

# AGENDA

City of Aurora

## PLANNING COMMISSION MEETING/WORK SESSION WITH CITY COUNCIL

Tuesday, March 05, 2013, 7:00 p.m.

Council Chambers

21420 Main Street N.E., Aurora, Oregon

1. **Call to Order of Planning Commission Meeting:**
2. **City Recorder Calls Roll**

**Chairman, Schaefer  
Commissioner, Willman,  
Commissioner, Gibson  
Commissioner, Graham,  
Commissioner, Fawcett,  
Commissioner, TBA,  
Commissioner, Sallee**

**Mayor, Taylor  
Councilor, Brotherton  
Councilor, Graupp  
Councilor, Sahlin  
Councilor, Vleck**

3. **Consent Agenda**

All matters listed within the Consent Agenda have been distributed to each member of the Aurora Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the consent Agenda and placed on the Regular Agenda by request.

### **Minutes**

- I. Aurora Planning Commission Meeting –February 05, 2013
- II. HRB Minutes – January 24, 2013
- III. City Council – January 08 , 2013

### **Correspondence**

- I. **SHPO Information on Historic Preservation District (Only provided in electronic Version and one on display)**
- II.

4. **Visitor**

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Council could look into the matter and provide some response in the future.

5. **New Business**

6. **Old Business**
  - A. **Review of Title 17 Revisions,**
    - **Work session with City Council to discussion proposed changes and get direction if needed.**
7. **Commission Action/Discussion**
  - A. City Planning Activity (in Your Packets) Status of Development Projects within the City.
8. **Adjourn,**

**Minutes**  
**Aurora Planning Commission Meeting**  
Tuesday, February 05, 2013 at 7:00 P.M.  
Aurora Commons Room, Aurora City Hall  
21420 Main St. NE, Aurora, OR 97002

**STAFF PRESENT:** Kelly Richardson, City Recorder  
Renata Wakeley, City Planner

**STAFF ABSENT:**

**VISITORS PRESENT:** Bill Graupp, Aurora

**1. Call to Order of Planning Commission Meeting**

The meeting was called to order by Planning Chair Joseph Schaefer at 7:05 p.m.

**2. City Recorder Did Roll Call**

|                       |          |
|-----------------------|----------|
| Chairman, Schaefer -  | Present  |
| Commissioner, Willman | Present  |
| Commissioner, Gibson  | Present  |
| Commissioner, Graham  | Present  |
| Commissioner, Fawcett | Present  |
| Commissioner, Braun   | Resigned |
| Commissioner, Sallee  | Present  |

**3. Consent Agenda**

**Minutes**

- I. Aurora Planning Commission Meeting –December 04, 2012
- II. HRB Minutes
- III. City Council – November 13 , 2012

Chairman Schaefer, states a few clerical errors in the minutes and has given to City Recorder Richardson, the biggest item that I would like to talk about is my potential conflict of interest with the potential view corridor at Liberty Street since I do own property there. So I just want it to state it clearly, I have decided that because of that I will say my piece however I will not participate in any decisions on that issue. There were also a few routine edits with the discussion with title 17. Richardson has those so are there any other comments on the minutes hearing none. They move onto the other minutes as presented.

**Correspondence**

- I. **Information on LED light in Historic Districts**, I would like to discuss under title 17.
- II. **Agenda and Information on Mid-Willamette Valley Commission on Transportation MWACT**, I am planning to go to the meeting to give a 3 minute pitch there was a

meeting last month where the group went through some potential projects and they have decided that we are still in the running so Wakeley will put some paperwork together for me and I will speak about it. Wakeley informs PC what the information will be continuation of 99E curbs and sidewalks and Commissioner Graham worked on this application with me they have about 16 million but it is a situation where they are prioritizing those projects, and there is potential that some of the items on the list could be funded another way and you are competing with other entities and so it's from Bobs Ave going to Ottaway Rd is the proposal, it is not as much linear feet as the first proposal however they are basically identical.

- III. **Land Conservation and Development Commission Notice**, just a meeting notice for their January meeting I am not sure if there is any interest to anyone.

**A motion is made by Commissioner Gibson to accept the consent agenda as stated with changes proposed and is seconded by Commissioner Sallee. Motion passes unanimously.**

#### 4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

Councilor Graupp is in the audience as the Council Liasion

#### 5. New Business

**A. Discussion and or Action on Marion County TSP Project list for Aurora**, is asking where our issues may overlap, and we are providing to them our project list (pg 3 or 4). At this Point Karen Odenthal, Marion County Traffic Engineer is requesting input at this point; I don't think it would hurt to prioritize as well. So I think that we can take a look at our project list and see if there is any overlap at this point.

The view corridor did not make it on the agenda, City Recorder Richardson had forgotten to add it to the agenda and my fear is that in a few of these it may cause an interruption of our view corridor that we are working on. So I am wondering if we want to flag some of the issues associated with this project list as a potential view corridor interruption.

- There is a light proposed at Airport and Ehlen so I think a traffic signal might be ok but we are not in favor of anything erected high enough to impede the view.
- The second one is also on Ehlen Rd but a little further East; you have the view across the flood plain across the City skyline, From Ehlen Rd looking towards the right towards the southeast.
- The next location is on Liberty Street just south of Bobs Ave a location there where there is a flag lot and then a long drive way the other property driveway abuts it you have an area where you have two driveways with no development on them and so you have a straightforward view. Again Schaefer states that he owns a property on the west side of that liberty street view, so again I won't make any decision regarding this issue however I would like to point out that this is all private property. I think it is different that we regulate over private property verses property with that said I think we want to consider how to regulate because potentially the surrounding property owners could at anytime want to build on their property and disturb that though
- Although your code is very strict in the 100 year flood plain area as to what you can and cannot build in that area.

- Are there any comments on the view corridors hearing none from PC City Planner Wakeley states as follows;
- Wakeley states a concern of Chairman Townsend of the HRB Wakeley states she has made comment that the south Ehlen Rd, she has stated that nothing could go there and what does would be subject to HRB and although your code is very strict in the 100 year flood plain area as to what you can and cannot build in that area. It would be subject to HRB since it is in the district. However, since it is in the jurisdiction of the County It is not clear if they would have to obtain a certificate of appropriateness.
- Councilor Graupp states that SHPPO states that no city government can regulate outside of its boundaries however we could make a comment and they may listen or not. Wakeley is not sure of what Marion County requirements are on accessory structures and I do not think they have to even notify us often times they do. Wakeley I am not clear of what the County requires for building in the flood plain often times they allow and I do not think they have to notify us.
- Since we are reviewing or providing comment I (Wakeley) can certainly share our concerns with them at this time.
- Chairman Schaefer comments that he thinks that this is the best way to go.

**B. Discussion and or Action on Aurora Speed Study Provided by ODOT,** we are bumping up on a deadline so Council has asked us to provide comment. I am pleased that they have done such an extensive study.

The short version is that essentially that on the north side of town coming over the hill toward the river and approaching south of 4<sup>th</sup> street about 250 feet near The General Store ODOT is recommending a reduction in the speed zone. At or about the lone elder intersection to 40 and at bridge from 45 to 40 and after the bridge from 30 to 25 and leaving it at 25 to at about 250 feet south of 4<sup>th</sup> street. From there continuing south there is no recommendation of a speed reduction. However they do recommend an increase from 30 to 35 after the store and then from 35 to 50 once you get past Orchard Ave.

Chairman Schaefer is all in favor of this I am sorry to see that at the south of town they didn't see fit to reduce the speed limit on the south end of town which was what were really hoping for, but this north side drop is nice. No comments at this time from anyone.

I would point out that on the second page I noticed that their data doesn't mention storm drainage and I think this data should be forwarded to Bob Southard I think it will be a great resource.

Chairman Schaefer states my feelings are that half a lower age is better than nothing. I think that if we have more development in the south end of town then maybe we can revisit it.

Planning Commission consensus is to thank them for their research and study and accept it as is and we can revisit south end of town later when development occurs.

City Planner Wakeley there was one other matter concerning 99E either we can talk about it now or I can bring it up under my report. Let's talk about it now.

City Planner, Wakeley informs Planning Commission on the current corridor study and we talked about the items that they listed and we gave them to Dan Fricke and he stopped in and I received a letter and I provided them to Planning Commission and he states that he can remove recommendation 1 and 2 and we can keep option 3. We hear you on this and so do they want me to completely remove these options 1 & 2 he is willing to come out and speak to Planning Commission and Council and talk to them about these concerns. Do we leave the data in the report and just state that the city doesn't agree or completely remove the options? First response we don't like them let's remove them Councilor Graupp states I believe there was an option 4 was a low cost option. The consensus is to remove them altogether.

- ❖ I will let him know he doesn't need to come out but please thank him for his offer.
- ❖ Chairman Schaefer we are going to continue with title 17 and drop the guidelines review at this point.

## 6. Old Business

### A. Discussion and or Action on Historic Review Board Guidelines, as discussed briefly above.

- **Review of Title 17 revisions,**
- I have changed some language on commercial windows it now reads that it needs to be wrapped in wood.
- Roofing material on commercial district with sloping roof, 17;36;080 sub E is being tweaked..
- Roofing material should be on comp roof (added slope roof is prohibited) it refers to all residential and commercial.
- Chairman Schaefer comments sloping metal roofing currently our code reads 35 feet and in this it says 27 feet why would we want to lose 8 feet?
- 16;.20 and 16.22 Historic Overlay it would be my understanding that you were bringing in 16;.20 and 16:22 into title 17 so I have been comparing as we go and I missed that and I am going to propose that we move 16;.20 and 16;22 into the title 17 revision so everything regarding historic properties is in one place.
- Through a short discussion it is decided to keep the 35 foot language.
- Discussion ensues about a specific height of green house on the corner of liberty and it is tall currently its 5 to 6 feet below right of way. Wakeley states that currently the bldg goes with grade and some may remove it, there is always a way to go against the rules.
- The whole point is to make it easy to use, you could use abutting right away, Wakeley concern is that we change the common and then the bldg dept has to remember to approve by our city standards which would be different from any other city standards. I think you convinced me that this won't work and I think that we should use the language currently in the code and not address these complications until they happen. I will check definition of story as well. Height to adjacent grade.
- Wakeley asks questions, about the next steps Chairman Schaefer plans to make brief presentation to council at next meeting and show them a draft and inform them why we are moving items from the guidelines into title 17 to avoid confusion and overlapping documents.
- Is Council going to want a work session yes , this is just a status report at this point I am proposing an open house so citizens can way in and ultimately Planning Commission and Council will need to have a public hearing. Short and sweet the 1920 concept and age of structure and contributing or non-contributing.
- Appendix B will be a reference document and HRB will be able to amend this document when they want to but we need to reference it in the Comp Plan to see if they have their authority. Commissioner Sallee states a comment and it is clarified that appendix B is the guidelines and so we need to differentiate between the two.
- Aside from that the key issue what year was the property built. There is also who has the authority to add a property to the list or inventory, contributing is 1920 or earlier. We have a document that states what is contributing or Non-Contributing because of the document that SHPPO prepared for us. .
- We need to try to distinguish the differences from our list and SHPPO that is why pre 1920 works.

- Councilor Graupp has a copy of original document filed with SHPPO he points out the categories on file. Contributing, Non-Contributing.
- We are removing the regulatory effect of the guidelines and they are now a reference and advisory only so this is why we could give them the authority to change the document as needed because it's not the regulatory document.
- Chairman Schaefer is saying b is the inventory and A is the guidelines.
- No more discussion at this time.

- **LED Signs for Businesses**, the City Council and other parties have been looking at the sign code because of a recent business complaint about neon open signs, originally we had asked HRB to look at the sign code however we have not seen a draft and it is unclear if they are working on it or not. With that said I made changes in section 17.20.060 sub 5 to allow for a certain size LED open sign. The concern was that people could not identify whether or not the business was open or closed as follows;
  - ❖ I have stated that we allow one LED sign per business. Now in your packet you see information provided by Chairman Townsend against LED signage and I say that these areas mentioned are more of a walk through community and I say that Aurora is more of a drive through area so I say it's needed. Size limited to less than 3 square feet.
- Commissioner Fawcett states he is against lit signs I think we should just allow a larger white on black sign. The argument is that no one can see it. Commissioner Sallee states that on pg. 430 part of the introduction of the HRB guidelines reads that we want to be economically preserved, further reads that a balance be maintained.
  - There is some discussion on other alternatives rather than LED and to the fact that they would need to be already made so that they are affordable and readily available.

It is the consensus of the Planning Commission that they like the language as proposed for LED signage in the Historic District.

- **Windmills for Power Generation**, a lot of people are looking at windmills again, so do we want to address this now since we are reviewing it. Chairman Schaefer I don't know personally how prevalent they were in the 19<sup>th</sup> century. Now satellite dishes are now limited in size. What are your thoughts at this point, question is are they permitted outside of the district. No one really answers to this.
  - ❖ 35 feet is the height restriction you are looking at as regulated by FFA
  - ❖ Commissioner Fawcett raises the question about solar panels and Wakeley states that because of senate bill 3516 you cannot restrict them. This would be on a case by case basis.
  - ❖ They decide to change the wording pre 1920 is not allowed and 1921 or later there is a review process done during the building permit process.

**7. Commission Action/Discussion**

**A.** City Planning Activity (in Your Packets)  
Status of Development Projects within the City.

**A.** City Planning Activity (in Your Packets) Status of Development Projects within the City.  
I received a call about the old Harrison property and he expressed interest in turning it back into a trout pond.

- HRB going through sign code review and two of these properties do not conform anymore because they have changed ownership
- Beal family pre-app meeting review this conversation was about annexation. Along with current SDC charges and that they would be very high. If they were to annex that they would have to bring up the water line to a 10 inch pipe.
- Manufactured home and building permit for Fermin Ramirez.
- Ross food cart property actually currently in violation because of junk everywhere. Discussion about whether or not we should issue permit.

Schaefer we are still short members please tell your friends.

**9. Adjourn 9:05 P.M.**

**A motion to adjourn the February 05, 2013 meeting is made by Commissioner Willman and seconded by Commissioner Graham. Motion Passes Unanimously.**

\_\_\_\_\_  
Chairman, Schaefer

**ATTEST:**

\_\_\_\_\_  
Kelly Richardson, City Recorder

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, January 08, 2012, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder  
Jason Andersen, Police Supervisor  
Jan Vlcek, Finance Officer  
Jim Buchholz, Marion County Deputy  
Bob Southard, Water Superintendent

STAFF ABSENT: Otis Phillips, Waste Water Superintendent

VISITORS PRESENT: Kris Sallee, Aurora  
Phil Hankins, Aurora  
Charles Donald, Aurora  
Steve Lewis, Aurora  
Rodger Eddy, Portland  
Lori Sahlin, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Greg Taylor at 7:00 p.m.

2. Administrative assistant does Roll Call

Mayor Taylor – present  
Councilor Graupp - present  
Councilor Brotherton -present  
Councilor Sahlin – present  
Councilor Vlcek - present

**3. Consent Agenda**

- I. City Council Meeting Minutes – December 11, 2012, change the word from tree to locate signage on pg 8 item 11.
- II. Planning Commission Meeting Minutes – December 04, 2012
- III.** Historic Review Board Minutes –November 29, 2012

**Correspondence**

**I. Letter from Allied Waste, name change to Republic Services**

- II. Preview of ODOT Speed Study, have this go before the Planning Commission first.**
- II. Notice of Decisions sent out by Historic Review Board**
- IV. Letter of Resignation From Stephen Braun, from Planning Commission**

A motion is made to accept the consent agenda with the change on pg 8 of the December minutes as discussed by Councilor Vlcek and seconded by Councilor Graupp. Motion Passes

**4. Visitors**

Anyone wishing to address the City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the City Council could look into the matter and provide some response in the future.

Charles Donald, Aurora, Follow up on lighting issue that was brought up by our homeowners association Pres at the prior meeting, Mayor Taylor turns it over to Bob Southard in Public Works, I have received an email today and the city will need to install the conduit/standard at our cost, which it is on the schedule for after the water project and then PGE will move the pole for us. We are looking at around 3 weeks or so.

**5. Appointments of New Councilors**

- A. Appointment of New Mayoral Candidate Greg Taylor**
- B. Appointment of New Councilor Candidate Rick Vlcek**
- C. Appointment of New Councilor Candidate Scott Brotherton**
- D. Appointment of New Council President for 2013 year, Mayor Taylor suggests that we keep Councilor Graupp as the Council President for this next year.**

City Recorder Kelly Richardson performs the swearing in of the new councilor positions along with the mayor's position.

A motion is made by Councilor Sahlin to keep Councilor Graupp as Council President seconded by Councilor Vlcek motion passes.

**6. Assignment of New Council Liaison Positions**

- A. Administration Liaison, Mayor**
- B. Public Works Liaison, Councilor Brotherton**
- C. Police Contract Liaison, Councilor Vlcek along with that I would add the fire dept.**
- D. Parks Liaison, Economic Development, Councilor Sahlin**
- E. HRB, will be added to Planning Commission and Chairman Schaefer volunteered.**

**F Planning Commission liaison, Councilor Graupp**

Mayor Taylor assigns the liaison positions as stated above.

7. **Discussion with the Parks Committee**, Lori Sahlin is present is there anything to discuss no not really however she asks about the tree down in the park and if we have notified the insurance company Southard states no not until we have a bid. Sahlin states that now we need to get help assessing the health of the trees I recommend an Arborist. Southard states he is seeking out bids If the bids are under the 2500 dollar limit then Mayor Taylor asks if the council is ok with me signing the contract It is the consensus of the Council to allow Mayor Taylor to enter into a contract if it is at or under the 2500 dollar mark.
  
8. **Discussion with Traffic Safety Commission**, No one from Traffic Safety was present. Introduction of Deputy Pete Marcellais, with Marion County he is our contracted deputy for Aurora and with that said Traffic Safety is something that you can follow up with and put into your schedule of duties.

Through our interview process with Marion County Pete Marcellais, council is acknowledging the process and accepts the Deputy selected from the interview process.

We were very happy with the caliber of the officers that applied and it was a very hard decision.

**9. Reports**

- A. **Police Chief's Report** – (included in your packet) Deputy Buchholz explains the Marion County report as prepared for the council, and the process in which it is determined. Along with the dates and times of the calls that could help month to month to determine the stats for the city.

Councilor Vlcek asks if we could get a year to date stat as well added if possible. Again this is a typical report, Councilor Sahlin asks if a traffic stop is done will they show up on this report and Buchholz states yes they will.

Citizen contact with questions won't be included into this report unless I key it into the system later, and unless it is something with substance that occurs I won't add it in.

**No more questions at this time....**

Jason Andersen, reports on the remainder of police items, we are 95% complete and a few items with the evidence room however most of those have been completed and Marion County has taken control of those items.

- As far as the electronic records, I will work with Deputy Marcellais on this.
- We should be getting a check soon on the firearms this will be a little lower than first expected they were not in as good of shape as first thought.
- On Monday we will take the cars down to Auto Additions, and see if they can assist in selling them for around 2500.00 each.
- I will get a quote on what it would cost to have them stripped down of all the equipment.
- City of Carleton would like some uniforms so I will not have to burn them all.
- City of Mt. Angel is also interested in many of our items.
- I also still need to get with Public Works to see which equipment they can use.

No more questions or comments at this time except to continue on with what needs done.

No more questions of Jason Andersen

**B. Finance Officer's Report – Financials** (included in your packets)

**1. Revenue & Expense Report,**

- Throw away the report in your packets there are mistakes that I encountered during the set up of Spring Brooke.
- Because of the closure of the Police Department and to have a clean paper trail a supplemental budget is required. January 29<sup>th</sup> at 6 pm is the consensus of the council.

There were no more questions from the council.

**C. Public Works Department's Report – ( included in your packet)**

**1. Monthly Status Report (Storm Water)**

**2. Monthly Status Report (Water)**

- Currently I am working on changing over to the new lines.
- Councilor Sahlin asks about the Storm Water Master Plan, Southard reports that it is still ongoing at this point; Mayor Taylor requests that it be completed before the next budget season. Southard states I will get right on it.
- During my weekly drive around I have noticed that some of our collection systems lines are starting to settle so I will need to look at costs for repair. Councilor Vlcek asks if we can go back on the company that installed them and Southard states no it is too late.
  - The rest of my report is attached.

No more questions at this time.

- A. Waste Water Treatment Plant Update (from Otis Phillips), he is sick and has been excused.
- Report is attached
  - City Recorder Richardson informs the City Council that she spoke to Phillips and everything is going well with no issues to report.

No questions from Council

**C. City Recorder's Report** (included in your packet)

City Recorder, Richardson gives a brief overview of her report as included in the packet. There were no questions from the Council.

- Working closely with Marion County to learn their processes
- Looking for grants to fund various projects
- Working on code violations around town, and working with Deputy Marcellais on procedure for those.
- Many reports on animal issues in and around town.

**D. City Attorney's Report** – (not Included in your packet)

- **I had received an Ordinance in regards to the Fidanzo** (comp plan amendment) however there were a few language issues and with the holidays and such we were not able to get them corrected in time for this meeting so it's not the corrected version. These are very minor changes and should not affect tonight's decision. (City Recorder Richardson steps into to say that he had forgotten to add this to the agenda for this evenings meeting).
- **Rodger Eddy**, I had a discussion with him today Mr. Eddy is present and wants to cooperate and would like to comply with what we are asking and would like to speak to the council. Mr. Eddy reads a letter he wrote dated January 8, 2013 which is basically a recap of the events leading up to this point. ( Attached into the minutes marked exhibit A)
- Attorney Koho states it seems to me that the issues that former Chief McCuistion high lights here are the security of the property and fencing in for security issues.

Mayor Taylor, I think we are going back to a concept that the agreement at that time with former Mayor Carr (if it does exist as the city cannot locate such agreement) in 2001 was 10 years ago, about 2004 or so. I guess our greatest concern is that in the 7 to 8 years the remains is not structural sound at this point in time there is a lot of rot under there and our greatest concern is that nothing has been done to rectify this issue and the foundation would need to be removed because it is not structurally sound at this point.

The fence is a different issue, now the real issue is that we want this foundation and wreckage removed, I know that you have tried to sell it however currently it is not listed and we want the nuisance removed. Eddy states that an engineer has looked at it and the foundation is sound. Councilor Sahlin asks to see the documentation and report from the Engineer. I believe that this is structurally sound and is buildable as it sits now. Eddy states that it is very possible that some of the plywood could be rotted and need to be removed. Eddy states that if it pleases the Council I will get my engineer back and get a report.

Mayor Taylor, we would ask for a report from the engineer, Councilor Vlcek asks Mr. Eddy for a time frame of when this inspection was done by the engineer Eddy answers that it was about 2006 and Councilor Brotherton asks about whether or not he has a more recent report and also clarifies as to what is there on site now which is confirmed to be concrete.

Councilor Sahlin states that we are not here to speculate on the report or on this fence, Eddy states that HRB approved a picket fence Councilor Sahlin what is the use of a 4 foot picket fence and Mayor Taylor states that the fence is not the issue the issue is the elimination of the nuisance.

Koho, explains that the Chiefs letters point out three issues, Mr. Eddy claims he has taken care of two of them. I think that a review process needs to be done by a professional to determine whether or not it is structurally sound, Mayor Taylor, and I believe that this is your issue to resolve and to gain a structural engineer report.

Councilor Sahlin states let get back to the code and that the building is a nuisance. Sahlin reads the code, do we still have the authority to issue a nuisance violation.

Koho, In the Chiefs letters it points out 3 issues now Eddy states he has complied with two of them and if that is in fact true then it would no longer be a nuisance now we may not like the way it looks, but that's not our call to like looks of something.

Eddy, If the council wants an engineer report done I will supply that for the council. Councilor Sahlin at this point to why are we going to authorize a 4 foot fence because it won't help the issue and the chain link fence is not approved.

I think we now need to retract the fence option out of the letter that Chief sent out.

Koho I think Councilor Sahlin laid out the real issues according the code and now it would be a process to rescind the old letter and have the City Attorney issue a new letter out to Mr. Eddy.

A Motion is made by Councilor Brotherton and seconded by Councilor Vlcek, to rescind the letter and reissue a new letter with the correct code violations. Motion Passes.

Mr. Fisher, states that this issue was urged on because I had previously stated the safety issue, I disagree that a fence would not help the safety issue. I really feel that this issue is a safety fence issue. I understand that HRB wants it to look nice and I think that the Council should have dealt with it then and allowed a chain link fence so the land and are was safer for the public.

Councilor Graupp states in reality a safety fence could be issued. This is a code situation not a HRB issue. A chain link fence is not allowed in the code and they would not meet the variance rule.

Councilor Sahlin I think that we need to look at background and we really need to dive into this issue and look at the code to see where our authority lies. The Council makes it clear that this is to be City Attorney Koho's top priority.

## 10. Ordinances and Resolutions

### A. RESOLUTION 662 A RESOLUTION TO AMEND CHAPTER V, SECTION 3 OF THE CHARTER OF THE CITY OF AURORA, 2<sup>nd</sup> page above next available rather than next scheduled.

A motion is made by Councilor Graupp to approve Resolution Number 662 and is seconded by Councilor Brotherton. Motion Passes.

## 11. Old Business

### A. Discussion and or Action on Councilor Graupp's Presentation on Court Revenue and Expenses. Councilor Graupp reads his report,

- This is an option for Cities (as stated by Graupp)
- With changes 12,000 is being subsidized with taxpayers revenue
- 92% of non-moving violations are not collectible
- 47% of moving violations are not collectible
- 25\$ dollar charge on collections, (which is disputed by City Recorder Richardson as not a charge to the city. The collection agency does not charge the city they charge each defendant a percentage. The 25.00 charge to each defendant from the city would in actual be revenue in)
- Judges reduction is around 14%
- So in my findings there would need to be 1.2 tickets a day or 18 tickets a month to fund itself.
- 8,000 a year at this point
- So at this point we take it to the citizens for a vote
- Data so far we won't clear those numbers
- Average ticket price is 200.00

I do not think this is realistic nor do I think it services our community.

Councilor Vlcek asks Councilor Graupp what is our actual savings if we do not have court Councilor Graupp answers 12,000 however the discussion is bottom line savings what is in this number it is stated Judge, interpreter, city staff, Graupp I just think that this is a better situation for tax payers, Vlcek but this is not an actual savings then it is just a redistribution of fund. So hard numbers what are we saving Graupp states 12,000, City Recorder Richardson states that the judge and the translator does not come up to 12,000 Graupp then says well there is a bit more in that number than that postage and other items and again Richardson states well those items are

not savings they will be redistributed into other departments because they are fixed costs. Mayor states well we are not going to funnel it into court now we are just going to funnel it into other areas. Councilor Graupps states that court costs total is around 35,000 to run court and to eliminate court 24,000 goes away and 12,000 gets redistributed. Mayor Taylor so the 24,000 was funded by citations yes answered Graupp and now you won't see that. Vlcek clarifies that we could have said it was funding other items as well, Mayor Taylor no it was funding court, Vlcek no once it went into the general fund it is essentially funding everything. Brotherton what is court cost 33,607 Graupp answers that's what is budgeted for Municipal Court. Vlcek that's what's budgeted but when we get rid of court what is the actual savings to the city not including what will be redistributed Graupp answers 9,300 for the court and office fees Vlcek well how would those not get redistributed Graupp well like mailing costs because we won't be sending out notices and various other items Vlcek so leases and other items will get redistributed yes, Mayor Taylor so looking at it 32,000 cost 12,000 savings general fund the balance was made up by citations. So if we don't receive over 20,000 in funding over the year it's a wash and it's a negative that we will have to find. Sahlin what is your hesitation with doing this Vlcek thing is we are a week into our new deputy we do not have enough data to make a decision yet we do not know what will be produced from him. So I do not think we can make a decision on this until we have more information to off of.

Mayor Taylor so if we remove this from the charter does that mean we have to get rid of court, Sahlin no it just stops us from being required and it makes it our option.

So Mayor Taylor so we can wait until budget time I say we run court until June and look at it again. We are just laying a foundation to study this.

City Recorder Richardson states well it think we will need to go over those numbers again because I come up with 3,000 in savings for the judge and interpreter so Mayor Taylor asks well then where is the other 30,000 being spent and Graupp states well the judge and interpreter cost way more than that. Mayor Taylor so we can revisit those numbers and details on this during the budget time. I just wanted the council where we are starting from lets go back to the resolution.

## **12. New Business**

### **A. Discussion and or Action on re-appointment of Merra Frochen to Historic Review Board.**

A motion to reappoint Merra Frochen to Historic Review Board is made by Councilor Brotherton and seconded by Graupp. Motion Passes.

### **B. Discussion and or Action on re-appointment of Kris Sallee to Planning Commission.**

A motion to reappoint Kris Sallee to the Planning Commission is made by Councilor Graupp and seconded by Councilor Vlcek. Motion Passes.

### **C. Discussion and or Action on Liquor License Renewals as listed**

- **Aurora Colony Market**
- **Aurora Market and Deli**
- **Fir Point Farms**
- **Hyer Convenience Store**

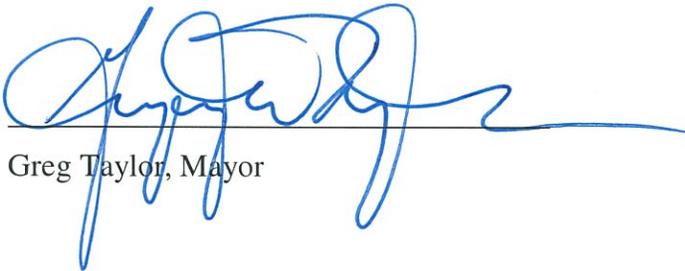
- **Pacific Hazelnut Farms**
- **The Colony Pub**
- **Topaz Bistro**

A motion to approve the OLCC license as listed is made by Councilor Sahlin and seconded by Councilor Graupp. Motion Passes.

There is discussion as to why Fir Point Farms is on our list because it is in Clackamas County.

### 13. **Adjourn**

A motion to adjourn the January 08, 2013, meeting at 9:05 p.m. was made by Councilor Brotherton and seconded by Councilor Vlcek. Motion Passed Unanimously.



