



CITY OF OREGON CITY

HISTORIC REVIEW BOARD-REVISED

AGENDA

Virtual Meeting
Tuesday, July 26, 2022 at 7:00 PM

This meeting will be held online via Zoom; please contact planning@orccity.org for the meeting link.

CALL TO ORDER

PUBLIC COMMENT

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. To assist in tracking your time, refer to the timer at the dais. Prior to speaking, citizens shall complete a comment form and deliver it to the Staff Member. When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone. The Historic Review Board Officers do not generally engage in dialog with those making comments but may refer the issue to the City Manager.

PUBLIC HEARING

1. GLUA-22-00006: General Land Use Application; HR 22-00002: Historic Review for New Construction; and HR-22-00007 Historic Review for Demolition

OTHER BUSINESS

2. Preservation Grant for Facia and Gutter Repair at the Joseph and Venna Locke House (810 JQ Adams)
3. Middle Housing Design Guidelines Work Session

COMMUNICATIONS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: Historic Review Board
From: Senior Planner Christina Robertson-Gardiner

Agenda Date: 7/26/2022

SUBJECT:

GLUA-22-00006: General Land Use Application; HR 22-00002: Historic Review for New Construction; and HR-22-00007 Historic Review for Demolition

STAFF RECOMMENDATION:

Staff recommends approval with conditions

EXECUTIVE SUMMARY:

Historic Review for demolition of an existing detached garage and construction of a new detached garage (approx. 216 square feet) on a designated site within the McLoughlin Conservation District. A preservation incentive to maintain the existing zero-foot setback of the existing garage is also proposed.

The existing 1920s-1940s era one car garage with a mix of horizontal siding and some shake siding on the front is located at the rear of the lot on the property line with the neighbor (513 Madison) J. and Elizabeth Albright Rental (Mary Weise House). The Albright, John F. and Elizabeth, House (812 6th Street) abuts the property to the northwest. The garage is on the verge of collapse and the applicant has determined that repair is not a viable option.

BACKGROUND:

See Staff Report and Recommendation document in the agenda item attachments.

OPTIONS:

1. Approve the proposal with recommended conditions
2. Approve the proposal with revised conditions

3. Deny the proposal, close the record and continue to August 23, 2022 to adopt final findings.
4. Continue the hearing to August 23, 2022 and provide direction to the applicant on additional information needed. Record stays open.



Historic Review
Staff Report and Recommendation
July 18, 2022

FILE NO.: GLUA-22-00006: General Land Use Application; HR 22-00002: Historic Review for New Construction; and HR-22-00007 Historic Review for Demolition

HEARING DATE: June 26, 2022
7:00 P.M.
Virtual – Zoom meeting

APPLICANT/OWNER: Tracy Rock
814 6th Street
Oregon City, OR 97045

LOCATION: 814 6th Street
Oregon City, OR 97045

REQUEST: Historic Review for demolition of an existing detached garage and construction of a new detached garage on a designated site within the McLoughlin Conservation District. A preservation incentive to maintain existing zero-foot setback is also proposed.

RECOMMENDATION: Approval with Conditions.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, of the Oregon City Municipal Code. The City Code Book is available on-line at www.orcity.org.

This application is subject to the Administration and Procedures section of the Oregon City Code set forth in Chapter 17.50. The application and all supporting documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 698 Warner Parrott Road, during regular business days (9 am- 4pm). Copies of these materials may be obtained for a reasonable cost. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. Copies of these materials may be obtained for a reasonable cost in advance. Any interested party may testify at the public hearing and/or submit written testimony at or prior to the close of the record by the Historic Review Board. Notice of the Historic Review Board's decision shall be sent to the applicant and to those persons submitting comments and providing a return address. Any party who participated in the Historic Review Board proceedings may appeal the Historic Review Board's decision by filing a notice of appeal as required by OCMC 17.50.190. Any issue that is intended to provide a basis for appeal must be raised before the close of the Historic Review Board's proceeding, in person or by letter, with sufficient specificity to afford the City Commission and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any review of that issue. Parties with standing may appeal the decision of the City Commission to the Land Use Board of Appeals. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763.

Recommended Conditions of Approval

Staff has provided the following conditions for the Board's consideration, depending on the Board's findings:

1. The applicant shall utilize horizontal board siding with 4 to 6" reveal, either smooth fiber cement or wood material.
2. The garage door shall be installed to resemble a carriage door, with the following details: simulated hinges, dual handles, and vertical or cross panels with or without windows.
3. Slider windows are not permitted; instead, windows shall be casement, awning, single or double hung, or fixed.
4. Any window material that meets HRB policies is acceptable. The applicant shall provide a sample for Board approval through a separate application if windows that do not meet the HRB policy are proposed.
5. No windows shall have simulated grids between glass panes. Exterior extruded grides are allowed.
6. The Historic Preservation Incentive is approved to allow the reconstruction of the garage in its original location. Per Building Code, eaves may not extend to the neighboring property. The applicant shall work with the Building Department to ensure that the project is in compliance with all applicable building codes.
7. The applicant shall apply for all applicable demolition and building permits. Contact permits@orccity.org for additional information.

I. BACKGROUND:

Existing Conditions:

The subject property is developed with a single-family house in the R3.5 zone. The property is an 4,095 square foot lot. The 1890s Gothic Revival house is a designated structure within the McLoughlin Conservation District Jacob And Mary Madir House. The existing 1920s-1940s era one-car garage with a mix of horizontal siding and some shake siding on the front is located at the rear of the lot on the property line with the neighbor (513 Madison) J. and Elizabeth Albright Rental (Mary Weise House). The Albright, John F. and Elizabeth, House (812 6th Steet) abuts the property to the northwest. The garage is on the verge of collapse, and the applicant has determined that repair is not a viable option.



Vicinity map



Street view of property



Street view of property

Side view from rear of property - Neighbor's property @ 513 Madison (Mary Weise House) - garage is on property line. Currently being supported by 1 x 4 posts to not collapse on their house.



View from front and inside of garage. Roof is mostly collapsed in - it is unsafe to access. Garage is tilting to backside of property and being supported so that it doesn't fall on the neighbor's house.



814 6TH STREET - JACOB AND MARY MADIR HOUSE



features a flat roof, drop siding, and fixed wood sashes.

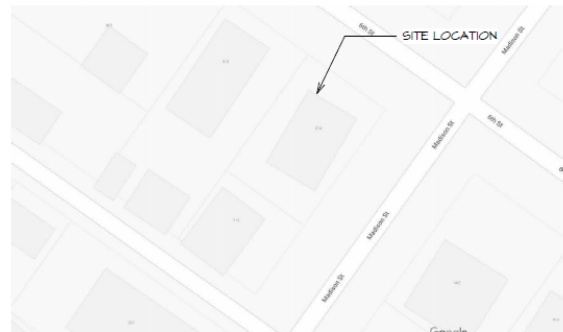
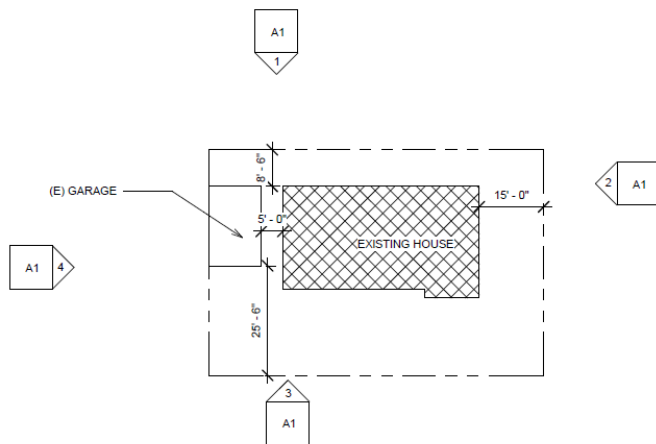
This 1-1/2 story house sits under a steeply pitched cross gable roof, and is square in plan. The gables feature shallow boxed eaves and decorative barge moldings. The main entry is covered by a small gable supported by a pair of square posts. This gable is most likely an addition to the house, which is clad with wide wood shingles, and features a brick chimney on the west wall with a corbelled cap. The windows are all 1/1 double-hung wood sash with lamb's tongues on the upper sashes and narrow trim moldings. This trim was likely installed with the new siding. A small garage associated with this house

Statement of Significance: Portions of Lots 1 and 2 were sold by Joseph and Mary Techer in 1875 to Theodore Himmler who sold them to Mary Madir fifteen years later. Joseph and Mary Madir originally owned the house, located on the northeast corner of 6th and Monroe. The property changed hands several times over the next twenty years and was purchased by Josie Irish in 1921 and sold by H. H. Hughes to Leona J. Mooty on July 3, 1940. According to the City Directory, no Irish or Hughes lived at this house in the early 1930s, but was instead occupied by Lee Hall who also owned the house at 812 6th St.

Project Description: Historic Review for demolition of an existing detached garage and construction of a new detached garage (approx. 216 square feet) on a designated site within the McLoughlin Conservation District. A preservation incentive to maintain the existing zero-foot setback of the existing garage is also proposed.

Materials

- Siding – Hardie Plank lap siding – smooth cement.
- Body painted Miller Historic-Wainscot Green and trim Jewett White.
- Roof is TruDefinitions shingles color Brownwood.
- Roof and paint match the house.
- Garage door is Wayne Dalton 8ft x 7ft Classic Steel Model 9100 – color Taupe – painted Miller Hickory Nut to match the back door of house and foundation colors.



REPAIR EXISTING GARAGE
WILL REMAIN SAME SIZE FOOT PRINT
ADDING 1HR RATED WALL ON
PROPERTY LINE
Taxlot: 22E31AD12300
Parcel Number: 00575452

① Site
1" = 20'-0"



TRACY ROCK

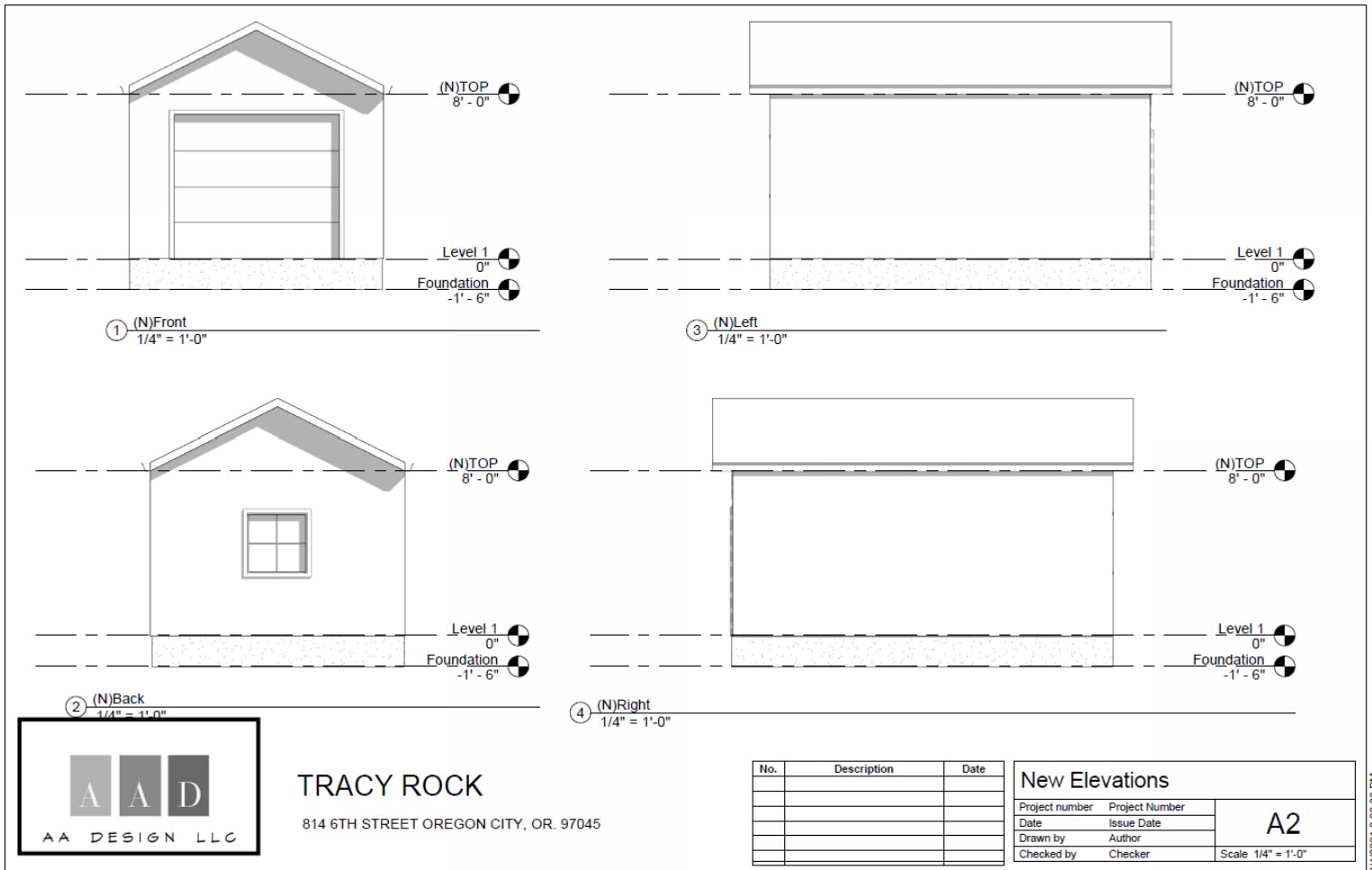
814 6TH STREET OREGON CITY, OR. 97045

No.	Description	Date

Site		
Project number	Project Number	A9
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
		Scale 1" = 20'-0"

1/4/2021 2:26:58 PM

Site Plan



8/4/2021 2:26:36 PM

Elevation Drawings.

Notice and Public Comment:

A public notice was sent to neighbors with 300 feet of the subject property, posted online, emailed to various entities, and posted on site. No public comments were received at the time of the publication of this staff report.

II. APPLICABLE STANDARDS AND FINDINGS

17.40.070 - Demolition and moving.

A. If an application is made for a building or moving permit to demolish or move all or part of a structure which is a landmark or which is located in a conservation district or an historic district, the building inspector shall, within seven days, transmit to the historic review board a copy of the transaction.

B. The historic review board shall hold a public hearing within forty-five days of application pursuant to the procedures in Chapter 17.50. C. In determining the appropriateness of the demolition or moving as proposed in an application for a building or moving permit, the board shall consider the following:

1. All plans, drawings and photographs as may be submitted by the applicant;

Finding: Complies as Proposed. The applicant submitted a site plan along with a photo of garage

2. Information presented to a public hearing held concerning the proposed work;

GLUA-22-00006 816 6th Street

Finding: The Board will consider all information presented at the public hearing.

3. *The city comprehensive plan;*

Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River. Canemah was listed as a Historic District in the National Register of Historic Places in 1977.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Complies as Proposed.

Staff finds that the demolition of the garage does not have a negative impact on the McLoughlin Conservation. The condition of the building, the utilitarian nature of the structure long with its ubiquity o the district, does not create a compelling case that retention of the structure is needed to retain the significance of the district.

4. *The purpose of this section as set forth in Section 17.40.010;*

The purpose of the district is

- A. *Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;*
- B. *Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;*
- C. *Complement any National Register Historic districts designated in the city;*
- D. *Stabilize and improve property values in such districts;*
- E. *Foster civic pride in the beauty and noble accomplishments of the past;*
- F. *Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;*
- G. *Strengthen the economy of the city;*
- H. *Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and*
- I. *Carry out the provisions of LCDC Goal 5.*

Finding: Complies as Proposed. The construction date of the garage is unknown most likely 1920s-1940s, . Staff finds that the condition of the building, the utilitarian nature of the structure long with its ubiquity o the district, does not create a compelling case that retention of the structure is needed to retain the significance of the district.

6. *The historical and architectural style, the general design, arrangement, materials of the structure in question or its fixtures; the relationship of such features to similar features of the other buildings within the district and the position of the building or structure in relation to public rights-of way and to other buildings and structures in the area;*

Finding: Complies as Proposed. The construction date of the garage is unknown most likely 1920s-1940s, . Staff finds that the condition of the building, the utilitarian nature of the structure long with its ubiquity in the district, does not create a compelling case that retention of the structure is needed to retain the significance of the district.

7. *The effects of the proposed work upon the protection, enhancement, perpetuation and use of the district, which cause it to possess a special character or special historic or aesthetic interest or value;*

Finding: Complies as Proposed. The construction date of the garage is unknown most likely 1920s-1940s, . Staff finds that the condition of the building, the utilitarian nature of the structure long with its ubiquity in the district, does not create a compelling case that retention of the structure is needed to retain the significance of the district.

8. Whether denial of the permit will involve substantial hardship to the applicant, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this section;

Finding: Complies as Proposed.

Then the applicant indicated that the structure creates a potentially hazardous condition with the neighboring property, and support posts are needed to prevent the building from falling in the neighboring historic resource.

9. The economic, social, environmental and energy consequences.

Finding: Complies as Proposed. Allowing the demolition of the garage will allow the applicant to remove the potential hazard and provide a new usable garage onsite, improving the use of the site and creating a new asset on the property.

D. The failure of the applicant to provide the information required by Subsection C.1.—9. shall be grounds for deeming the application incomplete.

