

Existing Chapter 25 and Proposed Chapter 25 Comparison

Existing Chapter 25	Proposed Chapter 25
25.010 PURPOSE	Section 25.010 PURPOSES
<p>The intent and purpose of this overlay district is to implement the goals and policies of the Comprehensive Plan for the Historic District, and promote the public health, safety, and general welfare by safeguarding the City’s heritage as embodied and reflected in its historic resources. The provisions of this section are intended to:</p>	<p>The purposes of this chapter are to:</p>
<p>A. Provide for the identification, protection, enhancement, and use of sites, structures, corridors, objects, and buildings within the City that reflect special elements of the City’s architectural, archeological, artistic, cultural, engineering, aesthetic, historical, political, social, and other heritage. In addition to the Willamette District, this code section also contemplates creation of new districts as appropriate;</p>	<p>B. Identify and protect the City’s historic resources (see Chapter 2, Definitions), including the diverse architectural styles that reflect the phases of the City’s history. D. Provide procedures and establish approval criteria for all reviews of proposed alterations of historic structures and sites and other development in historic districts. H. Provide for creation of new historic districts and designation of new landmarks, as appropriate, and to allow removal of such designations if they are no longer appropriate.</p>
<p>B. Facilitate restoration and upkeep of historic buildings, structures or other physical objects or geographical areas;</p>	<p>Addressed in (B) above. F. Ensure that changes to designated historic resources protect the integrity of the resource and the significant aspects of the area’s heritage. G. Provide design guidelines that will ensure the preservation of the quality and historic integrity of historic landmarks and their site, and, if applicable, ensure compatibility and consistency with the qualities of the respective historic district its nomination was intended to preserve.</p>
<p>C. Encourage public knowledge, understanding and appreciation of the City’s history and culture;</p>	
<p>D. Foster community and neighborhood pride and sense of identity based on recognition and use of cultural resources;</p>	<p>A. Foster community and neighborhood pride and sense of community identity based on recognition and use of historic and cultural resources.</p>
<p>E. Promote the enjoyment and use of historic and cultural resources appropriate for the education and recreation of the people of the City;</p>	<p>C. Encourage preservation and use of historic sites, structures, and districts within the City that reflect special elements of its historical, architectural, archeological, artistic, cultural, and engineering heritage.</p>

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F. Preserve diverse architectural styles reflecting phases of the City’s history, and encourage complimentary design and construct impacting cultural resources;	
G. Enhance property values and increase economic and financial benefits to the City and its inhabitants;	E. Increase economic and financial benefits to historic property owners and the community.
H. Identify and resolve conflicts between the preservation of cultural resources and alternative land uses;	I. Provide a process to enable thoughtful consideration of the proposed demolition of historic structures.
I. Integrate the management of cultural resources and relevant data into public and private land management and development processes; and	
J. Encourage the adoption and use of the Secretary of Interior’s Standards for Historic Preservation.	Substantially incorporated into the criteria. See the Standards at the end of the document for details.
25.015 APPLICABILITY	Section 25.020 USE OF THIS CHAPTER
The provisions of this chapter shall apply to all properties and structures within the Willamette Historic District boundary as depicted on the map referenced in CDC 25.030. The single-family residential design standards that apply to homes elsewhere in West Linn shall not apply to homes within the historic district. The standards of this chapter shall supersede any conflicting standards appearing in CDC 26.060.	A. APPLICABILITY This chapter shall apply to all properties designated as historic resources as shown on the City’s zoning map and properties listed on the National Register.
25.020 PERMITTED USES	Section 25.030 PERMITTED USES
A. The residentially zoned portion of the Willamette Historic District, and other historic districts established under CDC 25.050, shall permit only single-family detached residential uses. Home occupations shall be processed pursuant to Chapter 37 CDC.	Unless otherwise provided in this chapter, all uses permitted by the underlying zoning district that are in accordance with the CDC are allowed on sites containing historic resources. (In the Willamette Historic District this generally limits all residentially zoned land to single family homes.)
B. The commercially zoned portion shall allow uses appropriate to that zone as described in Chapter 19 CDC with consideration of its historic status.	See above.
C. Existing structures and uses that do not conform to these standards shall be regarded under the provisions of Chapters 66 and 67 CDC.	Not explicitly stated.

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<p>D. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any architectural features which does not involve a change in design, material or the outward appearance of such features which the Building Inspector shall certify is required for the public safety because of its unsafe or dangerous condition.</p>	<p>25.050(A)(1) Ordinary maintenance or repair including a change of facade colors, unless the color is specifically listed in the historic resource inventory, historic resource nomination, or National Register nomination as an attribute that contributes to the resource's historic significance.</p>
<p>E. National Historic Register structures or historic landmarks in the historic district shall comply with the provisions of Chapter 25 CDC.</p>	<p>See 25.020(A) above.</p>
<p>25.040 HISTORIC REVIEW BOARD</p>	
<p>Repealed by Ord. 1597. (Ord. 1594 § 1 (Exh. A), 2010)</p>	
<p>25.045 APPEALS OF HISTORIC REVIEW BOARD</p>	
<p>Repealed by Ord. 1597. (Ord. 1474, 2001; Ord. 1594 § 1 (Exh. A), 2010)</p>	
<p>25.050 CRITERIA FOR HISTORIC DISTRICT DESIGNATION</p>	
<p>Section 25.090 DESIGNATION OF A HISTORIC RESOURCE</p>	
<p>A. The approval authority shall designate each historic district in the City that is listed on the National Register of Historic Places as an historic district.</p>	<p>The designation of historic resources shall comply with the following criteria, provided that the age of a specific building shall not be deemed sufficient in itself to warrant designation of a building as historic.</p>
<p>The approval authority may designate a proposed historic district that:</p>	<p>A. APPROVAL CRITERIA The approval authority may designate other proposed historic resources if it determines that the site or district proposed for designation meets at least one of the following five criteria:</p>
<p>1. Is associated with an event or events that made a significant contribution to the history of the community, county, state or nation; or</p>	<p>1. Events. Is associated with an event or events that made a significant contribution to the history of the city, county, state or nation;</p>
<p>2. Is associated with the life or lives of a significant person or people in the history of the community, county, state or nation; or</p>	<p>2. Persons. Is associated with the life or lives of a significant person or people in the history of the city, county, state or nation;</p>
<p>3. Embodies distinctive architectural characteristics of a type, style, period or method of construction; or</p>	<p>3. Architecture. Embodies distinctive architectural characteristics of a type, style, period or method of construction;</p>

