

**NEWBERG HISTORIC
PRESERVATION COMMISSION
Monday, July 21, 2014
7:00 p.m., Newberg City Hall
Permit Center Conference Room
414 E. First Street, Newberg, OR**

- I. Open Meeting**
- II. Roll Call**
- III. Introductions**
- IV. Election of Chair and Vice Chair**
- V. Background - Historic Preservation Commission (HPC)**
 - A. Why a Certified Local Government
 - B. Establishment of HPC
 - C. HPC Roles and Duties
- VI. Work plan discussion**
- VII. Meeting schedule**
- VIII. Other Business**
- IX. Adjourn**

ATTACHMENTS

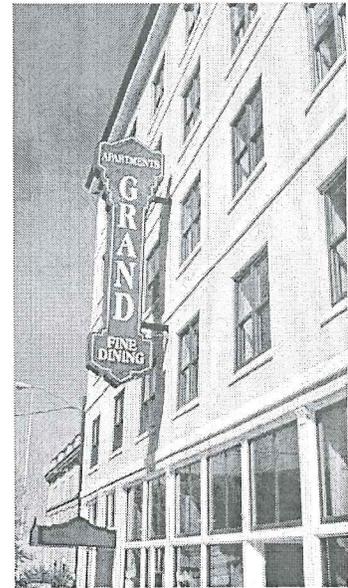
- A. Certified Local Government.....page 2 - 6
- B. CLG Grant Funding.....page 7 - 12
- C. Ordinance No. 2013-2764.....page 13 - 24
- D. HPC Membership List.....page 25

Certified Local Government Certification

Requirements

The basic certification requirements for local governments are as follows:

- Establish a historic preservation commission and appoint interested and qualified residents to serve. To the extent they are available, at least some of the commission members should meet "professional" qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields.
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues.
- Agree to participate in updating and expanding the state's historic building inventory program. SHPO takes the lead in this effort by maintaining the master database and the files for the statewide inventory, and by providing grants to survey additional properties.
- Agree to review and comment on any National Register of Historic Places nominations of properties within the local government boundaries. Nominations are usually submitted by the property owners themselves or other members of the public. SHPO administers the National Register program in Oregon.
- Affirm that it will fulfill its obligation to enforce existing state preservation laws.



Benefits

- **Grants:** CLGs may apply for annual grants from SHPO. The grants, which require a 50/50 match, have typically been in the \$5,000--\$20,000 range in recent years. Grants can be used for a broad range of preservation activities, though some of the most common grant-funded projects include the following:
 - Surveys of historic properties and accompanying context studies
 - National Register nominations of either individual buildings or historic districts
 - Public education activities: plaques, walking tour booklets, websites, etc.
 - Preservation planning: updating ordinances, preparing design guidelines, administering local preservation programs, etc.
 - Architectural and engineering studies and plans for rehabilitating historic properties
 - "Brick-and-mortar" rehabilitation work on National Register buildings
- **Training:** workshops and conferences for staff and commission members
- **SHPO and National Park Service assistance:** CLGs enjoy a partnership relationship with the state and federal agencies that have the primary responsibility for promoting historic preservation in the U.S. As such, CLGs are able to tap into the expertise and resources of these agencies in order to help address their local preservation issues. **Networking:** Through CLG workshops, conferences, listservs, and websites, CLGs are able to participate in the discussion of preservation issues with other local governments throughout the state and country.
- **Increased Effectiveness:** By participating in the CLG program, local governments become more skilled and effective at promoting the economic, social, and educational benefits of historic preservation in their community. They are also able to avoid much of the controversy that comes from mishandled local historic preservation issues.



Kuri Gill, CLG Coordinator Phone: (503) 986-0685

Email: Kuri.Gill@state.or.us

OREGON STATE HISTORIC PRESERVATION OFFICE CERTIFIED LOCAL GOVERNMENT PROGRAM

ANNOTATED PERFORMANCE STANDARDS – 2001

I. INTRODUCTION

The Certified Local Government (CLG) program was established by the National Historic Preservation Act as amended (16 U.S.C. 470 *et seq.*) in order to extend the existing historic preservation partnership between the federal and state governments to the local level. The model in place at the state level, with a professionally qualified board reviewing nominations, was adapted so that local review bodies would also consider proposals for designation, alteration, moving, demolition, etc. of landmarks. Other responsibilities, which the states have under statute and rule (e.g. to inventory historic and prehistoric cultural resources and to provide for adequate public participation), are extended to the local level through the certification program. In return, states are required to pass through a minimum of 10% of their federal Historic Preservation Fund grant to the Certified Local Governments.

Just as the National Park Service periodically evaluates state programs, the State Historic Preservation Office (SHPO) is required to evaluate each CLG program every four years. Federal regulations, *36 CFR 61.6* and Chapter 9, Section L of the *Historic Preservation Fund Grant Manual*, outline federal requirements, and the *State of Oregon Local Government Participation Procedures* outline the SHPO's expectations. Evidence of serious inadequacies in CLG performance will trigger recommendations for corrective measures from the SHPO and will affect the Certified Local Government's ability to obtain CLG funding. Failure to implement these corrective measures within 180 calendar days will result in the initiation of involuntary decertification procedures by the SHPO, pursuant to Chapter 9, Section M of the *Historic Preservation Fund Grant Manual*, and the *State of Oregon Local Government Participation Procedures* as amended.

The following annotated standards clarify what is expected of CLGs by the state and federal partners and how programs will be evaluated.