Finding: Complies as Proposed. The applicant submitted the required materials.

E. The board may approve or deny the demolition or moving request after considering the criteria contained in Section 17.40.070C. Action by the board approving or denying the issuance of a permit for demolition or moving may be appealed to the city commission by any aggrieved party, by filing a notice of appeal, in the same manner as provided in Section 17.50 for appeals. If no appeal of a demolition permit is filed, the building official shall issue the permit in compliance with all other codes and ordinances of the city.

Finding: Complies as Proposed. The process will be followed as described.

F. In any case where the city commission has ordered the removal or demolition of any structure determined to be dangerous to life, health or property, nothing contained in this title shall be construed as making it unlawful for any person, without prior approval of the historic review board, pursuant to this title, to comply with such order.

Finding: Not applicable. The City Commission has not ordered the demolition of this structure.

17.40.065 - Historic Preservation Incentives.

A. Purpose. Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.

B. Eligibility for Historic Preservation Incentives. All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).

C. Incentives Allowed. The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.

D. Process. The applicant must request the incentive at the time of application to the Historic Review Board.

Finding: Complies as Proposed.

The applicant requests a preservation incentive for the rear setback for the garage/ADU structure. The following code section requires a 3-foot setback for this structure:

17.54.010 Accessory Buildings and Uses

2. Accessory Structures with a Footprint from Two Hundred to Six Hundred Square Feet:

- a. Shall be located behind the front line of the primary structure;*
- b. Shall comply with the dimensional standards of the zoning designation, including height, setbacks, and lot coverage unless modified pursuant to subsection c; and*
- c. Side and rear setbacks may be reduced to not less than **three feet for one** accessory structure and its projections if the height does not exceed seventeen feet as defined in OCMC 17.04.550.*

The applicant wishes to rebuild the garage in its existing location. As the building is too deteriorated and repairs is not an option for the applicant. Once the existing garage is demolished, the applicant will be required to set the garage back 3 feet from the property line to meet the required zoning setback. The purpose of the Historic Preservation incentive is the allow the Historic Review Board the ability to reduce setbacks based on context and to support flexibility and economic opportunities for historic resources.

The applicant's proposal is an excellent example of the use of the preservation incentive. The applicant wishes to retain a historic configuration that is currently not allowed by right in the zone. The Historic Review Board, through a noticed hearing, can provide this relief to the applicant and support historically compatible investment in the district.

Please note that per Building Code, eaves may not extend to the neighboring property. The applicant shall work with the Building Department to ensure that the project is in compliance with all applicable building codes.

17.40.060 - Exterior alteration and new construction.

- A. Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

Applicable: The proposal for new construction in a historic district is being reviewed by the Historic Review Board.

- B. Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

Applicable: The proposal is being reviewed by the Historic Review Board.

- C. Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,*

GLUA-22-00006 816 6th Street

1. A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring onsite, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and
2. A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring onsite, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.

If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

Not Applicable: The garage is a replacement structure; the soil is not being disturbed beyond what has already been disturbed on this site.

D. [1.] The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.

Applicable: The proposal is being reviewed by the Historic Review Board.

- F. For construction of new structures in an historic or conservation district, or on an historic site, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall include the following:
1. The purpose of the historic conservation district as set forth in Section 17.40.010;
 2. The provisions of the city comprehensive plan;
 3. The economic effect of the new proposed structure on the historic value of the district or historic site;
 4. The effect of the proposed new structure on the historic value of the district or historic site;
 5. The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure;
 6. Economic, social, environmental and energy consequences;

Finding. Complies with conditions. The overall purpose is to ensure the historic character of the McLoughlin District is maintained through review of new construction in the district. The applicant has proposed a detached garage of 216 square feet, with a 6:12 roof pitch, and fiber cement shingle siding.

The effect on the district will be a net positive, replacing a hazard with a new structure with the same general confirmation and location. See further findings in the design guidelines section of this staff report.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

7. Design guidelines adopted by the historic review board.

Design Guidelines for New Construction – McLoughlin

1. STYLE

There are three predominant architectural styles in the McLoughlin district, Vernacular, Bungalow, and Queen Anne - Queen Anne Vernacular. These form the context for the neighborhood. There is a minority of other styles, each small in number. For the purpose of

reinforcing existing context, these three primary styles are to be used in new residential construction.

New construction shall complement one of these styles to support the historic context. Use of other styles dilutes and distracts from the historic context of the district.

While there may be several styles dominant within the district, the specific choice of a style shall be compatible with adjacent properties, the block, and the neighborhood. It also must be fitting for the particular function of the building and its size.

Finding. Complies as proposed. The applicant has proposed a simple pitched roof detached one-car garage with horizontal siding. Garages in this district were often added years after construction to accommodate the growth of private automobiles and are typically simple structure. The applicant has proposed a simple replacement structure that does not compete with the architecture of the resources and is located in its historic location.

2. SITE

Siting principles involve both how the site is used and how the building(s) is placed within the site. The specific lot location and its topography can dictate many requirements.

Residential buildings are to face the street squarely with their primary face in full view, and to be set back from lot lines and be spaced from one another similar to the immediate neighborhood. The primary structure is to be placed in the primary position with accessory structures in a service or ancillary position except where topography is an issue. Yard area between the house and street to primarily be planted with minimal paving only for pedestrian access and for vehicle movement. More private activity spaces to be located at the less public areas of the site.

CHARACTERISTICS OF THE STYLE Site

Uniform front setback, house placed with similar sized side yards, except on sloping sites.

Lots are usually 50x100 and contain a single house.

Property edges may be defined by wooden fencing; low, open pickets in front, and taller privacy fencing on the sides and back yard.

Planting: lawn is between the sidewalk and the front of the house, along the sides and behind the property; a mix of lawn, shrubs, trees and flowers. Mature trees are usually behind the house, occasionally in front or in the curb strip.

House Placement: to suit the existing topography and most level lot portion; at near street level; on high banks, with flights of concrete steps; No extensive cut and fill for siting.

Retaining walls: stone, mortared basalt, or concrete.

Garages: detached and behind the front façade of the house.

Alleys: use of graveled, or casual alley access without curbs.

Finding. Complies as proposed. The new detached garage structure will be rebuilt in its historic rear location.

3. BUILDING FORM

Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to

take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style.

Finding. Complies as proposed. The applicant has proposed a simple pitched roof detached one-car garage with horizontal siding. Garages in this district were often added years after construction to accommodate the growth of private automobiles and are typically simple structure. The applicant has proposed a simple replacement structure that does not compete with the architecture of the resources and is located in its historic location. The applicant has proposed a simple square design with the following elements:

- 6:12 roof pitch
- Horizontal siding
- Rear window-material undefined

The height at the midpoint of the roof is approximately 10 feet.



Existing house on site

4. DESIGN COMPOSITION

Include a range of more detailed design issues that address groups of elements, individual elements, their design and how they relate to the overall composition and finish. The principles place a traditional emphasis on the design's composition as seen from the exterior, rather than as a result of interior functional planning requirements. They also outwardly convey a sense of quality craftsmanship. The design composition principles, being more detailed, and stylistically dependent, are typically developed after the previous principles are resolved. These principles also reflect historically appropriate materials, respective finishes, and unobtrusive integration of new technology.

Finding: Complies with Conditions:

SIDING

The applicant has indicated that they will be using smooth hardi-board siding but did not indicate the reveal in their submittal. The applicant shall utilize horizontal board siding with 4 to 6" reveal, either smooth fiber cement or wood material.

GARAGE DOOR

- Garage door is Wayne Dalton 8ft x 7ft Classic Steel Model 9100 – color Taupe – painted Miller Hickory Nut to match the back door of house and foundation colors.

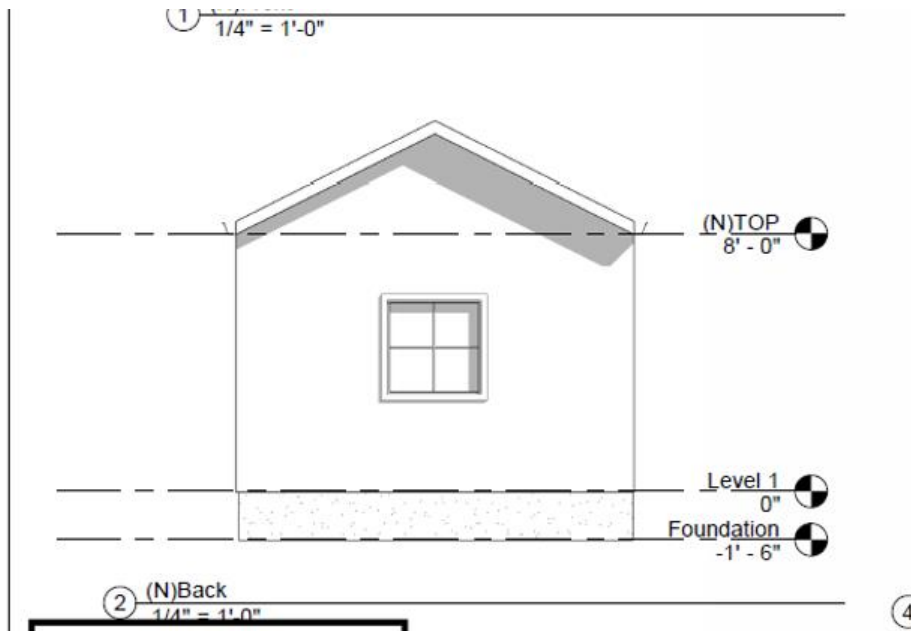
Model 9100

Built with strength and longevity in mind, the [Classic Steel Garage Door - model 9100](#) is trusted by builders as a timeless, high-quality door. Model 9100 is available in five classic and contemporary panel designs and can be customized with a wide range of window and finish options to match virtually any taste. Performance capabilities include hurricane-level center hinges and horizontal integral struts at the top and bottom of each door section for added strength.



WINDOWS

The applicant has not proposed a window product. However, the plans show a simple rear divided lite window. Any window material that meets HRB policies is acceptable. The applicant shall provide a sample for Board approval through a separate application if windows that do not meet the HRB policy are proposed. No windows shall have simulated grids between glass panes. Exterior extruded grides are allowed.



Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

IV. CONCLUSIONS AND RECOMMENDATIONS

Based on the following findings, staff recommends that the Historic Review Board approve with conditions the proposed development of GLUA-22-00006: General Land Use Application; HR 22-00002: Historic Review for New Construction; and HR-22-00007 Historic Review for Demolition at 814 6th Street.

Exhibits

1. Vicinity Map
2. Applicant's Submission
3. Inventory Form (814 6th Street)
4. Inventory Form (513 Madison)
5. Inventory form (812 6th Steet)

Oregon City GIS Map



Legend

Street Names

Taxlots

Taxlots Outside UGB

Unimproved ROW

City Limits

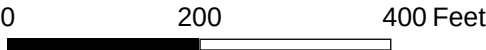
UGB

Basemap

Notes



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

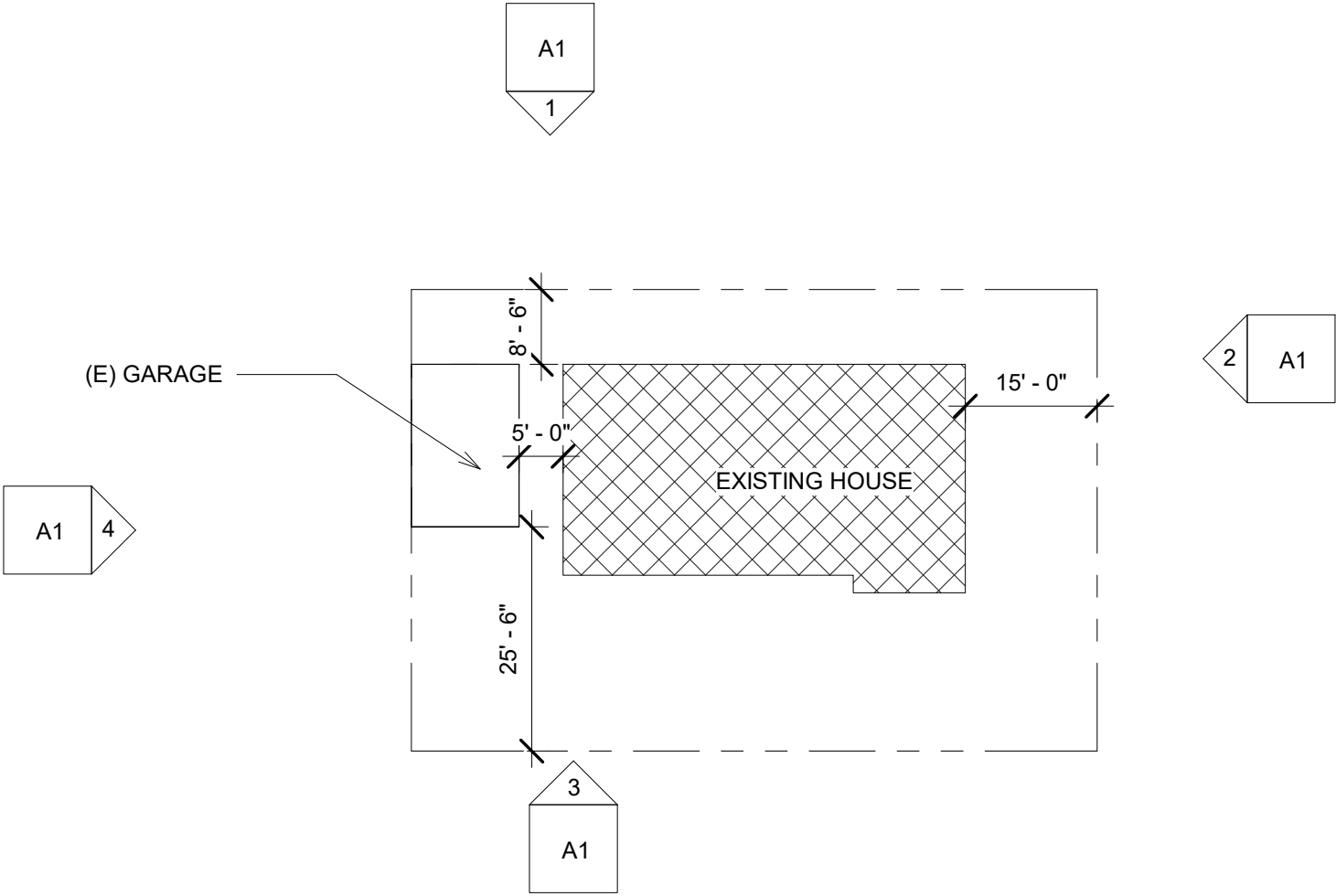
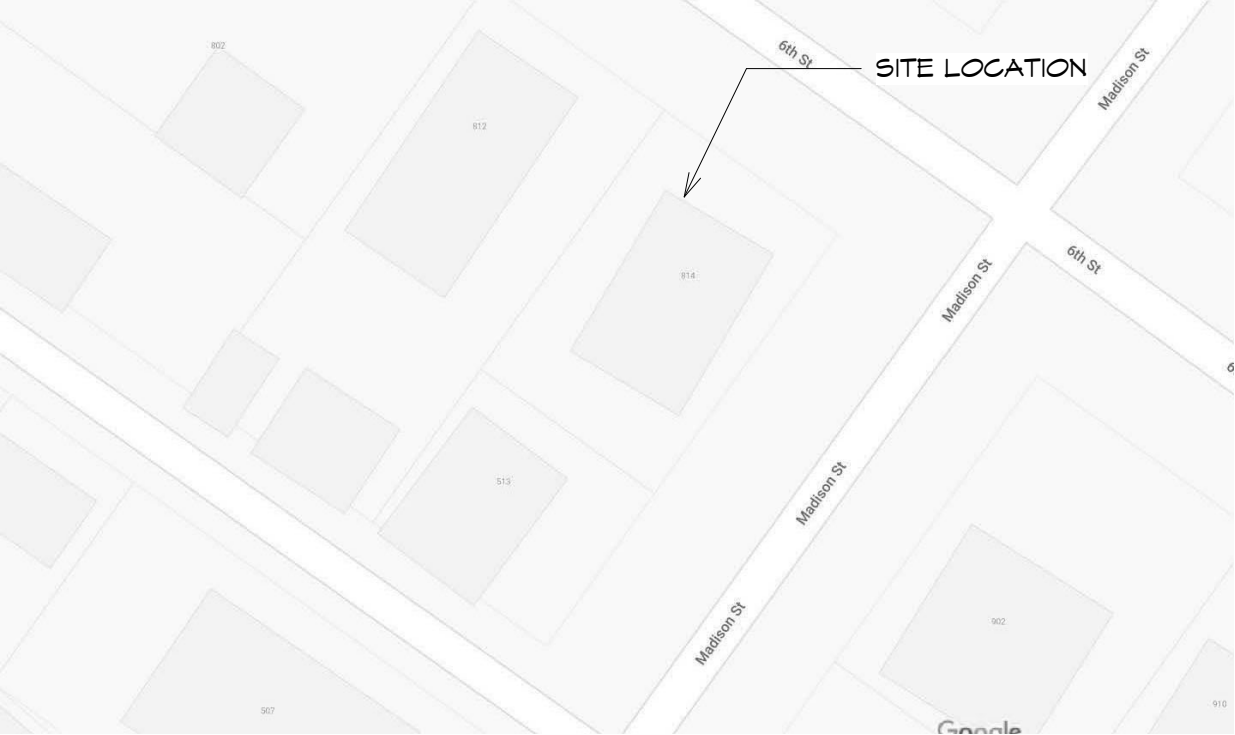