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4. Represents the work of a master builder, designer, or architect who influenced the development of the community, county, state or nation; or	4. Construction. Represents the work of a master builder, designer, or architect who influenced the development of the city, county, state or nation; or
5. Has yielded, or will likely yield, information important in history or prehistory.	5. Archaeology. Has yielded, or will likely yield, information important in prehistory or history.
B. The age of a specific building shall not be deemed sufficient in itself to warrant designation as historic.	25.090 The designation of historic resources shall comply with the following criteria, provided that the age of a specific building shall not be deemed sufficient in itself to warrant designation of a building as historic.
25.060 CRITERIA FOR EXTERIOR ALTERATION AND NEW CONSTRUCTION	
A. Except as provided pursuant to CDC 25.100, no person may alter the exterior of any structure in an Historic District in a manner as to affect its exterior appearance, nor may any new structure be constructed in an Historic District, unless the site and evaluation drawings are approved by the Historic Review Board.	Addressed in 99.060(D).
B. Exterior remodeling as governed by this chapter shall include any change or alteration in design or other exterior treatment excluding painting.	This has been expanded to include the items in 25.050(A).
C. For new home construction or exterior alterations of structures in an Historic District, the criteria to be used by the Historic Review Board in reaching the decision shall include the following:	The HRB will use the standards in 25.060 and 25.070. 25.020(B) and (C) identifies which apply.
1. The purpose of the Historic District as set forth in CDC 25.040.	
2. The policies of the West Linn Comprehensive Plan.	
3. The economic use of the structure in an Historic District and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation. (Applicable to commercial only.)	
4. The value and significance of the structure or landmark in an Historic District. (Applicable to remodeling only.)	
5. The physical condition of the structure or landmark in an Historic District. (Applicable to remodeling only.)	

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<p>6. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with an existing structure in an Historic District.</p>	
<p>7. Pertinent aesthetic factors as designed by the Historic Review Board.</p>	
<p>8. Economic, social, environmental and energy consequences related to LCDC Goal No. 5.</p>	
<p>25.070 APPROVAL CRITERIA FOR REMODELS, NEW HOME AND ACCESSORY STRUCTURE CONSTRUCTION</p>	
<p>A. For new home construction, remodels and single-family structures in the Willamette Historic District (and landmark structures as appropriate), the Historic Review Board shall use the following design standards in reaching a decision.</p>	
<p>B. Siting.</p>	
<p>1. Front yard:</p>	
<p>a. The front yard setback shall be the distance measured from the front property line to the dominant vertical face of the building, exclusive of any porches or front landings, equal to the average of the front setbacks of adjacent homes. For corner lots, the setback shall be the average between the adjacent house to the side and 20 feet.</p>	<p>25.070(C)(1)(a) The front yard setback shall equal the average of the front setbacks of adjacent homes on the block face. For corner lots, the setback shall be the average between the adjacent house to the side and 20 feet. The setback shall be the distance measured from the front property line to the dominant vertical face of the building, exclusive of any porches or front landings.</p>
<p>b. Unenclosed porches with no living space above may encroach six feet further from the dominant vertical face of the building.</p>	<p>25.070(C)(1)(b) Unenclosed porches with no living space above may encroach into the front yard setback six feet from the dominant vertical face of the building.</p>

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<p>2. Side yard: Five feet shall be the standard; however, where adjacent structures encroach into the required side yard, the Planning Director may reduce one of the side yards to a minimum of three feet to center a new structure between existing buildings, provided no space between buildings is reduced below eight feet. To encourage sidewall variation, “pop outs,” including chimneys, may intrude 18 inches into side yard setback.</p>	<p>25.070(C)(2) Side yard setbacks shall be five feet, except:</p> <ul style="list-style-type: none"> a. Bays, porches and chimneys and other projections constituting cumulatively no more than twenty percent of the overall respective building wall length may intrude 18 inches into the side yard setback; and b. One story accessory structures may be sited within three feet of the side property line and two story accessory structures shall be a minimum of 15 feet from the side property line.
<p>3. Side street: 10 feet for both developed and undeveloped street. To encourage sidewall variation, “pop outs,” including chimneys, may intrude 24 inches into side street yard setback after every 400 square feet of sidewall.</p>	<p>25.070(C)(3) Setbacks from side streets shall be 10 feet for both developed and undeveloped streets, except:</p> <ul style="list-style-type: none"> a. Bays, porches and chimneys and other projections may intrude 24 inches into side street yard setback; and b. One and two story accessory structures may be sited within five feet of the side street property line.
<p>4. Rear yard: The rear yard setback shall be a minimum of 20 feet, except for accessory structures (non-dwelling or non-accessory dwelling units (ADU)), which may be sited to within three feet of the side or rear property lines. See section on ADUs for ADU setbacks.</p>	<p>25.070(C)(4) The rear yard setback shall be a minimum of 20 feet, except for accessory structures, which may be sited to within three feet of the rear property lines.</p>
<p>5. Orientation: New home construction on corner lots must orient the front of the house to the avenue and not the street.</p>	<p>25.070(C)(5) New home construction on corner lots shall be oriented the same direction as the majority of homes on the street.</p>
<p>6. Lot coverage: 50 percent. Unlike the rest of West Linn, lot coverage shall apply to the new and remodeled primary dwellings, attached and detached garages, all accessory buildings and ADUs. Decks, paved and impermeable surfaces (patios and driveways etc.) shall not be included. Underlying zone (e.g., R-5) lot coverage shall not apply.</p>	<p>Now subject to the underlying zoning requirement. This is 40% in R-5 and 35% in R-10. It also follows the Chapter 2 Lot, Coverage definition of The area covered by a building or buildings on a lot, expressed as a percentage of the total lot area. For residential lots, these buildings shall include the principal residence or house, any accessory dwelling unit, and the next largest accessory structure such as a garage, etc. Additional structures shall not count. Paved surfaces do not count.</p>

