ARTICLE 10 – HISTORIC AND CULTURAL PRESERVATION PROGRAM AND THE LA PINE LANDMARKS COMMISSION

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15.440.010 Purpose

A. The City will make effort to protect all real properties in La Pine that are listed on the National Register of Historic Places and other properties that are designated as local historic or cultural resources. The list of the City’s historic and cultural resources is found in the Comprehensive Plan.

B. To assure preservation of cultural resources, it is important to institute regulatory controls and administrative procedures. Accordingly, the Historic and Cultural Preservation procedures and standards in this chapter shall be used to protect designated historic and cultural resources. The Code shall be based on and be compatible with the Secretary of the Interior’s Standards and Guidelines for Rehabilitation.

C. The City of La Pine establishes a Historic Preservation Program to identify, recognize, and preserve significant properties related to the community’s history; encourage the rehabilitation and ongoing viability of historic buildings and structures; strengthen public support for historic preservation efforts within the community, foster civic pride and encourage cultural heritage tourism.

15.440.020 Applicability

A. This chapter applies to any real property within La Pine City limits that was designated as a historic or cultural resource by the Deschutes County Commission prior to 2006, or was designated by the La Pine City Council, or was listed on the National Register of Historic Places.

B. This chapter also applies to all properties that are listed on the National Register of Historic Places, including properties that have no structures or have a structure that is designated as non-historic, historic non-contributing, or historic contributing.

C. This chapter does not apply to the interiors of historic buildings.

D. No provision of this chapter shall be construed to prevent the ordinary maintenance of a Landmark when such action does not involve a change in design, materials, or appearance.

E. No provision in this chapter shall be construed to prevent the alteration, demolition, or relocation of a Landmark when the Building Official certifies that such action is required for public safety. The Building Official may find that under provisions of state law and Section 15.444.140 that a Landmark does not meet current building code but is not dangerous and thereby is eligible for some method of amelioration.
F. The following activities are not regulated by this chapter: weather stripping, re-roofing and painting as these actions are considered ongoing maintenance activities.

G. With input from the City Council, the Landmarks Commission or Planning Commission, commissioners, consultants, volunteers and staff may inventory structures, historic and pre-historic sites and research the history of any property in the City. Physical access to any property shall be with the owner and occupant’s written consent. The City and its agents may recommend that owners apply for a local historic or cultural resources designation on their property following the procedures in Section 15.442.020.

15.440.030    La Pine Landmarks Commission

A. Role

1. The La Pine Landmarks Commission and/or the Planning Commission in the event a Landmarks Commission is not appointed will administer this code on behalf of the La Pine City Council.

2. The Landmarks Commission shall serve as a quasi-judicial hearings body for applications dealing with historic and cultural resources within the City. The Landmarks Commission’s review will result in one of three outcomes: Approval, Approval with Conditions or Denial. All of the Commission’s decisions shall be supported by Findings and be signed by the Chairperson. The Landmarks Commission decisions may be appealed by Parties of Record to the City Council as outlined in the City’s Land Use Procedures in Article 7.

3. The Landmarks Commission may hold public hearings on legislative matters that involve the City’s historic preservation program and the designation of resources. The City Council may request the Landmarks Commission review and comment on proposed City policies, public works projects, urban renewal projects, modification to the Historic Preservation Code and/or the Comprehensive Plan as they relate to Historic Preservation topics and concerns.

4. The Landmarks Commission shall encourage historical property owners and the City to maintain, preserve and adaptively re-use significant historic and cultural sites, objects, and structures.

5. The Commission may adopt such procedural rules and regulations as it finds necessary or appropriate to carry out this code.

6. The Commission may evaluate any requests brought forth by property owners and citizens to designate and preserve particular buildings and/or structures or sites.

7. The Commission shall have authority to inspect, photograph or investigate any district, building and/or structure or site in the City which it has reason to believe is significant, with the property owner and occupants written consent.

