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Chapter 17.82

HISTORIC SITE, STRUCTURES AND LANDMARKS OVERLAY

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17.82.010 Purpose. The purpose of this chapter is to establish and maintain a historic site, structure and landmark overlay in order to protect, preserve, enhance and perpetuate the sites, structures and landmarks that represent the cultural, social and/or architectural history of the area; to encourage new buildings that complement adjacent historic sites, structures and landmarks; and to provide criteria for amending the historic site, structures and landmarks overlay, also referred to as the historic overlay. (Ord. 634 §1 Exh. A (part), 1995)

17.82.020 Applicability. All regulations and criteria of this chapter shall apply to sites, structures or landmarks identified in the comprehensive plan as primary or secondary historic resources. (Ord. 634 §1 Exh. A (part), 1995)

17.82.040 Adding or removing a historic overlay designation. A. The application for adding or removing a historic overlay designation may be initiated by the city council, planning commission, Scappoose historical society, neighborhood planning organization or the property owner.

B. The planning commission shall adopt a recommendation for final adoption by council on the creation, modification or removal of a historic overlay designation. In addition to persons who have the right to receive notice of hearing, the planner shall mail notice to the Scappoose historical society.

C. The planning commission may recommend approval of a historic overlay designation for adoption by council when the commission and council find that any of the following criteria have been met:

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1. The site or area proposed for the designation reflects the broad cultural or natural history of the community, state or nation;

2. The site or area is identified with historic personage, or with events in national, state or local history;

3. The proposed site or area is a notable work of a master builder, designer or architect.

4. The age of a specific building is not sufficient in itself to warrant designation as historic.

D. The planning commission may recommend removal of an historic overlay designation for adoption by council when the commission and council find that any of the following criteria have been met:

1. The original historic overlay designation was placed on the site in error;

2. The resource designated with the historic overlay designation has ceased to exist;

3. The resource designated with the historic overlay designation is no longer of significance to the public. (Ord. 634 §1 Exh. A (part), 1995)

17.82.060 Exterior alteration and new construction.

A. The planning commission shall review applications for exterior alteration or new construction pursuant to Chapter 17.162.

B. In addition to persons who have the right to receive notice of a quasi-judicial hearing, the planner shall mail notice to the Scappoose historical society.

C. The application for new construction, or for alteration to an existing structure shall be submitted by the owner of record of the property or an agent authorized in

writing by the owner.

D. No person shall alter any structure in a historic overlay in a manner as to affect its exterior appearance, nor may any new structure be constructed on property identified as a historic site or landmark or within one hundred feet of a historic site, structure or landmark unless approved by the planning commission.

E. Exterior remodeling, as governed by this chapter, shall include any change or alteration in design or other exterior treatment excluding painting. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repairs which do not involve a change in design, material or the outward appearance of any architectural features.

F. As a condition of approval, the planning commission may require the applicant provide to the Scappoose historical society pictorial or graphic history of the

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resource or artifacts from the site that the Scappoose historical society deems worthy of preservation prior to alteration of the site, structure or landmark.

G. For alteration of a site, structure or landmark, the following criteria shall be applied:

1. The economic use of the site, structure or landmark;
2. The relationship of the proposed alteration to the public interest in the preservation of the site, structure or landmark;
3. The historical significance of the site, structure or landmark;
4. The physical condition of the site, structure or landmark;
5. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with existing structures.

H. For construction of new structures on or adjacent to an existing site, structure or landmark, the following criteria shall be applied:

1. The economic effect of the new structure on the historic value of the area;
2. The visual impact of the proposed new structure on the architectural character of the area; and
3. 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. (Ord. 634 §1 Exh. A (part), 1995)

17.82.070 Demolition. A. The planning commission shall adopt a recommendation for final adoption by council on an application for demolition of a historic site, structure or landmark.

B. In addition to persons who have the right to receive notice, the planner shall mail notice to the Scappoose historical society.

C. The application for a demolition permit shall be submitted by the record owner of the property or an agent authorized in writing by the owner.

D. No person shall demolish any structure in an historic overlay unless recommended by the planning commission and approved by the city council.

E. The planner shall notify the Scappoose historical society, in writing within ten days of receiving the demolition application, to investigate possible methods to purchase and save the site, structure or landmark. A state agency, historical organization, or local group or individual may submit a concept or work plan outlining the steps needed to complete the necessary plans to purchase or save the structure.

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F. Within ninety days of the date of the notice, the interested agency, organization, group, or individual shall notify the city of the intent to submit a plan to save the site, structure or landmark. On written request, the planner may approve an additional ninety-day extension to allow submission of a completed plan.

G. If no plan to save the structure or site is developed within the allowed time period, a recommendation by planning commission shall be submitted to the city council for approval or denial.

H. In determining the decision regarding a demolition permit, the planning commission and the council shall consider the following criteria:

1. The available criteria used in the original designation of the overlay area in which the property under consideration is situated;
2. The historical and architectural style, the general design, arrangement, materials of the structure in question, or its appurtenant fixtures; the relationship of such features to similar features of the other buildings within the overlay area, and the position of the building or structure in relation to public rights of way, and to other buildings or structures in the area;
3. The effects of the proposed work upon the protection, enhancement, perpetuation, and use of the overlay area;
4. 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 code. (Ord. 634 §1 Exh. A (part), 1995)

17.82.080 Application submission requirements. All applications subject to this chapter shall be made on forms provided by the planner and shall be accompanied by the following information:

A. A reproducible copy of the exterior alteration, new building construction, or site plan(s). The plans should include all necessary data or a narrative which explains how the proposal conforms to the standards. The scale of the site plan shall be an engineering scale;

B. A list of the names and addresses of all who are property owners of record and whose property is within one hundred feet of the site; and

C. A site plan that includes the following information:

1. The proposed site and surrounding properties; 2. The location, dimensions and names of all existing streets;

3. The location and dimension of:

a. Entrances and exits on the site, b. Parking and circulation areas,

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- c. Utilities, and
 - d. Existing and proposed landscaping,
4. The location, dimensions and setback distances of all:
- a. Existing structures, improvements, and utilities which are located within one hundred feet of the site, structure or landmark, and
 - b. Proposed structures, improvements, landscaping and utilities on the site,
5. Floor plans indicating the square footage of all structures existing and proposed for the site, and
- a. Where actual floor plans of existing structures are unavailable, the planning commission will accept drawings showing floor layout, dimensions, and square footage (of existing structures),
6. Elevation drawings or a photograph of each proposed or existing structure. (Ord. 634 §1 Exh. A (part), 1995)

17.82.140 Appeals. A. The Scappoose historical society shall be notified of any appeal.

B. To allow for the input of historical organizations, the appeal period for exterior modification or new construction permit decisions shall be extended to thirty days from mailing of notice of the planning commission action. (Ord. 634 §1 Exh. A (part), 1995)

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