

City of Oregon City Historical Review Board Meeting
July 25th, 2017

Exhibit IB
HRB 7/25/2017

Testimony of: Christine Kosinski, Unincorporated Clackamas County

RE: Agenda Item 3b – Six proposed cottage style homes in the Canemah
Historical District located near 4th and Miller St

I live in Unincorporated Clackamas County, just two blocks from the City boundary. Because the street I live on has lost homes to landslides in recent years, our neighborhood has been very active in bringing awareness to the community regarding the catastrophic losses that homeowners are left with should a landslide occur on their property.

Did you know that each time the City approves development in a landslide area that an Oregon State Law is being broken? ORS 105.465, Oregon's Property Disclosure Statement contains language that the seller of property must disclose if it sits in a landslide area, and second, neither the City nor the Developer are advising new property owners that (1) their Homeowners Insurance will not cover damages due to landslides, and (2) that Landslide Insurance is very rare to find, it is extremely expensive and almost does not exist.

In an article titled "Insurance won't pay for landslide damage", Ron Fredrickson who manages the consumer advocacy team for the Oregon Insurance Division, states, "Homeowners Insurance covers a whole lot of stuff, but earth movement isn't in there and is specifically excluded, as are earthquakes and flood". He goes on to state "Landslide Insurance is almost unheard of, it can be purchased only from highly specialized carriers and it's liable to come with a hefty premium". "I've yet to come across anybody who has it".

In an article quoting Scott Burns, Professor of Geology at PSU, he speaks to the devastation in the OSO, WA landslide. He states "all those people who lost their homes have lost everything **And There's NO Insurance Covering Them.**"

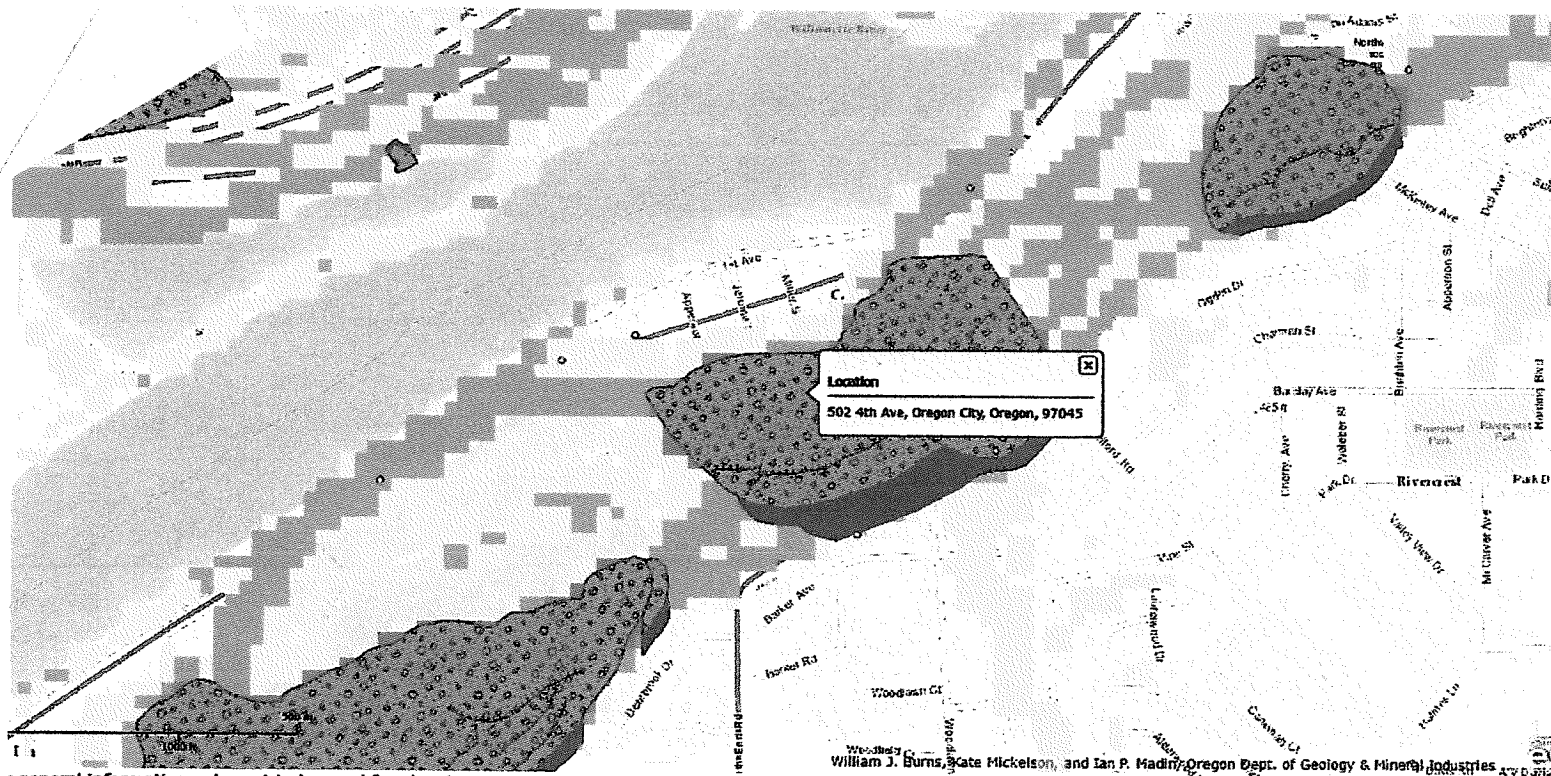
I ask you to consider these facts before considering this proposed development for possible approval. Will the City approve development inside a landslide, knowing the homeowners will not be advised of ORS 105.465, and will not understand that Landslide Insurance is probably not attainable.

Where I live, there are no landslides on my property, and yet I was denied Landslide Insurance because my property is **within one mile of a previous landslide.**

Attached:

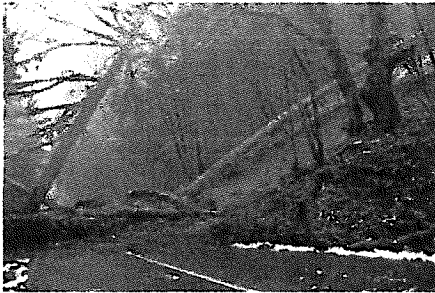
DOGAMI Map showing proposed development is inside a landslide and sits in an "extremely high susceptible area for possible future landslides".

Quotes by Ron Fredrickson and Professor Scott Burns





Neighbors question drainage



Rains send earth moving

foundations by a landslide last month have plenty of insurance but that doesn't mean they're covered.

"We have the same exclusion as everybody else," Bob Flake said. "At this point it looks like it's just a total loss."

Flake and his wife, Gayna, were awakened in the predawn hours of Jan. 19 by a call from their security company informing them that a sliding glass door was broken. A quick inspection revealed cracks in the walls, and soon the house at 5994 N. Rosewood Drive was breaking apart.

The couple got out before the structure failed completely, but now it's uninhabitable. The Flakes are staying at their daughter's house and wondering what they're going to do next.

"We have \$2 million worth of insurance, and it's not doing us any good," Bob Flake said. "And we've still got to pay the mortgage."

At first the Flakes, like many people, assumed their homeowners insurance would help them rebuild. As it turns out, however, landslides aren't covered by standard policies.

"Homeowners insurance covers a whole lot of stuff, but earth movement isn't in there," said Ron Fredrickson, who manages the consumer advocacy team for the Oregon Insurance Division. "It's specifically excluded, as are earthquake and flood."

And while it's possible to buy additional coverage to protect against loss from flooding or earthquakes, landslide insurance is almost unheard of. It can be purchased only from highly specialized carriers called surplus lines companies, and it's liable to come with a hefty premium.

"I've yet to come across anybody who has it," Fredrickson said.

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The reason landslide coverage is so hard to come by — and pricey — is simple, Fredrickson said. Relatively few homeowners are ever likely to need it, but when they do, the damage is apt to be catastrophic — meaning the individual claims could be quite high.

Not the kind of odds that appeal to underwriters.

"The chance of loss is very great for a small number of people," he said.

For the Flakes, the loss has been devastating, and they've retained an attorney to explore the possibility of a lawsuit to recover some of their investment. The couple believe Bento County should shoulder at least some of the blame for a drainage system that routed runoff from the January storm directly onto their property.

County officials say the drainage system was designed by a private developer and was built years before the county assumed responsibility for the road that runs through the

Sillman: One of the issues in this whole tragedy is landslide insurance. Why do you think that landslide insurance is a key to make people safer?

Burns: This is the last of the major geological hazards that normal homeowner's insurance does not cover, and it is rare that people will get landslide insurance. You can buy it through Lloyd's of London. They're the ultimate insurers, but it's so expensive — a minimum of \$1,000 a year and it goes up from there.

All those people who lost their houses in the Oso landslide have lost everything, and there's no insurance covering them. We lost lives. That is the worst thing. But then property is the second thing. Hopefully, this will be enough of an impetus to take us to the next level and put more pressure on insurance companies to possibly come forward with landslide insurance.

A great example is New Zealand, where I used to live. I was down in the country when they had the big earthquake a couple of years ago. Every house in the country has all-hazard insurance, which covers earthquakes, floods, volcanic eruptions, tsunamis and landslides. Everybody pays into this, so if you have an event you're covered. I'm hoping that someday we get to that level here in the United States. It's going to take time.

Sillman: Scott Burns is a landslide expert and geologist at Portland State University. Scott, thanks for joining us.

Burns: Thank you, too.



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CCB #7999

Date: 4-1-17

City of Oregon City Review Board
Oregon City Or.

To whom it may concern,

As a property owner in the near vicinity I would like to express concern in two areas regarding the proposed cottage home development (HR 16-09 - 14) in the Canemah Historic District.

Architectural styling:

I share what seems to be a prevalent concern that the buildings as currently rendered with large glass walls, gable windows, cutaway roof decks etc. are significantly contemporary in design. The published General Design Principles state that "Use of other styles dilutes and distracts from the historic context of the district" and while it is noted and appreciated that the most significant departures from historic architecture are directed inward I believe the overall styling falls short of being respectful to existing historic structures as required.

Density:

While the previously mentioned architectural concerns are understandably subjective in nature, I believe a more objective concern is that of density in the number of dwellings on the site. The applicant has made effort to address density from the perspective of ratio of building footprint to site size, however the only comment I discover in the design guidelines relative to density of number of dwellings notes a single house on lots 50x100 to 100x100. There is mention of typical location of accessory buildings but these would historically have been utility in nature. It would seem that barring amended design guidelines specifically addressing more recent base zone provisions for enhanced density such as ADU's, PUD's and cottage homes, a legal interpretation of the more restrictive historic overlay would preclude these variations.

Thank you for your consideration in this matter.

Robert D. Green



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Date: 7-19-2017

City of Oregon City Historic Review Board
Oregon City, Or.

