTRICTS AND THE PRESERVATION OF PUBLIC  
HISTORIC RESOURCES; AMENDING SRC 230.005, SRC 230.020 AND SRC 230.085;  
CREATING NEW PROVISIONS; AND REPEALING SRC 230.060

*The City of Salem ordains as follows:*

**Section 1.** SRC 230.005 is amended to read as follows:

**230.005. Definitions; Rules of Decision; Administrative Resources.**

(a) Unless the context specifically indicates otherwise, as used in this Chapter the following mean:

(1) Alteration means a physical modification of the exterior of a historic resource that does not include an expansion of the building footprint.

Alterations do not include painting, color selection, or ordinary maintenance or repair of the resource.

(2) Addition means an expansion or physical modification of the exterior of a historic resource that includes the expansion of the building footprint.

Additions do not include painting and color selection or ordinary maintenance or repair of the resource.

(3) Building means a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.

(4) Primary façade means that part of a historic resource where the main entry is located. On a corner lot each wall fronting the street shall be considered a primary façade.

(5) Historic district means a geographically definable area containing a significant concentration, linkage, or continuity of buildings, structures, sites, or objects united historically or aesthetically by plan or physical development, and listed as a historic district in the National Register of Historic Places. A historic district may also comprise individual elements separated geographically but linked by association or history. Historic districts are

1 defined by a period of significance. National Register District nominations for  
2 historic district designation are processed by the Oregon State Historic  
3 Preservation Office (SHPO) and reviewed by the State Advisory Committee  
4 on Historic Preservation (SACHP). The final decision for listing on the  
5 National Register of Historic Places is made by the National Park Service.  
6 Property owners within the proposed National Register Districts are notified  
7 by SHPO and have the opportunity to object. 36 CFR 60.6 provides that if  
8 fifty-one percent of owners object to the proposed district, the nomination  
9 cannot proceed to review by SACHP and the National Park Service. The  
10 Historic Landmarks Commission and City Council have the opportunity to  
11 comment and make recommendations on the nomination prior to review by  
12 SACHP.

13 (6) Historic contributing building means a building or structure in a historic  
14 district that existed during the period of significance, and has retained  
15 sufficient integrity to convey the history of the district and to contribute to its  
16 character.

17 (7) Historic non-contributing building means a building or structure in a  
18 historic district that existed during the period of significance, but has been so  
19 altered that it no longer conveys the history of the district or contributes to its  
20 character.

21 (8) Historic preservation means preservation, restoration, or rehabilitation of  
22 a historic resource.

23 (9) Historic resource means a historic contributing building, individually  
24 listed resource, a site or an object that is an individually listed resource or  
25 designated as a historic-contributing site or an object in a historic district.

26 (10) Individually listed resource means a building, structure, site, or object  
27 listed individually on the National Register of Historic Places or designated as  
28 a local historic resource by the City Council.

29 (11) Local historic resource means a building, structure, site, or object  
30 designated as a local historic resource pursuant to this Chapter.

1 (12) Non-contributing building means a historic non-contributing building or  
2 a non-historic non-contributing building.

3 (13) Non-historic non-contributing building means a building or structure in a  
4 historic district that did not exist during the period of significance.

5 (14) Object means a material thing of functional, aesthetic, cultural, historic  
6 or scientific value that may be, by nature or design, movable yet related to a  
7 specific setting or environment.

8 (15) Original means the component was constructed on or added to the  
9 building during the period of significance.

10 (16) Period of significance means the dates stated in the official designation  
11 of a historic district by the National Parks Service that identifies the period or  
12 periods of time when geographic area attained the characteristics which  
13 qualify the area for designation as a historic district.

14 (17) Property pending designation means a building, structure, site, or object  
15 for which a formal application for local historic designation has been initiated,  
16 or which has been recommended for nomination to the National Register of  
17 Historic Places by SACHP, or a building, structure, site, or object within a  
18 proposed historic district for which a formal application for historic  
19 designation has been submitted, but which have not yet been reviewed by the  
20 Keeper of the National Register, or has been reviewed by the Keeper and  
21 determined to be "eligible."

22 (18) Preservation means the act or process of applying measures necessary to  
23 sustain the existing form, integrity, and materials of a historic resource.  
24 Work, including preliminary measures to protect and stabilize the resource,  
25 generally focuses on the ongoing maintenance and repair of historic materials  
26 and features rather than extensive replacement and new construction. New  
27 exterior additions are not considered preservation; however, the limited and  
28 sensitive upgrading of mechanical, electrical, and plumbing systems and other  
29 code-required work to make properties functional is appropriate within a  
30 preservation project.

1 (19) Public agency means the State of Oregon, and all the administrative  
2 subdivisions thereof, including, but not limited to, the Oregon Department of  
3 Administrative Services.

4 (20) Public historic resource means a historic resource that is owned by a  
5 public agency.

6 ~~(1921)~~ Restoration means the act or process of accurately depicting the form,  
7 features, and character of a historic-contributing resource or historic-non-  
8 contributing resource as it appeared at a particular period of time by means of  
9 the removal of features from other periods in its history and reconstruction of  
10 missing features from the restoration period. The limited and sensitive  
11 upgrading of mechanical, electrical, and plumbing systems and other code-  
12 required work to make properties functional is appropriate within a  
13 preservation project.

14 ~~(2022)~~ Rehabilitation means the process of making possible a compatible use  
15 for a historic-contributing resource or individually listed resource through  
16 repair, alterations, and additions, while preserving those portions or features  
17 which convey its historical, cultural, or architectural values.

18 ~~(2123)~~ Reconstruction means the act or process of depicting, by means of  
19 new construction, the form, features, or detailing of a non-surviving building,  
20 or structure for the purpose of replicating its appearance at a specific period of  
21 time and in its historic location.

22 (24) SHPO means the Oregon State Historic Preservation Office.

23 ~~(2225)~~ Site means the location of a significant event, a prehistoric or historic  
24 occupation or activity, or a building or structure, whether standing, ruined, or  
25 vanished, where the location itself maintains historical or archaeological value  
26 regardless of the value of any existing structure.

27 ~~(2326)~~ Structure means a work made up of interdependent and interrelated  
28 parts in a definite pattern of organization. Constructed by humans, a structure  
29 is often an engineering project large in scale.  
30

1                   (2427) Visible means the resource, or a portion of the resource can be seen  
2                   from the public right of way. For example, typically the primary façade of a  
3                   historic resource can be seen from the public right of way.

4                   **(b) Supplemental Standards and Guidelines for Historic Design Review.** In  
5                   the event the standards and guidelines contained in this Chapter fail to provide  
6                   regulations for a specific type of historic resource, the rules of the decision will be  
7                   the Secretary of the Interior's Standards for Rehabilitation and Guidelines for  
8                   Rehabilitating Historic Buildings, published by the U.S. Department of the  
9                   Interior, National Park Service.

10                  **(c) Authority to Promulgate Guidelines.** The Director may, upon consultation  
11                  with the Historic Landmarks Commission, promulgate illustrative guidelines to  
12                  provide general guidance to interested persons on the application of the standards  
13                  in this Chapter.

14                  **Section 2.** The following SRC 230.017 is hereby added to SRC Chapter 230:

15                  **230.017. Recording Notice of Historic District.** The Director shall cause to be recorded in  
16                  the docket of city liens created pursuant to SRC 21.060 a notice of historic district for each  
17                  property where any portion of the property lies within the historic district. The recording of  
18                  such notice shall not create, and shall not be deemed to create, a lien or other encumbrance  
19                  on such property.

20                  **Section 3.** The following SRC 230.018 is hereby added to SRC Chapter 230:

21                  **230.018. Public Historic Design Review Jurisdiction.** The City of Salem has jurisdiction  
22                  over historic design review for all public historic resources. If the public agency is the State  
23                  of Oregon, or any administrative subdivision of the State of Oregon, the public agency may  
24                  enter into a program with SHPO for the conservation of the historic resource pursuant to  
25                  ORS 358.653, in which case historic design review for that historic resource is exempted  
26                  from this Chapter, provided, however, that such program complies with Secretary of the  
27                  Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings,  
28                  published by the U.S. Department of the Interior, National Parks Service, and the public  
29                  agency provides the Director with notice of such election, no later than the date the contract  
30                  for construction is advertised for bids.



1 **Section 4.** SRC 230.020 is amended to read as follows:

2 **230.020. Historic Design Review.**

3 (a) **Applicability.** Unless undertaken by a public agency pursuant to a program  
4 established between the public agency and SHPO under ORS 358.653, no exterior  
5 portion of a historic resource, non-contributing building, or new construction in a  
6 historic district shall be erected, altered, restored, moved or demolished until  
7 historic review approval has been granted, as provided in this section.

8 (1) Historic design review is required for the following:

9 (A) Remodeling or repair that would change, in any manner, the exterior  
10 of a historic resource or a building or structure in a historic district, but  
11 excluding painting.

12 (B) Moving a historic resource, or moving a building or structure into or  
13 out of a historic district.

14 (C) Construction of a new building in a historic district.

15 (D) Alteration of, or addition to, a historic resource, or to a non-  
16 contributing building in a historic district.

17 (E) Construction of new walks, fences, parking facilities, and other  
18 features on the site of a historic resource, when adjacent to or within view  
19 of public right-of-way.

20 (F) Demolition of a historic resource.

21 (G) Streetscape improvements in historic districts.

22 (2) Historic design review is not required for the following:

23 (A) Ordinary maintenance or repair of any exterior architectural feature of  
24 a historic resource or non-contributing building in a historic district to  
25 correct deterioration, decay, or damage, or to sustain the existing form.  
26 By way of illustration, but not of limitation, ordinary maintenance and  
27 repair includes replacement of cracked or broken window panes; surface  
28 treatment that is consistent with accepted historic preservation methods;  
29 replacement of broken hardware; repair of a portion of a window frame or  
30 sash, part of a roof or a small percentage of siding.

1 (B) Change in paint color of a historic resource or a non-contributing  
2 building in a historic district.

3 (C) Work conducted entirely within the interior of a historic resource or  
4 non-contributing building in a historic district which has no effect on  
5 exterior architectural features.

6 **(3) Buildings Partially Within and Partially Without Historic Districts.**

7 Where addition or alteration to the exterior of a historic contributing resource  
8 or non-contributing building in a historic district, or construction of a new  
9 building in a historic district, will occur partially inside and partially outside  
10 of the district boundaries, historic design review is required for that portion of  
11 the building that is within the district and, if the majority of the area of the  
12 building is inside the historic district, for that portion of the building that is  
13 not within the historic district.

14 **(4) Relationship to Other Land Use Reviews.** Projects that require historic  
15 design review may also require other land use reviews. If other land use  
16 reviews are requirements for development, such reviews shall be held prior to  
17 or concurrently with historic design review.

18 **(b) Objectives.**

19 The standards in this chapter shall be construed to do the following:

20 **(1) Historic Contributing Buildings and Individually Listed Resources.**

21 Historic contributing buildings and individually listed resources are valuable  
22 community resources that contribute immeasurably to the City's identity,  
23 history, unique sense of place, and quality of life. Preserving these buildings  
24 and resources involves careful planning, conscientious maintenance and  
25 repair, knowledgeable and informed restoration, and sensitive rehabilitation  
26 that accommodates modern business and residential lifestyles. The standards  
27 set forth in this Chapter for historic contributing buildings and individually  
28 listed resources are intended to preserve and enhance the buildings, resources  
29 and districts generally, while allowing for adaptive reuse through sensitive  
30 rehabilitation of these buildings and resources.

1                   **(2) Non-Contributing Buildings.** Some buildings and structures in a  
2 historic district are non-contributing. These buildings and structures typically  
3 do not contribute to the district’s historic significance because they either date  
4 from outside the district’s period of significance or their historic significance  
5 has been materially impaired by additions and alterations. The standards set  
6 forth in this Chapter for non-contributing buildings and structures do not  
7 require restoration to their original appearance or require imitation of the  
8 appearance of a historic contributing building or structure; rather, the  
9 objectives are two-fold. First, the objective for historic non-contributing is to  
10 return, when feasible, these buildings to a historic contributing state. Second,  
11 the objective for all non-contributing buildings is to maintain the visual  
12 coherence of the historic district as a whole.

13                   **(3) New Construction.** New buildings and structures will be built in historic  
14 districts. These new buildings and structures should enhance, rather than  
15 detract, from the overall character of the district. It is crucial that the existing  
16 harmony of proportions and materials be enhanced when new construction  
17 occurs. Therefore, the objective of the standards set forth in this Chapter for  
18 new construction is to ensure that the design and construction of new  
19 buildings and structures is consistent and compatible with the architectural  
20 styles of historic contributing buildings that are found in the district.