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<p>C. Parking. Parking in Willamette Town traditionally was handled from the alleys or along the “streets” (as opposed to avenues). Detached garages along the alleys or “streets” characterizes many homes in the district. Alleys were established to provide for access to off-street parking, including garages.</p>	<p>NA</p>
<p>1. Standards, garages.</p>	
<p>a. Garages shall be accessed from the alley. Where no alley exists, access to a garage may be from the street.</p>	<p>25.070(C)(10)(a) Garages shall be accessed from an alley, if present. No garage door may face or have access onto a street except when alley access is not available.</p>
<p>b. Garage remodels and new construction must match house or existing garage building materials. Damaged or deteriorated non-conforming garages must be reconstructed/relocated in accordance with this code where remodeling or rebuilding costs exceed 50 percent of the full replacement cost in current dollars.</p>	<p>NA</p>
<p>c. Typically, the garage roof pitch was not as steep as the house. Some architectural styles of garages have lower pitched roofs. Garage roof pitch shall not exceed house roof pitch.</p>	<p>NA; 25.070(C)(9) requires a roof pitch of at least 6:12.</p>
<p>d. Garages located within the rear yard may have a zero-foot side yard setback so long as it is constructed with one-hour fire walls, with no openings in wall and no overhang, per City building standards. The three-foot rear setback shall still apply.</p>	<p>NA; three foot setback required.</p>
<p>2. Standards, parking.</p>	
<p>a. No residential lot shall be converted solely to parking use.</p>	<p>25.070(C)(10)(b)(1)(i) No residential lot shall be converted solely to parking use. - also - (ii) ii. No rear yard area shall be converted solely to parking use.</p>
<p>b. All vehicle access and storage (i.e., boats, camper shells, trails, recreational vehicles, etc.) shall be stored or parked in the rear of the property as opposed to the front or side yards.</p>	<p>Not addressed.</p>
<p>c. On corner lots or where homes face streets, the parking and storage shall be located on the alley side of the house.</p>	<p>25.070(C)(10)(b)(1)(iii) When a lot is adjacent to an alley, all parking access shall be from the alley.</p>
<p>d. No front yard curb cut shall be established unless it is determined by the City Engineer that all reasonable access alternatives have been exhausted.</p>	<p>Not specifically addressed.</p>

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<p>e. The parking provisions of CDC 26.050(B) shall apply to any non-conforming uses of a structure (i.e., bed and breakfast). These provisions would not apply to General Commercial zone uses in the Historic District.</p>	<p>Proposal limits uses to those permitted in the underlying zoning district. This is generally single family residences for the residential section of the historic district.</p>
<p>1. No building shall exceed the height of 28 feet to the dominant gable or roof ridgeline as measured per Chapter 02 CDC. This restriction shall apply regardless of the existing or finished grade of the site.</p>	<p>25.070(C)(7)(a) Residential structures are limited to 35 feet in height. Cupolas and towers shall not exceed 50 feet in height. (Height no longer measured in Ch. 2, it is now Ch. 41.)</p>
<p>2. In order to transition in scale, new houses that are taller than homes adjacent to them must have the predominant roof ridgeline extending perpendicular to the front property line so that the roof slopes down on the sides to effect that transition. Dormers are allowed on that sloping roof area facing the adjacent home(s) but cannot constitute more than 25 percent of the roof as measured lineally or horizontally (e.g., if roof is 50 feet long the dormer(s) cannot be more than 25 percent of that distance or 12.5 feet long in total). Also, the dormer height must be at least two feet below the gable ridgeline height.</p>	<p>NA</p>
<p>3. Cupolas and towers are not excluded from the aforementioned height limitation.</p>	<p>See 25.070(C)(7)(a) above.</p>
<p>4. Alteration of roof pitches or raising or lowering a structure's permanent elevation, when constructing a foundation, shall be avoided.</p>	<p>25.060(A)(8) Building Height and Roof Pitch. Existing or historic building heights and roof pitch shall be maintained. 25.060(A)(18) Repair or construction of a foundation that results in raising or lowering the building elevation must demonstrate that:</p> <ul style="list-style-type: none"> i. Photographic or other evidence shows the proposal is consistent with the original design and, if applicable, is consistent in the context of adjacent and other structures on the block; or ii. That it is necessary to satisfy a requirement of the building code and/or floodplain regulations (CDC Chapter 27).

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<p>5. The original height of the structure’s front elevation shall be preserved. Additions to the rear portion of the house shall be allowed where those additions do not compromise the character of the front elevation or the scale or significantly modify the mass of the house as seen from the right-of-way.</p>	<p>See above and 25.060(A)(7) Building Additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including the proportions of window and door openings, shall be compatible with those of the existing building.</p>
<p>E. Building shapes and sizes.</p>	
<p>1. No building on a 50-foot-wide lot shall exceed 35 feet in overall width. Lots with a 65-foot width or greater may have a building width of 40 feet plus the porches, eaves or veranda extensions so that the maximum total width is 47 feet.</p>	<p>Not specifically addressed, see setbacks above.</p>
<p>2. End walls (street facing) shall be designed with consideration of scale and aesthetic character of the main facade.</p>	<p>Not specifically included. See 25.070(A)(1) Compatibility with Nearby Context. Alterations and additions shall be: a. Compatible in scale and mass to adjacent properties; and b. Shall maintain the privacy of the residents of adjacent properties through window placement, orientation or landscaping.</p>
<p>3. Buildings shall avoid a horizontal orientation in their roof and window designs, unless the design can be shown to match the original roof design or approximate the design of nearby structures and styles.</p>	<p>Not specifically included. See 25.070(B)(1) New construction must be compatible with the architectural style, scale, mass, proportion, materials, and form of the contributing structures in the district...</p>
<p>4. Sidewalls on the side of new homes shall have a minimum 18-inch “pop out” or indent after every 400 square feet of sidewall measured laterally/horizontally. The “pop out” or indent shall be at least six feet wide and shall be at least nine feet tall. (Bay windows could qualify). Sidewalls on the side street side of new homes shall have minimum 24-inch “pop out” or indent after every 400 square feet of sidewall measured laterally/horizontally. “Pop outs” may intrude into the setback area.</p>	<p>Not specifically included. See 25.070(C)(3)(a) Bays, porches and chimneys and other projections may intrude 24 inches into side street yard setback</p>
<p>F. Signs and lighting. Signs, lighting, and other appurtenances such as walls, fences and awnings shall be visually compatible with the scale and traditional architectural character of the historic building.</p>	<p>Signs covered by Signs chapter. 25.060(A)(20) Lighting. Residential lighting shall be shielded to prevent glare and compatible with the architectural character of the building. Blinking, flashing, or moving lighting are not permitted.</p>

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G. Horizontal additions.	
1. The scale and proportion of building additions, including the relationship of windows to walls, shall be visually compatible with the traditional architectural character of the historic building.	See 25.060(A)(7) Building Additions referenced above.
2. Contemporary construction for alterations and additions are acceptable if the design respects the building's original design and is compatible with the original scale, materials, window and door opening proportions of the structure.	See above.
H. Windows. Window sizes vary considerably in the district. Windows on the primary and secondary structures are wood sash, usually a double hung type. Victorian styled structures typically have narrower, vertically-oriented windows. Bungalow styled structures from the "Craftsman" era (1905 – 1930) may have wider windows with mullions across the top of larger paned areas. Most windows have fairly wide trim boards, usually five inches. Standards:	NA
1. Historic window sashes and frames shall be repaired rather than replaced unless the approval authority determines that repair is not possible. In that case, the replacement shall match the old window sash and frame in design, texture, materials, and other visual qualities. Existing replacement windows shall be replaced with windows that match the original window in design, texture, and other visual qualities, and, where possible, materials, as determined by the approval authority. Windows in new construction and additions shall be compatible with the massing, size, scale, and architectural features of the structure. Wood windows are preferred.	25.060(A)(14) Window Replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color (provided painting the factory material would void the warranty). - also - 25.060(A)(12) New Windows. New windows shall match the appearance of the original windows as closely as possible. Wood window frames and sashes shall be used unless the applicant demonstrates that the non-wood windows exhibit visual qualities similar to their wooden counterparts. The window trim and sill shall match the original trim.
2. Aluminum windows are prohibited unless they were the original materials and meet dimensional standards.	NA
3. Windows shall be surrounded by exterior trim on the top and sides; window trim shall be at least four and one-half inches minimum width unless the original window was less.	Not specifying trim.