Greg Taylor, Mayor

ATTEST:



Kelly Richardson, City Recorder

Rodger Eddy  
2582 NW Lovejoy Street  
Portland, Oregon 97210  
Phone 503-223-3606

January 8, 2013

City of Aurora  
Aurora, Oregon

Regarding property at 21520 Main Street NE, Aurora, Oregon

A notice dated June 18, 2012 from Lyle McCuistion, Chief of Police and Building Official headed "Dangerous Building Notification and Order" that he determined it to be dangerous as defined in the Aurora Dangerous Building Code, AMC 8.10.1010 et seq. with these reasons enumerated:

The foundation is covered with plywood and sheets of metal and the plywood has become very soft and ready to collapse with any weight placed on it. The basement is covered by rotting broken pieces of plywood no longer covering the opening. The entire property is not adequately fenced to keep people out. The conditions must be corrected; necessary permits must be secured and repair construction begun within 60 days. Notification is requested in the event that we choose to demolish the building, and if we fail to begin repair, the city may post a notice and act. Appeal of the notice may be made.

On July 13, 2012 notice of appeal was filed with the city. In the notice, it was stated that the foundation is sound and safe, that the city has previously agreed; and in allowing the present structure, that the city ordered a chain link fence, installation which was achieved, and subsequently ordered its removal which was achieved.

In subsequent conversation with Officer Lyle McCuistion, we notified him that the single opening to the basement, which had been molested by trespassers, had been completely secured with plywood fastened with screws.

The third and last complaint about inadequate fencing was also discussed, but a verbal agreement for re-installation of a chain link fence was invalidated and I appeared before city council to request such permission. I was instructed by city council to appear before the Historic Review Board to discuss the fence. I did so and was told that I was not on the agenda. I contacted city hall to be placed on the HRB's next agenda, and subsequent conversation with City Attorney Dennis Koho indicated a chain link fence would be subject to a variance proceeding. Instead, our application was for a fence in compliance with historic guidelines and for a hearing before the HRB. Approval was received, conditioned by the city council taking no adverse action. Approval of the fence was by the HPE was dated December 7, 2012, contingent upon city council approval.

Exhibit A

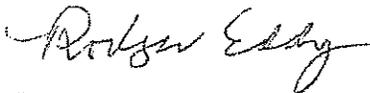
eddy-aurora--page 2

I have heard comments from city authorities that a fence is not allowed, or that a fence will not solve the problem. However, I find nothing in the record to that effect, but only the opposite. In Chief McQuiston's original complaint that "the entire property is not adequately fenced" and that "these conditions must be corrected." I have diligently attempted this, have paid for a permit and received approval from the governing HRB, and now ask for either city council approval, or acknowledgement that such approval is not required, so that I may proceed with the fence.

We of course still dispute the city's original first citation about an inadequate covering and invite a review. The second citation about basement access was corrected months ago. The third citation about lack of fencing is the present subject that we we have been pursuing since the June date, and are still eager to correct. The lack of a fence was the direct result of the city's order to us to remove the security fence. In addition, we have been in compliance of an agreement that was drafted with former Mayor Bill Carr, and was executed by former Police Chief Chris Conboy. The city has been unable to date, as far as we have been informed, to locate the agreement, perhaps because as reported in the November city council meeting that "our records are in a mess."

All we seek is to live within the agreement executed by the city a few years back, in letter and in spirit, and to explain and correct the deficiencies noted in the June notice. The property remains on the market, and we believe the existing structure is historically significant and may be of real value in development.

Very truly yours,



Rodger Eddy

**HISTORIC  
PRESERVATION  
LEAGUE • OF  
OREGON**

# Special Report



*Preserve, reuse, and pass forward Oregon's historic resources*

# COMPATIBLE INFILL DESIGN

## Principles for New Construction in Oregon's Historic Districts



Recommendations by the Historic Preservation League of Oregon  
based on the 2011 Preservation Roundtable

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## 2011 Preservation Roundtable Process

|                              |                             |
|------------------------------|-----------------------------|
| <b>Topic defined</b>         | Fall 2010                   |
| <b>Research and planning</b> | Spring 2011                 |
| <b>Regional Workshop I</b>   | The Dalles<br>June 25, 2011 |
| <b>Regional Workshop II</b>  | Ashland<br>July 8, 2011     |
| <b>Regional Workshop III</b> | Portland<br>August 18, 2011 |
| <b>Online Survey</b>         | Early September 2011        |
| <b>Report Released</b>       | October 13, 2011            |

Cover photo: Drew Nasto

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## The Purpose of the Preservation Roundtable

The Preservation Roundtable was created to bring together diverse stakeholders to analyze and develop solutions to the underlying issues that stymie preservation efforts. The inaugural topic in 2010 was “Healthy Historic Districts in a Changing World—Compatibility and Viability.” Nearly one hundred people participated, arriving at nine recommendations published in a report titled **Healthy Historic Districts – Solutions to Preserve and Revitalize Oregon’s Historic Downtowns**. An electronic copy is available on the HPLO website.

The 2011 Preservation Roundtable focused in on “Design Standards for Compatible Infill,” one of the recommendations from the 2010 report, to provide clarity and consistency for review of new construction projects in historic districts. The principles and approaches to implementation that follow come from the best source: the people that live, work, own property, govern, and build within the state’s 123 National Register historic districts.

Over 200 individuals from around the state shared their ideas, both in person and online. With backgrounds in development, engineering, architecture, city planning, property ownership, community development, and related disciplines, Roundtable participants brought a broad slate of experience and range of perspectives to the dialogue.

Like beauty, it may be said that good design is in the eye of the beholder thus opinions may differ on some of the recommendations in this report. But the HPLO is confident these principles represent an important foundation upon which new construction can fill the empty spaces of Oregon’s historic districts in a way that protects their historic integrity, promotes good land use, and enhances economic vitality.



Ashland Preservation Roundtable participants

## Why Good Infill Matters

We've all seen it. A new building that looks like a spaceship dropped into a historic neighborhood, entirely out of character with its neighbors.

And we all know historic districts that seem more ghost town than downtown because of the empty lots dotted throughout like so many missing teeth.

The fact is that most historic districts need good new construction – to promote economic vitality, improve urban density, and to generate the activity that spurs investment in the rehabilitation of the existing historic fabric.

The Secretary of the Interior's *Standards for the Treatment of Historic Properties* mandates that additions to historic buildings must differentiate new from old. Furthermore, the *Standards* imply that a Modern or Postmodern approach is best for additions on historic structures (an interpretation with which the HPLD does not agree). Though there is no Secretary of Interior "Standard for Compatible Infill," it has often been assumed that new construction in Oregon's historic districts must also be differentiated – with widely differing ideas of what "differentiated" means.<sup>1</sup>

Typically new construction projects in historic districts must go through a design review process. This process varies widely across the state, but is often described as complex, subjective, lengthy, expensive, and design rules are perceived as being unclear or inconsistent.

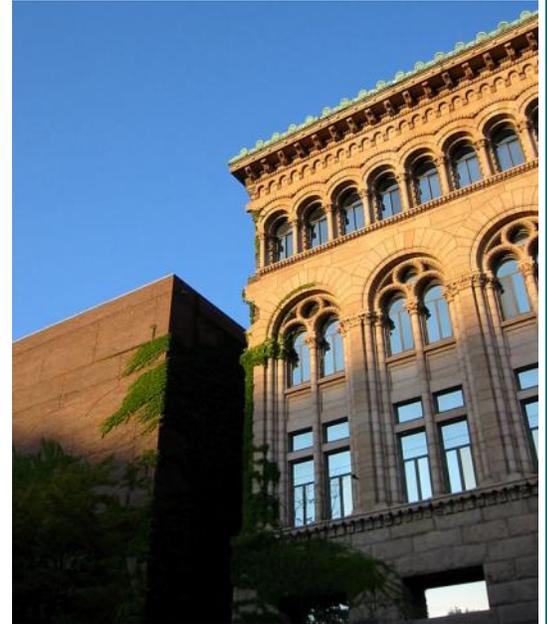
This inconsistency and lack of clarity creates uncertainty among the development team who would rather not waste time and money trying to navigate through an unpredictable design review process. A common argument is that it's too much of a hassle and too expensive to build in a historic district.

That isn't to say good infill hasn't been built, but one need not look further than the parking lots, ill-fitting Modernist buildings, and drive-through cubes to realize that a new and holistic approach is needed. Fortunately, in many cases developers haven't rushed to fill the missing teeth of the state's historic districts, so we have an opportunity now to do it right.

A quarter of the properties in Oregon's historic districts are vacant lots or classified as "non-contributing" to the district's historic character. Encouraging appropriate new construction on these parcels will be a defining component of the 21<sup>st</sup> century preservation ethos in Oregon.

Today, planners and politicians across the state are working to limit sprawl by diversifying and densifying existing urban areas to create walkable 20-minute neighborhoods. Although many still think there's a conflict between preserving historic places and boosting density, increasing the square footage in Oregon's historic districts represents an economic, social, and environmental opportunity.

This report outlines seven baseline *Principles for New Construction* intended to promote responsible infill within Oregon's historic districts. In practice, they would function as a Secretary of the Interior's *Standard for Compatible Infill*. While many of our recommended principles differ from the current Secretary's *Standards* and some preservation theories, they are intended to chart a course for Oregon predicated on the belief that historic districts are significant resources far greater than the sum of their component properties.



*Chicago's Newberry Library (1893, with 1981 addition) is cited by the Secretary of the Interior Rehabilitation Guidelines as an example of the recommended treatment for a new addition to a historic building. Its harsh differentiation is a poor example of the type of new construction needed in Oregon's districts. Image by Payton Chung/Flickr.com*



*An 1860s Harrisburg building is swallowed up—literally!*

# The Value of Oregon's Historic Districts

Oregon has 123 historic districts listed in the National Register of Historic Places. Each is unique in its location, size, age, and historic significance. While some, like the Hells Canyon Archaeological District, are not collections of buildings, most of the state's National Register districts are places where we work, sleep, play, and shop. They range in size from Portland's Irvington District (2,813-properties) to Weston's Historic District (14-properties). Altogether there are over 15,000 properties within Oregon's Historic Districts – representing a very significant cultural and economic asset.<sup>2</sup>

The HPLO's *Healthy Historic Districts* (2010) identified the triple bottom line benefits of investing in Oregon's historic districts to:

- Increase heritage tourism, a \$192 billion market in the U.S.<sup>2</sup>
- Foster community pride and support mixed uses.
- Reduce sprawl and leverage existing infrastructure.

The report also identified nine practical ways Oregon preservation stakeholders can best invest in the state's historic districts. These ranged from creating district development plans to updating local preservation ordinances. One of the most distinct of the recommendations was the need to “create design guidelines and standards for infill to ensure the new is compatible with the old.” This recommendation is critical for Oregon's historic districts because appropriate new construction has the potential to:

- Provide skilled construction jobs and support long-term employment.
- Boost property tax revenues on parcels that are deserving of development.
- Increase density, fight sprawl, and maximize existing infrastructure.
- Support the preservation of historic buildings and help boost their economic potential.
- Provide a sense of continuity by differentiating the look and feel of historic and non-historic areas.

According to one participant in the Roundtable, developers face both opportunities and challenges when building in historic districts.

“As with any other commercial development project, there are both opportunities and challenges when building small-scale infill in historic districts. Current opportunities include low interest rates, lower construction and land costs, and New Markets Tax Credits. Also pre-leasing is easier in smaller scale projects, which is attractive to lenders. Challenges center around higher per square-foot construction costs for small-scale buildings, higher load factors in tight floor plates, and negotiating with unmotivated sellers who may have other income, low-capital basis and therefore high capital gains tax liabilities, and inflated perceptions of property value based upon zoning entitlements.” – Art DeMuro, *Venerable Properties*



*Downtown Albany Historic District*

## Definition of Terms

**Context:** The physical and historic attributes of a specific place.

**Contributing:** A property identified as being a significant component of a historic district.

**Floor Area Ratio (FAR):** The size (total square feet) of a building compared to the size of the land on which it sits.

**Fenestration:** Window and door placement.

**Guideline:** Parameters describing the preferred look and feel of new construction in a specific historic district or area.

**Massing:** The general size and shape of a building in relation to its site and context.

**Non-contributing:** A property that does not add to the significance of a historic district, either due to its recent age, lack of historic significance, or compromised design.

**Secretary Standards:** The Secretary of the Interior's *Standards for the Treatment of Historic Properties* are administered by the National Park Service, defining best practices for Reconstruction, Rehabilitation, Preservation, and Restoration.

**Siting:** The positioning, orientation and set-back of a building on its lot.

**Standards:** Prescriptive metrics for directing new construction in a specific historic district or area.

**Statement of Significance:** A section of a National Register of Historic Places nomination that describes the features that define a property or district as historically significant.

# Advising, Encouraging, or Regulating—What's Best?

Across Oregon, cities and towns have adopted a range of approaches to guide the design of new construction, whether in National Register districts, local conservation districts, or other areas deemed worthy of special consideration. Various socio-political factors have shaped the approaches, including:

- The cost of creating highly specific expectations for the design of new buildings, especially given the need for public involvement.
- The difficulty of reaching agreement on design and development goals.
- Worry that rigid rules will restrain creativity and infringe on property rights.
- Concern that too much flexibility would lead to out-of-character design that hurts district integrity.
- A lack of local expertise to develop or administer complex rules that require judgment.
- Fear that rules requiring judgment will result in “taste policing.”

In many cases across Oregon, local governments have elected to take a hands-off approach, leaving their historic districts at the whim of individuals on a property-by-property basis.

Communities across the state care deeply about their heritage and the quality of their historic districts. But how far their leaders and citizens are willing to go to ensure they are appropriately supported is the fundamental question surrounding whether to *advise*, *encourage*, or *regulate* aesthetics in historic districts.

## Advisory Approach

Whether in the form of informational *policies*, educational *documents*, or semi-formal *processes*, advisory approaches to guiding infill are effective when all parties are equally motivated, well-intended, open-minded, and when project owners are willing to put their money where others' mouths are. While community sentiment can help inform and shape a project, there must be full and consistent willingness to commit to an altruistic direction for this approach to have any effectiveness. The advisory approach is only as strong as its weakest link. If the quality of the advice is not clear or correct, if there's an unwillingness to acknowledge advice, or if attitudes or commitments change over time, this approach fails to protect the values of the district.

One advisory tactic that has been helpful for some communities – even in the absence of mandatory requirements – is encouraging development teams to meet with city staff or confer with a historic review body prior to any application for permits. This process affords an opportunity to educate a development team about public expectations, programmatic opportunities, and/or regulatory requirements early in the design review process.

Ultimately, any advisory approach has to take place very early in the design process before the development team has become emotionally and monetarily committed to a particular design.

## Encouragement Approach

Encouraging appropriate design can include tactics as simple and informal as *awards* programs, or as specific and measurable as *financial incentives*.

Encouragement helps to entice a development team to meet community expectations for what benefits the district, while not infringing on property rights or a development team's ability to make choices.

Awards programs have some value in acknowledging particularly successful efforts, but don't necessarily incentivize those who are not already passionate about preservation.



A new house in Ladd's Addition Historic District, Portland

Continued next page...

For example, Ashland’s annual Architectural Preservation Awards program includes a category for “historically compatible” new construction that helps set the stage for future design excellence (see photo).

Incentives can serve as a very effective voluntary way to guide design. Specific incentives such as expedited review or zoning flexibility can have great value if well conceived for the economics and opportunities in a particular district. Low-interest loans, grants, and tax incentives are very successful at compelling property owners to invest in design that fits community expectations. Urban renewal agencies typically provide financial incentives for downtown revitalization and new construction programs and are often focused within commercial historic districts.

Voluntary approaches are effective tools for encouraging appropriate design in historic districts when implemented in conjunction with thoughtful regulations.



*Award-winning infill from Ashland, Oregon*

## Regulatory Approach

The most certain, and equitable, path to a desired design result is regulation. Regulation can take the form of specific code-based prescriptive *standards*, or it can utilize more discretionary design *guidelines*. Both standards and guidelines can be supplemented by the advisory and voluntary approaches discussed earlier.

**Standards:** Prescriptive standards are an effective means to address elements such as height, massing, and setbacks from property lines in order to ensure new construction shares attributes typical to a particular area. Standards are generally black and white, providing a measurable box in which new construction can take shape. Standards that provide across-the-board clarity for what can and cannot be built in a historic district are objective and highly effective.

However, it is difficult for standards to guide the textural compatibility needed for new construction to fit comfortably and appropriately in a historic district. Design guidelines, discussed in the next section, better address the more subjective compatibility that cannot be expressed in standards. The advantage of standards is that they are clear and objective in nature, easily applied across the board with a minimum amount of discretion and training.

**Design guidelines:** The application of design guidelines blends guidance and rules. Guidelines are aspirational and descriptive; standards are prescriptive. Guidelines are discretionary in nature since judgment is required to determine whether aspects of a project are consistent with their intent. Guidelines can be advisory or serve as approval criteria applicants must meet. Design guidelines therefore require more expertise to apply on the part of city staff, project designers, and other regulatory decision makers. However, it is this expertise and judgment that is their strength. Guidelines demand more of projects, but provide for flexibility in their interpretation. In order to balance this flexibility while providing projects certainty and predictability, guidelines must be well crafted.

## Recommended Approach

Ultimately, regulatory approaches are the most effective means of directing the design of new construction in historic districts. Well-articulated standards and guidelines can ensure that infill construction will be of a quality and compatibility that works for the specific historic district.

However, the HPLO recognizes that *regulations are most successful when combined with added rights and incentives*. In order to encourage the realization of new construction that meets the expectations set forth by regulations, supportive advisory and voluntary tactics are critical. Early opportunities for design advice, honorary awards programs, relaxing of certain zoning restrictions, and financial incentives can balance the weight of regulations, and make clear that public expectations are in line with the financial realities of development.

## What Makes a Good Guideline?

Guidelines must consist of simple and clear wording that can be understood and applied by professionals and the public alike. Good design guidelines define and describe their purpose. The guideline language itself must be directive in a manner that is legally defensible (in Oregon, guidelines are applied through a “quasi-judicial” process, where the result is a decision that has legal standing).

Of Oregon's 123 National Register historic districts, only 21 are known to have developed district design guidelines. Some of these guidelines, like Oregon City's, apply to more than one district.

Where they exist, guideline documents—like design itself—are products of their time. Their crafting has been defined by available resources, local knowledge, public support, examples available to emulate, local leadership, and views about what constitutes appropriate preservation. As such, some guidelines are more effective and more suitable to today's views and expectations than others.

A comparative analysis of the district design guidelines found in Oregon today has helped identify some of the strengths and limitations that render a guideline effective, or not.

### Successful Design Guidelines:

- Include a clear background statement, giving context for the guidelines within the specific historic district.
- Define clearly what the specific criteria are, distinct from the rest of the text.
- Provide and describe various ways in which the guidelines might be met, including illustrations and discussions of community goals.
- Use district-specific photographic examples from both the past and the present.
- Employ simple understandable language, including definitions and explanations.
- Educate through detailed explanation and accurate historical information.

### Less Successful Guidelines:

- Use technical and less-accessible language through code-based text descriptions.
- Provide few or no illustrative examples or photographs.
- Offer little background or educational information.
- Are generic, and may not be grounded in the defining characteristics of the specific historic district.

### The Relationship of Principles and Design Guidelines

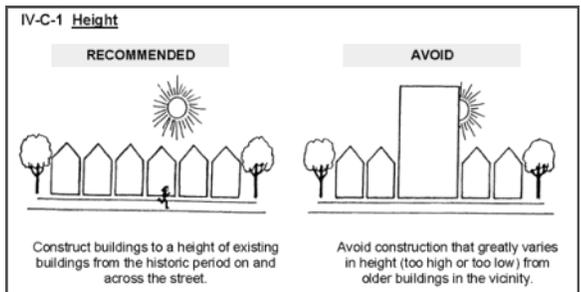
The Principles for New Construction that follow are intended to be a baseline for any approach to guiding new construction in Oregon's historic districts. They can be adopted to serve as guidelines unto themselves, or used as an underpinning in the development of local, district-specific guidelines. In either case, documents and outreach describing local processes, and the qualities and characteristics specific to the respective historic district, are critical to developing appropriate, complete district guidelines.

*This guideline may be accomplished in the King's Hill Historic District by:*

B. Using a setback that respects the existing setbacks along the block. These residences on SW Park Place share a similar setback, along with uniform massing and scale characteristics. In combination, these elements contribute to the uniform appearance that is characteristic for that block.



*An illustration used by a successful design guideline (above) that shows photographic evidence from the district; and a less successful guideline (below) that is too general and not specific to the district.*



# Principles for Compatible Infill

The following principles are intended to serve as a foundation for local, state, and federal programs that evaluate new construction in National Register historic districts, including standards and guidelines. They represent a distillation of input by approximately 200 Preservation Roundtable participants, and the research and analysis conducted by the HPLO staff and consultants on the effectiveness of various design standards found around the country.

The intent of the principles is to:

- Encourage stakeholders to think critically about the future of their districts.
- Protect the integrity and coherence of Oregon’s historic places.
- Provide clarity and consistency for developers, designers, and regulators to make it easier to construct new projects.
- Provide criteria for incentive programs to spur investment and revitalize historic districts.

Each principle consists of a **title**, **statement of intent**, and **bulleted considerations** about how each might be implemented. The principles are intended to be similar in character to the Secretary of Interior’s *Standards*, however, they are specific to new construction and unique in content. Since the term “standards” in Oregon typically refers to specific measurable characteristics (see page 6), this report has chosen to use the word “principles” to describe these foundational tenets.



Photo by Ian Sante

## 1. The District is the Resource, Not its Individual Parts

Designated historic districts are significant as a **collective whole** and must be considered as such, and protected in their entirety. This is the primary, overarching principle.

- New construction must respond to and protect the integrity of the overall historic district in much the same way as an addition does to a historic building.
- The National Register nomination is the primary source for district significance and defining characteristics, and should inform the design of new construction.<sup>4</sup>

## 2. New Construction Will Reinforce the Historic Significance of the District

Infill buildings should relate to and strengthen the core characteristics of the district, as identified in the National Register nomination Statement of Significance. New construction should build upon the story of the district through its design, landscape, use, cultural expression, and associated interpretive displays.

- An understanding of the character and significance of the district should predicate any design or development activities.
- If applicable, cultural expressions and/or historic uses within the district should be considered in design or development activities.



*The Freimann Building in Portland is a successful reconstruction based on thorough documentation.*

### 3. New Construction Will Complement and Support the District

Most historic districts have a discernable aesthetic rhythm of massing, scale, and siting. Infill buildings should not deviate in a detracting manner from these elements, but appear as complementary members of the district.

- Lot size, massing, siting, floor area ratio, and height must correspond to the contributing buildings within the district.
- Whenever possible, new construction should support the viability of adjacent historic buildings through shared ADA and upper story access, structural stability, and mechanical and environmental systems.
- New buildings may provide uses not found within the district if such uses are in demand and if adapting historic buildings for such uses would be detrimental to the historic fabric.



*New construction on the Oregon State University campus provides additional egress to the historic building.*

### 4. Infill Will Be Compatible Yet Distinct

New buildings should be identifiable as being of their period of construction; however, they should not be so differentiated that they detract from – or visually compete with – their historic neighbors. Within historic districts, compatibility is more important than differentiation.

- Because the district is the resource, the reconstruction of buildings that existed within the district during the period of significance is allowed. Reconstructions should be done in accordance with the Secretary of the Interior *Standards for Reconstruction*.
- New buildings should be identified through signage or other interpretative means to relate them to the context of the district's historic significance.
- Style is discouraged from being the primary indicator of differentiation.
- Means of differentiation may include materials, mechanical systems, construction methods, and signage.

### 5. The Exterior Envelope and Patterning of New Buildings Will Reflect District Characteristics

Infill design elements, patterning, texture, and materials should reflect the aesthetic and historic themes of the district.

- Patterns of fenestration, building divisions, setbacks, and landscapes that are characteristic of the district should inform the design of new buildings.
- Mechanical and automobile infrastructure should be appropriately concealed when not consistent with the district's character.



*Two distinct approaches to infill over time. The original historic building is on the left.*

## 6. Contributing Buildings Will Not Be Demolished to Create Infill Opportunities

Properties deemed “contributing” in the National Register nomination or through subsequent research or rehabilitation must not be removed or rendered non-contributing to make way for new construction. Consideration should be given to the demolition of non-contributing buildings 50 years of age or older on a case-by-case basis, dependent on the character of the district.

- Buildings deteriorated beyond repair may be demolished if so determined by the State Historic Preservation Office and local preservation staff/commission.
- Properties deemed non-contributing to the district should be retained and/or documented if they have achieved historic significance over time.



*Demolition of a contributing building, 2011*

## 7. Archeological Resources Will Be Preserved in Place or Mitigated

When new construction must disturb archaeological resources, mitigation measures should contribute to the story of the district.

- Archaeological mitigation must conform to local, state, and federal laws and accepted professional standards.
- When appropriate, archaeological mitigation should be accessible to the general public in an educational capacity.
- Information yielded from archaeological mitigation should be interpreted in the new building and throughout the district.



*Vancouver, WA archeological dig. Image by Rick Minor*

## Our Survey Said... *(a selection of comments from participants)*

*When possible, infill should benefit the district and surrounding buildings by providing "something more." This could include shared elevators and egress for adjacent buildings, subsurface parking, seismic stabilization if there are common side walls, courtyard space that can serve surrounding buildings, solar panel installation for neighboring properties that can't accommodate panels of their own, etc.*

*There is history in a neighborhood other than architecture, for example, past ethnic makeup. A historic district also needs to help serve the overall objectives of urban planning, such as density and energy efficiency.*

*I can support both reproductions of historic buildings and wonderful new modern buildings. The new buildings should be of the quality of design that would warrant future landmark status.*

*We can't require the original uses be preserved – historic uses [may not be] viable. Generally speaking, I believe historic districts should evolve along with the City.*

*At best, infill buildings should contribute to the established narrative of the district. At the very least, they should be neutral in their effect. They should never skew excessive attention to themselves at the detriment of the district.*

*The design goal should be to create an infill building that is compatible, but uses contemporary elements in doing so. I'm less concerned with conscientious efforts to make the building so different as to not confuse, and instead allowing the contemporary materials, floor heights, construction techniques and so on do so in a quiet, honest manner. I don't fear the reconstructions, but there should be some way to designate, like putting the building's date of construction in an obvious location.*

## Strategies for Implementation

Knowing that Oregon's communities and their historic districts are unique, the HPLO expects that these principles will serve as a baseline, adapted as appropriate by local communities. The HPLO has sought to craft principles that complement, rather than conflict with, the diversity of local preservation preferences to provide clarity and consistency. How these principles are received, modified, and incorporated over time will be the decision of Oregon's local and state preservation leaders.

**At the local level**, the principles can be incorporated into advisory, voluntary, and regulatory approaches to guide new construction in historic districts. They are best used as the basis for design standards and guidelines, as well as criteria for incentive programs. In communities that have no existing guidelines for evaluating infill in historic districts, the HPLO recommends that these principles serve as the baseline for urban renewal or other sources of public funding.

**At the state level**, the HPLO recommends that these principles be provided to all participants in the Certified Local Government program and adopted as a starting point for allocating Historic Preservation Fund monies to local communities.<sup>5</sup> Additionally, the principles should be used as a baseline for any new or revised state program of incentives for new construction in historic districts. The HPLO firmly believes any tax expenditure conferred to new construction in historic districts should uphold these tenets.

**At the federal level**, these principles can help chart a new national course for infill in historic districts. Given a pending initiative to revise the Secretary of the Interior's Standards, we encourage the National Park Service to include updated, compatibility-oriented standards for building additions and infill projects. Furthermore, we believe these principles provide solid criteria for broadening the Federal Rehabilitation Tax Credit program to include compatible infill construction. Such an incentive would have a tremendous positive impact on the revitalization of historic districts and on job creation across the entire country.



*In both these examples, the infill construction is on the right.*



## Acknowledgements & Notes

The 2011 HPLO Preservation Roundtable was facilitated by, and the Special Report on Compatible Infill Design was principally authored by, Jeff Joslin, Karen Karlsson, and Rick Michaelson of KLK Consulting. Their decades-long history of collaboration on preservation projects, includes entitlements facilitation, management of review processes, the development of historic and design regulation, and redevelopment of historic structures.

The Special Report was edited by Brandon Spencer-Hartle and Peggy Moretti. Many thanks to our Roundtable Task Force and the HPLO Advocacy Committee, chaired by Natalie Perrin, for their extensive input and vetting.

The wonderful historic venues for our workshops were Old St. Peter's Landmark in The Dalles, the City of Ashland's Community Center, and the Architectural Heritage Center in Portland which also co-sponsored our Portland workshop.

The 2011 Preservation Roundtable was supported by a grant from the National Trust for Historic Preservation – and by the members of the HPLO.

**NATIONAL  
TRUST  
FOR  
HISTORIC  
PRESERVATION**

1. The Standards were first published in 1976 as *The Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards*. They were revised in 1992. In August 2011, the National Park Service announced they would be updating the standards and guidelines; however, the effect of the revisions on setting best practices for new construction is still to be determined.

2. Oregon State Historic Preservation Office.

3. Research conducted published in 2010 by Heritage Travel, Inc., a subsidiary of the National Trust for Historic Preservation

4. Some early National Register nominations lack a Statement of Significance for the district. In these cases, local Statements of Significance or other context research should be consulted.

5. The Certified Local Government (CLG) program is a partnership between local governments and the State Historic Preservation Office, funded by the National Park Service. Federal grants are offered to CLGs on an annual basis and often pay for preservation planning activities such as the creation or revision of design guidelines.

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# HISTORIC PRESERVATION LEAGUE • OF OREGON

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## About the HPLO

The mission of the Historic Preservation League of Oregon is to **Preserve, Reuse, and Pass Forward Oregon's Historic Resources to Ensure Livable, Sustainable Communities**. Founded in 1977 as a 501 (c)(3) non-profit, the HPLO provides education programs, advocacy, technical assistance, and stewardship of over 40 conservation easements on historic properties across the state, protecting them from demolition in perpetuity. Our recent programs have included:

- *Preservation 101*, a series of half-day workshops with the Oregon Main Street Program.
- *How to Save an Endangered Building*, an overview presentation of best practices in preservation advocacy.
- Legislative testimony encouraging sustainability retrofits that protect historic properties.
- Providing technical assistance, community education, and advocacy to Oregon's Most Endangered Places.
- Regional preservation "field trips" that engage Oregonians with their built heritage.