21                   **(c) Classes.** Historic design review is either “Minor” or “Major.” Table 230-1  
22 and Table 230-2 sets forth the activities that are Minor and Major Historic Design  
23 Review. Notwithstanding Table 230-1 and 230-2, any activity proposed that is not  
24 covered by the table or does not meet the specific standards set forth for historic  
25 contributing buildings in SRC 230.025, and SRC 230.040 and 230.061; or for non-  
26 contributing buildings and structures the standards set forth in SRC 230.030, and  
27 SRC 230.045 and 230.063 of this section requires Major Historic Design Review.

28 /////  
29 /////  
30 //

TABLE 230-1

HISTORIC DESIGN REVIEW BY REVIEW CLASS

Table 230-1: Historic Design Review by Review Class						
Activity Proposed	Review Class					
	Historic Contributing			Non-Contributing		
	Visible	Not Visible	Applicable Code Section	Visible	Not Visible	Applicable Code Section
<b>Residential Historic Districts</b>						
Alterations and Additions	Major	Minor	230.025(g)	Major	Minor	230.030(g)
Deck Replacement and Additions	Major	Minor	230.025 (h)	Minor	N/A	230.030 (h)
Door Replacement	Major	Minor	230.065 230.025 (c)	Minor	N/A	230.070 230.030 (c)
Door Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (c)	Minor	N/A	230.030 (c)
Fences	Major	Minor	230.025 (j)	Minor	N/A	230.030 (j)
New Accessory Structures	Major	Minor	230.025 (i)	Major	Minor	230.030 (i)
Porch Replacement	Major	Minor	230.065 230.025 (d)	Minor	N/A	230.070 230.030 (d)
Porch Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (d)	Minor	N/A	230.030 (d)
Restoration of Missing Features	Major	Minor	230.025 (f)	Minor	N/A	230.030 (f)
Retaining Walls	Major	Minor	230.025 (k)	Minor	N/A	230.030 (k)
Roof Replacement	Minor	Minor	230.065 230.025 (e)	Minor	N/A	230.070 230.030 (e)
Roof Replacement <i>(In-Kind)</i>	N/A	N/A	230.025 (e)	N/A	N/A	230.030 (e)
Siding, Exterior Trim and Minor Architectural Features Replacement	Major	Minor	230.065 230.025 (a)	Minor	N/A	230.070 230.030 (a)
Siding, Exterior Trim and Minor Architectural Features Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (a)	Minor	N/A	230.030 (a)
Site Features Replacement	Major	Minor	230.065 230.025 (l)	Minor	N/A	230.070 230.030 (l)
Site Features Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (l)	Minor	N/A	230.030 (l)
Streetscape	Minor	-----	230.075	Minor	-----	230.075
Window Replacement	Major	Minor	230.065 230.025 (b)	Minor	N/A	230.070 230.030 (b)
Window Replacement <i>(In-Kind)</i>	Minor	Minor	230.025 (b)	Minor	N/A	230.030 (b)
<b>Commercial Historic Districts</b>						
Accessibility Alterations and Additions	Major	Minor	230.040 (h)	Minor	N/A	230.045 (h)
Alterations and Additions	Major	Minor	230.040 (f)	Major	Minor	230.045 (g)
Awnings and Canopies Replacement or Installation	Major	Minor	230.040 (k)	Minor	Minor	230.045 (k)
Awnings and Canopies Replacement or Installation <i>(In-Kind)</i>	Minor	Minor	230.040 (k)	Minor	N/A	230.045 (k)
Door Replacement	Major	Minor	230.065 230.040 (c)	Minor	N/A	230.070 230.045 (c)
Door Replacement <i>(In-Kind)</i>	Minor	Minor	230.040 (c)	Minor	N/A	230.045 (c)
Energy	Major	Minor		Minor	N/A	
Lintels, Architraves, Sills, and other Architectural Details Replacement	Major	Minor	230.065 230.040 (g)	Minor	N/A	230.070 230.045 (f)
Lintels, Architraves, Sills, and other	Minor	Minor	230.040 (f)	Minor	N/A	230.045 (g)

**Table 230-1: Historic Design Review by Review Class**

Activity Proposed	Review Class					
	Historic Contributing			Non-Contributing		
	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>
Architectural Details Replacement ( <i>In-Kind</i> )						
Masonry, Siding, and Exterior Trim Replacement	Major	Minor	230.065 230.040 (a)	Minor	N/A	230.070 230.045 (a)
Masonry, Siding, and Exterior Trim Replacement ( <i>In-Kind</i> )	Minor	Minor	230.040 (a)	Minor	N/A	230.045 (a)
Mechanical Equipment and Service Areas Addition and Replacement	Major	Minor	230.065 230.040 (j)	Minor	N/A	230.070 230.045 (j)
Murals	Major	Minor	230.055	Major	N/A	230.055
Roof and Cornice Replacement	Major	Minor	230.065 230.040 (e)	Minor	N/A	230.070 230.045 (e)
Roof and Cornice Replacement ( <i>In-Kind</i> )	N/A	N/A	230.040 (e)	N/A	N/A	230.045 (e)
Storefront, or Component of Storefront, Replacement	Major	Minor	230.065 230.040 (d)	Minor	N/A	230.070 230.045 (d)
Storefront, or Component of Storefront, Replacement ( <i>In-Kind</i> )	Major	Minor	230.040 (d)	Minor	N/A	230.045 (d)
Streetscape	Minor	-----	230.075	Minor	-----	230.075
Window Replacement	Major	Minor	230.065 230.040 (b)	Minor	N/A	230.070 230.045 (b)
Window Replacement ( <i>In-Kind</i> )	Minor	Minor	230.040 (b)	Minor	N/A	230.045 (b)
<b>Public Historic Districts</b>						
Streetscape	Minor		230.075	Minor		230.075
<b>Individually Listed Historic Resources</b>						
Any activity proposed	Follows review class for historic contributing buildings for the type of resource					
Activity Proposed ( <i>New Construction</i> )	Review Class					
	<i>Visible</i>	<i>Not Visible</i>	<i>Applicable Code Section</i>			
Residential Historic Districts	Major	Major	230.035			
Commercial Historic Districts	Major	Major	230.050			
Public Historic Districts	Major	Major	230.065			

**TABLE 230-2**  
**PUBLIC HISTORIC DESIGN REVIEW BY REVIEW CLASS**

**Table 230-2: Public Historic Design Review by Review Class**

<u>Activity Proposed</u>	<u>Review Class</u>					
	<u>Historic Contributing</u>			<u>Non-Contributing</u>		
	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>
<b><u>Public Historic District</u></b>						
<u>Accessibility Alterations and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (i)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (j)</u>
<u>Alterations and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (g)</u>	<u>Major</u>	<u>Minor</u>	<u>230.063 (g)</u>
<u>Awnings and Canopies Replacement or Installation</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (m)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.063 (m)</u>
<u>Awnings and Canopies Replacement or Installation (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (m)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (m)</u>
<u>Decks Replacement and Additions</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (h)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (h)</u>
<u>Door Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (c)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (c)</u>
<u>Door Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (c)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (c)</u>
<u>Energy</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (k)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (k)</u>
<u>Fences</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (o)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (o)</u>
<u>Lintels, Architraves, Sills, and other Architectural Details Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (i)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (i)</u>
<u>Lintels, Architraves, Sills, and other Architectural Details Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (i)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (i)</u>
<u>Masonry, Siding, and Exterior Trim Replacement Details Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Masonry, Siding, and Exterior Trim Replacement Details Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Mechanical Equipment and Service Areas Addition and Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (l)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (l)</u>
<u>Signs</u>	<u>Major</u>	<u>Minor</u>	<u>230.062</u>	<u>Major</u>	<u>N/A</u>	<u>230.061</u>
<u>New Accessory Structures</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (n)</u>	<u>Major</u>	<u>Minor</u>	<u>230.063 (n)</u>
<u>Porch Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (d)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (d)</u>
<u>Porch Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (d)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (d)</u>
<u>Restoration of Missing Features</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (f)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (f)</u>
<u>Retaining Walls</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (p)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (p)</u>
<u>Roof and Cornice Replacement</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (e)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.063 (e)</u>
<u>Roof and Cornice Replacement (In-Kind)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.061 (e)</u>	<u>N/A</u>	<u>N/A</u>	<u>230.063 (e)</u>
<u>Site Features Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (q)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (q)</u>

**Table 230-2: Public Historic Design Review by Review Class**

<u>Activity Proposed</u>	<u>Review Class</u>					
	<u>Historic Contributing</u>			<u>Non-Contributing</u>		
	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>	<u>Primary Facade</u>	<u>Secondary Facade</u>	<u>Applicable Code Section</u>
<u>Site Features Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (a)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (a)</u>
<u>Streetscape</u>	<u>Minor</u>	<u>-----</u>	<u>230.075</u>	<u>Minor</u>	<u>-----</u>	<u>230.075</u>
<u>Window Replacement</u>	<u>Major</u>	<u>Minor</u>	<u>230.061 (b)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (b)</u>
<u>Window Replacement (In-Kind)</u>	<u>Minor</u>	<u>Minor</u>	<u>230.061 (b)</u>	<u>Minor</u>	<u>N/A</u>	<u>230.063 (b)</u>

**(d) Procedure Type.**

- (1) Minor Historic Design Review is processed as a Type I procedure under SRC Chapter 300.
- (2) Major Historic Design Review is processed as a Type III procedure under SRC Chapter 300.

**(e) Additional Submittal Requirements.**

- (1) In addition to the submittal requirements specified in SRC Chapter 300, an application for Minor Historic Design Review shall include the following:
  - (A) Plan and elevation drawings, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, of the existing building or structure and of the proposed changes, including materials;
  - (B) Photos of the existing building or structure; and
  - (C) Historic photos of the existing building or structure, if available.
- (2) In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for Major Historic Design Review shall include the following:
  - (A) Plan and elevation drawings of the existing building or structure and of the proposed changes, including materials;
  - (B) Photos of the existing building or structure;
  - (C) Historic photos, if available; and
  - (D) Plan and elevation drawings of adjacent properties, or photo-

1 simulation, for additions that increase the gross square footage of the  
2 structure by more than fifty percent, or new construction in a historic  
3 district.

4 **(f) Criteria.** Historic design review approval shall be granted if the application  
5 satisfied the applicable standards set forth in this Chapter.

6 **Section 5.** SRC 230.085 is amended to read as follows:

7 **230.085. Historic Resource Adaptive Reuse.**

8 **(a) Applicability.** This section allows adaptive reuse of historic-contributing  
9 buildings and individually listed resources in all public and residential zones and  
10 in the Commercial Office zone, in order to preserve these buildings or structures,  
11 where other uses would not be economically practical, and where a zone change  
12 would be inappropriate.

13 **(b) Procedure Type.** Historical resource adaptive reuse is a Type III procedure  
14 under SRC Chapter 300.

15 **(c) Additional Submittal Requirements.** In addition to the submittal  
16 requirements for a Type III application under SRC Chapter 300, an application for  
17 historic resource adaptive reuse shall include:

18 (1) Cost/benefit analysis.

19 (2) Documentation of good faith efforts by the property owner to put the  
20 property to economically beneficial use including but not limited to leasing  
21 the building or resource;

22 (3) Any capital expenditures associated with the building or structure during  
23 the two years immediately preceding the application for adaptive reuse.

24 (4) Site plan identifying the following:

25 (A) All streets that abut the site and their designation (i.e., arterial,  
26 collector etc); and

27 (B) Proposed parking, if applicable.

28 **(d) Criteria.** An application for historic resource adaptive reuse shall be granted  
29 if the following criteria are met:

30 (1) The building is a historic contributing building or an individually listed



1 resource.

2 (2) Adaptive reuse is allowed in the zone.

3 (3) Use of the building or structure for any other use allowed in the zone is  
4 not economically practical, and the property does not meet the criteria for a  
5 zone change.

6 (4) Allowing the proposed use will encourage preservation of the resource.

7 (5) The building or structure will not be structurally expanded, or if historic  
8 non-contributing, will be restored.

9 (6) The building or structure is located on an arterial or collector street.

10 (7) Parking that meets the requirements of SRC Chapter 133 will be provided.

