

Chapter 16.70
HOW LAND MAY BE USED AND DEVELOPED
Historic Overlay District (HO)

16.70.00 **Purpose**

The purpose of the Historic Overlay District is to promote the public health, safety and general welfare by providing for the protection, enhancement, perpetuation and use of designated historic sites and structures in order to:

- A. Safeguard the City's heritage as embodied and reflected in historic resources;
- B. Encourage public knowledge, understanding and appreciation of the City's history and culture;
- C. Foster community pride and sense of identity based on recognition and use of historic resources;
- D. Promote the enjoyment and use of historic resources appropriate for the education and recreation of the people of the City;
- E. Preserve architectural styles reflecting the City's history;
- F. Identify and resolve conflicts between the preservation of historic resources and incompatible improvements and uses; and
- G. Carry out the provisions of Land Conservation and Development Commission Goal 5.

16.70.005 **Definitions**

For the purposes of this Section, the following definitions apply:

- A. **Alteration**: The addition to, removal of or from, or physical modification of any exterior part or portion of a landmark, identified building or object in a Historic District.
- B. **Architectural Significance**: The building or district (1) portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; (2) embodies those distinguishing characteristics of an architectural type/specimen; (3) is the work of an architect or master builder whose individual work has influenced the development of the City; (4) contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.

- C. **Certificate of Appropriateness**: Written authorization granted by the City for exterior alteration of a designated Landmark or designated building in a Historic District.
- D. **Demolish**: To raze, destroy, dismantle, deface, or in any other manner cause partial or total ruin of a designated Landmark or designated building in a Historic District.
- E. **Exterior**: Any portion of the outside of a historic resource.
- F. **Historic Resource(s)**: An individual building site, object or structure of architectural, historic, cultural or archaeological significance as designated in the North Plains Comprehensive Plan.
- G. **Historic Significance**: The building or district (1) has character, interest or value, as part of the development, heritage or cultural characteristics of the City, State or Nation; (2) is the site of a historic event with an effect upon society; (3) is identified with a person or group of persons who had some influence on society; or (4) exemplifies the cultural, political, economic, social or historic heritage of the community and (5) is recognized in the North Plains Comprehensive Plan.

16.70.010 General Provisions

A. Area of Application

Sites and structures which are designated in the City of North Plains Comprehensive Plan as historically significant shall be subject to Chapter 16.70. Only the specific sites identified in the Comprehensive Plan are subject to the provisions of this Section; other existing structures and uses on the same tax lot are not subject to this section unless specifically designated as historically significant resources. If a resource is relocated, the Overlay District shall apply to the new location and be removed from the old location at the initiation of the City. All sites and structures designated as historically significant shall be identified on the North Plains Zoning Map as being within the Historic Resource Overlay District.

B. Uses Allowed

Uses allowed within the Historic and Overlay District shall be the same as those allowed in the primary district if consistent with all provisions of this section.

C. Ordinary Maintenance and Repair

Nothing in this Section shall be construed to prevent the ordinary maintenance or repair in or on any resource designated by this Section that does not involve a change in design, material or external appearance thereof.

D. Compliance

No structure or site shall hereafter be altered or demolished without full compliance with the terms of this ordinance and other applicable regulations.

16.70.015 Exterior Alterations

Except as provided within this Section, no person may alter any designated historic resource in such a manner as to affect the exterior appearance unless a Certificate of Appropriateness has been issued by the City.

A. Application for a Certificate of Appropriateness

The application shall be submitted to the City along with the required filing fee. The Application shall include a detailed description of the request and compliance with the review criteria in Chapter 16.70.010 (D).

B. Coordination with County Museum

Prior to action on any Historic Resource issue, the City shall notify the Washington County Museum and, in concert with the museum staff, may conduct a study of the proposed action, prepare documentation as may be appropriate and make a recommendation in the form of a staff report to the Planning Commission as to the appropriateness of the proposed action.