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4. Window replacements shall match the visual qualities of original windows.	NA
5. Storm windows should follow the standards for windows and shall have a mullion that matches the divide between the upper and lower window sashes. The color should match underlying trim.	25.060(A)(13) Storm Windows. Storm windows shall be made of painted wood, baked enamel, anodized aluminum, or other materials with forms that complement or match the color, detail, and proportions of the building.
I. Entryways. Porches are a key architectural feature on most homes in Willamette Town. Frequently, the porch and entryway creates a dominant architectural feature on the main facade. On corner lots, the entry usually faces the east-west avenues. Front doors are often notably detailed; many contain glass panes or carvings. Standards:	
1. Buildings shall have a permanently protected entry. Awnings are not permanent protection.	NA
2. All main entrances should face the avenues.	See 25.070(C)(5) above.
3. Flush (flat) doors are prohibited.	25.060(A)(15) Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.
4. Doors with windowed areas are recommended. Front porch enclosure of any dwelling unit may not be enclosed. Back porches may be enclosed.	See above.
J. Siding and exterior finish. Standards:	
1. Horizontal wood siding shall be the primary exterior finish.	25.060(A)(10) Walls and Siding. Replacement of existing wall and siding finish materials with different material than the existing material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction. New walls and siding must match the existing material or have the same texture and finish as the original material.
2. Shingles should only be used in conjunction with horizontal wood siding.	NA
3. Single color exteriors are discouraged. Stained exteriors are not recommended.	NA

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K. Roofscape. Standards:	
1. Roofs shall have a pitch of at least 8:12 to maintain the pattern of steep roof pitches. The Historic Review Board will consider deviations from the 8:12 to 12:12 standard for additions to the main body of the house so long as it is consistent with a particular architectural style.	See 25.060(A)(8) above and 25.070(C)(9) Roof Pitch. Roofs shall have a pitch of at least 6:12.
2. Roofing materials should be asphalt composite shingles. Milled cedar shingles may only be used if they are replacing milled cedar shingles or if they were the original material. Cedar shakes were not used in period construction.	25.060(A)(9) Roof Materials. Replacement or a new roof with materials other than cedar shingles, three tab asphalt shingles, or architectural composition shingles must be demonstrated, using photographic or other evidence to be in character with those of the original roof, or with materials that are consistent with the original construction.
3. Alternating or checkerboard shingles are not permitted.	NA
L. Massing. The square footage of the principal dwelling/house and any attached garage (not counting the basement) cannot exceed 125 percent of the average square footage of the adjacent homes (and any attached garage) on either side of the subject house, or 1,200 square feet, whichever is greater. For the purpose of this section, homes to the rear, or across the street, shall not be used as the basis of the square footage calculation. Homes on corner lots shall base their square footage on the one house and any attached garage adjacent to them. The square footage of the adjacent home will be based on actual measurement of all livable space in the house plus any attached garage (exclude crawlspaces or attic areas with less than five-foot vertical clearance plus all basement areas).	See 25.060(A)(8) Building Additions and 25.070(A) and 25.070(B) regarding compatibility and defining characteristics of the district.
M. Foundations and basements.	

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<p>1. Foundations may be poured concrete or brick faced concrete and shall be exposed at least one to two and one-half feet on the front elevation (depending on whether the lot is an uphill or downhill lot) to accommodate front steps and/or a raised porch. Final foundation grade will impact the height of the house. Misrepresentations or errors in determining the height of the house due to site conditions and height of foundation wall cannot be used to justify any house heights in excess of the allowed height. No backfilling is allowed against a foundation wall to increase grades.</p>	<p>Not specifically addressed. See 25.060(A)(18) above regarding foundations.</p>
<p>2. Basements shall be defined as livable or functional space below the main floor of the principal dwelling/house which is exposed above grade a maximum height of two feet. Windows and window wells are permitted but not on the front elevation. The square footage of the basement shall not count in building square footage (re: ADU), mass calculations, etc.</p>	<p>Not specifically addressed. See 25.060(A)(18) above regarding foundations. Some egress windows exempt per 25.050(A)(8). Others would require Class I Historic Design Review.</p>
<p>N. Accessory dwelling unit (ADU). The provisions of Chapter 34 CDC shall not apply to ADUs in the Historic District. The following requirements apply to ADUs in the district.</p>	<p>Provisions of Chapter 34 and 25.060(B) would apply.</p>
<p>1. ADUs may be allowed in one of the following configurations:</p>	<p>CDC 34.030 ACCESSORY DWELLING UNITS (ADUs) A. An accessory dwelling unit (ADU) may be allowed in conjunction with an existing primary single-family dwelling by conversion of existing space inside the primary dwelling; by means of an addition to an existing dwelling; by means of an addition as an accessory structure; or by converting or adding to an existing accessory structure, such as a garage, on the same lot with an existing primary dwelling, when the following conditions are met:</p>
<p>a. Within an existing primary single-family house; or</p>	<p>See above.</p>
<p>b. In an addition to an existing house's footprint or building envelope; or</p>	<p>See above.</p>
<p>c. In a new accessory structure; or</p>	<p>See above.</p>
<p>d. By converting or adding to an existing accessory structure, such as a garage or barn, on the same lot as the existing house.</p>	<p>See above.</p>

