

Springfield Development Code

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CHAPTER 3 LAND USE DISTRICTS

Section 3.3-900 Historic Overlay District

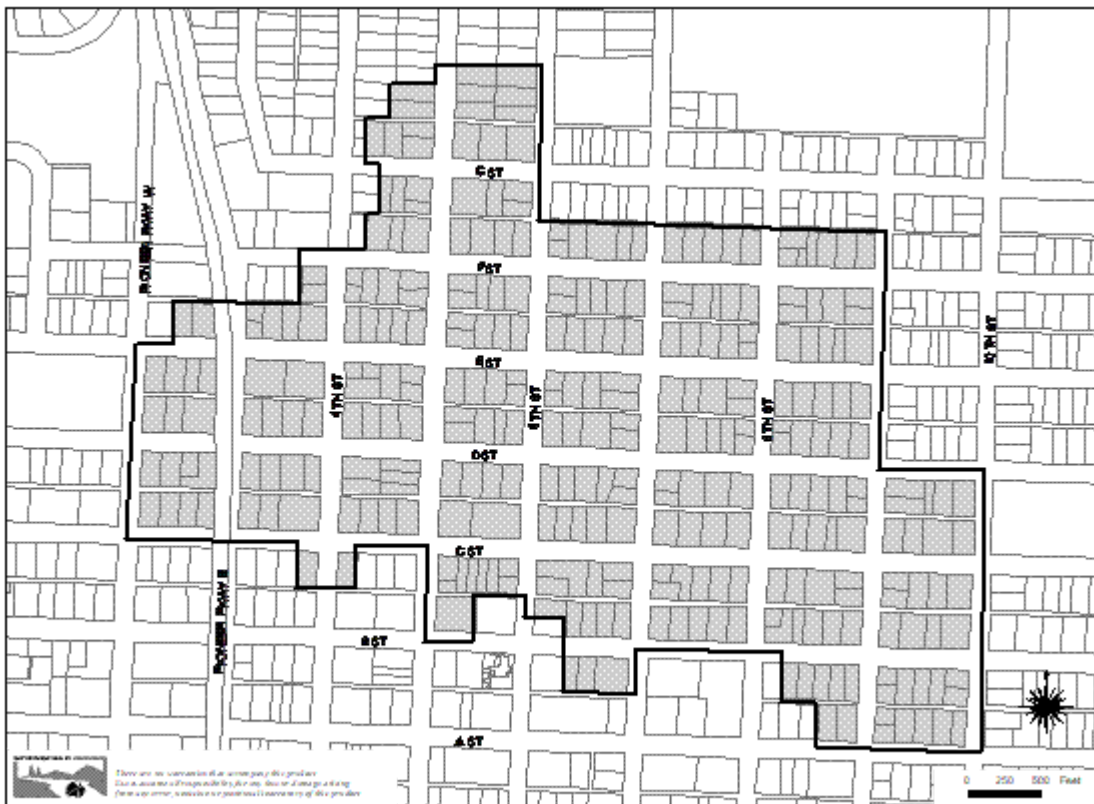
3.3-905 Purpose

The Historic (H) Overlay District is established to encourage the restoration, preservation and adaptive use of identified Historic Landmark Structures and Sites. The H Overlay District implements applicable Metro Plan policies, the Washburne Historic Landmark District, Section 2.500 et seq., of the Springfield Municipal Code, 1997 and OAR Chapter 660-023.

3.3-910 Applicability

This Section applies in the following instances to all structures and sites:

- A. Within the Washburne Historic Landmark District; and



- B. On the adopted Historic Landmark Inventory within the City or its urbanizing areas, including the following individually designated Historic Landmarks:

Historic Site/Structure	Address
Stevens and Perkins Building	330 Main Street
I.O.O.F. Building	346 Main Street
Pacific Power and Light Building	590 Main Street

Southern Pacific Railroad Depot	101 South A Street
Brattain/Hadley House	1260 Main Street
Stewart House	214 Pioneer Pkwy. West
Douglas House	3362 Osage Street
Thurston Grange	66th Street and Thurston Rd.