As a nearby property owner I would like to express continuing concern regarding the proposed cottage home development at 4th and Miller in the Canemah Historic District - MD 17-01 - 6. Please review the concerns expressed in my comments regarding HR 16-09 - 14 dated 4-17-17 for context as those concerns remain with the current application.

Architecture:

The architecture of the buildings though repeatedly represented as Vernacular are simply not consistent with the description of historic Vernacular design in the historic district guidelines. I personally feel the buildings and site layout are very well designed and fully understand the value of the large window walls, cut-away decks, etc. in making a connection with the outdoors, particularly with small dwellings, and acknowledge the effort to orient those more extreme design departures away from prominent public view, however by any measure they are significant departures. As such it seems approval would need to rest on a convincing case that such design departures are justifiable uniquely to this property and are respectful of the historic architecture which is a very subjective decision and questionable in my view - potentially opening the door in future applications to a variety of non-conforming designs represented as respectful of the historic architecture. The applicant has done a laudable, exhaustive job of inventorying neighborhood designs and features to support his proposal, however nearly all pre-dates the current design guidelines which to my understanding were implemented specifically to bring more conformity in future development with historic styles to preserve the historic character of the neighborhood.

Density:

As detailed in my previous comments I believe a significant objective concern remains with the number of dwellings proposed. While the number is reduced by one from the previous proposal, it is still in excess of the typical 1 dwelling per 50x100 lot (or less depending on topography or other site constraints) and even though variations to increase density such as ADUs or cottage home concepts are increasingly being adopted the National Historic District is understandably more restrictive and as such it seems a more comprehensive evaluation of compatibility with National Historic District goals would need to be undertaken and the published design guidelines amended to specifically address such enhanced density proposals before approval that may otherwise be subject to legal challenge.

Respectfully, Dave Green

Friends of Canemah

Exhibit 1A

HRB 7/25/2017

Date: July 25, 2017

Comments before the Oregon City Historic Review Board on Cottage Home Development; MD 17-01, MD 17-02, MD 17-03, MD 17-04, MD 17-05 & MD 17-06

The Friends of Canemah is a 501© (3) with a mission to educate and protect the National Register Historic District of Canemah and to ensure its continued viability and the interests of all citizens. We feel this historic district is caught in an effort to market it as a product.

The following is a partial list of issues of non-compliance and non-compatibility with Federal Codes, State of Oregon Codes, and Oregon City Building Codes and Oregon City's Historic District Building Guidelines:

1. There should not be more than one house per each 5,000 Sq. Ft Lots of record!
2. There should be standard acceptable set-backs from all bodies of water, right-of-ways and frontages.
3. All cut and fills that require review these reviews, must happen before any HRB process with approvals by City Planning and Natural Resources committees, must be in hand to advance.
4. Parking Lots are incompatible Building Guidelines for Historic Districts.
5. Impervious surfaces exceed limits for the lot with Houses #1 & 2.
6. Impervious surfaces exceed limits for the lot with Houses #4, 5 & 6
7. There are State of Oregon Standards for Vernacular houses and the designs offered are in violation of those standards found in Oregon Revised Statutes Chapter 358. Violations include Cut-a-way Roofs. Which also detract from OCMC 17.40 Historic District Building Guidelines
8. House density on each lot of record must be adjudicated lot by lot, not as a cluster until approved by the Planning Commission.
9. We see NO Justification and value based criteria for any of the Preservation Incentives! Any Preservation Incentives are to enhance a Historic District @ OCMC 17.40.065 and there are NO referenced Value Based Justifications to receive any of the asked for Historic Preservation Incentives.
10. In OCMC 17.40 code we do not accept Flag Lots
11. We are asking for continuance of this meeting and approval process to a future date, until all understanding are adjudicated for any mitigation from standard Set-Backs rules and codes, that are asked for and required of other applicants with ruling from the Planning Commission and Natural Resources Committee.
12. The Historic Wagon Roads cannot be altered from the current look and feel and what is in these HRB requests changes that.

t is the opinion of the Friends of Canemah, the above mentioned action before the Oregon City Historic Review Board substantially changes the look and feel of what makes and constitutes the Canemah National Register Historic District and that of having Landmark Status.

It in mass just detracts and therefore makes this proposal non-compliant. It also violates the very spirit found in the Oregon City Historic District Building Guidelines, where efforts are to maintain the character of this National Register Historic District. Where allowing the substituting modern interpretations that in mass changes everything. It is the duty of the City and HRB to uphold your responsibility to the people of the United States, the State of Oregon, the City or Oregon City and Canemah to turn this proposal back.

Thank You, Friends of Canemah

On 7/18/2017 1:34 PM, Paul Edgar wrote:

As the Land Use Chair of the Friend of Canemah, a State of Oregon 501(c)(3), we are asking for a formal interpretation and review of ORS - Chapter 358 and Oregon City's own applicable codes, which call for protecting Historic and Environmentally Constrained Properties.

We have multiple applications that are being advanced to build in the Canemah National Register Historic District on lands classified as "Significant Historic Properties with Land Mark Status". We have had in the past had ruling and understanding associated with the "Wagon Roads" of Canemah associated with preservation of their character, that nothing should alter their physical and historic attributes as they relate to the United States - Secretary of the Interior's Standards, for the Treatment of Historic Properties that are administered by the National Park Services, where it defines, "Best Practices for: Reconstruction, Rehabilitation, Preservation and Restoration". Over the years ruling have been made that it would be therefore improper to even alter the significance of Canemah Wagon Roads by putting curbs on them. This decision was to effectively comply with ORS - Chapter 358.475 and 358.480.

We also have City Codes, OCMC 1740 and 1744 that get applied to protect Historic Properties and the Historic Environment as spelled out and identified within the Canemah National Register Historic District Nomination Document and its the Statement of Significance. Within these OCMC Codes we have enforced requirements calling for reasonable setbacks from any water resources, like Wetlands, Ponds and Streams/Creeks. We also have OCMC Codes to protect all parties with an as-sundry of Natural Resources Codes where there are Natural Hazards like; steep slopes with landslide conditions.

Within the boundaries of the Canemah National Register Historic District as spelled out within the nomination document, there is significance taken to reference many of these geologic conditions and water resources. We have reference to multiple streams that run year around and weave their way down our slopes to carry "Waters of State" to the Willamette River. These perennial (runs year around, mapped or not mapped) water resources, are mostly identified in the nomination document and all requires protection and consideration in regards to setbacks, within any permitting process of all buildings on lands identified in the Canemah National Register Historic District.

We are now once again in a process of advancing a new revised Planned Development of Cottage Homes (6 of them) in the Canemah National Register Historic District. This new application is scheduled to go before the Oregon City Historic Review Board at its next meeting. There is within this group of lots, identified water resources, in delineated Wetlands, Ponds, and Creeks/Streams, all of which are identified in the Nomination Document.

It is our hope that all Land Use process before Oregon City's Historic Review Board, Public Works and Building Codes departments, that are under consideration, associated with properties within the boundaries of the Canemah National Register Historic District be

deferred, until the City completely reviews all appropriate actions and applicability of all Federal and State Codes associated with "Best Practices for: Reconstruction, Rehabilitation, Preservation and Restoration" also including those found with Oregon City's own Municipal Code.

We would recommend a joint meeting and possible work session with the State Historic Preservation Office, State of Oregon Department of Geology and Mineral Resources, Oregon City Planning, Oregon City Natural Resources Committee, Oregon City Public Works and Friends of Canemah. We need to get into sync, all understanding and principles associated with new construction in Oregon City's National Register Land Mark District of Canemah.

Thank You,

Paul Edgar, Land Use Chair - Friends of Canemah

I have taken and transcribed from the Oregon Revised Statutes the following information. It has not been edited in anyway. From my reading of these statutes, all property within the boundary of the “Canemah National Register Historic District”, may well fall under the classification of “Significant Historic Properties with Land Mark Status” of both Federal and Statewide historical significance. If this can be confirmed as to applying to more then the above ground buildings, the office of the State Historical Preservation Officer is responsible to ensure nothing is done to alter property (Public or Private) that alters or degrades the authenticity of its “Historic Significance”.

If through your reading of these Oregon Revised Statutes you can confirm these status apply it would be appreciated. We believe that the statutes confirm the requirement that any and all activities must apply for historic review and get an OK of appropriateness, before and after completing this process, to be allowed and approved when completed.

Therefore it is my assessments that most any alteration and/or rehabilitation effort of any significance on any contiguous property that could alter or degrade the authenticity of the Historic Canemah Water Works, its Wetlands and creeks as described in Canemah Nomination Document for Historic Places Status of the Canemah National Register Historic District, requires that any actions/alterations **MUST MEET** the same requirements and setbacks of the contiguous historic property. This thinking and interpretation should be reviewed.

Paul O. Edgar, Land Use Chair
Friends of Canemah, 501(c)(3)

Oregon Revised Statutes

Chapter 358

Historic Property

Policy and Definitions

358.475 Policy. The Legislative Assembly hereby declares that it is in the best interest of the state to maintain, preserve and rehabilitate properties of Oregon historical significance. Historical preservation incentive programs provide a public benefit by encouraging preservation and appropriate rehabilitation of significant historic properties. These historically significant portions of the built environment contain the visual and intellectual record of our irreplaceable cultural heritage. They link us with our past traditions and values, establish standards and perspectives for

measuring our present achievements and set goals for future accomplishments. To the extent that Oregon's historic preservation incentive programs encourage the preservation and appropriate rehabilitation of significant historic property, the programs create a positive partnership between the public good and private property that promotes economic development; tourism; energy and resource conservation; neighborhood, downtown and rural revitalization; efficient use of public infrastructure; and civic pride in our shared historical and cultural foundations.

358.480 Definitions. As used in ORS 358.480 to 358.545, unless context requires otherwise:

(2) "Historic property" means real property that:

- (a) Is currently listed in the National Register of Historic Places established and maintained under the National Historic Preservation Act of 1966 (P.L. 89-665) or, if the National Register of Historic Places ceases accepting nominations, that is approved for listing on an Oregon Register of Historic Places;**
- (b) Is open to public for sight-seeing at least one day in each calendar year in accordance with rules adopted by the State Historic Preservation Officer; and**
- (c) Meets the minimum standards of maintenance established by rule of the State Historic Preservation Officer.**

(3) "Maintenance" means action taken to mitigate wear and deterioration of historic property without altering the historic character of the property, including action taken to protect and repair the condition of the property with the least possible impact of the historic character of the property.

(5) "Preservation":

- (a) Means the act or process of applying measures necessary to sustain the existing form, integrity and materials of historic property, including but limited to the ongoing maintenance and repair of historic materials.**
- (b) Does not include the extensive replacement of historic materials or new construction.**

(6) "Rehabilitation" means the process of repairing or altering a historic property in order to return the property to a state of utility in which an efficient contemporary use is possible, while preserving those portions and features of the property that are significant to the historic, architectural and cultural values of the property.

