

TO: HISTORIC LANDMARKS COMMISSON

THROUGH: LISA ANDERSON-OGILVIE, AICP, DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

FROM: KIMBERLI FITZGERALD, AICP, HISTORIC PRESERVATION OFFICER

SUBJECT: SUPPLEMENTAL REPORT FOR THE HISTORIC PRESERVATION PLAN UPDATE AND PROPOSED HISTORIC CODE AMENDMENTS

ISSUE:

Should the City amend the Salem Area Comprehensive Plan (SACP) to include an update to the City's Historic Preservation Plan, and amend the Salem Revised Code (SRC) updating SRC Chapter 230 (Historic Preservation) and other identified chapters of the City's Unified Development Code (UDC) addressing historic preservation?

RECOMMENDATION:

Adopt the facts and findings of this staff report and recommend that the City Council accept first reading of an ordinance bill for the purpose of amending the Salem Area Comprehensive Plan (SACP) to include an update to the City's Historic Preservation Plan and update SRC Chapter 230 (Historic Preservation) and other identified chapters of the City's Unified Development Code (UDC) addressing historic preservation.

SUMMARY BACKGROUND:

Additional testimony has been received since the public notice was provided and the original staff report was made available to the public. This report addresses this testimony and provides staff responses and findings.

FACTS AND FINDINGS:

Testimony Received

1. Jon Christenson: On August 12, 2020, Mr. Christenson submitted a request (as an individual, not as a representative of the SCAN Neighborhood Association) to continue the hearing on the proposed Historic Preservation Plan and proposed code amendments to the September HLC meeting, or for the comment period and record to be held open for comments until 5:00pm Tuesday September 8. Subsequently, on Friday August 14, 2020 Mr. Christenson withdrew his request, but also submitted additional comments (Attachment A). Mr. Christenson has

expressed concerns about a lack of availability of the materials in print form as well as concerns about the proposed changes to SRC 230.075. Specifically, Mr. Christenson expresses concern that the proposed rewrite will cause more confusion and conflict, that the 'policy' stating that mature trees should be protected should not be deleted and requests a more detailed explanation of the proposed changes.

Staff Response:

Continuance

Even though Mr. Christenson has withdrawn his initial request, it is important to clarify that CA20-02 is a legislative case and not a quasi-judicial land use hearing, therefore the requirements under ORS197.763(6) do not apply. The HLC is not required to grant the initial request for a continuance but may choose to continue the hearing as initially requested until September 17, 2020 or may choose to close the hearing and leave the record open for written comment as initially requested. Should the HLC wish to leave the record open, staff recommends that the HLC accept written comments until Thursday September 3, 2020 at 5:00pm, so that staff may have an adequate opportunity to respond and prepare findings for the HLC by September 10, 2020, a week prior to the September HLC meeting.

Availability of print materials

Mr. Christenson received a print copy of the proposed code amendments when it was mailed along with the staff report on Thursday August 13, 2020. Staff is currently working with Mr. Christenson to ensure that he can have access to a print copy of the proposed Historic Preservation Plan Update.

Proposed changes to SRC 230.075 (Streetscape Standards).

Through the public outreach to the general public, contractors, developers and city staff it was identified that the overall process for removal of trees within historic districts and on individually listed historic properties is confusing and unclear. There are multiple chapters and streetscape standards that can potentially apply to the removal of trees.

To address this need, the proposed Historic Preservation Plan includes Action #17 which has been identified for implementation in the Fall of 2020 under *Goal 4: Protect Cultural Landscapes & Archaeological Resources-Strategy Two: Encourage preservation of cultural landscapes* as follows:

Action: Coordinate with Planning and Parks (Salem's Public Works Department) to review/revise any applicable design review codes and criteria and educate the public on the process related to the alteration of significant cultural landscapes and the removal and replacement of historic contributing trees within historic districts and on individually listed historic properties.

Action #18 within the proposed Historic Preservation Plan is the development of FAQ and training regarding the process for tree removal and has been identified for

implementation in the Fall as well. As a first step, city staff (Planning and Public Works (Parks)) have worked to map the existing required processes for tree removal (Attachment B).

All reviews of alterations to streetscapes within historic districts are currently Minor Historic Design Reviews (administrative decisions by the Planning Administrator) and are not heard by the HLC unless appealed. The proposed changes clarify that alterations to *non-contributing features* within the public right-of-way shall comply with Public Works design standards. Any alteration of the design of *contributing features* within historic districts still must comply with the eight design standards in this section. The review of alterations of *non-contributing features* within the public right-of-way is not required under our obligations as a CLG, as our code is intended to ensure that the integrity of contributing resources within the district are maintained, therefore our review of these features is unnecessary, simply re-iterating that they are non-contributing features. The proposed code changes will remove this unnecessary application and review for non-contributing features while retaining the process and approval criteria for contributing features.

Historic preservation staff does not have any training or expertise in the assessment of healthy or diseased trees, and it is more appropriate for this assessment to be completed by the City's Urban Forester as part of their administration of Chapter SRC 86 (Trees on City Owned Property). The proposed removal of the current standard SRC 230.075(b)(2) is intended to reduce confusion within the overall UDC and implement a clear and consistent policy regarding the maintenance and preservation of trees across the city.

SRC 86.005 states: *The purpose of this chapter is to provide a unified, consistent, and efficient means for the planning, planting maintenance and removal of trees located on city property.* Further, the policy statement is clearly stated within this section: *"It is hereby declared that the public interest and welfare requires that the City conduct a program for the planting, maintenance, preservation, and removal of city trees, and that the City promote the development of tree canopy cover of all trees on city property."* SRC 86.085 also provides additional criterion for the removal of city trees in historic districts and on city owned designated historic sites. Additionally, SRC 230.075(d) *City Trees* provides clarification through a cross reference regarding how this review relates to required permitting under SRC 86 as well as location and species requirements should it be determined that a tree must be replaced.

2. Jean Dahlquist, Fair Housing Council of Oregon - Goal 10: On August 13, 2020, Ms. Dahlquist requested the Goal 10 findings related to the proposed code amendments in order to ensure that the City of Salem is fulfilling our obligation under Goal 10 (Attachment C).