8. The Landmarks Commission may recommend to the City Council any changes of code or law and programs that will create incentives to preservation which it finds appropriate.

9. The Landmarks Commission shall compile and maintain a list of all properties that have been designated as historic or cultural resources or that has been listed on the National Register of Historic Places. The
list shall include the applicable tax lots and street addresses, the date of designation, and a brief description of the resource and reasons for inclusion. The City should make effort to place this information on its website and other media avenues.

10. After consultation with the Council and City Manager and with their approval, the Commission may make information available to the public concerning its activities. All Commission revenue expenditures shall be approved by the City Council.

11. The Landmarks Commission shall advocate for historic preservation in La Pine and recommend to the city Council educational programs and materials about techniques for maintenance, rehabilitation, restoration and adaptive re-use of historic buildings.

12. The Landmark Commission may recommend the City seek, accept, and expend grant and gift funds; cooperate with public and private entities; and assist the owners of historical landmarks to secure funding for their property’s preservation.

13. The Landmark Commission may publish and adopt written and graphic guidelines and example materials to clarify the criteria in this Ordinance and to assist applicants in developing complete and viable applications to designate, alter, rehabilitate, relocate, or demolish Landmarks subject to the Planning Commission and City Council’s concurrence.

14. Documents intended to be used for the regulation of alterations in accordance with this Ordinance’s provisions shall be submitted to the City Council by the Landmark Commission for review and consideration.

15. The Landmarks Commission shall perform other duties relating to historical and cultural matters as the City Council may request.

B. Membership

1. The Landmarks Commission is composed of five voting members and an undetermined number of ex-officio members who serve at the pleasure of the City Council.

   The Mayor, with the advice and consent of City Council, shall appoint five voting Commissioners. Alternately, the Planning Commission may be designated to serve as the Landmarks Commission.

2. In the event the Planning Commission does not serve as the Landmarks Commission, the Landmarks Commissioners shall be comprised of those individuals who have some demonstrated level of expertise in historical preservation matters.

3. Terms. Landmarks Commissioners serve four [4] year terms. Any vacancy occurring in a position for any reason other than term expiration shall be filled by appointment for the remainder of the term.

C. Officers. The officers of the Landmarks Commission shall consist of a chairperson, vice- chairperson and secretary, each one of them elected by a majority vote in the first meeting in any calendar year. The officers can serve in any position for a maximum of two [2] years.

D. Meetings
1. The time and dates of meetings shall be fixed by rules established by the Landmarks Commission. The Landmarks Commission shall meet at least quarterly.

2. All meeting shall be accessible to the public and ADA accommodating.

3. The Commission may meet at the sites of proposed or designated historic or cultural resources for information gathering purposes. The Commission members shall refrain from making public comments outside the public hearing.

4. The Landmarks Commission’s meetings will be run according to Roberts Rules of Order.

5. Non legislative public hearings will follow the City’s Type III procedure found in Article 7.

6. Legislative public hearings will follow the City’s Type IV procedures found in the Article 7.

E. Public Participation

1. The Landmarks Commission shall encourage public participation in all of its meetings and activities and comply with the Oregon Public Records and Open Meetings Law.

2. City staff shall provide adequate public notice for all Landmarks Commission meetings as well as provide the City Council and Planning Commission with all meeting notices, agendas, and approved meeting minutes. City staff shall produce public notices, staff reports, Findings and Decisions, record meetings and prepare meeting minutes.

F. Compensation

Commissioners shall serve without financial compensation, but may be reimbursed for vehicle mileage and out-of-pocket expenses when performing business on behalf of the City.

15.440.040 Appeals

A. Appeals of Decisions made by the Landmarks Commission shall be to the City Council and may be filed by the applicant or party of record to the case.