(6238; 6211)

3.3-915 Review

- A.** The Historical Commission shall make recommendations to the Planning Commission or City Council on the following issues:
- 1.** The establishment or modification of a Historic Landmark District (e.g., the Washburne Historic Landmark District)—Type IV procedure and as specified in Section 3.3-930;
 - 2.** The establishment of the Historic Landmark Inventory—Type III procedure and as specified in Section 3.3-920;
 - 3.** The removal of individual Historic Landmark Sites and Structures from the Historic Landmark Inventory—Type III procedure and as specified in Section 3.3-925;
 - 4.** Demolition of Historic Landmark Structures—Type III procedure and as specified in Section 3.3-950; or
 - 5.** Any Discretionary Use listed in the underlying zoning district—Type III procedure as specified in Section 5.9-100.
- B.** The following major alterations of Historic Landmark Sites or Structures shall be reviewed under Type II procedures as specified in Section 3.3-945:
- 1.** Additions, partial demolitions, or substantial alterations to a building façade;
 - 2.** A change to a more intensive use category as defined in the underlying zoning district;
 - 3.** Installation of 4 or more parking places;
 - 4.** Removal or radical trimming of large established trees or vegetation, except where necessary for immediate public safety as determined by the City Engineer;
 - 5.** Specific Development Standards in the Washburne Historic Landmark District specified in Section 3.3-935B;
 - 6.** New construction of 1,000 square feet or more within the Washburne Historic Landmark District;
 - 7.** Addition of an accessory dwelling unit that complies with the Development Standards in Section 3.3-940; or
 - 8.** Any other alteration or use that the Director determines may detract from the historic character of a Historic Landmark Site or Structure.
- C.** The following minor alterations of Historic Landmark Sites and Structures shall be reviewed under Type I procedures as specified in Section 3.3-945:

- 1.** Construction, modification or demolition of accessory structures;
 - 2.** Additions, partial or total demolitions or substantial alterations to the building façades of non-contributing and intrusive structures within the Washburne Historic Landmark District;
 - 3.** Replacement of damaged exterior features with virtually identical materials;
 - 4.** Additions, partial demolitions or alterations to Historic Landmark Sites and Structures which fully conform to the standards of Section 3.3-945 and which are not visible from the street;
 - 5.** Installation of fewer than 4 parking spaces;
 - 6.** Installation of signs of less than 4 square feet; or
 - 7.** Any similar alteration or use which does not detract from the character of a Historic Landmark Site or Structure.
- D.** The application shall include a Plot Plan and exterior elevations of sufficient detail to determine compliance, as prescribed by the Director or Historical Commission. (6376)

3.3-920 Establishment of the Historic Landmark Inventory

- A.** The following criteria shall be considered by the Historical Commission or Planning Commission in establishing sites or structures on the Historic Landmark Inventory. In each case the approval authority shall determine whether the Historic Landmark Site or Structure is:
- 1.** Associated with historic or famous events;
 - 2.** Old (usually at least 50 years old);
 - 3.** Representative of a period or style of architecture or method of construction;
 - 4.** Recognized as having architectural merit, by reason of unusual or extraordinary design, detail, use of materials or craftsmanship;
 - 5.** Identified as the work of an architect, designer, or master builder whose individual work has influenced development in the City, State or Nation;
 - 6.** Included in the National Register of Historic Places;
 - 7.** Related to the broad cultural history of the City, State or Nation;
 - 8.** Identified with a person or persons, organizations or events that have contributed significantly to the history of the City, State or Nation; or
 - 9.** Identified as a unique aesthetic or educational feature of the City.
- B.** If at least 2 of the criteria specified in Subsection A., above apply, and the Historic Landmark Site or Structure is not in an advanced state of deterioration, the Planning Commission upon the recommendation of the Historical Commission may add the Historic Landmark Site or Structure to the Historic Landmark Inventory.

- C.** Once a Historic Landmark Site or Structure is included in the Historic Landmark Inventory, it is automatically subject to the provisions of the H Overlay District.

3.3-925 Removal of Individual Historic Landmark Sites and Structures from the Historic Landmark Inventory

In order to remove a Historic Landmark Site or Structure from the Historic Landmark Inventory, the Historical Commission shall determine that:

- A.** The original criteria used in determining historic significance as specified in Section 3.3-920A. were erroneously applied; or
- B.** That demolition has been approved as specified in Section 3.3-950.