Oregon City Historic Districts Design Guidelines for New Construction, Check list for consideration

GENERAL DESIGN PRINCIPLES: The appropriate design of new buildings is an extremely important consideration for historic districts. A compatible design supports the integrity of the district, while an incompatible and historically inappropriate design diminishes the character of the district. This is especially true for portions of a district that have discontinuity among their historic properties and neighborhoods.

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

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

BUILDING FORM PRINCIPLES: Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of a historically appropriate style.

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

PUBLIC IMPROVEMENT PRINCIPLES: Involve construction in the public right of way. The work may be engineering in nature and built by government, or it may be private but adjacent to the public way serving the public in a similar capacity. These projects are important for the historic district since public space accounts for a large proportion of the district's area and has a significant impact on the setting, context, delivery of services, and movement through the district.

The Public Improvement principles indicate how current engineering and construction can be made appropriate by utilizing materials, finishes, and design that supports the historic nature of the district.

The Guidelines appreciate that certain engineering, public safety, and other institutional work may have, by nature, certain technological or regulatory requirements and that these may conflict with these design guidelines. Work may also interface, modify, or remove existing historic construction. In these Situations City staff and the HRB shall work with the agencies to develop the best design and preservation solution for the district, or appropriate mitigation measures. It should be noted that extensive regrading or removal of vegetation shall also be considered for HRB review.

CANEMAH RESIDENTIAL BUILDING STYLES:

VERNACULAR In the Canemah Neighborhood the most prevalent extant architectural style is Vernacular, built between 1867-1929. Important style characteristics as found on houses in the Canemah District to be used for new construction are noted below.

CHARACTERISTICS OF THE STYLE:

Site:

1. No uniform front setback; South of 3rd Street: houses may face front or side depending on topography.
2. **Lots range from 50x100 to 100x100 and contain a single house.**
3. Properties edges often not defined; where fenced, primarily picket or low slat at front with side or partial returns.
4. Planting: South of 3rd Street: forest setting, native and ornamental plantings form visual screen and sense of privacy; elsewhere on the more level portions: lawn and planted area around buildings.
5. House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
6. Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
7. Garages: Not found historically; informal graveled or paved parking next to street or along house; New garages to be located along side or behind house. Where topography is a concern, locate garage offset from building primary facade, close to street with direct access.
8. Accessory Buildings: detached, behind alongside of house and located to allow use of particular function.
9. Streets: South of 3rd Street: narrow, without curbs or sidewalks; casual pedestrian paths and connecting stairs are encouraged

Building Form:

1. Form easily allows additions and alterations such as increases in family size, activities or changing technology; generally smaller in size than McLoughlin.
2. Shape: rectangular in plan, with smaller rectangular combinations to primary form; Rectangular or square form reinforced on facade. L-plan, T-plan options.
3. Height: Maximum 1 ½ stories in height; Basement option. Proportions: Height (eave) to maximum width: 1:1 Height to Depth: can vary greatly.
4. Roof: gable, of not less than 8:12 pitch, 10:12 and steeper are preferred. No cross-gable roofs; possible wing or addition with lower ridge-line that is perpendicular or is offset.

Design Composition:

1. Lacks rigid system of exterior detailing that makes it a clearly definable architectural style; allows design flexibility and is inherently varied.
2. Designed and built without assistance of a trained architect. Collaborative design evolved with homeowner and builder, based on familiar styles, features and products.
3. Can combine features from other architectural styles popular during the historic period; simpler designs than McLoughlin.
4. Porch: full or partial length at the front entry; if close to the ground, no railings; at main story only.
5. Dormers: None.
6. Materials: local, readily available.
7. Windows: 1:1, double hung windows.
8. Siding: horizontal board siding; typically ship-lap, or channel; occasionally bevel.
9. Ornament: Exterior decoration is modest, consisting of scroll-work brackets at the top of porch pillars, plain corner-boards and simple window trim. Most houses do not feature spindle-work in the peaks of their gable roofs. Interior fireplaces and chimneys.

CHARACTER GUIDELINES:

USE OF SITE: How the site is planned to be used. Good Examples - Not Allowed Examples

Access: Good Example: 1. typically, the shortest path, unless topographic considerations;
2. Vehicle access to be alongside of building, at rear or from alley.

Not Allowed: 1. Lack of sidewalk to main entry, circuitous path;
2. Vehicle drive in front of primary facade.

Building to Open Area: Good Example: Lot Coverage: Houses to cover less than half a typical lot.

Not Allowed: 1. Residences with R3.5 or R6 zoning of more than 40% lot coverage;
2. Canemah residences with R2 zoning of more than 40% lot coverage;
3. Canemah South of 3rd Avenue Residences on lots of 5,000 square feet or less with R6 zoning;
4. More than 30% lot coverage.

Topography Use: Good Example: 1. Site houses according to neighboring or contextual practice.
2. At sloping sites, houses were sited at most the easily built portions of the lot;
3. At up-sloping sites the main level was raised.
4. At down-slope sites the main level was close to grade;
5. .Lowered Cross-slope sites utilized the easiest access.
6. Residential garages may extend to front property line at up or down sloping sites.

Not Allowed: 1. Extensive regrading of lot to raise or lower the main level of a house;

		<ul style="list-style-type: none"> 2. Tall walls to alter the natural topography for building siting or yard leveling purposes; 3. Foundations, piers or piling more than 1 story in height above natural grade.
Landscaping: annuals for interest;	Good Example:	<ul style="list-style-type: none"> 1. Residences to utilize a front yard with lawn panel, small-scale shrubs or perennials, and 2. Similar treatment at side yards facing the public way. Larger scale plantings to be at rear yard; 3. Canemah, South of 3rd Avenue: native planting mixture, large shrubs and trees are appropriate for any yard. Houses to maintain a sense of privacy to each other; 4. Minimize the removal of trees over 6" in diameter by adjusting house siting, limit tree cutting outside of the house footprint. Replant to preserve tree canopy.
	Not Allowed:	Canemah, South of 3rd: clear cutting of lot.
Paving:	Good Examples:	Pavement at front and side yards facing the public way is limited to sidewalks and driveway.
	Not Allowed:	Patios, courtyards and parking spaces between the front (or side where exposed) of the building and the street.
Site Features:	Good Examples:	<ul style="list-style-type: none"> 1. Secondary features to support the design and character of the building and to not obscure its visibility from the public way; 2. Decorative walls, fences and hedges at front yard to face of building to be no more than 3½ feet high; entry arbors and gates are accepted; 3. Retaining and structural walls to be minimized; to be faced or finished to complement the district where constructed.
	Not Allowed:	1. Elements that significantly obscure or detract from the primary sides of the building;

2. Tall walls and fences in the front and front portion of side yards large decorative landscape elements in the front yard, such as a gazebo, fountain, pool, statue;
3. Temporary structures in the front yard to face of building unfinished structural walls;
4. Cribbing, Gabion Basket Stone Walls unless obscured with plant covering.

- Equipment, Technology: Good Examples:
1. Site located equipment and technology developed after the period of significance to be minimized in appearance and located at less visible areas;
 2. Required utility, public safety, and governmental equipment should follow the guidelines as possible;
 3. Where difficulties arise review mitigation measures with City design staff and the HRB.
- Not Allowed: Obtrusive equipment such as solar collectors, mechanical units, satellite dishes [other future technology] in the front yard.

BUILDING PLACEMENT, How buildings are located on the site:

- Orientation:
- Good Examples:
1. Locate the primary side and entry of the building facing the public way. Typically, this side is parallel to the street;
 2. Maintain similar orientation of neighboring historic buildings;
 3. At reverse corner lots [the entry faces the side street on the end of the block], both sides must respect orientation;
 4. Canemah, South of 3rd: Orientation depends on specific site topography, but generally orthogonal or square to the street.
- Not Allowed:
1. Skewed and angled building placement;
 2. Primary building side facing the interior or side lot line.
- Spacing:
- Good Examples:
1. Maintain similar spacing to context buildings and the neighborhood;

2. Canemah, South of 3rd: House spacing is more irregular, but privacy is to be maintained;
3. Adjust the siting to preserve mature plantings;
4. Houses closer than 15 feet to the lot line require visual screening from one another;
5. Divisions and Individual Historic Properties: Use spacing of similarly styled and sized historic context buildings.

- Not Allowed:
1. irregularly spaced buildings within a regularly spaced neighborhood context, or regularly spaced buildings within an irregularly spaced neighborhood context;
 2. Crowded building sites from too large of building or too small of lot dimension Houses spaced tightly together, or disrupting the neighborhood rhythm;
 3. Spacing that diminishes the historic quality of existing historic resources.

BUILDING PLACEMENT BUILDING, How buildings are located on the site:

- | | | |
|----------------------|----------------|---|
| Setbacks: | Good Examples: | <ol style="list-style-type: none"> 1. Maintain setbacks at front and sides similar to context buildings and the neighborhood; 2. Canemah, South of 3rd: houses with down-slope lots may have greatly reduced front yard. |
| | Not Allowed: | Building placement that is uncharacteristic to the block or neighborhood. |
| Accessory Buildings: | Good Examples: | <ol style="list-style-type: none"> 1. Accessory buildings are subservient to the primary building and provide auxiliary use; 2. They are to be located at less visible areas such as the side or back of the primary building; 3. Where topography issues arise, detached garages may be located in the front yard if offset from the main facade. |
| | Not Allowed: | <ol style="list-style-type: none"> 1. Placement of buildings that diminishes the historic resource or neighborhood quality; 2. Accessory buildings in the front yard in front of the main facade; |

3. Temporary structures in the front yard in front of the face of the building.

BUILDING FORM - SIZE, The overall size of the building and that relationship to its style and context:

Height: chosen;	Good Examples:	<ol style="list-style-type: none">1. the building heights to be similar to the neighborhood historic context and appropriate to the style2. Important Heights include: • Main level height above grade • Grade to eave and main ridge • Grade to parapet • Individual story height • Number of stories
	Not Allowed:	<ol style="list-style-type: none">1. Residential buildings that vary more than 20% from heights of the historic neighborhood context buildings unless approved by the HRB.2. Residential building ground levels that are elevated less than 18" above grade, unless there are topographic considerations;3. Canemah Residential: greater than 1½ story maximum height plus basement.
Width:	Good Examples:	Residential: maintain historic height to width ratio range for style.
	Not Allowed:	Use of building widths that are out of proportion, or exceed the range for their historic style.

SHAPE, The overall geometry of the building created by its primary and secondary volumes:

Primary:	Good Examples:	Residential buildings formed with a primary single rectangular form or with the addition of subordinate rectangular form to create a wing, 'L', or addition.
	Not Allowed:	Oblique, skewed, diagonal primary exterior walls, curved or rounded walls.
Secondary:	Good Examples:	<ol style="list-style-type: none">1. Rectangular for additions, porches, bays, and detached buildings; joined to primary form at a right angle (orthogonality);

2. Rectangular, faceted bays or porches where style allows.

Not Allowed: Special features (tower or similar) by HRB approval.