1: 2,400

Map created 6/30/2022

City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.orecity.org

Page 21

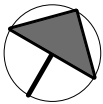


REPAIR EXISTING GARAGE
WILL REMAIN SAME SIZE FOOT PRINT

ADDING 1HR RATED WALL ON
PROPERTY LINE

Taxlot: 22E31AD12300
Parcel Number: 00575452

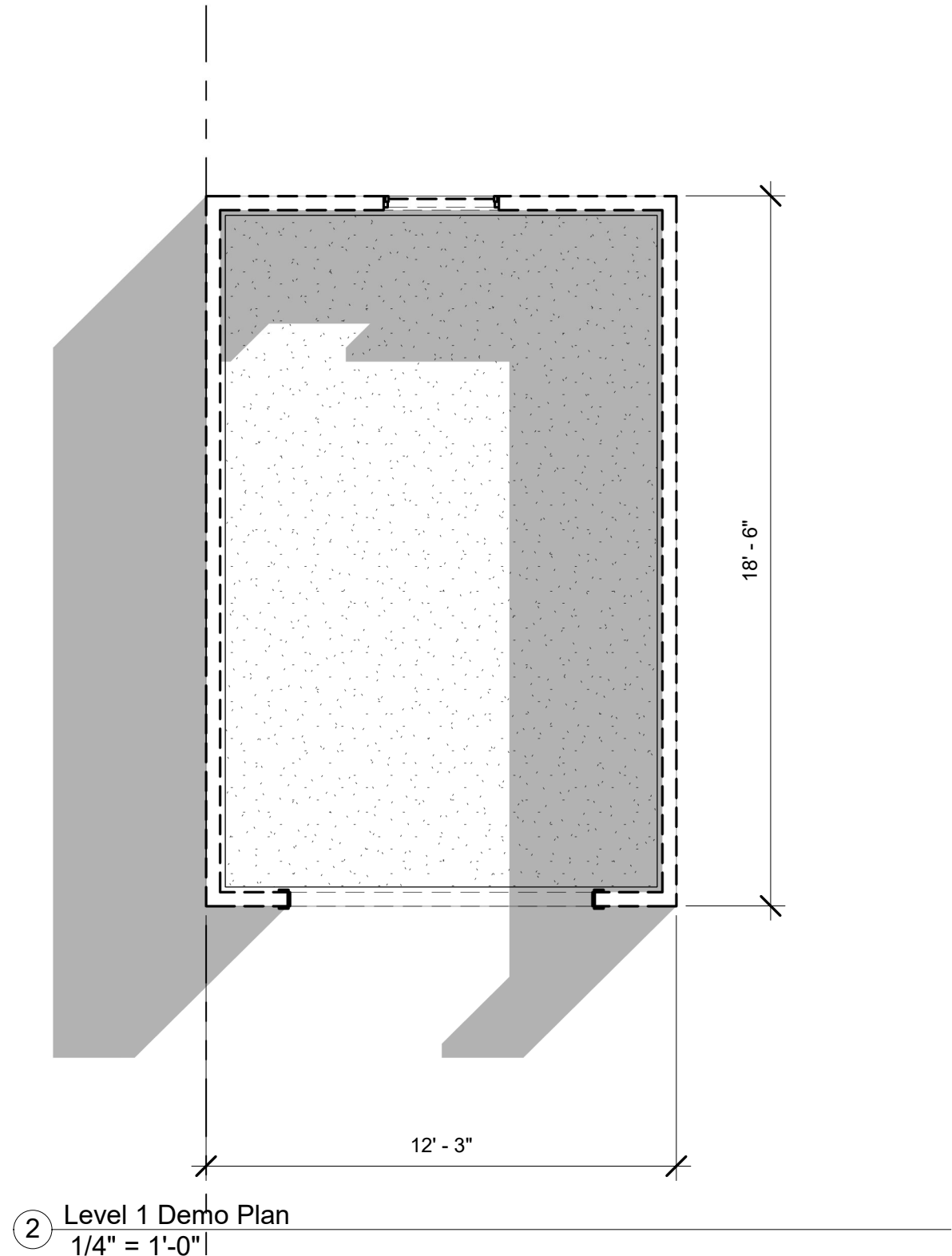
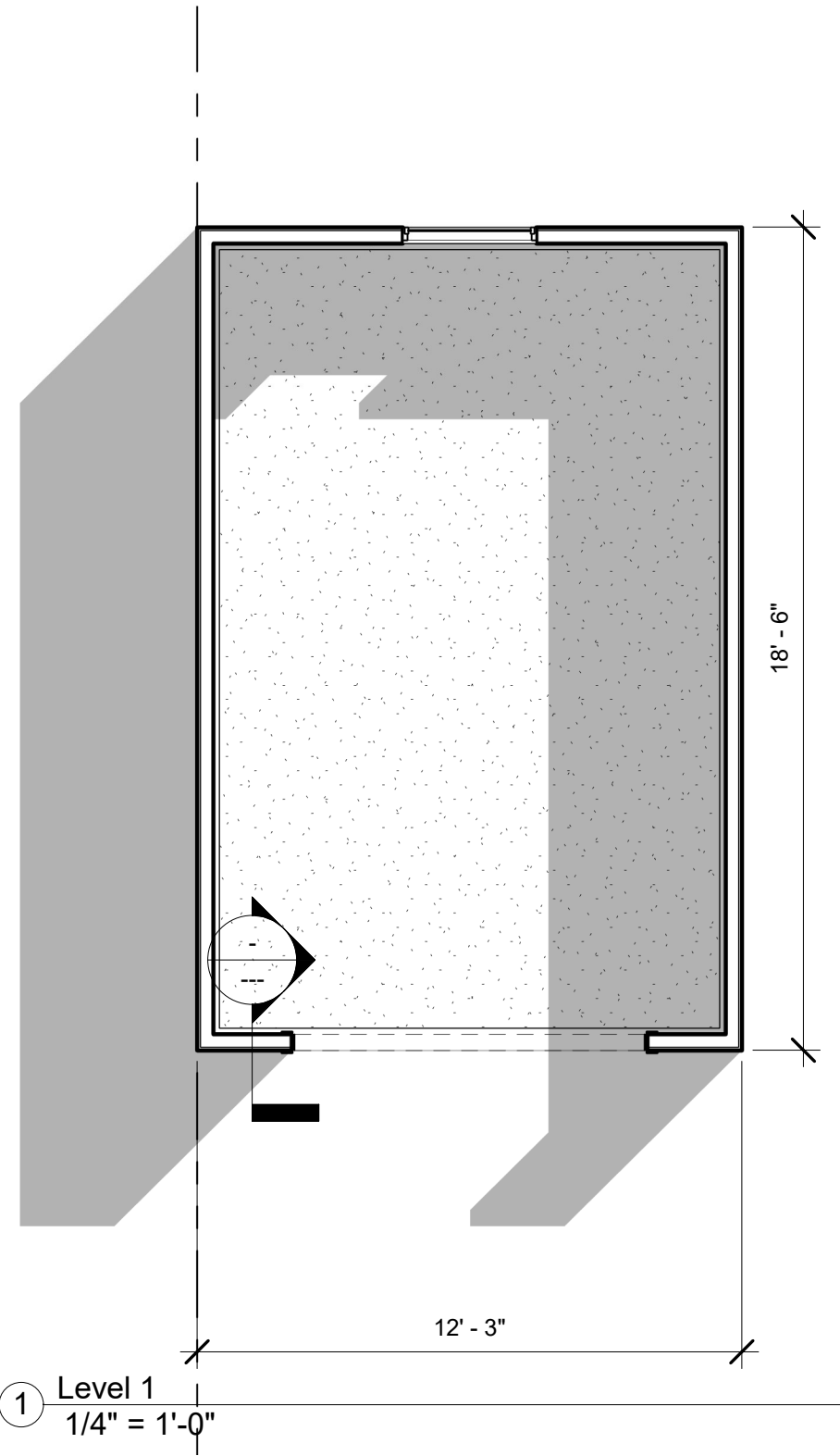
1 Site
1" = 20'-0"



TRACY ROCK
814 6TH STREET OREGON CITY, OR. 97045

No.	Description	Date

Site		
Project number	Project Number	A9
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale 1" = 20'-0"		Page 22

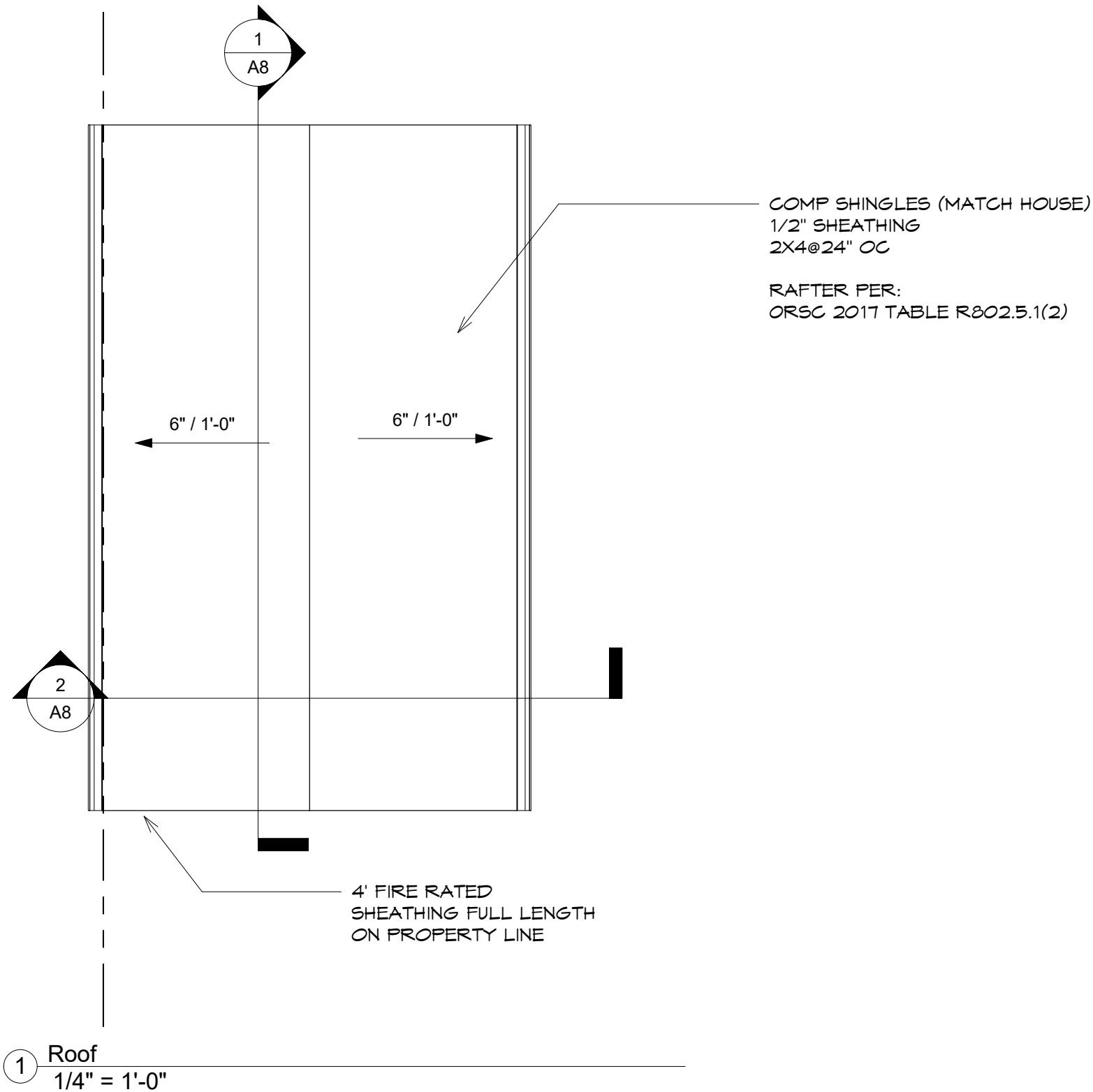


TRACY ROCK

814 6TH STREET OREGON CITY, OR. 97045

No.	Description	Date

Existing and Demo Plans		
Project number	Project Number	A3
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
		Scale 1/4" = 1'-0"
		Page 23