II. ANNOTATED STANDARDS

A. **"The Certified Local Government enforces preservation legislation and ordinances."**

There is a government-to-government relationship between the SHPO and the CLG. The SHPO expects elected officials and administrators of CLGs to support historic preservation programs with adequate funding, staff, and access, and ensure that ordinances and other legislation designed to protect historic and prehistoric cultural resources are enforced (qq.v., OAR 660-023-0200 & "State or

Local Statute," *Historic Preservation Fund Grants Manual*, Glossary-20). This relationship also means that in hearing appeals of controversial decisions, the elected body respects the expertise of its landmarks commission and gives due consideration to historic values in rendering its decision.

B. "The Certified Local Government establishes and maintains an adequate and qualified landmarks commission."

The CLG must seek the expertise necessary to make informed decisions about historic and prehistoric cultural resources. This is normally provided by a landmarks commission composed of professional and lay members; however, qualified staff members and/or consultants may be relied upon as needed. At a minimum, the CLG must make a reasonable effort to seat commissioners with a demonstrated *positive* interest in historic preservation, the majority of whom should meet the federal historic preservation professional standards (q.v., "Minimum Requirements for Certification," *Historic Preservation Fund Grants Manual*, Chapter 9, (D)(2)). The CLG must provide the SHPO with the opportunity to comment on qualifications of candidates prior to their appointment.

C. "The Certified Local Government designates local landmarks."

This standard relates to the initial protection of local historic and prehistoric cultural resources (q.v., "State and Local Statute," *Historic Preservation Fund Grants Manual*, Glossary-20). Cultural resources may include, but are not limited to: districts, sites, buildings, structures, and objects. Designation, or denial of designation, must be based on clear and objective criteria embodied in the local ordinance and supported by written findings of fact. The CLG shall also have a written policy or ordinance provision that addresses the question of "owner consent" for local designation of landmark properties (q.v., ORS 197.772 & LUBA No. 2000-160). Properties listed in the National Register of Historic Places must be protected as local landmarks under OAR 660-023-0200.

D. "The Certified Local Government reviews proposals to alter local landmarks."

This standard extends the protection afforded by landmark designation through the review of alteration proposals. The review process should be timely, straightforward, and not overly burdensome to proponents or opponents. The CLG is expected to provide its citizens and landmark commissioners with sufficient information and reference materials to make informed proposals and decisions, and apprise its building officials of the exceptions available to historic buildings under various codes and regulations. Proposed major alterations to properties listed in the National Register of Historic Places must be reviewed under OAR 660-023-0200.

E. "The Certified Local Government reviews requests for demolition and removal of local landmarks."

This standard ensures that proposals to demolish or remove landmarks are reviewed under local ordinance provisions, and where applicable that delay periods for consideration of alternatives are used. The CLG should actively seek alternatives to demolition or removal, and should require meaningful proof from proponents seeking to justify such proposals on economic or hardship grounds. If demolitions are allowed, recordation, curation of parts, salvage, or other mitigative measures should be required. Proposed demolitions or removals of properties listed in the National Register of Historic Places must be reviewed under OAR 660-023-0200.

F. "The Certified Local Government seeks training opportunities for landmark commissioners."

This standard ensures that landmark commission decisions are consistent and credible. Commissions often include individuals without formal historic preservation education or experience in conducting public hearings. It is expected that the CLG will provide or take advantage of educational opportunities for commissioners, especially relating to designation, alteration review, and conducting public hearings and meetings.

G. "The Certified Local Government seeks to educate the public regarding historic preservation in the community."

A public that understands its stake in the preservation of historic and prehistoric cultural resources is fundamental to a successful program. Public education may be accomplished in a number of ways. The CLG can hold workshops on appropriate preservation techniques for rehabilitating or restoring historic properties, sponsor National Historic Preservation Week activities, support or promote historic house tours, lectures or seminars, and other activities that educate its citizens on the importance of the community's past. The CLG can also encourage preservation education in the local school system.

H. "The Certified Local Government maintains a system of survey and inventory that is consistent with the Statewide Inventory of Historic Properties."

Although all current Oregon CLGs have inventories consistent with Statewide Inventory of Historic Properties standards, history is not static. Because additional historic properties reach eligibility with each passing year, a phased strategy of new surveys, and a uniform inventory maintenance program are encouraged. Existing Statewide Inventories and data generated through surveys are to be housed in a safe and secure location.

I. "The Certified Local Government conducts meetings in conformance with State of Oregon public meeting statutes."

Decisions affecting historic resources are less vulnerable to challenge and overturn when they are made within the parameters of ORS 192.610-ORS192.690. To avoid any potential liability for conflict of interest, CLGs must include provisions in their written procedures that meet NPS requirements (*Historic Preservation Fund Grants Manual*, Chapter 3, C(1)(2)).

J. "The Certified Local Government reviews and comments on National Register nominations."

CLG participation is a key component in the National Register nomination process, and commissions are expected to review and comment on all National Register nominations forwarded from their jurisdictions. Comments must be made with benefit of appropriate professional expertise, either from or obtained by the commission. Nominations prepared or overseen by the CLG, particularly those for historic districts, require a higher degree of direct participation in the National Register process, including responsibility for notification, presentation, editing or other technical corrections.

K. "The Certified Local Government administers subgrants in accordance with established procedures."

CLGs are expected to follow administrative procedures outlined in the SHPO *Grant Administration Manual*. The Grants Coordinator evaluates performance in terms of timeliness, adherence to contract provisions, fiscal responsibility, and final products.