3.3-930 Establishment and Modification of Historic Landmark Districts

- A.** Historic Landmark District Preservation Plans shall be defined as Refinement Plans of the Metro Plan.
- B.** The provisions of Section 5.6-100 shall apply to the establishment and modification of Historic Landmark Districts.
- C.** The applicant shall demonstrate that the establishment or modification of a Historic Landmark District is in conformance with the following additional criteria:
- 1.** The area can be logically bounded and is distinguishable from the surrounding areas; and
 - 2.** The area possesses a significant number of Historic Landmark Sites and/or Structures; or
 - 3.** The area possesses a significant concentration, linkage or continuity of sites and/or structures that may individually lack distinction but are collectively important due to their visual or historic association.

3.3-935 Schedule of Use Categories

The following buildings and uses are permitted in the H Overlay District as indicated subject to the provisions, additional restrictions and exceptions specified in this Code.

- A.** Historic Landmark Sites and Structures. The categories of uses listed in the underlying zoning district are permitted, provided that the integrity of the historic landmark site or structure can be maintained as specified in this Section (See Section 4.3-145 for siting standards and review process for certain wireless telecommunications systems facilities for all underlying zoning districts in the Historic Overlay District).
- B.** The Washburne Historic Landmark District. To encourage investment in the historic restoration of existing homes, limited small-scale businesses shall be considered in residential districts. These businesses may operate out of a home, provided that the residential character of the neighborhood and the integrity of the Historic landmark Site or Structure is not substantially altered. Therefore, in addition to uses permitted in the underlying residential district, the following additional uses may be permitted subject to the Specific Development standards of Subsection C., below and the provisions, additional restrictions and exceptions specified in Sections 3.3-900-950.
- 1.** Professional offices. Including accountants, architects, attorneys, counselors, engineers, insurance agents, medical practitioners, planners, and real estate sales.

- 2.** Studios for artists, interior decorators or photographers.
 - 3.** Retail sales of hand-crafted merchandise, original art or antiques, exclusive of mass-produced items, copies of original art objects, or second-hand goods with limited historic value as determined by the Historical Commission.
 - 4.** Bed and Breakfast facilities.
- C.** Washburne Historic Landmark District Specific Development Standards.
- 1.** Both the business and the dwelling shall be owned and operated by the resident.
 - 2.** Not more than 40 percent of the habitable floor area of the dwelling may be used for business purposes; i.e., at least 60 percent of the habitable floor area shall be used for residential purposes.
 - 3.** The business may not employ more than 2 full-time support persons, exclusive of family members who reside on the premises. All professional practitioners shall reside on premises.
 - 4.** In addition to the 2 required parking spaces for the dwelling, 1 off-street parking space is required for each full time employee.
 - a.** Access to employee parking shall be through an alley, and employee parking spaces shall not be located between the house and front or street side property line.
 - b.** In cases where the installation of employee parking would require the removal of a Historic Landmark Site or Structure, the Historical Commission may waive one or both of the required spaces if substantial traffic problems would not result. In making this determination, the Historical Commission shall consider the report of the Transportation Manager.
 - 5.** No display of merchandise either from the windows of a structure or on the property itself is permitted.
 - 6.** No commercial vehicle repair and/or sales is permitted.
 - 7.** Home businesses shall not be open to the public on Sundays or holidays recognized by the City, apart from for activities sponsored by the City or the Washburne Neighborhood Association.
 - 8.** Hours of operation are limited as follows:
 - a.** On local streets, from 9:00 a.m. to 8:00 p.m.
 - b.** On collector or arterial streets, from 7:00 a.m. to 10:00 p.m.
- D.** Commercial uses as specified in Section 3.3-935B.1. through 3. may be permitted on Assessor's Map 17-03-35-24 Tax Lots 10800, 10801, 10900, 12900, 13000 and 13100 when the integrity of the Historic Landmark Site or Structure is not substantially altered provided that:
- 1.** The development meets the standards of Section 5.17-100.
 - 2.** Parking areas shall have paved alley access, and shall not be located between the house and front or streetside property line.

- 3.** In cases where the installation of parking would require the removal of a Historic Landmark Site or Structure, the Historical Commission may waive up to 50 percent of the required spaces if substantial traffic problems would not result. In making this determination, the Historical Commission shall consider the report of the City Engineer.
- 4.** No display of merchandise for sale that is incompatible with the residential character of the neighborhood is permitted.
- 5.** No commercial vehicle repair and/or sales is permitted.