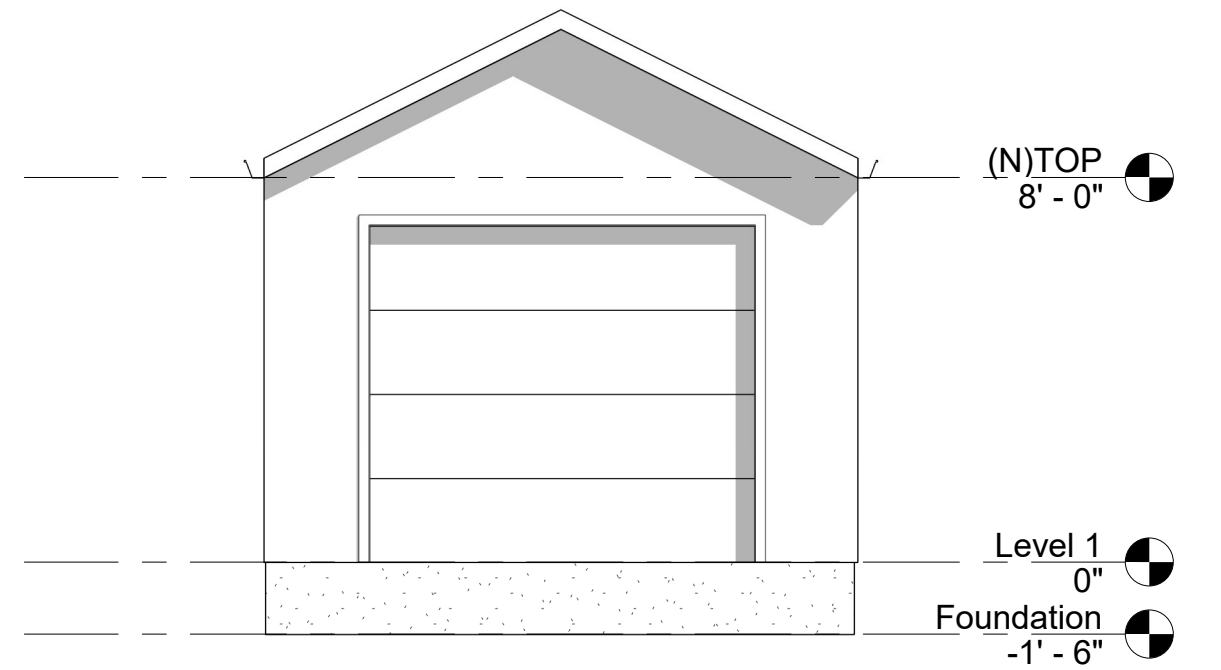


TRACY ROCK

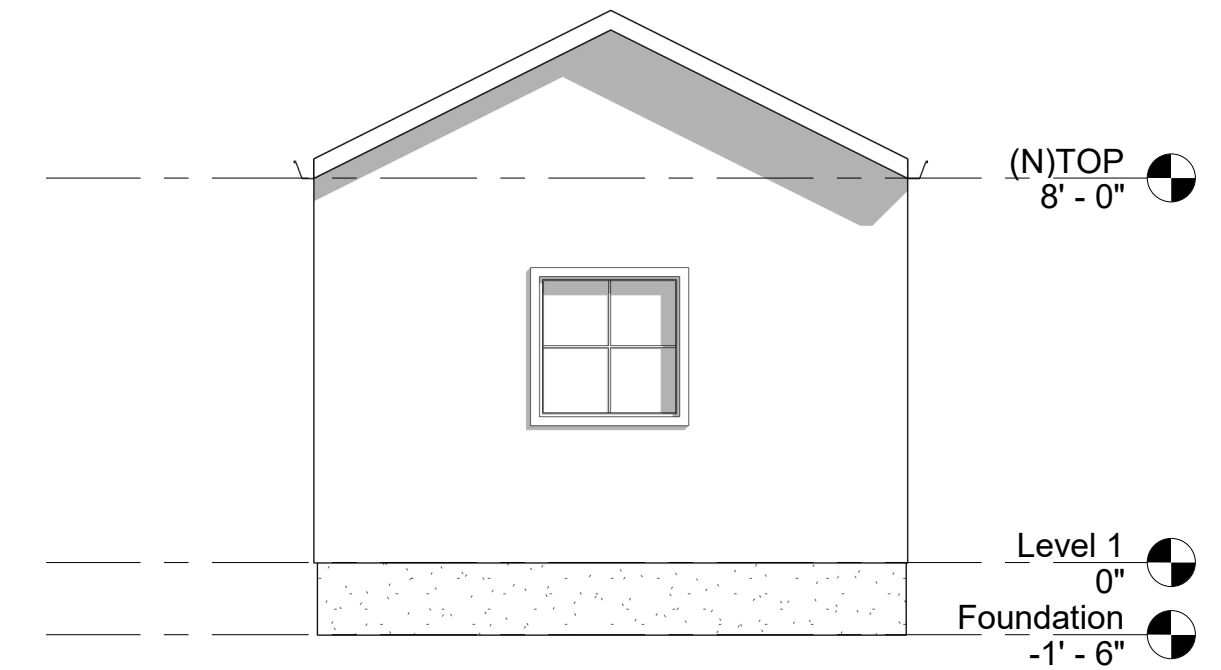
814 6TH STREET OREGON CITY, OR. 97045

No.	Description	Date

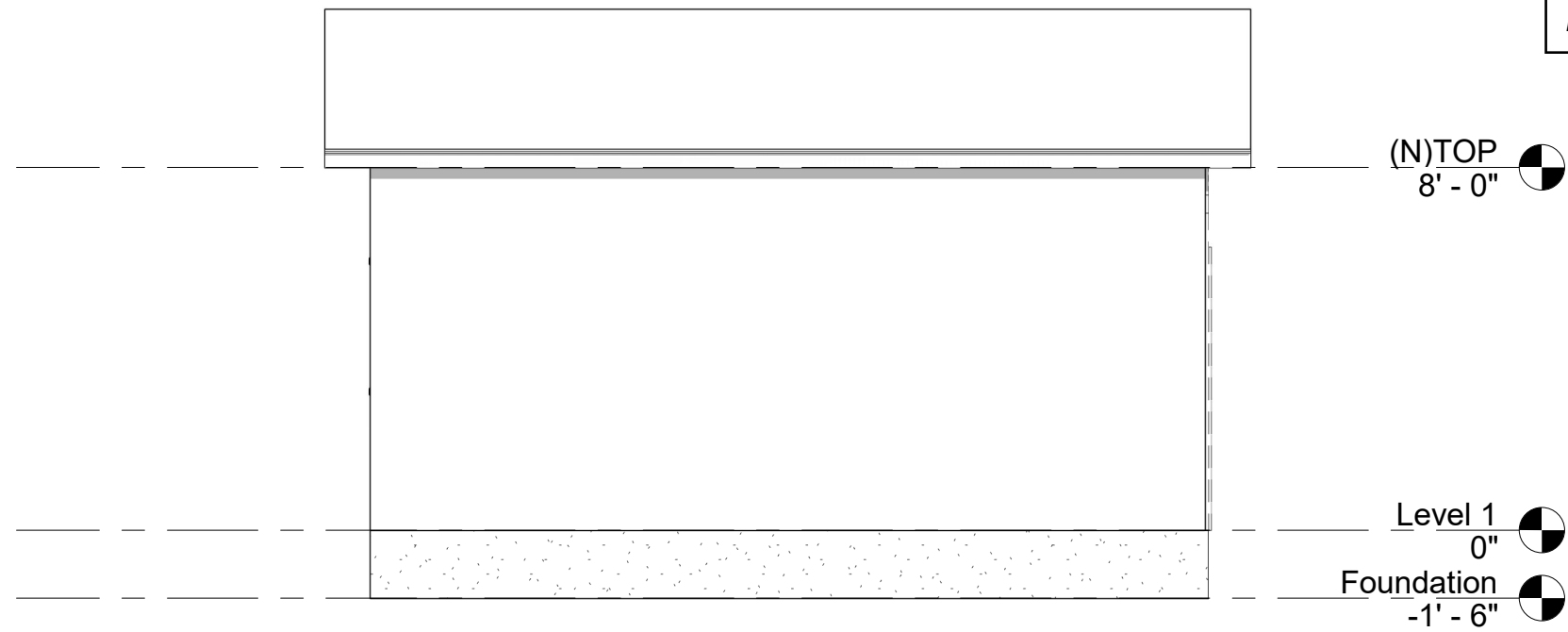
Roof Plan		
Project number	Project Number	A7
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale 1/4" = 1'-0"		Page 24



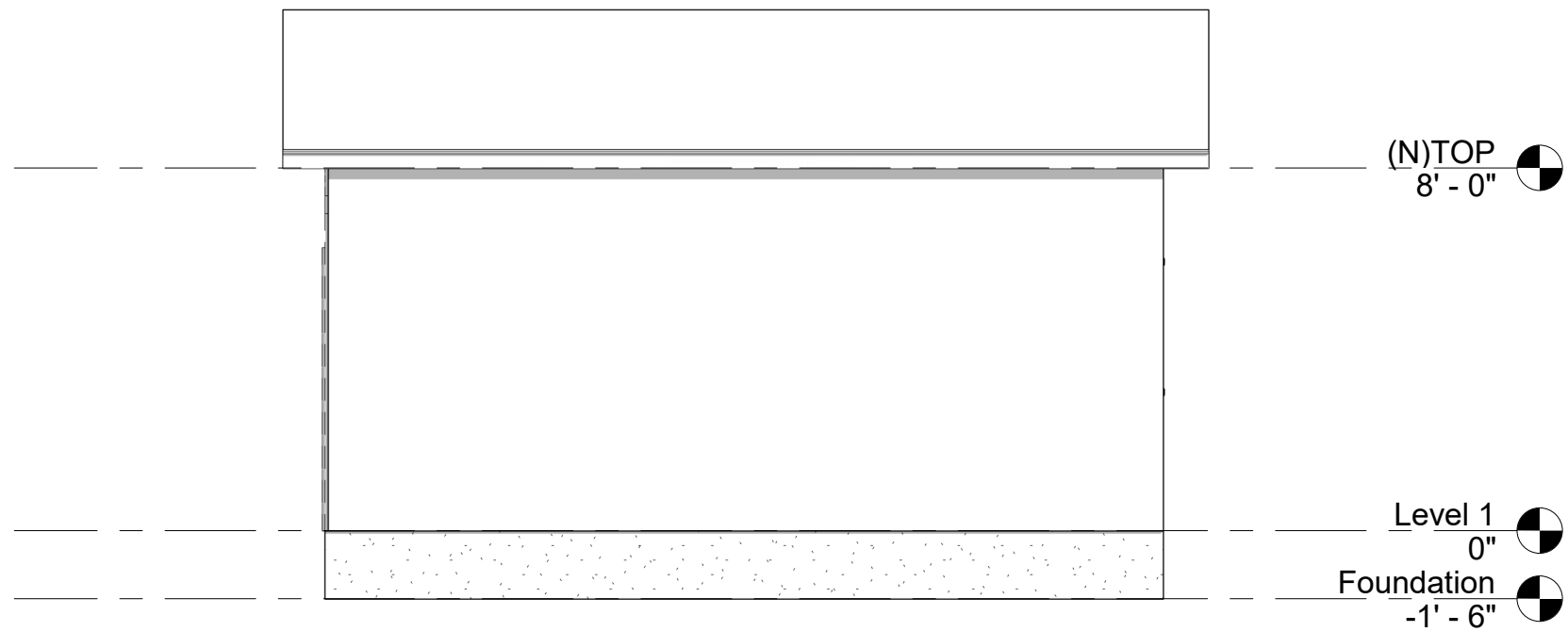
① (N)Front
1/4" = 1'-0"



② (N)Back
1/4" = 1'-0"



③ (N)Left
1/4" = 1'-0"



④ (N)Right
1/4" = 1'-0"



TRACY ROCK

814 6TH STREET OREGON CITY, OR. 97045

No.	Description	Date

New Elevations		
Project number	Project Number	A2
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale 1/4" = 1'-0"		Page 25

Item #1.

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 814 6TH ST					City: OREGON CITY	
USGS Quad Name: Oregon City			GPS Latitude: 45 21 16 N		Longitude: 122 36 13 W	
Township: 02S	Range: 02E	Section: 31	Block: 110	Lot: 1x, 2x	Map #: 22E31AD	Tax Lot #: 12300
Date of Construction: c. 1890		Historic Name: Madir, Jacob and Mary, House			Historic Use or Function: Domestic - single dwelling	
Grouping or Cluster Name: NA		*Current Name or Use: Domestic - single dwelling			Associated Archaeological Site: Unknown	
Architectural Classification(s): Gothic Revival			Plan Type/Shape: Square		Number of Stories: 1.5	
Foundation Material: Concrete			Structural Framing: Unknown		Moved? No	
Roof Type/Material: Cross gable / Composition shingle			Window Type/Material: 1/1 wood double-hung			
Exterior Surface Materials Primary: Wood shingle			Secondary:		Decorative:	
Exterior Alterations or Additions/Approximate Date: Siding covered; window trim altered; front porch added						
Number and Type of Associated Resources: Garage to south (1)						
Integrity: Fair		Condition: Good		Local Ranking: Designated Historic Site		National Register Listed? No
Potentially Eligible: ☐ Individually or ☒ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☐ Altered (choose one): ☐ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old						
Description of Physical and Landscape Features:						
This 1-1/2 story house sits under a steeply pitched cross gable roof, and is square in plan. The gables feature shallow boxed eaves and decorative barge moldings. The main entry is covered by a small gable supported by a pair of square posts. This gable is most likely an addition to the house, which is clad with wide wood shingles, and features a brick chimney on the west wall with a corbelled cap. The windows are all double-hung wood sash with lamb's tongues on the upper sashes and narrow trim moldings. This trim was likely installed with the new siding. A small garage associated with this house features a flat roof, drop siding, and fixed wood sashes.						
Statement of Significance:						
Portions of Lots 1 and 2 were sold by Joseph and Mary Techer in 1875 to Theodore Himmler who sold them to Mary Madir fifteen years later. Joseph and Mary Madir originally owned the house, located on the northeast corner of 6th and Monroe. The property changed hands several times over the next twenty years and was purchased by Josie Irish in 1921 and sold by H. H. Hughes to Leona J. Mooty on July 3, 1940. According to the City Directory, no Irish or Hughes lived at this house in the early 1930s, but was instead occupied by Lee Hall who also owned the house at 812 6th St.						

Researcher/Organization: Alex McMurry / HPNW			Date Recorded: 4/8/2002	
Survey Form Page 1	Address: 814 6TH ST	Local Designation #	SHPO #	

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 513 MADISON ST				City: OREGON CITY			
USGS Quad Name: Oregon City			GPS Latitude: 45 21 15 N		Longitude: 122 36 13 W		
Township: 02S	Range: 02E	Section: 31	Block: 110	Lot: 2x	Map #: 22E31AD	Tax Lot #: 12400	
Date of Construction: c. 1920		Historic Name: Albright, J. and Elizabeth, Rental			Historic Use or Function: Domestic - single dwelling		
Grouping or Cluster Name: NA		*Current Name or Use: Domestic - single dwelling			Associated Archaeological Site: Unknown		
Architectural Classification(s): Vernacular / Queen Anne			Plan Type/Shape: Complex		Number of Stories: 1.0		
Foundation Material: Concrete			Structural Framing: Unknown		Moved? No		
Roof Type/Material: Gable / Composition shingle			Window Type/Material: 1/1 wood double-hung				
Exterior Surface Materials Primary: Channel drop			Secondary: Wood shingle		Decorative:		
Exterior Alterations or Additions/Approximate Date: Shutters added; SW porch enclosed							
Number and Type of Associated Resources: None							
Integrity: Good		Condition: Good		Local Ranking: Designated Historic Site		National Register Listed? No	
Potentially Eligible: ☐ Individually or ☒ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☐ Altered (choose one): ☐ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old							
Description of Physical and Landscape Features:							
This vernacular house exhibits Queen Anne detailing, most notably on its front porch. The roof form is rather complex, almost making a cross gable with a full gable facing the street and a jerkinhead roof facing the alley to the south. Channel drop siding makes up the primary siding below the roof line, while a fish scale pattern fills the gable that faces the street. The 1/1 wood double-hung windows with hoods are now flanked with faux shutters. A wide water table rests on its concrete foundation. A later enclosure has been added to the southwest corner of the build							
Statement of Significance:							
In 1908, J. and Elizabeth Albright purchased this property and are likely responsible for the construction of the house. As it does not appear on the 1911 Sanborn Insurance Maps, the residence is assumed to have been built shortly thereafter. However, there is no evidence that the couple ever occupied the house. From 1922 to 1948, the property was owned by H.H. Hughes, who also appeared to have used the house as a rental. The following owner, Della Beattie lived at the property until 1955, when it was purchased by Clem and Doris Nodine Day. Mr. Day was an elevator operator for the Oregon City passenger elevator, who lived in the house until its sale in 1962. It was then occupied by retirees Pierre and Victoria Grand who remained until 1985.							

Researcher/Organization: Joe Snider / HPNW			Date Recorded: 5/29/2002	
Survey Form Page 1	Address: 513 MADISON ST	Local Designation #	SHPO #	

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 812 6TH ST				City: OREGON CITY			
USGS Quad Name: Oregon City			GPS Latitude: 45 21 16 N		Longitude: 122 36 14 W		
Township: 02S	Range: 02E	Section: 31	Block: 110	Lot: 1x, 2x	Map #: 22E31AD	Tax Lot #: 12200	
Date of Construction: c. 1908		Historic Name: Albright, John F. and Elizabeth, House			Historic Use or Function: Domestic - single dwelling		
Grouping or Cluster Name: NA		*Current Name or Use: Domestic - single dwelling			Associated Archaeological Site: Unknown		
Architectural Classification(s): Bungalow				Plan Type/Shape: Rectangle		Number of Stories: 1.5	
Foundation Material: Concrete				Structural Framing: Unknown		Moved? No	
Roof Type/Material: Gable / Composition shingle				Window Type/Material: 1/1 wood double-hung			
Exterior Surface Materials Primary: Lap				Secondary: Wood shingle		Decorative:	
Exterior Alterations or Additions/Approximate Date: Garden window, 1985							
Number and Type of Associated Resources: Garage off alley (1)							
Integrity: Good		Condition: Excellent		Local Ranking:		National Register Listed? No	
Potentially Eligible: ☐ Individually or ☒ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☐ Altered (choose one): ☐ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old							
Description of Physical and Landscape Features:							
this 1 1/2 story house sits under a front gable roof, with a full width hip roofed porch on the north side. The main gable features a small gabled dormer on the east side, open eaves, and chamfered knee brackets that penetrate the wide scroll cut barge boards. The porch hip is supported by paired square columns set on wood piers with a solid balustrade enclosing the porch. Above the grouped columns, the porch frieze features block modillion course. The house features two rectangular cantilevered bays on the west side covered by shed roofs and a small cantilevered bay on the east side at the stair landing. The house is primarily clad with narrow lap siding, finished with cornerboards, but the gable ends are shingled above a string course at the eave line. The windows are predominantly 1/1 double-hung wood sash with plain board surrounds and slightly projecting window hoods at the first floor level. The north gable end windows have a small shed roof over them, supported by chamfered knee brackets. A central brick chimney features a corbelled cap. The garage sits under a gable roof with open eaves and is clad with drop siding finished with cornerboards.							
Statement of Significance:							
The property, comprised of Lots 1 and 2, was sold by Mary A. Wise and her husband to Thomas F. Ryan. Ryan sold it to Elizabeth Albright in 1908. Elizabeth and her husband John lived in the house until 1920. John Albright was a member of the business Jack and Albright, grocers. Mr. Albright was a member of the elevator committee with Fred Meyer and W. A. Long. Through civil disobedience, he was responsible for the actual placement of telephone poles on the property lines. He was also employed by Hawley Pulp and Paper. They sold the house to N. W. and Lillie Bowland that was later purchased by Lee Hall in 1921. Hall lived kitty-corner to the house at 814 6th St. The residence was later sold by Jessie Hall to William H. Eggman in 1944 and purchased by Morris and Jennie Jones from Eggman in 1953. Present owner, Edward Allick, was a City Commissioner and Mayor.							

Researcher/Organization: Alex McMurtry / HPNW			Date Recorded: 4/8/2002	
Survey Form Page 1	Address: 812 6TH ST	Local Designation #		SHPO #



**PRESERVATION GRANT REQUEST
HISTORIC REVIEW BOARD
July 20, 2022**

FILE NO.: PG 22-05

HEARING DATE : July 26, 2022

**APPLICANT/
PROPERTY OWNER:** Jacob Tenney
810 JQ Adams
Oregon City, Oregon 97045

LOCATION: Locke, Joseph and Venna, House
810 JQ Adams
Oregon City, Oregon 97045

REQUEST: The applicant is seeking approval for a preservation grant to repair fascia and gutters on a historic residence.

REVIEWER: Christina Robertson-Gardiner, AICP, Senior Planner

RECOMMENDATION: Staff Recommends awarding the grant for the fascia repair/replacement only

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

Grant Proposal:

The applicant is seeking to repair/replace fascia and replace gutters on a historic resource.

Property Description and Statement of Significance:

810 JQ Adams Street - Joseph and Venna Locke House



This 1-1/2 story vernacular house with Queen Anne detailing has a rectangular plan and sits on a post and beam foundation with vertical channel drop skirting. The cross gable roof is covered with composition shingles and is pierced by a gable roof dormer and a chimney. The house is covered with channel rustic drop siding with wood shingles on the dormers and gable ends. Windows are primarily 1/1 wood doublehung with lamb's tongues. The shed roof entry porch

is supported by narrow columns with decorative brackets and open rail. The original entry door and a window have been boarded over and a new entry door has been created in the front façade, making the siding on that façade uneven and unmatched. A flat roof attached garage is on the south side. A shed roof addition has been added to the rear. A small rental house, with poor integrity and condition, sits to the rear of the house.