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2. ADUs shall meet the following conditions:	
a. Public services are available to serve the ADU.	34.030(A)(2) Public services can serve both dwelling units
b. The ADU shall not have more than one bedroom.	See below.
c. The ADU shall be sized consistent with the following:	
1) ADUs within a primary structure (house) or sharing a common wall with the primary structure shall not exceed 30 percent of the gross square footage of the house on the lot or 250 square feet, whichever is more, and a maximum of 1,000 square feet in size.	4. The ADU does not exceed one bedroom and has an area between 250 and 1,000 square feet. If the ADU is located in an accessory structure, then it shall not exceed 30 percent of the gross square footage of the primary dwelling, except that an ADU may be a minimum of 250 square feet in size regardless of the size of the primary dwelling. No more than one ADU is allowed.
2) Single-story ADUs in detached structures approved after March 22, 2010, shall have a maximum size of 600 square feet and two-story ADUs approved after that date shall have a maximum size (total of both floors) of 500 square feet.	Does not retain this limit; retains above limit of 30 percent of the gross square footage of the primary dwelling. Would need to meet design standards.
3) ADUs in existing detached structures such as workshops, offices, garages, etc., approved prior to March 22, 2010, shall not exceed 30 percent of the gross square footage of the house on the lot or 250 square feet, whichever is more, and a maximum of 1,000 square feet in size.	Does not retain 30 percent limit. 34.030(A)(7) applies: Existing accessory structures such as large workshops, offices, garages, etc., constructed prior to January 2000, that exceed dimensional standards prescribed above for ADUs may be converted into ADUs in the future so long as the occupied or inhabited area is restricted to less than 1,000 square feet. Existing structures are not required to meet the design standards of subsections (B)(1) through (9) of this section, but shall conform to them to the greatest extent feasible.
d. No more than one ADU is allowed per lot.	Not explicitly stated, but can be interpreted in 34.030(A) An accessory dwelling unit (ADU)...
e. Existing detached structures such as workshops, offices, garages, etc., may be converted into ADUs under the following conditions:	25.060(B)(1) Conversions and Additions. Existing detached unheated structures, including but not limited to workshops and garages, may be converted into other allowable accessory uses under the following conditions:

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<p>1) The structure is located behind the house’s front building line, preferably in the rear yard. Structures in the front yard cannot be converted to an ADU.</p>	<p>25.060(B)(1)(a) & (b) a. The structure is located behind the house’s front building line; b. A structure in the front yard cannot be converted to a heated accessory structure;</p>
<p>2) If a second story is added to an existing garage or accessory structure, the existing structure must meet the setback standards in subsection (N)(5) of this section for two-story ADUs.</p>	<p>25.060(B)(1)(c) A story may be added to an existing garage or similar accessory structure, provided that the final design meets the setback standards of this chapter for a two-story accessory structure (see CDC 25.070(C)(2)); and</p>
<p>3) The conversion of an existing structure is not required to meet the design standards in subsection (N)(3) of this section, with the exception of subsection (N)(3)(d) of this section, Windows. However, such ADUs shall conform to those standards to the greatest degree possible.</p>	<p>25.060(B)(1)(d) The conversion of an existing structure is not required to meet the design standards in CDC 34.030, but it must conform to all applicable requirements of this chapter.</p>
<p>3. Design standards for both attached and detached ADUs are as follows:</p>	<p>Accessory structures, including ADUs, must comply with the standards in Sections 25.060 and those in the historic district must also comply with Sections 25.070. Chapter 25 standards would take precedence if there are any conflicts.</p>
<p>a. Exterior finish materials. The exterior finish material must be the same or visually match in type, size, and placement, the exterior finish material of the primary dwelling.</p>	<p>34.030(B)(1) Exterior finish materials. The exterior finish material must be the same, or visually match in type, size, and placement, the exterior finish material of the primary dwelling.</p>
<p>b. Entrance. The main exterior entrance including exterior stairs of a detached ADU shall be located either on the side of the ADU that is the furthest distance from any side lot line or on the elevation facing the rear of the primary structure.</p>	<p>34.030(B)(8) The main exterior entrance of the ADU shall be located on either the rear or side of the ADU so that the main entrance to the primary dwelling will not be in competition with the entrance to the ADU.</p>
<p>c. Trim. Trim must be the same in type, size, and location as the trim used on the primary dwelling.</p>	<p>34.030(B)(3) Trim. Trim on edges of elements on the addition must be the same in type, size, and location as the trim used on the rest of the primary dwelling.</p>

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<p>d. Windows.</p>	<p>34.030(B)(4) Windows. Windows must match those in the primary dwelling in proportion (relationship of width to height). Second-floor windows on the ADU should be placed and sized so as to achieve a reasonable amount of privacy for the abutting property owner(s).</p>
<p>1) Windows must match those in the primary dwelling in proportion (relationship of width to height).</p>	<p>See above.</p>
<p>2) When the dominant roof ridgeline of the two-story ADU is perpendicular or at right angles to the front property line then the only windows on the second floor ADU must be at the gable ends. No dormers or skylights are permitted on the roof.</p>	<p>NA, see above regarding privacy. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>3) When the dominant roof ridgeline of the two-story ADU is parallel to the front property line then the only windows on the second floor ADU must be dormers on the roof. No windows are allowed on the gable ends facing the side lot lines. The dormers cannot constitute more than one-third of the roof measured in a lineal fashion. The top of the dormers must be at least two feet below the height of the dominant gable ridge line.</p>	<p>NA, see above regarding privacy. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>4) Single-story ADUs may have dormers in the roof that allow light into the ADU, but the dormers must be at a height where the ADU residents cannot see out of them towards the adjacent property. These dormers cannot constitute more than one-third of the roof measured in a lineal fashion. The top of the dormers must be at least two feet below the height of the dominant gable ridge line.</p>	<p>NA, see above regarding privacy. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>5) Windows are allowed on all sides of single-story ADUs at the ground/first floor level.</p>	<p>Not specified. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>6) Single-story ADUs may have sleeping lofts (defined as a non-enclosed area above the first floor scaled to accommodate a bed and dresser only) which may have windows in the upper gable ends but only if the ADU is oriented with the dominant ridgeline extending perpendicular to the front property line. (The gable end windows will be facing the rear of the primary house, not the adjacent property.)</p>	<p>Not specified. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>e. Roof.</p>	