The HPLO office is located in the historic White Stag Block in Portland's Skidmore Old Town National Historic Landmark District. Programming is delivered across the state.



### FOR MEMBERSHIP INFORMATION OR TO MAKE A DONATION:

Historic Preservation League of Oregon  
24 NW First Street, Suite 274 | Portland, Oregon, 97209  
503 243-1923 | [www.HistoricPreservationLeague.org](http://www.HistoricPreservationLeague.org)



*Preserve, reuse, and pass forward Oregon's historic resources*

**NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM**

(Type all entries - complete applicable sections)

|                  |             |
|------------------|-------------|
| STATE:           | Oregon      |
| COUNTY:          | Marion      |
| FOR NPS USE ONLY |             |
| ENTRY DATE       | APR 16 1974 |

**1. NAME**

COMMON:  
**Aurora Colony Historic District**

AND/OR HISTORIC:

**2. LOCATION**

STREET AND NUMBER:

CITY OR TOWN: **Aurora** CONGRESSIONAL DISTRICT: **Oregon Second Congressional Dist. Representative Al Ullman**

STATE: **Oregon** CODE: **41** COUNTY: **Marion** CODE: **047**

**3. CLASSIFICATION**

| CATEGORY<br>(Check One)  | OWNERSHIP   | STATUS  | ACCESSIBLE TO THE PUBLIC  |
|--|---|---|---|
| <input checked="" type="checkbox"/> District<br><input type="checkbox"/> Site<br><input type="checkbox"/> Object<br><input type="checkbox"/> Building<br><input type="checkbox"/> Structure<br><input type="checkbox"/> Object | <input type="checkbox"/> Public<br><input checked="" type="checkbox"/> Private<br><input type="checkbox"/> Both   | Public Acquisition:<br><input type="checkbox"/> In Process<br><input type="checkbox"/> Being Considered   | <input checked="" type="checkbox"/> Occupied<br><input type="checkbox"/> Unoccupied<br><input type="checkbox"/> Preservation work in progress |
| PRESENT USE (Check One or More as Appropriate)   |   |   |   |
| <input checked="" type="checkbox"/> Agricultural<br><input checked="" type="checkbox"/> Commercial<br><input type="checkbox"/> Educational<br><input type="checkbox"/> Entertainment   | <input type="checkbox"/> Government<br><input type="checkbox"/> Industrial<br><input type="checkbox"/> Military<br><input checked="" type="checkbox"/> Museum | <input type="checkbox"/> Park<br><input checked="" type="checkbox"/> Private Residence<br><input type="checkbox"/> Religious<br><input type="checkbox"/> Scientific | <input type="checkbox"/> Transportation<br><input type="checkbox"/> Other (Specify)   |

**4. OWNER OF PROPERTY**

OWNER'S NAME: **Mr. C.W. Sager, Mayor of Aurora** (Head of jurisdiction notified of nomination 2-20-73)

STREET AND NUMBER: **City Hall**

CITY OR TOWN: **Aurora** STATE: **Oregon** CODE: **97002**

**5. LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE, REGISTRY OF DEEDS, ETC.: **Marion County Courthouse**

STREET AND NUMBER:

CITY OR TOWN: **Salem** STATE: **Oregon** CODE: **97301**

**6. REPRESENTATION IN EXISTING SURVEYS**

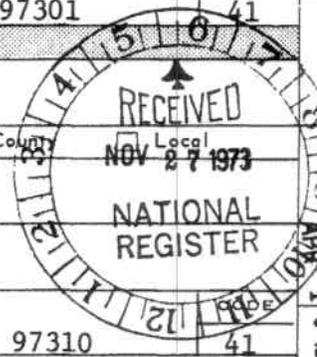
TITLE OF SURVEY: **Statewide Inventory of Historic Sites and Buildings**

DATE OF SURVEY: **1970**  Federal  State  County  Local

DEPOSITORY FOR SURVEY RECORDS: **Parks and Recreation Branch**

STREET AND NUMBER: **Oregon State Highway Division**

CITY OR TOWN: **Salem** STATE: **Oregon** CODE: **97310**



SEE INSTRUCTIONS

|              |             |
|--------------|-------------|
| STATE:       | Oregon      |
| COUNTY:      | Marion      |
| ENTRY NUMBER |             |
| DATE         | APR 16 1974 |

FOR NPS USE ONLY

7 DESCRIPTION

|           |   |  |                                |   |                                |                                    |
|-----------|---|--|--------------------------------|---|--------------------------------|------------------------------------|
| CONDITION | (Check One)                                 |  |                                |   |                                |                                    |
|           | <input type="checkbox"/> Excellent          | <input checked="" type="checkbox"/> Good | <input type="checkbox"/> Fair  | <input type="checkbox"/> Deteriorated             | <input type="checkbox"/> Ruins | <input type="checkbox"/> Unexposed |
|           | (Check One)                                 |  |                                | (Check One)                                       |                                |                                    |
|           | <input checked="" type="checkbox"/> Altered | <input type="checkbox"/> Unaltered       | <input type="checkbox"/> Moved | <input checked="" type="checkbox"/> Original Site |                                |                                    |

DESCRIBE THE PRESENT AND ORIGINAL (if known) PHYSICAL APPEARANCE

Aurora is located in Marion County on the west bank of the Pudding River about 3 miles south of its confluence with the Willamette River. The original town site was on the east and west slopes of a small valley formed by Mill Creek, a minor tributary of the Pudding River. A dam across the creek provided water power for the mills located in the northeast section of the settlement. The first Colony buildings were on the west bank of the creek. The railroad was located on the east bank of the creek in 1870. Two years later the first plat of Aurora (covering the east side of town only) was recorded with Marion County. The community church site was on the west bank overlooking the town. Streets and roads were established by use patterns, and the town had the general character of a European village. Today, the core of town is bisected by the Southern Pacific Railroad and U.S. Highway 99E.

Eighteen major structures which were once part of the Aurora Colony are still standing. Six of these are on former Colony farms in the Aurora vicinity. The remaining twelve are located within the proposed district. Of the eighteen, sixteen were erected as family residences. A majority are still occupied as such. The domestic buildings of the Colony are simple, but they show sound construction and fine workmanship in detail. While plain, the buildings have distinctive character. Although the Colony builders used several structural systems, including vertical plank bearing wall systems, the most commonly used method for the existing structures is the simple stud wall. Sills, plates and large beams were hewn. Studs were generally 4 x 4's in the larger buildings, and either clapboard or shiplap siding was used for exterior wall finish. Typically, the residential structures are rectangular and have two single stack chimneys at the gable ends, straddling the ridge inside the containing walls. Typical attachments are an open porch and enclosed service ell with a shed roof on the rear, and an open porch on the front elevation. Windows are similar in most Colony buildings, having double hung sashes with six lights over six, plain surrounds and slipsills. The eaves generally have a plain boxed cornice and frieze, with a plain projecting verge board under the roof edge on the gable ends. The gable end fenestration often has two small attic windows set to the right and left of the chimney. In proportion and organization the Aurora Colony buildings are often compared with Pennsylvania farm homes of the areas where the Colony had its origin. The interior spaces are organized in a formal plan, including a central stair, slightly offset hall, two rooms on the first floor and two rooms on the second floor. The "living room," or main parlor, was often the larger of the two first story rooms and accounted for a variation in fenestration. Fireplaces in second story rooms are not typical in Colony dwellings.

Need played a direct role in the construction methods used in residential buildings. The earliest structures were of logs or rough-hewn timbers. In the 1860s, with the influx of population to the Aurora Colony, several dwellings were built with plank bearing walls. These structures tended to be smaller than the average Colony dwelling and differed in exterior finish. The later Colony buildings were stylized and to some extent an expression of the success of the Colony. The late Colony dwellings were usually two story structures with stud walls, two fireplaces and

SEE INSTRUCTIONS

A

PAGE 5

(continued)

9. MAJOR BIBLIOGRAPHICAL REFERENCES

Hendricks, R.J. Bethel and Aurora, An Experiment in Communism as Practical Christianity With Some Account of Past and Present Ventures in Collective Living. New York: The Press of the Pioneers, 1933.  
 Lyman, H.S. "The Aurora Community." Oregon Historical Quarterly, II (March 1901), 79-73.  
Illustrated Historical Atlas Map of Marion and Linn Counties Oregon. San Francisco: Edgar Williams and Company, 1878.  
 Will, Clark Moore. "The Aurora Story," Program of the Aurora Colony Centennial Celebration, 1956. This item first published in Marion County History.

10. GEOGRAPHICAL DATA

| LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY |   |  | OR | LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES |                                  |  |
|---|---|--|----|---|----------------------------------|--|
| CORNER  | LATITUDE                                  | LONGITUDE                                  |    | LATITUDE  | LONGITUDE                        |  |
| NW  | Degrees Minutes Seconds<br>45 ° 14 ' 16 " | Degrees Minutes Seconds<br>122 ° 45 ' 47 " |    | Degrees Minutes Seconds<br>° ' "  | Degrees Minutes Seconds<br>° ' " |  |
| NE  | 45 ° 14 ' 16 "                            | 122 ° 45 ' 04 "                            |    |   |                                  |  |
| SE  | 45 ° 13 ' 38 "                            | 122 ° 45 ' 04 "                            |    |   |                                  |  |
| SW  | 45 ° 13 ' 38 "                            | 122 ° 45 ' 47 "                            |    |   |                                  |  |

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: ca. 150 acres

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OF COUNTY

| STATE: | CODE | COUNTY | CODE |
|--------|------|--------|------|
|        |      |        |      |
|        |      |        |      |
|        |      |        |      |
|        |      |        |      |



SW 10/518600  
 5008020  
 NW 10/518590  
 5009200

SEE INSTRUCTIONS

11. FORM PREPARED BY

NAME AND TITLE: Paul B. Hartwig, Assistant Park Historian  
 Based on material prepared by Dale Morrow, temporary assistant

ORGANIZATION: Oregon State Highway Division DATE: November 1973

STREET AND NUMBER: State Highway Building

CITY OR TOWN: Salem STATE: Oregon 97310 CODE: 41

12. STATE LIAISON OFFICER CERTIFICATION

NATIONAL REGISTER VERIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National  State  Local

Name: George DuSable  
 Title: Director of Transportation  
 Date: 11/20/73

I hereby certify that this property is included in the National Register.

AR... ..  
 Director, Office of Archeology and Historic Preservation

Date: 4/16/74

ATTEST:

Atty George Truery  
 Keeper of The National Register

Date: April 10, 1974

HR NE 10/519520  
 5009200  
 SE 10/519530  
 5008020

**8. SIGNIFICANCE**

PERIOD (Check One or More as Appropriate)

- |  |                                       |  |                                       |
|--|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Pre-Columbian | <input type="checkbox"/> 16th Century | <input type="checkbox"/> 18th Century            | <input type="checkbox"/> 20th Century |
| <input type="checkbox"/> 15th Century  | <input type="checkbox"/> 17th Century | <input checked="" type="checkbox"/> 19th Century |                                       |

SPECIFIC DATE(S) (If Applicable and Known)

1856-1881

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Aboriginal              | <input type="checkbox"/> Education              | <input type="checkbox"/> Political                      | <input type="checkbox"/> Urban Planning  |
| <input type="checkbox"/> Prehistoric             | <input type="checkbox"/> Engineering            | <input checked="" type="checkbox"/> Religion/Philosophy | <input type="checkbox"/> Other (Specify) |
| <input type="checkbox"/> Historic                | <input type="checkbox"/> Industry               | <input type="checkbox"/> Science                        | _____                                    |
| <input type="checkbox"/> Agriculture             | <input type="checkbox"/> Invention              | <input type="checkbox"/> Sculpture                      | _____                                    |
| <input checked="" type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture | <input type="checkbox"/> Social/Humanitarian            | _____                                    |
| <input type="checkbox"/> Art                     | <input type="checkbox"/> Literature             | <input type="checkbox"/> Theater                        | _____                                    |
| <input type="checkbox"/> Commerce                | <input type="checkbox"/> Military               | <input type="checkbox"/> Transportation                 | _____                                    |
| <input type="checkbox"/> Communications          | <input type="checkbox"/> Music                  |   | _____                                    |
| <input type="checkbox"/> Conservation            |   |   | _____                                    |

STATEMENT OF SIGNIFICANCE

Aurora was the largest of four towns built in the American West by a communal society founded by Dr. William Keil. Keil was born in Prussia in 1812. He and his wife immigrated to New York where they established a successful tailoring shop. Keil had learned the trade in Germany. While in New York, Keil became interested in Christian Reform movements and developed his own interpretation of the New Testament. With only a limited knowledge of English, Keil found it necessary to sell his shop and travel to Pennsylvania where there was a large population of German-speaking people. While preaching near Pittsburg, Keil became acquainted with Andrew and Barbara Giesy and their 15 children. Four of the Giesy sons, Andrew Jr., Christian, Samuel and Henry, became students of Keil's teachings and helped spread the "word" in the Pittsburgh area. By 1844 there was a substantial number of Keil followers, including some former members of the Harmony Colony in Economy, Pennsylvania. Partially because of persecution and the need to be isolated from other basic teachings of the Christian religion, the decision was made to move west. People of all religious backgrounds were accepted into the colony as long as they believed in the basic principle of "love thy neighbor" taught by Keil. Shelby County, Missouri, was the location for Bethel, the first town founded by the communist group. Later, Nineveh was founded about sixty miles from Bethel. The two settlements were comprised of colonists from not only Pennsylvania, but also the Old Northwest, the South, and some directly from Germany.

In 1853, Christian Giesy, who had been active in recruiting colonists for Bethel, was chosen to lead an advance party to the Oregon Territory to look for new town sites. The "spies," as the advance party was called, chose a site on Willapa Bay, north of the mouth of the Columbia in the present State of Washington. In 1855 a large wagon train led by Dr. Keil arrived at the Willapa Bay settlement. In the course of the first few months it was realized that Willapa Bay was too isolated from the existing transportation routes and that a new site should be considered. During the winter of 1855-56 a small party traveled throughout the Willamette Valley in Oregon, finally choosing a site on the Pudding River, about three miles south of its junction with the Willamette River. This site had good water power potential and was on the trail from Oregon City to French Prairie and the upper Willamette Valley. In the spring of 1857 construction was begun on Dr. Keil's house which, when completed, frequently served as a roadhouse for travelers on the overland stage route. During the 1860's three more wagon trains were sent west from the Missouri colonies and about 100

(continued)

SEE INSTRUCTIONS

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**NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM**

(Continuation Sheet)

|                  |        |             |
|------------------|--------|-------------|
| STATE            | Oregon |             |
| COUNTY           | Marion |             |
| FOR NPS USE ONLY |        |             |
| ENTRY NUMBER     |        | DATE        |
|                  |        | APR 16 1974 |

Aurora Colony Historic District

7. Description - continued (2)

(A) refined exterior detail. All Colony buildings were well made and examples of each of the major types still exist within the district.

There are three buildings standing which were originally non-residential in use. The building known as the "Ox Barn" served as one of the Colony barns until the Colony was dissolved, at which time it was converted to a residence. One of the several Colony meeting halls survives and has recently been restored and adapted for commercial use. The third remaining non-residential building is a small octagonal structure that reportedly was built as a chicken coop for the old Pioneer Hotel. This structure is unusual among the Colony buildings in its octagonal form.

The remaining Colony buildings all have been re-roofed and modified internally. Some have acquired additions. However, despite such changes, most have outwardly retained their original character.

It should be noted that several buildings remain in Aurora which were constructed in the years immediately following dissolution of the Colony. Some of these buildings are expressions of the traditional form used by the Colony.

The Aurora Colony Historic District, as described below, is a large, contiguous district of 150 acres encompassing historic sites and open space as well as historic structures. It is located in portions of Sections 12 and 13 in T. 4 S., R. 1 W. of the Willamette Meridian in Marion County, Oregon. The boundary proposal received the unanimous approval of the full Aurora City Council during a stated meeting on February 5, 1973. The westerly portion of the proposed district, comprising nearly the entire southwest quarter of Section 12, extends beyond the city limits, and is therefore outside of the City's jurisdiction at present. This quarter section is nevertheless a critical element of the district, because it includes the site of the Colony dam and mill pond, scenic and agricultural landscape surrounding the Giesy House, the sites of the Colony Hotel and mills, the Keil Cemetery, the Frederick Keil House and open vistas between these features; and it also includes the sites of Colony founder William Keil's Gros Haus and the Colony Church.

Metes and Bounds Description

Beginning at the southwest corner of Section 12, T 4S, R 1W, WM, thence north along said section line to the 1/4 corner between Sections 11 and 12, thence east approximately 1150 feet to the center of Market Road No. 59, thence southeasterly along said Market Road approximately 830 feet, thence east approximately 1050 feet to a point due north of the intersection of 1st St. and Liberty St. in Aurora, thence south approximately 1020 feet to the intersection of said streets, thence easterly approximately 350 feet to the east city limits line, thence southerly along the east city limits line approximately 820 feet to the center of 3rd St. extended, thence westerly along said street approximately 375 feet to its intersection with Liberty St., thence southerly along



NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

|                  |        |             |
|------------------|--------|-------------|
| STATE            | Oregon |             |
| COUNTY           | Marion |             |
| FOR NPS USE ONLY |        |             |
| ENTRY NUMBER     |        | DATE        |
|                  |        | APR 16 1974 |

(Number of entries)

7. Description (3) Aurora Colony Historic District

the centerline of Liberty St. approximately 150' to a point opposite the south boundary line of the Andrew Snyder House site, thence west approx. 110' to the southwest corner of said property, thence northerly approx. 150' to the center of 3rd St., thence westerly approx. 220' along 3rd St. to its intersection with Main St., thence southerly along Main St. approx. 800' to a point opposite the south line of the R. Miller property, thence westerly approx. 150' to the northwest corner of Block 1 of Snyder's Addition to the city of Aurora, thence southerly along the west line of said block and west line extended to the center line of Bob's St., thence westerly along the center line of Bob's St. approximately 230' to the center line of the Pacific Highway East, thence westerly along the south line of the E. Smith property approximately 425' to the center line of the Southern Pacific Railroad, thence northerly along the center line of said railroad approximately 1250' to the south line of said Section 12, thence west along said section line approximately 1725' to the point of beginning.

8. Significance - continued (2)

**B** colonists arrived by ship via the Isthmus of Panama. The new settlement was known as Aurora Mills and later just Aurora (Aurora was the name of one of Dr. Keil's daughters). Aurora was a thriving community and generally known for hospitality, music, fine food, and high quality craftsmanship. As an experiment in communism and practical Christianity, the Colony was one of the most successful ever attempted. The experiment endured for nearly 40 years. Unlike other communist, religious, or utopian communities of the time, Aurora had, in the words of Robert Hendricks, "no peculiarity of religious belief, or dress, or living conditions or social relations in any way different from that practiced by its neighbors, other than the one fact that its property was held in common." There also was a common treasury.

Dr. Keil died On December 30, 1877. Two and a half years later on August 1, 1881, the colonies in Missouri and the Aurora Colony were legally dissolved and the property was divided among nearly 1000 respective members. Although there was a board of trustees, Dr. Keil's death left the colonies without a strong leader. It was soon evident that leadership was not the only problem. The Oregon and California Railroad came through Aurora in 1870, and the effect of outside influences became an increasing factor within the Colony. In the years before his death, Dr. Keil began making increasing demands upon the young Colony members, first asking that they marry only with other Colony members and later that they not marry at all. These factors, combined with Keil's partial withdrawal from active Colony leadership several years before his death, put the Colony in a state of general social discontent. The economic status of the Colony was very good, however, with about 23,000 acres of farm lands, three towns and several mills. Aurora continued as a stop on the railroad for several years after the Colony was dissolved, but it gradually lost its reputation for "old world" hospitality. In recent years there has been interest in preservation of historic sites and Colony buildings by the Aurora community in general, and in particular by the descendants of former Colony members.

United States Department of the Interior  
National Park Service

3/26/90

**National Register of Historic Places  
Continuation Sheet**

Section number \_\_\_\_\_ Page \_\_\_\_\_

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Aurora Colony Historic District

Marion County, OREGON

ADDITIONAL DOCUMENTATION APPROVAL

for Keeper Patricia Andrews 5/1/90

United States Department of the Interior  
National Park Service

MAR 26 1990

## National Register of Historic Places Continuation Sheet

Section number 8 Page 3

AURORA COLONY HISTORIC DISTRICT  
Roughly bounded by Cemetery Road, Bobs Avenue and Liberty Street  
Aurora  
Marion County  
Oregon

Control No. 74001696

Listing Date 4-16-74

The purpose of this and the following supplementary pages is to extend the historic period of significance of the Aurora Colony Historic District to include resources that contribute to the visual continuity of the district but were erected following disbanding of the Aurora Cooperative Society in 1881.

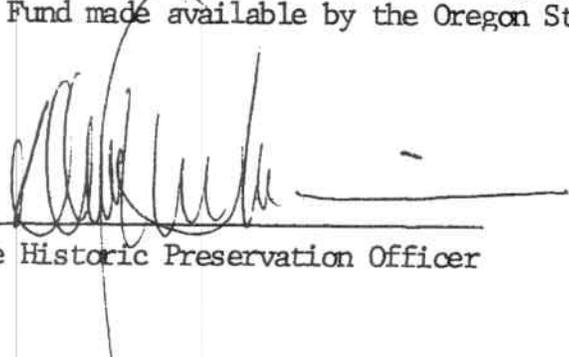
### PERIOD OF SIGNIFICANCE - 1856-1920

The primary period of significance is marked from 1856, when the German-speaking colonists led by Dr. William Keil established their permanent settlement on the West Coast at Aurora in the fertile Willamette Valley. The primary period of significance concludes with dissolution of the Christian communal society in 1881, four years after Dr. Keil's death.

The secondary period of significance follows the Aurora Cooperative Society's disbanding and extends to 1920. Buildings were erected in this period by former members of the Colony, their descendents and others. While "second generation" construction occasionally carried on the traditional Colony idiom, namely simple but distinctively proportioned rectilinear, gable-roofed volumes of frame or plank construction, much of it reflected prevailing architectural fashions of the late 19th and early 20th centuries, including Italianate, Queen Anne, Colonial Revival, and Craftsman Bungalow styles. After 1920, developments such as construction of the Pacific Highway (1933-1934) commenced to alter the rural character of the village, and Aurora evolved as a bustling small-town agricultural trading center not unlike many others in western Oregon.

The accompanying documentation and inventory data sheets keyed to map numbers are taken from the following source.

AURORA COLONY HISTORIC RESOURCES INVENTORY. Philip Dole and Judith Rees, Historic Preservation Consultants. Prepared with grant assistance from the Historic Preservation Fund made available by the Oregon State Historic Preservation Office. 1985.

  
Deputy State Historic Preservation Officer

March 25, 1990

United States Department of the Interior  
National Park Service

MAR 26 1990

National Register of Historic Places  
Continuation SheetSection number 8 Page 4

## HISTORICAL OVERVIEW OF THE AURORA COLONY

The Aurora Colony Historic District contains the nucleus of a major American communal society which developed during the third quarter of the 19th Century. The only one of its kind in Oregon and the Pacific Northwest, its architecture stands apart in terms of form, detail and stylistic expression. It is the most extensive 19th Century architectural grouping in the Northwest built by people with a Germanic background.

The Aurora Colony, or Aurora Cooperative Society, was the last of a succession of communistic settlements which was developed under the leadership of Dr. William Keil. Keil, who was born in Germany in 1812, began to attract to himself others of Germanic background and similar belief within a decade of his arrival in the United States in 1831. Keil had been trained as a tailor, a trade which he seems to have abandoned early in favor of preaching and the practice of medicine. Although not earned through formal training of professional qualifications as a physician, he was known as "Doctor Keil" for the rest of his life. Keil's group was drawn and held together by his dynamic leadership and preaching. His ideas were based on a fundamentalist interpretation of the Bible. Descriptions of church services recall the revival spirit of the Methodists in the 19th Century, a group which Keil had briefly belonged to.

Following his preaching in the vicinity of Pittsburgh, the earliest people to join up with Keil were a number who had broken away from the Harmony Society of Father Rapp at Economy, Pennsylvania, northwest of Pittsburgh. For a time, Keil and his group lived at Phillipsburg, Pennsylvania before they ventured west to Missouri, and then Oregon. The first colony was established in 1844 in Bethel, Missouri, and a later extension at Nineveh, Missouri; in 1853 at Willapa, Washington Territory; and in 1856 at Aurora, Oregon.

Like many other American communal societies, Keil's colonies were based on community ownership of all property. Those joining gave their worldly goods to the organization and, in return, all their needs were provided for. The architecture in Aurora reflects its communal ownership in its standardization and large scale, as the households usually contained, in addition to family members, a number of single Colony members, both young and old. An expression of the communal society is also evident in the large buildings which contained, within one structure, workshops for a number of trades.

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During Keil's years in Aurora, 1856-1877, the Colony went through great expansion and development; apparently, however, in the face of growing dissatisfaction among the younger members of the Colony. Before 1866, there were no written agreements between Colony members and Keil. In that year, a brief document was written to accompany the formal transfer of leadership from Dr. Keil to seven men, all apparently staunch supporters of Keil.

Although the greatest period of expansion and architectural accomplishments followed the signing of the agreement, the agreement did not change or modify the long established practices of the Colony in any way or Keil's evident involvement. Following Keil's death in December 1877, another group was formed to administer the Colony's property and eventually the disbanding of the Colony. In 1881, the Colony was dissolved and all property divided among the former members.

### EVOLUTION OF AURORA'S BUILT ENVIRONMENT

Aurora is sited on the eastern edge of an extensive prairie in Marion County. flowing northeast across White's quarter section, Mill Creek's meandering streambed has formed a low valley about 1,000 feet wide which is flanked by higher elevations of land. In about 1850, White constructed a dam and then saw and grist mills in this valley. Later, the Colony constructed its buildings on the sloping edges of the valley, first its administrative and social institution on the hills to the northwest and, then later, its industries, business buildings and the village on the flatter rise to the southeast.

The existing Historic District lies almost entirely within the first purchase of land made by Keil in Marion County, Oregon. On June 10, 1856, he purchased 160 acres from George F. White, which constituted White's Donation Land Claim of one-quarter section. The southeast corner of the Donation Land Claim is just east of the intersection of Third and Liberty Streets; the northwest corner is about 600 feet north of the Keil Family Cemetery (Resource #22). The northeast corner of the Donation Land Claim is not included within the current boundaries of the Historic District. It contains the sites of the second Colony School, the Colony Grist Mill and a complex of workshops including the Cooper's and Tin Smith's Shops.

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On June 11, 1856, the day after purchasing White's Donation Land Claim, Keil bought David and Anna Maria Smith's Donation Land Claim of 320 acres. The Smith Claim consisted of two quarter sections; the eastern quarter section was directly south of the land formerly owned by George White. At the time of the purchase apparently, no buildings existed on the claim. Later, during the Colony period, the Giesy-Kraus House (Resource #108), the Mohler House (Resource #122) and the Snyder House (Resource #99) were all located on this quarter section, as well as the Colony's Mill Pond and Dam, constructed in 1867. Although the Smith Claim contains several important Colony period sites, the Historic District extends only into the eastern quarter section to include the Snyder House, just south of Third Street, and the Mohler House, on Highway 99-E near Bob's Street. In the southwest corner of Smith's adjoining quarter sections, lies the Aurora Cemetary; it was known as the "general cemetary" to distinguish it from the other, more exclusive Colony period burial ground for members of the Keil family.

The community at Aurora Mills developed in two phases during the Colony period, from 1856 to 1881. During the first phase (1856-1863), the population was small, numbering no more than 50 inhabitants. In the early summer of 1856, a dozen or more men arrived with Keil. The colonists used the buildings George White had constructed. White's small log cabin, which the colonists first lived in, sat just west of the sawmill close to the northern edge of Ehlen Road; the grist mill was located several hundred feet further north, and the millpond was located south of Ehlen Road. In the early years, the sawmill apparently provided the Aurora Cooperative Society with its main source of income. Logs were supplied to the mill as Aurora's heavily wooded site was cleared for agriculture and other Colony requirements.

It is assumed that the first arrivals immediately built other primitive structures for the colonists who were expected to arrive soon from Willapa and Portland. The first buildings the

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colonists constructed were probably of logs and built west of White's structures in a concentrated group on the "Point". The "Point" was a sloping elevated sited bordering the flood plain to the northwest, a few hundred yards from the mills. It is located at the northwest corner of the junction of Ehlen and Airport Roads, then known as French Prairie Road and Boones Ferry Road, respectively. The most important of the new Colony buildings was the huge, hewn log, "das Grosse Haus" that was built for Dr. Keil in about 1859 and was destroyed by fire in 1906. Marking the end of the first phase of Colony development is the arrival of the large group of immigrants in the fall of 1863 and construction of the John Giesy House, completed in 1864-65. The Giesy House may be the oldest surviving Colony period building. It and its outbuildings are located directly across from the site of the enclave of Keil buildings on the Point, a suitable location for the man who managed the grist mill and was one of the most important leaders in the community.

The second phase of Colony development lasted from 1863 until the dissolution of the Colony in 1881. The three migrations of 1863, 1865 and 1867 greatly increased Aurora's population; they numbered about 200, 75 and 50, respectively. the great influx of colonists not only required residences, but also specialized buildigs for the many trades and craftsmen. Within this group of colonists there were many representatives of the building trades which performed this construction. Although in the fall of 1863 the only building activity mentioned in the area of the present village was the construction of the Hotel and a bridge across the Pudding River, by 1870 residences for a dozen households had been constructed within the village and the immediate vicinity. Some households resided in the Hotel and in the workshop buildings. Some of the newcomers also settled on newly acquired outlying farms in Marion and Clackamas Counties. In 1865, the landholdings in Marion County amounted to 1,440 acres, and by the 1870's the acreage had increased about ten-fold.

The extensive construction which followed the mid-1860's coincided with the major shift in the administration of the Colony, from Dr. William Keil to the seven trustees. A number of the developments were industrial; beginning in 1867 a new dam was constructed several hundred yards south of White's old millpond, greatly improving the waterhead. It appears the alignment of the railroad constructed in 1869-70 through Aurora was known long before its actual construction, as the millrace parallels the alignment and the new sawmill, woolen mill and grist mill constructed soon after were all placed closed to the future railroad right-of-way.