Statement of Significance: In 1905, Joseph D. and Venna Locke purchased this land and proceeded to construct their residence. Mr. Locke was a carpenter who built a number of Bungalow houses in the McLoughlin Neighborhood. Following the couple's transfer of the property in 1933, it had changed hands another three times by 1939. At that time it was sold to Harless R. and Jennie M. Ely, both musicians. The Elys continued to own and occupy this residence until at least 1967.

Project Bids

Boss Exteriors

\$1,134.00 for fascia repair/replacement and gutter replacement

Grant Funding:

A total of \$5,000 is available each fiscal year. This is the first grant of this fiscal year.

Staff Recommendation

Staff recommends approval of the repair grant for the fascia repair and replacement only. Gutter repair is a general upkeep measure for all homeowners. General upkeep such as painting, shingle replacement, and gutters are generally not considered eligible for the historic grant unless the item to be replaced is historically or materially unique/ significant to the resource.

Staff Recommends the Following Conditions for Approval:

1. Any property receiving a grant must remain locally designated for at least five full years following completion of the project. If the property is removed from designation, the grant must be repaid in full. (note de-designation is evaluated on the merits of the building, not the desire of the property owner to be removed from regulation)
2. Grant recipients are required to display a sign (available from the Community Development Department) identifying the project as having received grant funding. The sign must be picked up from the Community Development Division prior to the work being performed on site and must be up 30 days after the completion of the project. Signs may be pick up at the Community Development Division, 698 Warner Parrott Rd.
3. **Projects must be completed by June 30, 2023.** Funds are distributed to the owner (not the contractor) upon completion of the project. If you have not completed the project before that date, contact the Planning Division to ensure that your funds can be distributed to you.
4. Grants are considered taxable income and must be reported on your income tax return as required by law.
5. Grants are not awarded for materials already purchased, or for work already in progress or completed.



CITY OF OREGON CITY

Item #2.

Historic Review Board

695 WARNER PARROTT ROAD
OREGON CITY, OREGON 97045
TEL (503) 722-3789
FAX (503) 722-3880

Historic Preservation Renovation Grant Application

Please Print Clearly

Grant Application File # _____ (staff to fill out)

Date: 07/08/2022 Applicant Name: Jacob Tenney

Site Address: 810 JQ Adams St.

Phone Number: 909-230-0855 E-mail address: jake10e@gmail.com

Historic Name: Locke, Joseph and Venna, House Architectural Style: Vernacular / Queen Anne

Previous Grant Approval File #'s HR-18- 00007 Total Amount \$859.50

How did you hear about the program?: City website

Narrative: Attach a written narrative that addresses the following:

1. **Project Description:** Briefly explain the proposed work and the materials to be used. If you are planning to paint your historic building, please attach a paint sample for approval. NOTE: SOME ALTERATIONS MAY REQUIRE HISTORIC REVIEW AND/OR BUILDING PERMITS. Please Contact Staff to determine if your project requires a building permit.
2. **Historic Significance:** Describe how the project will enhance the historical nature of, or preserve, renovate or rebuild, the historical aspects of the structure.
3. **Historical Documentation:** If applicable, include any physical evidence such as old paint lines, original moldings, historic photographs, etc. that support your request to alter the exterior.

Photographs: Submit a "before" photo of the project site. An "after" photograph is required upon completion of the project. **Digital photos should be submitted via an e-mail attachment.**

Project Costs: Attach the contractor's bids, or a list of detailed estimates for materials. Eligible labor costs are limited to those performed by a licensed contractor in the state of Oregon. (Example of materials estimates: Paint: 10 gallons @ \$25/each = \$250; Siding (drop lap): 600 feet, 1" x 6" @ \$1/foot = \$600).

Item #2.

Cost Estimate/Bid #1: ^{\$1,134}_____

Cost Estimate/Bid #2: ^{n/a}_____

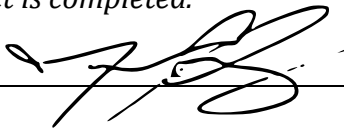
Total grant amount requested (up to 50% of project cost, maximum \$1000): ^{\$567}_____

Project Scheduling:

Beginning Date: ^{Asap}_____ Completion Date: ^{TBD}_____

Projects must be completed within the grant cycle of July 1 – June 30. Contact staff if you need an extension. Contact staff when you actually begin the proposed work, and when you finish the project. Preservation staff will inspect the work when the project is completed.

I have read the Oregon City Design Guidelines for Exterior Alterations and agree to do the project as submitted and approved within the grant cycle. I will notify the Board when I begin the project and when the project is completed.

Signature: _____ Date: ^{07/08/2022}_____

This grant program has been funded with the assistance of a matching grant-in-aid from the Oregon State Historic Preservation Office and the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Office of Equal Opportunity, National Park Service, 1849 C Street, NW, Washington, D.C. 20240.

Historic Preservation Grant Application - Narrative & Explanation of Single Bid

Regarding 810 JQ Adams St. (Joseph and Venna Locke House)

1. **Project Description:** Several of our barge and fascia boards have rotted at the corners and need to be replaced. By properly priming and painting the new wood in addition to replacing/repositioning the rain gutters for better drainage, we hope to prevent this issue from reoccurring in the future.
2. **Historic Significance:** Having owned this home now since 2011, I have learned that water and rot are the main forces constantly working against this historic home! Left unattended, the rot spreads and threatens further damage. Removing the rot and replacing it with new wood while also addressing the issues that led to the rot initially will continue to preserve the integrity of the structure.
3. **Historical Documentation:** Not applicable.
4. **Explanation of Single Bid:** Due to a prior leak and the incorrect shingles used in the original remodel circa 2007 (before we purchased the home), we had the roof replaced on the low slope section in 2018 (4 years ago). The roofer we hired used roofing material better suited for what is essentially a flat roof in this section, which is the same section that now has the rotting barge and fascia boards. The type of roofing material applied now is a continuous sheet rather than individual shingles and it's applied with adhesive. Unfortunately, I've learned that this adhesive also sticks to the barge and fascia boards, so the only way to replace the boards is to either replace the whole flat roof or cut back the flat roof material, then repair it once the boards are replaced. Ideally, I wanted the roofer who did the roof in 2018 to replace the barge/fascia boards. After a lengthy back and forth trying to get a bid from them, they have notified me that this is beyond their capability. However, once the barge/fascia work is done, they have agreed to come back and repair the low slope roof under warranty. The plan now is to have a different roofing company (Boss Exteriors) replace the barge/fascia boards, and then the original roofer is going to come back to repair the low slope roof under their warranty. This has been tricky situation getting the two companies working together to solve these issues, but I think we have a solid plan at this point.

Thank you for considering this application. We appreciate the city's support of its historic homes and their owners working hard to maintain them.

Sincerely,

Jacob Tenney



1109 Southwest 4th Avenue,

Item #2.

Canby, Oregon, 97013

<https://www.boss-exterior.com/>

PROPOSAL SUBMITTED TO Jake Tenney			PHONE (909) 230-0855	DATE 06/10/2022
ADDRESS 810 John Quincy Adams Street			JOB NAME 2206-3506830-01	
CITY Oregon City	STATE Oregon	ZIP 97045	JOB LOCATION 810 John Quincy Adams Street	

The Boss Exteriors/Gutters

- Remove damaged fascia board on the low slope. (2" x 6" @ 35' LF)
- Install pre-primed fascia board 2" x 6" @ 35' LF
- Remove damaged barge board (on low slope section) 32' LF
- Install new barge boards 2" x 6" on low slope areas 32' LF
- Prep by removing the existing gutter on the low slope ONLY.
- Inspect all fascia for any rot or damage- address with the homeowner as needed
- Measure each gutter run length mold & cut to fit.
- Install all new white aluminum continuous 5" *K-Style Gutter* (35' LN FT)
- Magnet sweeps for nails. Clean up and Dispose of all job-related debris (Haul Away w/ Trailer & Dump).

*****Reuse downspouts per home owner request*****

No interior work will be performed by Boss Exteriors. This includes but is not limited to Window trim/casing, Skylight trim/casing, Sun tunnels, doors. If interior work is needed, Boss can provide a written estimate or refer an interior carpenter.

Due to the constant change in lumber, prices are subject to change with the current market after 5 days of submitting this proposal.

We propose hereby to finish material and labor complete in accordance with the above specification for the sum of:

Dollars **\$1,134.00 (5% discount included)** Payment to be made as follows:

50% deposit due in order to schedule your Job.

40% due upon substantial completion will be billed prior to final walkthrough and collection of those funds are not dependent on completion of any punch list items

Change orders to be paid in full upon mutual acceptance of scope and price.

All Jobs projected to be longer than 3 weeks in total duration will be billed weekly.

A charge of 3% will be added for any credit card payments

The signing and accepting of this Proposal ensures that I (the property owner) have a clear understanding of what has been presented to me, and am in full agreement that each Product, Price, Procedure, and Professional Individual Providing / performing them, are 100% satisfactory.

Signature :

Jacob Tenney

7/8/2022

Note: This proposal may be withdrawn if not accepted within **21** days.

Note: 1.) Please be aware that Boss Exteriors will follow all OSHA Safety Requirements at all times during the construction process. 2.) A test sample of the existing shingles and underlayment will be taken, if the results have a positive asbestos reading, there will be abatement procedures implemented. At which time a change order reflecting additional costs/charges will be processed.

Authorized Signature:

Em

06/10/2022

Date: **06/10/2022**

Page 35

If any rot repair is needed beyond what has been estimated, it will be billed at \$115 per labor hour plus materials for siding projects. For roof plywood sheeting it will be billed at \$150 per sheet of 1/2" Item #2. Fascia or barge rafters will be replaced at a rate of \$25 per linear foot. Some conditions or lumber dimensions may be excluded from flat rate unit price. When discovery is made of and work not included in contracted scope, the client will be made aware and the contractor will require a written(text/email) confirmation to proceed with repairs.

A trip fee of \$150 may be charged to the homeowner if a trailer is to be brought and there is no room in the driveway or if a trailer is to be picked up but the trailer is being blocked or without access.

10 year workmanship warranty

Limited lifetime manufacture warranty

Price to be paid in accordance with Section 2 of the General Conditions. This Proposal/Contract contains this cover page, and the attached General Conditions. ACCEPTANCE: By signing this proposal, the Purchaser accepts as a binding contract all of its terms and conditions, including the terms and conditions on the attached General Conditions. The proposal will expire automatically unless the above-named purchaser shall have delivered a copy of this proposal, duly signed by it, to Boss Exteriors, Inc. on or before the 15th day from the date hereof. If the 15th day passes without an accepted proposal, Boss exteriors reserves the right to re-price the proposal. Upon signing of the contract, homeowner has 15 days to submit the specified down payment. If the down payment is not received by Boss Exteriors within the 15th day, Boss Exteriors reserves the right to revise the contract price. Upon commencement of contract through signed proposal and down payment received within allowed timeframe, Boss Exteriors must be afforded the opportunity to perform the work within 30 days. If 30 days passes and Boss Exteriors has not been able to start work due to customer preference, Boss Exteriors reserves the right to re-price the contract. No modification by Purchaser to this proposal, or to the General Conditions, shall become a part of the contract unless specifically agreed to in writing by Boss Exteriors, Inc., and shall automatically make this Proposal void and of no effect.

By signing this proposal you are aware and consent that your photo or the photo of your house may be used in our social media platforms or on our website.

GENERAL TERMS OF THE CONTRACT

1. CHANGES IN THE WORK. It is understood that the type of work called for in this Agreement may require changes as the work progresses. The contractor will perform changes in the work (including changes requested by Customer) only after consultation with the Customer, and an agreement on changes in the Contract Price and time for performance.
2. PAYMENT TERMS. Initial down payment (50% of contract total) due within 15 days of signing. Payment of the remaining Contract Price and all change orders shall be paid upon receipt of an invoice for the completed work. If any invoice remains unpaid to the 20th day following receipt by Customer, Customer agrees to pay Contractor interest at the rate of one and one-half percent (1.5%) per month from the due date until paid.
3. TAXES. The contractor's price includes applicable taxes imposed on the work or materials included in the contract, to the extent required by law to be collected by the Contractor. Such taxes may be separately itemized on the invoice.

4. SECURITY FOR PAYMENT. The customer understands that if the Contractor is not paid it can assert its lien against the property. The contractor will issue waivers of that lien to the extent it receives payment.

Item #2.

5. DELAYS AND CLAIMS.

A. Liability Only for Acts Within the Contractor's Control. The contractor will be excused and will not be liable for any damages, whether direct, incidental or consequential, for any delay or failure in performance (including but not limited to delays due to strikes, fires, accidents, acts of God, and delays in performance by Contractor's suppliers and carriers) except to the extent caused by, or within the direct control of Contractor.

B. Notice of Claims, When. Any claims by Customer against Contractor must be presented in writing with particulars to Contractor within twenty days after they arise; otherwise Contractor shall have no responsibility or liability in respect thereof.

6. INSURANCE AND INDEMNIFICATION.

A. Customer shall purchase and maintain property insurance on its property and liability insurance to cover the acts or omissions of its agents and employees at the Site.

B. Contractor maintains insurance. A certificate showing coverage limits and Carriers can be issued to the Customer, at the customer's request prior to beginning work at the Site.

C. Contractor agrees to indemnify Customer from any loss, damage or expense which Customer suffers as a result of claims asserted against Customer by third parties (including Contractor's employees) which arise out of Contractor's work at the Site, to the extent caused by the negligent acts or omissions of Contractor or anyone for whom Contractor is responsible. Customer agrees to indemnify Contractor for any loss, damage or expense, which Contractor suffers as a result of claims asserted against Contractor by third parties (including Customer's employees) which arise out of Customer's activities at the Site, to the extent caused by the negligent acts or omissions of Customer or anyone for whom Customer is responsible.

7. LIMITED WARRANTY AND EXCLUSIVE REMEDIES.

A. Workmanship. For a period of ten years from the date of substantial completion of Contractor's Work covered hereby, Contractor warrants that it will promptly repair or replace any improper or defective workmanship performed by Contractor under this contract; provided that The contractor has been paid for all work performed, and the Contractor has received written notice from the Customer of any such defective workmanship within 20 days after Customer first becomes aware thereof (provided such is within the aforesaid one-year period). The contractor will not pay for any inspections or repairs performed by others prior to receipt of notice and a reasonable opportunity to make repairs, if warranted.

B. Warranty on Materials. Contractor warrants that it will use only new materials unless specified otherwise in the Contract, and will deliver to Customer warranties issued by the manufacturer of the materials, if available.

contractor shall have no obligation under any such manufacturer's warranty.

Item #2.

C. Disclaimer of Other Warranties. THE PROVISIONS IN PARAGRAPHS A AND B ARE THE EXCLUSIVE WARRANTIES PROVIDED TO CUSTOMER AND ARE EXPRESSLY IN LIEU OF ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE.

D. Mold Exclusion. Contractor specifically excludes for any and all warranties connected with this Work any warranty against the growth, infestation, or spread of mold, mildew, or other fungal or bacterial substance.

8. OBLIGATIONS OF CUSTOMER AT SITE OF WORK

A. Site Conditions. For work performed by the Contractor at the site, Customer shall provide without charge to Contractor (i) sufficient and proper space for handling and storing the materials and equipment of Contractor;; (ii) sufficient power and water for the performance of the Work; (iii) removal of all obstructions to performing the Work as economically as possible.

B. Unanticipated Conditions. If the Contractor encounters unanticipated conditions or structural features, not reasonably ascertainable upon such inspection or testing as was allowed by Customer, Contractor will so advise Customer, and the parties will work out a mutually acceptable adjustment to the Work, the Contract Price, and the time of completion.

C. Asbestos, Lead, Mold, and PCB. The contractor is not equipped to deal with hazardous material, including but not limited to asbestos, lead, mold, or polychlorinated biphenyl ("PCB"). Customer warrants that the Work will not expose Contractor's workers or any other persons to contact with or exposure to such substances. If Contractor encounters material reasonably believed to be asbestos, lead mold, or PCB which has not been rendered harmless, the Contractor shall immediately stop Work in the area affected and report the condition to the Customer. The Work in the affected area shall not thereafter be resumed except by written agreement of the Customer and Contractor. The Work in the affected area shall be resumed in the absence of asbestos, lead, mold or PCB, or when it has been rendered harmless and so agreed in writing by the Customer and Contractor. All cost of testing for, removal of, or to render asbestos, lead, mold or PCB harmless, shall be born by Customer.

9. DEFAULT BY CUSTOMER. If Customer fails, or is unable for any reason, to make any payment when due, or prevents Contractor from completing its Work in a timely and uninterrupted manner, or fails to comply with any term, condition or provision of this Contract, Contractor may resort to any remedy available to it by this Contract, or by law.

10. REMEDIES OF CONTRACTOR. In case of any default by Customer, Contractor may, after reasonable notice and opportunity to cure, not to exceed 10 days; (a) demand payment of the contract price, less a sum equal to Contractor's cost of any labor and materials not furnished or ordered if the Work is not complete, (b) enter the premises and remove its equipment and any unused material (c) invoke and pursue such other or additional remedies as may be provided by law.

11. DISPUTE RESOLUTION. The parties shall attempt to resolve disputes between themselves, using

Page 39

officials of their respective organizations if necessary, and prior to the institution of any legal action, they agree to meet with a mutually agreeable or, upon mutual application, court-appointed mediator for a minimum of session. In any such dispute resolution, each party shall bear their own expenses. In the event of any legal action to enforce the terms of this Contract, the prevailing party shall be entitled to recover reasonable attorney's fees from the other.