Attachment "B"

TEXT SIZE: A+ A- A • TEXT ONLY TRANSLATE

Oregon Parks & Recreation Department: Oregon Heritage: Financial Assistance

- Department

- About Us
- Contact Us

- Home

- Program Areas
 - Archaeological Services
 - Heritage Commission
 - Historic Cemeteries
 - Historic Trails
 - Main Street

- State Historic Preservation Office

- Financial Assistance
 - Grants
 - Scholarships

- Historic Places
 - Historic Sites Database
 - National Register

- Community Action

- Research & Guidance

- Technical Assistance
 - Heritage Bulletins

Grants

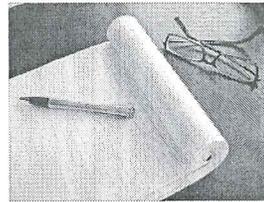
- [Grant Planning, Application & Administration](#)
- [Heritage Grant Program](#)
- [Museum Grant Program](#)
- [Historic Cemetery Grant Program](#)
- [Preserving Oregon](#)
- [Diamonds in the Rough Grant Program](#)
- [Veterans and War Memorials Grant](#)
- [CLG Grant Program](#)
- [Recreation Grants](#)



Grant Planning, Application & Administration

Use the following documents to guide your grant planning, writing, and administration to ensure your grant project is a success.

- > [OPRD GrantsOnline System](#)
- > [OPRD GrantsOnline Troubleshooting](#)
- > [Sample Finance Page - What we want submitted](#)
- > [2013-15 Grant Requirement Manual](#)



-> [Grant Administration At A Glance](#)

-> [Grant FAQs](#)

ONLINE GRANT APPLICATION WEBINAR

[Online Grant Application Webinar](#)

Heritage Grant Program

The Oregon Heritage Commission administers the Heritage Grant Program, which provides matching grants to non-profit organizations, federal recognized tribal governments and local governments for projects that conserve, develop or interpret Oregon's heritage. Currently, \$200,000 per biennium is available.

Application Deadline: Fall, 2015
(only awarded once per biennium, next opportunity fall 2015)

- > [2013-15 Heritage Grant Information](#)
- > [Oregon Heritage Grant Online Instructions](#)
- > [OPRD Grants Online Program](#)



Attachment "B"

-> [2013 Oregon Heritage Grant Awards](#)

**Contact:**

Kyle Jansson
Heritage Commission Coordinator
Phone: (503) 986-0673
Email: kyle.jansson@oregon.gov

Museum Grant Program

The Oregon Heritage Commission offers matching grants to public and non-profit heritage museums that meet certain qualifications. The grants support Oregon museums in projects for the collection and management of heritage collections, for heritage-related tourism, and heritage education and interpretations. Currently, \$100,000 per biennium is available.

Application Deadline: Fall 2015

Application open late July 2015

-> [2013-15 Museum Grant Information](#)

-> [2013-15 Museum Grant Online Instructions](#)

-> [OPRD Grants Online Program](#)

-> [2014 Oregon Museum Grant Awards](#)

**Contact:**

Kyle Jansson
Heritage Commission Coordinator
Phone: (503) 986-0673
Email: kyle.jansson@oregon.gov

Historic Cemetery Grant Program

Help has arrived for historic cemeteries! The Oregon Commission on Historic Cemeteries (OCHC) offers Historic Cemetery Grants to provide financial assistance in the following general categories: Protection and Security, Restoration and Preservation, Education and Training, Research and Interpretation. Eligible projects may include, but aren't limited to: security needs, training, conservation of historic elements such as curbs, markers, etc., documentation and mapping, signage, landscape restoration and planning.

Application Deadline: Fall 2015

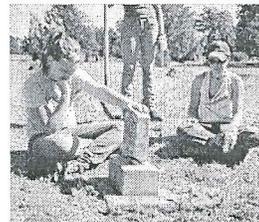
Application open late July 2015

-> [2013-15 Historic Cemeteries Grant Information](#)

-> [2013-15 Historic Cemeteries Grant Online Instructions](#)

-> [OPRD Grants Online Program](#)

-> [2014 Historic Cemetery Grant Awards](#)

**Contact:**

Kuri Gill
Historic Cemetery Grant Program Coordinator
Phone: (503) 986-0685
Email: kuri.gill@oregon.gov

Preserving Oregon**PRESERVING OREGON GRANT**

The State Historic Preservation Office (SHPO) offers matching grants for rehabilitation work that supports the preservation of historic resources listed in the National Register of Historic Places or for significant work contributing toward identifying, preserving and/or interpreting archaeological sites. Currently, \$250,000 per biennium is available, and grant funds may be awarded for amounts up to \$20,000.

Letter of Intent to apply is **REQUIRED**.

Application Deadline: Fall 2015



Attachment "B"

Application open and letters of interest accepted late July 2015

A pre-application submission and site visit is required. If you are interested in applying, submit a letter in interest through the OPRD Grants Online Program.



Once you have submitted a letter of interest, you will be contacted to discuss the project and to perhaps schedule a site visit. You will receive email notification when you have approval to submit an application. The application will be submitted through the same online program.

Please review the grant information and the online application instructions below before submitting your letter of interest.

- > [2013-15 Preserving Oregon Grant Information](#)
- > [2013-15 Preserving Oregon Grant Online Application Instructions](#)
- > [OPRD Grants Online](#)

-> [2014 Preserving Oregon Grant Awards](#)

Contacts

Preserving Oregon Grant Application and Historic Property Project Questions

Kuri Gill
Grants and Outreach Coordinator
Phone: (503) 986-0685
Email: kuri.gill@oregon.gov

Archaeological Project Questions

Dennis Griffin
State Archaeologist
Phone: (503) 986-0674
Email: dennis.griffin@oregon.gov

Diamonds in the Rough Grant Program**DIAMONDS IN THE ROUGH GRANT**

DIAMONDS IN THE ROUGH grants are to restore or reconstruct the facades of buildings that have been heavily altered over the years. The purpose is to return them to their historic appearance and potentially qualify them for historic register designation (local or national). These grants are part of the SHPO's Preserving Oregon Grant Program for the 2013-15 biennium. Grants may be awarded up to \$20,000.