Staff Response: Under Oregon's Statewide Planning Goals, *Goal 10: Housing*, requires local jurisdictions to provide for the housing needs of our community. Requirements for compliance are further defined under OAR 660-015-0000(10). In

2014, the City of Salem conducted a Housing Needs Analysis (HNA) study. The purpose of the HNA was to develop strategies to provide enough land to meet Salem's housing needs through 2035. Salem has two residential National Register Historic Districts. The Court-Chemeketa historic district is comprised of 147 resources zoned Duplex-Residential. The Gaiety-Hill Bush's Pasture Park historic district is comprised 165 resources, zoned Single Family Residential. The 2014 HNA found that Salem has a projected 1975-acre surplus of land for SF detached housing (9,131 units). While Salem does have a 207-acre deficit of multifamily housing, the Salem City Council has adopted a strategy to ensure that these needs will be met without expanding Salem's existing UGB. Further, our proposed historic code amendments include a new SRC Chapter 231 Adaptive Reuse, which allows the reuse of historically designated resources for up to 4 dwelling units which further ensures that our historic code amendments will not adversely impact the existing strategy to address identified housing needs within the City of Salem thereby meeting Goal 10.

3. Morningside Neighborhood Association. On August 13, 2020 the Morningside Neighborhood Association (MNA) submitted testimony stating that the MNA board recommends that the history plaza and identification or dedication of a State heritage tree located in the future Fairview Park be included in the proposed update of Salem's Historic Preservation Plan (Attachment D).

Staff Response: A Minor Amendment to the Fairview Master Plan (FPA16-01) was approved which changed in the designation of Le Breton Hall from a status of *potential adaptive reuse* to a status of *deconstruction* with a condition of approval requiring the installation of an interpretive exhibit featuring the history of Le Breton and the history of the former Fairview Training Center site. The adopted Fairview Master Plan also includes the development of a history plaza to be located off of Lindburg Rd within the park and tentatively planned for installation in 2027 (Attachment E). Should the HLC support adding this to the Historic Preservation Plan, staff recommends adding a new action (#58) under Goal #1 *Improve Public Outreach and Community Education*, under Strategy Two, to be implemented in the 2027 HLC Work Plan as follows:

Goal 1: Improve Public Outreach & Community Education

Strategy Two: *Develop interpretation and coordinate educational programming about Salem's diverse local history*

ACTION: Coordinate with Parks staff with the development and installation of an historic interpretive exhibit at the history plaza within Fairview Park.

SRC 808.010 *Heritage Trees* allows for the City Council to designate a heritage tree. The Morningside Association can submit a request to the Planning Administrator for the designation of a heritage tree in the future Fairview Park for the City Council's recommendation. Alternately, the State Heritage Tree program is administered by the Oregon Travel Information Council and could be a resource for the neighborhood association.

- Attachment:
- A. Jon Christenson email, 8-12-20.
 - B. Tree permit flow chart
 - C. Jean Dahlquist, Fair Housing Council email, 8-13-20
 - D. Morningside Neighborhood Association Testimony, Pamela Schmidling, 8-13-20
 - E. Fairview Master Plan excerpt and FPA16-01

Kimberli Fitzgerald

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Wednesday, August 12, 2020 12:02 PM
To: Lisa Anderson-Ogilvie; Kimberli Fitzgerald
Cc: Zachery Cardoso
Subject: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

SALEM HISTORIC LANDMARKS COMMISSION (HLC)

ATTN: Lisa Anderson-Ogilvie
 Kimberli Fitzgerald, City HPO

REQUEST FOR A CONTINUANCE UNTIL THE SEPTEMBER HLC MEETING OR FOR THE COMMENT PERIOD & RECORD OF THE HEARING ON THE PROPOSED HISTORIC PRESERVATION PLAN, PROPOSED AMENDMENTS TO THE SALEM AREA COMPREHENSIVE PLAN (SACP) AND CHANGES TO THE SALEM REVISED CODE CHAPTER 230 REMAIN OPEN, AT A MINIMUM, UNTIL 5 PM TUESDAY, SEPTEMBER 8, 2020

Dear HLC Chair & Commissioners:

To be brief, we are in a pandemic and economic depression, and the standard discourse and gatherings that we enjoyed at the beginning of the Historic Preservation Plan process no longer exists.

Meetings are not in person. We wear masks outside our homes. Individuals and families must social distance. Key Community Development staff have not been at the City Hall since March.

Without question, we are in a living historic time.

In addition, actual printed materials on this project are rare. Print materials have not been available. For some individuals, including myself, reading voluminous materials, charts, summaries, contrasting language, new language proposed -- on a computer is difficult. It is hard with sight limitations.

I do not know a single person who has received a printed copy of the materials, a print copy of proposed changes to the SACP, SACP goals in HP; of additions and changes to the Salem Revised Code (SRC) or that has completely read and analyzed the dense materials.

There has not been a wide discourse on the proposed changes and additions to City Code Chapter 230. Or to the proposed new goals suggested for the SACP. If I am wrong, please correct me. and send the Minutes, Agenda or audio tape to me.

In the case of the South Central Association of Neighbors (SCAN), --location of the City's largest residential NHD, -- August is the one month each year that the full SCAN Board traditionally does not convene. I do not see an urgency that would not allow for these considerations. City Staff has already modified the original delivery points - schedule - due to the pandemic and other administrative constraints and changes.

Respectfully submitted, as an individual,

Jon Christenson MURP

Kimberli Fitzgerald

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Wednesday, August 12, 2020 8:40 PM
To: Lisa Anderson-Ogilvie
Cc: Kimberli Fitzgerald; Zachery Cardoso
Subject: Re: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

Lisa, thank you for the open dialogue.

Without a claim of self-importance, some of the feedback I give you, mirrors what I hear at the grassroots.

When I talk with Roz Shirack, for example, who heads the SCAN Land Use Committee (also on the SCAN HPPG working group, who I greatly respect since we worked at DLCD in the 1970s, and Roz tells me, there has not been time for her to review the materials, my gut feeling is a little more time would help. And Roz is one of best, former League of Women Voters leader, Chemeketan, walks in BPP (NHD) every day - for years (decades).