Item #2.

12. HOURS OF WORK. The contractor is obligated to perform the Work only during its regular working hours and has no responsibility to work beyond such regular hours. All-time beyond regular hours which is required by Customer shall be paid for by Customer in addition to the contract price, at applicable premium rates of pay.

13. ENTIRE AGREEMENT. This proposal constitutes the entire agreement between the parties. No representations, statements or discussions between Contractor and Customer or Customer's Representative shall be a part of this contract.

14. MODIFICATION. No waiver, alteration or modification of the terms and conditions of this Contract shall be binding unless said waiver, alteration or modification be in writing and signed by a duly authorized representative of each party.

Consumer Notification

[ORS701.055(13)]

You can do more to protect yourself before hiring a contractor than the CCB can do to help you after problems have developed. Here are some suggestions to prevent problems on construction projects.

Choose a licensed contractor

Check if your contractor is licensed with the CCB at www.ccb.state.or.us or 503-378-4621 using the contractor's license number or phone number. A license means the contractor has a surety bond and liability and property damage insurance. Licensing is not a guarantee of the contractor's work. Check the contractor's license category. Each category has different surety bond and liability insurance requirements for contractors:

General Contractor—All Structures (\$15,000 bond, \$500,000 insurance)

« General Contractor—Residential Only (\$15,000 bond, \$500,000 insurance)

• Specialty Contractor—All Structures (\$10,000 bond, \$500,000 insurance)

• Specialty Contractor—Residential Only (\$10,000 bond, \$300,000 insurance)

• Limited Contractor (\$5,000 bond, \$100,000 insurance)

• Inspector (\$10,000 bond, \$300,000 insurance)

• Licensed Developer (\$15,000 bond, \$500,000 insurance)

Check out your contractor

Ask for and check references.

Don't automatically accept the lowest bid.

Get educated. Request a free brochure called 16 Ways to Avoid Repair, Remodeling, and Construction Problems.

Use the phone number or web address below.

Be smart during the project

Take your time and plan your project.

Have a signed, written contract before the work is started or you pay any money. Only sign a contract when you understand all the terms.

Make changes to the original contract in writing,

including any differences in cost and extensions of completion dates. Read your lien notice. The business you contract with is required by law to give you a document called "Information Notice to Owner about Construction Liens" if the contract price is more than \$1,000. You can also get a free copy by contacting the CCB by phone or at the web address below.

Do not pay the full cost of the job in cash before work begins.

Keep good written records. Keep receipts, change orders, a phone conversation log, etc.

Read your ERA pamphlet. Contractors who disturb paint on pre- 1978 dwellings must provide an ERA pamphlet to the owner or occupant before work starts. Get a signed receipt and keep records for three years. Call 1-800-424-LEAD. If you have a complaint

Contact the CCB. Phone 503-378-4621 or email ccb.info@state.or.us

(Information in this brochure is not legal advice. For legal advice, consult with an attorney.)

Construction Contractors Board (f/cons-n/2-04)

PO Box 14140, 700 Summer St NE Suite 300, Salem OR 97309-5052

www.ccb.state.or.us. fax: 503-373-2007

You can file a claim against a licensed contractor within one year of the work being substantially completed.

CONSTRUCTION CONTRACTORS BOARD

700 Summer St NE Suite 300

PO Box 14140

Salem OR 97309-5052

Telephone: 503-378-4621

Fax: 503-373-2007

Web Address: www.ccb.state.or.us Automated 24-hour inquiry line: 503-378-4610

INFORMATION NOTICE TO OWNER ABOUT CONSTRUCTION LIENS

This is not a lien. It is provided to you by your contractor to inform you about construction lien laws. An l

Notice is not a reflection upon the integrity or credit standing of your contractor. This Information Notice explains the construction lien law and steps you can take to protect your property from a valid lien. As an owner, you should read this Information Notice carefully. This Information Notice is required to be given if you contract for residential construction or remodeling or if you are buying a new home, at any time the contract price exceeds \$1,000.

Item #2.

Under Oregon law, your contractor and others who provide labor, materials, equipment or services to your project may be able to claim payment from your property if they have not been paid. That claim is a construction lien.

If your contractor does not pay subcontractors, employees, or rental equipment or material suppliers or does not make other legally required payments, those who are owed money may lien your property for payment. It is in your best interest to verify that all bills are paid, even if you have paid your contractor in full. If you occupy or will occupy your home, persons who supply materials, labor, equipment or services ordered by your contractor are permitted by law to record a lien against your property only if they have sent you a timely Notice of Right to a Lien (which is different from this Information Notice) before or during construction. If you enter into a contract to buy a newly-built, partially-built or newly-remodeled home, a lien may be claimed even though you have not received a Notice of Right to a Lien. If you do not occupy the building, a Notice of Right to a Lien is not required prior to filing a lien.

Common Questions and Answers about Construction Liens

Can someone record a construction lien even if I pay my contractor?

Yes. Anyone who has not been paid for labor, material, equipment, or services on your project and has provided you with a valid Notice of Right to a Lien (where one is required) has the right to record a construction lien.

What is a Notice of Right to a Lien?

In certain circumstances, persons with whom you do not have a contract are required to send you a Notice of Right to a Lien if they intend to protect their construction lien rights against your project. It is sent to you for your protection. It is not a construction lien.

What should I do when I receive a Notice of Right to a Lien?

Don't ignore it. Find out what arrangements your contractor has made to pay the sender of the Notice of Right to a Lien.

When do construction liens need to be recorded?

In Oregon, construction liens generally need to be recorded within 75 days from the date the project was substantially completed or 75 days from the date that the lien claimant

ceased to provide labor, material, equipment or services, whichever is earlier. To enforce a lien, the lien claimant must file a lawsuit in a proper court within 120 days of the date the lien was recorded.

When you pay your contractor for materials, labor, equipment or services, you may wish to consider making your checks payable jointly to the contractor and whoever sent you a Notice of Right to a Lien. You can ask for a statement of the reasonable value of the materials, labor, equipment or services provided to your project from everyone who sends you a Notice of Right to a Lien. If the information is not provided in a timely manner, the sender of the Notice of Right to a Lien may still be able to record a construction lien, but is not entitled to attorney fees. Consider using the services of an escrow agent to protect your interests. Consult your attorney to find out whether your escrow agent will protect you against liens when disbursing payments. Contact a title company about obtaining a title policy that will protect you from construction lien claims. Ask your contractor, lending institution and architect what precautions, if any, they will take to protect your project from construction liens. Get evidence that those who sent you a Notice of Right to a Lien have been paid or have waived all their construction lien rights. Have a written contract with your contractor. A written contract is required for projects greater than \$2,500, and highly recommended for projects less than that. Review the Consumer Notification form (ORS 701), which your contractor must provide to you when a bid or proposal is made on a residential structure. Contact the Construction Contractors Board (CCB) and confirm that your contractor is licensed. The law requires all construction contractors to be licensed with the CCB or landscape businesses licensed with the Landscape Contractors Board (LCB). Contact the CCB at www.ccb.state.or.us or 503- 378-4621. Call the LCB at 503-986-6561. Should you have a dispute with your contractor, you may be able to file a claim with the CCB or LCB and be reimbursed in whole or in part from the contractor's bond. For more details about help available through the agency, write to the CCB at PO Box 14140, Salem, OR 97309-5052 or call at 503- 378-4621. Consult an attorney. If you do not have an attorney, consider contacting the Oregon State Bar referral service at 503-684-3763 or 1-800-452-7636. Signing this Information Notice indicates only that you have received it. Your signature or those who provide material, labor, equipment, or services any additional rights to place Job site address does not give your contractor or a lien on your property. This Notice was furnished by:

Received by: (Contractor) (Owner(s)) (CCB #) (Date)
(Date)

The material in this Information Notice is not intended to be a complete analysis of the law in ORS Chapters 87 and 701. You may request a more detailed description of Oregon lien law called: "Required Residential Construction Notices" by calling 503-378-4621 to request the publication. For more detailed information, consult an attorney.

(Info-Ntc2/f/10/18/02)

Owner's Duty to Notify Contractor in the Event of a
Residential Construction Dispute
(ORS701.560)

Oregon law contains important requirements you must follow before you may start a court action or arbitration against any contractor, subcontractor or supplier (materials or equipment) for construction defects.

Before you commence a court action or arbitration, you must do the following:

1. Deliver a written notice of any conditions you allege are defective to the contractor, subcontractor or supplier you believe is responsible for the alleged defect.
2. Provide the contractor, subcontractor or supplier the opportunity to make an offer to repair or pay for

You are not obligated to accept any offer made by the contractor, subcontractor or supplier.

There are strict deadlines and procedures that must be followed under Oregon law. Failure to meet those deadlines or follow those procedures will affect your ability to commence an arbitration or a court action. You should contact an attorney for information on deadlines and procedures required under Oregon law.

Your contractor is supplying this notice to you to fulfill the requirements of ORS 701.560 enacted by the 2003 Oregon legislature.

Item #2.

Company Authorized Signature	Customer Signature	Customer Signature
	<i>Jacob Tenney</i>	<i>Jacob Tenney</i>
06/10/2022	7/8/2022	7/8/2022

OREGON CITY HISTORIC RESOURCE SURVEY FORM

Street Address: 810 JQ ADAMS ST					City: OREGON CITY	
USGS Quad Name: Oregon City			GPS Latitude: 45 21 19 N		Longitude: 122 35 58 W	
Township: 02S	Range: 02E	Section: 32	Block: 156	Lot: 6	Map #: 22E32BC	Tax Lot #: 6900
Date of Construction: c. 1905		Historic Name: Locke, Joseph and Venna, House			Historic Use or Function: Domestic - single dwelling	
Grouping or Cluster Name: NA		*Current Name or Use: Domestic - single dwelling			Associated Archaeological Site: Unknown	
Architectural Classification(s): Vernacular / Queen Anne			Plan Type/Shape: Rectangle		Number of Stories: 1.5	
Foundation Material: Post and beam			Structural Framing: Unknown		Moved? No	
Roof Type/Material: Gable on hip / Composition shingle			Window Type/Material: 1/1 wood double-hung			
Exterior Surface Materials Primary: Channel drop			Secondary: Wood shingle		Decorative:	
Exterior Alterations or Additions/Approximate Date:			Flat roof attached garage on south side; Original entry door and window on front façade boarded c New entry door created			
Number and Type of Associated Resources: Small rental house to rear (1)						
Integrity: Fair		Condition: Fair		Local Ranking: Designated Historic Site		National Register Listed? No
Potentially Eligible: ☐ Individually or ☐ As a contributing resource in a district Not Eligible: ☐ Intact but lacks distinction ☒ Altered (choose one): ☒ Reversible/Potentially eligible individually or in district ☐ Reversible/Ineligible as it lacks distinction ☐ Irretrievable loss of integrity ☐ Not 50 years old						
Description of Physical and Landscape Features:						
This 1-1/2 story vernacular house with Queen Anne detailing has a rectangular plan and sits on a post and beam foundation with vertical channel drop skirting. The cross gable roof is covered with composition shingles and is pierced by a gable roof dormer and a chimney. The house is covered with channel rustic drop siding with wood shingles on the dormers and gable ends. Windows are primarily 1/1 wood double-hung with lamb's tongues. The shed roof entry porch is supported by narrow columns with decorative brackets and open rail. The original entry door and a window have been boarded over and a new entry door has been created in the front façade, making the siding on that façade uneven and unmatched. A flat roof attached garage is on the south side. A shed roof addition has been added to the rear. A small rental house, with poor integrity and condition, sits to the rear of the house.						
Statement of Significance:						
In 1905, Joseph D. and Venna Locke purchased this land and proceeded to construct their residence. Mr. Locke was a carpenter who built a number of Bungalow houses in the McLoughlin Neighborhood. Following the couple's transfer of the property in 1933, it had changed hands another three times by 1939. At that time it was sold to Harless R. and Jennie M. Ely, both musicians. The Elys continued to own and occupy this residence until at least 1967.						

Researcher/Organization: Heather Goodson / HPNW			Date Recorded: 4/6/2002	
Survey Form Page 1	Address: 810 JQ ADAMS ST	Local Designation #	SHPO #	

Land Use and Planning

<i>Zoning</i>	R-3.5	<i>In SDC Discount Area?</i>	N
<i>Comprehensive Plan</i>	MR	<i>In Thayer Rd Pond Fee Area?</i>	N
<i>Subdivision</i>	CLACKAMAS COUNTY ADDITION	<i>In Beavercreek Rd Access Area?</i>	N
<i>Subdivision Plat Number</i>	1	<i>In Willamette River Greenway?</i>	N
<i>PUD (if known)</i>	0	<i>In Geologic Hazard?</i>	N
<i>Partition Plat Number</i>	0	<i>In High Water Table Area?</i>	N
<i>Neighborhood Association</i>	McLoughlin	<i>In Nat. Res. Overlay District (NROD)?</i>	N
<i>Urban Renewal District</i>	NONE	<i>In 1996/FEMA 2008 100-yr Floodplain?</i>	N
<i>Historic District</i>	MCD	<i>In FEMA Floodway?</i>	N
<i>Historic Designated Struct.?</i>	MCD	<i>In Barlow Trail Area?</i>	N
<i>Concept Plan Area</i>	NONE	<i>In Vertical Housing Dev. Zone?</i>	N
<i>Urban/Rural Reserve</i>		<i>In Enterprise Zone?</i>	N
<i>Reserve Name</i>		<i>In Opportunity Zone?</i>	Y
<i>Watershed</i>	Abernethy Creek-Willamette River		
<i>Sub-Watershed</i>	Tanner Creek-Willamette River		
<i>Basin</i>	Middle Willamette		
<i>Sub-Basin</i>	Willamette		

Service Districts

<i>Elementary School</i>	HOLCOMB ELEMENTARY
<i>Middle School</i>	OGDEN MIDDLE
<i>High School</i>	OREGON CITY HIGH
<i>School District</i>	OREGON CITY
<i>Oregon Dept. of Ed. Dist. ID</i>	1928
<i>Nat Cntr for Ed Stats Dist ID</i>	4109330
<i>Water District</i>	
<i>Park District</i>	
<i>Sewer District</i>	Tri-City Service District
<i>Fire District</i>	Clackamas Fire District #1
<i>Fire Management Zone</i>	6598
<i>Transit District</i>	Tri-County Metropolitan
<i>Garbage Hauler</i>	Oregon City Garbage Co.
<i>Garbage Hauler Phone</i>	(503) 656-8403

Census Information

<i>Census Tract</i>	224.00000000
<i>Census Block Group</i>	2
<i>Census Block Grp. Pop. (2010)</i>	989

Overlay Information

Category	Description	Acres	Percent Coverage
Parcel Statistics for: 2-2E-32BC-06900	Overall Acres	0.15	100.0%
FEMA 100 Yr Floodplain	In Floodplain (100 yr)	0.00	0.0%
Buildings	Built up % (approx)	0.04	23.9%
Geologic Hazards	In Geologic Hazard	0.00	0.0%

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed.



Taxlot Detail Report

2-2E-32BC-0

Item #2.

Steep Slopes	Slopes >= 25%	0.00	0.0%
NROD	In NROD	0.00	0.0%
Willamette Greenway	In Willamette Greenway	0.00	0.0%
Vacant Lands (All)	In Vacant Lands	0.00	0.0%
Vacant Lands (Constrained)	In Vacant Lands (Constrained)	0.00	0.0%
Vacant Lands (Unconstrained)	In Vacant Lands (Unconstrained)	0.00	0.0%

SITUS Addresses

Address	Latitude	Longitude
810 JQ ADAMS ST	45.35512514	-122.59954575

Permits

Permit Number	Permit Type	Work Class	Description	Main Address	Permit Status	Issue Date	Expiration Date	Finalized Date
BB-07-0083	Building (Residential)	Addition	installation of foundation under existing house post & beam framed house	810 JQ ADAMS ST	Complete	02/16/2007	02/08/2009	08/12/2008
BB-08-0275	Demolition	Residential	DEMO ACCESSORY BLDG	810 JQ ADAMS ST	Complete	07/23/2008	07/01/2009	06/01/2009
BE-07-0312	Electrical	Residential	installation of foundation under existing house post & beam framed house REWIRING WHOLE HOUSE 1800 SQ FT	810 JQ ADAMS ST	Complete	04/27/2007	09/17/2008	03/21/2008
BM-07-0146	Mechanical	Residential	REPLACING EXISTING FURNACE, DUCTWORK, FIREPLACE, VENTS TO WATER HEATER AND FIREPLACE, NEW KITCHEN RANGE HOOD, CLOTHES DRYER EXHAUST, 3 EXHAUST FANS AND GAS PIPING TO FURNACE, FIREPLACE, AND RANGE	810 JQ ADAMS ST	Complete	05/24/2007	12/15/2008	06/18/2008
BM-13-0223	Mechanical	Residential	a/c install	810 JQ ADAMS ST	Expired	08/26/2013	02/22/2014	
BP-07-0270	Plumbing	Residential	REPLACEMENT OF FIXTURES	810 JQ ADAMS ST	Complete	05/07/2007	02/01/2009	08/05/2008



Taxlot Detail Report

2-2E-32BC-0

Item #2.

