

Historic Resources Code Project: Concept Development Period

Emails and Letters from Individuals

During the public comment period, staff received 5 emails and letters as attachments via email. All emails and letters from individuals are shown verbatim in the order of date received. No edits were made, but personal information has been redacted.

January 19, 2018	<p>Hi Brandon,</p> <p>Thanks for your presentation yesterday at DRAC. The property address is 7654 N Crawford. The applicant and owner at the time wanted to use the house (formerly used as a school) for weddings, or maybe massage and other health offices, events etc. The site is in the R5 zone and there was no way to allow these Retail Sales and Service uses. The client ended up selling the property instead. I've attached the summary report from the Early Assistance meeting we had with the City.</p> <p>In my opinion, it would have been great if there were provisions in the code that would allow ongoing use of this historic building to make it financially viable for the property owner.</p> <p>Let me know if you have any questions.</p> <p>Thanks, (redacted)</p>
January 24, 2018	<p>Comments regarding HRCIP</p> <p>These comments and suggestions, dated Jan. 24, 2018, are from (redacted). (Please note that I have used the format prepared by (redacted) for the Portland Coalition, and where I agree with comments from the Coalition, I have so noted.)</p> <p>Background</p> <p>The Historic Resources Code Improvement Project was adopted by Portland City Council, and became effective on May 1, 2013. Although a one-year review was contemplated, the City is now embarked on HRCIP 2.</p> <p>Our concerns and comments are based on our actual experiences with the new provisions and broader aspects of Historic Resource Review (HRR). The Irvington Historic District (IHD), the largest historic district in the State, has had more than seven years of experience operating under City Code sections, 33.445, which contain the exemption provisions, 33.910, which contain the definitions, and section 33.846, which contain the 10 criteria in 33.846.060G, and table 846-3.</p> <p>IHD has a positive view of the changes resulting from HRCIP – the fees were reduced and the time line shortened. Lack of local appeal was a concern which has been borne out in just a few cases.</p>

Definitions – HRCIP added a definition for "repair" and explicitly exempted "repair" from HRR. There continues to be confusion, however, especially relating to "repair" and how much original material must be removed before "repair" becomes "replacement," which is subject to HRR. This has been further complicated by an arbitrary, informal BDS policy which defines the "repair" exemption as replacement of less than 50% of some subsystem (like a window frame or siding). The 50% policy conflicts with the informal decision by BDS that standard asphalt roofing material replacement is "repair" because it is a subsystem which is intended for periodic replacement – under which the entire roof can be replaced without HRR. Implicit in the "50% rule" and the roof policy is the additional requirement of like for like material. The repair exemption must be codified and such review must also take into account the related definitions of replacement, restoration, and maintenance.

The "like for like" material requirement is reasonable, but if the end result is an exemption, there is no means by which the neighborhood or BDS can be assured that the "repair" work resulted in the same material. There are no records, no plans, nothing to compare what was discussed and proposed against what was actually put in place.

We recommend that roof replacements be exempt if such work is like for like, shingles for shingles, tile for tile. This exemption has not been abused, the Code should be amended.

For other repair work, 50% is totally arbitrary, and should be changed in the code to mean replacement work that is like for like, cedar siding for cedar siding, and does not change any character defining aspect of the resource. Also we recommend that the applicant should pay a minimal amount, say \$100 and file a Certification of Compliance, with penalties of perjury, using a certificate now used by BDS to assure that the project plans submitted with the building permit application are consistent with the HRR exemption requirements. The Certificate would need to be modified to list the materials being replaced, the new materials, and the extent of the replacement. Also, the Certificate should include an assurance that if further repair or replacement work is uncovered, that BDS and the neighborhood will be notified. It would be signed by the owner(s) and any professionals helping with the project.

In one instance, we were notified by BDS that a code compliance complaint was filed and closed, because BDS determined that the "windows were replaced for repair with like for like material thus HRR is not required per 33.445.320.B.2." (from BDS staffer) This appears to be an unsuccessful meshing of the B2 exemption with the "repair" exemption. "Replaced for repair" is not a Code exemption.

33.445.320 B 2 – The so-called B 2 exemption provides that the following is exempt from review: "Alterations that do not require a building, site, zoning, or sign permit from the City, and that will not alter the exterior features of a resource having such features specifically listed in the Historic Resource

Inventory, Landmark nomination, or National Register nomination as an attribute that contributes to the resource's historic value."