C. City Review

The City shall review the application pursuant to Chapter 16.170. Notice of the application shall be given pursuant to Chapter 16.170 (A). and shall also be posted in three locations in the city seven days before action by the City. The City shall approve, approve with conditions or disapprove issuance of the Certificate of Appropriateness for exterior alterations. The decision of the City shall include findings of fact. Decisions of the City may be appealed to the Planning Commission according to Chapter 16.170 and notice of the Planning Commission hearing shall be given in accordance with the Application Review section of this chapter and shall be posted in three locations in the city seven days before action by the Planning Commission.

D. Review Criteria

The City shall consider the following criteria in reviewing proposed exterior alterations to historic resources.

1. **Retention of original construction**: All original exterior materials and details shall be preserved to the maximum extent feasible.
2. **Height**: Additional stories may be added to historic buildings provided:
 - a. The added height complies with requirements of the Building and Development Codes;
 - b. The added height does not exceed that which was traditional for the style of the building;
 - c. The added height is visually compatible with adjacent historic buildings.
3. **Bulk**: Horizontal additions may be added to historic buildings provided:
 - a. The bulk of the addition does not exceed that which was traditional for the building style;
 - b. The addition maintains the traditional scale and proportion of the building style, particularly as viewed from the sides of the building which front on public rights-of-way;
 - c. The addition is visually compatible with adjacent historic buildings.
4. **Visual integrity of structure**: The lines of columns, piers, spandrels, or other primary structural elements shall be maintained so far as is practicable.
5. **Scale and proportion**: The scale and proportion of altered or added building elements and the relationship of windows to walls shall be visually compatible with the traditional architectural character of the historic building.
6. **Material, color and texture**: The materials, colors and textures used in the alteration or addition shall be visually compatible with the traditional architectural character of the historic building and matches existing materials, colors and textures to the maximum extent feasible. Original masonry and mortar, without the application of any surface treatment, shall be retained whenever possible.
7. **Signs, Lighting**: Signs, lighting and other appurtenances, such as walls, fences, and awnings shall be visually compatible with the traditional architectural character of the historic building. Trees larger than 18" in diameter at breast height shall be retained whenever possible.
8. **Preservation, Cleaning and Repair**: Preservation, cleaning, repair, and other treatment of original materials shall be in accord with the Secretary of

Interiors Standards of Rehabilitation and Guidelines for Rehabilitation of Historic Buildings.

16.70.020 Demolition

A. Application for Demolition Permit

If an application for a permit to demolish a designated Landmark or any building within a designated Historic District is received, the Building Official shall, within seven (7) days, transmit to the City and Planning Commission a copy of said transaction, unless the Building Official has found that the building does not comply with the Uniform Code for Abatement of Dangerous Buildings and has ordered the removal or demolition of such building on the basis of a danger to life, health or property.

B. Planning Commission Review

Applications for demolition of historic resources shall be subject to the public notice requirements and the public hearing requirements of Application Review section of this chapter. Prior to the issuance of a permit for the demolition of any designated landmark, the Planning Commission shall review the request to determine to their satisfaction that the applicant has met the following conditions:

1. The applicant has advertised such building for sale or removal from the site, with such advertisement to run two consecutive weeks (no less than seven days apart) in a newspaper of general circulation in the North Plains area.
2. The applicant has not rejected the highest bona fide offer for sale and removal of the building.

C. Approval of Request and Appeal Period

The Planning Commission may approve or deny the demolition request. If the request is granted and no appeal is filed within the time frames set forth in the Application Review section of this chapter, the Building Official shall issue the permit after determining that the permit is in compliance with all other codes and ordinances of the City.

D. Denial of Request and Temporary Stay of Demolition

Should the Commission reject the application to demolish, issuance of the permit shall be suspended for a period of up to 90 days so that alternative disposition of the property may be considered. During such period of suspension, no permit shall be issued for such demolition nor shall any person demolish the building or structure. If all programs or projects to save the building from demolition are demonstrated to the Planning Commission to be unsuccessful and the applicant

has not withdrawn the application for demolition, the Planning Commission shall authorize the Building Inspector to issue such permit if the application otherwise complies with the codes and ordinances of the City.