B. A decision of the City Council may be appealed to the Land Use Board of Appeals as provided by law.

15.440.050 Oregon State Special Assessment of Historic Properties

A. The staff at the Oregon State Historic Preservation Office will review and approve or deny projects for interior and/or exterior restoration, rehabilitation, alteration, demolition, or new construction of structures located on a property that is listed on the National Register of Historic Places and is benefiting from the Oregon Special Assessment Program. However, if the scope of the project falls under this code, it will also be reviewed by the Landmarks Commission under applicable sections of this code to determine the appropriateness and reasonableness of the application.

B. After the application is deemed complete by planning staff, a copy of the application will be timely sent to
the Oregon State Historic Preservation Office for comment. A copy of the local decision will also be sent to the Oregon State Historic Preservation Office.

15.440.060 Definitions
The following words and phrases are defined for use in Article 10. If a term is defined in both the Article 10 and in Chapter 15.12, the definition in Article 10 shall be used if the application of the term is within the parameters of the City of La Pine Historic and Cultural Preservation Program and the La Pine Landmarks Commission.

Alteration. The addition to, or removal of, or physical modification of any exterior part, structure or portion of a structure and/or building.

Architectural significance. The structure and/or building portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; embodies those distinguishing characteristics of an architectural type; is the work of an architect or master builder whose individual work has influenced the development of the City; or contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.

Demolish. To raze, destroy, dismantle, deface or in any other manner cause partial or total ruin of a designated structure.

Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Exterior. Any portion of the outside of a designated historical structure and/or building.

Historic. 50-years old or older.

Historic Artifacts. Three-dimensional objects including furnishings, art objects, architectural elements, building materials and items of personal property which have historic significance. “Historic artifacts” does not include photographs, paper, electronic media or other media that are classified as public records.

Historic or Cultural Resource. A historic or cultural site, building, structure, object, and its significant setting or any combination of these resources that are listed on the National Register of Historic Places, or designated by the City Council and are listed in the City’s Comprehensive Plan.

Historical Significance. The structure or building has character, interest or value as part of the development, heritage or cultural characteristics for the city, state or nation; is the site of a historic event with an effect upon society; is identified with a person or group of persons who had some influence on society; or exemplifies the cultural, political, economic, social or historic heritage of the community.

Inventory. A survey, map, or description of one or more properties that is prepared by a local government, state or federal agency, private citizen, or other organization and that includes information about the architecture, building materials, history, activities, people and features associated with such sites. As a verb, "inventory" means to collect, prepare, compile, or refine information about one or more resource sites.

Landmark. An object or structure of special historical significance which has been designated by the local government or federal government as a historic or cultural resource.

Landmarks Commission. The La Pine Landmarks Commission and/or the La Pine Planning Commission if they are
one and the same body.

**Maintenance.** The process of mitigating the wear and deterioration of a 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 on the historic character of the property.

**Major Alteration.** An alteration which could adversely affect the historical or architectural significance of a historic resource. Examples include alterations to the front façade, additions, exterior remodels or alterations to the setting that remove significant historic elements or add features that are incompatible with the historic or prehistoric period, thereby losing interpretive value.

**Minor Alteration.** An alteration which does not affect the historical or architectural significance of a structure.

**Planning Division.** The City’s planning department.

**Object.** To distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and are not inhabitable. Although it may be, by nature or design, moveable, an object is associated with a specific setting or environment. Items such as statues, sculptures and fountains are considered objects.

**Preservation.** The process of applying measures necessary to sustain the existing form, integrity, and historic design and materials of a historic property, including but not limited to ongoing maintenance and repair of historic materials and landscaping following the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

**Property Owner.** The owner-of-record or the contract purchaser and does not include a person or organization that holds a security interest.

**Protect.** To require Landmarks Commission review of applications for the demolition, removal, or alteration of a historic resource, for new construction on the site or placement of fences or signs on the designated property in accordance with the provisions of this ordinance so that the defining characteristics of the structure(s) and its site and environment are retained.