Roof:

Good Examples:

1. Gable roof slopes to have equal pitch;

2. Residential: Gable primary roofs with pitch 8:12 or greater [6:12 for Bungalow];

3. Porch or bay roofs may have lower slope, may have hip if style allows.

4. Roofs to have a minimum of 1 foot overhang with a maximum of 3 feet; where soffitted the enclosure is typically parallel to the rafters.

Not Allowed:

1. Mansard, clipped gable, shed, for primary roofs;

2. Canemah: cross gabled roofs; a secondary wing or addition with a perpendicular gable at the main roof ridge-line; allowable if it is a lower story or lower ridge-line.

MASS & BULK, A measure of the overall size of the building:

Context Scale:
siting and use.

Good Examples:

Context scale is the relative or apparent size of the building in relation to its neighbors and includes

Not Allowed:

Buildings out of scale to their context or use.

Volumes:
added space;

Good Examples:

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

2. Canemah: maintain historic residential massing. Non rectangular volumes are more difficult to integrate into historic styles.

Not Allowed:

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

elements to breakup such planes.

Recesses: Good Examples:
and the break up large volumes;

porches and entries.

Not Allowed:

2. Long, uninterrupted wall planes facing the public way; utilize projections, recesses or wall

1. Provide recessed volumes in proportion to the main volume to provide interest, weather protection

2. Residential Buildings: Provide recesses, cut away bays to create style appropriate bay windows,

1. Recesses used excessively or in a way that diminishes or overelaborates the traditional style;

2. Repetitive or cumulative recesses that detract from the rhythm or style of the building form.

DESIGN COMPOSITION, The particular building design and character:

Style:

Good Examples:

1. Select a particular style that is appropriate for the building use and size;

2. Maintain stylistic consistency in the design of the building; some variety is typical;

3. The districts have variety of styles developed over a period of time;

short period;

4. There were no large scale developments that produced multiple buildings of the same style over a

continue this pattern.

5. Canemah: adjacent historic houses vary in form, design and style, new infill to differentiate, but

Not Allowed:

1. Combination of various stylistic elements in a manner that detracts from the primary design;

2. Duplication of the same, slightly altered or mirrored design on adjoining sites – no ‘cookie cutter’.

COMPOSITION CHARACTERISTICS, There are multiple characteristics that must work together to create a successful design composition:

Symmetry: Good Examples: 1. Symmetry is the balance of elements and materials on the facade and of the volumes of the building;

2. Historic buildings extensively utilized symmetrical arrangements in their composition;

3. Some styles are asymmetric in organization but yet ‘balanced’ such as a bay on the left side balancing a porch or tower on the right side.

Not Allowed: Composition without symmetry or balance.

Proportion: Good Examples: 1. Proportion is the relationship of height to width dimension of windows, doors and other building elements, their sizing to each other and to the facade of the building.

2. Utilize the proportional relationships found in the traditional styles.

Not Allowed: 1. Buildings and elements on buildings with disproportionate or exaggerated dimensions;

2. Residential windows having width to height dimensions other than the historic range, generally 1:1-2½.

Rhythm: Good Examples: 1. Rhythm is the spacing and repetition of elements on a facade of the building;

2. It is also the spacing and mixture of repetitive fronts of buildings along a street;

3. It can be thought of the ‘music’ made by the building;

4. For Example: Windows placed proportionally along all four elevations and in context with the architecture.

Not Allowed: 1. visible side and rear walls with large blank or void areas;

2. Abstract compositions are generally problematic.

Pattern & Texture: Good Examples:
horizontal siding or shingles;

rough stone;

1. Pattern refers to the effect of large areas of smaller dimensional elements; such as created by
2. Texture refers to the surface of the facade and its flatness and finish; such as a sanded plaster or
3. Most traditional materials provide sufficient texture and pattern.

Not Allowed:

Excessive pattern changes and differences in pattern scale.

Porches: Good Examples:

1. Residential front porches to define the main entry, provide shelter, and outdoor living space;
2. Porches are typically close to the main floor level, with roof covering, skirting to grade, and accessed from the public way and yard, typically with stairs.

3. May be projecting, recessed or a combination depending on style chosen.
4. Porches to be designed and finished as part of the architecture, often with slightly more ornamentation than the main structure to highlight the entry.
5. Side and rear porches to be secondary in nature, but to be consistent in design with the primary porch.

Not Allowed:

1. Wrap around front porches where not stylistically appropriate;
2. Upper level porches except at multifamily or commercial buildings where style allows;
3. Porches that are not consistent with the architectural style, without roofs (except secondary service accesses or those at grade);
4. Porches that are overly ornate for the chosen style.

GROUPED ELEMENTS, Elements that are often grouped into assemblies to be consistent with the architectural style:

Dormers: Good Examples:
enrich the building architecture;

number;

ridge;

1. Dormers provide additional use and light for upper half story floor areas and further define and
2. Design and materials to match the chosen style. Dormers here were typically modest in size and
3. Design dormers to fit the scale and proportions of the house;
4. Shed dormer roofs are typically lower sloped than the main roof and join that roof below its main
5. Houses generally have no more than one front facing dormer.

Not Allowed:

1. Dormers not consistent with the architecture and scale of the building;
2. Excessive number of dormers;
3. Canemah: Dormers are not allowed on Vernacular style houses.

Exterior Stairways: Good Examples:
feet in height;

1. Exterior stairways at the building front to give access only to the main level, and to be less than five
2. They are to be consistent with the building style;
3. Upper level stairways to be within the building envelope, except as noted below;
4. Lower Level Stairs: uncovered stairs may be used for basements and lower levels.

Not Allowed:

1. Exterior stairways exceeding five feet in height at the front of buildings;
2. Stairways not designed or finished consistent with the buildings style and architecture.

Breezeways & Connectors: Good Examples:
structures;

1. Breezeways and covered walkways provide sheltered links between buildings and accessory

2. They can provide access to or separation from different building uses, as a means for reducing large building massing and to promote use of accessory buildings.

Not Allowed: Canemah, South of 3rd: Use of breezeways or covered walkways by HRB approval.

From: [Paul Edgar](#)
To: [Wendy Marshall](#); [Trevor Martin](#)
Subject: Re: DOGAMI Map on LIDAR of Landslide "GEOMOPHOLOGY" of Oregon City (thoughts & questions)
Date: Wednesday, July 05, 2017 10:51:35 AM

The other day I went over again and reviewed what was posted by OC Planning, prior to the last HRB meeting. I printed out this latest site map.

The site map from the posting reflects the corner post of 4th Avenue and Ganong Street and it shows the driveway on that site map starting on 4th Avenue pavement level and going straight up the Ganong Street ROW maybe an additional 15-feet past this corner post. The grade of the driveway could be 25%, as depicted in the site plan. To make it less of a percentage grade, you have to cut more into the toe of a 35% slope right below my house, where we have had history of landslides in the last 100 years.

When I walked up this Ganong Street ROW, looking at their site map, it sure looks like they plan on taking out a couple of Big Fir Trees to level out a huge cut into this Ganong Street ROW - Hillside to create this flat spot, that is equal with a flat driveway under the proposed infill house in HR 17-01.

The house appears on this site map to have a setback of maybe 20 feet from the 4th Avenue property line and that pushes it and the driveway high up into the hillside which sure appears to result in significant cuts.

I could never understand why they would want to put this house so far up into the hillside, but again I was told that they did this because of the storm water retention pond that you in Public Works require.

This need is over and above the addition need, where I am told that you require for them to also replace the Storm Water piping in 4th Avenue to a larger size, where a retention pond should eliminate that need.

Without the need to create that required Storm Water Retention Pond, (I think Retention Pond requirement is also inconsistent with Historic District Building Guidelines) this house could have been sited right up and closer to the 4th Avenue Property line, which is still maybe 15 vertical and horizontal feet from the 4th Avenue pavement surface, to that property line.

We don't want the prospective home owner to increase their cost, with any miss-judgements or actions that result in the need for do-overs, where some early on advise could help them move forward in a short building time frame to a Building permit approval. I just see problems and dollars & cents going out the door, with what results from this initial house siting and I don't like wheel spinning.

You guys look yourself at what was approved at the last HRB meeting and what it means to the Ganong Street (Public) ROW, where the prospective home owner has little or NO Property Rights.

This Ganong Street ROW is in a Geologic Hazard Area and is in Public Domain, with history and DOGAMI - LIDAR Documentation - Mapping of High Susceptibility to Shallow and Deep Landslides.

Thanks,

Paul Edgar, Friends of Canemah

On 7/3/2017 1:28 PM, Wendy Marshall wrote:

Good Afternoon Paul -

Unfortunately, I cannot answer your questions at this time. We have not received any engineered plans of the driveway or retaining wall, and the submitted geotechnical report remains in Incomplete status. To my knowledge, you have all the current submittal materials. Please feel free to keep in touch with Trevor or me to get future updates on this application.

Thanks,



Wendy L Marshall, PE
Development Projects Manager
Public Works Department
City of Oregon City
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Think GREEN before you print.

Public Works/Engineering Counter hours at City Hall, 625 Center Street, are Monday through Thursday, 9 AM to 4 PM.

The counter is closed each Friday to walk-in customers.

City Hall hours remain Monday through Friday, 8 AM to 5 PM (except holidays).

PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Paul Edgar [<mailto:pauloedgar@q.com>]

Sent: Monday, July 03, 2017 12:45 PM

To: Wendy Marshall <wmarshall@orcity.org>

Cc: guttmcg@msn.com; Damon Mabee <damonmabee@comcast.net>; Bill

Kabeiseman & Carrie Richter <Kim Spiehler <kspiehler@batemanseidel.com>;

Tony Konkol <tkonkol@orcity.org>; Laura Terway <lterway@orcity.org>; John

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intstats@sbcglobal.net; Jerry Herrmann - The Protector

[<riversoflifecenter@gmail.com>](mailto:riversoflifecenter@gmail.com); Pete Walter [<pwalter@orc.org>](mailto:pwalter@orc.org); Raymond Rendleman - Oregon City News [<rrendleman@clackamasreview.com>](mailto:rrendleman@clackamasreview.com); Dr. Scott Burns - PSU Geology [<burnss@pdx.edu>](mailto:burnss@pdx.edu); intstats@sbcglobal.net
Subject: Re: DOGAMI Map on LIDAR of Landslide "GEOMOPH0LOGY" of Oregon City

Wendy, can you provide me and others with in Canemah, with engineered drawing of the proposed cuts into the bank of the 4th Avenue and Ganong Street ROW, to facilitate the driveway to the proposed infill house identified in HR 17-01.

Has a complete Geo-Tech efforts been done on this 4th Avenue and Ganong Street ROW area, that has had a landslide happen within 50-feet of where these new cuts are being proposed.