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The Hotel, built in 1863-67, was the first structure whose position adjoined the alignment later taken by the railroad. In addition to serving as a commercial hotel with a famous dining room, the Hotel also served as a residence for colonists. Before the construction of the railroad, the Hotel served as a stage stop on the stage road which passed right in front of it. The road later became Aurora's Main Street and a number of commercial buildings were constructed along it in the 1870's. Some of these were part of the Colony's private enterprise system, such as the building which housed the Colony Members' Supply Store (Resource #94), but a number catered to both the colonists and the general public: the F. Keil & Co. General Merchandise Store (Resource #88), the Geisy Drugstore (Resource #75), and the Railroad Station (resource #53). In 1872, the plat of "Aurora" was recorded in the Marion County Courthouse. In that same year, distribution of Colony property was made, including rural acreage as well as village lots. Which village houses existed before that date is not known, although it appears that the Andrew Voght House on First Street (Resource #77) and the Leonard Will House on Main Street (Resource #101) were built in the mid-1860's. However, it appears that a number of other houses were built after the distribution of lots; the William Fry House (Resource #61) is one example.

In 1873, Nordhoff described the houses as being factory-like, the village disorderly and rather unimaginative or not tasteful -- he objected to the use of a grid layout. However, other visitors spoke of the neatness. The layout did provide for unusually wide streets which had no curbs. At a later date, Main Street at least had boardwalks, while other streets had footpaths in the grass verges. Where buildings were enclosed by picket fences, their yards were distinguished from the street; in unfenced yards, the spaces merged. Today, streets which are representative of Aurora's 19th Century character are Liberty Street south of Highway 99-E, and Second Street between the F. Keil & Co. Store and the William Fry House.

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The village had an order and pervasive pattern. Buildings for trade and business activities were regularly and widely dispersed throughout the village. The location of the Ox Barn is representative of this. The typical residential complex included several outbuildings: a small barn, a woodshed, a wash house and often a shop building. The house and its lot with vegetable garden, enclosures for stock, piles of firewood and materials related to the specific trade carried on in the shop, had an utilitarian character. The houses were regularly spaced and, apparently without exception, stood on the corner with no more than two houses to a block; however, not every corner had a house. It appears that Colony period public and commercial buildings in the village were also sited on corners, with the exception of the Martin Giesy Drugstore (Resource #75), which sat near the center of its block.

Up into the 1890's few substantive changes appear to have occurred within the village. However, by the late 19th Century, photographs show an increase in commercial and public buildings, especially along Main Street. Stylistically and functionally, the singular, more focal character of the utopian center was transformed into a typical small Oregon town. Through the years, individual buildings have been lost to fire and owners' changing needs. However, the most destructive impact was the State Highway construction in 1933 and 1934, which caused the demolition of several major Colony period buildings and cut a swath diagonally through the original grid layout of the village.

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### DATING AURORA COLONY BUILDINGS

There is little information available to assist in arriving at dates for building construction during the Colony period. Communal ownership obscures conventional sources of information and there is little oral tradition that is applicable. However, the 1860 and 1870 censuses and the 1867 and 1872 directories have provided some assistance in dating buildings of the Colony period.

Within the boundaries of the Historic District, the 1860 census appears to list only two households of Colony members, William Keil's and Henry Snyder, Sr.'s. Both contained immediate family members as well as other adult male and female Colony members. The Keil household numbered 19 and the Snyder household numbered 11. It is assumed that these two households lived in log structures which are frequently mentioned as standing on the "Point" and included Dr. Keil's "das Grosse Haus". The 1860 census also lists several families who had been members of the Bethel Colony, but did not join the cooperative in Aurora. It appears that all of these families lived outside the Historic District boundaries; they include the households of Christian Boehringer, Henry Hager, and William Keil's brothers, Charles and Frederick. This tends to indicate that there were no residential buildings within the village until after 1860. It appears that little construction occurred before 1864-1865 and that no buildings constructed prior to that date survive.

Definite construction dates are known for only five surviving Colony period buildings: John Giesy House (Resource #46), 1864-1865; Frederick Keil House (Resource #10), about 1870; F. Keil & Company General Merchandise Store (Resource #88), 1870-1871; William Fry House (Resource #61), 1874; and George Steinbach Log House (Resource #106), 1876. A number of other surviving Colony period buildings have characteristics similar to these buildings; based on this, a construction date of circa 1870 has been assigned to indicate that they were probably built between 1864 and 1875. A few buildings, with characteristics which indicate a slightly later construction date, have been assigned a date of circa 1875.

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Two important Colony buildings are very problematic in regard to construction dates: the Ox Barn (Resource #105) and the Octagon Building (Resource #50). Their present appearance, materials and details are typical of construction in the 1880's or later. However, the oral traditions which associated these buildings with the Colony period merit serious consideration and, in respect for these traditions, these two buildings have been given a construction date of circa 1880.

### AURORA'S ARCHITECTURAL IDIOM

#### The Colony Period House

One kind of house, in general form and character, was built in the village of Aurora from about 1864 to 1881, during the Colony period. The farm houses built outside the village were also of this kind, although the farm houses tended to be larger. The typical house can be described as follows:

The gable roof house is sided with its eaves parallel to the street. It has a three-bay front facade and is two bays in depth, about 35 feet long and 20 feet deep. One and a half to two stories in height, it usually has windows on the second floor front facade. The attic ends may have two fixed, six-light sash windows. Each gable end contains an interior brick chimney, but of unequal sizes, one for a stove and the other for a fireplace. A one-story lean-to, containing an open porch and enclosed room, extends across the full length of the rear facade. The main body of the house has two rooms on the main floor, and two on the second. The house seldom has a front porch, although most surviving houses have porches which were added later, during the post-Colony period. The continuous or pier foundation is constructed of brick and an exterior staircase with brick walls usually provides access to a full basement.

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The typical house is predominantly 18th Century in character. It has white painted, horizontal weatherboarding. There may be a pronounced asymmetry in the position of its "central" front door, which usually has a transom and is sometimes double-leafed. The house rarely has Classical detailing and curvilinear moldings in its exterior finish. However, it always has six-over-six, double-hung sash windows which are smaller in size on the second story than on the first. The window surrounds are flat boards and the head is capped with a flat projecting, rectangular cap about a half-inch square.

The characteristic eave detailing is utilitarian. The front eave is boxed with its soffit perpendicular to the house wall, in contrast to the eave at the rake, which is open. The rake eave has a projection of a foot, and a suspended fascia. The soffit is deeply recessed and made of a painted board set directly against the roof sheathing. The intersection of the rake with the ends of the front facade boxed soffit and fascia is often resolved by carrying the horizontal line a foot or so around the end of the house. This produces a triangular boxed element which has no moldings. It is utilitarian in character and in placement makes no reference to a Classically detailed eave return. This eave intersection is one of the most characteristic details of Aurora Colony architecture, almost exclusive in Oregon to that group's building. Occasionally, just below the eave intersection, a few houses also have a residual, two dimensional version of a Classical eave return. It consists of the architrave board, but not the cornice, carried around from the front facade. At its simplest, it is one flat board set flush with the surface of the siding, as on the Frederick Keil House (Resource #10). A more complex assembly consists of two or three graduated rectangular boards as a cap which is a continuation of the bed moldings, such as on the Charles Snyder House (Resource #99). This unorthodox but pleasing version of Classical detailing is rarely found in Oregon outside the Colony territory.

A common exception to horizontal weatherboarding is the use of vertical boards and battens. The vertical board and batten house is of single wall "box" construction. However, it should be noted that some box constructed houses in Aurora are covered with horizontal weatherboarding.

A remarkable quality of the Colony period Aurora house is that, contrary to the general impression, it can be said that no two are alike. Within a very conservative and limited vocabulary, and with the distinct expression of only one or two builders, each house is rather easily distinguished from all others.

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The Post-Colony Period House

For a generation following the death of Dr. William Keil in 1877, the general characteristics of the typical Colony period house survived in post-Colony period houses built for Colony members and their descendents. The post-Colony house is easily distinguished from its predecessor by the following modifications which characterize it:

The house is sided with shiplap. Its two interior brick chimneys are the same size, the smaller stove type, and each has a base, shaft and pronounced bands of corbelling forming the cap. The front door bay is covered with a small hip roof porch detailed with turned posts and jigsaw brackets. Post-Colony eave detailing lacks the distinctive utilitarian eave and rake construction of the Colony period with its total absence of molding and Classical elements. There are moldings at the crown and bed of the eave assembly and on the horizontal caps of openings. The windows are one-over-one, double-hung sash. At the rear of the house there is a one or two-story kitchen wing enclosing two to three rooms. It has a third stove chimney, porches with shed roofs, and often a pantry within the porch area.

The building has a tall and light character which is in contrast to the rather squatty and heavy sense of the typical Colony period house. The detailing and moldings have the sharper, more attenuated attributes of late Gothic, rather than the attributes of the Classical.

It is not surprising that these architecturally conservative houses were usually the first homes of individuals who had played a major role in the Colony during Dr. Keil's lifetime. The following post-Colony houses conform to this trend: Jacob Miller House (Resource #81), Samuel Giesy House (Resource #91), William Miley House (Resource #117), and George Miller House (Resource #136).

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### CLASSIFICATION SYSTEM

The properties surveyed within the boundaries of the Aurora Colony Historic District have been classified into six categories:

Primary Significant: Buildings that were constructed by Colony members before the Colony's dissolution in 1881, and buildings that were built by Colony members after 1881 but reflect the Aurora Colony's architectural idiom. There are thirteen buildings and the Keil Cemetary classified as "Primary Significant".

Secondary Significant: Buildings that were constructed after dissolution of the Colony in 1881 by Colony members, descendents and others which do not reflect the Aurora Colony's architectural idiom. These buildings reflect the typical building patterns found in Oregon from the 1880's to the 1920's, and include the following styles: Italianate, Queen Anne Victorian, and Bungalow. There are 20 buildings classified as "Secondary Significant".

Historic Non-Contributing: Buildings that were built during the historic period and would typically be classified as Primary or Secondary Significant, but have been so extensively altered that their character-defining elements (siding, windows, form, detailing, etc.) are no longer intact. There are nineteen properties classified as "Historic Non-Contributing". If the original integrity of these buildings was restored, three would be classified as "Primary Significant" and sixteen as "Secondary Significant".

Compatible Non-Contributing: Buildings that were constructed after the 1920's and Aurora's secondary period of development, and are compatible architecturally (scale, materials, siting, use, etc.) with the Significant structures and the historic character of the district. There are three properties classified as "Compatible Non-Contributing".

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Non-Compatible Non-Contributing: Buildings that were constructed after the 1920's and Aurora's secondary period of development, and are not compatible architecturally (scale, materials, siting, use, etc.) with the Significant structures and the historic character of the district. Typically, these buildings are Suburban Ranch style houses built after 1950, or highway oriented, commercial buildings. There are 33 properties classified as "Non-Compatible Non-Contributing".

Vacant: Properties that have no buildings or structures sited on them, including alleys, parking lots, remnant parcels left over from the realignment of Highway 99-E, pasture land and woodlands. There are 54 properties classified as "Vacant".

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### Archeological Studies of Colony Period Sites

Within the present historic district boundaries, several sites offer potential for historic archeological studies of Colony period architecture, building materials, and aspects of material culture. Most of the sites in the following list are unique, as they were locations of important and specialized Colony activities that are no longer represented by surviving Colony period buildings.

| <u>Resource No.</u> | <u>Site</u>  |
|---------------------|--|
| 7A                  | Aurora Colony Church   |
| 9A                  | Carpentry Finishing Shop   |
| 12B                 | William Keil House,<br>first Emmanuel Keil House<br>and outbuildings |
| 27A                 | Spinning and Lumber Mills  |
| 30A                 | Colony Mills and Office  |
| 33A                 | Sawmill Log Pond   |
| 37A                 | Old Aurora Hall  |
| 39A                 | Mill Creek Bridges   |
| 40A                 | White's Sawmill  |
| 44A                 | White's Grist Mill   |
| 48A                 | White's Dam and Millpond   |
| 50A                 | Aurora Colony Hotel,<br>Octagon Building<br>and outbuildings         |

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| <u>Resource No.</u> | <u>Site</u>  |
|---------------------|--|
| 57A                 | William Fry's Blacksmith Shop                              |
| 75A                 | Martin Giesy's Drugstore                                   |
| 77A                 | Andrew Voght House   |
| 94A                 | Aurora Colony Store and Workshop<br>and Andrew Giesy House |
| 101A                | Leonard Will House   |

Historic archeological investigations of these sites are recommended, as they would provide information about the entire community. A number of sites contain a complex of buildings and the spaces around and between buildings may have a high yield of artifacts because of the intensive, functional uses made of these areas. Building complexes have consisted of buildings related to a specialized use or trade and residential buildings with supportive outbuildings, including small scale agricultural structures. Unfortunately, most of the sites have been disturbed through repeated plowing or through grade changes for the construction of parking lots or roads. However, even in these cases, artifacts may survive, as most residential buildings had basements of brick or board construction. Almost all of the identified archeological sites are vacant and few had more than one Colony building constructed on any specific site.

Sources which will be helpful in providing more detailed information on the location of Colony period sites are:

- o Photographic overviews of Aurora, especially the circa 1889 panoramic view;
- o 1922 Sanborn Map;
- o State Highway Plans for the Pacific Highway, Project Number E-7A, December 1932, and Mill Creek Bridge, Project Number NRS 231, January 1934.

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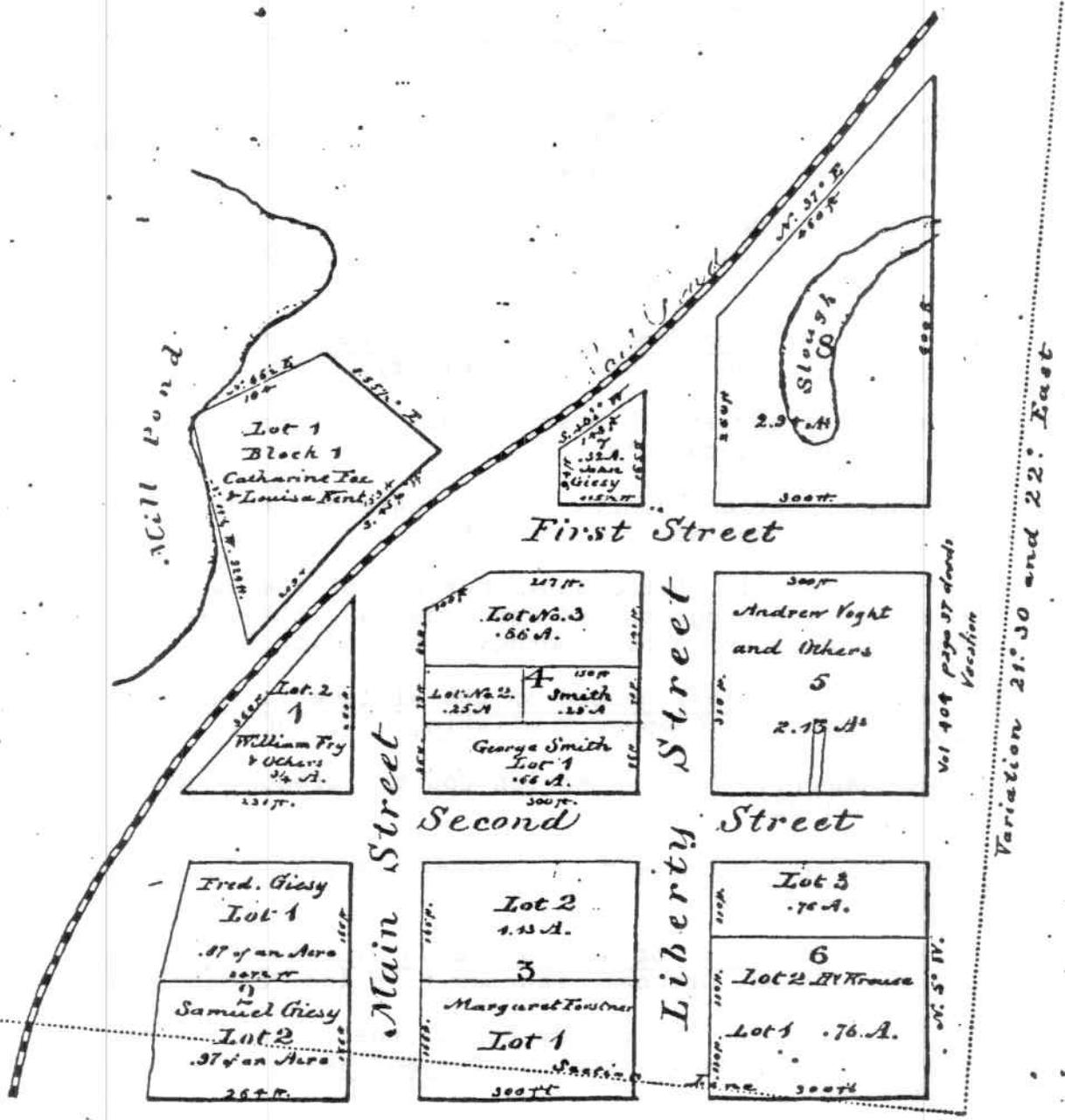
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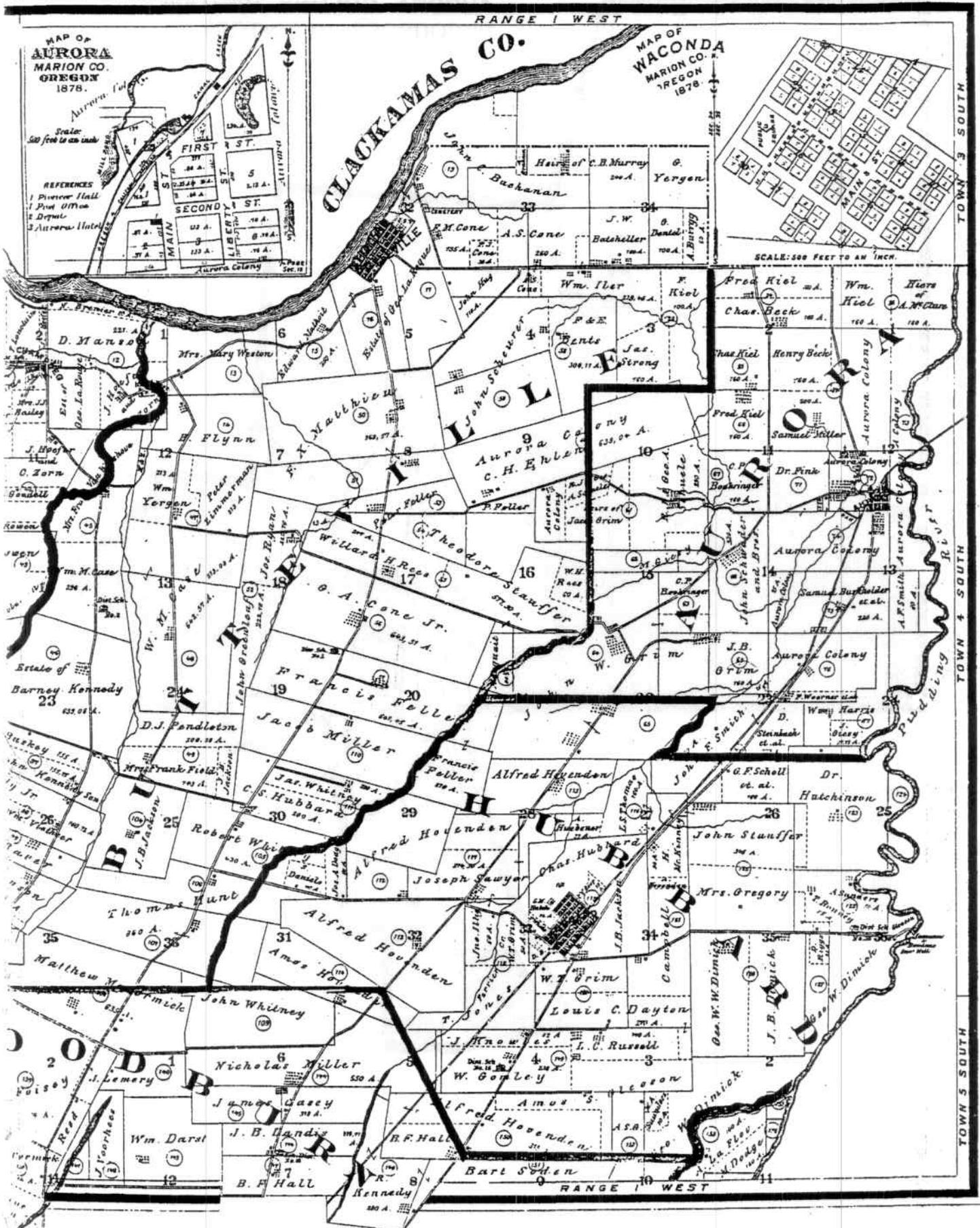
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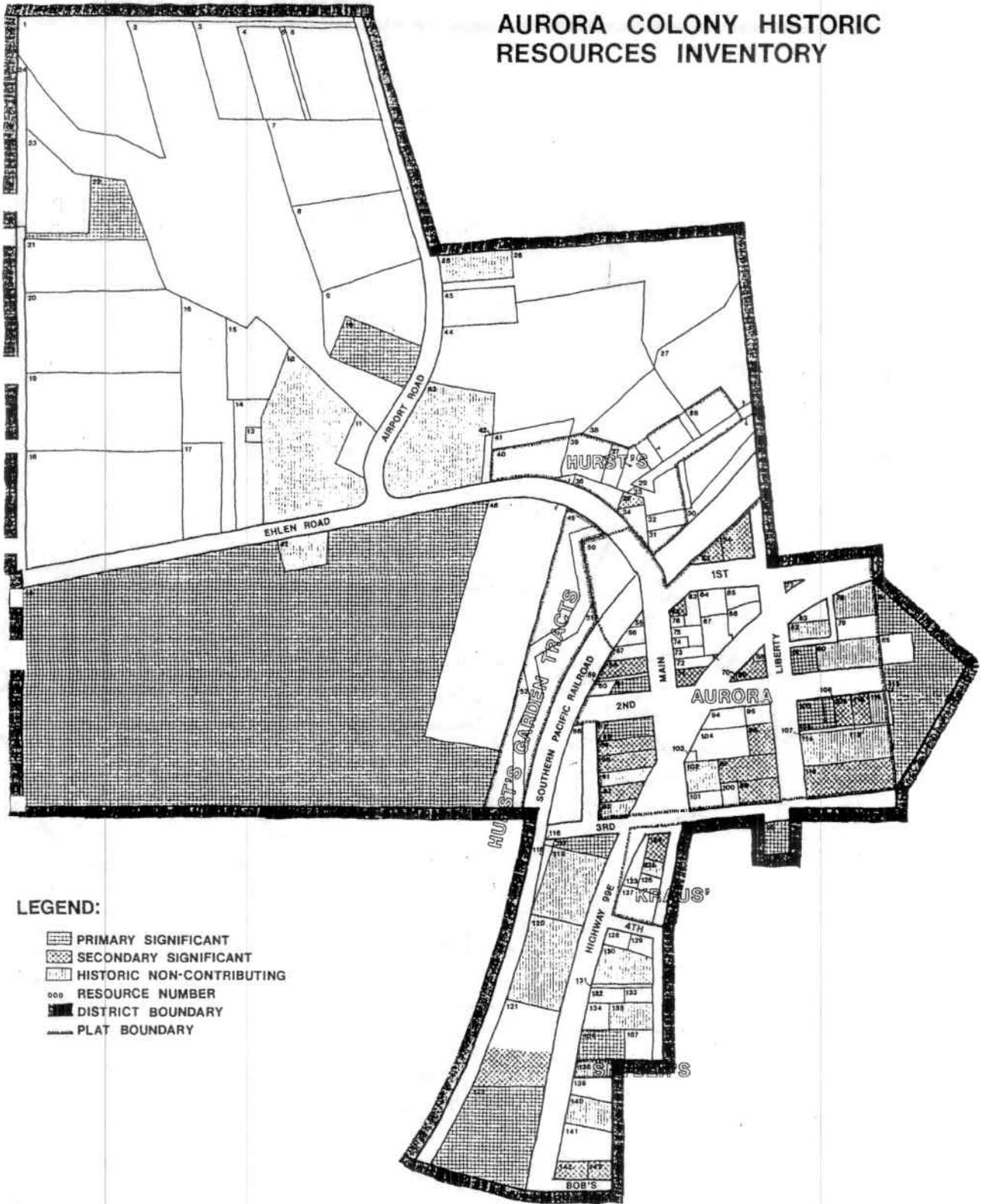
# Map of Aurora



(Original) On a scale of 100 ft. to 1 inch.



# AURORA COLONY HISTORIC RESOURCES INVENTORY



## LEGEND:

-  PRIMARY SIGNIFICANT
-  SECONDARY SIGNIFICANT
-  HISTORIC NON-CONTRIBUTING
-  RESOURCE NUMBER
-  DISTRICT BOUNDARY
-  PLAT BOUNDARY

**HISTORIC  
PRESERVATION  
LEAGUE • OF  
OREGON**

# Special Report



*Preserve, reuse, and pass forward Oregon's historic resources*

## HEALTHY HISTORIC DISTRICTS

**Solutions to Help Preserve and Revitalize  
Oregon's Historic Downtowns**



Recommendations by the Historic Preservation League of Oregon  
based on the 2010 Preservation Roundtable

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## 2010 Preservation Roundtable Process

### Topic Defined

Summer 2009

### Online Survey

Early January 2010

### Workshop

Portland, OR  
January 19, 2010

### Symposium

Albany, OR  
May 14, 2010

### Research, Interviews & Site Visits

Late Summer 2010

### Report Released

September 30, 2010

## Background

In January 2010, the HPLO launched the Preservation Roundtable to bring together diverse perspectives to address the topic of **Healthy Historic Districts in a Changing World – Compatibility & Viability**. The recommendations presented in this report were defined by Preservation Roundtable participants, who represented the wide range of views and geography that characterize Oregon's historic districts. Over 100 business owners, community leaders, real estate developers, historians, urban planners and residents from Astoria to Pendleton to Jacksonville participated, defining common obstacles to district vitality and exploring diverse solutions.

While not intended to represent a comprehensive examination of every issue, this report and its nine key action items offer a **call to action** - a road map to dramatically improve the cultural, economic, and environmental sustainability of dozens of communities across our state. If the enthusiastic participation in the 2010 Preservation Roundtable is any indicator, Oregon's historic districts have a bright future ahead.



Participants discuss issues and solutions for historic districts at the Preservation Roundtable

## Introduction

Think “Main Street,” and images of Normal Rockwell come to mind. Friendly people, sidewalks that invite a stroll, authentic well-crafted buildings of brick, wood, and native stone, storefronts filled with local businesses.... You think **community**.

Oregon has 119 districts listed in the National Register of Historic Places and more are on the way. Among these are 30 commercial districts. Unlike ubiquitous strip malls which convey no sense of place, historic downtowns with their iconic buildings tell the unique story of their community - its heritage, values, craftsmanship, and enterprise. Today many are worn around the edges, under-occupied, or hidden behind ill-conceived “remuddled” facades, but still these districts represent an enormous economic asset. They’re as much a bellwether for the future as they are a reminder of the past and they help make Oregon, **Oregon**.

The Historic Preservation League of Oregon and the nearly 100 people who participated in the 2010 Preservation Roundtable believe its time to invest in the revitalization of our historic districts. And this isn’t about nostalgia. This is about economic, cultural, and environmental sustainability:

- **Preservation = Jobs.** Dollar-for-dollar, building rehabilitation creates more jobs than manufacturing or new construction.<sup>1</sup> Additionally, preservation supports local employees, relies on regional suppliers, and increases the economic potential of commercial buildings and districts.
- **Preservation is about people, culture, and livability.** Historic downtowns encapsulate the stories of the past while providing an affordable and creative environment for future generations. They serve as models of community planning for the 21st century, providing all of life’s necessities within a 20 minute walk.
- **Preservation is green.** Retaining and reusing the embodied energy found within historic buildings minimizes the need for new materials, keeps waste from the landfill, and circumvents the need for intensive demolition and construction activities that produce harmful greenhouse gases.

Oregon’s historic downtowns are a tremendous asset. This report outlines nine practical ways we can invest in and benefit from them.



## About the HPLO

The mission of the Historic Preservation League of Oregon is to **Preserve, Reuse, and Pass Forward Oregon’s Historic Resources to Ensure Livable, Sustainable Communities**. Founded in 1977 as a 501(c)(3) non-profit, the HPLO provides education programs, advocacy, and maintains over 40 conservation easements on historic properties across the state, protecting them from demolition in perpetuity. Our goals include:

- **Preserve and pass forward** historic sites, properties and districts.
- Ensure sufficient **economic incentives** for historic preservation.
- Promote appropriate **land use policies**, development **guidelines** and preservation **standards**.
- Educate the public to **increase awareness** of the economic value of preservation and its essential role in sustainability.

The HPLO office is located in the historic White Stag Block in Portland’s Skidmore Old Town National Historic Landmark District.



## Executive Summary

This summary highlights the 2010 HPLO Preservation Roundtable recommendations for maintaining and improving the economic, cultural, and environmental health of Oregon's National Register historic districts. More details and steps toward implementation are discussed beginning on page 9. While these action items are aimed at historic districts that are primarily commercial in nature, many are applicable to residential districts, individual historic properties, and designated Main Streets<sup>2</sup>.

According to Roundtable participants, healthy historic districts require four things:

- Coordinated **vision and planning** to provide a clear path for the future that encourages change but upholds the fundamentals of historic preservation.
- Infill **design** that is compatible with its surroundings and tells the evolving story of the district.
- Financial and honorific **incentives** that close the development gap and reward best practices.
- Clear and consistent **regulations** that protect the district's history but don't prevent positive change.