**Reconstruction.** The process of depicting, by means of new construction, the historic form, features, and detailing of a landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

**Rehabilitation.** The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. The Secretary of the Interior’s Standards for Rehabilitation outlines basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

**Replacement.** The process of replacing historic materials and features with new materials when the deterioration of a character-defining material or feature is so extensive that protection, maintenance, or repair is not possible. Replacing severely deteriorated or damaged historic materials with new materials of the same kind as the historic materials and in the same design as the historic element constitutes “replacement.”
**Restoration.** The process of accurately depicting the forms, features and character of a property as it appeared at a particular period of time, by means of the removal of features from other periods in its history and reconstruction of missing features from the period of significance.

**Site.** The location of a significant event, prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, or archaeological value regardless of the value of any existing structure.

**Structure.** Anything constructed or built, any edifice or building or any kind, or any pieces of work architecturally built or composed of parts joined together in some definite manner.
Chapter 15.442 - Designation of a Resource

15.442.010 Criteria for Designation of a Cultural or Historic Resource
The Landmarks Commission shall evaluate applications for resource designation and make a recommendation to the City Council about whether the application should be approved. The evaluation of potential historic and cultural resources including buildings, structures and sites shall be based on the following criteria:

A. The property represents the contributions of a person or family important in La Pine’s history.

B. Structures or buildings represent a style of architecture or method of construction of extraordinary or unusual design, detail, materials, or craftsmanship.

C. Structures or buildings are the work of an architect, designer or master builder whose work has influenced development in the city, state or nation.

D. The property represents the contributions of La Pine’s significant people, cultural groups, educational, religious or cultural activities.

E. The structure or building represents typical local construction techniques, values, workmanship and materials used during the historic period it represents.

F. The site, structure or building is associated with or represents an important event in La Pine’s and/or Oregon’s prehistory or history.

G. The site has a cemetery or grave site with burials more than 50 years old.

H. The property is likely to yield information important to prehistory or history.

I. The building, structure or site provides La Pine a sense of place.

J. A property needs to meet one of the aforementioned criteria to be designated a cultural or historic resource.

15.442.020 Procedures for Local Designation of a Cultural or Historic Resource

A. The Application to designate a resource shall include the name(s) of the owner(s)-of-record, the property address(s) and location, a description of the property and structures; dates of construction; identification of events, people and cultures associated with it; an evaluation of its integrity and a statement of its significance.
B. Upon receipt of a completed application requesting the City Council to designate a building, structure, object or site as an historical or cultural resource, the planning staff shall evaluate the application for code compliances and construct a report. The City will send written notification to the property owner(s) and the public about the Landmarks Commission’s inspection of the property and the public hearing(s) at least 21 days prior to each hearing event.

C. The condition of the structure/building(s) is not relevant to its significance. In many cases, the condition of the building or structure is reversible and it can be rehabilitated after it is designated.

D. A majority of the Landmarks Commissioners shall independently inspect and evaluate the property/properties before the public hearing. Their observations and evaluations shall be added to the record during the hearing. At the conclusion of the public hearing, the Commission will determine the application’s validity and then submit its recommendation to the City Council.

E. At the City Council hearing, the owner(s) of the property/properties, a representative of the Landmarks Commission and all other interested parties shall be entitled to present testimony.

F. If the City Council determines that a property or properties proposed for designation has/have significance, the City Council may approve the ordinance and designate it (them) as historical or cultural resources and include it (them) in the list of designated resources in the Comprehensive Plan.

G. If the owner of an individual property objects to the designation the City Council shall not designate the property.

15.442.030 Procedures to Remove Local Resource Designation
In some cases, the local resource designation for an individual resource can be removed. If any historical object, building or structure has been demolished or destroyed, the City Council may remove the historic or cultural resource’s designation following a public hearing.

15.442.040 Annexation
At the time of annexation to the City, all properties with locally designated historical and cultural resources within the annexation area shall retain their resource designations.