What does our Oregon City Code allow in cuts/disturbance in DOGAMI - LIDAR identified hillsides within City of Oregon City ROW areas that have 35% slopes in them?

We in the neighborhood need know what is actually being proposed, to facilitate the construction of the driveway to this house, with what we understand requires a major retaining wall?

How far up and into the bank of 4th Avenue and Ganong Street is this proposed cut and retaining wall going to go and how high is this retaining wall going to be?

Again we have concerns with minimizing any disturbance to a hillside that has had a landslide within it in the maybe the last 100-years, or at least when grandma was alive and lived in our house where she had witnessed it.

We would sure like to see the Geo-Tech report on this area and how it quantifies any construction activities?

We would all also like to better envisioned the degree of disturbance with engineered drawings. It would also be great to have it staked-out, where everyone can more easily visualize what is being proposed.

We in the neighborhood do not wanting this exposed rock of multiple ton's to come loose with any vibration or slow movement of soils as result of any cutting and disturbance to this highly phone Hillside with High DOGAMI - LIDAR High Susceptibility to Land Slides identification.

My wife and I would sure like to keep our house at 211 5th Avenue on the plane with 5th Avenue, not 4th Avenue.

Again sometime let me take you through a walk and talk of the geology of this Canemah National Register Historic District.

Thanks, Paul Edgar

On 5/11/2017 11:44 AM, Paul Edgar wrote:

- > I have this DOGAMI Created Map made for me by Dr. William J. Burns of
- > Landslide Geomorphology of Oregon City and I would like to show you
- > what LIDAR is telling us about Landslide conditions in Oregon City.
- >
- > Most important to me is Canemah and all of this proposed new
- > development that is coming before you for your evaluation.
- >
- > This DOGAMI Map reflect circles around most of these properties,
- > slated for your Geo-Tech review on proposed new infill houses within
- > the Canemah National Register Historic District.
- >
- > All of this land in the Canemah National Register Historic District
- > also has National Register Historic Places Status, too!
- >
- > We have grave concern about these proposed new infill projects in
- > known Landslide Prone places.
- >
- > Virtually any disturbance to the existing geologic conditions,
- > identified by LIDAR of having "High Susceptibility to both Shallow and
- > Deep Landslides", without the ability to protect the life, safety and
- > property of others in Canemah National Register Historic District is
- > problematic.
- >
- > We need indemnity and a lot more from all parties, when and if "Loss
- > Occurs" from Landslides.
- >
- > We know that there is virtually NO availability to meaningful
- > Landslide Insurance.
- >
- > YES, there is Landslide insurance available from Lloyd's of London,
- > but virtually no-one can afford it!
- >
- > Anything else is not worth the cost of the paper it is printed on,
- > because of the clauses that are in the fine print of all other
- > Landslide Insurance Policies, making them meaningless.
- >
- > The City Attorney suggested to me in off hand remarks that maybe
- > something could be done or required of the Geo-Tech firms, whereby
- > there is a requirement place on these Geo-Tech firms for individual
- > Insurance and Bonds/Bonding.
- >
- > An example of the problem is this proposed new development, where the
- > new house (HR 17-01) at 4th Avenue & Ganong Street is to cut into the
- > toe of a known Landslide slope.
- >

- > This happens to be within the City Right-of-Way of 4th Avenue and
- > Ganong Street and where a Big Rock of maybe a 2 or 3 ton's could be
- > freed and cut through anything and everything on its way to the
- > Willamette River if it became dislodged.
- >
- > This is where a Landslide occurred in the last 100-years and all of
- > this is needed to (subjectively) reduce the grade on the driveway,
- > that also reflects even much greater cuts for the new retaining walls.
- >
- > This is the toe of a hillside that includes slopes of greater than a
- > 35%, that are all within the circles identified on this DOGAMI of
- > where Landslide Conditions Map exist.
- >
- > Similar conditions exist at a proposed new infill project at 4th
- > Avenue and Miller, where there are steep downhill slopes with historic
- > conditions of Landslides and slow land movement, like on South End Road.
- >
- > My suggestion is to invite all of you to see and review this DOGAMI
- > Map and to also come to Canemah and witness yourself these conditions,
- > in a show and tell event.
- >
- > We need your help, we need everyone's help!
- >
- > Paul Edgar, Friends of Canemah (501(c)(3)
- >

Oregon City Historic Districts Design Guidelines for New Construction, Check list for consideration

GENERAL DESIGN PRINCIPLES: The appropriate design of new buildings is an extremely important consideration for historic districts. A compatible design supports the integrity of the district, while an incompatible and historically inappropriate design diminishes the character of the district. This is especially true for portions of a district that have discontinuity among their historic properties and neighborhoods.

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

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

BUILDING FORM PRINCIPLES: Address the overall size, shape and bulk of the building. The architectural style used for the building defines many aspects of its appropriate form and proportions. Excessive variation in the size, shape, or configuration creates an inappropriate solution that is stylistically incorrect and not complementary to the district. The building form needs to relate to the buildings in the immediate neighborhood, and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of a historically appropriate style.

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

PUBLIC IMPROVEMENT PRINCIPLES: Involve construction in the public right of way. The work may be engineering in nature and built by government, or it may be private but adjacent to the public way serving the public in a similar capacity. These projects are important for the historic district since public space accounts for a large proportion of the district's area and has a significant impact on the setting, context, delivery of services, and movement through the district.

The Public Improvement principles indicate how current engineering and construction can be made appropriate by utilizing materials, finishes, and design that supports the historic nature of the district.

The Guidelines appreciate that certain engineering, public safety, and other institutional work may have, by nature, certain technological or regulatory requirements and that these may conflict with these design guidelines. Work may also interface, modify, or remove existing historic construction. In these Situations City staff and the HRB shall work with the agencies to develop the best design and preservation solution for the district, or appropriate mitigation measures. It should be noted that extensive regrading or removal of vegetation shall also be considered for HRB review.

CANEMAH RESIDENTIAL BUILDING STYLES:

VERNACULAR In the Canemah Neighborhood the most prevalent extant architectural style is Vernacular, built between 1867-1929. Important style characteristics as found on houses in the Canemah District to be used for new construction are noted below.

CHARACTERISTICS OF THE STYLE:

Site:

1. No uniform front setback; South of 3rd Street: houses may face front or side depending on topography.
2. **Lots range from 50x100 to 100x100 and contain a single house.**
3. Properties edges often not defined; where fenced, primarily picket or low slat at front with side or partial returns.
4. Planting: South of 3rd Street: forest setting, native and ornamental plantings form visual screen and sense of privacy; elsewhere on the more level portions: lawn and planted area around buildings.
5. House Placement: to suit the existing topography and most level lot portion especially south of 3rd Street.
6. Retaining walls: stone, mortared or stacked basalt, or concrete south of 3rd Street, especially in proximity with street.
7. Garages: Not found historically; informal graveled or paved parking next to street or along house; New garages to be located along side or behind house. Where topography is a concern, locate garage offset from building primary facade, close to street with direct access.
8. Accessory Buildings: detached, behind alongside of house and located to allow use of particular function.
9. Streets: South of 3rd Street: narrow, without curbs or sidewalks; casual pedestrian paths and connecting stairs are encouraged

Building Form:

1. Form easily allows additions and alterations such as increases in family size, activities or changing technology; generally smaller in size than McLoughlin.
2. Shape: rectangular in plan, with smaller rectangular combinations to primary form; Rectangular or square form reinforced on facade. L-plan, T-plan options.
3. Height: Maximum 1 ½ stories in height; Basement option. Proportions: Height (eave) to maximum width: 1:1 Height to Depth: can vary greatly.
4. Roof: gable, of not less than 8:12 pitch, 10:12 and steeper are preferred. No cross-gable roofs; possible wing or addition with lower ridge-line that is perpendicular or is offset.

Design Composition:

1. Lacks rigid system of exterior detailing that makes it a clearly definable architectural style; allows design flexibility and is inherently varied.
2. Designed and built without assistance of a trained architect. Collaborative design evolved with homeowner and builder, based on familiar styles, features and products.
3. Can combine features from other architectural styles popular during the historic period; simpler designs than McLoughlin.
4. Porch: full or partial length at the front entry; if close to the ground, no railings; at main story only.
5. Dormers: None.
6. Materials: local, readily available.
7. Windows: 1:1, double hung windows.
8. Siding: horizontal board siding; typically ship-lap, or channel; occasionally bevel.
9. Ornament: Exterior decoration is modest, consisting of scroll-work brackets at the top of porch pillars, plain corner-boards and simple window trim. Most houses do not feature spindle-work in the peaks of their gable roofs. Interior fireplaces and chimneys.

CHARACTER GUIDELINES:

USE OF SITE: How the site is planned to be used. Good Examples - Not Allowed Examples

Access: Good Example: 1. typically, the shortest path, unless topographic considerations;
2. Vehicle access to be alongside of building, at rear or from alley.

Not Allowed: 1. Lack of sidewalk to main entry, circuitous path;
2. Vehicle drive in front of primary facade.

Building to Open Area: Good Example: Lot Coverage: Houses to cover less than half a typical lot.

Not Allowed: 1. Residences with R3.5 or R6 zoning of more than 40% lot coverage;
2. Canemah residences with R2 zoning of more than 40% lot coverage;
3. Canemah South of 3rd Avenue Residences on lots of 5,000 square feet or less with R6 zoning;
4. More than 30% lot coverage.

Topography Use: Good Example: 1. Site houses according to neighboring or contextual practice.
2. At sloping sites, houses were sited at most the easily built portions of the lot;
3. At up-sloping sites the main level was raised.
4. At down-slope sites the main level was close to grade;
5. .Lowered Cross-slope sites utilized the easiest access.
6. Residential garages may extend to front property line at up or down sloping sites.

Not Allowed: 1. Extensive regrading of lot to raise or lower the main level of a house;

		<ul style="list-style-type: none"> 2. Tall walls to alter the natural topography for building siting or yard leveling purposes; 3. Foundations, piers or piling more than 1 story in height above natural grade.
Landscaping: annuals for interest;	Good Example:	<ul style="list-style-type: none"> 1. Residences to utilize a front yard with lawn panel, small-scale shrubs or perennials, and 2. Similar treatment at side yards facing the public way. Larger scale plantings to be at rear yard; 3. Canemah, South of 3rd Avenue: native planting mixture, large shrubs and trees are appropriate for any yard. Houses to maintain a sense of privacy to each other; 4. Minimize the removal of trees over 6" in diameter by adjusting house siting, limit tree cutting outside of the house footprint. Replant to preserve tree canopy.
	Not Allowed:	Canemah, South of 3rd: clear cutting of lot.
Paving:	Good Examples:	Pavement at front and side yards facing the public way is limited to sidewalks and driveway.
	Not Allowed:	Patios, courtyards and parking spaces between the front (or side where exposed) of the building and the street.
Site Features:	Good Examples:	<ul style="list-style-type: none"> 1. Secondary features to support the design and character of the building and to not obscure its visibility from the public way; 2. Decorative walls, fences and hedges at front yard to face of building to be no more than 3½ feet high; entry arbors and gates are accepted; 3. Retaining and structural walls to be minimized; to be faced or finished to complement the district where constructed.
	Not Allowed:	1. Elements that significantly obscure or detract from the primary sides of the building;

2. Tall walls and fences in the front and front portion of side yards large decorative landscape elements in the front yard, such as a gazebo, fountain, pool, statue;
3. Temporary structures in the front yard to face of building unfinished structural walls;
4. Cribbing, Gabion Basket Stone Walls unless obscured with plant covering.