3.3-940 Development Standards

- A.** Garage Placement. To protect the historic character of the Washburne Historic Landmark District or an individual Historic Landmark Structure, residential garages may be permitted to abut an alley, provided that:
- 1.** Minimum fire separation as required by the Building Safety Codes is not exceeded; and
 - 2.** Access is taken from the alley.
- B.** Accessory Dwelling Units. To protect the historic character of the Washburne Historic Landmark District or an individual Historic Landmark Structure, the following standards apply to accessory dwelling units in residential districts:
- 1.** Accessory dwelling units must meet the requirements in Sections 5.5-105 through 5.5-140 of this Code, except where they conflict with the standards of the Historic Overlay District.
 - 2.** Type 2 manufactured homes shall not be used as an accessory dwelling unit. (6376)

3.3-945 Major and Minor Alteration Standards

- A.** The following standards apply to major and minor alterations as specified in Section 3.3-915B. and C., within the H Overlay District.
- 1.** Any proposed use shall minimize exterior alteration of the Historic Landmark Site or Structure and its environment; uses that require substantial exterior alteration shall not be permitted.
 - 2.** The distinguishing original qualities of the Historic Landmark Site or Structure and its environment shall not be substantially altered. The removal or alteration of any historic material or distinctive architectural features is prohibited unless an immediate hazard to public safety exists.
 - 3.** All Historic Landmark Sites or Structures are recognized as products of their own time. Alterations which have no historic basis and which seek to create an earlier appearance are prohibited.
 - 4.** Changes that have taken place in the course of time are evidence of the history and development of a Historic Landmark Site or structure and its environment. Where changes have acquired significance in their own right, this significance shall be recognized.
 - 5.** Distinctive stylistic features and examples of local or period craftsmanship which characterize a Historic Landmark Site or Structure shall be retained.
 - 6.** Deteriorated architectural features shall be repaired rather than replaced. In the event replacement cannot be avoided, the new material shall match the material being replaced in composition,

design, color, texture and visual qualities. Repair or replacement of missing architectural features is based on accurate duplicate features, substantiated by historic, physical or pictorial evidence rather than on conjectural design, or the availability of different architectural elements from other buildings or structures.

7. New design for undeveloped Historic Landmark Sites in the Washburne Historic Landmark District and for alterations and additions to existing Historic Landmark Sites and Structures are permitted when they complement significant historic, architectural or cultural features and the design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

8. New additions or alterations to Historic Landmark Structures shall not impair the essential form and integrity of the structure.

3.3-950 Demolition Standards

Demolition of Historic Landmark Sites or Structures is an extreme measure that may be permitted only after all other reasonable alternatives for preservation have been thoroughly examined.

A. No demolition permit will be granted for any Historic Landmark Site or Structure unless the owner has demonstrated to the satisfaction of the Historical Commission that 1 of the following criteria applies:

1. The condition of the Historic Landmark Site or Structure constitutes a serious and immediate threat to the safety of the public or occupants that cannot be eliminated without repairs that would exceed 50 percent of the value of the structure itself.

a. A MIA-certified appraisal shall be required to determine the value of the Historic Landmark Structure.

b. At least 2 bids from qualified contractors shall be required to determine the cost of repairs to the Historic Landmark Structure.

2. The property owner has demonstrated that there would be no reasonable, long-term economic benefit from preservation of the Historic Landmark Site or Structure. In making this determination, the owner shall demonstrate that all potential uses or adaptive uses for the Historic Landmark Site or Structure have been thoroughly examined. For example:

a. The fact that a greater economic return would result from demolition than preservation is insufficient to meet this criteria.

b. A lack of adequate funds to pursue potential uses or adaptive uses is insufficient to meet this criteria (i.e., selling the Historic Landmark Site or Structure is an option that shall be considered).

B. If a Historic Landmark Site or Structure is permitted to be demolished, the property owner shall provide the Historical Commission with:

1. Four sets of measured drawings prepared by a qualified draftsman showing the primary floor plans and the primary exterior elevations.

2. A set of photographs that document the exterior and interior details, including significant architectural elements.

C. The property owner shall also supply the Historical Commission with any artifact or other architectural element as identified by the Historical Commission. The artifact or architectural element shall be carefully removed and delivered to the Historical Commission in good condition to be used in future conservation work.

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