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<p>1) ADUs may have roofs under a 6:12 slope but not flat.</p>	<p>34.030(B)(2) Roof pitch. The roof pitch must be the same as the predominant roof pitch of the primary dwelling.</p>
<p>2) The dominant ADU roof ridgeline must be either parallel to, or perpendicular to, the front property line. Cross gabled roof designs are not permitted although dormers are permitted per the provisions of this section.</p>	<p>Not specified. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>3) Outdoor balconies or decks are not allowed on top of, or incorporated into, the roof of ADUs.</p>	<p>Not specified. Would need to comply with design standards in 25.060 and, if in the historic district 25.070.</p>
<p>4. Eaves, downspouts and gutters.</p>	
<p>a. Eaves must project from the building walls the same distance as the eaves on the primary dwelling. Eaves and gutters must be at least three feet from side property lines.</p>	<p>34.030(B)(5) Eaves. Eaves must project from the building walls the same distance as the eaves on the rest of the primary dwelling.</p>
<p>b. Downspouts and gutters must correctly collect and dispose of rainwater.</p>	<p>Not specified.</p>
<p>5. Setbacks. Detached ADUs shall be in the rear yard. Two-story ADUs shall be a minimum of 15 feet from the side lot line and a minimum of three feet from the rear lot line. Two-story ADUs must be at least 10 feet from the house. One-story ADUs may be three feet from the house. If the ADU is one story tall it may be built with a side setback of five feet and rear setback of three feet. Both single- and two-story ADUs may have a five-foot setback to the side street. An attached ADU at the rear of the house must meet the standard setbacks for the primary structure. A story may be added to an existing garage or similar accessory structure, so long as the final design meets the setback standards of this chapter for two-story ADUs.</p>	<p>Some conflicts with 34.030(B)(6)Setbacks. The detached ADU shall be at least 10 feet behind the front building line of the primary dwelling so as to maintain the primary status of the single-family home. The only exception allowed shall be for an ADU which is located above a detached garage, in which case, the setback of the ADU may be the same as that of the garage below. In this case, the historic standard would take precedence for existing structures - a 10 foot setback would not be required, it could be behind the front building line as specified in 25.060(B)(1)(a). In addition, an ADU above an existing garage that is not behind the front building line would not be permitted based on 25.060(B)(1)(b).</p>
<p>6. Height.</p>	
<p>a. If the ADU is one story it may be built to a maximum height of 15 feet. (Any ADU over 15 feet will be classified two story.)</p>	<p>25.070(C)(7)(b) One-story accessory structures shall not exceed a height of 15 feet. For the purposes of this chapter, any one-story accessory structure over 15 feet is considered a two-story structure.</p>

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b. The ADU cannot exceed the height of the primary dwelling. Therefore, a single-story house cannot have more than a single-story ADU.	Not specified.
c. If the ADU is proposed to be a two-story structure, as in the typical case of the ADU being above a garage, the maximum height shall be 23 feet as measured per Chapter 02 CDC.	25.070(C)(7)(c) Two-story accessory structures shall not exceed the maximum height of 23 feet as measured per CDC Chapter 41. (Height is no longer measured in Chapter 2.)
O. Sidewalks. Many of the original sidewalks had the contractor's name and date stamp or street names on them. In other areas there are even footprints of cattle as a reminder that Willamette was surrounded by farms in its early history (see photo below).	Not specifically addressed. Sidewalks with date stamps, names, etc. should be preserved, but accessibility and ADA related improvements take priority.
Every effort should be made to preserve sidewalk sections with such nomenclature or replace it with facsimile stamps.	Not addressed.
Most sidewalks in the residential district are four feet wide. Sidewalks are required on all right-of-way abutting lots where new houses are being built, or in the case of major remodels, where the work represents over 50 percent of the valuation of the home.	There are existing code amendments in progress (Project No. CDC-12-02 which provides clarity around the fee-in-lieu option. Generally, with new construction its recommended that sidewalks are constructed where there are existing sidewalks, but new sidewalks should not be constructed in isolation.
New sidewalks shall replicate, to the degree possible, existing sidewalk patterns, texture and coloration.	Not addressed.
25.080 ADDITIONAL ARCHITECTURAL SPECIFICS FOR NEW CONSTRUCTION AND REMODELING	25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES and 25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS
Many houses in Willamette are rich in architectural detail. Certain architectural components are used in fairly specific ways. Standards:	25.060(A) STANDARDS FOR ALTERATIONS AND ADDITIONS This section applies to historic reviews for alteration of and additions to designated historic resources:

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<p>A. Distinguishing original qualities defining a structure’s character shall not be destroyed. Removal or alteration of historic (i.e., original) materials or distinctive architectural features should be avoided when possible.</p>	<p>25.060(A)(2) Retention of Historic Material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original structure in terms of composition, design, color, texture, and other visual features.</p>
<p>B. Houses and other structures shall be recognized as products of their own time. Alterations that have no historical basis or which seek to create an earlier appearance shall be avoided.</p>	<p>25.060(A)(3) Time Period Consistency. Structures shall be recognizable as a physical record of its time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.</p>
<p>C. Distinctive stylistic features, or examples of skilled craftsmanship which characterize a structure, shall be maintained or restored, if possible.</p>	<p>25.060(A)(1) Retention of Original Construction. The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the structure, and architectural details defining the structure's character and historic significance.</p>
<p>D. Deteriorated architectural features shall be repaired rather than replaced, whenever possible.</p>	<p>See (2) above.</p>
<p>E. In the event replacement is necessary, new materials should match the material being replaced in composition, design, color, texture, and other visual qualities.</p>	<p>See (2) above.</p>
<p>F. Alterations to the rear of a house, or to other portions not visible from the public right-of-way (exclusive of alleys), need not adhere to the design standards contained herein.</p>	<p>NA</p>
<p>G. Contemporary designs for alterations and additions would be acceptable if the design respects the building’s original design, and it is compatible with the original scale, materials, window and door opening proportions of the structure.</p>	<p>NA</p>

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H. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure could be restored.	25.060(A)(6) Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.

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25.090 COMMERCIAL REMODELS AND NEW CONSTRUCTION	
A. Construction of new commercial businesses or remodeling of businesses in the Commercial district shall emphasize contextual design, style, material and period consistency. The Historic Review Board may consider applicable portions of CDC 25.080, Additional Architectural Specifics, and CDC 25.060, Criteria for Exterior Alteration and Construction.	Commercial changes must comply with Sections 25.060 and 25.070, as applicable. 25.070(C) refers non-residential structures in the Willamette Historic District to the standards in Chapter 58.
B. Setbacks should be consistent with adjacent uses or between zero and 10 feet.	Underlying or overlay zone applies.
C. Underlying zone provisions of the Commercial zone shall apply except for the off-street parking requirements, which are waived under Chapter 46 CDC.	For properties in the Willamette Falls Drive Commercial District (which includes all commercially zoned properties in the Willamette Historic District), parking requirements are waived.
25.100 MINOR ALTERATIONS AND MAINTENANCE	
The Planning Director shall determine the status of a proposed alteration. Minor alterations shall be reviewed and approved by the Planning Director, who may consult with the Historic Review Board, or any member thereof, in applying the provisions of this section. An alteration shall be considered “minor” when the result of the proposed action is to maintain or restore portions of the exterior to the original historic appearance while performing normal maintenance and repairs, such as:	Most items in this section are addressed by either 25.060(A) in an exemption or, if in excess of the exemption, would require historic design review as described in Chapter 99 and 25.050(B) and (C).
A. Replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match those that were typically used on similar style buildings.	Exempt: 25.050(A)(2) Replacement or addition of gutters and downspouts that are rectangular, ogee, or K-shaped and wood or metal material, or styles and materials that match those that were typically used on similar style buildings of the era, or the era the building style references.
B. Repairing, or providing a compatible new foundation that does not result in raising or lowering the building elevation.	Exempt: 25.050(A)(3) Repair of a foundation with the same material or construction of a foundation in the same location that does not result in raising or lowering the building elevation.
C. Replacement of building material, when required due to deterioration of material, with building material that matches the original material.	Exempt: 25.050(A)(4) Replacement of building material, when required due to deterioration of material, with building material that matches the original material.