The B 2 exemption has not been applied to windows, but primarily to doors – front doors, side doors, backdoors, and recently garage doors – where the replacement is the same size as the door being replaced, and no structural changes will occur to the door opening, no building permit is required. The fact that the replacement door may be inconsistent with the architectural style of the resource, apparently, is not important.

BDS argues that since the Irvington Historic District Nomination does not mention doors or garage doors as contributing to the significance of the district, the door work does not alter any "exterior features specifically listed in the National Register nomination as an attribute that contributes to the resource's (in this case the Irvington Historic District's) historic value"; therefore no review is required.

The problem with this BDS rationale is that it opens up a loophole as big as a Mac truck. The fact that such features may be character defining to the individual resource seems not important to the BDS rationale. Also you should know that this use of B 2 was not used in the first 3, maybe 4 years of the IHD. Any architectural feature that is not specifically listed in the district nomination could be used to justify an exemption, allow a replacement. Since the Irvington nomination was based on the general uniformity of historic resources in the district, not on specific architectural features, the loophole is substantial.

A careful reading of the Irvington Historic District nomination makes it clear that the architectural elements mentioned relative to specific styles are representative, not exhaustive, and they do not necessarily list items like half timbering, multi-light windows, rafter tails, broadly overhanging eaves, and other attributes which HRR would not allow to be altered regardless of their absence from specific language.

It may or may not be appropriate for front doors to be regulated under HRR, but they have been specifically so regulated in many HRR applications in Irvington while "exempted" from specific reviews in more recent cases. In any event, to conclude that entry doors plainly visible from the street, which are widely regarded by architectural historians as embodying distinctive stylistic elements, are not subject to HRR review on the basis of whether the word "door" appears in the nomination, is a bureaucratic stretch.

In one instance, BDS used the B 2 exemption to avoid showing a new French door on the published application and published plans. My response to BDS on this application was: "Finally, Sheet A-1 calls out a new French door on the rear elevation-see project description. However, the narrative in the notice doesn't mention it, nor does Sheet A-6 that shows the rear elevation. There is no new French door in A-6. Since the French door does not appear to be a part of the application, we offer no comments, but reserve the right to do so if our assumption is not accurate."

A BDS staffer replied, "Regarding the proposed door replacement, staff determined that this work was exempt from review per 33.445.320.B.2. Since this work is not subject to review, it was not necessary to reflect it in the narrative or require it to be shown on the drawings as part of this application." This is not an example of working together for a better end decision.

ADU Exemptions – The current code exempts "auxiliary structures" under 200 square feet from HRR. In the HRCIP commentary, this exemption was described as applying to "stand-alone garages and gazebos." In general this exemption has not been a problem, but an exception arises with ADUs, which may be "auxiliary," but are intended to be permanent dwellings, not temporary garden sheds and the like, which typically have been covered by this exemption. We propose a change to the wording of the Code to read "auxiliary structures not intended as Auxiliary Dwelling Units" as being exempt. I agree with the Coalition position.

ADU Design Guideline Confusion – For ADUs, there are both ADU design guidelines and HRR guidelines in historic districts. The Coalition proposes that "the code be changed to make it clear that the ADU design guidelines do not apply in historic districts and that the applicable design guidelines for the district do apply to them" to eliminate this confusion. Our experience has not shown any confusion and we have had at least 20 ADU conversions. I suggest that the Code be amended to include a sentence to the effect – "If ADU guidelines conflict with HRR guidelines, the HRR guidelines will control."

Another reason to keep both guidelines occurred recently. BDS staff said: "Regarding the residential permit review, this refers to the building permit needed to convert the existing structure from a garage into an ADU. Our permit review staff review the proposed ADU against the standards of Portland Zoning Code 33.110.250 and 33.205 (the ADU guidelines) to ensure that all code is met. Additionally, they look to see that no Historic Resource Review is needed. In this case, since the permit only changed the use of the structure and did not propose any exterior changes, there was no Historic Resource Review required, just a typical building permit." But did the change comply with HRR guidelines – we do not know. The bottom line is that all ADU conversions should be subject to HRR.