11 (8) The proposed limited commercial use will not have a substantial adverse  
12 impact on public health, safety, and welfare and any other reasonably likely  
13 adverse impacts of the limited commercial use on the immediate  
14 neighborhood can be minimized through the imposition of conditions. The  
15 following shall apply in making the determination of substantial adverse  
16 impact:

17 (A) To preserve the integrity of residential historic districts, limited  
18 commercial uses in residential buildings or structures located within a  
19 residential historic district is discouraged.

20 (B) In the RS or RD zones, adaptive reuse shall only be allowed on  
21 arterial or collector streets that form the perimeter of the zone.

22 (9) The proposed limited commercial use, as conditioned, will be compatible  
23 with and have minimal impact on the livability or appropriate development of  
24 surrounding property.

25 (e) **Conditions.** The review authority shall impose such conditions on the historic  
26 resource adaptive reuse permit as are necessary to establish compliance with the  
27 approval criteria.

28 (f) **Approval to Run with the Land.** Unless otherwise provided in the decision  
29 granting, historic adaptive reuse permits shall run with the land.  
30

1 (g) **Historic Design Review.** Historic design review is required for any exterior  
2 alterations to a building or structure that has received historic resource adaptive  
3 reuse approval.

4 (h) **Uses Permitted.** The uses permitted for adaptive reuse pursuant to this  
5 section, either singularly or in combination, are:

6 (1) **Additional dwelling units:**

7 (A) RS - maximum of four units;

8 (B) RD - maximum of four units;

9 (2) **Telephone answering service;**

10 (3) **Professional offices:**

11 (A) Accounting services (SIC 8721);

12 (B) Artists;

13 (C) Engineering, architectural, and surveying services (SIC 871);

14 (D) Legal services (SIC 81);

15 (E) Offices of physicians (SIC 801), dentists (SIC 802), osteopathic  
16 physicians (SIC 803), and other health practitioners (SIC 804).

17 (4) **Retail:**

18 (A) Used merchandise store (SIC 5931);

19 (B) Men's and Boys' Clothing and Accessory Stores (SIC 561);

20 (C) Women's ready-to-wear stores (SIC 562);

21 (D) Women's accessory and specialty stores (SIC 563);

22 (E) Children's and Infants' Wear Stores (SIC 564);

23 (F) Art gallery and framing shop;

24 (5) **Services:**

25 (A) Interior decorating studio;

26 (B) Child day care services (SIC 835);

27 (C) Residential care (SIC 836).

28 (6) **Other:** Other office, service, and retail uses not otherwise enumerated in  
29 this subsection that are substantially similar in traffic generation, noise  
30

generation, parking demand, hours of operation, and other similar characteristics relating to compatibility with surrounding uses.

**Section 6.** The following SRC 230.057 is hereby added to SRC Chapter 230:

**230.057. Oregon State Capitol.** Unless approved pursuant to SRC 230.065, no significant features on existing resources within the boundary of the Oregon State Capitol as identified in Table 230-3 shall be altered.

**Table 230-3  
Oregon State Capitol**

<b>Table 230-3: Oregon State Capitol</b>		
<b>Zone</b>	<b>Resource</b>	<b>Significant Features</b>
1	Capitol Building and adjacent wings	<ul style="list-style-type: none"> <li>▪ Rotunda.</li> <li>▪ Gold Oregon Pioneer Statue.</li> <li>▪ Cast bronze Bas-Reliefs.</li> </ul>
	Additions	
2	Oregon Migration Relief Sculpture	<ul style="list-style-type: none"> <li>▪ Figures of Pioneers and a Covered Wagon.</li> <li>▪ Map of Oregon Trail.</li> <li>▪ Figures of Lewis, Clark and Sacagawea.</li> <li>▪ Map of Expedition</li> </ul>
	Lewis & Clark Relief Sculpture	
3	Willson Park	<ul style="list-style-type: none"> <li>▪ Breyman Fountain.</li> <li>▪ Waite Fountain.</li> <li>▪ Walk of Flags.</li> <li>▪ Liberty Bell Replica.</li> <li>▪ Gazebo.</li> <li>▪ Parade of Animals Sculpture.</li> <li>▪ Douglas-Fir tree grown from seed that rode aboard Apollo 14.</li> <li>▪ Capitol Beaver Family Sculpture.</li> </ul>
4	Capitol (East) Park	<ul style="list-style-type: none"> <li>▪ Circuit Rider Statue.</li> <li>▪ John McLoughlin Statue.</li> <li>▪ Jason Lee Statue.</li> <li>▪ Corinthian Columns remaining from Second Capitol.</li> <li>▪ Memorial to Oregon Recipients of Congressional Medal of Honor.</li> </ul>
5	North Plaza, Sunken Terrace	<ul style="list-style-type: none"> <li>▪ Sprague Fountain.</li> <li>▪ Wall of Water Fountain.</li> </ul>

**Section 7.** The following SRC 230.058 is hereby added to SRC Chapter 230:

**230.058. Oregon State Hospital District.** Unless approved pursuant to SRC 230.065, no significant features on existing resources within the Oregon State Hospital District as identified in Table 230-4 shall be altered. Any alterations or additions within Zone 1 of the Oregon State Hospital District shall be limited to secondary facades. No alterations shall be allowed on primary facades or significant features as identified in Table 230-4.

**TABLE 230-4  
OREGON STATE HOSPITAL DISTRICT RESOURCES**

**Table 230-4: Oregon State Hospital District Resources**

Zone	Structure/Building	Primary Facade	Significant Features
1	Memorial Bldg.	South (Greenway Dr.) North (Recovery Dr.) South (Recovery Dr.)	<ul style="list-style-type: none"> <li>▪ Double-hung Windows.</li> <li>▪ Decorative Brick Corbelling at Roofline.</li> </ul>
	Kirkbride Building	West (24 <sup>th</sup> St.) North (Center St.)	<ul style="list-style-type: none"> <li>▪ Cupola Spire.</li> <li>▪ Arched multi-light double hung Windows.</li> <li>▪ Roof Corbelling and Brackets.</li> </ul>
	Dome Building	West (23 <sup>rd</sup> St.) South (Center St. - includes south facade of east wing) North (Bittern Street)	<ul style="list-style-type: none"> <li>▪ Dome.</li> <li>▪ Wood Multi-light Windows.</li> <li>▪ Front Entry Staircase.</li> </ul>
2	Kirkbride Grounds Structures/Historic Park	West (24 <sup>th</sup> St.) North (Center St.)	<ul style="list-style-type: none"> <li>▪ Fountain area with 'Baby Hercules' Statue.</li> <li>▪ Memorial Circle with Vault Markers.</li> <li>▪ Park Entrance Pillars.</li> </ul>
3	R01- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	<ul style="list-style-type: none"> <li>▪ Roof Gables.</li> <li>▪ Wooden lintels.</li> <li>▪ Multi-light double-hung windows.</li> <li>▪ Brick/stucco-clad chimneys.</li> </ul>
	R02- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	
	R03- Cottage	South (Greenway Dr.) North (Center St.) West (26 <sup>th</sup> St. NE) East (Recovery Dr. NE)	
	R04- Cottage	North (Greenway Dr.)	
	R05- Cottage	North (Greenway Dr.)	
	R06- Cottage	North (Greenway Dr.)	
	R07- Cottage	North (Greenway Dr.)	
	R08- Cottage	North (Greenway Dr.)	
	R09- Cottage	North (Greenway Dr.)	
	R10- Cottage	North (Greenway Dr.)	
	R11- Cottage	North (Greenway Dr.)	
	R12- Cottage	North (Greenway Dr.)	
	R13- Cottage	North (Greenway Dr.)	
	R14- Cottage	West (24 <sup>th</sup> Pl.)	
	R15- Cottage	West (24 <sup>th</sup> Pl.)	
	R16- Cottage	West (24 <sup>th</sup> Pl.)	
	R17- Cottage	East (24 <sup>th</sup> Pl.)	
	R18- Cottage	East (24 <sup>th</sup> Pl.)	
	R19- Cottage	North (Bates Dr.)	
	R20- Cottage	North (Bates Dr.)	
	R21- Cottage	North (Bates Dr.)	
S07- Cottage	North (private rd. off of Park Ave.)		

**Table 230-4: Oregon State Hospital District Resources**

Zone	Structure/Building	Primary Facade	Significant Features
	S08- Cottage	North (private rd. off of Park Ave.)	
4	Oregon State Hospital (Primary Treatment Building)	West (24 <sup>th</sup> St.) North (Center St.) (Considered an addition to the Kirkbride structure)	▪ Front Entry
	S04- Physical Plant	North (Center St.) East (Park Ave.) West	▪ Corbelled cornices, flat roof, wood doors and transoms.
5	Yaquina Hall	South (Bittern St.)	▪ Front Entries
	Santiam Hall	West (27 <sup>th</sup> Pl.)	
	Breitenbush Hall	South (Center St.)	
	McKenzie Hall	West (25 <sup>th</sup> St.)	
	Eola Hall	South (Bittern St.)	
6	Open Space	North (D Street NE) West (23 <sup>rd</sup> Street NE) East (Park Ave NE)	▪ Trees abutting the Right of Way along D Street and Park Ave. NE

**Section 8.** The following SRC 230.060 is hereby added to SRC Chapter 230:

**230.060. Standards for Historic Contributing Buildings in Public Historic Districts and Individually Listed Public Historic Resources.** Modification to historic contributing buildings in public historic districts and individually listed public historic resources shall comply with this section.

**(a) Masonry, Siding, Exterior Trim and Minor Architectural Features.**

Replacement of masonry, siding, exterior trim, and minor architectural features of historic contributing buildings and individually listed public historic resources shall be allowed only where the owner has attempted to repair the original siding, exterior trim or minor architectural feature, but repair was determined to be unfeasible due to the poor condition of the original materials. If the masonry, siding, or trim is not original then every effort shall be made to replicate the original materials; the effort shall be substantiated by historic, physical, or pictorial evidence. If the masonry, siding, or trim cannot be replicated then it should be of a compatible design and material.

**(1) Materials.** The replacement materials are the same type and quality as the original siding, exterior trim or minor architectural feature, or duplicate, to

1 the greatest degree possible, the appearance and structural qualities of the  
2 material being replaced.

3 **(2) Design.** The replacement reproduces the appearance of the original  
4 siding, exterior trim or minor architectural feature.

5 **(3) Energy Efficiency.** Improvements to improve energy efficiency are  
6 allowed, provided the exterior appearance of the historic resource is preserved  
7 to the greatest extent possible. Example: Adding additional insulation to  
8 attics, crawl spaces or basements.

9 **(b) Windows.** Replacement of windows and individually listed public historic  
10 resources shall be allowed only where the owner has attempted to repair the  
11 original window, but repair was not feasible due to the poor condition of the  
12 original materials. If the window is not original then every effort shall be made to  
13 replicate the original window; the effort shall be substantiated by historic, physical,  
14 or pictorial evidence. If the window cannot be replicated then it should be of a  
15 compatible design and material.

16 **(1) Materials.** All features of the window, including the window frame,  
17 sash, stiles, rails, muntins, lamb's tongues and glass, are replaced with  
18 materials that duplicate, to the greatest degree possible, the appearance and  
19 structural qualities of the original.

20 **(2) Design.** Overall design of the window profile of all parts of the window  
21 shall reproduce the appearance of the original window.

22 **(3) Energy Efficiency.**

23 **(A)** The use of weather stripping, insulation, or materials to either repair  
24 or improve the energy efficiency shall be evaluated as means to achieve  
25 the desired energy efficiency objectives prior to seeking authorization to  
26 replace a window.

27 **(B)** If an owner wishes to improve the energy efficiency of windows  
28 located on the primary façade, only energy efficiency measures that are  
29 removable and do not permanently alter the resource shall be used. This  
30 includes, but is not limited to: exterior storm windows, weather-stripping.

1 (C) If an owner wishes to improve the energy efficiency of windows  
2 located on a façade other than the primary façade, measures that are  
3 removable and do not permanently alter the resource shall be used. This  
4 includes but is not limited to: exterior storm windows, weather-stripping.  
5 Reuse of the original window frame and sash with replacement glass that  
6 maintains the overall design and appearance of the window is allowed.  
7 Example: Replacement of single pane glass with new energy efficient  
8 double-paned glass is permissible, so long as the window is in satisfactory  
9 condition, muntins are wide enough to hold the double-paned glass, the  
10 double-paned glass can be inserted into the original window sash, there are  
11 only minor alterations to the overall design of the window, and the double-  
12 paned glass is not visibly tinted or reflective.

