

TO: Historic Landmarks Commission

THROUGH: Lisa Anderson-Ogilvie, AICP
Deputy Community Development Director and Planning
Administrator

FROM: Kimberli Fitzgerald, AICP
Historic Preservation Officer

DATE: July 16, 2020

SUBJECT: Historic Preservation Code Work-session

ISSUE:

Work-session to review the Historic Preservation Code Amendments.

SUMMARY AND BACKGROUND:

The City of Salem, a Certified Local Government (CLG) is updating Salem's 2010-2020 Historic Preservation Plan. The existing adopted Plan, which is a component of Salem's Comprehensive Plan, is comprised of five goals related to code improvements, public education, economic and recognition incentives, survey and heritage tourism. Salem's Historic Landmarks Commission (HLC) has successfully accomplished a majority of the tasks identified in the 2010-2020 Historic Preservation Plan.

Beginning in June of 2019, the City, assisted by a consultant team, worked with the community to assess Salem's Historic Preservation program and identify and evaluate program successes and needs. Throughout the remainder of 2019 and through February of 2020, extensive public outreach was conducted, including two online surveys, an interactive map survey, two public open houses and three meetings of a Stakeholder Advisory Committee (SAC), which included public participation. The SAC included City Councilors with historic districts in their wards (Councilors Kaser and Anderson), Historic Landmarks Commission members (Commissioners Cottingham, Maglinte-Timbrook and Mulvihill), historic property owners, representatives from Neighborhood Associations, heritage organizations, development and business communities, and other stakeholders.

Additional public outreach and engagement methods included a project website: <https://www.cityofsalem.net/Pages/salem-historic-preservation-plan-update.aspx>; interviews with historic property owners and other stakeholders; presentations at meetings of Northeast Est Neighbors (NEN) and South East Salem Neighborhood Association (SESNA), the Confederated Tribes of Grand Ronde, the Confederated Tribes

of Siletz and the Confederated Tribes of Warm Springs and other community organizations; two online surveys with postcards were mailed to all historic property owners; project updates were announced through the City's HLC newsletter and Facebook, E-Blast newsletter; conducted interviews on the KМУZ; and additional outreach videos about the Plan and goals shared with stakeholders. In June 2020, the HLC held a public work session on the Plan update.

Goal #2 of the proposed Plan is *Streamline historic code, process and enforcement*. Staff has worked with a subcommittee of the SAC focusing on identifying key code improvements to SRC 230 which will address issues related to improving the historic design review process and clarification of design standards.

FACTS AND FINDINGS:

- 1) The City Council adopted the 2010-2020 Salem Historic Preservation Plan (Plan) as a support document to the Salem Area Comprehensive Plan in 2010.
- 2) In March 2019, the City received a Certified Local Government (CLG) Grant to complete an update of the Plan.
- 3) In May 2019, the City hired preservation consultant Painter Preservation to complete the update of the Plan. Work on the project began in July 2019.
- 4) The City formed a Stakeholder Advisory Committee (SAC) to advise staff throughout the duration of the project. Additionally, input was provided by the public through online surveys and public open houses.
- 5) The updated 2020-2030 Historic Preservation Plan recommends six goals with 57 actions related to improving public outreach and community education; streamlining historic code; increasing financial support; protecting the cultural landscapes and archaeological resources; encouraging sustainability; and surveying historic resources.
- 6) Implementation of the recommendations in the Historic Preservation Plan require that the zoning code be amended, in order to improve and streamline historic design review standards and processes and to move the historic adaptive reuse provisions into their own chapter.
- 7) A Major Comprehensive Plan Amendment must be initiated by the City Council under SRC 64.025(b)(1) and amendments to the Unified Development Code (UDC) may be initiated by City Council by resolution under SRC 300.1110(a).
- 8) The City Council may refer the matter to the Historic Landmarks Commission for public hearing and recommendation pursuant to SRC 300.1110(a)(1).

- 9) Amendments to the Comprehensive Plan and UDC require notice to the Director of the Department of Land Conservation and Development no later than 35 days before the first public hearing pursuant to SRC 300.1110(d). All required notices will be provided prior to any public hearings on the proposed amendments.

Proposed Code Amendments

The proposed amendments to the Salem Revised Code are intended to implement the recommendations of the Plan. The proposed amendments are described below.

1. Clarification Amendments

Amendments are proposed to clarify some definitions, standards and review processes, as well as to add language that was inadvertently left out in the last round of amendments. Specific clarifications include:

- Establish definitions for certain terms utilized in SRC Chapter 230;
- Clarify language for new construction in Commercial Historic Districts;
- Providing clarifying examples for energy efficiency and storm windows in Residential Historic Districts;
- Insert missing language relating to the alteration of site features on residential noncontributing buildings;
- Clarify language related to demolition by neglect;
- Improve standards for Signs in Commercial Districts and alterations to Streetscape.

