CHAPTER 33.846
HISTORIC RESOURCE REVIEWS

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General

33.846.010 Purpose

This chapter provides procedures and establishes the approval criteria for all historic resource reviews. The approval criteria protect the region's historic resources and preserve significant parts of the region's heritage. The reviews recognize and protect the region's historic and architectural resources, ensuring that changes to a designated historic resource preserve historic and architectural values and provide incentives for historic preservation.

33.846.020 Review Procedures

The review procedures in this chapter supersede procedural and threshold statements in the City's adopted design guidelines documents for historic districts.

33.846.025 Additional Notification Required

In addition to the notifications provided for by Chapter 33.730, Quasi-Judicial Procedures, when a Conservation District or Historic District has a Historic District Advisory Committee that is recognized by a Neighborhood Association, notice of all historic resource reviews will also be sent to the District's advisory committee.

33.846.030 Historic Designation Review

A. Purpose. The Historic Designation Review is a process for the City of Portland to designate Historic Landmarks, Conservation Landmarks, Historic Districts, or Conservation Districts. This review does not affect a property or district's listing on the National Register of Historic Places. These provisions promote the protection of historic resources by:

- Enhancing the city's identity through the protection of the region's significant historic resources;
- Fostering preservation and reuse of historic artifacts as part of the region's fabric; and
- Encouraging new development to sensitively incorporate historic structures and artifacts.

B. Review procedure. Historic designation reviews are processed through a Type III procedure.

C. Approval criteria. Proposals to designate a historic resource as a Historic Landmark, Conservation Landmark, Historic District, or Conservation District will be approved if the review body finds that all of the following approval criteria are met:

1. Significant value. The resource has significant historical or architectural value, demonstrated by meeting at least three of the following:

   a. The resource represents a significant example of a development, architectural style, or structural type once common or among the last examples in the region;

   b. The resource represents a significant work of a developer, architect, builder, or engineer noted in the history or architecture of the region;

   c. The resource represents a particular material, method of construction, quality of composition, or craft work which is either associated with the region's history or which enriches the region's character;

   d. The resource is associated with culture, activities, events, persons, groups, organizations, trends, or values that are a significant part of history;

   e. The resource is associated with broad patterns of cultural, social, political, economic, or transportation history of the region, state, or nation;

   f. The resource significantly contributes to the historic or cultural development of the area or neighborhood;

   g. The resource symbolizes a significant idea, institution, political entity, or period;

   h. The resource retains sufficient original design characteristics, craft work, or material to serve as an example of a significant architectural period, building type, or style;

   i. The resource significantly contributes to the character and identity of the neighborhood district or city;

   j. The resource includes significant site development or landscape features that make a contribution to the historic character of a resource, neighborhood, district, or the city as a whole;

k. The resource represents a style or type of development which is, or was, characteristic of an area and which makes a significant contribution to the area's historic value; or

l. The resource contributes to the character of a grouping of resources that together share a significant, distinct, and intact historic identity.

2. Appropriate level of protection. The proposed designation is appropriate, considering the historical or architectural value of the resource and other conflicting values. Levels of protection are Historic Landmark designation, Conservation Landmark designation, Historic District designation, Conservation District designation, and no designation; and

3. Owner consent.

a. For Historic Landmark or Conservation Landmark designation, the property owner must consent, in writing, to the Historic Landmark or Conservation Landmark designation;

b. For Historic District or Conservation District designation, all owners of property in the district must consent, in writing, to the Historic District or Conservation District designation at the time of designation.

33.846.040 Historic Designation Removal Review

A. Purpose. These provisions allow for the removal of the City's historic designation when it is no longer appropriate. This review does not affect a property or district's listing on the National Register of Historic Places.

B. Review procedure. Historic designation removal reviews are processed through a Type III procedure.

C. Approval criteria. Proposals to remove the historic designation from a historic resource will be approved if the review body finds that all of the following approval criteria are met:

1. Loss of public benefit. The benefits to the public and the property owner of retaining the historic designation no longer outweigh the benefits of removing the designation; or

2. Owner consent.

a. For Historic Landmarks or Conservation Landmarks. The property owner at the time of designation must have objected, on the record, to the historic designation.

b. For individual sites not designated as Historic Landmarks or Conservation Landmarks in Historic Districts or Conservation Districts. The property owner at the time of designation must have objected, on the record, to inclusion in the district.

33.846.050 Historic Preservation Incentive Review

A. Purpose. These provisions increase the potential for Historic Landmarks and Conservation Landmarks, and contributing structures to be used, protected, renovated, and preserved.