Application Deadline: Fall 2015
Application open late July 2015

- > [2013-15 Diamonds in the Rough Grant Information](#)
- > [2013-15 Diamonds in the Rough Oline Grant Instructions](#)
- > [OPRD Grants Online Program](#)

-> [2014 Diamons in the Rough Awards](#)

Contact

Kuri Gill
Grants and Outreach Coordinator
Phone: (503) 986-0685
Email: kuri.gill@oregon.gov

Veterans and War Memorials Grant

The Veterans' and War Memorials Grant Program was created and established to provide funding assistance to local governments for the construction and restoration of veterans' and war memorials. The program will help honor Oregon's soldiers and veterans by commemorating their service to the country.

Application Deadline: June 30, 2014

- > [2015 Veterans and War Memorial Grant Information](#)
- > [Online Application Instructions](#)
- > [Veteran and War Memorial Grant Manual](#)
- > [Access online application site](#)

Contact:

Kuri Gill
Grants and Outreach Coordinator
Phone: (503) 986-0685
Email: kuri.gill@oregon.gov

Attachment "B"

CLG Grant Program

The Certified Local Government (CLG) program offers matching grants to cities and counties that have been "certified" as historic preservation partners with both the state and the federal governments. These grants can be used for a wide-range of preservation projects, including National Register nominations, historic resource surveys, preservation education, preservation code development, building restoration, and preservation planning. Between roughly \$65,000 - \$200,000 is available per year, depending on federal allocation and state priorities.

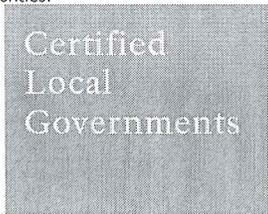
Application Deadline: Submitted February 27, 2015

Your local government must be a CLG to apply, contact the coordinator for more information.

[-> CLG Grant Awards](#)

Contact:

Kuri Gill
CLG Coordinator
Phone: (503) 986-0685
Email: kuri.gill@oregon.gov



Recreation Grants

Oregon Parks and Recreation offers several grants programs for parks and trails.

[Check out the program!](#)

OREGON.GOV

- State Directories
- Agencies A to Z
- Oregon Administrative Rules
- Oregon Revised Statutes
- Oregon - an Equal Opportunity Employer
- About Oregon.gov

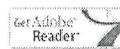


WEB SITE LINKS

- Text Only Site
- Accessibility
- Oregon.gov
- File Formats
- Privacy Policy
- Site Map
- Web Site Feedback

PDF FILE ACCESSIBILITY

Adobe Reader, or equivalent, is required to view PDF files. Click the "Get Adobe Reader" image to get a free download of the reader from Adobe.



Heritage Programs Grants FAQs

1. When are Heritage Programs grants available? Heritage Programs grants are available twice per biennium. The first cycle is in the fall of the odd year (ex. 2011) and spring of the even year (ex. 2012.) The Certified Local Government Grant proposals are due in February.

2. Who selects the grant recipients? Each grant program has a different selection process approved by the Oregon Parks Commission.

- *Oregon Heritage Grants* and *Oregon Museum Grants* are determined by the Oregon Heritage Commission. A selection committee including museum and heritage professionals and members of the Oregon Heritage Commission rank the applications. The recommendations are approved by the Oregon Heritage Commission.
- *Preserving Oregon Grants* and *Certified Local Government* grants are recommended by the Heritage Programs staff.
- *Oregon Historic Cemeteries Grants* are recommended by the Oregon Commission on Historic Cemeteries. A selection committee including representatives of Oregon cemetery organizations, members of the Oregon Commission on Historic Cemeteries and Heritage Programs staff rank the applications. The recommendations are approved by the Oregon Commission on Historic Cemeteries.

3. What is the grant selection process?

Applications are ranked following an evaluation based on five criteria:

1. The appropriateness of the project to the goals of the grant program.
 - *Oregon Heritage Grant*: The proposed project will effectively conserve or develop a significant aspect of Oregon's heritage resources.
 - *Oregon Museum Grant*: The effectiveness of the project in the collection and management of heritage collections, the promotion of heritage related tourism, or the provision of education and the interpretations related to heritage.
 - *Oregon Historic Cemeteries Grant*: The effectiveness of the project to preserve Oregon historic cemeteries.
 - *Preserving Oregon Grant*: The effectiveness of the project to preserve Oregon archaeological sites and National Register properties.
2. Appropriateness of the proposed work in terms of accepted professional standards and the qualifications of those performing the work.
3. The ability to successfully complete the project.
4. The project's importance in terms of the organization's purpose and priorities and in comparison with other proposed projects.
5. Accurate estimates of proposed project costs.

4. How are funds awarded? Heritage Programs grant are reimbursement grants. Interim payments are possible when necessary and a portion of the work is complete. See the Grant Requirement Manual for details. Funds from other Heritage Programs or Oregon Parks and Recreation Department may not be used to match Heritage Programs Grants.

Attachment "B"

5. How do I account for the value of volunteer time? For professional people volunteering their professional activities (lawyer–legal services, surveyor–survey, graphic designer, architect–architectural services), consider this an in-kind donation at their professional rate. (For the CLG program there are limits on rates in certain areas, contact Heritage Programs or see the Grant Requirement Manual for details.) For volunteers offering general services labor (mailings, grounds clean-up, board time, docent, greeter, etc.), use current Oregon minimum wage.