2. Streamlining Amendments establishing new process and criterion

The proposed amendments create an administrative process with clear and objective standards for in-kind replacements, restoration and non-visible minor alterations (Class 1 Minor Historic Design Review).

The proposed amendments establish standards for signs in historic residential districts as well as standards and processes for demolition of historic accessory structures. The existing Historic Adaptive Reuse section is proposed as a new chapter (SRC 231) to align with the structure of the Unified Development Code.

Proposed amendments required as a result of newly adopted Oregon Administrative Rules that implement Goal 5 establish a new process for relocation and demolition of historic structures

Attachment: Historic Code Amendment Detailed Summary

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July 2020.doc

Historic Code Amendment Detailed Summary

	Code Section	Notes
Clarification Amendments		
Establish Definitions for terms used in 230	230.005	Terms defined: alteration, archaeological artifact, archaeological site, cost prohibitive, demolition, historic accessory structure, historic preservation officer, historic resource, individually listed resource, in-kind replacement, local historic district, local historic resource, National Register resource, ordinary maintenance and repair, primary façade, primary historic structure, public agency, public property of historic interest, significance
Provide Clarifying Examples for Windows in Residential Historic Districts	230.025(b)Windows	A new example for energy efficiency has been added, and some clarifying language relating to storm windows.
Insert Missing Language Relating to Alteration of Site Features on Residential Non-Contributing Buildings	230.030(l) Site Features	Missing language relating to the alteration of site features on non-contributing buildings was added.
Insert Standards for Signs in Residential Historic Districts	230.035 Signs	Missing standards for signs in residential historic districts have been added
Update Standards for Windows in Historic Contributing Buildings in Commercial Historic Districts	230.040(b)Windows	Language allowing new window openings at the rear façade and clarifying language relating to storefronts has been added
Update Standards for Mechanical Equipment and Insert Standards for wireless antennae in historic districts	230.040(j) Mechanical Equipment, Contributing Commercial;230.045 (j) Mechanical Equipment, Non-Contributing Commercial;230.060(l) Mechanical, Contributing Public	Missing standards for wireless antennae have been added to all historic district sections for both contributing and non-contributing resources

	230.063(l) Mechanical, Non-Contributing Public	
Clarify Language for New Construction in Commercial Districts	230.050(b) Design	Language has been added to clarify the standard relating to storefronts abutting public streets.
Improve Standards for Signs in Commercial Districts	230.056 Signs in Commercial Districts	Clear and objective standards for signs established. Standards have been reduced from 20 to 10.
Improve Guidelines	230.065 Guidelines for Contributing Resources	Confusing language has been removed from Guideline 230.065(b) and clarifying language has been added to Guidelines (d) and (e)
Improve Standards for Alterations to Streetscape	230.075 Streetscape	Clarifying language has been added regarding alterations to non-contributing features in the right of way and the removal of contributing city trees.
Clarify Language for Demolition by Neglect	230.100 (previous 230.095)	Clarifying language has been added to clarify conditions which result in a state of demolition by neglect.
Streamlining Amendments		
Exemptions	230.020 (a)(2)	Allowed exemptions from historic design review expanded to also include the addition of HVAC provided it is not visible; the addition of fencing; and the addition of temporary alterations in response to declared emergencies.
Administrative Process for Class 1 Historic Design Review	230.020, Table 230-1 and 300	An administrative process with clear and objective standards for in-kind replacements, restoration and non-visible minor alterations has been created.
Standards for Signs in Residential Historic Districts	230.035 Signs	Standards for signs in residential historic districts have been added
Historic Accessory Structures	230.095 Historic Accessory Structure Demolition	Administrative standards and processes have been established for

		the demolition of historic accessory structures.
Historic Adaptive Reuse	231 (previously 230.085)	Historic Resource Adaptive Reuse has been rewritten with updated submittal requirements, approval criteria and an improved use table that aligns with the UDC.
Relocation	230.085 Relocation	Formerly part of 230.090, a new section has been established in order to comply with state law; new process/criteria with a public hearing is established.
Demolition	230.090	Revision and reorganization of review process and submittal requirements in order to comply with state law regarding review of proposed demolition of National Register resources. Clarifying language in the submittal requirements section for the review of demolition of Primary Structures. New criterion requiring a Deconstruction plan be submitted as part of the demolition application.