RWLIC-19-00248	ROW Licensee/Franchise	Licensee/Franchise Utility Construction	NW NATURAL GAS REPLACE VINTAGE PLASTIC SERVICE WITH NEW 1/2" POLY GAS SERVICE LINE. Please contact Jake Ashenberger at jashenberger@orc.org (24) hours prior to start of work. Please call 971-276-1751 (24) hours prior to the start of work. Provide all compaction test results to inspector prior to final permit approval and inspection. Class B 3/4 Rock backfill to be compacted to 95% on ASTM D 1557/AASHTO T-180 and pavement to be compacted 92% maximum theoretical density per AASHTO T-209. Existing arterial and collector street designations require CLSM (aka CDF) per ODOT standards, SEC-00442 for all trench transverse or perpendicular crossings of vehicle travel lanes. Minimum 4 inch pavement replacement or match existing whichever is greater. Maintain one foot vertical and five foot horizontal separation from other utilities. All compaction tests and inspection approval required prior to final sign off. Permit to remain onsite. NO ROAD CLOSURES ARE ALLOWED WITHOUT PRIOR APPROVAL.	810 JQ ADAMS ST	Complete	10/23/2019	04/20/2020	04/22/2020
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Plans

Plan Number	Plan Type	Work Class	Description	Main Address	Plan Status	Apply Date	Expire Date	Complete Date
HR-07-0006	Historic Review	EnerGov-Conversion	exterior alterations and new construction for 810 JQ Adams	810 JQ ADAMS ST	Review Expired	04/30/2007	10/27/2007	
HR-08-0004	Historic Review	EnerGov-Conversion	DEMOLITION OF ACCESSORY BUILDING ONSITE	810 JQ ADAMS ST	Review Expired	07/01/2008	12/28/2008	
HR-18-00007	Historic Review	Preservation Grant	The applicant has rebuilt a portion of the front porch and would like to modify the project to improve water drainage to improve longevity of the project. The home is a designated structure known as the Joseph and Venna Locke House.	810 JQ ADAMS ST	Approved	03/01/2018		11/09/2018























To: Historic Review Board
From: Christina Robertson-Gardiner, Senior Planner
RE: Discussion Draft Middle Housing Design Guidelines
Date: July 19, 2022

The Housing Choices Code Update ([House Bill 2001](#)) amended Title 16 (Land Divisions) and Title 17 (Zoning) of the Oregon City Municipal Code to permit a greater range of middle housing types, including duplexes, triplexes, quadplexes, townhouses and cottage clusters in residential zones where single-family detached residential units are permitted. These code amendments affect all areas currently zoned to allow single-family uses, including Historic Districts and Landmarks. House Bill 2001 [does not allow cities to limit middle housing in historic areas](#).

On June 1, 2022 the City Commission voted to approve the second reading of ORDINANCE NO. 22-1001 and remand the file to the October 24, 2022 Planning Commission Meeting to review a second package of outstanding policy questions not needed for compliance with HB 2001. The code amendments are effective June 30, 2022 and can be found on the following project page.

LEG 22-01 HOUSING CHOICES CODE UPDATE- ADOPTED CODE

Please note that it takes several months for the updated code chapters to be incorporated into the city's online code. In the meantime, the above project page is the best option to review the adopted code and planning forms.

Key items that were adopted with this package are the allowance for detached duplexed and triplexes city-wide when one of the units is more than five years old and the continuation of density restrictions of 2 units per acre in the Geologic Hazard District, which will greatly restrict the use of middle housing in the Canemah National Register District.

The Historic Review Board currently uses [OCMC 17.40 Historic Overlay District](#) and the [Design Guidelines for New Construction](#) to determine if a proposal is compatible with the district/landmark and will not create an adverse effect. Both the McLoughlin Conservation District and Canemah Historic District have parcels that currently have the opportunity to develop middle housing, and the existing regulations provide Historic Review Board with the ability to review the proposals for compatibility. However, with more areas about to be zoned to allow middle housing, a design guideline supplement addressing the specific design consideration for middle housing would provide additional direction to applicants, the HRB, and neighbors.

The Historic Review provided staff initial feedback at the April 2022 HRB meeting. The enclosed version responds to some of the feedback and provides other areas for additional discussion. The revised discussion draft will be shared with the McLoughlin and Canemah neighborhood associations.

Exhibits

Revised Discussion Draft

July 2022 DISCUSSION DRAFT

Middle Housing Design Guidelines – (New Section to be inserted into [Design Guidelines for New Construction](#))

Introduction

Middle housing types include duplex, tri-plex, quadplex, townhomes, and cottage clusters. Many of these housing types were historically permitted and built throughout the state prior to World War II, and can still be found in many older neighborhoods in Oregon City. These housing types were added as permitted uses to the City's low and medium-density districts in 2019 and 2022. Middle housing types are now permitted uses in R-10, R-8, R-6, and R-3.5 zones, which overlap with the City's two historic districts and with various historic landmarks.

How to Use this Document

The following design guidelines provide further direction on middle housing within historic districts and landmarks to ensure that design is compatible and does not adversely affect the significance of the district or landmark. Consult the general guidance in the Design Guidelines for the applicable district or landmark before incorporating the middle housing guidelines into your design. This document is an addendum to the adopted guidelines; please ensure that the general design guidelines for materials, siting, scale, roof form, architectural style, and design elements that apply to residential construction are also addressed. Refer to pages 4 and 5 of the Design Guidelines for step-by-step guidance.

All Middle Housing Types

MASSING

How to determine appropriate massing:

Step 1:

Measure average height and square footage of nearest six historic resources

-OR-

Measure average height and square footage of nearest six structures over 50 years old

Commented [KR1]: Which approach should be included?

Step 2:

New middle housing structures should have a total building mass no larger than 1 ½ times the size of the average (or 1.75 times? Should this be different for townhomes?)

Commented [KR2]: Staff to provide an example at July work session

For landmarks, new middle housing structures should ensure that the total individual building mass is no larger than 1 ½ times the size of the landmark

Massing may, in some circumstances, exceed the prescribed 1.5 times the average for sites in which:

- The site considerably large, allowing for ample spacing and setbacks
- The site is sloped such that the building mass is less visible or shielded from public view

- The structures would be shielded from public view by existing structures that are unlikely to be demolished.

The applicant must provide detailed analysis to demonstrate why massing would not be considered excessive.

PARKING

Principles:

Paved driveways and parking areas are to be located to the side or rear of the structure.

Front yard areas should be comprised of landscaping.

Driveway widths should be consistent with the predominant driveway width of the district or landmark, which is typically less than 20 feet in width.

CONFIGURATION OF DUPLEX/TRIPLEX/FOURPLEX UNITS

Principles:

New attached plexes can be designed to look like one single family home or can be designed as separate units attached with a “hyphen” set back from the front façade. [Detached units are encouraged if allowed by the zoning code.](#)

Units can be stacked vertically or attached on the sides.

Plexes on a lot with an existing single family home should generally be detached from the existing structure. Middle housing units should generally be located behind or next to an existing structure.

Setbacks should be consistent with surrounding historic single-family structures.

Not allowed: ???

ENTRYWAYS FOR DUPLEX/TRIPLEX/FOURPLEX UNITS

Principle: Entryways should be located on the street-facing facade of the structure and should be designed to read as a single entryway. Multiple front doors in a single defined entryway are acceptable; for example, two or three doors on a central front porch. This may also be achieved through the location of doorways around a central recessed entry or using a single exterior doorway leading to an interior entry hall. Alternatively, units may be accessed from secondary entrances located on the side or rear of the structure.

Not Allowed: For duplexes, threeplex, and fourplexes, multiple defined entries are not allowed unless units are attached with “hyphens”

Townhomes

Townhomes are not a historically represented type in either the Canemah National Register District or the McLoughlin Conservation District.

- Townhomes should follow vernacular styles for each district; Queen Anne styles in McLoughlin are also acceptable. For other styles, applicants must demonstrate how the style is compatible with the district.
- In the Canemah District, no more than three units are to be attached together as one building mass. *Note: citywide code allows up to six attached townhomes.*
- Front-facing attached garages are not allowed.

Cottage Clusters

Cottage clusters are groups of smaller detached housing units, typically 800-1200 square feet, clustered around a common open space.

- Cottage cluster unit designs and forms should vary within the cluster to avoid identical or near-identical designs.
- Flexibility in materials and design elements for units that are visually removed from public streets is appropriate.
- Share open space should be centrally located and publicly visible.

April 8, 2022 DISCUSSION DRAFT

Middle Housing Design Guidelines – (New Section to be inserted into [Design Guidelines for New Construction](#))

Middle housing types include duplex, tri-plex, quadplex, townhomes, and cottage clusters.

Many of these housing types were historically permitted and built throughout the state prior to World War II, and can still be found in many older neighborhoods in Oregon City. These housing types were added as permitted uses to the city's low and medium-density districts in 2019 and 2022.

The following design guidelines provide further direction on middle housing within historic districts and landmarks to ensure that design is compatible and does not adversely affect the significance of the district or landmark. Consult the background guidance in this document for the applicable district or landmark before incorporating the middle housing guidelines into your design.

All Middle Housing Types

DRAFT GUIDELINE #1. The materials, siting, scale, roof form, architectural style, and design elements of the structure should be consistent with the adopted design guidelines that apply to residential construction.

QUESTIONS FOR DISCUSSION:

***What is appropriate and not appropriate when it comes to massing and height for middle housing?
Is anything needed beyond what is already in the guidelines?***

Current guidance on volumes:

PRINCIPLE

Residential buildings incorporated space within the roofline [a half story] and the basement for added space.

McLoughlin Commercial Style buildings on 7th Street from Center to John Q. Adams: dense building along this historic commercial corridor is appropriate. Respect massing and scale of IOOF Hall and Fire Station

Canemah: maintain historic residential massing.

Non rectangular volumes are more difficult to integrate into historic styles



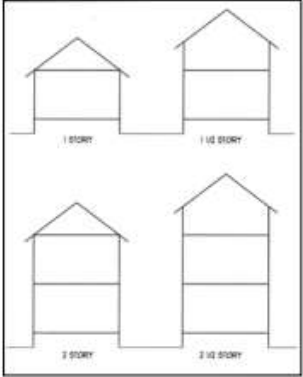
NOT ALLOWED

Buildings with excessive mass for the style chosen or neighborhood in which located

Long, uninterrupted wall planes facing the public way; utilize projections, recesses or wall elements to breakup such planes



Current guidance on heights:

PRINCIPLE — GOOD EXAMPLE	NOT ALLOWED
The building heights to be similar to the neighborhood historic context and appropriate to the style chosen. Important Heights include: • Main level height above grade • Grade to eave and main ridge • Grade to parapet • Individual story height • Number of stories  McLoughlin Commercial Style buildings on 7th Street from Center to John Q. Adams can range from a tall single story to the approximate height of the existing historic buildings to provide new, but appropriately sized context. McLoughlin Commercial Use Buildings in a Residential Style: maximum height similar to residential use. Canemah Commercial use buildings: maximum height is higher than residential use; Maximum 2 ½ stories.	Residential buildings that vary more than 20% from heights of the historic neighborhood context buildings unless approved by the HRB.  Residential building ground levels that are elevated less than 18" above grade, unless there are topographic considerations Canemah Residential: greater than 1 ½ story maximum height plus basement McLoughlin Residential: greater than 2 ½ story maximum height plus basement Commercial use buildings greater than 3 stories

DRAFT GUIDELINE #2. Entryways should be located on the street-facing facade of the structure and should be designed to read as a single entryway. This may be achieved through the location of doorways around a central recessed entry or using a single exterior doorway leading to an interior entry hall. Alternatively, units may be accessed from secondary entrances located on the side or rear of the structure.

QUESTIONS FOR DISCUSSION:

Are multiple front doors appropriate or should the guideline be for singular entryways?



Fourplex with four exterior doors on a single front porch



Various entryway design options for duplexes

DRAFT GUIDELINE #3. Entryways should be defined by a single traditional-styled porch.

DRAFT GUIDELINE #4. Parking areas and attached garages are to be located to the side or rear of the structure.



Fourplex in McLoughlin district; built circa 2013

DRAFT GUIDELINE #5. Front yard areas should be comprised of landscaping. Paving front yard areas for parking is inappropriate. Driveway widths should be consistent with the predominant driveway width of the district or landmark.

DRAFT GUIDELINE #6. Setbacks should be consistent with surrounding historic single-family structures.

Townhomes

Townhomes are not a historically represented type in either the Canemah National Register District or the McLoughlin Conservation District.

- Care should be taken to ensure that the total building mass is no larger than 1 ½ times the size of the largest historic single-family residence in the district.

- In the Canemah District, no more than three units are to be attached together as one building mass. *Note: citywide code allows up to six attached townhomes.*
- Front-facing attached garages are not allowed.

Examples of townhomes in and around Oregon City (outside of historic districts):



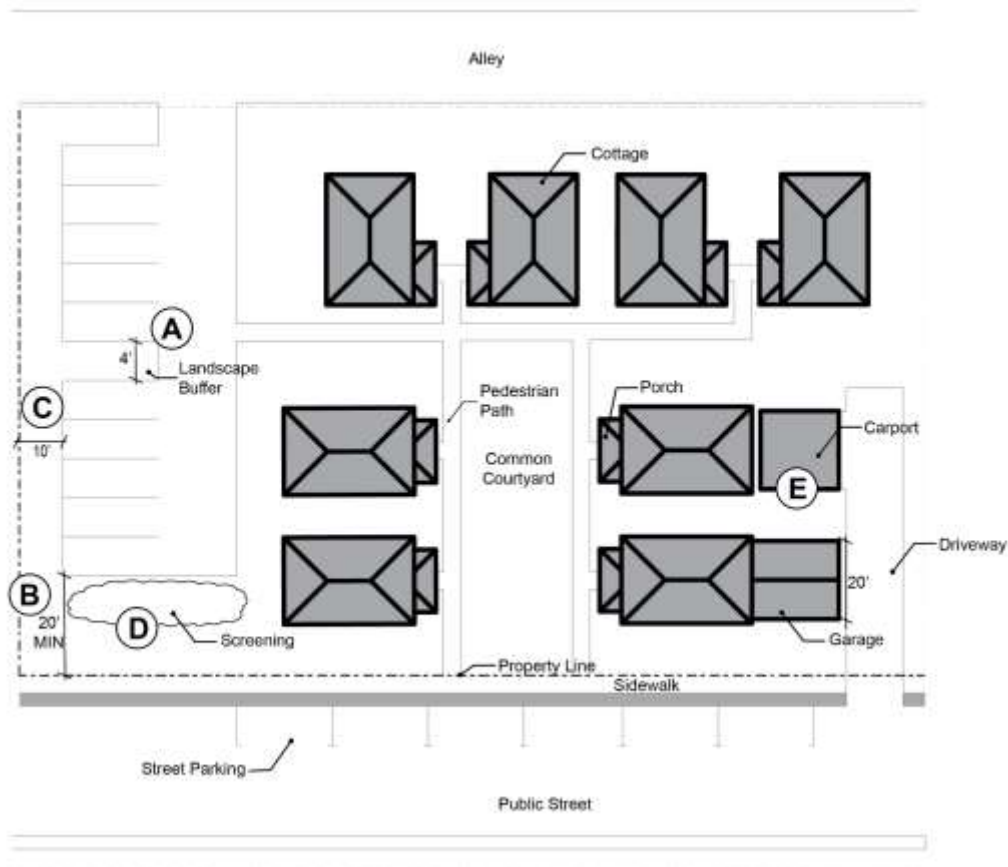
Examples of townhomes in other jurisdictions:



Cottage Clusters

Cottage clusters are groups of smaller detached housing units, typically 800-1200 square feet, clustered around a common open space.

- Cottage cluster unit designs and forms should vary within the cluster to avoid identical or near-identical designs.
- Flexibility in materials and design elements for units that are visually removed from public streets is appropriate.



Cottage Cluster example diagram























[Housing Choices Code Update \(House Bill 2001\)](#)

Frequently Asked Questions

1. *What is House Bill 2001? Why are you calling it the “Housing Choices Code Update” project?*

[House Bill 2001](#) (HB 2001) is a law passed by the Oregon Legislature in 2019 to increase housing choice and supply. The law requires large cities, including Oregon City, to amend their land use regulations to allow more housing types like duplexes, triplexes, fourplexes, cottage clusters, and townhouses in residential areas where single-family homes are allowed, by June 30, 2022. These housing types are often called “middle housing” because they are between a single-family house and an apartment building in terms on number of units.

2. *What parts of Oregon City will be affected by HB 2001?*

All residentially zoned areas within the city limits that currently allow single-family homes will be affected. In Oregon City, this includes the following zones: Low density Residential, (R6, R8, R10) Medium Density Residential (R3,5, R5) and Historic Commercial. Land that is not zoned for single family residential use, including but not limited to Multi-family, commercial, industrial, and public land are not affected. In addition, land that is outside of the city limits (not annexed) is also not affected by HB 2001 (but will be, once inside the city limits).