B. Review procedure. Historic preservation incentive reviews for sites in the RX zone are processed through a Type II procedure. Historic preservation incentive reviews for sites in all other zones are processed through a Type III procedure.

C. Approval criteria. The use of a historic preservation incentive in a Historic Landmark, Conservation Landmark, or a resource identified as contributing to the historic significance of a Historic District or a Conservation District will be approved if the review body finds that all of the following approval criteria are met:

1. Establishment of the use will not conflict with adopted provisions of neighborhood plans for the site and surrounding area;

2. If the site is in an R zone:

   a. The approval criteria of Section 33.815.105, Institutional and Other Uses in R Zones, are met; and

   b. Proposals on sites larger than one acre will not reduce the amount of new housing opportunity in the City. These criteria may be met by using the methods to mitigate for housing loss in Comprehensive Plan Map amendments in Subparagraph 33.810.050.A.2.c.; and

3. The regulations of 33.445.610, Historic Preservation Incentives are met.

33.846.060 Historic Resource Review

A. Purpose. Historic resource review ensures the conservation and enhancement of the special characteristics of historic resources.

B. Review procedure. Certain proposals specified in B.1 are subject to neighborhood contact requirements. Procedures for historic resource reviews are shown in Tables 846-1 through 846-4.

1. Neighborhood Contact. The following proposals are subject to the Neighborhood Contact requirement, as specified in Section 33.700.025, Neighborhood Contact, if they are in the a, Alternative Design Density Overlay Zone; in the Albina Community Plan area shown on Map 825-2; or in the Outer Southeast Community Plan area shown on Map 825-3:

   a. Proposals that create more than three new dwelling units. Dwelling units are created:

      (1) As part of new development;

      (2) By adding net building area to existing development that increases the number of dwelling units;

      (3) By conversion of existing net building area from nonresidential to residential uses; and

(4) By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex;

b. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or

c. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.

2. For Historic Landmarks, including those in Historic Districts or Conservation Districts, when proposals are not exempt from review as specified in Subsection 33.445.140.B, the review procedure is determined by Table 846-1, below:

Table 846-1
Procedure Types for proposals affecting Historic Landmarks

Proposal	Zone	Threshold	Procedure
Alterations of a landmark-designated interior public space	All	Project value > $407,700	Type III
		Project value < $407,700	Type II
Mechanical equipment	All	Exterior	Type Ix
Awnings	All	New or replacement	Type Ix
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > $407,700	Type III
		Project value < $407,700	Type II

3. For Conservation Landmarks, including those in Historic Districts or Conservation Districts, when proposals are not exempt from review as specified in Subsection 33.445.230.B, the review procedure is determined by Table 846-2, below:

Table 846-2
Procedure Types for proposals affecting Conservation Landmarks

Proposal	Zone	Threshold	Procedure
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

4. For Historic Districts, excluding Historic or Conservation Landmarks, when proposals are not exempt from review as specified in Subsection 33.445.320.B, the review procedure is determined by Table 846-3, below:

Table 846-3
Review procedures for proposals within Historic Districts

Proposal	Zone	Threshold	Review Type
New structure	All	Project value > $407,700	Type III
		Project value < $407,700	Type II
New accessory structure	RF-RH		Type I
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF-RH	Affected façade area < 150 sq. ft.	Type I
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > $407,700	Type III
		Project value < $407,700	Type II

5. For Conservation Districts, excluding Historic or Conservation Landmarks, when proposals are not exempt from review as specified in Subsection 33.445.420.B, the review procedure is determined by Table 846-4, below:

Table 846-4
Review procedures for proposals within Conservation Districts

Proposal	Zone	Threshold	Review Type
New structure	All		Type II
New accessory structure	RF-RH		Type I
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF-RH	Affected façade area < 150 sq. ft.	Type I
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

C. Phased proposals.

1. For phased proposals. Applicants may submit design plans for a phase proposal, provided the application includes adequate information to allow review of all phases of the proposal, including anticipated timelines.

2. Benefits of a phased design plan. Development in conformance with an approved phased design plan does not have to go through a separate historic resource review for each phase.

3. Procedure. A phased design plan application is reviewed using the same procedure and with the same guidelines as a historic resource review for a specific development.