The packet - report - ordinances - SRC - SACP - looks pretty intimidating to citizens who do not talk that language.

So I squeak. And ask for time to see what we can do.

Respect for you all.

Jon

On Wed, Aug 12, 2020 at 6:24 PM Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net> wrote:

Jon,

I understood your comments to be directed to the Plan and code language, not to the updated Comp Plan policies. However, those draft policies were in the Plan at the last SAC meeting and were also in the Plan when it was presented to the HLC for their June 18th work session and in the draft plan posted online. I concur that neither the SAC nor the HLC dug into these specific policies, but they were presented.

Your original email stated the outreach was insufficient. But it seems instead your concern is about short-term rentals. If changes are to be made to the uses allowed in the historic districts, those would be amendments to specific zoning chapters, which is where uses are listed. SRC Chapter 230 deals with the exterior changes to properties, structures, etc., on historic properties, not to their zoning or use.

I was at the second open house and spoke to numerous people about this issue (and the methadone clinic). It was also discussed at the SAC meetings. And of course, I was the Planning Administrator when short-term rental codes were adopted, and for the case in the historic district. I have also spoken to Councilor Andersen about the concerns and the process for the Council to initiate these changes. I have not wavered in my opinion that the impacts of a short-term

rental on a neighborhood are the same whether it's in a historic district, or not. So, while we've heard the input during this outreach, I will not recommend these changes because I believe it is unfair. But as you know, this is a policy decision that is ultimately up to the City Council.

Also, I don't remember a request to meet from you, so I apologize. I am always happy to meet (virtually these days!) and discuss all things land use. My intent is not to persuade you that you (or others) don't need more time to review the proposal. I just wanted to clarify the outreach process for this proposal.

Thanks,

- Lisa | 503-540-2381

From: Howard Hall <friendsofhistoricsalem@gmail.com>

Sent: Wednesday, August 12, 2020 3:23 PM

To: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>

Cc: Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>; Zachery Cardoso <ZCardoso@cityofsalem.net>

Subject: Re: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

Lisa, up to a point, the process was so.

What occurred, however, the meat of the process, -- the actual changes and additions to the Salem Revised Code (SRC), a new Chapter 231 and the changes and actual new language for the Salem Area Comprehensive Plan (SACP) -- has not been widely discussed or vetted.

Such actual changes, specific language and code revisions were not discussed in any detail at any public OPEN HOUSE or workshop that I am aware of.

Correct me if I am wrong.

I would ask when the actual Code revisions and actual SACP policy goal revisions were discussed in detail in any recent forum.

I would also ask for a record of that conversation, dialogue, Minutes, audio tape, et al. as it would - could illuminate the intent.

I asked more than one person who is routinely involved, if she or he had an opportunity to review the actual language, and the answer is no.

Feedback I have received is time has not been ample to review, analyze, digest in a careful way, what the language means, how it balances out with other sections of the SRC, SACP, and what issues that citizens brought forward have been sidestepped.

Or put on the backburner or candidly, staff does not want to address or support.

I am aware of one major issue that has shadowed residential National Historic Districts, -- for two plus years -- e.g., Short Term Rentals - which is a form of commercialization of residential property - that citizens have universally expressed concern.

Community Development Staff does not appear to want to modify the code or even have a discussion across the table, to options, alternatives to protect the authentic residential character of Gaiety Hill/Bush's Pasture Park NHD. This concern was a high priority of concern expressed by citizens at the Historic Preservation Plan OPEN HOUSE.

Following a case in 2018, I asked for a meeting with you to review the issue and I never received a response. I fear that Gaiety Hill is being used as an experimental station for a Short Term Rental in a residential historic neighborhood.

I attended the hearing in that case in 2018, and I was stunned at the slurry insulting comments to the neighbors by the applicant.

I was also surprised to find the City Historic Preservation Officer had no objection or voiced concern to the commercialization of a single family residential property in a residential National Historic District. I wonder who is listening to who.

The Historic Preservation Plan process is being packaged as a participatory, representative process of "stakeholders" yet this real concern of property owners of single family homes, long term residents who have spent years trying and thousands and thousands of dollars to sustain an authentic residential neighborhood, and opposition to STRs appears to have been sidelined. When is this legitimate concern to commercialization of residential historic properties in a residential National Historic District going to be looked at, addressed? Instead of being sidestepped.

Under the code, the Historic Landmarks Commission can serve as an advisory body to the City Council. As such, given the concern expressed in the 2018 case and at the OPEN HOUSE, my hope is the Commission might include information in report to Council (2020-2030) that commercialization of residential single family homes into essentially small hotels is a concern of the citizenry..

And I think that can be done objectively or be a matter for further review or analysis or community dialogue with neighborhoods that are significantly affected.

I do not see that perspective to be unreasonable or a reasonable request for extension of the date for receipt or submission of public comment, during a national pandemic, when City Hall is essentially closed from March-April-May-June-July-August.

There is time, given the scope and an orderly sequence, to allow the record to be open until September 8, 2020.

Respectful regards.

Sincerely,

Jon

On Wed, Aug 12, 2020 at 12:38 PM Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net> wrote:

Jon,

Your testimony and request will be forwarded to the HLC. This is not a quasi-judicial land use application, so the HLC is not required to grant a continuance or to hold the record open. Additionally, this item will have another public hearing at City Council prior to adoption.

I do want to point out the outreach on this Plan and code amendments, as it has been extensive. Throughout the end of 2019 and into 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). Kimberli presented on the Plan to SCAN in November and invited folks to the open houses. Additionally, there were two members on the SAC representing SCAN (and NEN and CANDO).

The agendas, documents and meeting minutes for the SAC meetings are available [here](#). The meetings were open to the public and all except the last one, were held in person. A video presentation for that last meeting is online and can be watched [here](#). The link to this video was included in the SAC agenda. Pages 25-31 of the [draft Historic Preservation Plan](#) provide greater detail on the outreach that has been conducted. The amendments are driven by the Plan; starting on page 37 of the draft Plan there is a Goal to *Streamline historic code, process, and enforcement* with specific recommendation on code amendments.