3. *What is a “zone” and how do I find out the zoning of a specific property?*

Land within Oregon City is divided into different areas called “zones.” These are intended to provide areas suitable for certain types of development or uses (examples include commercial, residential or industrial). Each zone provides a set of regulations governing the uses and development of a property within that zone, and includes such regulations as maximum building height or minimum building setbacks. To find out the zoning of a specific property in Oregon City, use the City’s searchable [zoning map](#). To learn more about what uses are allowed in a specific zone, you can check out [Oregon City’s land use code](#) or visit our [project website](#). While all middle housing types are currently allowed in Oregon City, not all middle housing types are allowed in all residential areas.

4. *Can I still build a single-family home?*

Yes. House Bill 2001 does not prohibit single-family homes or make it more difficult to build single-family homes where they are currently allowed, rather it allows middle housing types to be built in the same residential areas where single family homes are allowed.

5. *Some properties have CC&Rs (Covenants, Conditions, and Restrictions) or other agreements between private parties that do not allow for the construction of multiple units or certain types of units. Does HB 2001 override CC&Rs? How do I know if a property has CC&Rs?*

While HB 2001 does prohibit the creation of new CC&Rs that conflict with HB 2001, it does not affect existing CC&Rs. To find out if a specific property has CC&Rs, contact the Homeowner's Association (if applicable) or a title company or conduct a search through Clackamas County Deeds & Records. If you own property, the title report produced when you purchased your property should disclose any CC&Rs. If you are buying property, realtors are required to disclose existing CC&Rs before you purchase the property. The City of Oregon City does not enforce CC&Rs or other such private agreements.

6. *If House Bill 2001 rules are written for the entire state, how do we make sure the implementation meet Oregon City's specific needs?*

The Oregon Land Conservation and Development Commission adopted [new rules](#) that include three ways or choices for cities to comply with House Bill 2001: a model code, minimum compliance standards, and a performance metric approach. The model code is a set of ready-made land use regulations that cities can directly apply; the minimum standards are, at minimum, actions that cities must take to comply with the house bill; and the performance metric requires that middle housing be allowed on a certain percentage of lots around the city and within census tracts. The new rules were adopted on December 9, 2020 and contain some prescriptive requirements (such as parking standards) as well as areas where cities have flexibility in implementation (such as minimum lot size in some districts). Staff are still reviewing the new rules but are anticipating using the minimum standards rather than the model code because it will allow more flexibility that is tailored to Oregon City, though the city may choose to adopt a portion of the model code if the approach to a specific topic make sense for the community. If cities do not adopt land use regulations that comply with HB 2001 by the June 2022 deadline, then the model code will directly apply.

7. *When will the public know what kind of code concepts the city is considering?*

As noted above, the state adopted final rules on December 9, 2020 and staff is currently reviewing it to determine what these mean for Oregon City. Staff will begin exploring possible code concepts informed by the public involvement work of Fall 2021. The code concepts will be options for different ways we can comply with the bill within the sideboards created by HB 2001 and the implementing [OAR 660-046-0000](#).

8. *Didn't Oregon City just adopt Missing Middle Code?*

Oregon City's recent [equitable housing code amendments](#), adopted by the City Commissions in 2019, have already implemented many of the requirements of House Bill 2001, such as the creation of clear and objective siting standards. However, additional updates will be needed for full compliance, such as allowing more middle housing types in the [Low Density Residential District](#) (R6, R8, R10) and allow duplexes on all lots in all residential zones. The equitable housing code amendment project was initiated by the City prior to the Statewide housing bill HB2001, and primarily affected the medium and high-density residential zone districts, mixed use and commercial zone districts, although corner-lot duplexes are now permitted within low-density zones as a result of this project. The goal of this project is to identify barriers to "missing middle" housing in the zoning code and reduce those barriers in order to incentivize a greater variety of housing types. The results have been incorporated into the current zoning code, which includes a streamlined processes with clear and objective standards for permitting small and large scale [multi-family development](#), [single-family attached](#), [duplexes](#), [tri-plexes](#) and [four-plexes](#), manufactured homes and [home parks](#), [cluster housing](#), [internal conversions](#), and [accessory dwelling units](#).

9. *Who are the decision makers in this process?*

Because this project will result in changes to Oregon City's land use regulations (which requires a legislative process), the Oregon City City Commission will be the decision-maker. Staff will provide a recommendation on the changes to the Oregon City Planning Commission, based on public engagement and consultant input to bring forward to a formal adoption process. The formal adoption process for any new or changed land use regulations includes a mailed postcard and public hearings before the Planning Commission, who will make a recommendation to City Commission. Then, City Commission will hold a public hearing and make the final local decision. The public hearing process is anticipated to begin in February 2022.

10. *What outreach efforts are happening?*

There are community involvement and engagement opportunities happening in the fall and winter of 2021 which include, but not limited to: Boards and Commissions listening sessions, drop in open house, student outreach, city-wide digital survey, water bill mailing, outreach to the previous [equitable housing project advisory committee](#) and current [OC2040](#) PAT among others.

11. The website talks about equity. What does social and racial equity have to do with housing policy?

This project has an intentional focus on equity and inclusion in outreach and decision making. Planning projects affect the entire community; however, traditional engagement efforts face challenges in reaching certain parts of the community. This structure has created disproportionate representation in the planning process and has resulted in exclusion of some people and groups who are directly impacted by plans and policies.

As summarized by Oregon Land Conservation and Development (LCDC) Commissioner Anyeley Hallova during a [rulemaking meeting](#) on the House Bill, “before racial segregation through zoning, some neighborhoods had more diverse housing types with mixed incomes that are part of our beloved neighborhood fabric. As intentional as racially segregating housing policy was, we need to be as equally intentional about providing equitable housing outcomes for all.”

Across the country, [we have a difficult history of exclusion to grapple with](#), and our intent with this project is to acknowledge that history, and move forward with a focus on inclusion for all, including renters, low income people, people with disabilities, young people, seniors, and Black, Indigenous, and People of Color.

12. What if I have concerns with the requirements of House Bill 2001?

As noted above, the House Bill was passed in 2019 by the Oregon Legislature and is now Oregon law. Changes to the language of HB 2001 can only be made by the Oregon Legislature. The City of Oregon City must comply with HB 2001 and the newly adopted rules by June 30, 2022, or the state model code will apply directly. However, we recognize that people will have questions and concerns about implementation. As staff, we want to hear what you think – please reach out. We can help explain what things the City has control and choice over during implementation, and what things are predetermined by the house bill and new rules.

13. Will new middle housing be affordable?

There is a difference between true “Affordable Housing” and “naturally occurring affordable housing.” Affordable Housing is housing that is directly subsidized by an organization or the government. This housing usually has waitlists and serves people with specific income ranges and housing needs. Naturally occurring affordable housing is market-rate housing that is usually older, smaller, or both. Newly constructed middle housing is anticipated to be sold or rented at market rate, and it will have a wide range of prices. New housing, however, tends to have a higher price tag than older housing, simply because it’s new. A new house that is very similar to a house 30 years old is likely to command a higher price, because of that lack of wear and tear. The newer house will have a higher up-front cost but will have lower maintenance costs. Middle housing can be ‘affordable by design.’ Middle housing tends to be relatively small, which leads to lower operating and long-term maintenance costs. A 1,500 square foot house is likely to cost its occupants much less than a 2,500 square foot house. There’s less square footage to heat, a

smaller roof to maintain, less exterior space to paint. The cost of housing includes maintenance costs, not just the upfront price.

As part of implementation of House Bill 2001, the City will be required to consider ways to increase the affordability of middle housing. We know that housing affordability is an issue of importance for our community, as has been reiterated during the public engagement for this project. We will be looking for ways to address affordability to the degree possible in this project, as well as connecting the policy decisions made for HB 2001 to other city policies affecting affordability.

14. *Doesn't new market-rate housing cause gentrification, so prices in the neighborhood increase?*

Some people worry that new market-rate apartment buildings in gentrifying neighborhoods raise nearby rents and accelerate gentrification. The concern is that new buildings could change nearby amenities or neighborhood reputation, increasing demand for the neighborhood enough to offset the effect of increasing supply. [Research](#) by economists at the Upjohn Institute have shown that new market-rate apartment buildings in low-income areas do not accelerate gentrification. Instead, they slow rent increases in nearby apartments. This implies that new developments serve mainly to absorb existing demand for an area rather than to generate new demand. In turn, this reduces pressures on nearby rents because many high-income households move to the new building rather than outbidding lower-income households for nearby apartments. New developments are associated with gentrification, but they follow it rather than precede it. Stay tuned for more information on economic impacts of HB 2001 implementation.

15. *Who can I contact if I want to know more?*

You can contact the City's project manager Christina Robertson-Gardiner crobertson@orccity.org 503-496-1564. You can also visit [our webpage](#) to sign up for the project mailing list.



Middle Housing and Goal 5 Historic Resources

Policy Summary: The intention of adopted rules implementing House Bill 2001 relating to middle housing is to ensure that local jurisdictions continue to be empowered to protect the designated historic resources within their communities, as authorized under Goal 5 and associated administrative rules. These rules *do not* enable the exclusion of middle housing or the continuation of the single-family exclusionary zone in historic districts.

Background

The Oregon Legislature passed House Bill 2001 in 2019 in order to begin to address the housing affordability crisis in Oregon. The legislature determined that limitations of housing types have contributing to rising costs for Oregonians across the state. The new law requires that local jurisdictions update local ordinances and zoning that currently limits the types of housing people can build. As the implementation of House Bill 2001 continues, DLCD staff has received questions on the relationship between middle housing and Goal 5 Historic Resources, including questions related to the historic significance of middle housing and the single-family exclusionary zone. To address this question more comprehensively, this document includes a brief summary of the historic context of housing.

The History of “Missing” Middle Housing

Many of the middle housing types legalized by House Bill 2001 were common and integral to historic neighborhoods in Oregon and throughout the United States. We do not see many examples of middle housing today, because they were effectively banned in single-family neighborhoods nationwide through the application of zoning policies around the middle of the 20th century.

“Missing middle” housing refers to a spectrum of housing types that were common in the United States before World War II, such as duplexes (Fig 1), townhouses (Fig 2), and courtyard apartments (Fig 3). While these housing types contained more dwelling units than a single-family home, the height and form of these housing types were similar to single-family homes.

These housing types once played a significant role in the provision of more modest and less expensive



Fig 1. Smith Duplex. Ashland, OR. C. 1945. Image courtesy of the State Historic Preservation Office (SHPO).



Fig 2. Campbell Townhouses. Portland, OR. C. 1893. Image courtesy of SHPO.



housing in the United States. Even throughout World War II, cities like Portland leveraged middle housing to address the immediate housing need during a national emergency by allowing the internal conversion of existing housing to middle housing.¹ However, since the postwar period, jurisdictions increasingly implemented zoning ordinances that prohibited all forms of “multi-family housing” in single-family zones. This effectively banned many forms of housing ranging from small-scale duplexes and cottage clusters to mid-rise apartments on the majority of residential lands in cities throughout the United States.² These policies largely bifurcated the housing market into two predominant forms of housing: single-family detached homes and multi-family, mid-rise apartments, and middle housing became increasingly less common in cities throughout the United States.



Fig 3. Swain Court. Corvallis, OR. C.1929. Image courtesy of the State Historic Preservation Office (SHPO).

The Single-Family Exclusionary Zone and Racial/Economic Segregation in the United States

The single-family exclusionary zone is one part of a larger historical context of racial and economic segregation policies that deliberately barred homeownership for communities of color and disinvested in the neighborhoods they lived in. The effects of these policies persist today because of the continuation of exclusionary policies and practices.

Since its inception, zoning has been used to exclude black and indigenous people and other people of color (BIPOC) from white neighborhoods. In the early part of the twentieth century, many zoning ordinances maintaining residential segregation were overt. While the Supreme Court invalidated these types of ordinances in *Buchanan v. Warley*, many communities implemented other zoning tools to maintain racial and economic segregation; in particular, many communities implemented exclusionary single-family detached residential zones, which could achieve similar effects while remaining racially neutral. These policies had the effect of perpetuating racial and economic segregation in U.S. cities, locking BIPOC households out of homeownership and high-opportunity neighborhoods, and reinforced disinvestment and displacement of the communities in which BIPOC lived and worked.³

Today, restrictive residential zoning and development ordinances – while typically based on race-neutral purposes – continue to reinforce patterns of racial and economic segregation and prevent equal access to neighborhoods, schools, parks, and employment. These patterns of segregation continue to entrench racial injustice, including the 10:1 wealth gap between white and black households in the United States today.⁴

¹ Franey, K. (2019). *Early Densification in an Urban Center: Portland, Oregon and the War Code Housing Program*. Accessed via: <https://www.oregon.gov/oprd/OH/Documents/Fellow2019KFraneysAmericasAdventureinHospitality.pdf>

² City of Eugene. (2020). *History of Middle Housing and Exclusion in Zoning*. Accessed via: [https://www.eugene-or.gov/DocumentCenter/View/58347/Fact-Sheet-History-of-Residential-Zoning-#:~:text=Middle%20housing%20is%20considered%20%E2%80%9Cmissing,war%20neighborhoods%20\(see%20sidebar\).](https://www.eugene-or.gov/DocumentCenter/View/58347/Fact-Sheet-History-of-Residential-Zoning-#:~:text=Middle%20housing%20is%20considered%20%E2%80%9Cmissing,war%20neighborhoods%20(see%20sidebar).)

³ Adams-Schoen, S., (2020). *Dismantling Segregationist Land Use Controls*. Accessed via: <https://www.eugene-or.gov/DocumentCenter/View/61750/DISMANTLING-SEGREGATIONIST-LAND-USE-CONTROLS>

⁴ Sullivan et. al. (2016). *The Racial Wealth Gap: Why Policy Matters*. Accessed via: https://www.demos.org/sites/default/files/publications/RacialWealthGap_2.pdf



Goal 5 and Protecting Historic Resources

It's important to recognize that House Bill 2001 fits into a broader statewide regulatory framework that governs how housing is permitted on lands, including lands that contain Goal 5 historic resources. The purpose of Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. The goal and its implementing statutes and administrative rules require cities to inventory these resources and adopt regulations that conserve and protect them for present and future generations.⁵

With regard to historic resources, [OAR 660-023-0200](#) outline the specific parameters and responsibilities for local jurisdictions in how they inventory and protect historic resources. These provisions are intended to preserve the historic character of resources, including both individual historic properties and historic districts and the implementation of these new rules relating to middle housing will not change these provisions. However, local historic design review regulations are not intended to regulate who owns or is able to occupy a particular resource. Even adaptive reuse, the process of repurposing a historic resource for a use other than what was originally intended, the use of the structure is only considered in so far that it changes the historic character to use a property in a different manner.⁶ These standards do not permit cities to maintain exclusionary zoning practices or regulate who is able to live in and access neighborhoods.

For most forms of housing, local governments are required to apply clear and objective standards to the development of housing, and these regulations may not cause unreasonable cost or delay. A hearings body cannot deny a housing proposal unless the proposal does not comply with a clear and objective standard identified in their development code. However, housing built on land containing Goal 5 historic resources are exempt from the requirement for standards to be clear and objective, because many of the standards related to historic integrity, such as architectural design and historic context, are inherently discretionary.

House Bill 2001 and Goal 5 Historic Resources

The statutes and administrative rules implementing House Bill 2001 enable cities and counties to continue applying standards and procedures that preserve the integrity of historic resources under Goal 5 and the National Register program. The statute and rules *do not* enable the exclusion of middle housing or the continuation of the single-family exclusionary zone in historic districts.

House Bill 2001 requires cities above a certain size to allow middle housing in areas that allow single-family detached homes. Cities are still permitted to apply goal protections, including protections specific to Goal 5 historic resources. Administrative rules implementing House Bill 2001 ([OAR Chapter 660, Division 046](#)) allow cities to continue the application of discretionary historic design standards, but *they do not allow for the categorical exclusion of middle housing from previously exclusionary single-family neighborhoods.*⁷

⁵ Oregon Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. Accessed via: <https://www.oregon.gov/lcd/OP/Documents/goal5.pdf>

⁶ Restore Oregon. Preservation Toolkit: An Orientation to Preservation & Adaptive Reuse. Accessed via: http://restoreoregon.org/wp-content/uploads/2016/06/RestoreOregon_01-orientation_r401.pdf

⁷ OAR 660-046-0010(3)(a)(B)



Specifically, the rule reaffirms local government obligations to protect the historic integrity of Goal 5 historic resources. The rule requires that local governments either apply regulations adopted under [OAR 660-023-0200](#) to Middle Housing or – if they do not have adopted historic regulations – apply a set of backstop historic criteria outlined in OAR 660-023-0200(8)(a) to Middle Housing until they adopt their own set of regulations. These regulations are not required to be clear and objective under ORS 197.307 and do not cause “unreasonable cost or delay” to the development of Middle Housing. To prevent the application of historic review in a manner that excludes the development of Middle Housing, the rule restricts the application of two types of standards:

1. Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and
2. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.

Through discussion with historic preservation, land use, and housing experts and stakeholders via the House Bill 2001 rulemaking process, these provisions were considered critical to prevent the application of historic standards in a manner that would preclude any development of Middle Housing and perpetuate patterns of racial and economic segregation associated with the single-family exclusionary zone. The rule enables and reinforces local responsibility to maintain the integrity of Goal 5 historic resource through the application of historic design standards.

If you have questions about this document, House Bill 2001, or housing planning, please contact Sean Edging at sean.edging@dlcd.oregon.gov.

If you have questions about statewide historic preservation, please contact Ian Johnson at ian.johnson@oregon.gov.