6. Can other Heritage Programs or OPRD grant funds be used as match for Heritage Programs grants? No.

Contact: Kuri Gill, Grants and Outreach Coordinator
Kuri.Gill@state.or.us or (503)986-0685
www.oregonheritage.org





ORDINANCE No. 2013-2764

**AN ORDINANCE AMENDING THE NEWBERG MUNICIPAL CODE
ESTABLISHING A HISTORIC PRESERVATION COMMISSION AND
ASSIGNING POWERS AND DUTIES OF THE COMMISSION**

RECITALS:

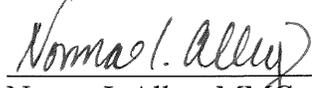
1. On April 1, 2013, the Newberg city council heard a presentation by Kuri Gill of the Oregon Parks and Recreation Department – Heritage Programs regarding their Certified Local Government program (CLG). After hearing of the CLG program and discussion, the council instructed city staff to bring to council a proposal regarding the designation of Newberg as a CLG.
2. The establishment of a historic preservation commission is an important first step in complying with many of the criteria needed to be met in becoming a designated CLG. City staff has worked with the Heritage Program in the development of the proposed recommended municipal code changes for the establishment of a historic preservation commission.
3. On September 12, 2013, the Newberg planning commission held a public hearing regarding the proposed amendments to the Newberg Municipal Code establishing a historic preservation commission and assigning powers and duties of the commission. At that meeting, the Newberg planning commission approved Resolution No. 2013-300, recommending that the city council approve the proposed amendments.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg Municipal Code is amended and shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings in support of these amendments are adopted and shown in Exhibit "B". Exhibit "B" is hereby adopted and by this reference incorporated.

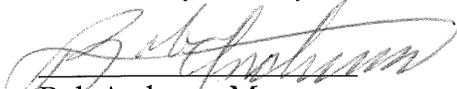
➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 6, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013, by the following votes: **AYE: 7 NAY: 0 ABSENT: 0 ABSTAIN: 0**



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.



Bob Andrews, Mayor

Establishment of Newberg Historic Preservation Commission Newberg Code Amendments

Legend for proposed development code changes:

Red lettering = directions for code changes

Black lettering = existing code language

~~Black strikeout~~ = proposed language deletion

Black double underline = proposed language addition

Section 1: The following shall be added to Chapter 15.05.030 Definitions of the Newberg Code.

“Historic preservation commission” means the historic preservation commission of the City of Newberg, a body of officials appointed by the mayor with the consent of the city council, serving the city council by overseeing historic preservation issues affecting the city.

Section 2: The following shall be added as Chapter 2.15, Article VI of the Newberg Code.

Article VI. Historic Preservation Commission

2.15.500 Establishment.

There is hereby established a historic preservation commission for the City of Newberg, Oregon.

2.15.510 Purpose.

The historic preservation commission for the City of Newberg is established to identify, recognize, and preserve significant properties related to the community’s history, encourage the rehabilitation and ongoing viability of historic buildings and structures, strengthen public support for historic preservation efforts within the community, foster civic pride, and encourage cultural heritage tourism.

2.15.520 Membership.

A. The commission shall consist of five members who are not officials or employees of the city and an ex officio nonvoting member who shall be a student from one of the local high schools.

B. Members should have a demonstrated competence, knowledge, or interest in historic preservation with preference given to those with professional experience in the fields of preservation, architecture, archaeology, community history, building trades, real estate, or related specialties.

C. Three of the five members shall have their principal place of residency inside the city limits. One member may have their principal place of residency outside city limits provided it is within one mile of the urban growth boundary of the city at the time of their appointment and during the term that they serve on the historic preservation commission. There is no residency requirement for the one remaining member or the ex officio student.

2.15.530 Term of office.

A. Members of the historic preservation commission shall be appointed by the mayor with the consent of the city council for a term of three years from the first calendar day of the year. The appointments of some members shall be for other than specified terms in order to establish an approximately equal expiration of terms each year. The term of the student member will begin June 1st of each calendar year and end May 31st of succeeding calendar year with reappointment not to exceed three years. Members of the historic preservation commission shall continue after expiration of their term until such time as their successors are appointed.

B. The term of each member shall continue until such time as their successors are appointed.

2.15.540 Vacancies and removal.

A. Any vacancy in the commission shall be filled by appointment of the mayor with consent of the city council for the unexpired term of the predecessor in the position.

B. A member of the commission may be removed by the city council after hearing for misconduct or nonperformance of duty.

C. A member who is absent from two consecutive meetings without an excuse as approved by the historic preservation commission is rebuttably presumed to be in nonperformance of duty and the city council shall declare the position vacant unless finding otherwise following the hearing.

2.15.550 Presiding members.

At the commission's first meeting of each calendar year, the commission shall elect a chair and vice chair to serve one-year terms.

2.15.560 Staff services.

The city recorder shall provide a secretary to the commission and such other staff and consultation services as may be appropriate. The secretary shall keep a record of commission proceedings.

2.15.570 Meetings.

A. A majority of the voting members of the historic preservation commission shall constitute a quorum. The commission shall meet at least meet at least four times a year, and as required to conduct business in a timely fashion. Meetings of the commission shall be open to the public and shall be subject to the Open Meetings Law. Meetings other

than the regularly scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records.

B. The chair, upon the chair's own motion, may, or at the request of two members of the commission, shall, by giving notice to the members of the commission, call a special meeting of the commission for a time not earlier than 24 hours after the notice is given. Notice of a special meeting shall be posted at City Hall and to the extent feasible, provided to interested persons and the local newspaper at least 24 hours prior to the meeting.

C. Meeting minutes, applications for historic review, landmark nominations, records of landmark designation, staff reports, and decisions of the commission shall be created and maintained as public records in accordance with applicable local state laws.

2.15.580 Powers and duties.

A. The commission shall have the powers and duties which are now and may hereinafter be assigned to it by Charter, ordinances or resolutions of the city and general laws of the state.

B. The commission shall identify and evaluate properties in the City of Newberg and maintain a Historic Resource Survey consistent with the standards of the Oregon State Historic Preservation Office, hereinafter referred to as "SHPO."

C. The commission shall make recommendations to the city council regarding properties to be designated to the list of designated landmarks

D. The commission shall review and act upon applications for the alteration, relocation, or demolition of designated landmarks.