The official amendments were initiated by the City Council last month, the report can be viewed [here](#). The HLC held a work session on the Plan and amendments last month; the reports are [here](#) and a video of the meeting (which could be watched live as well) is [here](#).

I understand your objection to digital copies, but paper copies are available upon request (at cost) to those whose request them. Plans, such as these, and code amendments can run hundreds of pages, so we don't print them unless requested.

Thanks,

Lisa Anderson-Ogilvie, AICP

Deputy Community Development Director

Planning Administrator

City of Salem | Community Development Department

555 Liberty St SE, RM 305, Salem, OR 97301

lmanderson@cityofsalem.net | 503-540-2381

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

From: Howard Hall <friendsofhistoricsalem@gmail.com>

Sent: Wednesday, August 12, 2020 12:02 PM

To: Lisa Anderson-Ogilvie <LMAAnderson@cityofsalem.net>; Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>

Cc: Zachery Cardoso <ZCardoso@cityofsalem.net>

Subject: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

SALEM HISTORIC LANDMARKS COMMISSION (HLC)

ATTN: Lisa Anderson-Ogilvie

Kimberli Fitzgerald, City HPO

REQUEST FOR A CONTINUANCE UNTIL THE SEPTEMBER HLC MEETING OR FOR THE COMMENT PERIOD & RECORD OF THE HEARING ON THE PROPOSED HISTORIC PRESERVATION PLAN, PROPOSED AMENDMENTS TO THE SALEM AREA COMPREHENSIVE PLAN (SACP) AND CHANGES TO THE SALEM REVISED CODE CHAPTER 230 REMAIN OPEN, AT A MINIMUM, UNTIL 5 PM TUESDAY, SEPTEMBER 8, 2020

Dear HLC Chair & Commissioners:

To be brief, we are in a pandemic and economic depression, and the standard discourse and gatherings that we enjoyed at the beginning of the Historic Preservation Plan process no longer exists.

Meetings are not in person. We wear masks outside our homes. Individuals and families must social distance. Key Community Development staff have not been at the City Hall since March.

Without question, we are in a living historic time.

In addition, actual printed materials on this project are rare. Print materials have not been available. For some individuals, including myself, reading voluminous materials, charts, summaries, contrasting language, new language proposed -- on a computer is difficult. It is hard with sight limitations.

I do not know a single person who has received a printed copy of the materials, a print copy of proposed changes to the SACP, SACP goals in HP; of additions and changes to the Salem Revised Code (SRC) or that has completely read and analyzed the dense materials.

There has not been a wide discourse on the proposed changes and additions to City Code Chapter 230. Or to the proposed new goals suggested for the SACP. If I am wrong, please correct me. and send the Minutes, Agenda or audio tape to me.

In the case of the South Central Association of Neighbors (SCAN), --location of the City's largest residential NHD, -- August is the one month each year that the full SCAN Board traditionally does not convene. I do not see an urgency that would not allow for these considerations. City Staff has already modified the original delivery points - schedule - due to the pandemic and other administrative constraints and changes.

Respectfully submitted, as an individual,

Jon Christenson MURP

Kimberli Fitzgerald

From: Lisa Anderson-Ogilvie
Sent: Tuesday, August 18, 2020 1:07 PM
To: Kimberli Fitzgerald; Zachery Cardoso; Natasha Zimmerman
Subject: FW: WITHDRAWAL OF REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING OR THE PUBLIC RECORD BE KEPT OPEN UNTIL TUES. SEPT 8, 2020 FOR PUBLIC COMMENT: OTHER COMMENT ON ACCESS TO MATERIALS & RECOMMENDATION

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Friday, August 14, 2020 2:53 PM
To: Lisa Anderson-Ogilvie <LMAAnderson@cityofsalem.net>
Subject: WITHDRAWAL OF REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING OR THE PUBLIC RECORD BE KEPT OPEN UNTIL TUES. SEPT 8, 2020 FOR PUBLIC COMMENT: OTHER COMMENT ON ACCESS TO MATERIALS & RECOMMENDATION

HISTORIC LANDMARKS COMMISSIONERS

ATTN: Ms. Andersen-Ogilvie

Ms. Kimberli Fitzgerald, City HPO

1. I respectfully withdraw my request for a continuance or the public record to be kept open until 9/08/2020. I made the request prior to dissemination of the Staff Report to the Commission. The request was not included. I am not comfortable with the "perception of a last minute request" to the Commission. It is not a day of the hearing request. Considerable thought accompanies the request.

2. COMMENT ON ACCESSIBILITY OF MATERIALS: LACK OF FULL PRINTED MATERIALS

This is not a complaint. This is feedback. I made an early request for a paper copy of the draft Historic Preservation Plan. I was advised that some additional editing, inclusion were still in order, and a paper copy would not be available. I made a similar request a printed copy of the materials to be reviewed for the August 20. I have yet to receive.

Allow me to explain, the need. I coordinate, on an unpaid basis, a volunteer, to help to formulate a response to HLC reviews and input. On extensive project reviews, I need a paper to read. I read with one eye. I have explained this to Staff.

I am not alone in the need for a hard copy. Some do not access by computers. Others are on a group service that does not allow transmission of large documents. He or she simply can not access the Attachments. Due to space limitations on the transmission, the person never receives the email. The City has print and some printing resources. And documents become available to the public without extensive cost. The City engaged a consultant, to assist preparation of the Historic Preservation Plan, and matters before you on August 20. Resources and time should have been allocated also to make printed copies, to those who make the request or need, in order to participate fully.

3. PRELIMINARY COMMENTS ON SOME OF THE PROPOSED CODE CHANGES TO SECTION 230.075

STREETSCAPE PROVISIONS

These changes warrant more true explanation, a detailed explanation. Because the actual experience since 2015 does not necessarily find or conclude it was done well, in more than one HLC case, it is very evident.

It is one of those things folks do not talk about much or "look at the fine print," as it is said. This proposed re-write of STREETSCAPE will add more confusion and conflict. And also undercut the authority and current reviews of the Commission. The Commission should not delete an expressed policy in Section 230.075 that states mature trees should be protected.

You are the guardians of the tout ensemble, the key glue, the mortar between the bricks of a National Historic District. You understand the ensemble is more than flower boxes, windows or a door.