*Good and not-so-good examples of rehabilitation in Baker City*

## Characteristics of a Healthy Historic District

- Well maintained buildings that retain architectural integrity
- Vibrant activity day and evening
- High occupancy rates, and on all floors
- High percentage of local ownership
- Few surface parking or empty lots
- Well visited by tourists
- Low crime rate

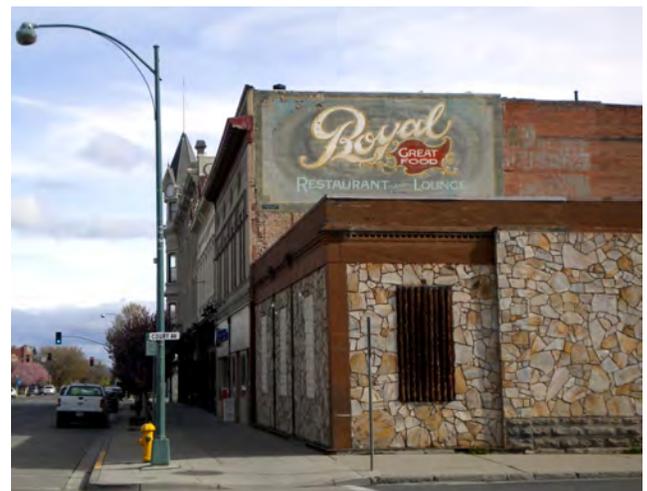
The following nine recommendations will help get us there:

### 1. Chart a clear course with a comprehensive district development plan.

Oregon's historic districts will inevitably continue to evolve. Without a comprehensive vision for how the district should look, function, and serve its citizens, piecemeal development can slowly diminish the very fabric that made it significant in the first place. Development plans offer the potential to manage change that will enhance the character and vitality of the district over the long-term.

### 2. Establish economic development districts that support business and provide funding for the rehabilitation of historic buildings.

Urban renewal areas, business and economic improvement districts, and Main Street programs leverage local assets to achieve greater viability for business and buildings. Economic development strategies should channel resources into historic districts where dollars and technical expertise are needed the most.



**3. Create design guidelines and standards for infill to ensure the new is compatible with the old.** Thoughtful design guidelines informed by the historic and architectural significance of the place are needed to encourage and shape infill construction that adds to, rather than detracts from or mimics, the evolving story of the district. Additionally, state and federal standards for infill are needed to set a clear and simple minimum baseline for what's appropriate and what's not.

**4. Expand state and federal incentive programs to make appropriate development feasible.** Current state and federal tax breaks to incentivize the rehabilitation of historic buildings often aren't enough to make preservation projects pencil financially. A state tax credit for rehabilitation and a federal incentive for compatible infill would make commercial historic districts even more economically, culturally, and environmentally sustainable.

**5. Tailor local incentive and disincentive programs to meet local needs.** Local jurisdictions can and should direct district change and preservation activities through the use of creative grants, fees, and policies. Among other ideas, landfill taxes on the demolition of older buildings, prioritization of locating government services in historic districts, and grants for storefront improvements can enhance the character and economic vitality of districts around the state.

**6. Update preservation ordinances to ensure clarity, consistency, and defensibility.** To promote appropriate local control of historic districts and create a consistent baseline across the state, model preservation ordinances should be developed to assist communities in implementing sound preservation policies that meet today's legal standards.

**7. Identify a single point of contact to cut through red tape.** Every commercial historic district should have a single point of contact to provide clear and consistent answers and assistance to business and property owners. This individual would help streamline the development process, disseminate information about incentives and regulations, help coordinate planning activities, and work closely with district stakeholders and policy-makers. With the historic district as their primary client, coordinators would be the municipal stewards of district health.

**8. Tell the story of the district.** The historic narrative is what makes a district significant and should be infused in everything from design guidelines to walking tours. Heritage education campaigns can be big or small, but fostering a sense of place is a must for each of the state's unique districts.

**9. Promote best practices through a statewide preservation awards program.** To recognize and honor preservation success stories from around the state, an inclusive awards program is needed. In addition to receiving recognition, award recipients would encourage and inform future preservation victories through sharing best practices and lessons learned.



*Historic District—Independence, Oregon*

## Historic Preservation in Oregon – A Brief Overview

The historic downtowns and Main Streets found across Oregon are unique: they tell the stories of the past while still largely functioning as the economic, social, and cultural center of their communities. Oregon boasts 119 National Register historic districts that encompass:

- 12,274 properties
- At least 17,000 acres of land
- About 30 commercial districts
- Over 1,386 commercial buildings<sup>3</sup>

Ashland, Albany, Baker City, Condon, Cottage Grove, Independence, La Grande, Medford, Roseburg, Silverton, St. Helens, The Dalles, Union, and a host of other communities have successfully nominated their historic commercial districts to the National Register of Historic Places, declaring that their story matters. Additionally, two commercial districts - Jacksonville and Portland's Skidmore/Old Town - have been recognized as National Historic Landmark districts for their *exceptional* national significance.

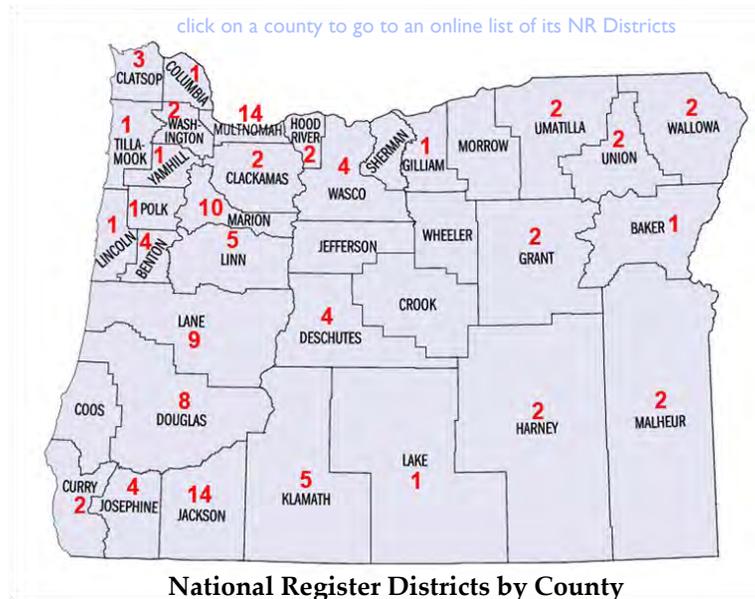


Oregon's historic districts exist within a framework that extends from individual property owners to the National Park Service. Standards for rehabilitation have been established, state and federal tax incentives have been codified by legislators, ordinances have been crafted by city councils, and historic areas have become some of the most popular places to live, work and play.

The State Historic Preservation Office's Certified Local Government program allows grant monies and technical assistance to flow from the National Park Service to urban and rural communities that meet the qualifications of the program. Additionally, the Oregon Main Street Program assists communities in implementing the 4-Point Approach® developed by the National Trust for Historic Preservation.

However, ever-changing political, economic, and natural forces necessitate new ideas for protecting and promoting the state's historic resources. Many continue to deteriorate. While Oregon communities use differing standards for designating places as historic, Goal 5 of the *Statewide Planning Goals and Guidelines* employs the National Register as the general baseline for determining historic significance. National Register listing makes properties eligible for state and federal incentives, but it is up to local communities to adopt their own rules for managing historic places. While some larger cities have adopted ordinances that can deny the demolition of National Register properties, many smaller communities have no codified measures to protect their historic resources.

Our Historic Districts tell the story of Oregon! They deserve to be protected, revitalized, and passed forward to future generations.



## Preservation: Dollars, Sense, and Environments

*The motivations for protecting historic places differ from community to community, but the benefits are essentially the same. A plethora of data shows that preservation is economically, culturally, and environmentally sustainable.*

### Economic Benefits

- **75% of economic benefits generated by rehabilitation stay within the local community.** Because preservation projects require skilled labor, specialized materials, and attention to detail, less money is sent overseas to import building materials that often have environmental and human rights implications.
- **Investing in rehabilitation creates more jobs than new construction.**<sup>4</sup> In addition to producing skilled construction jobs, rehabilitating a vacant building leads to a substantial increase in the local tax base.
- **Oregon's tourism industry employs 90,000 and generates \$7 billion annually.** A 2006 survey concluded that 28% of the state's overnight visitors seek out historic sites, bringing with them significant heritage tourism dollars.<sup>5</sup>



*Window restoration in Astoria's Historic District*

### Social and Cultural Benefits

- **Historic downtowns provide creative opportunities for affordable housing and small business generation.** Nationally, about two-thirds of recent rehabilitation projects were located in neighborhoods with average incomes below the area's median family income.<sup>6</sup> Many historic districts are socioeconomically diverse, housing and employing people from all walks of life.
- **Historic districts are mixed-use and walkable.** Current planning initiatives to create "20 minute neighborhoods" need to look no further than the commercial historic district to find a model of a walkable community with a mix of business activities.
- **Historic places and traditional downtowns foster community pride.** Learning more about a community's history deepens local residents' sense of place and helps instill values and pride.



*Portland's Skidmore Fountain celebrates citizens as the "riches of a city"*

### Environmental Benefits

- **Historic preservation is "green" at its very core.** It is about conserving and reusing what we already have!
- **Adaptive reuse reduces urban sprawl.** Converting a vacant historic building into 40 residential units can save the 10 acres of land required to provide the same number of single-family residences.<sup>7</sup> As Oregon's population grows, protecting valuable farm and forest land hinges on increasing the density of urban areas. While most commercial historic districts are only a few stories in height, infilling vacant lots and reusing historic buildings can generate the density needed for mass transit and multifamily housing, as well as provide small business and office space.

*(Continued on page 18...)*



*Demolition of the Rosefriend Apts - Portland 2008*

## Obstacles to Compatibility & Viability

When stakeholders were asked what had to be addressed for commercial historic districts to be successful, two themes emerged: compatibility and viability. Compatibility refers to how well the **design** of additions and new buildings fits into the historic context. Viability refers to the long-term **economic** success of districts. Although every district tells a different story, features a different stock of buildings, and exists within a different economic and political environment, they face common obstacles:

### A lack of long-term vision and planning leaves districts subject to ad hoc change.

- Many districts are improperly zoned, discouraging the type of mixed-use development that made the district economically viable in the first place.
- The National Register nomination is not used as well as it could be to inform planning and development activities.
- The district is not adequately marketed to residents, businesses, and visitors.
- Public agencies do not coordinate with district stakeholders prior to and during major infrastructure projects.

### Design of new buildings is often out of sync with the character of the district.

- The height and footprint of new buildings often conflicts with existing patterns.
- Abundant surface parking lots create an aesthetic nuisance that detracts from the district's continuity.
- New buildings are not built with the same quality of materials as their historic counterparts.
- Infill is often too jarringly different from the design of existing buildings, disrupting the harmony of the streetscape; or inappropriately tries to imitate vintage buildings.

### Financial incentives often aren't enough to stimulate redevelopment.

- Seismic upgrades and ADA accessibility requirements are too expensive.
- Vacant lots remain undeveloped because compatible new construction is too costly.
- Oregon's Special Assessment program does not incentivize preservation activities as successfully as it once did.

### Regulations are too bureaucratic in some communities, while weak or non-existent in others.

- Property owners are given inconsistent information by city government.
- Developing within a district with regulations is costlier than developing outside the district.
- Yet without sufficient regulation, incremental alterations and demolitions diminish the story of a district over time.
- Building codes (or their interpretation) don't offer the flexibility needed to allow all buildings to be rehabilitated.

Photo by PublicHall



*Historic La Grande, a Main Street participant*



*National Register-eligible firehouse, NE Portland*

## Findings and Recommendations

*As Oregon forges its leadership position at the center of the sustainability movement, a major component must be the conservation and reuse of existing resources. Implementing the following recommendations conserves some of our most significant, irreplaceable historic places while also boosting the cultural and economic health of communities in every quadrant of the state.*

### 1. Comprehensive, Updated District Development Plans

Ad hoc parking strategies, arbitrary new construction, the loss of historic buildings, and vacant upper floors are common in many of Oregon's commercial historic districts. While overarching downtown and city development plans often encompass historic districts, **specialized plans are needed** to honor the unique significance and economic potential of National Register districts. The vision of the future shouldn't reject change, but should set forth strategies to **enhance the character and economic vitality** of the district. Development plans serve the district, from its buildings to its businesses, in outlining measures to protect authenticity and encourage economic vitality.

Among other items, a coordinated and holistic vision for the following should be addressed in development plans:

- Parking
- Commercial and residential density
- Zoning
- Vacant and underutilized properties
- New construction and new uses
- Standards for rehabilitation
- Mitigating damages from public infrastructure projects
- National Register nomination updates as buildings are altered, demolished, or gain significance over time
- Heritage education and tourism

*The bottom line:* Anticipating and targeting district change can be accomplished through development plans that address stakeholder needs and provide measures to protect the historic fabric.

*How we get there:* Inherently place-specific, development plans are prepared and implemented at the local level. District stakeholders need to work closely with local government and, when appropriate, the local Main Street program in initiating, drafting, and implementing the plan. Training and technical assistance on preservation planning and economic development should be made available as district development plan campaigns move forward. While their implementation will differ from district to district, producing development plans is a relatively short-term process with long-term benefits.

#### Profile: Astoria

### Everything Old Is New Again

Astoria Downtown Historic District  
Period of Significance: 1883–1947

Listed in the National Register: 1998  
Size of District: 30 square blocks containing 130 properties

Significant in the areas of architecture, commerce, exploration, industry, and politics, Astoria's downtown is one of the most recognizable historic districts in the state. Downtown Astoria has a plan to attract an infusion of private investment in its historic building stock, but the district still faces significant economic challenges. The 1924 Hotel Eliot and 1925 Hotel Commodore have been rehabilitated and work is underway to rehabilitate the Astor Hotel to better serve its affordable housing tenants. The Astoria Downtown Historic District Association, an "Exploring Downtown" Main Street member, recently hired a RARE intern to analyze the occupancy of downtown buildings and provide much-needed support for local businesses.



## 2. Coordinated Economic Development Districts

Local governments have fewer and fewer resources to support property owners and businesses in historic districts. Economic development districts that generate local revenue streams for local business and rehabilitation activities have immense potential to enhance the compatibility and viability of Oregon's commercial historic districts. Economic development districts are not a new idea, most urban communities across Oregon employ at least one of the following:

- The National Trust for Historic Preservation's Main Street Approach® supported by local, government, and grant revenue
- Economic and business improvement districts supported by voluntary business fees and property taxes
- Urban renewal areas supported by tax increment financing

Coordinating urban renewal areas, improvement districts, and Main Street programs with commercial historic districts have been proven to **support storefront rehabilitations, business retention activities, and promotional campaigns that energize historic downtowns**. To keep economic development districts from negatively changing the character of the district, historic resource protection, resident and business retention programs, and development goals should be identified early in the process. Concurrent implementation of a district development plan would compliment economic development activities.

*The bottom line:* Improvement districts, Main Street programs, and urban renewal areas direct local resources into commercial historic districts to support both bricks and mortar projects and business development activities.

*How we get there:* While urban renewal often starts with government, improvement districts and Main Street programs typically emerge from within the district. All commercial districts should consider adopting the Main Street Approach® and working towards sustained local funding for a staff person to administer the program. Using grant, business, or government funds to hire an explorative employee or RARE<sup>9</sup> intern is often a good first step in proving the value of a non-governmental economic development strategy. A program for technical assistance should be offered and best practices shared between communities. Economic development strategies may take several years to implement, but provide ongoing benefits for business and buildings.

### Profile: Pendleton

## Renewing a Historic Downtown in Round-up Country

South Main Street Commercial Historic District  
Period of Significance: 1881–1937

Listed in the National Register: 1986  
Size of District: 11.8 acres; 33 properties



Pendleton's downtown became a regional center of commerce after the first railroad line came through the city in 1881. The small five block historic district represents Pendleton's physical and economic growth during the railroad era. Today, the historic district is part of the larger "area of historic significance" that encompasses much of the city's downtown. In 2003, Pendleton created an urban renewal area that included not just the historic district and area of historic significance, but a larger area along the Umatilla River. Among other benefits, the urban renewal program provides grants for 40% of storefront improvement costs, up to \$100,000 for elevator installation, and low-interest loans for interior business improvements. However, Pendleton's historic resources are afforded little protection from demolition or incompatible new infill.

# 3. Design Guidelines and Standards for Infill

New construction in Oregon’s commercial historic districts is inevitable, and it’s a good thing. Vacant lots and incompatible non-historic buildings can be found in almost every district, giving developers and designers opportunity sites for new construction that helps boost the economic potential of the district, while respecting the surrounding historic character. According to the State Historic Preservation Office, there are at least 500 such commercial properties in Oregon’s districts, many of which are deserving of rehabilitation or new construction to better meet district needs.

Instead of reinventing the compatibility wheel each and every time a new project is proposed, historic districts should have **clear and illustrative guidelines to assist in the design and review of new infill projects**. New guidelines should be drafted and outdated ones updated to encourage design that meets community expectations and reinforces the character of the district.

Additionally, there is a need for **baseline standards for new construction**. Creating infill standards in the spirit of the Secretary of the Interior’s Standards for the Treatment of Historic Properties at the state and/or national level would provide simple best practices criteria for designing in a historic district. Establishing clear expectations for new construction would pave the way for local, state, or federal infill incentives that reward new construction that is compatible with and beneficial to the surrounding district.



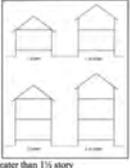
*The bottom line:* We need a “Secretary of the Interior’s Standards” for infill and local design guidelines that provide clear direction to replace the “missing teeth” of Oregon’s historic districts.

*How we get there:* Design guidelines should be expected of all districts, and it should be a priority of Certified Local Governments,<sup>10</sup> landmarks commissions, and district stakeholders to make them happen. Grant funding and local resources could be allocated to hire a qualified consultant to prepare guidelines that understand the architectural and historic significance of the district. If they are illustrative, clear, and comprehensive, design guidelines can be completed in a short amount of time and will remain useful for decades to come. Working through our partnerships with the National Trust, National Park Service, and SHPO, the HPLO hopes to start a dialog that will result in new “Secretary’s Standards” for infill construction.

## Profile: Oregon City

### Design Guidelines Enhance District Character

In 2006 Oregon City received a matching grant from the Oregon State Historic Preservation Office to produce design guidelines for their Canemah National Register and McLoughlin Conservation Districts. The guidelines provide an example of what can be done to help inform and direct the design of new construction in a historic district. According to the document, the guidelines are intended to assist applicants in the design process and allow for baseline standards in the review of development proposals. Four years after their adoption, city planner Christina Robertson-Gardiner says of the document: “Design guidelines make it a lot easier to uphold our expectations for new construction.”

| SIZE    | The overall size of the building and that relationship to its style and context  |  |
|---------|--|--|
| ASPECT  | PRINCIPLE — GOOD EXAMPLE   | NOT ALLOWED  |
| Heights | <p>The building heights to be similar to the neighborhood historic context and appropriate to the style chosen.</p> <p>Important Heights include:</p> <ul style="list-style-type: none"> <li>Main level height above grade</li> <li>Grade to eave and main ridge</li> <li>Grade to parapet</li> <li>Individual story height</li> <li>Number of stories</li> </ul> <p>McLoughlin Commercial Style buildings on 7<sup>th</sup> Street from Center to John Q. Adams can range from a full single story to the approximate height of the existing historic buildings to provide new, but appropriately sized context.</p> <p>McLoughlin Commercial Use Buildings in a Residential Style: maximum height similar to residential use.</p> <p>Canemah Commercial use buildings: maximum height is higher than residential use; Maximum 2 ½ stories.</p>  | <p>Residential buildings that vary more than 20% from heights of the historic neighborhood context buildings unless approved by the HPRB.</p> <p>Residential building ground levels that are elevated less than 18" above grade, unless there are topographic considerations</p> <p>Canemah Residential: greater than 1½ story maximum height plus basement</p> <p>McLoughlin Residential: greater than 2½ story maximum height plus basement</p> <p>Commercial use buildings greater than 3 stories</p>  |
| Widths  | <p>Residential: maintain historic height to width ratio range for style</p> <p>Commercial: maximum approximately 1:3 height to width ratio</p>    | <p>Use of building widths that are out of proportion, or exceed the range for their historic style</p>    |
| Depths  | <p>McLoughlin Commercial use buildings on 7<sup>th</sup> Street except from John Q. Adams to Harrison: typically built to front lot line; possible small setback for public use</p>  | <p>Use of building depths that are out of proportion, or exceed the range for their historic style</p>   |

## 4. New and Expanded Tax Credits

The state and federal financial incentives we have today reward the broad public benefits that come from bricks and mortar preservation; however, current tax breaks aren't always enough to bridge the development gap. From Pendleton to Portland, many historic buildings continue to crumble and vacant lots continue to grow weeds. In many cases, the costs of rehabilitation and appropriate infill are just out of reach for even the most socially responsible property owner or developer.

Oregon's Special Assessment of Historic Properties Program should be complimented with a **state rehabilitation tax credit**<sup>11</sup> option as its usefulness has been greatly diminished by legislative changes and tax limitation measures. According to the National Trust for Historic Preservation, *31 states have adopted state rehabilitation tax credit programs* that provide the tangible benefits of **creating jobs, generating tax revenue, stimulating private investment, leveraging the federal rehabilitation tax credit, and bringing vacant properties back to life**.<sup>12</sup> A rehabilitation tax credit in Oregon could meet preservation goals, as well as:

- Add residential and commercial density in areas that are walkable and already served by utilities and infrastructure.
- Allow for seismic upgrades and improve ADA accessibility.
- Require "green" infrastructure improvements.

Additionally, a well-defined **federal infill tax credit** program providing a modest 10% credit for qualified new construction expenses would make appropriate infill more feasible in historic districts in Oregon and around the nation. The vacant parcels and incompatible non-historic buildings found in many of Oregon's commercial districts are opportunity sites for residential and commercial infill that would bring additional life and economic vitality.

*The bottom line:* As models of sustainability, districts deserve additional state assistance for the rehabilitation of historic buildings and a federal program that incentivizes compatible infill construction.

*How we get there:* New tax incentives for preservation will only become a reality if the preservation community is able to engage in a sustained campaign that shows the public value of proposed programs. Beginning in October 2010, the HPLO will begin the research and legislative vetting necessary to move the rehabilitation incentive proposal forward. Additionally, Oregon's preservationists and congressional delegation should research and promote a structured federal infill tax credit as an amendment to the current federal historic tax credit. It will require the concerted efforts of the public and private sector and it may be an uphill battle, but the economic, environmental, and community benefits justify the effort.

### Profile: Minnesota

## State Rehabilitation Tax Credit Seen as Economic Stimulus



On April 1, 2010, Minnesota Governor Tim Pawlenty signed into law the State Historic Rehabilitation Tax Credit as part of a larger jobs stimulus bill. Expected to create 1,500 to 3,000 jobs annually, the bill provides a 20% income tax credit on expenses incurred rehabilitating commercial properties listed in the National Register. While it took a committee of the Preservation Alliance of Minnesota almost a decade to get the legislation passed, the new tax credit proves that preservation can be a priority even during the most difficult economic times. Other hard-hit states have passed similar legislation, including Michigan, bringing the number of states with rehabilitation tax credits to 31.

## 5. Appropriate Local Incentives and Disincentives

Since preservation planning happens at the local level, so too should programs to encourage rehabilitation and discourage unnecessary alteration or demolition. Economic development districts, grants, taxes, and local government allocations can support incentives, while codes, policies, and fees can create disincentives. A few opportunities for local incentives and disincentives include:

- Substantial fees on the demolition of properties designated as historic.
- Competitive annual matching grants for window repair, masonry tuck pointing, or lead paint abatement.
- Graduated nuisance taxes on parking lots that occupy street frontage in historic districts.
- Grants and low-interest loans for elevators (especially those that can serve multiple buildings), seismic improvements, ADA compliance, and “green” upgrades.
- Prioritize the locating of municipal offices in historic buildings and historic districts similar to Executive Order 10-01’s prioritization of locating state agency offices in historic downtowns.<sup>13</sup>
- Reduction of permitting and review fees for rehabilitation activities that meet the Secretary of the Interior’s Standards.
- A lodging tax that puts money back into the historic places that draw visitors into the community.

**The bottom line:** Local government has the power to reward the good and nudge the not-so-good, providing a path for positive district change.

**How we get there:** Local Landmarks Commissions or an appointed panel of district stakeholders (building owners, businesses, and heritage organizations) should request City Councils to create the right mix of incentives and disincentives.

**P**reservation is about people as much as it is about historic resources. This is especially true in historic districts.

—Anonymous survey respondent

### Profile: Beaverton

## A Historic Downtown in Suburban Washington County

Beaverton Downtown Historic District  
Period of Significance: 1887–1940

Listed in the National Register: 1985  
Size of District: 10 acres; 27 properties

Most people don’t think of Beaverton as historic, but it does indeed have a commercial historic district with an intimate collection of one and two-story masonry buildings. With most dating between 1914 and 1940, they are defined by an overall continuity of materials, setback, and scale. Today, the district is served by mass transit and is home to a handful of small businesses. One of the most prominent is the Beaverton Bakery, a downtown institution since 1925. Partially housed in the 1887 Robinson Residence, the bakery supplies cakes and baked goods throughout the Portland metro area. Beaverton’s Historic District features street furniture, hanging flowers, and historically appropriate street lighting, all provided by the City.



## 6. Codifying Updated Preservation Ordinances

Contrary to common belief that National Register designation itself conveys inherent restrictions, actual protection of **historic places happens at the local level**. Preservation ordinances outline the role of the community in regulating and guiding changes to historic properties and districts. While some communities have the authority to deny demolition, others have no mechanism to ensure that significant buildings remain standing. Additionally, many preservation ordinances lack the consistent, clear, defensible language necessary to hold up to a legal challenge.

To remedy this, **a model preservation ordinance should be produced** so that local governments and review boards can appropriately and adequately protect the state's historic resources. A model ordinance offering several options for review and demolition would be most effective in providing a malleable historic preservation tool that could be easily codified in communities large and small.

*The bottom line:* Oregon's cities and towns need preservation ordinances that reflect local political will, protect resources that matter to all Oregonians, and can stand up to today's legal challenges.

*How we get there:* A 21<sup>st</sup> century model ordinance should be prepared by the State Historic Preservation Office and shared with landmarks commissions, non-profits, and policy-makers across the state. Preservation organizations should coordinate with state and local government to offer technical assistance and support to local campaigns to implement the model ordinance in their community.

**S**ustainability means using, developing and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic and community objectives.

– Oregon Revised Statute 184.421, "Sustainability defined"

### Profile: Cottage Grove

## Celebrating the Agricultural Heritage of Lane County

Cottage Grove Downtown Historic District  
Period of Significance: 1880–1941

Listed in the National Register: 1993  
Size of District: 9.7 acres; 44 properties



The opening of a train station in 1879 and strikes in the Bohemia Mining District spurred rapid growth in this agricultural town from 1880 to 1918. Later the Pacific Highway (U.S. 99) ran right down Main Street bringing commerce from travelers. A bypass built in 1941 rerouted traffic away from downtown, beginning a period of economic decline. Today, Cottage Grove is participating in the Oregon Main Street Program as an "Exploring Downtown," the initial level of Main Street participation. Murals have been painted throughout the district and the Cottage Grove Historical Society is prominently located there. The City has adopted a Historic Preservation Overlay District that gives the Historic Landmarks Commission review jurisdiction over applications for new construction, additions, extensive remodeling, or demolition within the downtown historic district.

## 7. A Single Point of Contact for Each District

Many of Oregon's commercial historic districts lack the level of coordination, oversight, and assistance needed to provide clarity and simplicity to developers, businesses, and property owners. Insensitive and unpermitted alterations are all too common because property owners are not aware of rules and responsibilities. Equally common, property owners are not aware of the local, state, and national incentive programs, guidelines, and templates available for preservation projects.

Identifying one person that can **provide clear and consistent answers to stakeholders** would be a benefit to those who are stepping up to invest time and money in historic districts across the state. Seattle, Washington, for example has identified five employees in the Department of Neighborhoods to coordinate preservation activities in the city's seven local landmark districts.

*The bottom line:* Districts need a single point of contact to coordinate and streamline the development process, making it easier for stakeholders to navigate government bureaucracy, saving time, money, and ensuring consistency.

*How we get there:* Though hiring a new coordinator for each of Oregon's commercial historic districts is not financially feasible, the single point of contact could take many forms and could be done immediately:

- A Main Street executive director with an understanding of local regulations and incentive programs.
- An urban planner tasked with oversight of preservation issues.
- An urban renewal director or technical services employee.
- A dedicated "Historic District Coordinator" with technical expertise in preservation, planning, design, and business retention.
- Programs to offer literature and technical assistance to district coordinators across the state should be developed by preservation organizations.



*Aerial view of Portland's Alphabet Historic District. An example of compatible infill is pictured below.*

### Profile: Portland

## The ABC's of Northwest Portland

Alphabet Historic District  
Period of Significance: 1880–1940

Listed in the National Register: 2000  
Size of District: 157 acres; 635 properties

Northwest Portland's Alphabet Historic District was named after its alphabetical streets and was developed with a mix of architectural styles relating to single-family, apartment, and commercial buildings that date back to 1880. Once home to Portland's elite, the streetcar era brought single-story retail buildings to several of the district's main streets. Today, the district is an eclectic mix of affordable housing and luxury condominiums, art galleries and banks. Its known by residents and visitors alike as one of the city's best places to spend time and money. Among thirteen National Register historic districts in Portland, properties are subject to design and demolition review by the city's Landmarks Commission.



## 8. Programs that Tell the Story of the District

Historic districts are significant; one needs to go no further than the National Register nomination to understand the importance of the place. Telling the story of the district should infuse everything from the district development plan and design guidelines to the creation of signage and walking tours.

All too often residents are not given opportunities to learn about or interact with the history of their city's commercial district. Furthermore, the potential to leverage historic significance to attract heritage tourists is too great to pass up. Brochures, walking tour maps, heritage businesses, plaques, street signs, window displays, public archaeology, and heritage events can be informed by the historical research found in the National Register nomination. For example:

- In Silverton's historic downtown, murals have been painted on the backs and sides of buildings to help tell the story of the city's development.
- In Oregon City's McLoughlin Conservation District, period images, turn-of-the-century maps, and history lessons have been enameled into interpretive sidewalk tiles.
- In Pendleton, elementary school students are given walking tours of the city's historic residential neighborhoods and commercial downtown district.

*The bottom line:* Every historic district can leverage its story to generate local support and heritage tourism dollars.