15.442.050 National Register Nominations
Listing on the National Register of Historic Places is a federal action using federal procedures and criteria. Nominations for listing a property or district on the National Register of Historic Places are submitted to the Oregon State Historic Preservation Office and not to the City.

15.442.060 Historic and Cultural Resource Survey and Inventory
A. Maintaining a statewide inventory of Oregon’s historic and archaeological properties is one of the responsibilities of the Oregon State Historic Preservation Office as mandated by the National Historic Preservation Act of 1966 and Amendments. The local surveys that contribute to this inventory provide important support to citizens, local governments, and federal and state agencies for identifying and
protecting Oregon’s cultural heritage resources. A database called the Oregon Historic Sites Database contains documents and electronic data about hundreds of properties in La Pine.

B. Periodically, the La Pine Landmarks Commission shall survey and inventory properties that may be eligible for listing in the City Inventory of Historic and Cultural Resources and/or the National Register of Historic Places and add them to the statewide database with the Council’s concurrence.

C. Survey and inventory documents shall be maintained, updated as necessary, and be accessible to the public for research through public records request.

D. Survey and inventory documents and processes shall be according to practices of the Oregon State Historic Preservation Office for maintaining the Oregon Historic Sites Database.

E. Records concerning archeological sites shall not be made available to the public. The locations of archaeological sites shall be kept confidential as required by state law.
Chapter 15.444 - Standards

15.444.010 Maintenance
The maintenance, preservation, cleaning, repair, and other treatment of original exterior materials shall be in accord with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

Owners who follow the recommendations in this document are not required to apply for Landmarks Commission review or approval of maintenance and preservation work.

15.444.020 Demolition Permits and Moving Historic Resources.

A. No one may demolish or move a designated historical or cultural resource, except with the approval of the Landmarks Commission and City Council. The City may approve or deny applications to demolish or move historic or cultural resources.

B. An application for a permit to demolish or move a historical or cultural resource requires the signature of the owner-of-record. The buildings or structures shall be thoroughly photographed inside and out after the owner-of-record and occupants grant property access. The setting shall be photographed, showing all sides of the subject resource. The photographs shall be submitted as part of the application for approval of the action sought.

C. The Landmarks Commission shall hold a public hearing within 31 days of receipt of the application. The applicant, the owner of the property and other interested parties shall be entitled to present testimony.

D. In determining whether to approve the demolition or removal proposed in the application, the Landmarks Commission shall consider the following:

1. All evidence, plans, drawings and photographs that are submitted by the applicant;
2. Information presented at the public hearing;

3. The case file of the local ordinance or the National Register nomination designating the object, structure or building;

4. The long term effects of the proposed demolition or removal upon the protection, enhancement, perpetuation and continued use of the resource;

5. Whether the demolition or removal is proposed to abate a nuisance or a hazardous condition;

6. Whether denial or delay of the demolition or removal will cause the applicant substantial hardship;

7. Whether there are any alternatives to the demolition or removal;

8. Whether land use issues or regulations result in causing the need to move or demolish the structure;

9. Whether grants or other funding opportunities are available to rehabilitate or alter the structure or building;

10. Whether the structure or building can be adaptively re-used or altered to facilitate its being converted to another economically feasible use;

11. When an historic property is moved to a new location, the historic property status is retained for that property at the new site;

E. If the land use designation results in a request to move or demolish a historic resource, the City staff may in a timely manner, without cost to the property owner, review the zoning and determine if it can possibly be altered through public hearing processes for purposes of allowing its continued use in order to preserve the resource in a historic setting.

F. If the City Council approves the demolition or removal of the historic resource and if no appeal is timely filed, the building official shall issue a demolition or removal permit in accordance with applicable codes and ordinances.