The Commission needs to understand Public Works reviews, the outcomes that have taken place in National Historic Districts. the lack of attention to historical resources, even to critical tree zones and root systems, and an operational tilt and bias of Public Works to physical manufacture and new construction, and need for the Commission to retain a broad Streetscape review and clear policy that mature trees should be preserved, and the tout ensemble needs to be preserved -- for few, -- outside the Commission,-- understand and dedicate themselves to seeing the nuances and assemblage that makes the composite whole. For others, "it's not their Department" or "above their pay scale."

I would be glad to explain, provide evidence based documentable research, if given the opportunity. After 8 years of monitoring the HLC and case decisions, in detail, I can explain what has been the experience and observations.

What has occurred since 2015 can not be explained in 2-3 minutes or by adding more paper on the pile. Many of the current HLC Commissioners did not serve when these case reviews and decisions were made.

I also think there may be wisdom in deferring changes in this section (STREETSCAPE) until the Master Plan or Cultural & Landscape Management Plan for Bush's Pasture Park/Deepwood is completed, to avoid what has been and is a fragmented system in care.

Sincerely,

Jon Christenson MURP

----- Forwarded message -----

From: **Howard Hall** <friendsofhistoricsalem@gmail.com>

Date: Wed, Aug 12, 2020 at 12:01 PM

Subject: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

To: Lisa Anderson-Ogilvie <LMAAnderson@cityofsalem.net>, Kimberli Fitzgerald <kfitzgerald@cityofsalem.net>

Cc: Zachery Cardoso <ZCardoso@cityofsalem.net>

SALEM HISTORIC LANDMARKS COMMISSION (HLC)

ATTN: Lisa Anderson-Ogilvie

Kimberli Fitzgerald, City HPO

REQUEST FOR A CONTINUANCE UNTIL THE SEPTEMBER HLC MEETING OR FOR THE COMMENT PERIOD & RECORD OF THE HEARING ON THE PROPOSED HISTORIC PRESERVATION PLAN, PROPOSED AMENDMENTS TO THE SALEM AREA COMPREHENSIVE PLAN (SACP) AND CHANGES TO THE SALEM REVISED CODE CHAPTER 230 REMAIN OPEN, AT A MINIMUM, UNTIL 5 PM TUESDAY, SEPTEMBER 8, 2020

Dear HLC Chair & Commissioners:

To be brief, we are in a pandemic and economic depression, and the standard discourse and gatherings that we enjoyed at the beginning of the Historic Preservation Plan process no longer exists.

Meetings are not in person. We wear masks outside our homes. Individuals and families must social distance. Key Community Development staff have not been at the City Hall since March.

Without question, we are in a living historic time.

In addition, actual printed materials on this project are rare. Print materials have not been available. For some individuals, including myself, reading voluminous materials, charts, summaries, contrasting language, new language proposed -- on a computer is difficult. It is hard with sight limitations.

I do not know a single person who has received a printed copy of the materials, a print copy of proposed changes to the SACP, SACP goals in HP; of additions and changes to the Salem Revised Code (SRC) or that has completely read and analyzed the dense materials.

There has not been a wide discourse on the proposed changes and additions to City Code Chapter 230. Or to the proposed new goals suggested for the SACP. If I am wrong, please correct me. and send the Minutes, Agenda or audio tape to me.

In the case of the South Central Association of Neighbors (SCAN), --location of the City's largest residential NHD, -- August is the one month each year that the full SCAN Board traditionally does not convene. I do not see an urgency that would not allow for these considerations. City Staff has already modified the original delivery points - schedule - due to the pandemic and other administrative constraints and changes.

Respectfully submitted, as an individual,

Jon Christenson MURP

Kimberli Fitzgerald

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Tuesday, August 18, 2020 2:06 PM
To: Lisa Anderson-Ogilvie
Cc: Kimberli Fitzgerald
Subject: Re: WITHDRAWAL OF REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING OR THE PUBLIC RECORD BE KEPT OPEN UNTIL TUES. SEPT 8, 2020 FOR PUBLIC COMMENT: OTHER COMMENT ON ACCESS TO MATERIALS & RECOMMENDATION

Thank you for your response.
Jon

PS: Kimberli said a paper copy could be available and I would like to acquire an audio of the HLC discussions on the code, and the work group, sub-group discussion, please.

Sincerely, I would like to understand the code changes and the gaps. I recognize the diligence of the work.

be safe

On Tue, Aug 18, 2020 at 1:13 PM Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net> wrote:

Jon,

Thank you for the comments. We will include this in the record and be prepared to address them.

- Lisa | 503-540-2381

From: Howard Hall <friendsofhistoricsalem@gmail.com>
Sent: Friday, August 14, 2020 2:53 PM
To: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>
Subject: WITHDRAWAL OF REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING OR THE PUBLIC RECORD BE KEPT OPEN UNTIL TUES. SEPT 8, 2020 FOR PUBLIC COMMENT: OTHER COMMENT ON ACCESS TO MATERIALS & RECOMMENDATION

HISTORIC LANDMARKS COMMISSIONERS

ATTN: Ms. Andersen-Ogilvie

Ms. Kimberli Fitzgerald, City HPO

1. I respectfully withdraw my request for a continuance or the public record to be kept open until 9/08/2020. I made the request prior to dissemination of the Staff Report to the Commission. The request was not included. I am not comfortable with the "perception of a last minute request" to the Commission. It is not a day of the hearing request. Considerable thought accompanies the request.

2. COMMENT ON ACCESSIBILITY OF MATERIALS: LACK OF FULL PRINTED MATERIALS

This is not a complaint. This is feedback. I made an early request for a paper copy of the draft Historic Preservation Plan. I was advised that some additional editing, inclusion were still in order, and a paper copy would not be available. I made a similar request a printed copy of the materials to be reviewed for the August 20. I have yet to receive.

Allow me to explain, the need. I coordinate, on an unpaid basis, a volunteer, to help to formulate a response to HLC reviews and input. On extensive project reviews, I need a paper to read. I read with one eye. I have explained this to Staff.