- Equipment, Technology: Good Examples:
1. Site located equipment and technology developed after the period of significance to be minimized in appearance and located at less visible areas;
 2. Required utility, public safety, and governmental equipment should follow the guidelines as possible;
 3. Where difficulties arise review mitigation measures with City design staff and the HRB.
- Not Allowed: Obtrusive equipment such as solar collectors, mechanical units, satellite dishes [other future technology] in the front yard.

BUILDING PLACEMENT, How buildings are located on the site:

- Orientation:
- Good Examples:
1. Locate the primary side and entry of the building facing the public way. Typically, this side is parallel to the street;
 2. Maintain similar orientation of neighboring historic buildings;
 3. At reverse corner lots [the entry faces the side street on the end of the block], both sides must respect orientation;
 4. Canemah, South of 3rd: Orientation depends on specific site topography, but generally orthogonal or square to the street.
- Not Allowed:
1. Skewed and angled building placement;
 2. Primary building side facing the interior or side lot line.
- Spacing:
- Good Examples:
1. Maintain similar spacing to context buildings and the neighborhood;

2. Canemah, South of 3rd: House spacing is more irregular, but privacy is to be maintained;
3. Adjust the siting to preserve mature plantings;
4. Houses closer than 15 feet to the lot line require visual screening from one another;
5. Divisions and Individual Historic Properties: Use spacing of similarly styled and sized historic context buildings.

- Not Allowed:
1. irregularly spaced buildings within a regularly spaced neighborhood context, or regularly spaced buildings within an irregularly spaced neighborhood context;
 2. Crowded building sites from too large of building or too small of lot dimension Houses spaced tightly together, or disrupting the neighborhood rhythm;
 3. Spacing that diminishes the historic quality of existing historic resources.

BUILDING PLACEMENT BUILDING, How buildings are located on the site:

- | | | |
|----------------------|----------------|---|
| Setbacks: | Good Examples: | <ol style="list-style-type: none"> 1. Maintain setbacks at front and sides similar to context buildings and the neighborhood; 2. Canemah, South of 3rd: houses with down-slope lots may have greatly reduced front yard. |
| | Not Allowed: | Building placement that is uncharacteristic to the block or neighborhood. |
| Accessory Buildings: | Good Examples: | <ol style="list-style-type: none"> 1. Accessory buildings are subservient to the primary building and provide auxiliary use; 2. They are to be located at less visible areas such as the side or back of the primary building; 3. Where topography issues arise, detached garages may be located in the front yard if offset from the main facade. |
| | Not Allowed: | <ol style="list-style-type: none"> 1. Placement of buildings that diminishes the historic resource or neighborhood quality; 2. Accessory buildings in the front yard in front of the main facade; |

3. Temporary structures in the front yard in front of the face of the building.

BUILDING FORM - SIZE, The overall size of the building and that relationship to its style and context:

Height: chosen;	Good Examples:	1. the building heights to be similar to the neighborhood historic context and appropriate to the style 2. Important Heights include: • Main level height above grade • Grade to eave and main ridge • Grade to parapet • Individual story height • Number of stories
	Not Allowed:	1. Residential buildings that vary more than 20% from heights of the historic neighborhood context buildings unless approved by the HRB. 2. Residential building ground levels that are elevated less than 18" above grade, unless there are topographic considerations; 3. Canemah Residential: greater than 1½ story maximum height plus basement.
Width:	Good Examples:	Residential: maintain historic height to width ratio range for style.
	Not Allowed:	Use of building widths that are out of proportion, or exceed the range for their historic style.

SHAPE, The overall geometry of the building created by its primary and secondary volumes:

Primary:	Good Examples:	Residential buildings formed with a primary single rectangular form or with the addition of subordinate rectangular form to create a wing, 'L', or addition.
	Not Allowed:	Oblique, skewed, diagonal primary exterior walls, curved or rounded walls.
Secondary:	Good Examples:	1. Rectangular for additions, porches, bays, and detached buildings; joined to primary form at a right angle (orthogonality);

2. Rectangular, faceted bays or porches where style allows.

Not Allowed: Special features (tower or similar) by HRB approval.

Roof:

Good Examples:

1. Gable roof slopes to have equal pitch;

2. Residential: Gable primary roofs with pitch 8:12 or greater [6:12 for Bungalow];

3. Porch or bay roofs may have lower slope, may have hip if style allows.

4. Roofs to have a minimum of 1 foot overhang with a maximum of 3 feet; where soffitted the enclosure is typically parallel to the rafters.

Not Allowed:

1. Mansard, clipped gable, shed, for primary roofs;

2. Canemah: cross gabled roofs; a secondary wing or addition with a perpendicular gable at the main roof ridge-line; allowable if it is a lower story or lower ridge-line.

MASS & BULK, A measure of the overall size of the building:

Context Scale:
siting and use.

Good Examples:

Context scale is the relative or apparent size of the building in relation to its neighbors and includes

Not Allowed:

Buildings out of scale to their context or use.

Volumes:
added space;

Good Examples:

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

integrate into historic styles.

2. Canemah: maintain historic residential massing. Non rectangular volumes are more difficult to

Not Allowed:

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

elements to breakup such planes.

Recesses: Good Examples:
and the break up large volumes;

porches and entries.

Not Allowed:

2. Long, uninterrupted wall planes facing the public way; utilize projections, recesses or wall

1. Provide recessed volumes in proportion to the main volume to provide interest, weather protection

2. Residential Buildings: Provide recesses, cut away bays to create style appropriate bay windows,

1. Recesses used excessively or in a way that diminishes or overelaborates the traditional style;

2. Repetitive or cumulative recesses that detract from the rhythm or style of the building form.

DESIGN COMPOSITION, The particular building design and character:

Style:

Good Examples:

1. Select a particular style that is appropriate for the building use and size;

2. Maintain stylistic consistency in the design of the building; some variety is typical;

3. The districts have variety of styles developed over a period of time;

short period;

4. There were no large scale developments that produced multiple buildings of the same style over a

continue this pattern.

5. Canemah: adjacent historic houses vary in form, design and style, new infill to differentiate, but

Not Allowed:

1. Combination of various stylistic elements in a manner that detracts from the primary design;

2. Duplication of the same, slightly altered or mirrored design on adjoining sites – no ‘cookie cutter’.

COMPOSITION CHARACTERISTICS, There are multiple characteristics that must work together to create a successful design composition:

Symmetry: Good Examples: 1. Symmetry is the balance of elements and materials on the facade and of the volumes of the building;

2. Historic buildings extensively utilized symmetrical arrangements in their composition;

3. Some styles are asymmetric in organization but yet ‘balanced’ such as a bay on the left side balancing a porch or tower on the right side.

Not Allowed: Composition without symmetry or balance.

Proportion: Good Examples: 1. Proportion is the relationship of height to width dimension of windows, doors and other building elements, their sizing to each other and to the facade of the building.

2. Utilize the proportional relationships found in the traditional styles.

Not Allowed: 1. Buildings and elements on buildings with disproportionate or exaggerated dimensions;

2. Residential windows having width to height dimensions other than the historic range, generally 1:1-2½.

Rhythm: Good Examples: 1. Rhythm is the spacing and repetition of elements on a facade of the building;

2. It is also the spacing and mixture of repetitive fronts of buildings along a street;

3. It can be thought of the ‘music’ made by the building;

4. For Example: Windows placed proportionally along all four elevations and in context with the architecture.

Not Allowed: 1. visible side and rear walls with large blank or void areas;

2. Abstract compositions are generally problematic.

Pattern & Texture: Good Examples:
horizontal siding or shingles;

rough stone;

1. Pattern refers to the effect of large areas of smaller dimensional elements; such as created by
2. Texture refers to the surface of the facade and its flatness and finish; such as a sanded plaster or
3. Most traditional materials provide sufficient texture and pattern.

Not Allowed:

Excessive pattern changes and differences in pattern scale.

Porches: Good Examples:

1. Residential front porches to define the main entry, provide shelter, and outdoor living space;
2. Porches are typically close to the main floor level, with roof covering, skirting to grade, and
accessed from the public way and yard, typically with stairs.

3. May be projecting, recessed or a combination depending on style chosen.
4. Porches to be designed and finished as part of the architecture, often with slightly more
ornamentation than the main structure to highlight the entry.
5. Side and rear porches to be secondary in nature, but to be consistent in design with the primary
porch.

Not Allowed:

1. Wrap around front porches where not stylistically appropriate;
2. Upper level porches except at multifamily or commercial buildings where style allows;
3. Porches that are not consistent with the architectural style, without roofs (except secondary
service accesses or those at grade);
4. Porches that are overly ornate for the chosen style.

GROUPED ELEMENTS, Elements that are often grouped into assemblies to be consistent with the architectural style:

Dormers: Good Examples:
enrich the building architecture;

number;

ridge;

1. Dormers provide additional use and light for upper half story floor areas and further define and
2. Design and materials to match the chosen style. Dormers here were typically modest in size and
3. Design dormers to fit the scale and proportions of the house;
4. Shed dormer roofs are typically lower sloped than the main roof and join that roof below its main
5. Houses generally have no more than one front facing dormer.

Not Allowed:

1. Dormers not consistent with the architecture and scale of the building;
2. Excessive number of dormers;
3. Canemah: Dormers are not allowed on Vernacular style houses.

Exterior Stairways: Good Examples:
feet in height;

1. Exterior stairways at the building front to give access only to the main level, and to be less than five
2. They are to be consistent with the building style;
3. Upper level stairways to be within the building envelope, except as noted below;
4. Lower Level Stairs: uncovered stairs may be used for basements and lower levels.

Not Allowed:

1. Exterior stairways exceeding five feet in height at the front of buildings;
2. Stairways not designed or finished consistent with the buildings style and architecture.

Breezeways & Connectors: Good Examples:
structures;

1. Breezeways and covered walkways provide sheltered links between buildings and accessory

2. They can provide access to or separation from different building uses, as a means for reducing large building massing and to promote use of accessory buildings.

Not Allowed: Canemah, South of 3rd: Use of breezeways or covered walkways by HRB approval.