D. Models of proposals in the Central City plan district. For proposals located in the area of the Central City plan district shown on Map 825-1, a three dimensional cardboard model of a proposal located in a Historic District or Conservation District is required with an application for historic resource review. This requirement applies only to new developments or changes in the bulk of existing buildings. The scale of the model must be 1 inch equals 50 feet. Before a building permit is issued, a three dimensional wooden model of the proposal as approved must be submitted to fit into the City's downtown model. This model must be at a scale of 1 inch equals 50 feet. The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate wooden model.

E. Approval criteria outside the Central City plan district. Outside the Central City plan district, requests for historic resource review will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met. Conflicts among guidelines and criteria are resolved as specified in Paragraph E.4, below. The approval criteria for historic resource review outside the Central City plan district are as follows:

1. Historic Districts. When historic resource review is required for any resource in a Historic District, including Historic Landmarks and Conservation Landmarks, the approval criteria are:

   a. Historic Districts with district-specific guidelines. Historic Districts may have guidelines that are specific to the district, such as the *King's Hill Historic District Guidelines.* When historic resource review is required in such districts, the guidelines specific to the district are the approval criteria;

   b. Historic Districts without district-specific guidelines. Where there are no guidelines that are specific to the Historic District, the criteria in Section 33.846.060.G are the approval criteria; or

   c. Alphabet Historic District. In the Alphabet Historic District, the approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

2. Conservation Districts. When historic resource review is required for any resource in a Conservation District, including Historic Landmarks and Conservation Landmarks, the approval criteria are:

   a. Conservation Districts with district-specific guidelines. Conservation Districts may have guidelines that are specific to the district. When historic resource review is required in such districts, the guidelines specific to the district are the approval criteria; or

   b. Conservation Districts without district-specific guidelines. Where there are no guidelines that are specific to the Conservation District, the *Community Design Guidelines* are the approval criteria;

3. Historic Landmarks and Conservation Landmarks located outside of Historic Districts or Conservation Districts. When historic resource review of a Historic Landmark or Conservation Landmark located outside of a Historic District or Conservation District is required, the criteria in 33.846.060.G are the approval criteria.

4. Conflicts among guidelines and criteria. When a criterion in Section 33.846.060.G conflicts with any guideline, the criterion in Section 33.846.060.G supersedes the guideline.

F. Approval criteria in the Central City plan district. In the Central City plan district, requests for historic resource review will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met. Conflicts among guidelines and criteria are resolved as specified in Paragraph F.5, below. The approval criteria for historic resource review in the Central City plan district are as follows:

1. Historic Districts. When historic resource review is required for any resource in a Historic District, including Historic Landmarks and Conservation Landmarks, the approval criteria are:

   a. Historic Districts with district-specific guidelines. Historic Districts may have guidelines that are specific to the district, such as the *NW 13th Avenue Historic District Design Guidelines.* When historic resource review is required in such districts, the approval criteria are the *Central City Fundamental Design Guidelines* and the guidelines specific to the Historic District. If the resource is a Historic Landmark or Conservation Landmark, the criteria in Section 33.846.060.G must also be met;

   b. Historic Districts without district-specific guidelines.

      (1) Where there are no guidelines that are specific to the Historic District and the site is also in a subdistrict of the Central City plan district that has subdistrict design guidelines, the approval criteria are the *Central City Fundamental Design Guidelines* and the subdistrict design guidelines. If the resource is a Historic Landmark or Conservation Landmark, the criteria in Section 33.846.060.G must also be met;

      (2) Where there are no guidelines that are specific to the Historic District and the site is not in a subdistrict of the Central City plan district that does not have subdistrict design guidelines, the approval criteria are the *Central City Fundamental Design Guidelines* and the criteria in Section 33.846.060.G;

   c. Alphabet Historic District. In the portion of the Alphabet Historic District within the Central City plan district, when historic resource review is required for any resource, including Historic Landmarks and Conservation Landmarks, the approval criteria are the *Central City Fundamental Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*. If the resource is a Historic Landmark or Conservation Landmark, the criteria in Section 33.846.060.G must also be met;

   d. Irvington Historic District. In the portion of the Irvington Historic District within the Central City plan district, when historic resource review is required for any resource, including Historic Landmarks and Conservation Landmarks, the approval criteria are the Central City Fundamental Design Guidelines, the design guidelines for the Lloyd District subdistrict

of the Central City plan district, and the criteria in Subsection 33.846.060.G;

2. Russell Street Conservation District. When historic resource review is required for any resource in the Russell Street Conservation District, including Historic Landmarks and Conservation Landmarks, the approval criteria are the *Community Design Guidelines*. If the resource is a Historic Landmark or Conservation Landmark, the criteria in Section 33.846.060.G must also be met;