G. Postponement

1. The Landmarks Commission may postpone action on an application for a demolition or removal permit if the Commission determines that a grant request, fund raising effort, program or project is under way which would result in rehabilitation, public or private acquisition or relocation of the resource, and there are reasonable grounds to believe that such effort may be successful. And provided the property owner of record consents to these actions on the property’s behalf.

2. The Landmarks Commission may suspend consideration of the application for a period not to exceed 120 days with the property owner’s concurrence.

3. During the period of suspension, no permit shall be issued for demolition or removal, nor shall any person demolish or remove the resource.

4. A decision to postpone action by the Landmarks Commission may be appealed by the applicant or the
15.444.030 Signs and Plaques.

A. The City encourages owners of historic resources to install a plaque displaying the name, date, historic photograph and other appropriate information upon the property, provided that the size, material, design, location and text of such plaque or sign is approved by the Landmarks Commission and is consistent with the City’s signage code.

B. Proposed signs must meet City signage code that includes provisions for signing historical properties. Among its provisions: signage size must be in proportion to the size of the historic building; signage placement shall not obscure the buildings significant architectural elements; signage type, font, design, shape and materials must be compatible with the historic building. The back lighting of metal-framed plastic signs and vinyl signs or vinyl lettering is discouraged.

C. Removable signs that are painted on windows or glass doors or similar to signs shown in historic photographs of the structure and made with materials that were used in the historic period are encouraged and may be approved administratively.

D. Signs must be attached to the structure in such a way as to not cause irreversible damage to the building. New signs shall be attached by reusing existing hardware whenever possible. New brackets and bolts shall be installed on masonry buildings in a wood backing or mortar joint and not into the actual brick or rock.

15.444.040 Redevelopment and Neighborhood Improvement Projects

A. A neighborhood improvement or redevelopment project administered by the City shall be submitted to the Landmarks Commission for plan review and recommendation in the circumstance where the proposed action may adversely affect a designated historic resource.

B. The Landmarks Commission may review the plans and submit a report about the potential effects upon a historical resource to the City Council. The installation of new streetlights, sidewalks, street paving, alley paving and other improvements should be done in a way that is compatible with the age and significance of adjacent historical structures.

15.444.050 Enforcement of State Preservation Laws

A. The City Council and Landmarks Commission shall enforce all state laws relating to historic preservation, the protection of properties listed on the National Register of Historic Places and the treatment of historic cemeteries and archaeological sites.

B. These state laws include but are not limited to ORS 197.772 (Consent for designation for historic property), ORS 358.653 (Conservation Programs, Leases), and ORS 358.475 through 358.541 (Special Assessment).

C. Applications to alter a Native American or other archaeological site shall be forwarded to the state archeologist for comment. La Pine staff shall use applicable sections of the Secretary of the Interior’s
Standards and Guidelines for Archeology to protect archaeological sites.

15.444.060 Requirements to Alter or Add Landscaping and Fencing

A. Traditional landscape elements evident on the property such as lawns, paths, trees, shrubs, fences and natural vegetation, should be preserved and are encouraged in site redevelopment.

B. Landscape elements such as historic hedges, trees, shrubs, paths, and masonry walls that are more than 50 year old are valued because they demonstrate changing styles of landscaping, give a sense of age to the site and provide historic context. Their preservation is encouraged.

C. Compatible alterations and additions to existing non-historic landscaping, such as non-historic decks, patios, young trees, bushes, vegetable gardens, flower gardens, garden beds or masonry walls and paths, shall be allowed.

D. Landscape walls or fencing on the rear and side property lines of a historic resource are allowed if they comply with the City’s fencing requirements.

E. Front yard fencing shall be less than four [4] feet in height and constructed of split rails, wood pickets, stacked rocks, or typical historic wood or looped top wire fences such as basket weave designs. Fences should have one [1] inch or larger spacing between boards and not placed within the site vision triangle.