Contributing Garages – Irvington and Ladd's Addition have a number of garages which are considered "contributing." Of these, many are smaller than modern garages and unusable for their original purpose given the larger sizes of modern autos and small trucks. However, replacement of these garages or drastic modification to enlarge them to modern size may require a Type IV demolition review. This seems like "overkill" and invites demolition by neglect and the resulting fire and other hazards. We are not ready to propose a solution, but we'd invite a discussion of alternative approaches that provide more flexibility in modernizing non-functional garages while not encouraging their replacement wholesale by large, intrusive infill structures that clearly are incompatible with the district's fabric. Doubtless, any such solution would require changes to Code

relative to demolition of contributing structures. I agree with this Coalition position.

Removal of Service Chimneys – During the development of HRCIP, there was discussion of exemption the removal of non-functional interior service chimneys from HRR. Ultimately, this provision was not included in the proposal. We continue to have applications for removal of non-functioning interior service chimneys, and in some cases the wording of HRR decisions has indicated that these are exempt from review, when officially they are not. Official BDS policy as provided to us is that service chimney removal will be evaluated on a "case by case" basis. We suggest this issue be clarified by adding to the code well-crafted language for exempting chimney removals when no negative impacts on the historic integrity of the property will result – especially for contributing properties in historic districts. I agree with this Coalition position.

Exemption for Seismic Attachments – We support the Coalition position with two additions. "As seismic retrofits for individual residences and small plexes have become more common, we have learned that in some instances the tie-down mechanisms cannot be installed inside the building, and small steel brackets must be mounted onto the outside of the concrete foundation wall. We recommend that installation of these brackets for seismic tie-down purposes be exempt for all structures subject to HRR, provided that the individual brackets must be less than 0.5 square feet each." We would add to the proviso that the brackets be painted the same color as the resource and screened by appropriate landscaping.

Solar Panel and Solar Shingles – See attachment A.

Launch Program of Policy Memos – When clarification is required on interpretation of code or guideline language, BDS should provide policy guidance to its staff and the public by issuing a "Policy Memo" covering the topic. Those memos should be reviewed and approved by the Portland Historic Landmarks Commission and then made public on BDS' website for use by property owners and architects. I would like to try the Policy Memo idea proposed by the Coalition because it takes too long to fund and go through the Code Amendment process unless minor changes to the Code could be done through the RICAP process.

"Free" 20-minute Pre-App Review – When the lead BDS HRR reviewer volunteered to meet with HRR applicants for a free, informal 30-minute pre-application discussion many potential problems for property owners were avoided early in the HRR process. The current substitute "free 20-minute review at the counter" by any planner who happens to be free, is not an adequate replacement. We believe that appropriate early intervention by a trained and experienced HRR staff reviewer can reduce overall workload by helping to eliminate poorly conceived applications. I agree fully with these comments. The IHD provides free "pre-app" sessions (about 20-30 minutes) monthly as part of the land use committee monthly meeting. These discussions have been well received.

"Visibility" and "Differentiation" – Some recent decisions and commentary issued by BDS are not consistent with the decisions issued by the Portland Historic Landmarks Commission relative to how alterations to non-street facing facades are evaluated more flexibly and how the concept of "differentiate old from new" can be applied in a modern context. As long as we are going to be using 33.846.060G with its subjective rules and jargon, we need to have some simple policy statements that Landmarks, PCHR, and BDS can agree on that provide consistent guidance to planners for applying these concepts. Our understanding is that (a) all facades are important, but the street facing façade is the most important and (b) the fact that the exterior alteration is not visible from the street is not a sufficient reason, in and of itself, to approve the alteration.

Drawings and Documentation – One of the most inconsistent and aggravating areas in recent HRR practice by BDS has been when and for what purpose detailed, formal architectural drawings have been required for HRR applications. Some applications have been approved with simple hand-drawn sketches accompanied by photographs. At the other extreme is a recent case where full architectural elevation drawings were required for all four sides of a property to support a change to a single door on one side of the structure. It is essential that the requirements for drawings and detail reflect the real needs of the planners for making a sound decision, rather than some arbitrary rule requiring full drawings in all cases. Photographs should suffice in many instances, along with manufacturers' specifications and drawings of proposed new materials. I agree, but I would add here that the land use committee wants to see the existing elevation (which could be a photo or two) and the proposed elevation. If the decision turns on the compatibility of proposed changes with existing detail on other facades, we want to see the other facades, but photos should suffice here as well. The fees charged by BDS should be reduced (see below) and we should do what we can to keep applicant's costs as reasonable as possible.