13 (c) **Doors.** Replacement of doors in historic contributing buildings and  
14 individually listed public historic resources shall be allowed only where the owner  
15 has attempted to repair the original door, but repair was not feasible due to the  
16 poor condition of the original materials. If the doors are not original, then every  
17 effort shall be made to replicate the original doors; the effort shall be substantiated  
18 by historic, physical, or pictorial evidence. If the door cannot be replicated then it  
19 should be of a compatible design and material.

20 (1) **Materials.** All features of the door shall be replaced with materials that  
21 duplicate, to the greatest degree possible, the appearance and structural  
22 qualities of the original door.

23 (2) **Design.** The overall design of the door shall reproduce, to the greatest  
24 degree possible, the appearance of the original door.

25 (d) **Porches.** Replacement of porches on historic contributing buildings and  
26 individually listed public historic resources shall be allowed only where the owner  
27 has attempted to repair the original porch, but repair was not feasible due to the  
28 poor condition of the original materials. If the porch is not original, then every  
29 effort shall be made to replicate the original porch; the effort shall be substantiated  
30

1 by historic, physical, or pictorial evidence. If the porch cannot be replicated then it  
2 should be of a compatible design and material.

3 (1) **Materials.** All features of the porch shall be replaced with material that  
4 duplicate, to the greatest degree possible, the appearance and structural  
5 qualities of the original porch.

6 (2) **Design.** The overall design of the porch shall reproduce, to the greatest  
7 degree possible, the appearance of the original porch.

8 (e) **Roofs and Cornices.** Replacement of roofs and cornices on historic  
9 contributing buildings and individually listed public historic resources shall be  
10 allowed only where the owner has attempted to repair the original roof, but repair  
11 was not feasible due to the poor condition of the original materials.

12 (1) **Materials.**

13 (A) Historic specialty roofing materials, such as original tile, slate, or  
14 rolled composition roofing should be maintained in place whenever  
15 possible.

16 (B) New roof materials should match the original materials in scale and  
17 texture as closely as possible. Use of plastic or concrete simulated  
18 materials is not allowed.

19 (C) Composition roofing is allowed as a substitute for wood shingles in a  
20 complete replacement.

21 (D) Imitation slate and wood are allowed as a substitute for original  
22 materials in a complete replacement.

23 (2) **Design.**

24 (A) The original roof and cornice form and detailing shall be preserved.

25 (B) Original eave overhangs shall be maintained.

26 (C) Cutting back roof rafter and soffits, boxing in exposed rafter tails,  
27 adding fascia boards where none existed, or otherwise altering the  
28 historical roof overhang is not allowed.

29 (D) To the extent feasible, inappropriate repairs or additions should be  
30 removed or corrected.



1                   **(3) Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels  
2 and other rooftop mechanical structures may be added to historic contributing  
3 buildings and individually listed public historic resources.

4                   **(A) Materials.**

5                   (i) Non-reflective glass and metal panels are allowed.

6                   (ii) Reflective glass and plastic frames are prohibited.

7                   **(B) Design.**

8                   (i) Solar panels shall not alter the existing profile of the roof, and  
9 shall be mounted parallel to the roof plane on rear-facing roofs or  
10 placed on the ground in an inconspicuous location.

11                   (ii) Satellite dishes, TV antennae and other rooftop mechanical  
12 structures shall be installed so they are not visible from the street and  
13 do not damage or obscure significant architectural features of the  
14 resource.

15                   (iii) Skylights shall be flat and shall not alter the existing profile of  
16 the roof. Bubble-type skylights are prohibited.

17                   **(f) Missing Features.** Features that were present on a historic contributing  
18 building and individually listed public historic resources during the period of  
19 significance but which were later removed may be reconstructed.

20                   **(1) Materials.** Materials used in the replacement shall match as closely as  
21 practicable the composition, design, texture, and other visual qualities of the  
22 materials of the missing feature.

23                   **(2) Design.** The design shall accurately duplicate the missing feature. The  
24 design shall be substantiated by historic, physical, or pictorial evidence.  
25 Evidence does not include conjectural designs, or the appearance of features  
26 or different elements from other buildings or structures built during the period  
27 of significance.

28                   **(g) Alterations and Additions.** Additions to and alterations of the historic  
29 contributing building and individually listed public historic resources are allowed.

30                   **(1) Materials.**

1 (A) Building materials shall be of traditional dimensions.

2 (B) Material shall be of the same type, quality and finish as original  
3 material in the building.

4 (C) New masonry added to a building shall, to the greatest extent feasible,  
5 match the color, texture and bonding pattern of the original masonry.

6 (D) For those areas where original material must be disturbed, original  
7 material shall be retained to the maximum extent possible.

8 **(2) Design.** Alterations or additions shall:

9 (A) Be located at the rear, or on an inconspicuous side, of the building.

10 (B) Be designed and constructed to minimize changes to the building.

11 (C) Be limited in size and scale such that a harmonious relationship is  
12 created with the original building.

13 (D) Be designed and constructed in a manner that significant historical,  
14 architectural or cultural features of the building are not obscured,  
15 damaged, or destroyed.

16 (E) Be designed to be compatible with the size, scale, material, and  
17 character of the building, and the district generally.

18 (F) Not destroy or adversely impact existing distinctive materials,  
19 features, finishes and construction techniques or examples of  
20 craftsmanship that are part of the building.

21 (G) Be constructed with the least possible loss of historic materials.

22 (H) Not create a false sense of historical development by including  
23 features that would appear to have been part of the building during the  
24 period of significance but whose existence is not supported by historical  
25 evidence.

26 (I) Be designed in a manner that makes it clear what is original to the  
27 building and what is new.

28 (J) Be designed to reflect, but not replicate, the architectural styles of the  
29 period of significance.  
30

1 (K) Preserve features of the building that have occurred over time and  
2 have attained significance in their own right.

3 (L) Preserve distinguishing original qualities of the building and its site.

4 (M) Not increase the height of a building to more than four stories.

5 (h) **Decks.** Replacement and addition of decks in historic contributing buildings  
6 and individually listed public historic resources is allowed.

7 (1) **Materials.** The deck shall be constructed of wood, a wood composite, or  
8 a material available during the period of significance.

9 (2) **Design.** The deck shall:

10 (A) Be located off the rear of the resource.

11 (B) Not obscure any significant architectural features of the resource.

12 (C) Be of a reasonable size and scale in relationship to the resource.

13 (D) Shall not extend beyond the width of the existing footprint of the  
14 resource.

15 (i) **Lintels, Architraves, Sills, and other Architectural Details.** Replacement of  
16 lintels, architraves, sills and other architectural details in historic contributing  
17 buildings and individually listed public historic resources shall be allowed only  
18 where the owner has attempted repair, but repair was unfeasible due to the poor  
19 condition of the original materials. If the feature is not original then every effort  
20 shall be made to replicate the original feature; the effort shall be substantiated by  
21 historic, physical, or pictorial evidence. If the feature cannot be replicated then it  
22 should be of a compatible design and material.

23 (1) **Materials.**

24 (A) Existing architectural details shall be retained.

25 (B) Original material shall, if possible, be retained or repaired.

26 (C) If replacement material is required, similar material shall be used.

27 (2) **Design.**

28 (A) The replacement shall, to the greatest extent feasible, match design,  
29 size, proportions, and profile of the original architectural details.

30

1 (B) Architectural details should not be added unless there is archival  
2 evidence suggesting their presence and design.

3 (j) **Accessibility.** Additions or alterations to improve accessibility are allowed.

4 (1) **Materials.** To the greatest extent practicable, materials shall be of the  
5 same type, quality, design, size, finish, proportions and configuration of the  
6 original materials in the building.

7 (2) **Design.**

8 (A) Additions or alterations to improve accessibility should be designed  
9 in a manner that identifies the building's character-defining spaces and  
10 features and prevents their damage or loss.

11 (B) Additions and alterations to improve accessibility should be designed  
12 in a manner that is compatible with the building and its setting.

13 (k) **Energy Efficiency.** Retrofitting historic contributing buildings and  
14 individually listed public historic resources to achieve energy efficiency is  
15 permitted, if the retrofitting preserves the building's historic character.

16 (1) **Materials.**

17 (A) Materials shall be of a type and quality that will not result in  
18 degradation of original material in the resource. Example: Addition of  
19 insulation to exterior walls should not negatively affect the function of the  
20 wall assembly.

21 (B) The materials for any retrofitted architectural elements shall comply  
22 with the standards for materials for such elements set forth in this section.  
23 This includes, but is not limited to, windows and doors.

24 (2) **Design.**

25 (A) To the extent practicable, original systems to control ventilation, such  
26 as double hung, transom windows and awnings, shall be preserved.

27 (B) Before seeking to replace windows or doors, improve thermal  
28 efficiency through weather stripping, storm windows, interior shades,  
29 blinds and awnings.  
30

1 (C) The designs of any retrofitted architectural elements shall comply  
2 with the standards for replacement of such elements set forth in this  
3 section.

4 (D) Retrofitting shall be designed in a manner that prevents loss of  
5 original material or architectural elements.

6 **(I) Mechanical Equipment and Service Areas.** Addition and replacement of  
7 mechanical equipment is permitted. This includes, but is not limited to: heating  
8 and cooling systems, solar panels, telecommunications equipment and dumpster  
9 enclosures.

10 (1) **Materials.** Materials shall be harmonious in type, color, scale, texture,  
11 and proportions with the building and the district generally.

12 (2) **Design.**

13 (A) Mechanical equipment and service areas should be located out of  
14 public view and designed as an integral part of the overall building design.

15 (B) Mechanical equipment and service areas should be placed at the rear  
16 of the building, recessed on the roof of the building, or screened by  
17 appropriate fencing.

18 (C) Low-profile mechanical units and elevator shafts may be placed on  
19 rooftops if they are not visible from the street, or are set back and screened  
20 from view.

21 (D) Solar panels should have low profiles and not be visible from right of  
22 way, other than alleys, and shall be installed in a manner that minimizes  
23 damage to historic materials.

24 (E) Skylights shall be flat and shall not alter the existing profile of the  
25 roof. Bubble-type skylights are prohibited.

26 (F) Mechanical equipment placed at street level should be screened in a  
27 manner that is compatible with the streetscape and adjacent buildings.

28 (G) New skylights and vents shall be placed behind and below the parapet  
29 level.  
30

1                   **(m) Awnings and Canopies.**

2                   **(1) Materials.** Replacement or installation of awnings and canopies on  
3 historic contributing buildings and individually listed public historic resources  
4 is allowed.

5                   **(A)** Materials that are compatible with the character of the building's  
6 period and style shall be used.

7                   **(B)** Canvass is an approved material for awnings and canopies.

8                   **(2) Design.**

9                   **(A)** Awnings shall be located within window openings and below  
10 transoms.

11                   **(B)** Umbrella-type awnings and non-historic forms are not permitted.

12                   **(C)** Awnings shall be attached in such a manner that historic materials or  
13 features are not damaged.

14                   **(D)** Marquees may be used where compatible with the building and  
15 neighboring buildings.

16                   **(E)** Awnings, canopies, or marquees shall not obscure significant  
17 architectural features on the building.

18                   **(F)** Awnings, canopies, or marquees shall have size, scale and design that  
19 are compatible with the building and neighboring buildings.

20                   **(n) New Accessory Structures.** New accessory structures may be built on the  
21 site of historic contributing buildings and individually listed public historic  
22 resources.

23                   **(1) Materials.** New accessory structures shall have the same siding material  
24 as the primary resources, or consistent with other primary structures in the  
25 zone.

26                   **(2) Design.** New accessory structures shall:

27                   **(A) Not** be located on or around the primary façade of an existing  
28 resource.

29                   **(B)** Be no taller than one story.

30                   **(C)** Be similar in character to those built during the period of significance.

1 (D) Be subordinate to the primary structure in terms of mass, size, and  
2 height.

3 (o) **Fences.** Fences may be added to sites of historic contributing buildings and  
4 individually listed public historic resources, provided the fence will not result in  
5 the removal or destruction of site features identified as significant on the historic  
6 resource inventory.

7 (1) **Materials.** The fence shall be constructed of traditional materials that  
8 were available during the period of significance.

9 (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
10 taller than six feet in side and rear yards.

11 (p) **Retaining Walls.** Retaining walls may be added to sites of historic  
12 contributing buildings and individually listed public historic resources, provided  
13 the retaining wall will not result in the removal or destruction of site features  
14 identified as significant on the historic resource inventory.

