

**Chapter 18.740  
HISTORIC OVERLAY**

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**18.740.010 Purpose**

A. Purposes. The purpose of this chapter is to:

1. Facilitate the protection, enhancement and perpetuation of such improvements and of such districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history;
2. Enhance any registered historic or cultural areas designated in the City;
3. Stabilize and improve property values in such districts;
4. Strengthen the economy of the City;
5. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing, and public welfare of the City; and
6. Implement the applicable provisions of LCD Goal 5 and the City of Tigard Comprehensive Plan.

**18.740.020 Applicability of Provisions**

A. Designated areas. The historic overlay district shall apply to the following sites and areas:

1. Historic sites and areas;
2. Cultural sites and areas; and
3. Landmarks.

B. Designated activities. The provisions of this chapter apply to:

1. The demolition of structures within an historic overlay zone area, as governed by Section 18.740.030; and
2. The exterior alteration or new construction within the historic overlay zone area, as governed by Section 18.740.030.

**18.740.030      General Provisions**

- A. Approval of exterior alterations. Except as provided pursuant to Subsection B below, no person shall alter any structure in an historic overlay district in a manner as to affect its exterior appearance, nor may any new structure be constructed in an historic district unless approved by the Director.
- B. Approval of demolition. No person shall demolish a structure located within an historic overlay district unless it is approved by the Director under the provisions of this chapter.
- C. Exemptions.
  - 1. Exterior remodeling, as governed by this chapter, shall include any change or alteration in design or other exterior treatment excluding painting;
  - 2. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any architectural features which do not involve a change in design, material or the outward appearance of such feature which the Building Official shall certify is required for the public safety because of its unsafe or dangerous condition.
- D. Condition of approval. If alteration or demolition of the historic resource is intended, a condition of approval shall be that insofar as feasible and as funds are available, the Washington County Museum shall obtain:
  - 1. A pictorial and graphic history of the resource; and
  - 2. Artifacts from the resource it deems worthy of preservation.

**18.740.040      Approval Process**

- A. Criteria for historic overlay district designation.
  - 1. Approval of an historic overlay district designation shall be made by means of a Type III-PC procedure, as governed by Section 18.390.050, when the Historic Sites and Districts Committee finds that any of the following criteria have been met:
    - a. The proposed district or landmark would serve the purpose of the historic overlay district as stated in Section 18.740.010, Purpose;
    - b. The site or area proposed for the designation reflects the broad cultural or natural history of the community, state or nation;
    - c. The site or area is identified with historic personages, or with important events in national, state or local history;
    - d. The site or area proposed for the designation embodies the distinguishing characteristics of an architectural specimen inherently valuable for a study of a period, style or method of construction; or
    - e. The proposed site or area is a notable work of a master builder, designer or architect.

2. The age of a specific building is not sufficient in itself to warrant designation as historic.
- B. Criteria for removal of historic overlay district designation. Removal of an historic overlay district designation shall be made by means of a Type III-PC procedure, as governed by Section 18.390.050, when the Historic Sites and Districts Committee finds that any of the following criteria have been met:
1. The original historic overlay district designation was placed on the site in error;
  2. The resource designated with the historic overlay district designation has ceased to exist;
  3. The resource designated with the historic overlay district designation is no longer of significance to the public; or
  4. The historic overlay district designation is causing the property owner to bear an unfair economic burden to maintain the property as an historic or cultural resource.
- C. Criteria for exterior alterations. Approval for exterior alterations of structures in an historic overlay district shall be granted by means of a Type II procedure, as governed by Section 18.390.040, by the Director using the following criteria:
1. The purpose of the historic overlay district as set forth in Section 18.740.010;
  2. The economic use of the structure in a historic overlay district and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation;
  3. The value and significance of the structure or landmark in an historic overlay district;
  4. The physical condition of the structure or landmark in an historic overlay district;
  5. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture, and materials proposed to be used with an existing structure in an historic overlay district;
- D. Criteria for construction of new structures. Approval for exterior alterations of structures in an historic overlay district shall be granted by means of a Type II procedure, as governed by Section 18.390.040, by the Director using the following criteria:
1. The purpose of the historic overlay district as set forth in Section 18.740.010;
  2. The economic effect of the new structure on the historic value of the district;
  3. The visual effect of the proposed new structure on the architectural character of the district;
  4. The general compatibility of the exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used in the construction of the new building or structure; and
- E. Criteria for demolition. Approval for demolition of structures in an historic overlay district shall be granted by means of a Type II procedure, as governed by Section 18.390.040, by the Director using the following criteria:

1. The purpose of this chapter as set forth in Section 18.740.010;
2. The criteria used in the original designation of the district in which the property under consideration is situated;
3. The historical and architectural style, the general design, arrangement, materials of the structure in question, or its appurtenant fixtures; the relationship of such features to similar features of the other buildings within the district, and the position of the building or structure in relation to public rights-of-way, and to other buildings and structures in the area;
4. The effects of the proposed work upon the protection, enhancement, perpetuation and use of the district which cause it to possess a special character or special historical or aesthetic interest or value;
5. Whether denial of the permit will subject the City to potential liability, involve substantial hardship to the applicant, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this title.

**18.740.050      Application Submission Requirements**

- A. Submission requirements. All applications shall be made on forms provided by the Director. In addition to the submission requirements required by Chapter 18.390, Decision-Making Procedures, an application for any action governed by this chapter, as defined by Section 18.740.020, must include the following information. Specific information to be contained in each of the following is available from the Director.
1. Site plan;
  2. Architectural drawings;
  3. Landscape plan;
  4. Sign drawings. ■