Friends of Canemah

Exhibit 1A

HRB 7/25/2017

Date: July 25, 2017

Comments before the Oregon City Historic Review Board on Cottage Home Development; MD 17-01, MD 17-02, MD 17-03, MD 17-04, MD 17-05 & MD 17-06

The Friends of Canemah is a 501© (3) with a mission to educate and protect the National Register Historic District of Canemah and to ensure its continued viability and the interests of all citizens. We feel this historic district is caught in an effort to market it as a product.

The following is a partial list of issues of non-compliance and non-compatibility with Federal Codes, State of Oregon Codes, and Oregon City Building Codes and Oregon City's Historic District Building Guidelines:

1. There should not be more than one house per each 5,000 Sq. Ft Lots of record!
2. There should be standard acceptable set-backs from all bodies of water, right-of-ways and frontages.
3. All cut and fills that require review these reviews, must happen before any HRB process with approvals by City Planning and Natural Resources committees, must be in hand to advance.
4. Parking Lots are incompatible Building Guidelines for Historic Districts.
5. Impervious surfaces exceed limits for the lot with Houses #1 & 2.
6. Impervious surfaces exceed limits for the lot with Houses #4, 5 & 6
7. There are State of Oregon Standards for Vernacular houses and the designs offered are in violation of those standards found in Oregon Revised Statutes Chapter 358. Violations include Cut-a-way Roofs. Which also detract from OCMC 17.40 Historic District Building Guidelines
8. House density on each lot of record must be adjudicated lot by lot, not as a cluster until approved by the Planning Commission.
9. We see NO Justification and value based criteria for any of the Preservation Incentives! Any Preservation Incentives are to enhance a Historic District @ OCMC 17.40.065 and there are NO referenced Value Based Justifications to receive any of the asked for Historic Preservation Incentives.
10. In OCMC 17.40 code we do not accept Flag Lots
11. We are asking for continuance of this meeting and approval process to a future date, until all understanding are adjudicated for any mitigation from standard Set-Backs rules and codes, that are asked for and required of other applicants with ruling from the Planning Commission and Natural Resources Committee.
12. The Historic Wagon Roads cannot be altered from the current look and feel and what is in these HRB requests changes that.

t is the opinion of the Friends of Canemah, the above mentioned action before the Oregon City Historic Review Board substantially changes the look and feel of what makes and constitutes the Canemah National Register Historic District and that of having Landmark Status.

It in mass just detracts and therefore makes this proposal non-compliant. It also violates the very spirit found in the Oregon City Historic District Building Guidelines, where efforts are to maintain the character of this National Register Historic District. Where allowing the substituting modern interpretations that in mass changes everything. It is the duty of the City and HRB to uphold your responsibility to the people of the United States, the State of Oregon, the City or Oregon City and Canemah to turn this proposal back.

Thank You, Friends of Canemah

On 7/18/2017 1:34 PM, Paul Edgar wrote:

As the Land Use Chair of the Friend of Canemah, a State of Oregon 501(c)(3), we are asking for a formal interpretation and review of ORS - Chapter 358 and Oregon City's own applicable codes, which call for protecting Historic and Environmentally Constrained Properties.

We have multiple applications that are being advanced to build in the Canemah National Register Historic District on lands classified as "Significant Historic Properties with Land Mark Status". We have had in the past had ruling and understanding associated with the "Wagon Roads" of Canemah associated with preservation of their character, that nothing should alter their physical and historic attributes as they relate to the United States - Secretary of the Interior's Standards, for the Treatment of Historic Properties that are administered by the National Park Services, where it defines, "Best Practices for: Reconstruction, Rehabilitation, Preservation and Restoration". Over the years ruling have been made that it would be therefore improper to even alter the significance of Canemah Wagon Roads by putting curbs on them. This decision was to effectively comply with ORS - Chapter 358.475 and 358.480.

We also have City Codes, OCMC 1740 and 1744 that get applied to protect Historic Properties and the Historic Environment as spelled out and identified within the Canemah National Register Historic District Nomination Document and its the Statement of Significance. Within these OCMC Codes we have enforced requirements calling for reasonable setbacks from any water resources, like Wetlands, Ponds and Streams/Creeks. We also have OCMC Codes to protect all parties with an as-sundry of Natural Resources Codes where there are Natural Hazards like; steep slopes with landslide conditions.

Within the boundaries of the Canemah National Register Historic District as spelled out within the nomination document, there is significance taken to reference many of these geologic conditions and water resources. We have reference to multiple streams that run year around and weave their way down our slopes to carry "Waters of State" to the Willamette River. These perennial (runs year around, mapped or not mapped) water resources, are mostly identified in the nomination document and all requires protection and consideration in regards to setbacks, within any permitting process of all buildings on lands identified in the Canemah National Register Historic District.

We are now once again in a process of advancing a new revised Planned Development of Cottage Homes (6 of them) in the Canemah National Register Historic District. This new application is scheduled to go before the Oregon City Historic Review Board at its next meeting. There is within this group of lots, identified water resources, in delineated Wetlands, Ponds, and Creeks/Streams, all of which are identified in the Nomination Document.

It is our hope that all Land Use process before Oregon City's Historic Review Board, Public Works and Building Codes departments, that are under consideration, associated with properties within the boundaries of the Canemah National Register Historic District be

deferred, until the City completely reviews all appropriate actions and applicability of all Federal and State Codes associated with "Best Practices for: Reconstruction, Rehabilitation, Preservation and Restoration" also including those found with Oregon City's own Municipal Code.

We would recommend a joint meeting and possible work session with the State Historic Preservation Office, State of Oregon Department of Geology and Mineral Resources, Oregon City Planning, Oregon City Natural Resources Committee, Oregon City Public Works and Friends of Canemah. We need to get into sync, all understanding and principles associated with new construction in Oregon City's National Register Land Mark District of Canemah.

Thank You,

Paul Edgar, Land Use Chair - Friends of Canemah

I have taken and transcribed from the Oregon Revised Statutes the following information. It has not been edited in anyway. From my reading of these statutes, all property within the boundary of the “Canemah National Register Historic District”, may well fall under the classification of “Significant Historic Properties with Land Mark Status” of both Federal and Statewide historical significance. If this can be confirmed as to applying to more then the above ground buildings, the office of the State Historical Preservation Officer is responsible to ensure nothing is done to alter property (Public or Private) that alters or degrades the authenticity of its “Historic Significance”.

If through your reading of these Oregon Revised Statutes you can confirm these status apply it would be appreciated. We believe that the statutes confirm the requirement that any and all activities must apply for historic review and get an OK of appropriateness, before and after completing this process, to be allowed and approved when completed.

Therefore it is my assessments that most any alteration and/or rehabilitation effort of any significance on any contiguous property that could alter or degrade the authenticity of the Historic Canemah Water Works, its Wetlands and creeks as described in Canemah Nomination Document for Historic Places Status of the Canemah National Register Historic District, requires that any actions/alterations **MUST MEET** the same requirements and setbacks of the contiguous historic property. This thinking and interpretation should be reviewed.

Paul O. Edgar, Land Use Chair
Friends of Canemah, 501(c)(3)

Oregon Revised Statutes

Chapter 358

Historic Property

Policy and Definitions

358.475 Policy. The Legislative Assembly hereby declares that it is in the best interest of the state to maintain, preserve and rehabilitate properties of Oregon historical significance. Historical preservation incentive programs provide a public benefit by encouraging preservation and appropriate rehabilitation of significant historic properties. These historically significant portions of the built environment contain the visual and intellectual record of our irreplaceable cultural heritage. They link us with our past traditions and values, establish standards and perspectives for

measuring our present achievements and set goals for future accomplishments. To the extent that Oregon's historic preservation incentive programs encourage the preservation and appropriate rehabilitation of significant historic property, the programs create a positive partnership between the public good and private property that promotes economic development; tourism; energy and resource conservation; neighborhood, downtown and rural revitalization; efficient use of public infrastructure; and civic pride in our shared historical and cultural foundations.

358.480 Definitions. As used in ORS 358.480 to 358.545, unless context requires otherwise:

(2) "Historic property" means real property that:

- (a) Is currently listed in the National Register of Historic Places established and maintained under the National Historic Preservation Act of 1966 (P.L. 89-665) or, if the National Register of Historic Places ceases accepting nominations, that is approved for listing on an Oregon Register of Historic Places;**
- (b) Is open to public for sight-seeing at least one day in each calendar year in accordance with rules adopted by the State Historic Preservation Officer; and**
- (c) Meets the minimum standards of maintenance established by rule of the State Historic Preservation Officer.**

(3) "Maintenance" means action taken to mitigate wear and deterioration of historic property without altering the historic character of the property, including action taken to protect and repair the condition of the property with the least possible impact of the historic character of the property.

(5) "Preservation":

- (a) Means the act or process of applying measures necessary to sustain the existing form, integrity and materials of historic property, including but limited to the ongoing maintenance and repair of historic materials.**
- (b) Does not include the extensive replacement of historic materials or new construction.**

(6) "Rehabilitation" means the process of repairing or altering a historic property in order to return the property to a state of utility in which an efficient contemporary use is possible, while preserving those portions and features of the property that are significant to the historic, architectural and cultural values of the property.



7537 SE 116th Ave
Phone/Fax: 503-760-6642
rdgreencontractor@yahoo.com
CCB #7999

Date: 4-1-17

City of Oregon City Review Board
Oregon City Or.

To whom it may concern,

As a property owner in the near vicinity I would like to express concern in two areas regarding the proposed cottage home development (HR 16-09 - 14) in the Canemah Historic District.

Architectural styling:

I share what seems to be a prevalent concern that the buildings as currently rendered with large glass walls, gable windows, cutaway roof decks etc. are significantly contemporary in design. The published General Design Principles state that "Use of other styles dilutes and distracts from the historic context of the district" and while it is noted and appreciated that the most significant departures from historic architecture are directed inward I believe the overall styling falls short of being respectful to existing historic structures as required.

Density:

While the previously mentioned architectural concerns are understandably subjective in nature, I believe a more objective concern is that of density in the number of dwellings on the site. The applicant has made effort to address density from the perspective of ratio of building footprint to site size, however the only comment I discover in the design guidelines relative to density of number of dwellings notes a single house on lots 50x100 to 100x100. There is mention of typical location of accessory buildings but these would historically have been utility in nature. It would seem that barring amended design guidelines specifically addressing more recent base zone provisions for enhanced density such as ADU's, PUD's and cottage homes, a legal interpretation of the more restrictive historic overlay would preclude these variations.

Thank you for your consideration in this matter.

Robert D. Green



7537 SE 116th Ave
Phone/Fax: 503-760-6642
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CCB #7999

Date: 7-19-2017

City of Oregon City Historic Review Board
Oregon City, Or.

As a nearby property owner I would like to express continuing concern regarding the proposed cottage home development at 4th and Miller in the Canemah Historic District - MD 17-01 - 6. Please review the concerns expressed in my comments regarding HR 16-09 - 14 dated 4-17-17 for context as those concerns remain with the current application.