*How we get there:* Heritage education campaigns can be funded in a variety of creative ways: mitigation for federal projects, educational grants, economic development dollars, local government funding, college internships and volunteers. "Friends of" groups should be encouraged to leverage volunteer time in producing simple programs that enhance visitor and resident interaction with the history of place. The interest and commitment of even one individual can boost an entire district's sense of place, and bricks and mortar projects can happen through modest financial support of property and business owners.



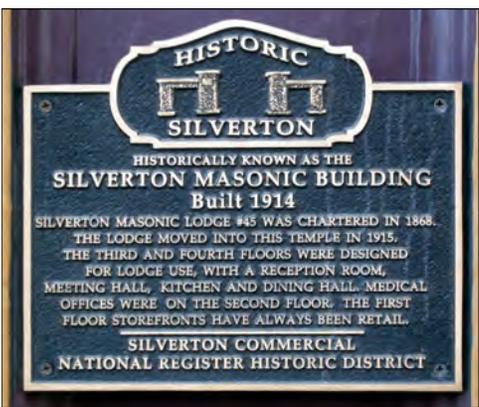
*Silverton Historic District wall mural*

### Profile: Silverton

## Mining the Story of a Rich Heritage

Silverton Historic Commercial District  
Period of Significance: 1870–1936

Listed in the National Register: 1987  
Size of District: 7 acres; 44 properties



The small downtown historic district represents Silverton's growth due to the combined factors of water power and commerce. Although the downtown suffered a significant fire in 1900, the district features buildings from a variety of periods and in a variety of styles. Today, Silverton's downtown is one of the most recognizable in Western Oregon. Murals dotted throughout the district spin the narrative of its history. With the compact size of the district and adjacency to Silver Creek, the town is a draw for visitors to the Oregon Garden and Silver Falls State Park. While the recent recession has left many of the district's storefronts vacant, planners, architects and building owners have been working to streamline the development process to make it easier to rehabilitate buildings and foster business development.

## 9. A Statewide Preservation Awards Program

While preservation projects, from building rehabilitations to survey and inventory campaigns, may receive attention from local media, success stories need to be better recognized and best practices shared across the state. The McMath Award, Main Street Award, or Heritage Excellence Awards provide examples that could be expanded or modeled to recognize some of the following:

- New infill construction that meets community goals while respecting the surrounding context
- A successful campaign to nominate a district to the National Register of Historic Places
- The rehabilitation of a long-vacant building in accordance with the Secretary of the Interior's Standards
- A project incorporating outstanding energy efficiency and sustainability practices.
- A local promotional campaign that boosts the economic vitality of a downtown commercial district
- The success of a grassroots effort in saving a building once threatened with demolition

The awards could strategically meet another need identified by Preservation Roundtable participants: preservation education. Pairing willing award recipients with preservation students looking for research topics would allow recipes for success to be put into numbers and words. Financing templates, code compliance strategies, and business retention studies would make future preservation projects more effective from the get-go. From factsheets to master's theses, the lessons learned by award winners would be disseminated by a partnership with students from community colleges to graduate schools. An annual spring awards program would align with the University of Oregon's Historic Preservation Program thesis selection deadline and allow student researchers to present their findings at the following year's awards.

*The bottom line:* Good work deserves to be recognized and future preservationists need information to help them take the plunge into a development project or grassroots campaign.

*How we get there:* By the end of 2010, the HPLO expects to will identify the best venue for a statewide preservation award by expanding an existing awards program or establishing a new one.

**A**wards bring focus  
on excellence.  
- Jill Thorne, Pendleton

### Profile: Jacksonville

## A National Historic Landmark District in Southern Oregon

Jacksonville National Historic Landmark District  
Period of Significance: 1852–1884

Listed in the National Register: 1977  
Size of District: 326 acres

Jacksonville is Oregon's most extensive and complete example of a late 19th century commercial and mining community. Founded in 1852, the city was Southern Oregon's center of culture and commerce until it was bypassed by the railroad in 1884. Featuring a wide range of architectural styles applied to residential and commercial properties, the district is a near-intact relic of Oregon's horse and buggy days. Today, Jacksonville is one of Oregon's two National Historic Landmark districts and serves as one of the state's most significant heritage tourism destinations. While little new development has occurred in the district, a few new buildings have been built in recent decades as recognition of the city's unique history and character has grown.



## In Conclusion...

A relatively modest investment in Oregon's historic districts offers a significant cultural, economic and environmental return. This report hopes to start conversations, initiate research, spur policy shifts, and inspire the legislation needed to make our commercial historic districts the compatible and viable models of sustainability they deserve to be.

It will require participation from public and private institutions at the local, state, and federal levels. Judging from the enthusiastic participation in the 2010 Preservation Roundtable, that support does exist.

The HPLO is committed to working toward the implementation of these recommendations and bringing forward additional solutions to preserve, utilize, and pass forward these wonderful and irreplaceable resources to future generations of Oregonians.

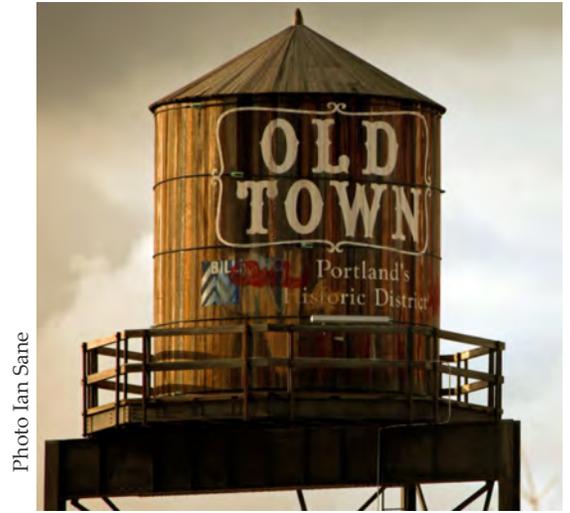


Photo Ian Sane

## Dollars, Sense & Environments, *continued from page 7*

- **Owners of historic buildings spend 27% less on utilities.** Most buildings constructed before the 1920s employed techniques for passive heating, cooling, and lighting, reducing the need for resource-intensive temperature control and making them models of energy conservation.
- **It will take about 65 years for the new building to save the amount of energy lost in demolishing an existing one** (U.S. Energy Information Administration, "Commercial Buildings Energy Consumption Survey" Washington, DC, 2003). Demolishing historic buildings requires fossil-fueled equipment, sends materials to the landfill, and necessitates the manufacture of new materials.

As the state's population continues to grow, the global economy becomes increasingly complex, and scarce resources must be used more conservatively, historic districts are positioned to become centerpieces of Oregon's commitment to sustainability.

**W**hy spend all this effort recycling cans and bottles – and throw away entire buildings?"

- Donovan Rypkema

# Acknowledgements

The Special Report on Healthy Historic Districts was authored by Brandon Spencer-Hartle and edited by Peggy Moretti. The Preservation Roundtable is an initiative of the Historic Preservation League of Oregon and its Advocacy Committee. Our thanks to all who participated in the process, including:

|  |   |
|--|---|
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| Geoff McGraw, Walsh Construction                         | ...and dozens of online & in-person survey respondents! |

## Notes:

1. Matt Dadswell and William Beyers, "The Economic Benefits of Historic Preservation in Washington State," Washington Department of Archaeology and Historic Preservation, 2006; Donovan Rypkema, "Economics, Sustainability, and Historic Preservation" (annual conference of the NTHP, Portland, OR, October 1 2005)
2. Main Street is a 4-point approach to community revitalization developed by the National Trust for Historic Preservation that incorporates Organization, Promotion, Design, and Economic Restructuring. Sixty-three communities participate in the Oregon Main Street program.
3. Oregon State Historic Preservation Office
4. Oregon State Historic Preservation Office.
5. Oregon State Historic Preservation Office
6. Historic Tax Credit Coalition, "First Annual Report on the Economic Impact of the Federal Historic Tax Credit," The National Trust Community Investment Corporation and Rutgers University, 2010
7. Richard Moe, *Forum Journal*, National Trust for Historic Preservation Spring 2009.3
8. National Trust for Historic Preservation, *Forum Journal*, Spring 2009
9. Resource Assistance to Rural Environments (RARE) is a University of Oregon program that partners graduate-level students with small communities to increase the economic, social, and environmental capacity of the place.
10. Certified Local Government (CLG) is a preservation partnership between local, state, and national governments focused on promoting historic preservation at the grassroots level. In Oregon the State Historic Preservation Office administers grant funds for this purpose. There are 58 CLGs in Oregon.
11. A state tax credit would complement the Federal Rehabilitation Tax Credit program by allowing a percentage credit on the amount spent on qualified rehabilitation expenditures.
12. Historic Tax Credit Coalition, "First Annual Report on the Economic Impact of the Federal Historic Tax Credit," The National Trust Community Investment Corporation and Rutgers University, 2010
13. While not the first, Governor Kulongoski's Executive Order 10-01 directs that "state agencies shall strive to locate offices in buildings located in historic downtowns."

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was made possible by the member-donors of the HPLO.  
Your continued generosity will make possible its implementation.

Thank you!

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*Preserve, reuse, and pass forward Oregon's historic resources*

Title 17

HISTORIC PRESERVATION

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## Chapter 17.04

### GENERAL PROVISIONS

Sections:

- 17.04.010 Short title.
- 17.04.020 Purpose.
- 17.04.030 Adoption of ~~guidelines~~Guidelines.
- 17.04.040 Adoption of Inventory.
- ~~17.04.050~~ Applicability.
- ~~17.04.050~~~~060~~ Pre-existing ~~approvals~~Approvals.
- ~~17.04.060~~~~070~~ Interpretation.
- ~~17.04.070~~ Fees.
- 17.04.080 Fees.
- ~~17.04.090~~ Enforcement.

#### 17.04.010 Short title.

This title shall be known as the "Historic Preservation Ordinance of the City of Aurora" and shall be referred to herein as "this title." (Ord. 416 § 8.10.010, 2002)

#### 17.04.020 Purpose.

~~It is the general~~ purpose of this title to provide the principal means for the preservation of the buildings and sites and the visual character of the historic Aurora Colony. This title ~~is designed to~~ regulates the design of buildings and structures within the historic commercial and residential overlays defined in Title 16 of the Aurora Municipal Code.

This title promotes preservation and restoration of existing structures and construction of new structures with consideration of Aurora's unique heritage and recognizes the role of historic preservation in protecting and enhancing real property values, and safeguarding and enhancing the livability and appearance of the city. (Ord. ~~416 § 8.10.020, 2002~~)

#### 17.04.030 Adoption of ~~guidelines~~Guidelines.

The Aurora Design Guidelines for Historic District Properties are incorporated as Appendix A ~~set out in the Appendix~~ to this code. These guidelines ~~are provide a wealth of useful information which supports historic preservation in Aurora, and all applicants shall be instructed to review the guidelines upon their first contact with the basicity. The guidelines do not include standards or criteria for reviewing applications under this title or other titles of the Municipal Code. (Ord. 4~~ § \_\_\_\_\_, 20\_\_)

#### 17.04.040 Adoption of Inventory.

~~The Inventory [need formal name], herein referred to as "Inventory" is incorporated as Appendix B to this code. The Inventory is the primary reference for a certificate of appropriateness structures and sites within the historic district, and all applicants shall be instructed to review the Inventory for information about their property upon their first contact with the city. The Inventory does not include standards or criteria for applications under this title or other titles of the Municipal Code. (Ord. 4 § , 20 ). (Ord. 416 § 8.10.030, 2002)~~

**Comment [s1]:** Check to make sure that the appendix B can be updated by resolution only by HRB and would not require Council action every time it needs to be updated

**17.04.040050 Applicability.**

A. Except as ~~otherwise specifically provided by this title~~described in Subsection B immediately below, all exterior changes to a building or site within the historic commercial overlay and the historic residential overlay must be approved under this title. It is unlawful for any person to erect, ~~demolish, remove,~~ establish, construct, move into, externally alter, enlarge, use, or cause to be used, any building, structure, improvement or ~~(demolish or remove)~~use of premises located in the historic commercial or historic residential overlays in a manner contrary to the provisions of this title.

B. The only exterior changes not subject to the requirement for approval under this title are:

1. Exterior painting, reroofing and general repairs when the new materials match those already in use; and
2. Landscaping ~~work including shrubbery, annual plantings and general maintenance. The not exceeding \$2500 in cost (however the~~ removal of trees greater than twenty-four (24) inches in diameter requires approval~~-).~~
3. Exterior painting with colors previously approved by the city.
4. Installation of black roof shingles.

(Ord. 416 § 8.10.040, 2002) \_\_\_\_\_ )

**17.04.050060 Pre-existing ~~approvals~~Approvals.**

All development applications approved more than two years prior to the adoption of the ordinance codified in this title shall be considered void, unless the ~~historic review board~~Historic Review Board determines that the conditions of approval are substantially completed. All development applications approved less than two years prior to the adoption of said ordinance may occur according to such approvals. All development applications received by the city after the adoption of said ordinance shall be subject to review for conformance with the standards under this title or as otherwise provided by state law. (Ord. 416 § 8.10.060, 2002)

**17.04.060070 Interpretation.**

A. An interpretation is a decision which is made under land use standards that require an exercise of policy or legal judgment. By definition, an interpretation does not include approving or denying a building permit issued under clear and objective land use standards.

B. Each development and use application and other procedure initiated under this title shall be consistent with the adopted comprehensive plan of the city as implemented by this title and applicable state and federal laws and regulations. All provisions of this title shall be construed in conformity with the adopted comprehensive plan.

C. Where the conditions imposed by any provision of this title are less restrictive than comparable conditions imposed by any other provision of this title or of any other ordinance, or resolution, the most restrictive or that imposing the higher standard shall govern.

D. The ~~H~~historic ~~R~~review ~~B~~board shall have the initial authority and responsibility to interpret all terms, provisions and requirements of this title. All requests for interpretations shall be in writing and on forms provided by the ~~city recorder~~City Recorder. Upon receipt of such a request, the ~~historic review board~~Historic Review Board shall schedule the interpretation as a consideration item at the next regularly scheduled meeting unless a special meeting is requested pursuant to Section ~~17.1217.16~~040.

If the person making the request disagrees with the ~~historic review board~~Historic Review Board's interpretation, they may appeal it to the ~~city council~~City Council. The ~~council~~Council will hear the appeal as a consideration item at the next month's regularly scheduled meeting. The decision of the ~~council~~Council shall be conclusive upon the parties.

E. The ~~city recorder~~City Recorder shall keep a written record of all interpretations and shall make the record available for review on written request.

F. The ~~city council~~City Council may exempt special events from the provisions of this title. A special event is an activity lasting a total of seven contiguous calendar days or less in a one-year period and approved by the ~~city council~~City Council. (Ord. 416 § 8.10.070, 2002)

#### **17.04.070080 Fees.**

To defray expenses incurred in connection with the processing of applications, the city may charge fees as established by resolution of the ~~council~~Council. The filing of an application shall not be considered complete, nor shall action be taken to process it until the required fee has been paid. (Ord. 416 § 8.10.080, 2002)

#### **17.04.080090 Enforcement.**

Enforcement of this title shall be as codified in Chapter 16.82 of the Aurora Municipal Code. (Ord. 416 § 8.10.090, 2002)

**Comment [r2]:** Does this meet the land use standards these are subject to? Is notice on the agenda sufficient? For example, 16.02.050E regarding quasi judicial and legislative processing?

Chapter ~~17.08~~17.08

DEFINITIONS

Sections:

~~17.08~~17.08.010 Meaning of words generally.

~~17.08~~17.08.020 Meaning of common words.

~~17.08~~17.08.030 Meaning of specific words and terms.

~~17.08~~17.08.010 Meaning of words generally.

All of the terms used in this title have their commonly accepted, dictionary meaning unless they are specifically defined in this chapter or definition appears in the Oregon Revised Statute, or the context in which they are used clearly indicates to the contrary. (Ord. 416 § 8.40.010, 2002)

~~17.08~~17.08.020 Meaning of common words.

A. All words used in the present tense include the future tense.

B. All words used in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.

C. All words used in the masculine gender include the feminine gender.

D. The word "building" includes the word "structure."

E. The phrase "used for" includes the phrases "arranged for," "designed for," "intended for," "maintained for" and "occupied for."

F. The words "land" and "property" are used interchangeably unless the context clearly indicates to the contrary.

~~G. The term "this title" shall be deemed to include the text, the accompanying Aurora Design Guidelines for Historic District Properties and all amendments made hereafter to either.~~

~~—GH.~~ The word "shall" is mandatory and the word "may" is permissive.

~~I. Where the word "must" or "shall" is used in the Aurora Design Guidelines for Historic District Properties (Appendix A), the guideline in question must be met if it is applicable to the application in order for the historic review board to issue a certificate of approval.~~

~~—J. Where the word "should" is used in the Aurora Design Guidelines for Historic District Properties (Appendix A), the guideline is strongly recommended.~~

~~—K. Where the word "encouraged" is used in the Aurora Design Guidelines for Historic District Properties (Appendix A), the applicant is urged to consider complying with the guideline, but is not required to do so to receive approval. (Ord. 419 § 20D, 2002; Ord. 416 § 8.40.020, 2002)~~

~~17.08~~17.08.030 Meaning of specific words and terms.

The meaning of all specific words and terms, except as specifically defined in this title, shall be as defined in Aurora Municipal Code Title 16.

"Adaptive use" means the process of converting a building to a new use that is different from that which its design reflects. For example, converting a residential structure to offices is adaptive use. Good adaptive use projects retain the historic character while accommodating the new functions.

"Booth" means an open-air structure typically consisting of partial walls, counter and roof and which is portable, either as a whole or in parts.

"Canopy" means a protective exterior cover consisting of a roof, typically made of cloth, plastic or other materials that may be self-supported or using the support of another structure. Canopies may contain partial walls.

"Colony structure" means a structure built during the Aurora Colony period, from 1856 to \_\_\_\_\_.

"Contributing structure" means a structure built before 1921.

"Finish material" includes ~~under 16~~ siding, trim, masonry and color of the exterior walls.

"Masonry" means natural stone, imitation stone, brick, concrete masonry ~~units~~ blocks, and similar materials.

"Noncontributing structure" means a structure built in ~~192~~1921 or later.

"Preservation" means the maintenance and repair of existing historic materials, and the conscious retention of the property's form as it has evolved over time. This method of treatment focuses on maintenance and repair of historic materials and features, rather than extensive replacement and new construction. New exterior additions are not part of this treatment. Sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make a property function is appropriate.

"Rehabilitation" means there is a need to alter or add to an historic property to meet continuing or changing uses while retaining the property's historical, cultural, or architectural values. This method of treatment is used when repair and replacement of deteriorated features is necessary; when alterations and additions to the property are planned for a new or continued use; when depiction of a particular period is not appropriate.

"Remodeling" means to remake or to make over the design image of a building. The appearance is changed by removing original detail and by adding new features that are out of character with the original. A "stylistic" change is often involved. A remodeling project is inappropriate on an historic building in Aurora, because it would involve altering its historic character.

"Renovation" means to improve by repair, to revive. In renovation, the usefulness and appearance of the building is enhanced. The basic character and significant details are respected and preserved, but some sympathetic alterations may also occur. Alterations that are made are generally reversible, should future owners wish to restore the building to its original design.

"Restoration" means to reproduce the appearance of a building exactly as it looked at a particular moment in time; to reproduce a pure style, either interior or exterior. This process may include the removal of later work that deviates from the original style or the replacement of missing historic features. Use a restoration approach for missing details or features of an historic building

when the features are determined to be particularly significant to the character of the structure and when the original configuration is accurately documented.

"Tent" means a protective exterior cover consisting of roof and walls typically made of cloth, plastic or other flexible material and having a supporting structure. (Ord. \_\_\_ § \_\_\_\_, 2012)

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**Chapter 17.12**

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**USE REGULATIONS**

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**Sections:**

- 17.12.010 Permitted Uses in the Historic Residential Overlay**
- 17.12.020 Conditional Uses in the Historic Residential Overlay**
- 17.12.030 Permitted Uses in the Historic Commercial Overlay**
- 17.12.040 Conditional Uses in the Historic Commercial Overlay**

**17.12.010 Permitted Uses in the Historic Residential Overlay**

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In the historic residential overlay, only the following uses and their accessory uses are permitted outright:

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- A. Registered child care facility or certified group child care home defined by ORS 657A;
- B. Home occupation (Type I) subject to Chapter 16.46;
- C. Residential care home;
- D. Single-family detached residential dwelling;
- E. Public support facilities;
- F. Accessory dwelling units in the rear or side yard subject to Chapter 16.54;
- G. Accessory structures in the rear or side yard. (Ord. § , 201 )

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**17.12.020 Conditional Uses in the Historic Residential Overlay**

The following uses and their accessory uses may be permitted in the historic residential overlay, subject to other relevant sections of this title and any conditions imposed by the Planning Commission:

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- A. Church, provided that all building setbacks shall be a minimum of thirty (30) feet from any property line;
- B. Home occupation (Type II) subject to Chapter 16.46;
- C. Minor impact utilities;
- D. Schools limited to pre-kindergarten through eighth grade, provided that all building setbacks shall be a minimum of thirty (30) feet from any property line;
- E. Museum;
- F. Bed and breakfast establishments. (Ord. § , 201 )

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**17.12.030 Permitted Uses in the Historic Commercial Overlay**

In the Historic Commercial Overlay, activities shall be conducted within an enclosed structure or building and are subject to Chapter 16.58. Only the following uses and their accessory uses are permitted outright:

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- A. Auditorium, exhibit hall, community building, club, lodge hall, fraternal organization or church;
- B. Bed and breakfast inn, hotel or motel;
- C. Bicycle sales or repair;
- D. Community recreation facilities;
- E. Cultural exhibits and library services;
- F. Day care facility licensed by state;
- G. Dwelling units located on the second floor of the commercial structure;
- H. Eating and drinking establishments;
- I. Financial, insurance and real estate offices;
- J. General retail and convenience sales, except adult bookstores;
- K. Medical or dental services including labs;
- L. Parking structure or lot;
- M. Professional and administrative offices;
- N. Public safety and support facilities;
- O. Public transportation passenger terminal or taxi stand;
- P. Repair services for household and personal items, excluding motorized vehicles;
- Q. Sales, grooming and veterinary offices or animal hospitals without outside pens or noise beyond property line;
- R. Schools;
- S. Single-family residence, provided it is an accessory use and cannot be sold separately;
- T. Studios, including art, photography, dance, and music;
- U. Vehicle fuel sales. (Ord. § \_\_\_\_\_, 201 )

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**17.12.040 Conditional Uses in the Historic Commercial Overlay**

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The following uses and their accessory uses may be permitted when in accordance with the requirements of Chapter 16.60, subject to other relevant sections of this title and any conditions imposed by the Planning Commission:

- A. Home occupations (Type II) subject to Chapter 16.46;
- B. Retail or wholesale business with not more than fifty (50) percent of the floor area used for the manufacturing, processing or compounding of products in a manner which is clearly incidental to the primary business conducted on the premises. (Ord. § \_\_\_\_\_, 201 )

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**HISTORIC REVIEW BOARD**~~HISTORIC REVIEW BOARD~~

**Sections:**

- ~~17.12~~17.16.010 Authority.**
- ~~17.12~~17.16.020 Responsibilities.**
- ~~17.12~~17.16.030 Membership.**
- ~~17.12~~17.16.040 Meetings.**

**~~17.12~~17.16.010 Authority.**

The ~~historic review board~~Historic Review Board shall have the authority to approve or deny, in whole or in part, development applications and/or building permits, which include new construction or exterior modifications to cultural resources throughout the city or new construction or exterior modifications located on properties within the historic commercial overlay and the historic residential overlay. All standards and criteria for applications and permits are included in this title.

The ~~historic review board~~Historic Review Board shall not be authorized to limit or regulate where growth and land development takes place or control the interior space of a building design. (Ord. 416 § 8.20.010, 2002)

**~~17.12~~17.16.020 Responsibilities.**

A. The ~~historic review board~~Historic Review Board shall maintain an inventory of cultural resources, including those within the historic commercial overlay, the historic residential overlay and within the city's urban growth boundary.

B. With the assistance of the State Historic Preservation Office, the ~~historic review board~~Historic Review Board shall draft and recommend to the ~~council~~Council for adoption the prescriptive standards to be used by the ~~historic review board~~Historic Review Board in reviewing applications for certificates of appropriateness to construct any structure, alter the exterior of any existing structure or any activity that visually impacts properties identified in the Aurora comprehensive plan as a cultural resource or located within the historic commercial overlay and the historic residential overlay district.

C. The ~~historic review board~~Historic Review Board shall be responsible for participation in, promoting and conducting public informational, educational and interpretive programs pertaining to local resources.

D. The ~~historic review board~~Historic Review Board may review and comment upon potential conflicts of land use, housing, redevelopment, municipal improvements, and other types of planning and programs undertaken by any agency of the city, county or state as these relate to the cultural resources of the community.

E. The ~~historic review board~~Historic Review Board shall perform other functions as may be designated by the ~~city council~~City Council. (Ord. 416 § 8.20.020, 2002)

**~~17.12~~17.16.030 Membership.**

A. Persons who want to be considered for appointment shall submit a written letter of interest to the ~~mayor~~Mayor. The ~~historic review board~~Historic Review Board shall consist of five unpaid members who are nominated by the ~~mayor~~Mayor and appointed by ~~city council~~City Council. Members may include persons residing within or outside the boundaries of the historic commercial or historic residential overlays. Three members shall own, rent or lease property in the boundaries of the historic commercial or historic residential overlays.

B. Three members shall reside within the city limits. Those members required to be residents of the corporate city limits must have a minimum of six months of such residency before considered eligible for appointment to the board.

C. As available, board members shall be appointed from the following categories:

1. An architect with preservation expertise;
2. A historian with knowledge of local history;
3. A professional in the field of landscape architecture, real estate, urban planning, construction, community development, archeology, law, finance, cultural geography, cultural anthropology, or related fields with demonstrable interest, competence or knowledge of historic preservation;
4. A member of the Aurora Colony Historical Society; and/or
5. Interested persons residing within the corporate limits of the city.

D. No member of the ~~historic review board~~Historic Review Board may concurrently hold other appointed or elected office in the city, with the exception of members of the budget committee.

E. All appointments to the ~~historic review board~~Historic Review Board shall be for a three-year term, with staggered expiration years. A vacancy shall be filled in the same manner as the original appointments, and the appointee shall hold office for the remainder of the unexpired term. A member who is absent for three consecutively scheduled meetings without having been excused by the board may be removed and the vacancy filled. (Ord. 416 § 8.20.030, 2002)

**~~17.12~~17.16.040 Meetings.**

A. The regular meeting of the ~~historic review board~~Historic Review Board shall be held on the fourth Thursday of every month.

B. Special meetings may be called by the chairperson of the ~~historic review board~~Historic Review Board with five days notice posted on the bulletin board in front of City Hall. (Ord. 416 § 8.20.040, 2002)

Chapter ~~17.16~~17.20

~~DECISION MAKING~~APPLICATION PROCEDURES

Sections:

- ~~17.16~~17.20.010 Purpose.
- ~~17.16~~17.20.020 Consolidation of proceedings.
- ~~17.16~~17.20.030 Application process.
- ~~17.16~~17.20.040 Time period for decision making.
- ~~17.16~~17.20.050 Approval authority  
\_\_\_\_\_responsibilities.
- ~~17.16~~17.20.060 Notice of pending decision.
- ~~17.16~~17.20.070 Decision procedure.
- ~~17.16~~17.20.080 Standards for the decision.
- ~~17.16~~17.20.090 Notice of ~~decision~~Decision.
- ~~17.16~~17.20.100 Record of proceeding.
- ~~17.16~~17.20.110 Appeal.
- ~~17.16~~17.20.120 Modification and revocation of approvals.
- ~~17.16~~17.20.130 Re-submittal of an  
\_\_\_\_\_application previously  
\_\_\_\_\_denied.
- ~~17.16~~17.20.140 Expiration and extension of approvals.

~~17.16~~17.20.010 Purpose.

The purpose of this chapter is to establish procedures for the consideration of applications for a certificate of appropriateness. (Ord. 416 § 8.3036.010, 2002)

Comment [s3]: Notice of Decision

~~17.16~~17.20.020 ~~Consolidation of proceedings~~Applications not Consolidated.

~~Whenever an applicant requests a certificate of appropriateness for a development that will also require development approvals~~An application under this title shall not be consolidated with applications under Title 16 or other titles of the Aurora Municipal Code, ~~the certificate of appropriateness shall be reviewed separate from the approvals required under Title 16 as provided in this title. [Check with Renate about this].~~ (Ord. 416 § 8.30.020, 2002) \_\_\_\_\_ ) As applicable, applications under Title 16 will be determined incomplete until any applicable decision has been made under Title 17.

~~17.16~~17.20.030 Application process.

- A. The applicant shall be the recorded owner of the property or an agent authorized in writing by the owner.
- B. The application shall be made on forms provided by the city.
- C. The application shall:

1. Include the information requested on the application form;
2. Address appropriate criteria in sufficient detail for review and action; and
3. Be accompanied by the required fee.

D. An application shall be deemed incomplete unless it addresses each ~~element standard or criterion~~ required to be considered under applicable provisions of this title and the application form, unless that requirement has been found inapplicable by the city staff. ~~City staff shall not accept an incomplete application.~~

E. If an application is incomplete, city staff shall ~~n:~~

~~1. Notify the applicant in writing within thirty (30) days of receipt of the application of exactly what information is missing; and a~~

~~2. Allow the applicant thirty (30) days to submit the missing information.~~

~~F. The application shall be deemed complete when upon:~~

~~1. Receipt of the missing information; or~~

~~2. Upon receipt of some of the missing information and written notice from the applicant that no additional information will be submitted; or~~

~~3. Upon receipt of written notice from the applicant that none of the missing information will be provided.~~

~~is provided and at that time the one hundred twenty (120) day time period shall begin to run for the purposes of satisfying state law.~~

~~FG. On the 181<sup>st</sup> day after first being submitted, the application is void if the applicant has been notified of the missing information and fails to respond in accordance with 17.20.030E.~~

~~If the applicant refuses to submit the missing information, the application shall be deemed incomplete on the sixty first day after city staff first received the application and returned to the applicant.~~

(Ord. 416 § 8.3036.030, 2002)

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**~~17.16~~17.20.040 Time period for decision making.**

The city shall take final action on an application ~~for a certificate of appropriateness~~ including the resolution of all local appeals, within one hundred twenty (120) days after the application is deemed complete, except:

A. The one hundred twenty (120) day period may be extended for a reasonable period of time at the request of the applicant;

B. The one hundred twenty (120) day period applies only to a decision wholly within the authority and control of the city.