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<p>D. Repair and/or replacement of roof materials with the same kind of roof materials existing, or with materials which are in character with those of the original roof.</p>	<p>Exempt: 25.050(A)(5) Repair or replacement of roof materials with materials comparable to the existing roof, or replacement of the roof in its entirety with cedar shingles, three tab asphalt shingles, or architectural composition shingles.</p>
<p>E. Application of storm windows made with wood, bronze, or flat finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building and match the number of panes of the underlying window.</p>	<p>Exempt: 25.050(A)(7) Storm windows made of painted wood, baked enamel, anodized aluminum, or other materials with forms that complement or match the color, detail, and proportions of the building.</p>
<p>F. Replacement of wood sashes with new wood sashes, or the addition of wood sashes, when such is consistent with the original historic appearance. Non-wood window materials are prohibited unless they were the original materials.</p>	<p>Exempt: 25.050(A)(6) Replacement of window sashes with new wood sashes, when consistent with the original historic appearance. Elements of consistency include: profile and proportions of the sash, sill, trim, light patterns, glass color, and profile of mullions and muntins.</p>

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<p>G. Additions of solar equipment which, when removed, do not destroy essential elements of the building's character-defined features, may be allowed if such equipment is not visible from the public right-of-way. New flush-mounted solar panels may be mounted with a southerly aspect, preferably out of sight or screened from the public right-of-way. Solar panels may be located in the rear of property following the standards for TV satellite dishes of CDC 34.020(A)(3).</p>	<p>Exempt: 25.050(A)(14) Replacement or installation of solar energy systems that are not part of a project that includes other elements subject to historic design review, provided the following requirements are met:</p> <ul style="list-style-type: none"> a. On a flat roof, the horizontal portion of a mansard roof, or roofs surrounded by a parapet that is at least 12 inches higher than the highest part of the roof surface: <ul style="list-style-type: none"> i. The solar energy system must be mounted flush or on racks with the system or rack extending no more than five feet above the top of the highest point of the roof. ii. The solar energy system must be screened from view from all streets by an existing parapet along the street-facing façade that is as tall as the tallest part of the solar energy system, or by setting the solar energy system back from the roof edges facing the street(s) four feet for each foot of solar energy system height. b. On a pitched roof, solar energy systems may be located on a section of pitched roof facing a rear lot line or on a section of pitched roof facing within 45 degrees of the rear lot line. (See the example on the right side of Figure ____). The system must be mounted flush, with the plane of the system parallel with the roof surface, with the system no more than 12 inches from the surface of the roof at any point, and set back three feet from the roof edge and ridgeline.
<p>H. Accessory structures under 120 square feet and 10 feet in height (greenhouses, storage sheds, jacuzzis, spas, structures, gazebos, etc.) are exempt where they are located in the side or rear yard.</p>	<p>Removed, but 25.050(B)(2)(a) added: Alteration of a facade when 100 square feet or less of the structure's facade is being altered.</p>
<p>I. In-ground swimming pools are exempt in the side or rear yard.</p>	<p>Class I Historic Design Review per 25.050(B)(1)(k)</p>
<p>J. Above-grade pools must be in the side or rear yard with adequate screening.</p>	<p>NA</p>

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<p>K. Fences in the front yard should be time period consistent.</p>	<p>Exempt: 10. Construction of fences that meet the following requirements in addition to the requirements of CDC Chapter 44:</p> <p>a. Traditional Fences. Any fence along a front lot line or along the portion of a side lot line between the street and the primary structure which:</p> <p>i. Consists of pickets, each between one and three inches in dimension and spaced equally;</p> <p>ii. Does not have solid portions exceeding 50 percent; and</p> <p>iii. Is no greater than 36" in height.</p> <p>b. General Fences. Any fence that is not located along a front lot line or along the portion of a side lot line between the street and the primary structure that is:</p> <p>i. Constructed of wood fence boards, rails and posts only; and</p> <p>ii. No greater than 72" in height.</p>
<p>L. Other improvements may be determined by the Planning Director to be exempt so long as their impact is no greater than improvements exempted by other subsections of this section.</p>	<p>NA</p>
<p>25.110 PARTITIONS AND SUBDIVISIONS</p>	
<p>The decision-making body for minor partitions and subdivisions shall be per Chapter 99 CDC (not the Historic Review Board). However, before that decision, the Historic Review Board shall review and make recommendations on all proposed partitions or subdivisions of sites within the district or at landmark sites. The Historic Review Board review of the proposed subdivision or partition shall be based on the following criteria:</p>	<p>See 99.060(D)(2)(d) Make recommendations to the approval authority specified in this section regarding the following...A partition or subdivision of property containing a historic resource;</p>
<p>A. The partition or subdivision does not allow a significant feature of the original site, as identified in the designation action and inventory, to be located on a separate site from the landmark.</p>	<p>25.070(C)(6) New Lot Configuration. In addition to other requirements of the CDC, all new lots in the historic district shall be perpendicular to the street and extend directly from the lot line along the street to the opposite lot line. The primary structures and any other contributing structures on the original property shall not be located on separate lots.</p>

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B. The partition or subdivision allows adequate setbacks from landmark improvements to provide for buffering and mitigation of impacts associated with development of the new parcels.	Not specifically addressed, but any partition and subdivision would be reviewed by the HRB and any new construction would be subject to the design standards in 25.060 and 25.070.
C. Lots.	
1. The new lots shall be oriented so that they front onto the adjacent avenue rather than onto the adjacent street. Only where the lot has no frontage on an avenue would access to the street and lot orientation to the street be allowed.	25.070(C)(5) Orientation. New home construction on corner lots shall be oriented the same direction as the majority of homes on the street.
2. All new lots shall be rectangular or approximate the shape of traditional lots elsewhere in the district.	Not specifically stated.
3. Flag lots are discouraged in the Willamette Historic District.	Not specifically stated.
4. Lot line adjustments shall maintain side lot lines at right angles to front property lines.	See (C)(6) above.
25.120 BUILDING CODE REQUIREMENTS	
A. Permits required. Any alteration or relocation of an historic landmark shall be subject to the applicable regulations under the Uniform Building Code or superseding codes of the Building Department.	Section 25.110 addressed relocation/moving of a structure.
B. Waivers. As provided in Section 104(f) of the Uniform Building Code, repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of an Historic District structure or landmark structure may be made without conformance to all the requirements of the Uniform Building Code when authorized by the Building Official, provided:	Section 25.120 provides for the Building Official to require the removal or demolition of a structure. Section 3409 of the Oregon Structural Specialty Code provides for repairs, alterations, and additions to be made without conformance to the Code when authorized by the Building Official and provided certain requirements are met, which closely parallel those listed in 25.120(B)(1-3) and (C).
1. Any unsafe conditions as described in the Uniform Building Code are corrected;	
2. The restored building or structure will be no more hazardous, based on life safety, fire safety, and sanitation, than the existing building; and	
3. The Building Official seeks the advice of the Oregon State Historic Preservation Officer, or designee.	