15 (1) **Materials.** The retaining wall shall be constructed of traditional materials  
16 that were available during the period of significance. Example: If the period of  
17 significance is 1920-1940 the materials that were available included, but were  
18 not limited to, rusticated stone, formed concrete, poured concrete, and brick.

19 (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
20 four feet on the side and rear yards.

21 (q) **Site Features.** Replacement or alteration of site features of a historic  
22 contributing building and individually listed public historic resources that are  
23 identified as significant features on the historic resource inventory, including, but  
24 not limited to, driveways, sidewalks, gardens, significant trees, or geological  
25 features is allowed, unless the replacement or alteration would materially alter or  
26 destroy the features.

27 (1) **Materials.** Materials shall duplicate, to the greatest degree possible, the  
28 appearance and physical qualities of the original materials. Example:  
29 Rhododendron hedge planted during the period of significance is replanted  
30 with heritage varieties available during the period of significance.

1 (2) **Design.** The design shall reproduce, to the greatest extent possible, the  
2 appearance of the original site feature. Example: If the site contains a Lord  
3 and Schryver garden, the replacements shall be allowed provided the original  
4 design and location of plantings of the historical garden are retained.

5 **Section 9.** The following SRC 230.062 is hereby added to SRC Chapter 230:

6 **230.062. Signs in Public Historic Districts.** Signs in public historic districts and on an  
7 individually listed public historic resource shall comply with this section, as well as any  
8 applicable requirements set forth in SRC Chapter 900.

9 (a) Historic signs shall be retained whenever possible, particularly if the sign is  
10 associated with historic figures, events or places, significant as evidence of the  
11 history of the product, business or service advertised, significant as reflecting the  
12 history of the building or the development of the historic district, characteristic of a  
13 specific period, or integral to the building's or structure's design or physical fabric.

14 (b) Reconstruction of historic signs shall only be allowed if there is sufficient  
15 historical, pictorial, and physical documentation to replicate the sign's appearance  
16 at a specific period of time and in its historic location.

17 (c) New signs shall:

18 (1) Be compatible with the size, scale, and design of the historic resource.

19 (2) Be located where they do not obscure significant features of a historic  
20 resource.

21 (3) Use materials that are compatible with and characteristic of the period of  
22 significance.

23 (4) Be attached in a manner that prevents damage to historic materials.

24 (5) Any sign identifying the use of the building or structure shall be limited to  
25 the minimum size necessary to provide such identification.

26 **Section 10.** The following SRC 230.063 is hereby added to SRC Chapter 230:

27 **230.063. Standards for Non-Contributing Buildings and Structures in Public Historic**  
28 **Districts.** Modifications to non-contributing buildings in public historic districts shall  
29 comply with this section.  
30



1                   **(a) Masonry, Siding, Exterior Trim, and Minor Architectural Features.**

2 Replacement of masonry, siding, and exterior trim of non-contributing buildings is  
3 allowed.

4                   **(1) Materials.**

5                   **(A)** For historic non-contributing buildings, material dating from the  
6 period of significance shall, if possible, be retained or repaired.

7                   **(B)** Replacement materials shall be, to the greatest degree possible, of the  
8 same type, quality, design, size, finish, proportions, and configuration of  
9 the materials commonly used on other buildings in the district.

10                  **(2) Design.**

11                  **(A)** The design shall, to the greatest degree possible, match the color,  
12 texture and bonding pattern of the original materials.

13                  **(B)** For historic non-contributing buildings the appearance of original  
14 materials that were used on the building during the period of significance  
15 shall be restored or reconstructed whenever possible.

16                  **(b) Windows.** Replacement of windows in historic non-contributing buildings is  
17 allowed.

18                  **(1) Materials.**

19                  **(A)** Windows dating from the period of significance shall, if feasible, be  
20 retained and repaired or restored.

21                  **(B)** Replacement materials shall be, to the greatest extent practicable, of  
22 the same type, quality, design, size, finish, proportions and configuration  
23 of windows commonly used on other buildings in the district.

24                  **(C)** Glass block or tinted, mirrored, opaque, or colored glass is not  
25 permitted, unless it is the historic glazing type.

26                  **(2) Design.**

27                  **(A)** Replacement windows should, to the greatest degree possible, match  
28 design, size, proportions, configuration, reflective qualities and profile of  
29 the original windows dating from the period of significance, if  
30 documentary evidence of the appearance is available.

1 (B) The size and shape of the window openings dating from the period of  
2 significance should be preserved so that the configuration of the façade is  
3 not changed.

4 (C) Original openings that have been covered or blocked should be re-  
5 opened when feasible.

6 (D) New window openings into the principal elevations, enlargement or  
7 reduction of original window openings, and infill of original window  
8 openings are not permitted.

9 (E) Window styles historically used on upper levels shall not be installed  
10 at storefront level, and storefront windows shall not be installed on upper  
11 levels.

12 (F) Commercial window types shall not be substituted with residential  
13 window types, unless the type of window being replaced is residential.

14 (G) Interior grilles, grilles between layers of insulating glass, or stenciled  
15 mullions in lieu of true divided lights or exterior mullions are not  
16 permitted.

17 (c) **Doors.** Replacement of doors in non-contributing buildings shall be allowed.

18 (1) **Materials.**

19 (A) Doors dating from the period of significance shall, if possible, be  
20 retained and repaired or restored.

21 (B) Replacement materials shall be, to the greatest degree possible, of the  
22 same type, quality, design, size, finish, proportions and configuration of  
23 the doors commonly found in the district.

24 (2) **Design.**

25 (A) Replacement doors shall, to the greatest degree possible, match  
26 design, size, proportions and profile of the original door dating from the  
27 period of significance, if documentary evidence of the appearance is  
28 available.

29 (B) Original door openings that have been covered or blocked should be  
30 reopened when feasible.

1 (C) The size and shape of original door openings should be preserved so  
2 that the configuration of the façade is not changed.

3 (D) Commercial door types shall not be substituted with residential door  
4 types, unless the type of door being replaced is residential.

5 (d) **Porches.** Replacement of porches on non-contributing buildings is allowed.

6 (1) **Materials.**

7 (A) All features of the porch shall be replaced with material that  
8 duplicate, to the greatest degree possible, the appearance and structural  
9 qualities of the original porch.

10 (B) Replacement materials shall duplicate, to the greatest degree possible,  
11 the appearance and structural qualities that are consistent with building  
12 materials on buildings in the district.

13 (C) Wood lap, shingles, brick, and stone are appropriate materials.

14 (D) Alternative materials shall appear similar in scale, proportion, texture  
15 and finish with buildings in the district.

16 (2) **Design.** The design should be similar in dimension, style, pattern and  
17 detail to porches on buildings in the district.

18 (e) **Roofs and Cornices.** Replacement of roofs and cornices on non-contributing  
19 buildings shall be allowed.

20 (1) **Materials.**

21 (A) Historic specialty roofing materials, such as original tile, slate, or  
22 rolled composition roofing dating from the period of significance should  
23 be maintained in place whenever possible.

24 (B) Replacement materials that are visible from the street shall be, to the  
25 greatest degree possible, of the same type, quality, design, size, finish,  
26 proportions and configuration of the roof and cornices commonly found in  
27 the district. Plastic or concrete simulated materials are not allowed.

28 Imitation slate and wood are allowed as a substitute for original materials  
29 in a complete replacement.  
30

1                   **(2) Design.**

2                   **(A)** To the extent practicable, original roof and cornice components  
3                   visible from the street dating from the period of significance shall be  
4                   preserved.

5                   **(B)** Eave overhangs dating from the period of significance shall be  
6                   maintained.

7                   **(C)** Restoration of the appearance of the roof and cornice that is visible  
8                   from the street, based on historical research and physical evidence from  
9                   the period of significance, is preferred.

10                  **(D)** Replacement of roofs and cornices that are contemporary in design  
11                  shall be compatible with the scale, proportions, massing, height, rhythm,  
12                  materials, color and texture of historic buildings in the district.

13                  **(E)** Cutting back roof rafters and soffits, boxing in exposed rafter tails,  
14                  adding fascia boards where none existed, or otherwise altering material  
15                  that dates from the period of significance is not allowed.

16                  **(F)** To the extent practical, inappropriate repairs or additions that  
17                  occurred after the period of significance should be removed or corrected.

18                  **(f) Missing Features.** Features that were present on a non-contributing building  
19                  during the period of significance but which were later removed may be  
20                  reconstructed.

21                         **(1) Materials.** Materials used in the replacement shall match as closely as  
22                         practicable the composition, design, texture, and other visual qualities of the  
23                         materials of the missing feature.

24                         **(2) Design.** The design accurately duplicates the missing feature. The design  
25                         shall be substantiated by historic, physical, or pictorial evidence. Evidence  
26                         does not include conjectural designs, or the appearance of features or different  
27                         elements from other buildings or structures built during the period of  
28                         significance.

29                  **(g) Alterations and Additions.** Additions and alterations that comply with the  
30                  standards in this section may be made to historic non-contributing buildings.

1 Whenever practical, additions and alterations to historic non-contributing  
2 buildings should result in the restoration of missing features from the period of  
3 significance, or the removal of alterations that were made outside of the period of  
4 significance.

5 **(1) Materials.**

6 (A) Materials shall be consistent with those present in buildings in the  
7 district generally.

8 (B) Roofing materials shall have a non-reflective, matte finish.

9 **(2) Design.**

10 (A) The location for an addition shall be at the rear, or on an  
11 inconspicuous side of the building.

12 (B) Changes to features of a historic non-contributing building that date  
13 from the period of significance shall be minimized.

14 (C) The design shall be compatible with the character of non-contributing  
15 buildings in the historic district and create a harmonious relationship with  
16 historic contributing buildings in the district generally. Factors in  
17 evaluating the design under this paragraph include, but are not limited to:

18 (i) Similarities in the size and scale to those used in historic  
19 contributing buildings in the district generally.

20 (ii) Use of architectural features that reflect, or are similar to, the  
21 architectural style of historic contributing buildings in the district.

22 (iii) Simple gable or hipped roofs with a pitch similar to surrounding  
23 buildings are generally appropriate. Flat roofs may be appropriate  
24 when the prevailing styles of architecture provide an appropriate  
25 context. Exotic or complex roof forms that detract from the visual  
26 continuity of the district are generally inappropriate.

27 (iv) Additions should have a similar mass to surrounding buildings.

28 (v) Front elevations should appear similar in scale to those seen  
29 traditionally in the surrounding neighborhood.  
30

1 (vi) The width and height of the addition should not exceed the  
2 typical dimensions seen in the district.

3 (vii) Simple rectangular building forms are generally preferred.

4 (D) The design shall make clear what is original and what is new.

5 (E) Features that have been added over time and have attained  
6 significance in their own right shall be preserved, even if the features do  
7 not reflect the period of significance.

8 (F) An addition that adds stories shall increase the height of a building to  
9 no more than four stories.

10 (h) **Decks.** Replacement and addition of decks in non-contributing buildings is  
11 allowed, subject to the following standards:

12 (1) **Materials.** The deck shall be constructed of wood, a wood composite, or  
13 a material available during the period of significance.

14 (2) **Design.** The deck shall:

15 (A) Be located off the rear of the resource.

16 (B) Be of a reasonable size and scale in relationship to the resource.

17 (i) **Lintels, Architraves, Sills, and other Architectural Details.** Replacement  
18 of lintels, architraves, sills, and other architectural details on non-contributing  
19 buildings is allowed.

20 (1) **Materials.**

21 (A) Materials dating from the period of significance shall, if possible, be  
22 retained and repaired or restored.

23 (B) Replacement materials shall be, to the greatest extent practicable, of  
24 the same type, quality, design, size, finish, proportions and configuration  
25 commonly found in the district.

26 (2) **Design.**

27 (A) To the extent practicable, original material dating from the period of  
28 significance shall be preserved.

1 (B) Restoration of the appearance of architectural details that are visible  
2 from the street, based on historical research and physical evidence from  
3 the period of significance, is preferred.

4 (C) Replacement of architectural details that are contemporary in design  
5 shall be compatible with the scale, proportions, massing, height, rhythm,  
6 materials, color, and texture of historic buildings in the district.

7 (j) **Accessibility.** Additions or alterations to improve accessibility are allowed.

8 (1) **Materials.** Materials shall be, to the greatest extent practicable, of the  
9 same type, quality, design, size, finish, proportions and configuration of the  
10 original materials in the building.

11 (2) **Design.**

12 (A) Additions or alterations to improve accessibility shall be designed in a  
13 manner that identifies the building's character-defining spaces and  
14 features, and prevents their damage or loss.

