



May 29, 2019

To: City Commission
From: Kelly Reid, AICP, Planner
Re: Historic Designation of the Buena Vista Civic Club Building

The City Commission has received a request to designate the Buena Vista Civic Club, located at 1601 Jackson Street, as a historic structure. The purpose of this memorandum is to briefly describe the process and regulatory implications of designating the Buena Vista Civic Club building as either a local historic landmark or on the National Register of Historic Places. The Buena Vista Civic Club building has been preliminarily evaluated and deemed eligible for local designation and listing on the National Register based on its age and association with early social and civic development in Oregon City.

There are many benefits that come from the preservation of historic structures. In addition to obtaining access to preservation grants, a historic designation can help foster community pride, recognize the character and history of the community, provide opportunities for tourism and education, and enhance a sense of place by helping to preserve the historic character and quality of the community over time.

The Buena Vista Civic Club was created by the residents of the Buena Vista neighborhood in 1923 as a civic and social organization, as a way to improve their neighborhood. The Club created Atkinson Park and later relocated the building onsite. The Buena Vista Civic Club building was used to hold regular meetings, fundraisers, and social activities, and was available to rent out for parties and receptions. When the Club disbanded in 1987, the City acquired the Buena Vista Civic Club building. The structure was used as a rental facility and for hosting parks programs until 2013, when it was determined to be a dangerous structure by the Building Official. The City Commission recently approved the reinstallation of heating equipment within the building to avoid further deterioration of the structure and is working to determine whether the Buena Vista Civic Club building should ultimately be restored, relocated, or demolished.

Local Landmark Designation

Process: Local historic designation can be accomplished through Oregon City Municipal Code (OCMC) Chapter 17.40, with no state or federal review. Anyone can nominate the building for local designation, including the City, an individual, or an outside organization. Owner consent is required for local designation.

The designation process entails submitting an application to the Historic Review Board (HRB). The submittal requirements are listed in OCMC 17.40.050 and the application would take approximately six hours to assemble. The City does not charge a fee for review of this type of application, but processing of the application requires approximately 25 hours of staff time over a 2.5 month period, including noticing the application, preparing a staff recommendation, facilitating the hearing and completing associated administrative tasks such as updating the city website. The HRB considers requests for designation in a public hearing, considering criteria such as whether the landmark

would serve the purpose of the historic overlay district as stated in OCMC 17.40.010, and if the designation conforms with the purposes of the Comprehensive Plan. The HRB decision is appealable to the City Commission and then to LUBA.

Opportunities: Locally designated structures are eligible for the City's Preservation Grant program. Each year the program awards \$5,000, generally up to \$1,000 per grant, for certain exterior building repair and rehabilitation costs. In addition, the protections that come with a local designation, ensure that this resource will be preserved and contribute to the collection of historic resources within Oregon City.

Design Review Implications and Protections: The interior of locally designated buildings may be altered with no additional review (though building permits may be required). Exterior alterations and building additions are subject to design review and must comply with OCMC 17.40, which includes compliance with the City's design guidelines and the Secretary of Interior Standards. The HRB reviews applications for additions, while most exterior alteration requests can be approved at the staff level if they meet certain HRB policies.

The City has authority to deny or delay the demolition of a locally designated building. In addition, the City's "Demolition by Neglect" ordinance deters the gradual deterioration of locally designated structures by allowing the City to cite property owners for failure to properly maintain designated local historic resources. As identified in OCMC 15.25, if the Historic Review Board confirms demolition by neglect, property owners are given time to correct the conditions of the building. The Board's decision is appealable to the City Commission and then to LUBA. Failure to correct the conditions results in code enforcement through the Municipal Court, which could also result in fines. Since the Buena Vista Civic Club building has been determined to be a dangerous building, if it is locally designated, the City could be required to perform a minimum level of repairs in accordance with this provision.

National Register of Historic Places Designation

Process: The National Register is federal program that is administered by the State Historic Preservation Office (SHPO) in Salem where the City plays an advisory role. Anyone can nominate the building for the National Register, including the City, an individual, or an outside organization. Public property owners may support or object to the listing of a publicly owned property, but owner consent is NOT required for nominations of public properties.

Initiating a National Register nomination process would likely involve expert research and is estimated to take 100 to 150 hours of time. Nomination applications are reviewed by the State Historic Preservation Office, and then forwarded on to the National Park Service for a decision. As a Certified Local Government, the City has the opportunity to provide comment to the SHPO office on behalf of Oregon City during their review. The HRB would likely weigh in on the designation through a noticed public hearing with a staff recommendation, requiring approximately 25 hours of staff time to notice the application, prepare a staff recommendation, facilitate the hearing and complete the associated administrative tasks. The City's support is NOT required for the nomination to be approved. The entire process is estimated to take a year.

Opportunities: National Register listing is largely an honorary recognition. It does not come with regulatory oversight or review from the federal government, with the exception of demolition review, described below. Buildings listed on the National Register are eligible for state and federal grants, but the more significant financial tax incentives would not be available for this publicly owned building. State grants that are available range between \$3,000 and \$20,000 with a 1:1 match requirement. Federal grant programs award up to \$500,000 and are highly competitive. In addition, National Register designated structures are eligible for certain waivers of the building code, such as ADA requirements, as necessary to preserve the integrity of the property. Again, listing this building on the National Register would celebrate the significance of the building as well as memorializing the stories of those who have used it.

Design Review Implications and Protections: With the exception of demolition review, there are no design review implications for buildings on the National Register. If demolition of a National Register building is proposed, state administrative rules require that the City Commission review the demolition request by considering a number of identified factors including economic consequences, importance of the building to the community and others. The rule does not prioritize any one factor over another and does not prescribe any particular result other than that such review occur. Failure to maintain a designated structure may be considered demolition which would require demolition review as well.

National Register listing does not automatically designate a structure locally. If the City wishes to impose any protections by virtue of the National Register nomination, such as design review, these additional standards would need to be adopted through a separate land use hearing process.

Status Quo – The Building Remains Undesignated

Process: No action needed.

Opportunities: The building would not be eligible for certain local, state, and federal grants that are associated with historic designation that could be used for rehabilitation.

Design Review Implications and Protections: The building would not be subject to historic design review such as when making alterations, additions or proposing new construction. Regardless if the structure is designated or not, since it is publicly owned and potentially eligible for listing on the National Register of Historic Places, any adverse effects to the exterior of the structure are required to be mitigated **per ORS 358.653**. Examples of acceptable mitigation may include documentation of the structure through a building survey and photographs, memorializing the building through interpretive signage, or retaining character-defining building elements. This same procedure was followed with the Mt. Pleasant Elementary School.

The City ultimately retains control of the Buena Vista Civic Club building as its owner. The City Commission may consider identifying a long-term plan for the Buena Vista Civic Club building prior to making any decision with regard to designation, because designation may restrict the ability of the City to alter, relocate, or remove the structure and may force the City to invest in the structure through “demolition by neglect”. Or the City Commission could conclude that the ability to access grants to fund necessary maintenance and improvement activities along with the civic pride that comes from doing so, justifies proceeding with some form of designation at this point.

We look forward to discussing this further with you next week.