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<p>C. Appeals. In the case of appeals related to the application of the Uniform Building Code to an Historic District or landmark structure, the appropriate appeals board should seek the advice of the State Historic Preservation Officer.</p>	
<p>25.130 DEMOLITION</p>	<p>Section 25.120 DEMOLITION OF A HISTORIC RESOURCE</p>
<p>Purpose: The intent of this section is to protect structures within the Historic District from destructive acts, and to provide the citizens of the City time to review the significance of a structure, and to pursue options to preserve such building(s), if historic preservation is deemed in the best interest of the community. Refer to CDC 26.080 for provisions relating to demolition.</p>	<p>See Chapter 26 comparison.</p>
<p>25.140 APPLICATION AND SUBMITTAL REQUIREMENTS</p>	<p>Section 25.080 APPLICATION REQUIREMENTS</p>
<p>Standard requirements: All applications for alteration, relocation, development, or demolition made pursuant to this section shall include:</p>	<p>In addition to other applicable submittal requirements, an application for Historic Design Review shall include the following:</p>
<p>A. Notes from the pre-application conference if required by CDC 99.030(B).</p>	<p>These are maintained by the City and can be attached by Staff.</p>
<p>B. The application is made with appropriate fees being paid. The applicant shall submit a written narrative explaining the proposal and how it meets the approval criteria. In cases involving construction, the applicant shall provide scaled site plans, elevations of the structure, and construction plans. A list of materials and proposed colors is required. Material boards/color samples may be needed. Photography may be used in certain cases. The exact requirements shall be explained by staff.</p>	<p>25.080(A - F) A. Written narrative explaining the proposal and how it meets the approval criteria; B. Plan and elevation drawings of the existing structure, if applicable, including materials; C. Plan and elevation drawings of the proposed changes, including materials; D. Photos of the existing structure, if applicable; E. Historic photos and/or drawings of the existing structure, if available; and F. For additions that increase the gross square footage of the structures on the site by more than 50 percent, and/or new construction in a historic district: (1) Plan and elevation drawings of adjacent properties; and (2) A rendering and/or photo-simulation showing the proposal in context.</p>
<p>C. The hearing, public notice, appeal, and enforcement provisions of Chapter 99 CDC shall apply.</p>	<p>Addressed in CDC 99.060(D)</p>

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25.150 DESIGN MODIFICATION PROCEDURES	Section 25.040 MODIFICATIONS TO CODE REQUIREMENTS
<p>A. When an alternative(s) to the standards of this chapter is proposed, the decision making body (e.g., Historic Review Board) may grant a design modification in those cases where at least one of the following criteria is met:</p>	<p>This section provides for deviation from site development standards in this CDC to enable flexibility and innovation consistent with the Purposes of this chapter while ensuring that the features that historic designations are intended to preserve are maintained. The provisions of CDC Chapter 75, Variance, shall not apply.</p> <p>When an applicant proposes an alternative to the standards of this chapter, or standards elsewhere in the CDC, the approval authority shall grant a modification when:</p>
<p>1. The applicant can demonstrate by review of historical records or photographs that the alternative is correct and appropriate to the architecture in the Willamette Historic District of West Linn in 1890 – 1930 or is appropriate to the specific style of architecture proposed with no negative impacts to adjacent homes and the Historic District. Negative impacts shall be defined as loss of sunlight, loss of privacy compared to a design per this code, inappropriate scale or mass which visually overwhelms or is not deferential to the adjacent structure, particularly if it is a primary structure, etc.</p>	<p>3. The proposal incorporates exceptional and appropriate architectural elements into the building; or 4. The applicant demonstrates by review of historical records or photographs that the proposed alternative is consistent with and appropriate to the architecture in the Historic District, or is appropriate to the applicable style of architecture.</p>
<p>2. The applicant is incorporating exceptional 1890 – 1930 architecture into the building which overcompensates for an omission. The emphasis is upon superior design, detail, or workmanship which can be verified reviewing previous works of the architect or builder. There shall be no negative impacts to adjacent homes and the Historic District.</p>	<p>2. Negative impacts to adjacent homes and/or a historic district will be minimized. These include, but are not limited to, loss of solar access, light, or air to an adjacent structure, and scale or mass that visually overwhelm or are not deferential to an adjacent landmark or contributing structure;</p>
<p>3. The building placement, scale, lot coverage, setback or height fits the site and integrates well, with no negative impacts to adjacent structures and the Historic District.</p>	<p>1. The resulting development of the proposal would be consistent with the purpose of the standards for which the modification is requested; and</p>
<p>B. The provisions of Chapter 75 CDC, Variance, shall not apply.</p>	<p>See above.</p>

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Secretary of the Interior's Standards for Rehabilitation

Proposed Chapter 25

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Not specifically included. 25.060(A)(1) and (2) address retaining original construction and materials.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

25.060(A)(2) Retention of Historic Material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original structure in terms of composition, design, color, texture, and other visual features.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

25.060(A)(3) Time Period Consistency. Structures shall be recognizable as a physical record of its time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

25.060(A)(4) Significance over Time. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

25.060(A)(1) 1. Retention of Original Construction. The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the structure, and architectural details defining the structure's character and historic significance.

Existing Chapter 25 and Proposed Chapter 25 Comparison

<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.</p>	<p>See 25.060(A)(2) above.</p>
<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>	<p>Not included, often applies to projects with brick, which is typically not an issue in the City.</p>
<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>	<p>25.070(B)(4) Archeological Resources Shall Be Preserved in Place or Mitigated, When new construction must disturb archaeological resources, mitigation measures shall be carried out consistent with applicable state and federal laws. As appropriate, information yielded from archaeological mitigation will be interpreted in the new building and mitigation may be accessible to the general public.</p>
<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p>	<p>25.050(A)(10) Building Additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including the proportions of window and door openings, shall be compatible with those of the existing building.</p>
<p>10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p>	<p>25.060(A)(5) Differentiate Old from New. Alterations and additions shall be differentiated from the original structures and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property.</p>