Calculation of 150 square foot area for Exemption – This is another area of inconsistency and even inaccuracy in application of the code language. In some cases, the calculation has been applied to the "area of attachment" of new structure (often a very small area as in the case of a deck abutting a rear wall). In other cases, other approaches to the measurement seem to have been used. We need 1) a clear, written policy on how the 150 square foot area should be calculated, and 2) a place in Application Notices which clearly calls out the calculated square footage area used as the basis of any exemption or eligibility determination for a Type I review. I agree.

Retaining Affordable Type I Fees – While the \$250 fee for a Type I review is still substantially higher than fees charged for comparable reviews in other jurisdictions, it is vastly better than in the pre-HRCIP era. We are concerned that the Type I review and its associated fee be retained for the foreseeable future, unless funding is found to allow a further reduction in Type I Fees to a level more typical of HRR fees elsewhere in Oregon and the US. I agree.

Other HRR Fee Reductions – Since BDS has accumulated a substantial "rainy day fund" to help it weather future downturns in the construction industry, I suggest a reduction to \$550 for the minimum Type II fee.

Sufficient Information in Published Application – An application must contain sufficient information for the neighbors and neighborhood associations to render an informed response. Some applications lack existing elevations and sufficient basic information. The published application should state whether there are additional elevations and drawings that were not part of the published application and, if so, that they can be obtained at no cost, via email, upon request to BDS.

Kudos

Certificate of Compliance –We note that BDS decisions now include a requirement for the filing of a Certificate of Compliance. That is a good idea and should be continued.

BDS decisions also note that the mailed notice of decision is not complete and the reader is referred to the BDS webpage and the complete decision. Another good idea.

Attachment A

Solar Panels and Solar Shingles

Solar power is an important feature of dealing with climate change and should be encouraged. Photovoltaic panel installation assemblies and emerging technologies systems (like PV roof shingles) are different things in several ways. Although we have asked to see where shingles have been used, we are advised that shingles are not readily available in this market. I would like to see the advocacy, treatment, and response to each of them separately stated. The visual impact of shingles versus PV panels is quite different. PV panel installations can have an outsized and deleterious effect on a contributing structure's historic form and character, such as the massing, scale, shape and materiality of the roof planes and their impact relative to elements such as chimneys and dormers. Current historic design guidelines exemptions are restrictive, can be difficult to work with, and do presently preclude all sorts of changes to contributing structure's facades...especially street-facing facades. The exemption provision for solar in 33.445 should be carefully reviewed and revised. However, I believe a preservation, at a minimum, of the importance of street facing facades (inclusive of roofs) is a bedrock of the IHD.

In a recent application, the solar system was proposed for gable roofs facing a side property line. They were not on a flat roof, nor on a pitched roof facing a rear property line. Since these conditions did not exist on this property, the proposal did comply with the exemption criteria. Thus, the proposal had to meet

the relevant G criteria. During an email exchange regarding this application, I was advised that BDS staff received clear direction from the Landmarks Commission, at its most recent retreat, that solar is approvable in all historic districts. Similar to skylights, solar energy systems should be located to the rear of a roof, ideally screened behind a dormer or other architectural feature, to minimize visibility from the street. We would like to see the criteria proposed by Landmarks.

More information in application – In a recent application, the committee received a site plan, more of an aerial view of the two roofs, and a narrative that read: ". . .for rooftop solar mounted on the house and the garage. All ten solar panels on the house are proposed to be located on the back of, or behind side dormers. There are no panels proposed for the front of the roof. The six panels proposed for the garage will be mounted a minimum of 6'9" from the rear property line. Historic resource review is required because the proposal is for non-exempt exterior alterations in the Irvington Historic District." That was it – we asked for more information but none was available.

I am advised that there are two styles of solar panels. One shows the grid overlay. The other, more expensive ones, are all black and do not have the same level of glare. The style or type of panel to be used here was not disclosed in the application. Glare for neighbors may be a factor, and we need to know which style is proposed.

Consistency – The IHD provides a free pre-app service to Irvington homeowners, which includes what we think BDS is going to say about the application. When we give such advice, we would like to be as accurate as we can.