15.444.070 Exterior Alteration and New Building Restrictions

A. No person may demolish or alter any historic or cultural resource in such a manner as to adversely affect its appearance or integrity, unless a Type III application for the action has been approved by the Landmarks Commission and the City.

B. Any cultural or historical site application for demolition, alteration or new construction shall be submitted to planning department staff that shall timely refer the completed application to the Landmarks Commission for review and/or hearing. Applications for alterations or new construction shall be accompanied by appropriate plans and specifications of all exterior materials intended for usage to allow the Commission to determine if the application meets applicable criteria.

C. Any application for demolition, alteration, new additions, or new construction must be filed concurrent with required building or land use permits. The City may not issue applicable demolition or building permits until the Landmarks Commission or the City Council has approved the application. The applicant may rely upon special sections of the Uniform Building Code for designated Historic Resources.

D. Applications for demolitions of non-historic buildings located on lots with historically designated structures as well as applications for minor alterations and new fencing may be processed administratively.

E. Applications for major alterations or new construction on lots with historically designated structures must meet the applicable Design Review Criteria.
15.444.080  Design Review Guidelines for New Construction

A. New construction shall be compatible with and subservient to all historic buildings on the tax lot. Newly constructed buildings must fit in and be located in a manner that is similar to the site’s historic buildings. The building construction must not be obtrusive rather it shall be homogenous with the tax lot’s historic buildings.

B. The new construction project must meet the city zoning requirements for lot coverage, setbacks and height.

C. In addition to the zoning requirements, the height of new additions shall not exceed the height of the historic building.

D. The square feet in the proposed new building shall not exceed that of the largest historic building on the lot.

E. The relationship of solids to voids (wall to window) shall be compatible with related elements on the lot’s historic buildings.

F. The relationship of height to width of primary and secondary elements of new construction shall be compatible with the lot’s historical structure(s).

G. Exterior features such as bays, porches, balconies, and other architectural elements are encouraged in new construction.

H. Concrete or masonry foundations for new construction are not required to be covered with material that simulates historic construction.

I. New construction should employ exterior materials that are traditional to the property such as logs, wood, stone, and brick. The materials should be employed in their traditional configurations, such as lap siding, board and batten siding, common brick, and coursed random width wood shingles.

J. Grooved plywood siding such as T 1-11, cement board or other composition sidings stamped with a faux wood grain, vinyl siding, aluminum siding, metal sidings, imitation brick and stone, and vinyl windows and aluminum window frames that are not part of a “clad” window system are not allowed. Smooth cement type siding without a stamped pattern is allowed.

K. Roofing pitches, styles, and materials should be compatible with the tax lot’s historic building(s).

L. When feasible, proposed garages and carports should be located on the site where they have the minimum visual impact from public ways. Where garages must face the street front, they should be designed to minimize their bulk and visual impact. Single-car garage doors should be employed. The construction of detached one story garages is encouraged.

M. New windows may be double pane in wood or metal clad wood. Fiberglass windows in traditional colors are allowed. Windows shall be finished in a traditional way with window sills and exterior window casings and shall be in traditional styles such as casement, double or single hung or fixed.
15.444.090  Requirements for Additions to Existing Buildings

A. New additions shall be sited so that they do not impact the primary façade. Additions shall be located at the rear of the historic building or on the sides where they have the least visual impact from public ways.

B. To the extent practicable, original historic architectural elements and materials shall be preserved.

C. Architectural elements and materials for new additions shall be compatible with related elements of the historic building. Siding and roofing applications shall be similar to the historic portion of the building.

D. The new foundation may be of concrete and does not have to match the historic foundation. New foundations shall not significantly alter the historic elevation of the building. Concrete or masonry foundations that will replace deteriorated wood foundations are encouraged.

E. Additions should not be taller than the historic building.

F. Additions should not contain more square feet than the historic portion of the building. Where new additions must be larger, the new addition shall be articulated in such a manner that no single element is visually larger than the historic building.