15 (B) Additions and alterations to improve accessibility should be designed  
16 in a manner that is compatible with the building and its setting.

17 (k) **Energy Efficiency.** Retrofitting non-contributing buildings to achieve  
18 energy efficiency is permitted, if the retrofitting preserves the character of the  
19 historic district.

20 (1) **Materials.** The materials for any retrofitted architectural elements shall  
21 comply with the standards for materials for such elements set forth in this  
22 section. This includes, but is not limited to, windows and doors.

23 (2) **Design.**

24 (A) To the extent practicable, original systems to control ventilation, such  
25 as double hung, transom windows and awnings, dating from the period of  
26 significance shall be preserved.

27 (B) The designs of any retrofitted architectural elements shall comply  
28 with the standards for replacement of such elements set forth in this  
29 section. This includes, but is not limited to, windows and doors.  
30

1 (C) Retrofitting shall be designed in a manner that prevents loss of  
2 original material or architectural elements dating from the period of  
3 significance.

4 **(l) Mechanical Equipment and Service Areas.** Addition and replacement of  
5 mechanical equipment is permitted. This includes, but is not limited to: heating  
6 and cooling systems, solar panels, telecommunications equipment, and dumpster  
7 enclosures.

8 **(1) Materials.** Materials shall be harmonious in type, color, scale, texture,  
9 and proportions with the building and the district generally.

10 **(2) Design.**

11 **(A)** Mechanical equipment and service areas should be located out of  
12 public view and designed as an integral part of the overall building design.

13 **(B)** Mechanical equipment and service areas should be placed at the rear  
14 of the building, recessed on the roof of the building, or screened by  
15 appropriate fencing.

16 **(C)** Low-profile mechanical units and elevator shafts may be placed on  
17 rooftops if they are not visible from the street, or are set back and screened  
18 from view.

19 **(D)** Solar panels should have low profiles and not be visible from right of  
20 way, other than alleys, and shall be installed in a manner that minimizes  
21 damage to historic materials.

22 **(E)** Skylights shall be flat and shall not alter the existing profile of the  
23 roof. Bubble-type skylights are prohibited.

24 **(F)** Mechanical equipment placed at street level should be screened in a  
25 manner that is compatible with the streetscape and adjacent buildings.

26 **(G)** New skylights and vents shall be placed behind and below the parapet  
27 level.

28 **(m) Awnings and Canopies.** Replacement or installation of awnings and  
29 canopies on non-contributing buildings is allowed.  
30



1                   **(1) Materials.**

2                   **(A)** Materials that are compatible with the character of the district shall be  
3                   used.

4                   **(B)** Canvass is an approved material for awnings and canopies.

5                   **(2) Design.**

6                   **(A)** Awnings shall be located within window openings, and below  
7                   transoms.

8                   **(B)** Umbrella-type awnings and non-historic forms are not permitted.

9                   **(C)** Awnings shall be attached in such a manner that historic materials or  
10                  features are not damaged.

11                  **(D)** Marquees may be used where compatible with the building and  
12                  neighboring buildings.

13                  **(E)** Awnings, canopies, or marquees shall not obscure significant  
14                  architectural features on the building.

15                  **(F)** Awnings, canopies, or marquees shall have size, scale, and design that  
16                  are compatible with the building and neighboring buildings.

17                  **(n) New Accessory Structures.** New accessory structures may be built on the  
18                  site of non-contributing buildings, subject to the following standards:

19                   **(1) Materials.**

20                   **(A)** Building materials shall be of traditional dimensions.

21                   **(B)** Siding material shall be consistent with those present in buildings in  
22                   close proximity to the accessory, generally.

23                   **(2) Design.** New accessory structures shall:

24                   **(A)** **Not** be located on or around the primary façade of an existing  
25                   resource.

26                   **(B)** Be no taller than one story.

27                   **(C)** Be of a reasonable size and scale in relationship to the building.

28                  **(o) Fences.** Fences may be added to sites of non-contributing buildings,  
29                  provided the fencing will not result in the removal or destruction of site features  
30                  identified as significant on the historic resource inventory for the district.

1 (1) **Materials.** Fences shall be constructed of traditional materials that were  
2 available during the period of significance.

3 (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
4 taller than six feet in side and rear yards.

5 (p) **Retaining Walls.** Retaining walls may be added to sites of non-contributing  
6 buildings, provided the retaining wall will not result in the removal or destruction  
7 of site features identified as significant on the historic resource inventory for the  
8 district.

9 (1) **Materials.** The retaining wall shall be constructed of traditional materials  
10 that were available during the period of significance. Example: If the period of  
11 significance is 1920-1940, the materials that were available included, but were  
12 not limited to, rusticated stone, formed concrete, poured concrete, and brick.

13 (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
14 four feet on the side and rear yard.

15 (q) **Site Features.** Replacement or alteration of site features of a non-  
16 contributing building that are identified as significant features on the historic  
17 resource inventory for the district, including, but not limited to, driveways,  
18 sidewalks, gardens, significant trees, or geological features is allowed, unless the  
19 replacement or alteration would materially alter or destroy the features.

20 (1) **Materials.** Materials shall duplicate, to the greatest degree practicable, the  
21 appearance and physical qualities of the original materials. Example:  
22 Rhododendron hedge planted during the period of significance is replanted  
23 with heritage varieties available during the period of significance.

24 (2) **Design.** The design shall reproduce, to the greatest extent practicable, the  
25 appearance of the original site feature. Example: If the site contains a Lord  
26 and Schryver garden, the replacements shall be allowed provided the original  
27 design and location of plantings of the historical garden are retained.

28 **Section 11.** The following SRC 230.064 is hereby added to SRC Chapter 230:

29 **230.064. Standards for New Construction in Public Historic Districts.** New buildings  
30 may be constructed in public historic districts, subject to the following standards:

1                   **(a) Materials.**

2                   (1) The primary facade shall be constructed of building materials that are  
3                   consistent with other primary structures in the vicinity.

4                   (2) Materials used in the construction shall be identical or similar those  
5                   available for similar buildings or structures built during the period of  
6                   significance.

7                   (3) Materials shall be similar in scale, proportion, texture, and finish to those  
8                   found on nearby historic structures.

9                   **(b) Design.**

10                  (1) Within all public historic districts, other than the Oregon State Hospital  
11                  District, the design shall be compatible with general character of historic  
12                  contributing buildings in the historic district. Factors in evaluating  
13                  compatibility include, but are not limited to:

14                        (A) The height, width, proportions, size and scale is consistent with those  
15                        used in similar historic contributing buildings in the district generally.

16                        (B) The design reflects, but does not replicate, the architectural style of  
17                        historic contributing buildings in the district.

18                        (C) Architectural elements that are similar to those found on historic  
19                        contributing buildings in the historic district are used.

20                        (D) Architectural elements such as lintels, cornices, doors, and windows  
21                        reflect the spacing, placement, scale, orientation and proportion of  
22                        buildings in the district.

23                        (E) The front façade is designed with proportions that are compatible with  
24                        adjacent buildings in the vicinity.

25                  (2) Within the Oregon State Hospital District the design shall be compatible  
26                  with general character of the historic contributing buildings, as identified in  
27                  Table 230-4, located in the zone, as identified in Figure 230-5, where the work  
28                  is occurring.

29                        (A) The height, width, proportions, size and scale is consistent with those  
30                        used in similar historic contributing buildings in the district generally.

1 (B) The design reflects, but does not replicate, the architectural style of  
2 historic contributing buildings in the district.

3 (C) Architectural elements that are similar to those found on historic  
4 contributing buildings in the historic district are used.

5 (D) Architectural elements such as lintels, cornices, doors, and windows  
6 reflect the spacing, placement, scale, orientation, and proportion of  
7 buildings in the district.

8 (E) The front façade is designed with proportions that are compatible with  
9 adjacent buildings in the vicinity.

10 (c) **Mechanical Equipment and Service Areas.** Mechanical equipment,  
11 including, but not limited to heating and cooling systems, solar panels, and  
12 telecommunications equipment, and service areas including, but not limited to  
13 dumpster enclosures, shall meet the following standards:

14 (1) **Materials.** Materials shall be harmonious in type, color, scale, texture,  
15 and proportions with the building and the district generally.

16 (2) **Design.**

17 (A) Mechanical equipment and service areas should be located out of  
18 public view and designed as an integral part of the overall building design.

19 (B) Mechanical equipment and service areas should be placed at the rear  
20 of the building, recessed on the roof of the building, or screened by  
21 appropriate fencing.

22 (C) Low-profile mechanical units and elevator shafts may be placed on  
23 rooftops if they are not visible from the street, or are set back and screened  
24 from view.

25 (D) Solar panels should have low profiles and not be visible from the  
26 street.

27 (E) Skylights shall be flat and shall not alter the existing profile of the  
28 roof. Bubble-type skylights are prohibited.

29 (F) Mechanical equipment placed at street level should be screened in a  
30 manner that is compatible with the streetscape and adjacent buildings.

1 (G) Skylights and vents shall be placed behind and below the parapet  
2 level.

3 (d) **Accessory Structures.** Accessory structures may be built on the site of new  
4 construction.

5 (1) **Materials.**

6 (A) Building materials shall be of traditional dimensions.

7 (B) Siding material shall be consistent with those present in buildings in  
8 the district generally.

9 (2) **Design.**

10 (A) The accessory structure shall be located at the rear of the lot or parcel.

11 (B) The accessory structure shall be no taller than one story.

12 (C) The accessory structure shall be of a reasonable size and scale in  
13 relationship to the building.

14 (e) **Awnings and Canopies.** Awnings and canopies on new construction shall  
15 meet the following standards:

16 (1) **Materials.**

17 (A) Materials that are compatible with the character of the district shall be  
18 used.

19 (B) Canvass is an approved material for awnings and canopies.

20 (2) **Design.**

21 (A) Awnings shall be located within window openings, and below  
22 transoms.

23 (B) Umbrella-type awnings and non-historic forms are not permitted.

24 (C) Marquees may be used where compatible with the building and  
25 neighboring buildings.

26 (D) Awnings, canopies, or marquees shall not obscure significant  
27 architectural features on the building.

28 (E) Awnings, canopies, or marquees shall have size, scale, and design that  
29 are compatible with the building and neighboring buildings.

30 (f) **Fences.** Fences may be included in new construction.

1 (1) **Materials.** Fences shall be constructed of traditional materials available  
2 during the period of significance.

3 (2) **Design.** Fences shall be no taller than four feet in the front yard and no  
4 taller than six feet in side and rear yards.

5 (g) **Retaining Walls.** Retaining walls may be included in new construction,  
6 provided the retaining wall will not result in the removal or destruction of site  
7 features identified as significant on the historic resource inventory for the district.

8 (1) **Materials.** The retaining wall shall be constructed of traditional materials  
9 that were available during the period of significance. Example: If the period  
10 of significance is 1920-1940, the materials that were available included, but  
11 were not limited to, rusticated stone, formed concrete, poured concrete, and  
12 brick.

13 (2) **Design.** Retaining walls shall be no taller than two feet in the front and  
14 four feet on the side and rear yard.

15 (h) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels  
16 and other rooftop mechanical structures may be included in new construction.

17 (1) **Materials.**

18 (A) Non-reflective glass and metal panels are allowed.

19 (B) Reflective glass and plastic frames are prohibited.

20 (2) **Design.**

21 (A) Solar panels shall not alter the existing profile of the roof, and shall  
22 be mounted flush on rear-facing roofs or placed on the ground in an  
23 inconspicuous location.

24 (B) Satellite dishes, TV antennae and other rooftop mechanical structures  
25 shall be installed so they are not visible from the street and do not damage  
26 or obscure significant architectural feature of the resource.

27 (C) Skylights shall be flat and shall not alter the existing profile of the  
28 roof. Bubble-type skylights are prohibited.

29 **Section 12.** The following SRC 230.082 is hereby added to SRC Chapter 230:

30 **230.082. Public Historic Mitigation.**

(a) A public agency shall avoid inadvertent impacts to a historic resource for which the agency is responsible.

(b) A public agency that alters an historic resource for which the agency is responsible to the degree where the alteration has adverse effect on the historic resource shall mitigate the adverse effect as provided in this subsection.

(1) **Level of Effect.** Any proposed alteration that will have an adverse effect to the historic resource shall be classified as to the level of effect, as set forth in Table 230-5. The level of effect is based on the scale of work and the location of the work. Example: An alteration that involves minor work on a secondary façade will not have as high of an adverse effect on a public historic resource as a project involving major work on a primary façade.