A recent email exchange with BDS suggests that staff is also struggling with relevant criteria for solar applications:

"We do not yet have specific criteria for the approvable locations, and have been relying on our past precedents in Ladd's Addition and South Portland, where we've worked with applicants to minimize visibility from the public right of way and to reduce impact on the adjacent neighbors. Since roofs are designed to be regularly replaced, and are therefore very rarely of original material, a discreetly located solar array on a roof may have a similar impact on the primary or district resource. To minimize impact on the legibility of architectural features from the public realm, the Landmarks Commission indicated that it would look for solar to be located at the rear of a house, or at the back of a side lot line facing gable. If there are gables, large chimneys or other elements that can help to screen the solar, we would expect that the panels would be located to the rear of those elements. We do understand that the feasibility of solar is dependent on its orientation, and anticipate that these reviews will require case-by-case problem solving and that specifics will continue to evolve as the technology improves."

This is a start but we need more information to administer the IHD in a manner consistent with City Code and directions from Landmarks.

<p>February 2, 2018</p>	<p>hi brandon spencer -hartle and company,</p> <p>thx for providing input into this...</p> <p>thx, (redacted)</p>
<p>February 8, 2018</p>	<p>I have not been able to attend any of the City’s gatherings/workshops on the historic resources code update project (other than the Citywide Land Use Group Meeting on 1/22/18) -- partly because I am not on any historic resources mailing list.</p> <p>I just now checked the City’s web site looking for info on the historic resources code update project.</p> <p>I want to thank the City for beginning the process of updating the historic resources code. An update is badly needed, as we continue to lose many irreplaceable buildings – a part of our common heritage.</p> <p>In any case, I would like to submit some comments on this process.</p> <ul style="list-style-type: none"> • Concerning the new historic resource inventory, homeowners should definitely not have a veto on including their historic buildings on the inventory. The inventory is, or should be, a compilation of all the resources we have. The inventory should be as complete as possible, so that the interested public can be educated about what still exists. • The City’s demolition procedures urgently need strengthening. We have the weakest demolition protections for historic resources of any other state. There should be a suspension of demolitions of historic resources until our code is revised to be more protective of them. • Perhaps a developer or homeowner could be required to show that their building can’t be repaired before being allowed to tear it down. • A fund for seismic upgrades of historic resources must be created. And any timetable for retrofitting unreinforced masonry buildings must allow enough time to realistically upgrade these buildings – not just a year or two, but phased in, rationally, over a reasonable time. • The City needs to understand that historic preservation may also help to prevent sprawl. Since historic buildings already exist, and since most are in built-up areas, each one that is rehabilitated and used eliminates the need for a new building in an area that is not yet built up.

- We pride ourselves on being “green.” Historic preservation is also “green.” It conserves resources (building materials, some of which are no longer even available) – reduces waste by preventing these materials from going to the landfill (yes, re-use of demolition materials is possible – but not always used; and many materials are made unusable through demolition itself.) Historic preservation avoids having to use new materials to replace the demolished building. New construction most often uses very energy-intense materials (concrete) – detracting from our energy-efficiency goals.
- We have an urgent need for affordable housing and a continuing need for reasonable rental space for small businesses and offices. Existing buildings provide the cheapest rent rates in town. Other perhaps underused historic buildings could be rehabbed for apartments that would rent at much lower costs than units in new high-rises.
- Local governments can offer developers or businesses such things as permit waivers (i.e., permission to bypass a regulation or piece of the building code), exceptions to particular regulations in return for certified preservation work, or density bonuses (e.g., permission to turn a historic building into a multi-unit residence in an area zoned for single-family housing) – to encourage retention of historic buildings. This sort of thing should be considered in the code update project.
- People love old buildings – they flock to Europe to see its wonderful, unique and distinctive neighborhoods and entire cities. We also have beautiful older buildings here. They certainly can contribute to our economy by providing a human-scale environment and attracting tourists. Not to mention giving residents a further reason to love our city. You won’t see throngs of tourists OR residents walking down the streets of Houston, shrouded by shadows from their 400’ tall skyscrapers all day long, and blinding anyone who might venture with the blinding glare from their solid glass walls. (Try walking west from Broadway on Columbia on a sunny morning, and attempt to shade your eyes from the blinding glare coming from the new “flat” glass hotel under construction. This is NOT people-friendly for anyone who walks, bikes [or drives] west on Columbia.)

Again, thanks for carrying out this process. Please include me on any mailing list you have for this project.

