

TO: HISTORIC LANDMARKS COMMISSION

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

FROM: Kimberli Fitzgerald, AICP, Historic Preservation Officer

SUBJECT: Initiation of Historic Code Amendments

ISSUE:

Initiation of Resolution No. 2024-01 to initiate the adoption process for historic code amendments.

RECOMMENDATION:

Staff recommends that the HLC adopt Resolution No. 2024-01 to initiate the adoption process for historic code amendments and return to the HLC with proposed amendments to SRC 230.

SUMMARY AND BACKGROUND:

In 2023, the HLC identified the need to establish clearer criteria for security gates and fencing within Salem's Downtown Historic District and has subsequently developed updated design standards which have been presented to key stakeholders within Salem's Downtown Historic District. Additionally, staff has identified the need to update commercial design standards amending SRC 230.040 and SRC 230.045 in order to better align this chapter's design standards with applicable design criteria within SRC 524 (Central Business District). Additional code amendments are necessary to establish a new Class 2 Administrative Historic Design Review process together with a concurrent Adjustment process per SRC 250 in order to comply with newly adopted Oregon State land use requirements (established under SB 1537) for any new construction that results in the creation of new housing units within Residential, Commercial and Public Historic Districts (applying existing design standards in SRC 230.035, 230.050 and 230.064).

FACTS AND FINDINGS:

1. Historic Preservation Plan Goal.

Streamline Historic Code: Criteria, Process and Enforcement is identified as Goal 2 in the 2020-2030 Historic Preservation Plan. Action item #6 *Improve and clarify code and education about design review process and criteria* is identified as *Strategy Two* in the HLC's 2023 Work Plan. This action directs the HLC and historic preservation staff to work on improving and clarifying the historic code (SRC 230) as well as to develop educational materials to teach historic property owners and tenants about the historic design review process.

2. **Initiation:** A legislative land use proceeding may be initiated by the Historic Landmarks Commission by resolution pursuant to SRC 300.1110(a)(2).
3. **Notice and Public Hearing.** The Historic Landmarks Commission is required to provide appropriate public notice, consider the matter at a public hearing and make a recommendation to the City Council pursuant to SRC 300.1110; additionally, a 35-day notification to the Department of Land Conservation and Development is required under SRC 300.1110(d). Additional code amendments to the UDC are being developed by the Planning Commission, therefore a joint Code Amendment will be considered at a joint public hearing between the Planning Commission and the Historic Landmarks Commission later this year.

Attachment: A) Resolution No. 2024-01

HLC RESOLUTION NO. 2024-01

A RESOLUTION INITIATING PROPOSED AMENDMENTS TO THE SALEM REVISED CODE TO IMPROVE AND STREAMLINE HISTORIC DESIGN REVIEW PROCESSES AND UPDATE AND CLARIFY HISTORIC DESIGN REVIEW STANDARDS

Whereas, a Council priority is ***Welcoming and Livable Neighborhoods*** which includes ensuring that Salem residents have access to historic and cultural opportunities by supporting Salem's historically and culturally significant buildings and sites; and

Whereas, the Salem City Council adopted the updated 2020-2030 Salem Historic Preservation Plan (Plan) as components and support documents to the Salem Area Comprehensive Plan in 2020; and

Whereas, the Plan's adopted Goal 2 is: ***Streamline Historic Code***; and

Whereas, the HLC has developed updated commercial design standards amending SRC 230.040 and SRC 230.045 in order to better align this chapter's design standards with applicable design criteria within SRC 524 (Central Business District), and to establish criteria for security gates within Salem's Downtown Historic District; and

Whereas, stakeholders including residents, business and property owners and community groups (CANDO, Salem Main Street and Salem's Downtown Advisory Board) have been given an opportunity to review the proposed criteria; and

Whereas, a new Class 2 Administrative Historic Design Review process together with a concurrent Adjustment process per SRC 250 is required in order to comply with newly adopted Oregon State land use requirements (established under SB 1537) for any new construction that results in the creation of new housing units within Residential, Commercial and Public Historic Districts (applying existing design standards in SRC 230.035, 230.050 and 230.064); and

Whereas, the City of Salem is a Certified Local Government and has a historic preservation program that includes a preservation ordinance and a local Historic Landmarks Commission (HLC) that meets regularly and maintains a register of locally designated historic resources; and

Whereas, a legislative land use proceeding may be initiated by the Historic Landmarks Commission by resolution pursuant to SRC 300.1110(a)(2); and

Whereas, the Historic Landmarks Commission is required to provide appropriate public notice, consider the matter at a public hearing and make a recommendation to the City Council pursuant to SRC 300.1110; and

Whereas, a 35-day notification to the Department of Land Conservation and Development is required under SRC 300.1110(d).

NOW THEREFORE, BE IT RESOLVED THAT THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM, OREGON RESOLVES AS FOLLOWS:

Section 1. The Historic Landmarks Commission hereby adopts Resolution 24-01 initiating the proposed amendments to the Salem Revised Code to improve and streamline historic design review processes and update and clarify historic design review standards and referring the matter to a public hearing before the Historic Landmarks Commission on a future date to be determined by the Planning Administrator.

Section 2. This resolution is effective upon adoption.

ADOPTED by the Historic Landmarks Commission this 21st day of March, 2024.

Kimberli Fitzgerald
Historic Preservation Program Manager