E. The commission shall support the enforcement of all state laws relating to historic preservation.

F. The commission shall perform any other functions that may be designated by resolution or motion of the city council.

G. The commission may publish and adopt written and graphic guidelines and example materials to clarify the criteria in the historic landmarks section of this code and to assist applicants in developing complete and viable applications to designate, alter, rehabilitate, relocate, or demolish landmarks. The commission may make recommendations to the city council regarding changes to regulations of designated landmarks within Newberg development code using the established procedures for amendments.

H. The commission may undertake to inform the citizens and visitors to the City of Newberg of the community's history and prehistory, promote research into its history and prehistory, collect and make available materials on the preservation of designated landmarks, provide information on state and federal preservation programs, and document designated landmarks prior to their alteration, demolition, or relocation and archive that documentation.

I. The commission may make recommendations to the city council regarding expenditures for historic preservation activities and potential funding source in which to pay for the recommended expenditures.

J. The commission may recommend incentives and code amendments to the city council and planning commission to promote historic preservation in the community.

K. The commission may comment on local, state, or federal issues, laws, and requests relating to historic preservation.

L. The commission may adopt rules to conduct its business meetings.

2.15.590 Application for membership.

A. The city shall give public notice of any vacancy of the historic preservation commission and accept such application for such vacancies.

B. The application for membership on the historic preservation commission shall state the principal occupation of the applicant, the principal residence of the applicant, and give other information and qualifications as the city may deem necessary.

2.15.600 Conflict of interest.

A member of the historic preservation commission shall abide by and be in accordance with the State Ethics Code.

2.15.610 Training.

The city shall offer training to historic preservation commissioners to educate them in their duties. It shall be the duty of any newly appointed historic preservation commissioner to attend a basic training session from staff within 30 days of the historic preservation commissioner's appointment. It shall be the duty of any reappointed historic preservation commissioner to attend at least a one-hour training session from staff or offered by the city within 12 months from the beginning of that person's appointed term.

Section 3: Chapter 2.15, Article VI of the Newberg Code, "Penalty" shall be renumbered as Article VII, and the current Section 2.15.490 and all cross references to this section shall be renumbered as Section 2.15.900.

Section 4: The following amendments shall be made to Chapter 15.344 of the Newberg Development Code.

**Chapter 15.344
HISTORIC LANDMARKS (H) SUBDISTRICT**

Sections:

| | |
|-------------------|---|
| 15.344.010 | Purpose. |
| <u>15.344.015</u> | <u>Historic preservation commission review.</u> |
| 15.344.020 | Landmark designation. |
| 15.344.030 | Alteration, new construction, demolitions. |
| 15.344.040 | Exceptions for economic hardship. |
| 15.344.050 | General administration. |

15.344.010 Purpose.

The purpose of the H overlay zone is to:

A. Safeguard the historic landmarks, buildings and sites representing significant elements of Newberg history;

- B. Promote the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of these buildings, structures, sites, and objects of historic interest within the city;
- C. Foster civic pride in the accomplishments of the past;
- D. Protect and enhance the city's attractions to tourists and visitors;
- E. Carry out the provisions of the Land Conservation and Development Commission Goal 5. [Ord. 2451, 12-2-96. Code 2001 § 151.490.]

15.344.015 Historic preservation commission review.

The historic preservation commission shall review applications for landmark designation, alteration, new construction, and demolition requiring Type III review as outlined in this chapter. In conducting a Type III review, the commission shall have all powers and duties of the planning commission. The notice, review, and appeal provisions of this code that apply to Type III planning commission reviews shall apply equally to Type III historic preservation commission review. In cases where an application requires both historic preservation commission and planning commission review, such as for a modification to a landmark for a conditional use, the two commissions may hold a combined hearing. However, the two commissions shall make separate decisions.

15.344.020 Landmark designation.

A. Institution of Proceedings. The owner(s) of record may initiate the proceedings for designation of a historic landmark. Initiation of an application by a property owner is voluntary and landmark designation may not occur without an owner's consent. Applications for designation shall be made available by the director. No fee shall be charged for the application.

B. Application Information. The following information shall be provided for designation or modification of a historic landmark:

1. Site plan indicating the existing and/or proposed building or buildings.
2. Architectural elevations or pictures of the structure and, if appropriate, elevations of any proposed additions or revisions.
3. Information regarding the age and historic character of the landmark. Where available, information indicating its association with historic events, former residents or users of the landmark, and the period or style of the landmark.

C. Designation Procedure Type III. Designation of a (H) historic landmarks subdistrict will be treated as a zoning map amendment and shall be processed under the Type III procedure. The designation of a site-specific historic landmark shall be processed under a Type III procedure and reviewed by the ~~planning commission~~ historic preservation commission. Sites or buildings identified as historic landmarks shall be subject to this chapter.

D. Designation Criteria. If the building, structure, site, or object is currently listed in the National Register of Historic Places of the United States of America, the property or properties shall be designated as a local landmark. In addition, landmarks shall include those buildings, structures, sites, or objects which have been identified as landmarks in the historic resources element of the comprehensive plan. The following criteria will be used by the ~~planning commission~~ historic preservation commission and city council in considering other properties:

1. The evaluation criteria used in the 1990 historic resources evaluation shall be considered. Any or all of the criteria may be satisfied for designation:

a. The landmark is associated with natural history, historic people, or with important events in national, state or local history. The age of a specific building shall be considered but shall not be deemed sufficient in itself to warrant designation as a significant historic resource.

b. The landmark embodies distinguishing characteristics of architectural specimens inherently valuable for a study of a period, style, or method of construction.

c. The landmark is a notable work of a master builder, designer or architect, or the structure represents a rarity of type, style, or design in the community.

d. The landmark retains a high degree of original design, crafting, materials, and original site features.

e. The landmark contributes to the immediate environment and the character of the neighborhood or city.