Sincerely,
(redacted)

February 17, 2018

To: Brandon Spencer-Hartle
Portland Bureau of Planning and Sustainability
Historic Resources Code Project
Cc: Tom Armstrong, BPS

Response to Historic Resources Code Project Public Comment request

(This responds to questions on the Public Comment Form, in the same order)

1. Identification and Inventory of Significant Historic Resources

The city should refrain from putting too many buildings and places on the Historic Resource Inventory. Buildings and places on the HRI should not be merely a typical house of 1920, or 1940. The buildings on the list should be those that are significant for being unusual architecture or configuration, not entire districts, or should be a rare example of a once typical house. While a surviving 1890s small cottage may be significant to tell the story of how the working class lived, it is not necessary to designate an entire block of large Victorian houses, as the market will generally preserve the larger houses. Likewise, the thousands of 1910 bungalows lining Portland's neighborhoods do not all merit designation.

Commercial buildings whose only significance is that they are one- or two-story and built up to the street should not be listed. Merely having a brick façade is not adequate for a listing either. Neither is the fact that a local family ran a store there. (That is probably true at one time or another, of every building on the block). The unusual commercial structure, with intricate brickwork, and surviving upstairs apartments and original windows, could be considered. As well, commercial buildings that have a significant association with a cultural, ethnic, or other underserved group can be listed. It is not necessary or advisable to list an entire block of stores or commercial buildings.

Information should include the date of construction, and number of floors, and any cultural, ethnic or other associations.

2. Designation of Landmarks and Districts.

Historic Districts and Landmarks should not be considered for buildings less than 100 years old. No new Historic districts should be formed that are larger than 100 properties. In addition, no districts should be formed in areas near high-quality transit service, such as frequent service bus lines or Light Rail. In these close-to-transit locations, individual Landmarks can be considered, but not a District, which would have a limiting effect on the need to build more housing in these "high-opportunity" areas with good access to transit. Consider a 1250 foot distance from a transit line as the boundary into which no new Historic Districts should extend.

The Conservation District seems like a better choice for commercial areas where growth is desired, but a "feel" of the street is sought to be preserved. No special height limitations, implied, or specified, should be adopted through the district,

nor should FAR limits or Building Coverage limits be affected by the Conservation District designation. Zoning Code height and density mapping should not be reduced or affected by the Conservation District, but should be determined by all Comp Plan goals, most especially that calling for greater density and height in Central City and transit corridors. At least 75' heights and 5:1 FAR should be specifically allowed in all Conservation Districts near transit, and much higher limits applied in the Central City.

Ethnic and Cultural resources should be given a much greater role than they have today. In these designations, individual properties should be listed. If a District is desired, the same limits as discussed above should apply, with only individual buildings listed in Historic Districts, although a thematic Conservation District could apply to a small (100 lots) area.

3. Protection of Designated Historic Resources.

Historic Preservation is often being used as a tool to exclude the less-well-off from certain districts, and also as a tool for the wealthy to protect their views. Any "protection" offered to a resource should not include any view from that resource, nor views of that resource except from the street(s) in front of it. And, new buildings within existing districts should not be required to be "compatible in scale" with the designated buildings. While a group of buildings can exist in a District, preserving the "feel" of the district is not a goal that the city, and the state, can afford to hold any longer. The lack of affordable housing and urgency of Climate Change dictate that cities be allowed, and encouraged to grow upward, creating high-density hubs that facilitate walking, biking and transit use. The relatively few locations in the city that are along bus and rail lines are very valuable as places for people to live and work. Any building preservation within these critical areas should be limited to truly exceptional individual buildings, not entire districts. A cultural district, like Chinatown/Japantown, may have a dozen buildings of significance for cultural or architectural reasons, but the scale of new buildings should not be limited by any guidelines for the district.

4. Additional comments:

As mentioned, there is a long history of exclusion from certain area in cities, first using explicit racial bans, and when that was made illegal, zoning was developed to achieve the same purpose. Zoning throughout Portland, as well as other places, continues to serve an exclusionary purpose today, limiting the locations where multifamily housing can be built, when this is often the only choice for disadvantaged racial, ethnic and other disadvantaged groups. When the city does propose allowing more density in certain areas, it has now become common for wealthy neighborhoods to seek Historic District status as a means to exclude renters and others who don't fit in their "family neighborhood". The city must be careful to not endorse or enable such practices, to as great an extent as they can, given current state law. The city should seek change at the state level that reduces the protections required to be given to National Register Districts or Landmarks, and craft any local Historic or Conservations Districts and/or Landmarks to elide any exclusionary intent or unintentional exclusionary results.