G. The relationship of height to width of new additions and their sub-elements, such as windows and doors, shall be compatible with related elements of the historic building, such as the typical historic windows which have an approximate proportion ratio of 2 vertical to 1 horizontal.

H. Grooved plywood siding such as T 1-11, cement board or other composition sidings stamped with a faux wood grain, vinyl siding, aluminum siding, metal sidings, imitation brick and stone, and vinyl windows or aluminum window frames that are not part of a “clad” window system are not allowed. Smooth cement board type siding without a stamped pattern is allowed.

I. Solar panels, skylights and solar tubes or similar products may be installed in the roof if they are not located above the front facade.

15.444.100  The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings are intended to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers prior to treatment. The treatment standards are designed to be applied to all historic resource types included in the National Register of Historic Places--buildings, sites, structures, districts, and objects. The Guidelines apply to specific resource types; in this case, buildings.

For means of this chapter, the Secretary of the Interior Standards & Guidelines for Rehabilitation are reprinted below. Depending upon the nature of the applicant's project, one or more of the Standards and Guidelines may apply. The Landmarks Commission will provide assistance in determining the appropriate application method. More information may be found at http://www.nps.gov/hps/tps/standguide/overview/using_standguide.htm.

The Secretary of the Interior’s Standards for Rehabilitation are ten basic principles created to help preserve the
distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

The Standards (36 CFR Part 67) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

Rehabilitation projects must meet the following Standards, as interpreted by the National Park Service, to qualify as “certified rehabilitations” eligible for the 20% rehabilitation tax credit.

The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

A. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

B. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

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

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

E. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

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

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

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

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

J. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
The Guidelines have been prepared to assist in applying the Standards to all project work; consequently, they are not meant to give case-specific advice or address exceptions for rare instances. Therefore, it is recommended that the advice of qualified historic preservation professionals be obtained early in the planning stage of the project. Such professionals may include architects, architectural historians, historians, historical engineers, archeologists, and others who have experience in working with historic buildings.

The Guidelines pertain to both exterior and interior work on historic buildings of all sizes, materials, and types. Those approaches to work treatments and techniques that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties are listed in the "Recommended" section; those which are inconsistent with the Standards are listed in the "Not Recommended" section.

15.444.120 Preservation Incentives

A. Owners of Designated Historic Resources shall receive a 10% reduction of City fees and taxes for City services.

B. The city will allow some uses that would otherwise be restricted in order to foster continued use and adaptive re-use of the historic buildings if an exception is granted in accordance with Chapter 15.324.

C. La Pine will not charge a fee for applications to designate a historic or cultural resource or for review of restoration or rehabilitation projects.

15.444.130 Preservation of Historic Cemeteries

A. The La Pine City Council shall determine the separation distance of new development from a known burial site on a case by case basis.

B. Any excavation for a structure or building within 300 feet of a known burial shall be monitored for the disturbance of human remains. If any remains are discovered, the City shall contact the Oregon State Police, Deschutes County Coroner and the State Archaeologist at the Oregon State Historic Preservation Office immediately and work will be stopped.

C. Historic landscaping and historic plot fencing shall be retained. Historic grave markers and landscaping shall be preserved and maintained as directed by the publications of the Oregon Cemetery Commission.

D. Construction in a cemetery of any building that will have more than 120 square feet shall be approved by the Landmarks Commission.

E. Efforts shall be made to preserve the historic character of the cemetery as outlined by the Oregon Cemetery Commission’s publications.

15.444.140 Special Provisions of the Uniform Building Code

La Pine will use the special provisions for historic preservation that are found in the Uniform Building Code, including, but not limited to,

Section 117.5 Historic Building Repairs, Alterations and Additions;
Section 1102 Definition of Historic Building;

Section 1114 Historic Preservation and Accessibility,

Section 3403.5 Historic Building Repairs, Alterations and Additions; and

1301.1.2 Historic Building Energy Efficiency.