2. The proposed landmark will serve the purpose of this section as stated in NMC 15.344.010.

3. The economic, social, environmental, and energy consequences of conflicting uses shall be considered.

E. Designation Removal. Request for removal of a historic landmark designation may be made by the property owner and shall follow the same procedures as required for inclusion by this code. The ~~planning commission~~historic preservation commission is not obligated to remove a historic landmark designation if the landmark still meets the criteria contained in subsection (D) of this section. If a historic landmark designation is removed from the register, the ~~planning commission~~historic preservation commission or city council is authorized to require that all city fees that were waived during the time period that the landmark was designated be repaid to the city prior to the landmark designation being removed. [Ord. 2451, 12-2-96. Code 2001 § 151.491.]

15.344.030 Alteration, new construction, demolitions.

A. Exterior Alterations.

1. Application Process. Application for permit approval shall be made to the director. The application shall include site plans, floor plans, elevations, materials, textures, and other information deemed necessary by the director to determine the appropriateness of the alterations of the designated landmark.

2. Director Review of Minor Alterations Type I.

a. The director shall approve minor alteration requests through the Type I procedure if there is no significant change in appearance, or in original material integrity, from the existing structure or site. The director's approval may include conditions to ensure compatibility. Minor alterations meeting the following standards shall be approved and shall be documented by written findings:

i. The proposed alteration duplicates or restores the affected exterior features and materials as determined from historic photographs, original building plans, or other evidence of original features or materials;

ii. The proposed alteration results in new siding, roofing, or foundation skirting which matches materials used on the structure or is typical in terms of material and texture for the style of the landmark;

iii. The proposed alteration results in the replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match or appear to match those typically used on similar-style buildings;

iv. The proposed alteration results in a new foundation that does not raise or lower the building elevation, provided the foundation materials and/or craftsmanship do not contribute to the historical and architectural significance of the landmark;

v. The proposed alteration results in the application of storm windows made with wood, bronze or flat-finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building;

vi. The proposed alteration results in replacement of existing sashes with new sashes, when using material which is consistent with the original historic material and appearance;

vii. The proposed alteration results in modifications to the porch which imitate or restore railings, posts, steps, and skirting which were typical for the style of the landmark;

viii. The proposed alteration results in construction of a wood fence in the front yard which was typical for the style of the landmark. Solid wood fences shall be permitted along side and rear property boundaries;

ix. The proposed alteration results in the installation of permanent air conditioning or heating facilities, including solar panels, which do not result in the destruction or removal of original architectural features. If possible, facilities should be located in such a manner that they are not readily visible from the public right-of-way, excluding alleys;

x. The proposed alteration results in new awnings or signage which were typical for the style of the landmark.

b. ~~The planning commission~~historic preservation commission may develop additional standards to guide the director in determining what constitutes a significant change.

3. ~~Planning Commission~~Historic Preservation Commission Review Criteria and Guidelines Type III. Excluding routine maintenance and minor alterations subject to director review, requests to alter a designated landmark in such a manner as to affect its exterior appearance shall be reviewed for permit approval by the ~~planning commission~~historic preservation commission using the Type III procedure. The ~~planning commission~~historic preservation commission, in considering applications for permit approval for any alteration, shall base their decision on substantial compliance with the following criteria and guidelines:

a. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. Specific design elements which must be addressed include:

i. Average Setback. When a new structure is being constructed on an infill lot, the front yard setback shall be the same as the buildings on either side. When the front setbacks of the adjacent buildings are different, the front setback of the new structure shall be an average of the two.

ii. Architectural Elements. The design shall incorporate architectural elements of the city's historic styles, including Queen Anne, colonial revival, Dutch colonial revival, and bungalow styles. Ideally, the architectural elements should reflect

and/or be compatible with the style of other nearby historic structures. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, roof dormers, and decorative trim boards.

iii. Building Orientation. The main entrance of the new structure shall be oriented to the street. Construction of a porch is encouraged but not required. Such a porch shall be at least six feet in depth.

iv. Vehicle Parking/Storage. Garages and carports shall be set back from the front facade of the primary structure and shall relate to the primary structure in terms of design and building materials.

v. Fences. Fences shall be built of materials which are compatible with the design and materials used in the primary structure.

b. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

c. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

d. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved to the extent possible.

e. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall reasonably match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

f. Chemical or physical treatments, such as sandblasting, that cause extensive damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

g. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

h. New additions, exterior alterations, or related new construction shall not destroy the historic character of the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

B. New Construction Type III Review Criteria.

1. Review Required. If an application is made to build a new building on a landmark site, the ~~planning commission~~ historic preservation commission shall review the request through the Type III procedure to assure the plans are compatible with any existing landmark structures on the site. No new structure or major public improvement shall be constructed without review pursuant to the following criteria.

2. Review Criteria. Designs shall be compatible with any existing landmark structures on the site in terms of size, scale, material and character. Contemporary

designs shall not be discouraged when they do not destroy significant historical, architectural, or cultural material. Review criteria shall include consideration of the guidelines listed in subsection (A)(3) of this section.

C. Demolition and Moving Review.

1. Building Director Review Type I. The building director shall issue a permit for moving or demolition if any of the following conditions exist:

a. The building is not a designated landmark. If the landmark is pending review under NMC 15.344.020, no permit shall be issued; and/or

b. The landmark has been damaged beyond reasonable repair through fire, flood, wind or other acts of God, vandalism, or neglect, and poses an immediate threat to public safety. For any demolition or moving which does not comply with the above criteria, it shall be referred to the ~~planning commission~~ historic preservation commission under the Type III procedure.