**TABLE 230-5  
PUBLIC HISTORIC MITIGATION – LEVEL OF EFFECT**

<b>Table 230-5: Public Historic Mitigation – Level of Effect</b>				
<b>Activity Proposed</b>	<b>Primary Facade</b>	<b>Level of Effect</b>	<b>Secondary Facade</b>	<b>Level of Effect</b>
<b>Public Historic District</b>				
Demolition	Adverse Effect	Level Three	Adverse Effect	Level Two
Accessibility Alterations and Additions	Adverse Effect	Level One	No Adverse Effect	None
Alterations and Additions	Adverse Effect	Level Two	No Adverse Effect	None
Awnings and Canopies Replacement or Installation	Adverse Effect	Level One	No Adverse Effect	None
Awnings and Canopies Replacement or Installation (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Decks Replacement and Additions	Adverse Effect	Level One	No Adverse Effect	None
Door Replacement	Adverse Effect	Level One	No Adverse Effect	None
Door Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Energy	Adverse Effect	Level One	No Adverse Effect	None
Fences	Adverse Effect	Level One	No Adverse Effect	None

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<b>Table 230-5: Public Historic Mitigation – Level of Effect</b>				
<b>Activity Proposed</b>	<b>Primary Facade</b>	<b>Level of Effect</b>	<b>Secondary Facade</b>	<b>Level of Effect</b>
Lintels, Architraves, Sills, and other Architectural Details Replacement	Adverse Effect	Level One	No Adverse Effect	None
Lintels, Architraves, Sills, and other Architectural Details Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Masonry, Siding, and Exterior Trim Replacement Details Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Masonry, Siding, and Exterior Trim Replacement Details Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Mechanical Equipment and Service Areas Addition and Replacement	Adverse Effect	Level One	No Adverse Effect	None
Murals & Signs	Adverse Effect	Level One	No Adverse Effect	None
Murals & Signs (Meeting Standards)	No Adverse Effect	None	No Adverse Effect	None
Porch Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Porch Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Restoration of Missing Features	No Adverse Effect	None	No Adverse Effect	None
Retaining Walls	Adverse Effect	Level One	No Adverse Effect	None
Roof and Cornice Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Roof and Cornice Replacement (In-Kind)	No Adverse Effect	None	No Effect	None
Site Features Replacement	Adverse Effect	Level One	No Adverse Effect	None
Site Features Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None
Window Replacement	Adverse Effect	Level Two	No Adverse Effect	None
Window Replacement (In-Kind)	No Adverse Effect	None	No Adverse Effect	None



1 (2) **Mitigation Required.** Mitigation shall be commensurate with the level,  
2 as set forth in this paragraph.

3 (A) **Level One: Minor Adverse Effect.**

4 Work involves loss of historic features or minor alterations. Mitigation  
5 shall include photo documentation of original feature or features prior to  
6 removal and an Intensive Level documentation of the historic resource.  
7 The historic resource shall be documented utilizing the standards for  
8 photographing and documenting historic resources established by the  
9 SHPO.

10 (B) **Level Two: Moderate Adverse Effect.**

11 Work involves major alterations or additions. Mitigation shall include  
12 photo documentation of original feature or features prior to  
13 commencement of work, ILS level documentation of the historic resource,  
14 and the development of both on-site and stand-alone educational materials  
15 which will meaningfully educate the public about the historic resource.  
16 Examples of stand-alone educational materials include, but are not limited  
17 to, informational websites and pamphlets. A digital version of any  
18 educational materials shall be provided and adequate hard copies printed  
19 for distribution by the City. On-site materials include, but are not limited  
20 to, informational kiosks or panels containing historical photos,  
21 architectural information and maps relating to the historic resource and  
22 site that are installed on the site of the historic resource.

23 (C) **Level Three: Major Adverse Effect.**

24 Work results in demolition of a historic resource. Mitigation shall include  
25 photo documentation of historic resource prior to commencement of  
26 demolition. ILS level documentation of the historic resource, and the  
27 development of both on-site and stand-alone educational materials which  
28 will meaningfully educate the public about the historic resource, and  
29 donation to the City's Historic Preservation Trust Fund, as provided in this  
30 paragraph. Examples of stand-alone educational materials include, but are

1 not limited to, informational websites and pamphlets. A digital version of  
2 any educational materials shall be provided along, and adequate hard  
3 copies printed for distribution by the City. On-site materials include, but  
4 are not limited to, informational kiosks or panels containing historical  
5 photos, architectural information and maps relating to the historic resource  
6 and site that are installed on the site of the historic resource. The public  
7 agency shall donate 0.1% of the estimated market value of the historic  
8 resource to the City's Historic Preservation Trust Fund.

9 **(3) Completion of Mitigation.** Mitigation shall be complete at the time of  
10 completion of project giving rise to the required mitigation.

11 **Section 13.** The following SRC 230.200 is hereby added to SRC Chapter 230:

12 **230.200. Historic Districts.** The historic districts in Salem are:

13 **(a) Gaiety Hill/Bush's Pasture Park Historic District (Figure 230-1).** The  
14 Gaiety Hill/Bush's Pasture Historic District was listed on the National Register of  
15 Historic Places in 1986. The period of significance is 1878-1938. The area of the  
16 District is 143 acres, and includes one hundred and thirteen historic contributing  
17 resources and thirty-two non-contributing resources. Resources are primarily  
18 residential, and the most predominant style the Craftsman Bungalow. The District  
19 includes four major Lord and Schryver gardens. The District is most noted for  
20 Bush's Pasture Park, located at the center of the District.

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FIGURE 230-1

GAIETY HILL/BUSH'S PASTURE PARK



**(b) Court Street-Chemeketa Street Historic District (Figure 230-2).** The Court Street-Chemeketa Historic District was listed on the National Register of Historic Places in 1987. The period of significance is 1860-1937. The area of the District is 38.75 acres and includes ninety-nine historic contributing and forty-eight non-contributing resources. The overall character of the District is that of a late 19<sup>th</sup> and early 20<sup>th</sup> century neighborhood. Resources are primarily residential. The District is named for its two east-west streets. Court Street is a 99-foot wide boulevard lined with larger and older houses. Chemeketa Street is narrower and lined primarily with bungalows and cottages, some of which front Mill Creek.

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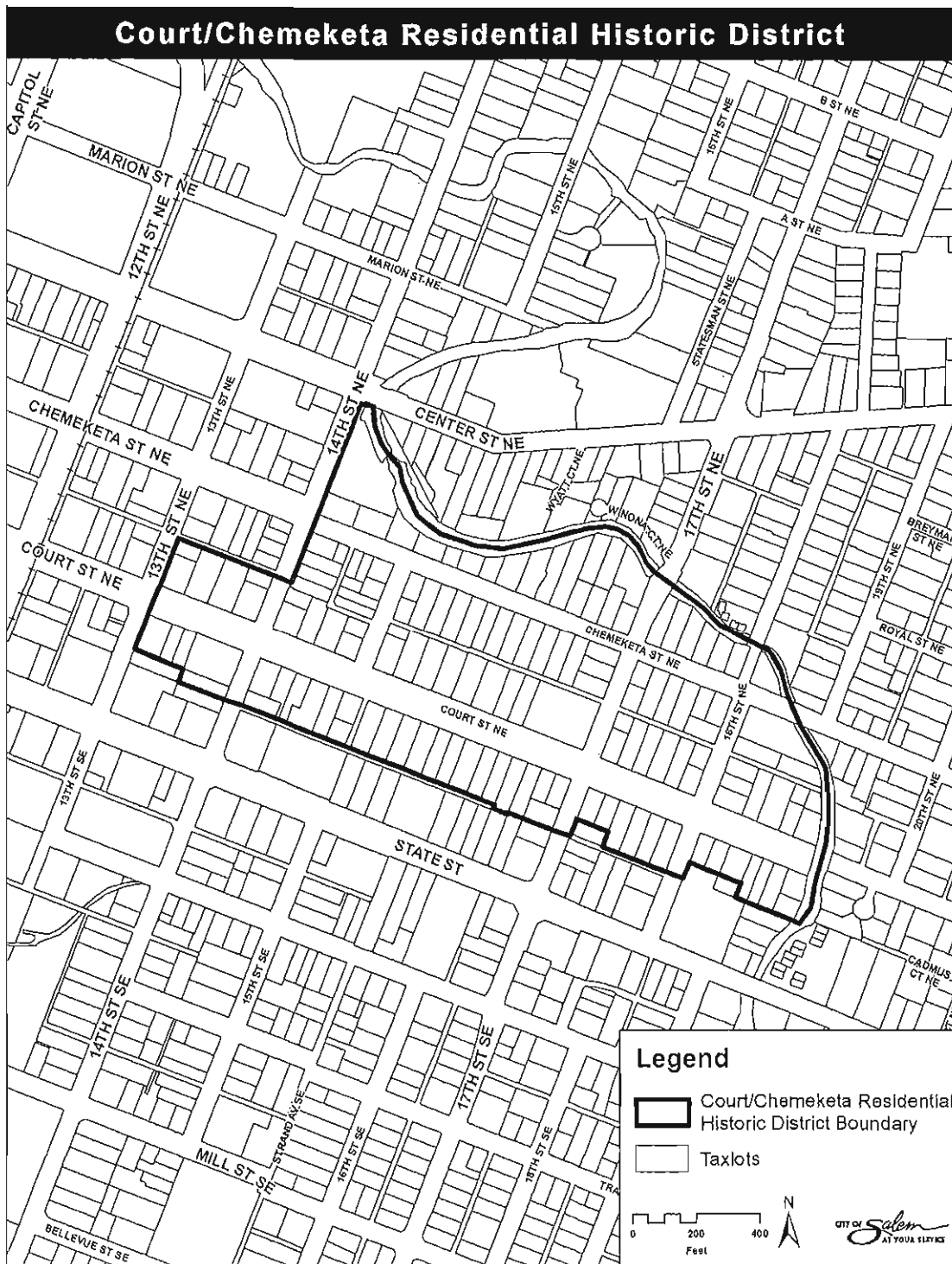
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FIGURE 230-2  
COURT/CHEMEKETA DISTRICT