I am not alone in the need for a hard copy. Some do not access by computers. Others are on a group service that does not allow transmission of large documents. He or she simply can not access the Attachments. Due to space limitations on the transmission, the person never receives the email. The City has print and some printing resources. And documents become available to the public without extensive cost. The City engaged a consultant, to assist preparation of the Historic Preservation Plan, and matters before you on August 20. Resources and time should have been allocated also to make printed copies, to those who make the request or need, in order to participate fully.

3. PRELIMINARY COMMENTS ON SOME OF THE PROPOSED CODE CHANGES TO SECTION 230.075

STREETSCAPE PROVISIONS

These changes warrant more true explanation, a detailed explanation. Because the actual experience since 2015 does not necessarily find or conclude it was done well, in more than one HLC case, it is very evident.

It is one of those things folks do not talk about much or "look at the fine print," as it is said. This proposed re-write of STREETSCAPE will add more confusion and conflict. And also undercut the authority and current reviews of the Commission. The Commission should not delete an expressed policy in Section 230.075 that states mature trees should be protected.

You are the guardians of the tout ensemble, the key glue, the mortar between the bricks of a National Historic District. You understand the ensemble is more than flower boxes, windows or a door.

The Commission needs to understand Public Works reviews, the outcomes that have taken place in National Historic Districts. the lack of attention to historical resources, even to critical tree zones and root systems, and an operational tilt and bias of Public Works to physical manufacture and new construction, and need for the Commission to retain a broad Streetscape review and clear policy that mature trees should be preserved, and the tout ensemble needs to be preserved -- for few, -- outside the Commission,-- understand and dedicate themselves to seeing the nuances and assemblage that makes the composite whole. For others, "it's not their Department" or "above their pay scale."

I would be glad to explain, provide evidence based documentable research, if given the opportunity. After 8 years of monitoring the HLC and case decisions, in detail, I can explain what has been the experience and observations.

What has occurred since 2015 can not be explained in 2-3 minutes or by adding more paper on the pile. Many of the current HLC Commissioners did not serve when these case reviews and decisions were made.

I also think there may be wisdom in deferring changes in this section (STREETSCAPE) until the Master Plan or Cultural & Landscape Management Plan for Bush's Pasture Park/Deepwood is completed, to avoid what has been and is a fragmented system in care.

Sincerely,

Jon Christenson MURP

----- Forwarded message -----

From: **Howard Hall** <friendsofhistoricsalem@gmail.com>

Date: Wed, Aug 12, 2020 at 12:01 PM

Subject: FORMAL REQUEST FOR A CONTINUANCE OF THE COMMISSION'S HEARING ON THE DRAFT HP PLAN + PROPOSED CHANGES TO THE SACP AND SRC UNTIL THE SEPTEMBER HLC MEETING -- OR THE PUBLIC RECORD BE OPEN UNTIL TUESDAY, SEPTEMBER 8, 2020 FOR PUBLIC COMMENT

To: Lisa Anderson-Ogilvie <LMAnderson@cityofsalem.net>, Kimberli Fitzgerald <kfitzgerald@cityofsalem.net>

Cc: Zachery Cardoso <ZCardoso@cityofsalem.net>

SALEM HISTORIC LANDMARKS COMMISSION (HLC)

ATTN: Lisa Anderson-Ogilvie

Kimberli Fitzgerald, City HPO

REQUEST FOR A CONTINUANCE UNTIL THE SEPTEMBER HLC MEETING OR FOR THE COMMENT PERIOD & RECORD OF THE HEARING ON THE PROPOSED HISTORIC PRESERVATION PLAN, PROPOSED AMENDMENTS TO THE SALEM AREA COMPREHENSIVE PLAN (SACP) AND CHANGES TO THE SALEM REVISED CODE CHAPTER 230 REMAIN OPEN, AT A MINIMUM, UNTIL 5 PM TUESDAY, SEPTEMBER 8, 2020

Dear HLC Chair & Commissioners:

To be brief, we are in a pandemic and economic depression, and the standard discourse and gatherings that we enjoyed at the beginning of the Historic Preservation Plan process no longer exists.

Meetings are not in person. We wear masks outside our homes. Individuals and families must social distance. Key Community Development staff have not been at the City Hall since March.

Without question, we are in a living historic time.

In addition, actual printed materials on this project are rare. Print materials have not been available. For some individuals, including myself, reading voluminous materials, charts, summaries, contrasting language, new language proposed -- on a computer is difficult. It is hard with sight limitations.

I do not know a single person who has received a printed copy of the materials, a print copy of proposed changes to the SACP, SACP goals in HP; of additions and changes to the Salem Revised Code (SRC) or that has completely read and analyzed the dense materials.