C. If the ~~historic review board~~Historic Review Board fails to approve, approve with modification, or denial of an application within seventy-five (75) days after the application is determined to be complete, the ~~historic review board~~Historic Review Board shall cause notice to be given and the matter to be placed on the City Council's agenda. A public hearing shall be held by the

~~council~~Council and the decision shall made by the ~~City Ce~~ouncil. No further action shall be taken by the ~~historic review board~~Historic Review Board. (Ord. 416 § 8.~~3036~~.040, 2002)

~~17.16~~**17.20.050 Approval authority responsibilities.**

A. The ~~H~~historic ~~R~~review ~~B~~board shall make a public decision in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following:

1. Interpretations subject to Section 17.04.060;
2. Signs subject to Chapter ~~17.20~~17.24;
3. Accessory dwelling units subject to Chapter ~~17.24~~17.28;
4. Applications for ~~a certificate of appropriateness; approval under this title;~~
5. Recommendations to ~~city council~~City Council for amending this title;
6. Appeals of decisions by the administrative approval authority;
- ~~7. 7. Amendments to the Aurora Design Guidelines for Historic District Properties;~~
- ~~8. Amendments to the Inventory [insert formal name]~~
- ~~9. Any other matter not specifically assigned to the administrative approval authority, or the city council~~City Council under this title.

B. The ~~city council~~City Council shall make a public decision in the manner prescribed by this chapter and shall have the authority to approve, deny or approve with conditions the following:

1. Appeals of decisions made by the ~~historic review board~~Historic Review Board;
2. Matters referred to the ~~City Ce~~ouncil by the ~~historic review board~~Historic Review Board;
3. Review of decisions of the ~~historic review board~~Historic Review Board, whether on the ~~City Ce~~ouncil's own motion or otherwise.

C. The planning director shall have the authority to approve, deny or approve with conditions the following applications:

1. Temporary uses pursuant to Section ~~17.28~~17.32.030.
- ~~2. Paint colors.~~
- ~~3. Landscaping projects costing less than \$2500.~~
- ~~4. Roof installations or replacements using black shingles.~~

(Ord. 419 §§ 20A, ~~29A~~32A (part), 2002; Ord. 416 § 8.~~3036~~.050, 2002)

~~17.16~~**17.20.060 Notice of Pending Decision.**

A. The notice requirements of this section are applicable to applications that are subject to Aurora Municipal Code Chapters 16.58 (Site Development Review), 16.60 (Conditional Uses) or 16.72 (Subdivisions).

B. Notice required by this section shall be given in the following manner:

1. At least fourteen (14) days prior to the scheduled decision, notice shall be sent by mail to:

**Comment [r4]:** So do we complete SDR notice twice if not processed concurrently or remove noticing all together.

a. The applicant and all owners or contract purchasers of record of the property, which is the subject of the application;

b. All property owners of record or the most recent property tax assessment roll with one hundred (100) feet of the property;

c. Any person who requests, in writing; and

d. The appellant and all parties to an appeal.

2. City staff shall include a copy of the notice and a copy of the mailing labels in the administrative record.

3. At least fourteen (14) days prior to the pending decision, notice of a pending decision notice shall be posted on the bulletin board in front of City Hall.

4. Notice of a pending decision by the ~~historic review board~~ Historic Review Board shall include the following information:

a. A description of the subject property and a general location, which shall include tax map designations from the county assessor's office;

b. A map showing the location of the subject property;

c. A description of what the application will allow the applicant to do and what the applicable criteria for the decision are;

d. State that a fourteen (14) day period for submission of written comments is provided prior to the decision;

e. State the place, date and time that the written comments are due;

f. State that copies of all documents or evidence relied upon by the applicant are available for review, the address where copies can be reviewed and that copies can be obtained at cost;

g. A statement that issues which may provide the basis for an appeal must be raised in writing during the comment period and comments must be sufficiently specific give the decision maker an opportunity to respond to the issue;

h. A statement that the decision does not require an exercise of policy or legal judgment, or a public hearing;

i. A statement that the applicant and any person who submits written comments during the fourteen (14) day period shall receive notice of the decision.

C. The failure of a property owner to receive notice shall not invalidate the action provided a good faith attempt was made to notify all persons entitled to notice.

D. Personal notice is deemed given when the notice is deposited with the United States Postal Service.

E. In computing the length of time that notice is given, the first date notice is given shall be excluded and the day of the hearing or the date on which the appeal period expires shall be included unless the last day falls on any legal holiday or on Saturday, in which case, the last day shall be the next business day.

F. The records of the Marion County assessor's office shall be the official records used for giving notice required in this title, and a person's name and address which is not on file at the time the notice mailing list is initially prepared is not a person entitled to notice. (Ord. 419 § ~~29A32A~~ (part), 2002; Ord. 416 § 8.~~3036~~.060, 2002)

**17.1617.20.070 Decision procedure.**

The ~~historic review board~~ Historic Review Board decision shall be conducted as follows:

A. Request the applicant present the application, explain any graphic or pictorial displays which are a part of the application and provide such other information as may be requested by the approval authority;

B. Read all written comments into the record;

C. Allow the applicant to respond to all written comments;

D. Because this is a limited land use decision process, there is no procedural requirement for the board to allow oral testimony. Oral testimony may be permitted at the discretion of the board. If permitted, the applicant shall be allowed to respond to all oral testimony.

E. Make a decision pursuant to Section ~~17.1617.20.080~~ or continue the decision to gather additional evidence or to consider the application further. (Ord. 416 § 8.3036.070, 2002)

**17.1617.20.080 Standards for the decision.**

A. The decision shall be based on proof by the applicant that the application fully complies with ~~the relevant guidelines in the Aurora Design Guidelines for Historic Properties~~ this title.

B. The approval authority ~~shall~~ may:

1. Adopt ~~its own~~ findings of fact and conclusions addressing all applicable standards and criteria; or and conclusions;

2. Adopt findings of fact and conclusions and conclusions submitted by any party provided all parties have had an opportunity to review the findings and comment on the same; or

3. Adopt findings of fact and conclusions from another source, either with or without modification, having made a tentative decision, and having directed staff to prepare findings for review and to provide an opportunity for all parties to comment on the same.

C. The decision may be for denial, approval or approval with conditions.

1. Conditions may be imposed where such conditions are necessary to:

a. Carry out applicable provisions of the Aurora ~~Ce~~ comprehensive P plan,

b. Carry out the applicable implementing ordinances; and

2. Prior to the commencement of the issuance of any permits or the taking of any action under the approved ~~certificate of appropriateness~~ decision, the owner and any contract purchasers of the property which is the subject of the approved application may be required to sign and deliver to the city their acknowledgment in a development agreement and consent to such conditions:

a. The ~~mayor~~ Mayor shall have the authority to execute the development agreement on behalf of the city,

b. No building permit shall be issued for the use covered by the application until the executed contract is recorded and filed in the county records, and

c. Such development agreement shall be enforceable against the signing parties, their heirs, successors and assigns by the city. (Ord. 419 § ~~29A32A~~ (part), 2002; Ord. 416 § 8.3036.080, 2002)

**17.1617.20.090 Notice of ~~decision~~Decision.**

A. All decisions require a ~~notice~~Notice of ~~decision~~Decision. The ~~notice~~Notice of ~~decision~~Decision shall include a brief statement that ~~identifies the guidelines considered relevant to the decision, states the facts relied upon in making the decision,~~ explains the justification for the decision ~~based on the guidelines~~with reference to the standards, criteria and facts ~~set forth and a brief explanation of the~~in the record, the date the final decision was made, along with the ~~dead-~~line for appeal ~~process. The certificate of appropriateness may be combined with the notice of decision.~~

B. The applicant and any person who submits written comments during the fourteen (14) day period shall be ~~entitled to receive~~provided with the ~~notice~~Notice of ~~decision~~Decision.

C. City staff shall include a copy of the ~~notice~~Notice of ~~decision~~Decision and a copy of the mailing labels in the administrative record.

D. The ~~notice~~Notice of ~~decision~~Decision shall be reduced to writing, signed by the ~~historic review board~~Historic Review Board chair, and mailed to the applicant and ~~all parties~~in the action within ten (10) calendar days after the decision is made. The vice chair is authorized to sign the ~~notice~~Notice of ~~decision~~Decision when the chair of the ~~historic review board~~Historic Review Board is not available to sign. (Ord. 419 §§ 20B, ~~2932~~(A) (part), 2002; Ord. 416 §-8.~~3036~~.090, 2002)

Comment [r5]: There is no 14 day comment period at this time (whether SDR or not). Karin? DO admin decision with Notice of Decision and 14 day appeal period to CC? 100 feet?

Comment [r6]: Who are all parties if no notice provided in advance?

**17.1617.20.100 Record of proceeding.**

The record shall include:

- A. A copy of the application and all supporting information, plans, exhibits, graphics, etc.;
- B. A copy of the notice of pending decision and a list of all persons who were given mailed notice;
- C. All testimony, evidence and correspondence relating to the application;
- D. All information considered by the approval authority in making the decision;
- E. If approved or approved with conditions, a copy of the certificate of appropriateness signed by the approval authority;
- F. A list of the conditions, if any, attached to the approval of the application; and
- G. A copy of the notice of the decision, which was given pursuant to Section ~~17.1617.20.090~~, and a list of all persons who were given mailed notice. (Ord. 419 § ~~2932~~(A), 2002; Ord. 416 § ~~8.3036~~.100, 2002)

**17.1617.20.110 Appeal.**

- A. Standing to Appeal. Any person shall be considered a party to a matter, thus having standing to seek appeal, provided the person submitted written comments to the approval authority during the fourteen (14) day period prior to the decision or the person was entitled as of right to notice prior to the decision to be reviewed.
- B. Computation of Appeal Period.

1. The length of the appeal period shall be fifteen (15) days from the date of the final decision.

2. In computing the length of the appeal period, the day of the decision is mailed shall be excluded and the last day for filing the appeal shall be included unless the last day falls on a legal holiday for the city or on a Saturday, in which case, the last day shall be the next business day.

C. Determination of Appropriate Appeal Body.

1. Any decision made by the ~~historic review board~~ Historic Review Board under this chapter, may be reviewed by the City Council by:

a. The filing of a notice of appeal and payment of required fees by any party to the decision before five p.m. on the last day of the appeal period;

b. The Council, on its own motion, seeking appeal by voice vote prior to the end of the appeal period.

2. Failure to file an available appeal shall be considered a failure to exhaust administrative remedies. The local appeals process must be completed before any appeal is made to the land use board of appeals.

D. The notice of appeal shall be filed within the appeal period and contain:

1. A reference to the application sought to be appealed;

2. A statement of the petitioner's standing to the appeal;

3. The specific grounds for the appeal;

4. The date of the decision on the action;

5. The applicable fees.

E. The appeal hearing shall be confined to the record of the decision.

F. Upon appeal, notice shall be given to parties who are entitled to notice under Sections ~~17.16~~ 17.20.060 and Section ~~17.16~~ 17.20.090.

G. The appellate authority shall affirm, reverse or modify the decision, which is the subject of the appeal. The decision shall be made in accordance with the time provisions of Section ~~17.16~~ 17.20.040; or upon the written consent of all parties to extend the one hundred twenty (120) day limit, the appellate authority may remand the matter if it is satisfied that testimony or other evidence could not have been presented or was not available at the time of the initial decision. In deciding to remand the matter, the appellate authority shall consider and make findings and conclusions regarding:

1. The prejudice to parties;

2. The convenience or availability of evidence at the time of the initial hearing;

3. The surprise to opposing parties;

4. The date notice was given to other parties as to an attempt to admit; or

5. The competency, relevancy and materiality of the proposed testimony or other evidence.

(Ord. 419 §§ 20C, ~~29A~~ 32A (part), 2002; Ord. 416 § 8. ~~30~~ 36.110, 2002)

**~~17.16~~ 17.20.120 Modification and revocation of approvals.**

The approval authority may modify or revoke any approval granted pursuant to this chapter for any of the following reasons:

A. A material misrepresentation or mistake of fact made by the applicant in the application or in testimony and evidence submitted, whether such misrepresentation is intentional or unintentional;

B. A failure to comply with the terms and conditions of approval;

C. A material misrepresentation or mistake of fact or policy by the city in the written or oral report regarding the matter whether such misrepresentation is intentional or unintentional. (Ord. 419 § ~~29A32A~~ (part), 2002; Ord. 416 § 8.~~3036~~.130, 2002)

**~~17.16~~17.20.130 Re-submittal of an  
~~application previously  
denied.~~**

An application which has been denied or an application which was denied and which on appeal has not been reversed by a higher authority, including the ~~land use board~~Land Use Board of ~~appeals~~Appeals, the ~~land conservation~~Land Conservation and ~~development commission~~Development Commission or the courts, may not be resubmitted for the same or a substantially similar proposal or for the same or substantially similar action for a period of at least twelve (12) months from the date the final city action is made denying the application unless there is a substantial change in the facts or a change in city policy which would change the outcome. (Ord. 419 §§ ~~29A32A~~ (part), 2002; Ord. 416 § 8.~~3036~~.130, 2002)

**~~17.16~~17.20.140 Expiration and extension of approvals.**

A. Approval under this title shall be effective for ~~a period~~two years from the date of approval.

B. Approvals shall lapse if:

1. Substantial construction of the approved plan has not been completed within a two-year period;

2. Construction on the site is a departure from the approved plan.

C. City staff may, upon written request by the applicant, grant an extension of the approval period not to exceed one year; provided, that:

1. No material changes are made on the ~~original~~approved ~~tentative~~ plan; and

~~2.—The applicant has expressed written intent of submitting a final plat within the one-year extension period; and~~

~~—3. There have been no material changes to the applicable comprehensive plan policies and ordinance provisions~~the standards and criteria of this title on which the approval was based.

4. Written notice of the decision regarding an extension of time shall be provided to the applicant. (Ord. 419 § ~~29A32A~~ (part), 2002; Ord. 416 § 8.~~3036~~.140, 2002)

## Chapter ~~17.20~~17.24

### SIGNS

#### Sections:

- ~~17.20~~17.24.010 General authority.
- ~~17.20~~17.24.020 Purpose.
- ~~17.20~~17.24.030 Sign permits required.
- ~~17.20~~17.24.040 Application.
- ~~17.20~~17.24.050 Definitions.
- ~~17.20~~17.24.060 Exempt signs.
- ~~17.20~~17.24.070 General sign provisions.
- ~~17.20~~17.24.080 Prohibited signs.
- ~~17.20~~17.24.090 Historic residential overlay.
- ~~17.20~~17.24.100 Historic commercial (HC) overlay.
- ~~17.20~~17.24.110 Nonconforming signs.
- ~~17.20~~17.24.120 Termination of signs by abandonment.
- ~~17.20~~17.24.130 Relief from sign standards.
- ~~17.20~~17.24.140 List of approved font types.

#### ~~17.20~~17.24.010 General authority.

Before any construction, erection, placing, painting, carving or otherwise giving public exposure of any sign occurs in the historic commercial overlay or the historic residential overlay, application must be made to both the ~~historic review board~~Historic Review Board and a city building official. The applicant must receive a certificate of appropriateness from the ~~historic review board~~Historic Review Board before a building permit can be issued by the building official. The sign provisions of this chapter may be considered as a part of a development application or individually. Applications shall be filed with the ~~city recorder~~City Recorder on an appropriate form in any manner prescribed by the city, accompanied with an application fee in the amount established by general resolution of the ~~city council~~City Council. (Ord. 416 § 8.50.010, 2002)

#### ~~17.20~~17.24.020 Purpose.

Sign guidelines and criteria can enhance the economic vitality and contribute to the visual quality of the city. Well-designed signs attract the eye, complement each other and draw attention to the buildings containing the businesses for which they are intended to advertise. In the review of sign applications within the city, the following criteria and standards will be considered by the ~~historic review board~~Historic Review Board.

A. Signs are necessary to communicate information about places, goods, services and amenities. As such, they have a useful function; they should not confuse; they should inform with clarity.

B. Signs are a part of the town's street scape. Signage, in a collective sense, has a civic obligation to be in character with the rest of the street scape.

C. Buildings are signs in that they represent a kind of imagery through their architecture.

D. Signage is visual. Good signage is an art form that should be addressed with sensitivity. In addition to communicating information, signage is an architectural element.

E. Signs on buildings should not dominate or obscure the architecture of the building. A sign on a building should be compatible or integrated with its architecture. (Ord. 416 § 8.50.020, 2002)

**17-2017.24.030 Sign permits required.**

A. Existing Signs. All existing signs on each business and residential premises shall be required to conform to the standards of this chapter on or before July 1, 2003. Upon adoption of the ordinance codified in this title, the person(s) in control of the business or property or in control of each business contained thereon, shall be required to submit a completed application form with a photograph of all existing signs according to Section 17-2017.24.040(C), and pay no sign permit fee, except those signs approved by the ~~historic review board~~ Historic Review Board after October 26, 1995.

1. As of the effective date of the ordinance codified in this title, Aurora's historic district contains four existing backlit reader boards, specifically for the business of the "General Store," "Aurora Colony Market," "Nagl Floor Covering," and "Aurora Cycle." Due to the historic business related use of these signs and notwithstanding Section 17-2017.24.110(B)(2), these four reader board signs may continue, for their useful life, as nonconforming uses after the July 1, 2003 deadline requiring sign conformance.

B. Proposed Signs. No person shall place on, or apply to, the surface of any building, any painted sign, or erect, construct, place or install any other sign, unless a sign permit has been issued by the city for such sign. Application for a sign permit shall be made by the permittee in accordance with Section 17-2017.24.040. The person(s) in control of the building or property or in control of each business contained thereon, shall make application for a sign permit in writing upon forms provided by the city. Such application shall contain the proposed location of each sign on the premises, the street and number of the premises, the name and address of the sign owner, the type of construction of each sign, the design and dimensions of each sign, type of sign supports, location of each sign on the premises, and other such information as may be required by the city.

C. No person having a permit to erect a sign shall construct or erect same in any manner, except in the manner set forth in the approved certificate of appropriateness. All departures from signage plans for which a certificate of appropriateness has been issued shall be approved in advance by the ~~historic review board~~ Historic Review Board.

D. Sign Permit Fees. The application for a certificate of appropriateness for a sign shall be accompanied by a filing fee in an amount established by general resolution of the ~~city council~~ City Council. (Ord. 419 §§ 19, 23H, 2002; Ord. 416 § 8.50.030, 2002)

**17.2017.24.040 Application.**

- A. The applicant shall submit three copies of:
1. A drawing of the sign indicating its colors, lettering, symbols, logos, materials, size, and area;
  2. An elevation and plot plan indicating where the proposed sign will be located on the structure or lot, method of illumination, if any, and similar information.
- B. Signs existing September 26, 1995 shall be photographed with enough visual detail to determine their approximate size and location for inventory purposes. (Ord. 416 § 8.50.040, 2002)

**17.2017.24.050 Definitions.**

- As used in this chapter:
- "Advertising structure" means any notice or advertisement, pictorial or otherwise, and any structure used as, or for the support of, any notice or advertisement for the purpose of making anything known about goods, services or activities not on the same lot as the advertising structure.
- "Alterations" means any change in size, shape, and method of illumination, position, location, construction or supporting structure of a sign.
- "Balcony" means a platform projecting from the exterior wall, enclosed by a railing, supported by brackets or columns or cantilevered out.
- "Banner" means a temporary paper, cloth, or plastic sign advertising a single event of civic or business nature.
- "Billboard" means the same as "advertising structure."
- "Building facade" means the vertical exterior wall of a building including all vertical architectural features.
- "Building register sign" means a sign that identifies four or more businesses contained within a single building structure or complex.
- "Bulletin board" means a sign of a permanent nature, but which accommodates changeable copy, indicating the names of persons associated with, events, conducted upon or products or services offered upon, the premises upon which the sign is located.
- "Business" means commercial or industrial enterprise.
- "Business frontage" means the lineal front footage of the building or a portion thereof, devoted to a specific business or enterprise, and having an entrance/exit opening to the general public.
- "Cartoon" means a caricature of an animate or inanimate object intended as humorous.
- "Construction sign" means a sign stating the names, addresses or telephone numbers of those individuals or businesses directly associated with a construction project on the premises.
- "Curvilinear" means represented by curved lines.
- "Direct illumination" means a source of illumination directed towards such signs so that the beam of light falls on the exterior surface of the sign.
- "Flag" means a light flexible cloth, usually rectangular and bearing a symbol(s) representing a nationality, statehood, or other entity.

Comment [r7]: Include with other definitions

"Flashing sign" means a sign incorporating intermittent electrical impulses to a source of illumination, or revolving in a manner, which creates the illusion of flashing, or which changes color or intensity of illumination.

"Fluorescent colors" means extra bright and glowing type colors; includes dayglow orange, fluorescent green, etc.

"Fluorescent lighting" means light provided by tubes.

"Free-standing" means a sign, which is entirely supported by a sign structure in the ground.

"Frontage" means the single wall surface of a building facing a given direction.

"Illustration" means a line drawing or silhouette of a realistic object.

"Marquee" means a permanent roofed, non-enclosed structure projecting over an entrance to a building, which may be attached to the ground surface, or not.

"Neighborhood identification" means a sign located at the entry point to a single-family subdivision comprising not less than two acres, or a sign identifying a multiple-family development.

"Neon light" means a form of illumination using inert gases in glass tubes and includes black light and other neon lights.

"Parcel" or "premises" means a lot or tract of land under separate ownership, as depicted upon the count assessment rolls, and having frontage abutting on a public street.

"Primary revenue source" means no less than seventy-five (75) percent of gross total principal income derived from a business.

"Public right-of-way" means the area commonly shared by pedestrians and vehicles for rite of passage. An easement for public travel or access including street, alley, walkway, driveway, trail or any other public way; also, the land within the boundaries of such easement.

"Quality material" means materials that are appropriate to make temporary window signs, including poster board, heavy bond paper or wood. All temporary signs will be lettered using the approved lettering styles. Brown paper or brown bags, ragged edges or light-weight paper are not allowed.

"Real estate sign" means a sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.

"Sidewalk" means hard surface strip within a street right-of-way to be used for pedestrian traffic.

"Sign" means any notice or advertisement, pictorial or otherwise, used as an outdoor display for the purpose of advertising a property or the establishment or enterprise, including goods and services, upon which the signs are exhibited. This definition shall not include official notices issued by a court or public body or officer, or directional, warning or information signs or structures required by or authorized by the law or by federal, state, county or city authority.

"Sign, Area of." In determining whether a sign is within the area limitations of this title, the area of the total exterior surface shall be measured and computed in square feet; provided, that where the sign has two or more faces, the area of the total exterior surface shall be measured and divided by the number of faces; and provided further, that if the interior angle between the two planes of two faces exceeds one hundred thirty-five (135) degrees, they shall be deemed a single

face for the purposes hereof. Measurement shall be made at the extreme horizontal and vertical limit of a sign.

"Street frontage" means the lineal dimension in feet of the property upon which a structure is built, each frontage having one street frontage.

"Wind sign or device" means any sign or device in the nature of a series of one, two or more banners fastened in such a manner as to move upon being subject to pressure by wind or breeze.

"Window" means all the glass included with one casement. (Ord. 416 § 8.50.050, 2002)

#### ~~17.2017.24.060~~ **Exempt signs.**

The following signs and devices shall not be subject to the provisions of this chapter and shall not require a certificate of appropriateness or a sign permit application:

##### A. Identification Signs.

1. Memorial and Historic Identification Signs. Memorial tablets, cornerstones or similar plaques, such as National Register listing, not exceeding six square feet.

2. Small Business-Related Informational Signs. Small nonilluminated informational signs such as "open/closed" signs (including one three foot by five foot flag or banner per store front), credit card signs, rating or professional association signs, and signs of a similar nature. Only one of each type of sign is permitted and no more than four of these signs are allowed for any individual business or on any parcel of property. The total area for these types of signs may not exceed three square feet in area. If logos are used, they should be no larger than one square foot. ~~historic review board~~ **Historic Review Board** approved colors and lettering styles must be utilized.

3. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one square foot, is ~~not illuminated~~, and is either attached to the structure or located within the front yard setback.

4. Donation Name Plates. Donation nameplates located on benches are allowed.

5. One interior LED sign per business not exceeding three square feet in area. Flashing or other changes in illumination are prohibited.

##### B. Signs as Symbols.

1. Flags. Flags of national, state, or local government, and flags of U.S. historical significance (no more than two flags per store front, each flag not to exceed a size of three feet by five feet).

##### C. Temporary Signs.

1. Political Signs. Temporary political signs not exceeding four square feet, provided the signs located on private property, and are erected not more than thirty (30) days prior to, and removed within seven days following, the election for which they are intended.

2. Real Estate or Construction Signs. Temporary, nonilluminated real estate or construction signs (no more than one per parcel) not exceeding four square feet, provided such signs are removed within fifteen (15) days after sale, lease or rental of the property, or the completion of the project.

3. New Business Signs. Temporary signs for new businesses, after the city has been notified through a business permit license, for a period not exceeding ninety days.

4. Sale or Product Advertising Window Signs, Grand Opening ~~a-~~And Going Out of Business Signs. Temporary fabric or paper signs for special events, sales, or grocery store type products may be placed upon the window opening of a nonresidential building, when such signs do not obscure more than twenty (20) percent of the window or wall area and no more than ten (10) percent of the total primary facade area. These temporary signs will not be put up more than fifteen (15) days prior to the event or sale and will be removed immediately after the event or sale. These temporary signs need to be of quality material and in keeping with the Aurora's historic character.

5. Business Change of Location. Businesses that are changing location may place a single one square foot inside a window facing outward for sixty (60) days before moving and up no more than sixty (60) days after vacancy.

6. Garage Sale Signs. Garage sale signs shall include the address of the person giving the sale, dates of the sale and be limited to three weekends per year per address. Signs are to be removed immediately at the close of the sale. Signs shall be maximum size of two square feet, signs shall be no more than four feet in height, and shall be self-supported and not affixed to public signs or utility poles. Signs shall not be placed in the city's park. Signs may be placed in the city right-of-way if placed no closer than four feet from the street. Sign may also be placed on private property with the owner's permission.

7. Holiday Lighting. Noncommercial decorations, including blinking lights, displayed on traditionally accepted civic, patriotic, and/or religious holiday, provided that such decorations are maintained a safe condition and do not constitute a fire hazard. Decorations in the historical commercial overlay must be removed, or cease to be used, within thirty (30) days following the holiday/event to which they relate.

8. Civic and Special Event Banners. Temporary banners, pennants and flags advertising civic and special (not sale) events shall be permitted for no more than sixty (60) days before the event and must be removed within forty-eight (48) hours after the event concludes.

D. Government Signs.

1. Construction Signs. Signs placed by state or federal governments for the purpose of construction, maintenance or identification of roads or other public agencies for the direction of traffic, and designed to fulfill the requirements of state and federal funding agencies.

2. Public Meeting Notices. Temporary paper signs that serve as notice of a public meeting when removed promptly after such meeting is held.

3. Town Identification Signs. One town identification sign shall be permitted at each entry to town located on major roadways, not exceeding twenty (20) square feet.

E. Security Signs. Signs relating to security monitoring which may include company logo are exempt and limited to twelve (12) square inches in size when located on a window or two square feet when free-standing. (Ord. 419 §§ 23A, 23B, 2002; Ord. 416 § 8.50.060, 2002)

**~~17-2017.24.070~~ General sign provisions.**

The following general sign provisions apply to all signs, except those exempt signs specifically listed in Section ~~17-2017.24.060~~, within the city:

A. Sign Design.

1. Materials. Wood is the recommended material for both the sign and the stanchion (in the case of free-standing signs). Signs, which use plastic as part of the exterior visual effects, are prohibited.

2. Shape. Rectangular, straight-edge and oval signs are the preferred shape for signs. Signs with highly stylized, curvilinear edges are not recommended. Refer to the approved sample sign styles available at City Hall.

B. Sign Color.

1. Maximum of Four Colors. The number of colors used on signs shall be minimized for maximum effect. As a result, each sign may contain only four colors, not including the background.

2. Fluorescent Colors. Fluorescent colors are not allowed.

3. Dark Letters over Light Background. All signs shall have dark colored letters placed on top of a light colored background.

C. Sign Graphics, Lettering and Content.

1. Graphics. Sign graphics shall be carved, applied, painted or stained. Three-dimensional signs are not recommended.

2. Keep Graphics Simple. Sign graphics shall be simple and bold and in keeping with the ~~historic review board~~ Historic Review Board guidelines. Sign graphics can contain line drawings or silhouette images of live or inanimate objects. Cartoon images, either line drawn or silhouette, of live or inanimate objects are prohibited.

3. Lettering. To maintain continuity, all sign lettering shall be stylistically similar to the list of approved fonts in Section ~~47-2017.24~~.140. All lettering shall be uniformly aligned, evenly spaced, precise, cleanly executed and legible.

4. Historic Building Name Signs. Signs placed flat against the facade of the building that identify the historic name of a building are encouraged, provided they are of uniform color and design throughout the city and are no more than six square feet in area.

5. City Directional Signs. Signs and graphics for which the city is responsible (i.e., parking lots, public facilities, street signs, etc.) shall have a single lettering style and use black for the lettering and white as a background. Signs for city parks shall not exceed twelve (12) square feet.

E. Sign Lighting.

1. External Lighting Only. When lighting is used for signs, only subdued external and indirect incandescent lighting is allowed. Internal illumination and fluorescent and/or internal neon lighting is not allowed. Special illumination circumstances, such as lottery signs and product advertising signs, will be considered on a case-by-case basis.

2. No Flashing or Blinking Lights. No sign shall contain any flashing lights, blinking or moving letters, characters or other elements, nor shall it be rotating or otherwise movable. (Ord. 419 § 23C, 2002; Ord. 416 § 8.50.070, 2002)

~~47-2017.24~~.080 **Prohibited signs.**

A. Paper Signs. Paper signs are not allowed on the exterior of any building or attached to any sign, except as provided in Section ~~47-2017.24.060~~.