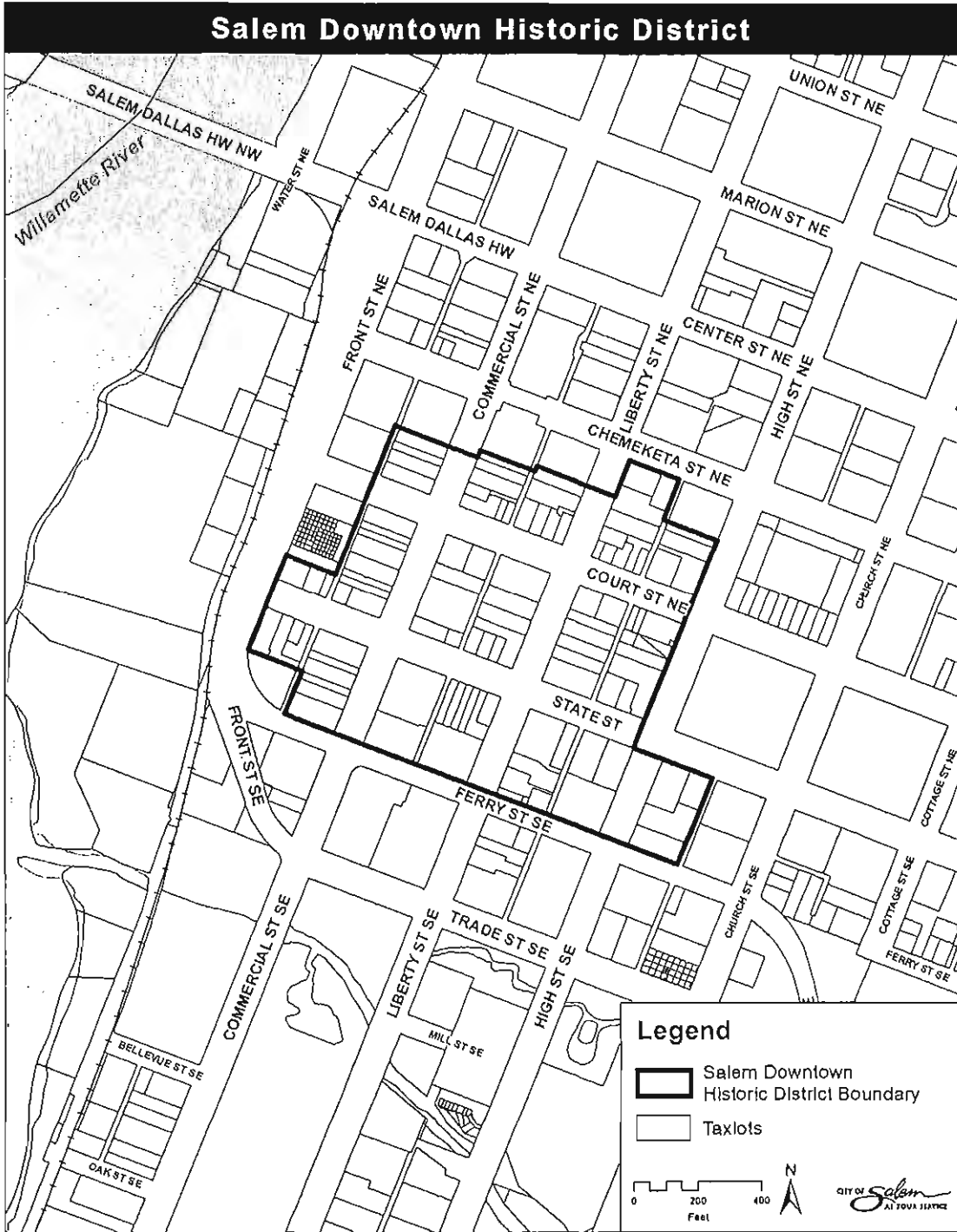


1 (c) **Salem Downtown Historic District (Figure 230-3).** The Salem Downtown  
2 Historic District was listed on the National Register of Historic Places in 2001. The  
3 period of significance is 1867-1950. The District is comprised of approximately  
4 seven city blocks and includes fifty-seven historic contributing resources and thirty-  
5 five non-contributing resources. Resources are primarily commercial in character.  
6 The District comprises commercial buildings which share a continuity of scale, lot-  
7 line development at the street, common building materials such as brick and  
8 concrete, and stylistic elements derived from traditional architectural styles such as  
9 Richardsonian Romanesque and Italianate. The storefronts throughout the District  
10 reflect both the downtown's early development, as well as efforts to modernize over  
11 time.

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FIGURE 230-3

SALEM DOWNTOWN HISTORIC DISTRICT



1 (d) **Oregon State Capitol (Figure 230-4).** The Oregon State Capitol was listed on  
2 the National Register of Historic Places in 1988. The Oregon State Capitol was  
3 constructed between 1936 and 1938, is 14.49 acres; includes the Capitol Building  
4 and adjacent wings, Wilson Park to the west, Capitol Park to the east, and extends  
5 to the north from the Capitol steps across Court Street to include one block of the  
6 former East and West Summer Streets and the sunken lawn terrace between these  
7 two streets.

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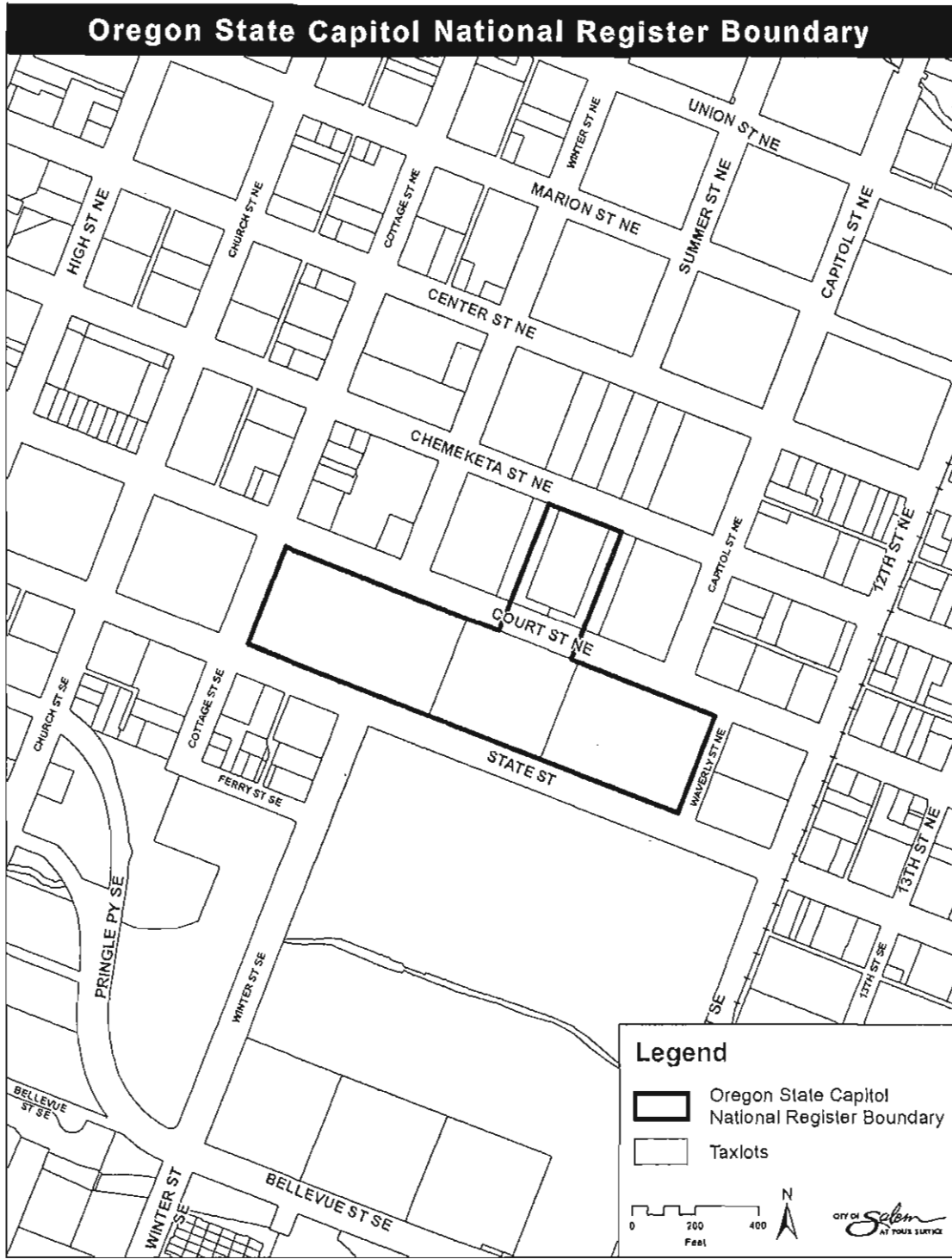
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FIGURE 230-4  
 OREGON STATE CAPITOL



(e) **Oregon State Hospital District (Figure 230-5).** The Oregon State Hospital District was listed on the National Register of Historic Places in 2008. The period of significance is 1883-1958. The area of the District had sixty-seven resources at the time of designation. The resources included buildings constructed for office use, a physical plant and support buildings, patient treatment wards, and staff residences.

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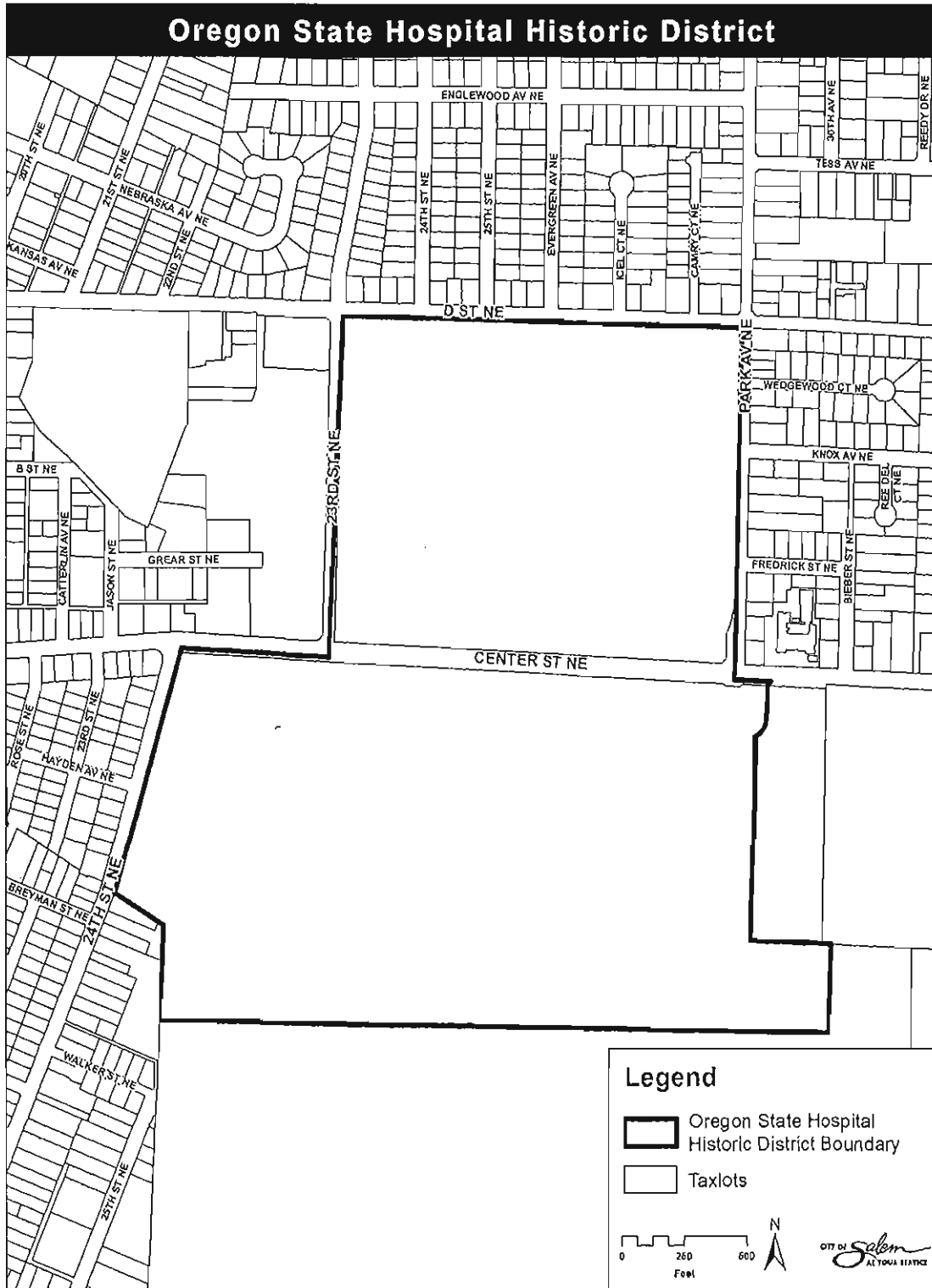
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FIGURE 230-5

OREGON STATE HOSPITAL DISTRICT



1 **Section 13.** The following SRC 230.225 is hereby added to SRC Chapter 230:

2 **230.225. Individually Listed Resources.** The list of individually listed local resources shall  
3 be maintained by the Director. The list may be maintained electronically, and shall be  
4 available to the general public.

5 **Section 14.** SRC 230.060 is repealed:

6 ~~**230.060. Public Historic Districts.** Historic preservation activity in districts that contain  
7 primarily public buildings shall comply with the Secretary of the Interior's Standards for  
8 Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S.  
9 Department of the Interior, National Park Service.~~

10 **Section 15. Severability.** The sections and subsections of this ordinance are severable. The  
11 invalidity of one section or subsection shall not affect the validity of the remaining sections or  
12 subsections.

13 **Section 16. Codification.** In preparing this ordinance for publication and distribution, the City  
14 Recorder shall not alter the sense, meaning, effect, or substance of this ordinance, but within  
15 such limitations, may:

- 16 (a) Renumber sections and parts of sections of the ordinance;
- 17 (b) Rearrange sections;
- 18 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 19 (d) Delete references to repealed sections;
- 20 (e) Substitute the proper subsection, section, or chapter or other division numbers;
- 21 (f) Change capitalization and spelling for the purpose of uniformity; and
- 22 (g) Correct manifest clerical, grammatical, or typographical errors.

23 PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

24 ATTEST:

25  
26  
27 City Recorder

28 Approved by City Attorney: 

29 Checked by: K. Fitzgerald

30 g:\group\legal\council\2013\062413 historic districts and preservation of public historic resources ord 25-13.doc

State

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COMMUNITY DEVELOPMENT DEPARTMENT  
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SEP 05 2013

LAND CONSERVATION  
AND DEVELOPMENT

Land Conservation & Development  
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Salem OR 97301