3. Historic Landmarks and Conservation Landmarks located outside of Historic Districts and Conservation Districts. When historic resource review of a Historic Landmark or Conservation Landmark located outside of Historic Districts and Conservation Districts is required, the approval criteria are:

   a. Subdistricts with design guidelines. If the resource is in a subdistrict of the Central City plan district that has subdistrict design guidelines, the approval criteria are the *Central City Fundamental Design Guidelines,* the subdistrict design guidelines and the criteria in 33.846.060.G;

   b. Subdistricts without design guidelines. If the resource is not in a subdistrict of the Central City plan district that has subdistrict design guidelines, the approval criteria are the *Central City Fundamental Design Guidelines* and the criteria in Section 33.846.060.G;

4. Specified sites along N. Broadway. When historic resource review is required for a historic resource on a site in the CXd zone, and the site fronts on and is within 300 feet of N. Broadway between N. Interstate and N. Wheeler streets, the approval criteria are the *Central City Fundamental Design Guidelines* and the S*pecial Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan District.* If the resource is a Historic Landmark or Conservation Landmark, the criteria in Section 33.846.060.G must also be met.

5. Conflicts among guidelines and criteria. Conflicts among guidelines and criteria are resolved as specified in this paragraph.

   a. When a criterion in Section 33.846.060.G conflicts with any other guideline, the criterion in Section 33.846.060.G supersedes the other guideline.

   b. When a guideline that is specific to a historic district, such as one of the *NW 13th Avenue Historic District Design Guidelines*, conflicts with one of the *Central City Fundamental Guidelines* or with a subdistrict design guideline, such as one of the *River District Design Guidelines*, the guideline specific to the historic district supersedes the Central City Fundamental Guideline and the subdistrict guideline.

   c. When a subdistrict design guideline, such as one of the *Goose Hollow District Design Guidelines*, conflicts with one of the *Central City Fundamental Design Guidelines*, the subdistrict guideline supersedes the Central City Fundamental Guideline.

   d. When a guideline from the *Historic Alphabet District Addendum to the Community Design Guidelines* conflicts with one of the *Central City Fundamental Design Guidelines*, the Alphabet District Guideline supersedes the Central City Fundamental Guideline.

e. When a Lloyd District Design Guideline conflicts with a Central City Fundamental Design Guideline, the Lloyd District Guideline supersedes the Central City Fundamental Guideline.

G. Other approval criteria. Requests for historic resource review will be approved if the review body finds that the applicant has shown that all of the applicable approval criteria have been met. The approval criteria are:

1. Historic character. The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided;

2. Record of its time. The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided;

3. Historic changes. Most properties change over time. Those changes that have acquired historic significance will be preserved;

4. Historic features. Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence;

5. Historic materials. Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used;

6. Archaeological resources. Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken;

7. Differentiate new from old. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old;

8. Architectural compatibility. New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource;

9. Preserve the form and integrity of historic resources. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired; and

10. Hierarchy of compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

33.846.070 Modifications Considered During Historic Resource Review
The approval criteria for modifications considered during historic resource review are:

A. Better meets historic resource review approval criteria. The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and

B. Purpose of the standard.

1. The resulting development will meet the purpose of the standard being modified; or

2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

33.846.080 Demolition Review

A. Purpose. Demolition review protects resources that have been individually listed in the National Register of Historic Places or are identified as contributing to the historic significance of a Historic District or a Conservation District. It also protects Historic Landmarks and Conservation Landmarks that have taken advantage of an incentive for historic preservation and historic resources that have a preservation agreement. Demolition review recognizes that historic resources are irreplaceable assets that preserve our heritage, beautify the city, enhance civic identity, and promote economic vitality.

B. Review procedure. Demolition reviews are processed through a Type IV procedure.

C. Approval criteria. Proposals to demolish a historic resource will be approved if the review body finds that one of the following approval criteria is met:

1. Denial of a demolition permit would effectively deprive the owner of all reasonable economic use of the site; or

2. Demolition of the resource has been evaluated against and, on balance, has been found supportive of the goals and policies of the Comprehensive Plan, and any relevant area plans. The evaluation may consider factors such as:

   a. The merits of demolition;

   b. The merits of development that could replace the demolished resource, either as specifically proposed for the site or as allowed under the existing zoning;

   c. The effect demolition of the resources would have on the area's desired character;

   d. The effect that redevelopment on the site would have on the area's desired character;

   e. The merits of preserving the resource, taking into consideration the purposes described in Subsection A; and

   f. Any proposed mitigation for the demolition.