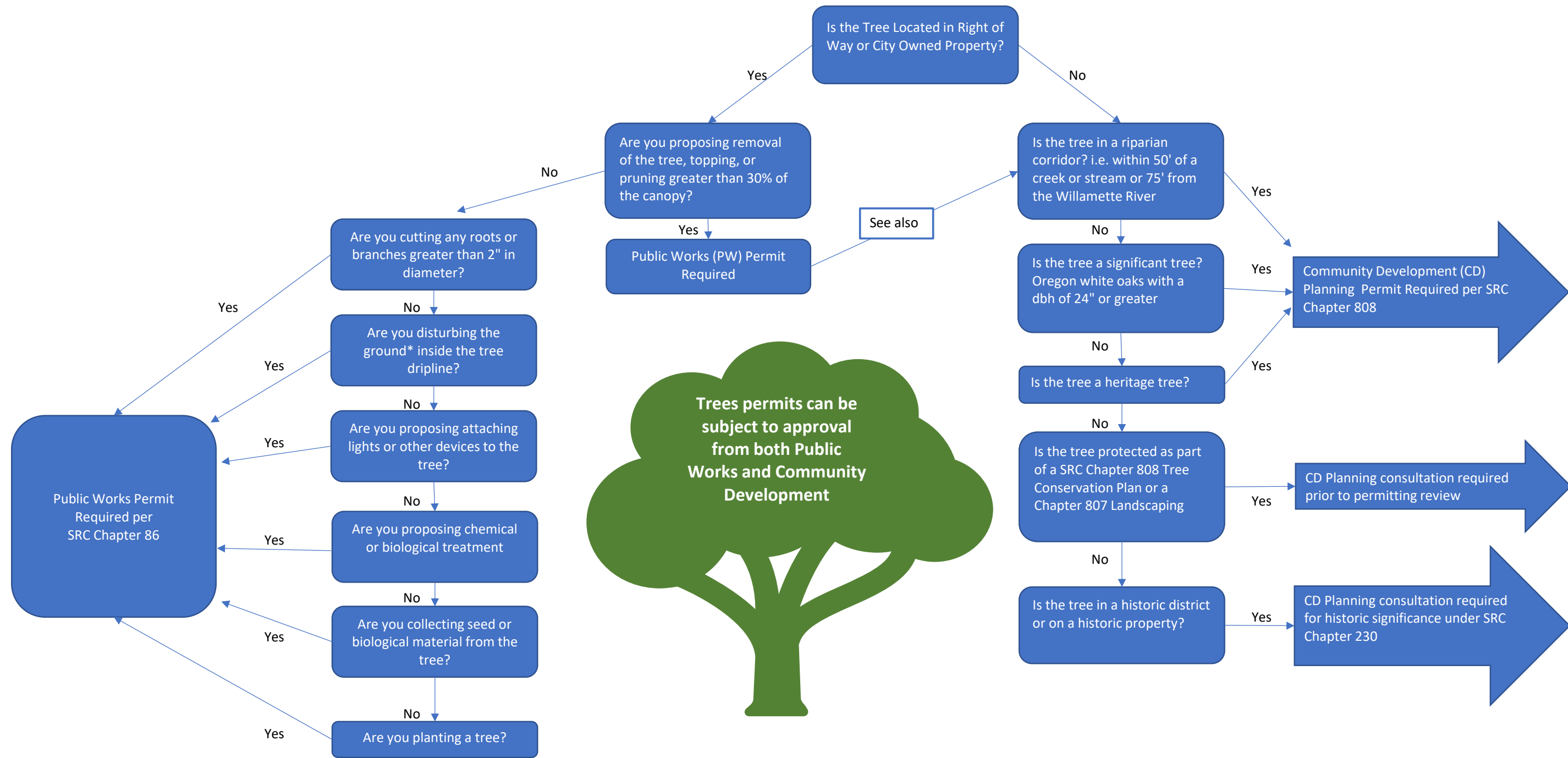
There has not been a wide discourse on the proposed changes and additions to City Code Chapter 230. Or to the proposed new goals suggested for the SACP. If I am wrong, please correct me. and send the Minutes, Agenda or audio tape to me.

In the case of the South Central Association of Neighbors (SCAN), --location of the City's largest residential NHD, -- August is the one month each year that the full SCAN Board traditionally does not convene. I do not see an urgency that would not allow for these considerations. City Staff has already modified the original delivery points - schedule - due to the pandemic and other administrative constraints and changes.

Respectfully submitted, as an individual,

Jon Christenson MURP

What Permit Is Needed for Tree Work?



* disturbing the ground includes: driving vehicles, stockpiling materials, trenching, excavation etc.

Kimberli Fitzgerald

From: Jean Dahlquist <jdahlqu1@gmail.com>
Sent: Thursday, August 13, 2020 10:45 AM
To: Kimberli Fitzgerald
Subject: PAPA CA20-02

Good morning,

My name is Jean Dahlquist and I am conducting some research for the Fair Housing Council of Oregon (FHCO). I was hoping to obtain the staff report and all corresponding attachments for CA20-02 the " amendments to the Salem Area Comprehensive Plan (SACP) updating the City's Historic Preservation Plan, a support document to the SACP pursuant to SRC 64.015(b)(3); together with associated proposed amendments to the Salem Revised Code (SRC) updating SRC Chapter 230 (Historic Preservation) and other identified chapters of the City's Unified Development Code (UDC) (Title X of the SRC) addressing historic preservation" when available. We will be reviewing Goal 10 findings specifically, and submitting positive or negative comment letters when appropriate. The goal of the Goal 10 project is to ensure cities/counties are fulfilling their Statewide Planning Goal obligation in regards to Goal 10.

Thus, I just wanted to introduce myself and let you know that I am available for any questions or staff report review. I'm hoping this can be a collaborative process where we can both learn from each other. In the meantime, we have obtained the following resource to help guide future staff reports: <https://www.housinglandadvocates.org/wp-content/uploads/2018/04/Goal-10-Guidance-Letter-to-Cities-and-Counties-signed.pdf>.

Please confirm receipt of this e-mail, and I look forward to hearing from you soon,

Very Respectfully,

Jean Dahlquist

Fair Housing Council of Oregon

Phone: (414) 477-1567

E-mail: jdahlqu1@gmail.com

[Linkedin](#)



Morningside Neighborhood Association

August, 13, 2020

City of Salem Public Hearing
Written Testimony to kfitzgerald@cityofsalem.net

TESTIMONY TO SALEM HISTORICAL LANDMARK COMMISSION PUBLIC HEARING AUGUST 20, 2020

MNA Board Recommendation: History Plaza and identification or dedication of a State Heritage tree located in future Fairview Park be included in the proposed update of Salem's Historic Preservation Plan.

Dear Landmark Commissioners:

Thanks to all the work and collaboration among staff, community stakeholders and other partners, our community today has a unique opportunity to conserve and share the Fairview Training Center legacy. They adopted the concept of a "history plaza" to explore historical themes from the earliest uses of the area for hunting and gathering, later for homesteading and finally a major resource for developmentally challenged Oregonians.

Everyone working on the concept agreed a history plaza is an ideal venue for providing information about those who lived in the Fairview area as native residents, homesteaders, Center staff and those they served.

The history plaza concept could be located off Lindburg Road, one of the highest points within the park, providing vistas across the park-grounds beyond the Waldo Hills to the Cascades. The 275-acre Fairview Training Center is being developed as Sustainable Fairview and includes Fairview Park where the History Plaza could be located. For more information see: *"Proposed History Plaza" Fairview Master Plan Chapter 5, p. 33.*

The Phase 1 archaeological investigation for the Sustainable Fairview Master Plan concluded — there is a high probability of discovering prehistoric cultural evidence in and around the Sustainable Fairview areas with six identified sites within the Sustainable Fairview boundary.