2. ~~Planning Commission~~ Historic Preservation Commission Review Process Type III. The process and public notice for review of a demolition permit shall be conducted under the Type III procedure. Unless extended by mutual consent of the applicant and the ~~planning commission~~ historic preservation commission, the ~~planning commission~~ historic preservation commission shall complete any review within 45 days of the date the city received a complete application, with the intent that the ~~planning commission~~ historic preservation commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or interested groups, not simply to delay the demolition or moving.

3. Review Criteria. In reviewing an application for a demolition permit or moving permit, the commission shall consider the purpose of this chapter as stated in NMC 15.344.010 and the criteria used in the original designation of the landmark as stated in NMC 15.344.020(D).

D. City Council Review of Dangerous Structures. The city council may order the removal or demolition of any structure determined to be dangerous to life, health, or property.

E. Documentation. In the event of the demolition or moving of a landmark, building, structure, site or object, the history of such landmark shall be documented and kept on file with the city. [Ord. 2505, 2-1-99; Ord. 2451, 12-2-96. Code 2001 § 151.492.]

15.344.040 Exceptions for economic hardship.

A. When the applicant has demonstrated an economic hardship as a result of the provisions of this code, the commission or city council may relax the requirements of the ordinance, provided the relaxation is consistent with the purpose of this chapter as stated in NMC 15.344.010. Any relaxation of requirements shall be the minimum necessary to alleviate the economic hardship. In determining whether an exception due to economic hardship is justified, the commission or city council shall consider the following factors:

1. Estimated cost of rehabilitation;
2. Estimated market value of property in current condition and after proposed construction;
3. Potential income from property if income-producing;
4. Any other economic information deemed relevant to the decision; and
5. Economic, social, environmental, and energy consequences of the exception.

B. The applicant shall provide adequate documentation to justify an economic hardship. The information shall be provided on a form available from the director. [Ord. 2451, 12-2-96. Code 2001 § 151.493.]

15.344.050 General administration.

A. Signs. One sign no larger than 200 square inches is permitted in addition to other permitted signs.

B. Maintenance. Nothing in this code shall be construed to prevent the ordinary maintenance or repair of any exterior architectural features which does not involve a change in design, material or the outward appearance of such feature, nor to prevent the construction, reconstruction, alteration or demolition of such feature which the city's building director shall certify is required by the city's building and development codes. Maintenance and repair actions include, but are not limited to:

1. Repair of siding, roofing, foundations, and gutters or downspouts when required due to deterioration, with materials that match the original materials or are in character with materials typically used on similar-style buildings;
2. Painting and related preparation;
3. Water quality protection actions;
4. Installation of air conditioners, provided the units are removable and no architectural alterations are necessary;
5. Site maintenance such as pruning, landscaping maintenance, brush clearing and removal of debris;
6. Temporary removals of roofs or other access obstructions for purposes of repair or maintenance of interior components of industrial or power generation facilities. [Ord. 2521, 11-15-99; Ord. 2499, 11-2-98; Ord. 2451, 12-2-96. Code 2001 § 151.494.]

I. Statewide Planning Goal 5

To protect natural resources and conserve scenic and historic areas and open spaces.

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

II. Newberg Comprehensive Goal G. OPEN SPACE, SCENIC, NATURAL, HISTORIC AND RECREATIONAL RESOURCES

1. To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.

Policy 3 - Historic Resources Policies

a. The continued preservation of Newberg's designated historic sites and structures shall be encouraged.

b. Newberg's Historic Inventory shall be updated as needed to reflect new information.

c. The City will encourage the establishment of a museum for the housing of historic artifacts, the sponsorship of touring exhibits, seminars and oral history, archival research, etc.

d. The City will encourage the re-use of historic structures such as the establishment of bed and breakfast operations, specialty shops, restaurants and professional offices.

e. The City will encourage identification and/or preservation of significant historic landmarks, archaeological or architectural sites which meet criteria established by the City.

Finding: The creation and implementation of a historic preservation commission will strengthen the effort to achieve these goals and policies. It will be a commission specifically tasked to work towards the preservation of local historic resource and it will have members with strong interests and special skills that will be especially useful in achieving these goals and policies. In addition, forming this commission may lead to the city becoming a Certified Local Government, which will provide the city with a variety of new resources intended to assist with the preservation of local historic resources.

II. Conclusion: The proposed development code amendments meet the applicable requirements of state law, state rules, the Statewide Planning Goals, and the Newberg Comprehensive Plan, and should be approved.

Attachment B
HISTORIC PRESERVATION COMMISSION
MEMBERSHIP LIST - Updated: May 20, 2014

| District | Name & Address | Email & Phone | Term Appointments | |
|---------------------|--|---|---|-----------------------------|
| County No UGB | Barbara Doyle 24001 NE Ellis Lane | nomadicteacher@yahoo.com (503) 538-9721 (H) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 12/31/2016 |
| 2 | George Edmonston, Jr. 121 W. Illinois Street | edmonstg@comcast.net (503) 554-0132 (H) (971) 832-0511 (C) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 12/31/2015 |
| 1 | Rick Fieldhouse 309 W. 5 th Street | gfumuseum@gmail.com (503) 537-2529 (H & C) (503) 537-1010 (W) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 12/31/2014 |
| 3 | Geary Linhart 805 E. 9 th Street | gearylinhart@gmail.com (503) 984-3413 (H) (503) 538-1962 (W) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 12/31/2015 |
| 1 | Charles (Chuck) Zickefoose 1201 Fulton Street, #9 | czicky@comcast.net (503) 538-8047 (H) (503) 490-8151 (C) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 12/31/2016 |
| 3 N/A | Isamar Ramirez 1558 E. 3 rd Street, #14 Student Commissioner | isamarramirez15@hotmail.com (503) 332-6130 (H) | Appointed: Re-Appointed: Term Expires: | 5/19/2014 5/31/2015 |

Staff Representatives:

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