B. Billboards or Off-Premises Advertising Signs. Billboards or off-premises advertising signs, temporary signs, wind signs or devices are prohibited, except as allowed in Section ~~47-2017.24.060~~.

Comment [r8]: Non-enforceable

C. Flashing Signs. Signs with lights or illuminations, which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent ~~e~~lectrical pulsations are prohibited.

D. Bench Signs. Advertising murals and bench signs are prohibited. However, donation name plates are allowed.

E. Logo or Trademark Signs. Signs or devices (such as drink dispensers) placed on the outside of a business that display the symbol, slogan or trademark of national product brands of soft drinks, or other products, or services shall be prohibited.

F. Misleading Signs. Any unofficial sign which purports to be, is in imitation of or resembles an official traffic light or a portion thereof, or which hides from view any official traffic sign or signal, is prohibited.

G. Signs Obstructing Egress. No sign or portion thereof shall be so placed as to obstruct any fire escape, standpipe or human exit from a window located above the first floor of a building; obstruct any door or exit from a building; or obstruct any required light or ventilation.

H. Utility Poles. No sign shall be attached to a utility pole.

I. Reader Board Sign. Except as exempted in Section ~~47-2017.24.030~~, reader board signs are prohibited. (Ord. 419 § 23E, 2002; Ord. 416 § 8.50.075, 2002)

#### ~~47-2017.24.090~~ Historic residential overlay.

Signs in the historic residential overlay shall be permitted as follows:

A. Neighborhood Identification. One sign shall be permitted at each entry point to developments, with more than ten (10) lots or dwelling units, not exceeding an area of eight square feet per sign, nor five feet in height above grade. See also the general sign provisions Section ~~47-2017.24.070~~.

B. Conditional Uses. Where otherwise permitted, one sign of not more than four square feet, either attached to the building or freestanding, shall be permitted for conditional uses. If freestanding, the sign shall be mounted in a planter or landscaped area and shall not exceed five feet in height, nor shall it be located within ten (10) feet of any property line. (Ord. 416 § 8.50.080, 2002)

#### ~~47-2017.24.100~~ Historic commercial (HC) overlay.

All signs in the historic commercial overlay shall require approval by the ~~historic review board~~ **Historic Review Board** pursuant to this chapter. Signs should not be the dominant feature of a building or site, yet they are a key component in identifying businesses and contributing to the livelihood of the street with their individuality. These guidelines create a system whereby signs identifying businesses are visible to both pedestrian and automobile traffic without detracting

from the architecture or overpowering the streetscape. Special consideration may be granted for signage design that is consistent with the historical age and style of the building. The following types of signs are permitted within the historic commercial overlay:

A. Right-Angle Signs. Right-angle signs (those signs placed perpendicular to the building facade) may be either attached to the wall surface or hung from the underside of a marquee or balcony. Right-angle signs are designed for viewing by pedestrians walking under such signs. See also the general sign provisions, Section ~~17.2017.24~~.070.

1. Number. There shall be no more than one right-angle sign for every seventeen (17) feet of street frontage.

2. Area. The square footage of all right-angle signs on a single building frontage shall not exceed one percent of the area of that building facade to which the sign is attached. No individual sign shall be more than six square feet in area. A single right-angle sign identifying four or more businesses may be a maximum of ten (10) square feet.

3. Placement. Right-angle signs shall be below the sill of the second story windows or below the roofline, eave or parapet of a one-story building. No sign projecting over the public right-of-way shall be less than eight feet from the ground level. No sign shall project more than six feet from the vertical surface of a building facade, provided it is no closer than two feet from the face of the curb or edge of pavement.

B. Wall Signs. Wall signs are those signs attached and parallel to the building facade, and which extend no more than six inches from the surface of the wall. (Parapet signs are a type of wall sign, but are treated separately). See also the general sign provisions, Section ~~17.2017.24~~.070.

1. Number. Only one wall sign is permitted for every seventeen (17) feet of building street frontage.

2. Area. The square footage of all wall signs on a single building frontage shall not exceed six percent of the area of that building facade to which the signs are attached.

3. Placement. Wall signs shall not extend above an eave or ridge line.

4. Former Residential Use. Wall signs on commercial buildings originally built as houses shall not exceed four square feet, be placed sensitively to the architecture, and contain only the business name and/or business category.

C. Parapet Signs. Parapet signs are a distinctive type of wall sign, which are generally located above the lintels of the upper story windows and continue upward on a wall that extends beyond the roof edge (or false front). They are designed to be legible to pedestrians across the street and persons traveling on the street. Parapet signs generally identify the name of the business establishment. See also the general sign provisions, Section ~~17.2017.24~~.070.

1. Number. No more than one parapet sign is permitted per building.

2. Area. A parapet sign shall not exceed six percent of the total square footage of the building facade to which it is attached. A parapet sign shall be no more than two feet in vertical dimension.

3. Placement. Parapet signs shall not extend above the upper edge of the parapet wall. A parapet sign shall not extend any nearer than one foot from either edge of the building. Recessed sign panels located in building parapets should be used when possible.

D. Window and Door Signs. Window and door signs are those, which are painted, displayed or placed inside a translucent or transparent surface facing outward. Window graphics are usually most effective when they are simple and clearly. Generally these types of signs do not identify the primarily business to persons outside the building. As a result, these types of signs should be kept to a minimum. See also the general sign provisions, Section [47.2017.24.070](#).

1. Number. Each building frontage shall have no more than a total of two window/door signs.
2. Area. The total of all window or door signs shall not exceed twenty (20) percent of the total window and/or door area for each building.
3. Placement. In all cases, window graphics shall be limited to the first and second story window.
4. Former Residential Use. Window signs are not allowed on commercial buildings originally built as houses.

E. Balcony or Marquee Signs. Balcony or marquee signs are those signs that are attached to the fascia of the balcony or marquee and are parallel to the street and building facade. They are intended for viewing by travelers on the street or pedestrians on the opposite side of the street. There is little historical precedent for balcony or marquee signs that hang from the fascia, hence signs that are hanging from the outside edge of a balcony or marquee roof are prohibited. See also the General Sign Provisions, Section [47.2017.24.070](#).

1. Number. Only one attached balcony or marquee sign shall be permitted per building.
2. Area. No more than eighty (80) percent of a balcony or marquee fascia shall be covered with signage.
3. Placement. The attached balcony or marquee sign shall be centered in the middle of the balcony or marquee fascia. The signs shall not project above the marquee roofline or balcony floor line, or below the bottom edge of the balcony or marquee fascia.

F. Free-standing Signs. Free-standing signs are those, which are provided with their own support and are not attached to a building. Typically they are attached or are suspended from a post, pole or stanchion. Aurora had few if any free-standing signs in the late 1880s. Most business activities were conducted in buildings built on the front property line, allowing little room for placement of free-standing signs. See also the General Sign Provisions, Section [47.2017.24.070](#).

1. Former Residential Use. Free-standing signs are especially appropriate for commercial buildings originally built as houses.
2. Number. No more than one free-standing sign is permitted for each parcel containing one or more business activities within a building structure.
3. Area. A free-standing sign shall not exceed thirty-two (32) square feet in area.
4. Placement. A free-standing sign shall be within the parcel boundaries.
5. Height. A free-standing sign shall not exceed eight feet in height from the top edge of such sign to the grade below.

G. Sandwich and A-Board Signs. Sandwich or A-Board Signs are signs that are ordinarily in the shape of an "A" or some variation thereof, on the ground, easily moveable and which is usually two sided. See also the General Sign Provisions, Section [47.2017.24.070](#).

1. Number. One sandwich board type sign is permitted per business. Additional sandwich boards granted only on businesses with more than one frontage and then only at the discretion of the governing body.

2. Placement. Sandwich boards shall not obstruct pedestrian walkways, or in any way impede the normal flow of vehicular traffic. These signs shall be placed in a manner that maintains a walkway of not less than thirty-six (36) inches in width and shall be no larger than three feet wide, nor more than four feet high when measured vertically.

3. Removal. Sandwich board signs shall be moveable at all times and displayed only during the open hours of the business.

4. Distance Between Sandwich Boards. Sandwich boards must maintain a minimum distance of fifteen (15) feet from any other sandwich board sign.

5. Location. Location of sandwich boards must be approved at the time of sign application review.

6. No Posters or Promotional Materials. No paper signs of any kind shall be placed upon sandwich board signs. Sandwich boards are not to be used for posters or to display promotional materials, except for special community events, which are limited to the duration of the event.

H. Signs Painted on Buildings. Signs painted directly upon the facade of the building within the HC district shall be consistent with historical documentation. (Ord. 419 §§ 23F, 23G, 2002; Ord. 416 § 8.50.090, 2002)

**~~17-2017.24.110~~ Nonconforming signs.**

All signs existing on the date of adoption of the ordinance codified in this title, and not conforming with the provisions of this chapter are deemed nonconforming signs, except those signs approved by the ~~historic review board~~ **Historic Review Board** after October 26, 1995.

A. No nonconforming sign shall be changed, expanded or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved in whole or in part to any other location where it would remain nonconforming.

B. Termination of Nonconforming Signs.

1. Immediate Termination. Nonconforming signs which advertise a business no longer conducted or a product no longer sold on the premises where such sign is located shall be terminated within fifteen (15) days after the effective date of said ordinance.

2. Termination by Change of Business. Any nonconforming sign advertising or relating to a business on the premises on which it is located shall be terminated upon any change in the ownership or control of such business.

3. Termination by Amortization. Any nonconforming sign not terminated pursuant to any other provision of this title shall be terminated on or before July 1, 2003. (Ord. 419 §§ 20, 23I, 2002; Ord. 416 § 8.50.100, 2002)

**~~17-2017.24.120~~ Termination of signs by abandonment.**

A. Obsolete Business Signs. Any sign advertising or relating to a business, except a regular seasonal business, on the premises on which it is located, which business is discontinued for a

period of thirty (30) consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and all such signage, whether conforming or nonconforming to the provisions of this title shall be removed within thirty (30) days thereafter. Any period of such non-continuance caused by government actions, strikes, materials shortages or acts of God, and without any contributing fault by the business or user, shall not be considered in calculating the length of discontinuance for purposes of this subsection.

B. Appeal. An extension of time for removal of signage of an abandoned business, not to exceed an additional thirty (30) days, may be granted by the ~~city council~~City Council upon an appeal filed by the legal owner of the premises or person in control of the business. (Ord. 416 § 8.50.110, 2002)

**~~17.2017.24.130~~ Relief from sign standards.**

The ~~historic review board~~Historic Review Board may grant relief from strict compliance with standards contained in this chapter in cases where documented evidence suggests it is impossible or impractical to comply with the standard for one or more of the reasons set forth in the preceding subsections. The facts and conclusions relied upon to grant relief from a particular standard shall clearly be set forth in the final order of the ~~historic review board~~Historic Review Board.

A. Exceptional or extraordinary conditions applying to the property which do not apply generally to other properties in the same zone or vicinity, which conditions are a result of building location or style, or other circumstances over which the applicant has no control make strict compliance impossible or impractical; or

B. Relief from the standard for reason set forth, will result in equal or greater compatibility with the architectural style and features, which exist on the building or nearby historical buildings; or relief is necessary to restore or replace a sign in a way which is historically accurate or compatible. (Ord. 416 § 8.50.120, 2002)

~~17-20~~17.24.140 List of approved font types.

(Ord. 419 § 23D, 2002; Ord. 416 § 8.50.130, 2002)

Chapter ~~17.24~~17.28

ACCESSORY DWELLINGS ~~AND STRUCTURES UNITS~~

Sections:

~~17.24~~17.28.010 Purpose.

~~17.24~~17.28.020 Applicability and administration.

~~administration~~

~~17.24~~17.28.030 Application submittal

~~requirements~~

~~17.24~~17.28.040 Approval standards.

~~17.24~~17.28.010 Purpose.

Accessory dwelling ~~units~~ and structures are allowed in certain situations to:

A. Create new housing units while respecting the look and scale of single-dwelling neighborhoods;

B. Allow more efficient use of existing housing stock and infrastructure;

C. Provide a mix of housing that responds to changing family needs and smaller households;

D. Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and

E. Provide a broader range of accessible and more affordable housing.

F. Provide storage and workshop spaces. (Ord. ~~416~~ § 8.60.010, 2002)

~~17.24~~17.28.020 Applicability and

~~administration~~.

A. An accessory dwelling unit may be added to any single-family detached dwelling in the historic residential overlay.

B. Accessory dwellings requiring exterior modifications and detached accessory dwelling units on properties located in the historic residential overlay shall require approval by the ~~historic review board~~ Historic Review Board pursuant to Chapter ~~17.46~~17.20. (Ord. 416 § 8.60.020, 2002)

~~17.24~~17.28.030 Application submittal

~~requirements~~.

All applications for accessory dwelling units shall be made on forms provided by the city and shall be accompanied by:

A. The information requested on the application form;

B. A narrative discussing the appropriate criteria in sufficient detail for review and action;

C. The required fee;

- D. A site plan drawn to standard engineering scale showing the location of the accessory dwelling unit, the entrance and exits from the site, and areas to be designated for parking; and
- E. A completed building permit application. (Ord. 416 § 8.60.030, 2002)

**17.2417.28.040 Approval standards.**

A. Only one entrance to a residence may be located on the front facade of the single-family dwelling facing the street, unless the single-family dwelling contained additional front doors entrances before the conversion accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.

B. The size of the accessory dwelling unit may be no more than fifty (50) percent of the living area of the single-family detached dwelling or the maximum allowed for an accessory dwelling unit in the applicable zone or overlay, whichever is less.

C. Accessory dwelling units created through the addition of floor area must meet the following:

1. Where the primary dwelling is a contributing structure, the exterior finish materials must be identical in substance, size and placement to the exterior finish material of the existing structure. Where the primary dwelling is a noncontributing structure within the historic commercial overlay, exterior finish materials must meet the standards for new construction within that overlay. Where the primary dwelling is a noncontributing structure in the historic residential overlay, exterior finish materials must meet the standards of Chapter 17.\_\_\_\_\_.

2. The roof pitch must be the same as the predominant roof pitch of the primary single-family detached dwelling.

3. Windows must match those in the existing single-family detached dwelling in proportion (relationship of width to height) and be oriented vertically. Where the primary dwelling is a contributing structure, the windows must be identical in substance, size and placement to the windows of the existing structure.

D. Detached accessory dwelling ~~units~~ and structures must meet the following:

1. The accessory dwelling unit must be located in the side or rear yard of the primary detached single-family dwelling, except where the primary dwelling is a contributing structure, in which case the accessory dwelling must be located in the rear yard.

2. The maximum height allowed for a detached accessory dwelling unit is eighteen (18) feet or seventy-five (75) percent of the height of the primary dwelling unit, whichever is greater.

3. The maximum footprint of the detached accessory dwelling is 800 square feet.

4. The exterior finish and trim material must be visually compatible in type, size and placement, the exterior finish material of the single-family detached dwelling. Where the primary dwelling is a contributing structure, the exterior finish materials must be identical in substance, size and placement to the exterior finish material of the existing structure.

5. The roof pitch must be the same as the predominant roof pitch of the existing dwelling or 8:12, whichever is steeper.

6. Windows must match those in the existing single-family detached dwelling in proportion (relationship of width to height) and be oriented vertically. Where the primary dwelling is a contributing structure, the windows must be identical in substance, size and placement to the windows of the existing structure.

E. All parking must meet the requirements of Chapter 16.42, Off-Street Parking and Loading, for single-family residences, except as follows:

1. No additional parking space is required for the accessory dwelling unit if it is created on a site with an existing single-family dwelling and, the roadway surface on at least one abutting street is at least eighteen (18) feet wide.

2. One additional parking space is required for the accessory dwelling unit when:

a. None of the abutting street roadway surfaces are at least eighteen (18) feet wide;

b. When the accessory dwelling unit is created at the same time as the single-family detached dwelling is constructed.

F. In addition to the above standards, accessory dwellings and structures shall comply with Chapter 17.40, Design Standards. (Ord. \_\_\_\_ § \_\_\_\_\_, 2012)

Chapter ~~17.28~~17.32

TEMPORARY USES AND STRUCTURES

Sections:

~~17.28~~17.32.010 Purpose.

~~17.28~~17.32.020 Application submission requirements.  
~~requirements.~~

~~17.28~~17.32.030 Temporary use  
~~administration and approval.~~

~~17.28~~17.32.040 Temporary structure  
~~administration and approval.~~

~~17.32~~.050 Outdoor Display.

~~17.28~~17.32.010 Purpose.

The purpose of the temporary use permit is to permit commercial activities that are small scale and short term in nature and generally promote celebration of specific events, holidays and seasons. Examples include, but are not limited to, temporary uses associated with existing licensed businesses, seasonal produce sales and farmers markets.

The purposes of the temporary structure approval are: (1) to permit property owners to utilize temporary structures for up to one year for approved longer term temporary uses, including but not limited to, temporary construction offices and leasing offices for previously approved developments; or (2) to permit property owners to utilize shorter term temporary open air structures, such as tents, booths and canopies of greater than one hundred twenty (120) square feet with approved shorter term temporary uses. (Ord. 419 § 21A (part), 2002; Ord. 416 § 8.70.010, 2002)

~~17.28~~17.32.020 Application submission  
~~requirements.~~

All applications for temporary uses or temporary structures shall be made on forms provided by the city and shall be accompanied by:

A. A site plan drawn to standard engineering scale showing the location of the temporary use or temporary structure, the entrance and exits from the site, areas to be designated for parking, if applicable, and any requested signs; and

B. For structures subject to Section ~~17.28~~17.32.040, a letter from the property owner of record giving approval for the proposed temporary structure; and

C. A completed business license application for the temporary use. (Ord. 419 § 21A (part), 2002; Ord. 416 § 8.70.020, 2002)

~~17.28~~17.32.030 Temporary use  
~~administration and approval.~~

A. The planning director may approve a temporary use based on following criteria:

1. The temporary use is located in the historic commercial overlay in the commercial zone and the parcel of land on which the temporary use will be located is zoned consistent with the proposed temporary use.

2. Where the temporary use is sited on a property containing an existing business, the temporary use shall directly relate to the existing business.

3. The temporary use will last for no more than two, separate, contiguous seven day periods in any one calendar year and the two periods shall not be permitted back-to-back.

4. The temporary use and all items related to the temporary use shall be removed from the site prior to expiration of the approval period.

5. No regulations prohibiting the activity are identified in a review of the Aurora Municipal Code and Oregon Revised Statutes.

6. Temporary use of tents, booths or canopies less than one hundred twenty (120) square feet are permitted under this section without a temporary structure permit under Section ~~17.2817.32~~.040. For temporary uses of tents, booths and canopies greater than one hundred twenty (120) square feet, a temporary structure permit under Section ~~17.2817.32~~.040 is required.

7. Tents, booths or canopies shall comply with the requirements of Section 14, Aurora Design Guidelines for Historic District Properties (Appendix A).

B. Temporary uses during special events approved by the ~~city council~~City Council shall be exempt from temporary use permit requirements.

C. No ~~notice~~Notice of ~~decision~~Decision is required, but the planning director shall issue an approved temporary use permit stating how the application satisfies the criteria in Section ~~17.2817.32~~.030(A) and specifying the dates for which the approval is valid. A copy of this permit shall be attached to the business license application as filed in City Hall. (Ord. 419 § 21A (part), 2002; Ord. 416 § 8.70.030, 2002)

~~17.2817.32.040~~ **Temporary structure administration and approval.**

All applications for temporary structures shall be submitted and processed according to the requirements of this section. A certificate of appropriateness from the ~~historic review board~~Historic Review Board is required for sites located in the historic commercial or historic residential overlay. (Ord. 419 § 21A (part), 2002; Ord. 416 § 8.70.040, 2002)

~~17.32.050~~ **Outdoor Display.**

A. ~~Outdoor display of merchandise for sale shall only occur on sidewalks in front of retail shops.~~

B. ~~Outdoor displays shall not obstruct the sidewalk, and leave a minimum of 5 feet of clear width for pedestrians.~~

C. ~~Merchandise displayed on sidewalks shall be moved indoors overnight.~~

~~A. OD—outdoor displays may only occur in other locations during city sanctioned special events, such as Aurora Colony Days.~~

Comment [r9]: Is this a temporary use? Already permitted under the code so it doesn't need to be here.

Comment [s10]: Already in 16.34.060

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D.

Children's play equipment, and recycling and waste containers, shall be located to the rear or side of contributing structures. ~~Add language from Section 15 of Design Review Guidelines here?~~

E.

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Chapter 17.~~2936~~

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MOVING OF STRUCTURES

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Sections:

17.~~2936~~.010 Moving Contributing Structures

- A. Relocation of contributing structures in the Historic District is prohibited with only two exceptions:
  - 1. the contributing structure was previously moved to its current location.
  - 2. the current location of the contributing structure is being acquired for a public purpose under eminent domain, in which case the structure shall be moved to another location within the Historic District at the expense of the public agency acquiring the property.
  - ~~2-3.~~ Add floodplain or other hazards
- B. Structures to be moved shall be carefully ~~document~~documented for the inventory prior to approval of the ~~relocation~~relocation.
- C. The relocation proposal shall describe how the structure will be preserved during the relocation.
- D. An approved building permit for the new location is required before approval of the relocation.

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17.~~2936~~.020 Moving Structures into the Historic District.

Structures proposed for moving into the Historic District shall have been originally constructed before 1921, and shall meet the design standards of Chapter 17.~~3036~~.

Chapter ~~17.17.4040~~

DESIGN STANDARDS

Sections:

- 17.~~3040~~.010 Purpose:
- 17.~~3040~~.020 Fences
- 17.~~3040~~.030 Awnings
- 17.~~3040~~.040 Porches ~~(ended here on 10.2.2012)~~
- 17.~~3040~~.050 Windows
- 17.~~3040~~.060 Doors
- 17.~~3040~~.070 Chimneys
- 17.~~3040~~.080 Roofs
- 17.~~3040~~.090 Foundations
- 17.~~3040~~.100 Siding
- 17.~~3040~~.110 Visible Facades
- 17.~~3040~~.120 ~~New~~ Additions to Contributing Structures
- 17.~~3040~~.130 New Construction in the Historic ~~District~~ Commercial Overlay Zone
- 17.~~3040~~.140 ~~New Construction in the Historic Residential Overlay Zone~~ Height
- 17.~~3040~~.150 Public Right-of-Way
- 17.~~3040~~.160 Drive-in and Drive Thru Structures

17.3040.170 Setbacks

17.40.180 Garage Doors

17.40.190 Lots and Parcels

**17.40.010 Purpose.**

The purpose of these design standards is to protect the historic scale, form, urban form and historic appearance and integrity of the Aurora Colony National Historic District.

**17.3040.020 Fences**

- A. Fences in the Historic Commercial overlay and fences for contributing structures throughout the Historic district shall be wood picket fences, three to four feet high, painted white or with a natural protective finish.
- B. Chain link, wire, stock fencing, rail or split rail, plastic or vinyl, lattice and fences taller than four feet are only permitted on rear property lines where they are not visible from the right-of-way, and shall be screened with landscaping.
- ~~B.C. \_\_\_\_\_ Fences not expressly permitted are prohibited. Add language regarding if not listed as permitted, all else prohibited such as curvilinear or ornate metal fencing.~~

**17.3040.030 Awnings**

- A. Awnings are prohibited on residential structures that have been converted to commercial use.
- B. Awning styles must be in character with historic buildings, ~~and brightly colored and curvilinear flamboyant~~ patterns or shapes are prohibited. Provide examples of permitted awnings.
- C. Back-lighting of awnings is prohibited.
- D. Writing on awnings is limited to border areas only. See Figure \_\_\_\_\_.

**17.3040.040 Porches**

- A. Porch design shall be similar to those seen on contributing structures.
- B. One porch entrance shall be located on the primary façade ~~or~~ and have a direct pedestrian path to the sidewalk.
- ~~C. Wood posts shall be used for roof support. Masonry and metal posts or supports are prohibited.~~
- ~~D.C. \_\_\_\_\_~~ Porches on contributing structures shall be preserved in their original design, and repair or replacement shall match the original in both materials and design, except that modern foundations which are not visible may be installed.
- ~~E.D. \_\_\_\_\_~~ Front porches shall not be enclosed by walls, screens or windows.

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**17.3040.050 Windows**

- A. ~~In the Historic Commercial Overlay wW~~In the Historic Commercial Overlay, window frames and sashes shall be ~~made of~~rimmed with wood, and wood framed storm windows are permitted. Storefront windows manufactured with metal frames shall have wood trim covering the exterior of the metal frames.
- B. Transom and clerestory windows are permitted.
- C. In the Historic Residential Overlay, windows visible from the right-of-way shall be vertically oriented.
- ~~D.~~ For contributing structures, window frames and sashes shall be made of wood.
- ~~D-E.~~ For contributing structures, new window openings are only permitted where they are not visible from the right-of-way. New windows and window openings on rear elevations shall match the materials, style, colors and trim of other windows on the structure.

**17.3040.060 Doors**

- A. On contributing structures, the original location, materials, size, and decorative features of and proportions of doors, and the door design itself, doors shall be preserved, and when doors are being replaced, all those elements shall be replaced in kind.
- B. On contributing structures, new door doors openings may only be located on the rear elevation.
- ~~B-C.~~ On contributing structures, doors shall be made of wood; vinyl and metal doors are prohibited.

**17.3040.070 Chimneys**

- ~~A.~~ On contributing structures, masonry chimneys shall be preserved, or replaced ~~in kind~~with the same type of materialtraditional red clay brick if preservation is not feasible.
- B. On all structures, masonry chimneys shall be faced with traditional red clay brick.
- C. On noncontributing structures, non-masonry materials may be used.

**17.3040.080 Roofs**

- ~~A-~~ On contributing structures, the repair and alteration ~~and alteration~~ of roofs shall match the original style and pitch. ~~however alterations to the rear roof are is permitted so long as it is not readily visible from the right of way.~~
- A.
- B. On contributing structures, the addition of new roof elements such as vents, skylights, solar panels, chimneys and dormers shall not be readily visible from the right-of-way, un-

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less the property has frontage on more than one right-of-way, in which case new elements shall be on a side elevation and screened from view.

~~B-C.~~ On contributing structures, new decorative features such as cupolas or cresting shall be permitted only when historic evidence demonstrates those features were included in the original structure.

~~D.~~ For residential structures, the roof pitch shall be 8:12 (equal to 34°) or steeper. On mansard roofs, the upper areas of the roof may have a shallower pitch so long as the lowest roof planes are steeper than 12:12 (equal to 45°).

~~E.~~

~~E.~~ For all structures, roofing materials on all sloped roofs shall be black composition shingles or wood shingles. Metal roofing on sloped roofs is prohibited.

~~D-F.~~ In the Historic Commercial Overlay, flat roofs are permitted when the roof and all mechanical equipment on the roof, including railings, are screened by a parapet. The materials used for flat roofs are not regulated by this section.

#### **17.3040.090 Foundations**

- A. Concrete block, brick, and poured concrete foundations are permitted.
- B. Rusticated and decorative concrete block are prohibited.
- C. On contributing structures with vertically oriented wood skirting, the wood skirting shall be replaced after a foundation is repaired or replaced.
- D. Textured paint and thin coat stucco may be applied on foundations.
- E. The height of replacement foundations may be altered to improve accessibility.

#### **17.3040.100 Siding**

- A. On contributing structures, and for all residential structures in the Historic Commercial Overlay, wood siding is required, and historic siding patterns shall be matched when repairing or replacing siding.
- B. Siding shall be painted; unpainted and stained wood is prohibited.
- C. Decorative shingle patterns are prohibited on contributing structures, unless originally used as documented in the Historic Resources Inventory.
- D. In the Historic ~~residential~~ Residential Overlay, horizontal lap siding with a reveal not exceeding six (6) inches is required, with the exception of board and batten siding comprised of solid sawn wood.
- E. The paint color of siding shall be uniform on all sides of a structure.

#### **17.3040.110 Visible Facades**

On contributing structures, the design of the front and side elevations shall be preserved.

**17.3040.120 ~~New~~ Additions to Contributing Structures**

- A. On contributing structures, new additions may only be placed on the rear elevation. Architectural detailing including roofing, siding, trim, doors and windows shall match the existing structure in design and materials.
- B. On contributing structures, previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.
- C. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure.

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**17.3040.130 New Construction in the Historic ~~Commercial Overlay District~~ Zone**

~~New~~

- ~~A. New structures in the Historic Residential Overlay Zone shall be subject to the design standards in ~~title~~Section 17.30.020 ~~10040~~.~~
- B. Paint colors shall be selected from the list in Table \_\_\_\_\_.

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**17.3040.140 ~~New Construction in the Historic Residential Overlay Zone~~**

~~New structures in the Historic Residential Overlay Zone shall be subject to the design standards in title 17.30.020 ~~100~~.Height~~

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The maximum height of structures is 35 feet.

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**17.3040.150 Public Right-of-Way**

- A. Sidewalks shall be concrete without coloring. The finish shall be broom perpendicular to the path, without troweled areas around the edges.
- B. Street lights in the Historic Commercial Overlay shall be lamp style only.
- C. Curb cuts for residential properties may not exceed twenty (20) feet in width.

**17.3040.160 Drive-in and Drive Thru Structures**

Drive-in and drive-thru commercial structures and businesses are prohibited within the Historic District.

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**17.40.170 Setbacks**

A. Residential structures shall be set back a minimum of 10 feet from side lot lines, and a minimum of 20 feet from rear lot lines.

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B. Commercial and mixed use structures shall be set back a minimum of 5 feet from side lot lines, a minimum of 10 feet from rear lot lines, and a maximum of 10 feet from front lot lines.

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**17.40.180 Garage Doors**

A. Garage doors shall be set back a minimum of 4 feet from the front façade of residential structures.

B. Garage doors may not exceed 8 feet in width.

C. Multiple garage doors shall be separated by a minimum of two feet.

D. On contributing structures and detached garages serving them, visible garage door finish materials must be painted wood. Windows are permitted in garage doors.

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**17.40.190 Lots and Parcels**

A. In the Historic Residential Overlay, the minimum area is 10,000 square feet.

B. In the Historic Residential Overlay, the minimum width is 50 feet.

C. In the Historic Commercial Overlay, there is no minimum area or depth.

D. In the Historic Commercial Overlay, the minimum width is 50 feet.

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