The Fairview Training Center is also "historic" having served the developmentally disabled for nearly a century (1908 - 2000).

A History Plaza would include:

- **Historic elements preserved from site deconstruction**
- **Interpretive panels on major historic themes related to Fairview**
- **Information about how Native Americans regarded and used the area**
- **A resource for local schools**
- **Plats and visuals about where and how early homesteading occurred**

Morningside Neighborhood Association

MNA also suggests:

- **Identification and dedication of a State Heritage Tree (or Grove) in the Future Fairview Park or other protected public place on the old grounds. Perhaps a Historical Marker like the ones you see along highway waysides across the state.**

In more recent history the Carey Donation Land Claim (1848 - 1862) included Fairview Park and the majority of Sustainable Fairview which was farmed and homesteaded by several families.

Cultural resource sites have been identified suggest additional archeological research would be worthwhile. Especially northwest of the park, in the vicinity of Leslie Middle School, and northeast within the Fairview Industrial Complex continuing west along Pringle Creek, north and east of Old Strong Road and outside the park boundary.

The Fairview Training Center and Hospital are historically unique for its mission, its size and its length of service to Oregonians. The Training Center was once the largest public institution in Oregon with over 672 acres. The 275-acre parcel being redeveloped as Sustainable Fairview includes Fairview Park. The Fairview Training Center was in operation from 1908 to 2000 and provided care and vocational training for people with developmental disabilities. Many of the residents were trained to work and support the facility and rarely need to leave the grounds.

The extensive campus included numerous buildings, roads, and trails that provided for circulation and access around the site. Fairview Training center was closed on March 1, 2000. (*Ref: Fairview Master Plan June, 2016 Site History: Chapter 1*)

Although Fairview Training Center is closed it is up to us to make sure it is not forgotten.

Sincerely,
Pamela Schmidling

MNA Board/Committee Chair

Morningside Neighborhood Assoc.
555 Liberty St SE Room 305
Salem, OR 97301
P - (503) 588-6207
W - morningsidena.org
E - MNAShared1@Gmail.com

A and the baseball outfield. The volleyball courts may be either sand or grass. The four pickleball courts should be sized and striped to accommodate four youth tennis courts based on US Tennis Association (USTA) 10 and under standards.

Event Space

The event space is the large, gently sloping field east of the large tree grove, parking lots A and D, playground, and splash fountain along Lindburg Road. This area is intended to be a flexible space that can be used for picnicking, Frisbee, and other passive recreation, but may also be used for small community gatherings, concerts, plays, or other events. The site is gently sloped toward the east, with a focal point on the picnic shelter.

Other Amenities

Picnic Shelters

Reservable picnic shelters are in high demand within the park system. The Comprehensive Park System Master Plan (CPSMP) identifies a need for five new reservable shelters to serve the current population. Two new picnic shelters are proposed: a small shelter in the plaza near the splash fountain and playground; and a large reservable shelter on the south edge of the event space. The large shelter will require facilities to support reservations for groups of 25 or more, such as stage, lighting, electricity, and water, and may also require accommodation of a sound system or additional lighting related to the event space. Support facilities include water, counters, and electrical service at the shelter, with restrooms and parking nearby. Consideration should be given to making the small shelter reservable for smaller groups of up to 25 people.



Splash Fountain

A splash fountain is proposed in the north portion of the site. The splash fountain will include a non-slip concrete surface with a variety of water spray features. The spray features should include a combination of fixed and variable sprays, with some interactive features that can be controlled by kids on site. Restrooms, benches, picnic tables, and trash receptacles should be provided in close proximity to the splash fountain.

History Plaza

The history plaza is an opportunity to provide information on past use of the Fairview area. It could include historic elements preserved from site deconstruction, interpretive panels, or other elements such as seat walls and sculptures. The interpretive panels could include information ranging from Native American use of the area, early homesteading, and the Fairview Training Center. The plaza is located off of Lindburg Road on one of the highest points within the park, and will provide vistas across the park grounds and out to the Cascades in the distance.

NOTICE OF DECISION

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



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

DECISION OF THE PLANNING ADMINISTRATOR

FAIRVIEW PLAN MINOR AMENDMENT CASE NO. FPA16-01

APPLICATION NO.: 15-122177-ZO

NOTICE OF DECISION DATE: FEBRUARY 2, 2016

APPLICATION SUMMARY: An application to amend the Fairview Master Plan by re-designating Le Breton Hall, located on what is commonly referred to as "the Crescent," as primarily for deconstruction in order to allow the building to be removed.

REQUEST: A Minor Amendment to the Fairview Master Plan to change the designation of Le Breton Hall from a status of "Reuse: Potential Adaptive Reuse with the Option for Deconstruction" to a status of "Deconstruction: Primarily for Deconstruction with the Option for Reuse"; for property totaling approximately 27.71 acres in size, zoned FMU (Fairview Mixed Use), and located at 2250 Old Strong Road SE (Marion County Assessor's Map and Tax Lot numbers: 083W0200100 & 083W11A01000).

APPLICANT: SUSTAINABLE FAIRVIEW ASSOCIATES LLC (Richard Sam Hall, Susan Leeson, Tim Meyer as MCO Limited, James L. Meyer & Kathleen Hannegan Meyer, Anthony C. Nielsen & Margaret Nielsen)

LOCATION: 2250 OLD STRONG RD SE / 97302

CRITERIA: Salem Revised Code 530.025(e)(1)

FINDINGS: The Findings are in the attached Order dated February 2, 2016.

DECISION: The Planning Administrator **GRANTED** Fairview Minor Plan Amendment Case No. FPA16-01, subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following condition of approval:

Condition 1: Any future refinement plan that includes the area of the former Fairview Training Center site where Le Breton Hall was located shall include a requirement to construct an on-site interpretive kiosk or other installation that shall include, but is not limited to, panels including historical photos, architectural information, maps, and other information to meaningfully educate the public about the history of the former Fairview Training Center site.

Application Deemed Complete: January 8, 2016
Notice of Decision Mailing Date: February 2, 2016
Decision Effective Date: February 18, 2016
State Mandate Date: May 7, 2016