Architecture:

The architecture of the buildings though repeatedly represented as Vernacular are simply not consistent with the description of historic Vernacular design in the historic district guidelines. I personally feel the buildings and site layout are very well designed and fully understand the value of the large window walls, cut-away decks, etc. in making a connection with the outdoors, particularly with small dwellings, and acknowledge the effort to orient those more extreme design departures away from prominent public view, however by any measure they are significant departures. As such it seems approval would need to rest on a convincing case that such design departures are justifiable uniquely to this property and are respectful of the historic architecture which is a very subjective decision and questionable in my view - potentially opening the door in future applications to a variety of non-conforming designs represented as respectful of the historic architecture. The applicant has done a laudable, exhaustive job of inventorying neighborhood designs and features to support his proposal, however nearly all pre-dates the current design guidelines which to my understanding were implemented specifically to bring more conformity in future development with historic styles to preserve the historic character of the neighborhood.

Density:

As detailed in my previous comments I believe a significant objective concern remains with the number of dwellings proposed. While the number is reduced by one from the previous proposal, it is still in excess of the typical 1 dwelling per 50x100 lot (or less depending on topography or other site constraints) and even though variations to increase density such as ADUs or cottage home concepts are increasingly being adopted the National Historic District is understandably more restrictive and as such it seems a more comprehensive evaluation of compatibility with National Historic District goals would need to be undertaken and the published design guidelines amended to specifically address such enhanced density proposals before approval that may otherwise be subject to legal challenge.

Respectfully, Dave Green

City of Oregon City Historical Review Board Meeting
July 25th, 2017

Exhibit IB
HRB 7/25/2017

Testimony of: Christine Kosinski, Unincorporated Clackamas County

RE: Agenda Item 3b – Six proposed cottage style homes in the Canemah
Historical District located near 4th and Miller St

I live in Unincorporated Clackamas County, just two blocks from the City boundary. Because the street I live on has lost homes to landslides in recent years, our neighborhood has been very active in bringing awareness to the community regarding the catastrophic losses that homeowners are left with should a landslide occur on their property.

Did you know that each time the City approves development in a landslide area that an Oregon State Law is being broken? ORS 105.465, Oregon's Property Disclosure Statement contains language that the seller of property must disclose if it sits in a landslide area, and second, neither the City nor the Developer are advising new property owners that (1) their Homeowners Insurance will not cover damages due to landslides, and (2) that Landslide Insurance is very rare to find, it is extremely expensive and almost does not exist.

In an article titled “Insurance won't pay for landslide damage”, Ron Fredrickson who manages the consumer advocacy team for the Oregon Insurance Division, states, “Homeowners Insurance covers a whole lot of stuff, but earth movement isn't in there and is specifically excluded, as are earthquakes and flood”. He goes on to state “Landslide Insurance is almost unheard of, it can be purchased only from highly specialized carriers and it's liable to come with a hefty premium”. “I've yet to come across anybody who has it”.

In an article quoting Scott Burns, Professor of Geology at PSU, he speaks to the devastation in the OSO, WA landslide. He states “all those people who lost their homes have lost everything **And There's NO Insurance Covering Them.**”

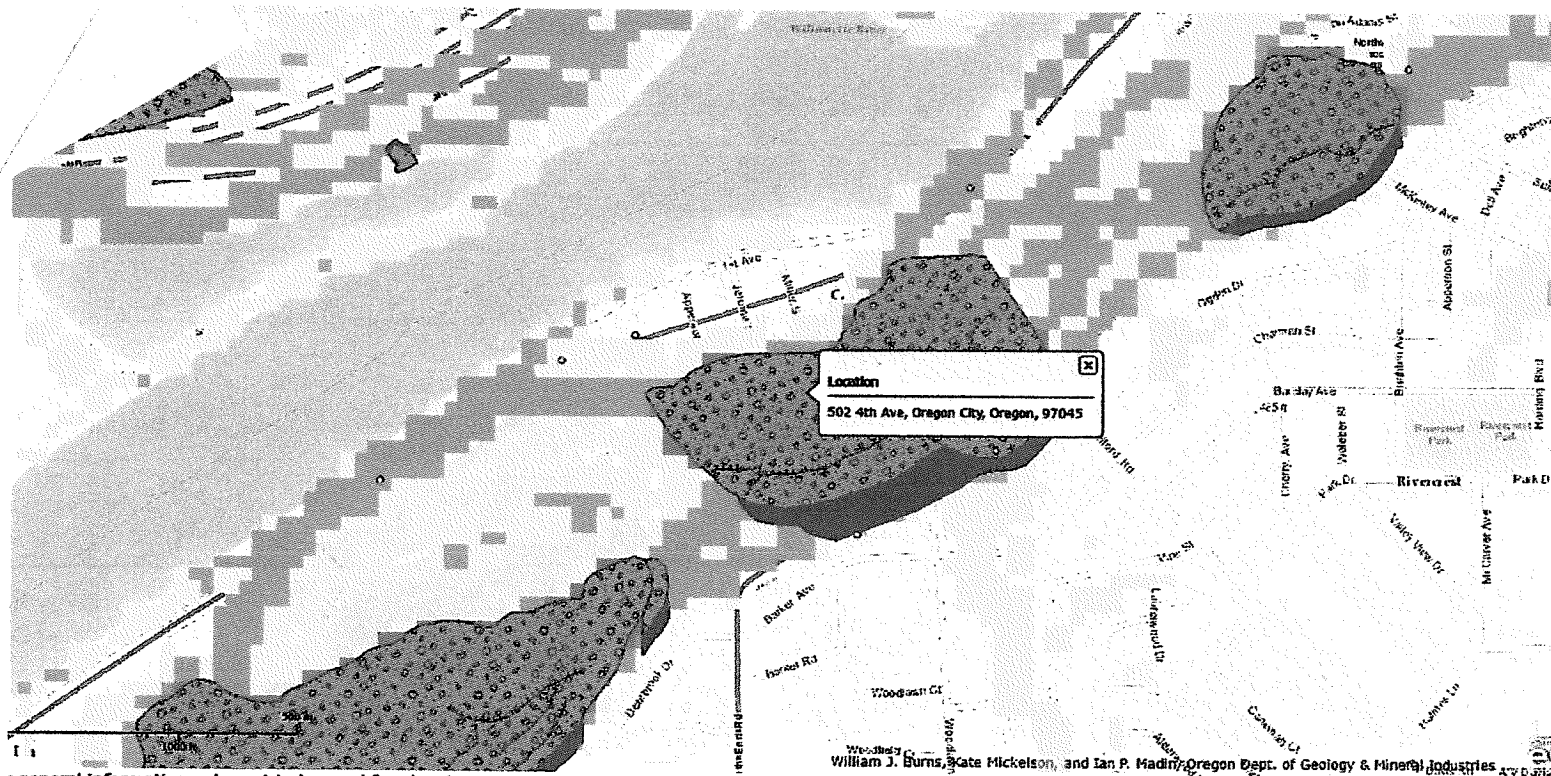
I ask you to consider these facts before considering this proposed development for possible approval. Will the City approve development inside a landslide, knowing the homeowners will not be advised of ORS 105.465, and will not understand that Landslide Insurance is probably not attainable.

Where I live, there are no landslides on my property, and yet I was denied Landslide Insurance because my property is **within one mile of a previous landslide.**

Attached:

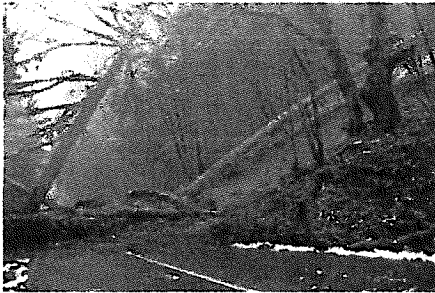
DOGAMI Map showing proposed development is inside a landslide and sits in an “extremely high susceptible area for possible future landslides”.

Quotes by Ron Fredrickson and Professor Scott Burns





Neighbors question drainage



Rains send earth moving

foundations by a landslide last month have plenty of insurance but that doesn't mean they're covered.

"We have the same exclusion as everybody else," Bob Flake said. "At this point it looks like it's just a total loss."

Flake and his wife, Gayna, were awakened in the predawn hours of Jan. 19 by a call from their security company informing them that a sliding glass door was broken. A quick inspection revealed cracks in the walls, and soon the house at 5994 N. Rosewood Drive was breaking apart.

The couple got out before the structure failed completely, but now it's uninhabitable. The Flakes are staying at their daughter's house and wondering what they're going to do next.

"We have \$2 million worth of insurance, and it's not doing us any good," Bob Flake said. "And we've still got to pay the mortgage."

At first the Flakes, like many people, assumed their homeowners insurance would help them rebuild. As it turns out, however, landslides aren't covered by standard policies.

"Homeowners insurance covers a whole lot of stuff, but earth movement isn't in there," said Ron Fredrickson, who manages the consumer advocacy team for the Oregon Insurance Division. "It's specifically excluded, as are earthquake and flood."

And while it's possible to buy additional coverage to protect against loss from flooding or earthquakes, landslide insurance is almost unheard of. It can be purchased only from highly specialized carriers called surplus lines companies, and it's liable to come with a hefty premium.

"I've yet to come across anybody who has it," Fredrickson said.

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The reason landslide coverage is so hard to come by — and pricey — is simple, Fredrickson said. Relatively few homeowners are ever likely to need it, but when they do, the damage is apt to be catastrophic — meaning the individual claims could be quite high.

Not the kind of odds that appeal to underwriters.

"The chance of loss is very great for a small number of people," he said.

For the Flakes, the loss has been devastating, and they've retained an attorney to explore the possibility of a lawsuit to recover some of their investment. The couple believe Bento County should shoulder at least some of the blame for a drainage system that routed runoff from the January storm directly onto their property.

County officials say the drainage system was designed by a private developer and was built years before the county assumed responsibility for the road that runs through the

Sillman: One of the issues in this whole tragedy is landslide insurance. Why do you think that landslide insurance is a key to make people safer?

Burns: This is the last of the major geological hazards that normal homeowner's insurance does not cover, and it is rare that people will get landslide insurance. You can buy it through Lloyd's of London. They're the ultimate insurers, but it's so expensive — a minimum of \$1,000 a year and it goes up from there.

All those people who lost their houses in the Oso landslide have lost everything, and there's no insurance covering them. We lost lives. That is the worst thing. But then property is the second thing. Hopefully, this will be enough of an impetus to take us to the next level and put more pressure on insurance companies to possibly come forward with landslide insurance.

A great example is New Zealand, where I used to live. I was down in the country when they had the big earthquake a couple of years ago. Every house in the country has all-hazard insurance, which covers earthquakes, floods, volcanic eruptions, tsunamis and landslides. Everybody pays into this, so if you have an event you're covered. I'm hoping that someday we get to that level here in the United States. It's going to take time.

Sillman: Scott Burns is a landslide expert and geologist at Portland State University. Scott, thanks for joining us.

Burns: Thank you, too.