

Watts Remy

From: Jim Heuer <jsheuer@easystreet.net>
Sent: Saturday, March 23, 2019 2:16 PM
To: SENR Exhibits
Cc: Sen Dembrow; Chrissy Curran
Subject: SB 48 testimony and proposed amendment
Attachments: Proposed Amendment to Senate Bill 48.pdf

TO Senate Committee on Environment and Natural Resources:

This email contains testimony relating to SB 48 for the March 19, 2019 hearing.

Attached to this email is a proposed friendly amendment to this bill which would have the effect of extending the State of Oregon Historic Resource Special Assessment program to resources that are defined as eligible for listing on the National Register of Historic Places, although not actually so listed, providing that they are listed within 2 years on a local jurisdiction's official historic resource list and subject to protections as defined by rule (basically Goal 5 rules for historic resource protection).

The intent of this amendment is to align the Special Assessment program, during its period of extension, with SB 927 which decouples historic protections applied by local jurisdictions from designation on the National Register of Historic Places.

Arguments for this amendment:

1) Aligns Special Assessment rules with new Historic Preservation policy being adopted in SB 927

2) Provides rehabilitation assistance for moderate and lower income single family housing and small scale multi-family housing: In Portland the roughly 1400 contributing single family residences which are locally but not NR designated have an average property value 12% below the city-wide average and over 50% below the average of contributing National Register properties in historic districts (based on 2011 property tax assessor valuations). In Portland the historic districts which are exclusively locally designated have (despite significant gentrification) a higher proportion of under represented minority owners and residents than the city average. These minority owners have been subject to City regulation of historic resources for nearly 20 years without benefit of eligibility for the Special Assessment -- a historic inequity which we have an opportunity now to correct.

3) Support achievement of State Land Use Goal 10, B, 2 which reads: *"Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes."*

4) Establishes a standard of historic integrity and importance under the "National Register eligible" definition that applies a uniform standard of qualification to applicants to the system in spite of potential variations in the rigor of individual jurisdiction's designation process. And determinations of "National Register eligibility" are a routine procedure carried out under existing rules and policies by the State Historic Preservation Office.

Arguments against this amendment:

I understand that the Deputy Director of the State Historic Preservation Office has objected to extending the Special Assessment to locally designated historic resources on the grounds that doing so might trigger a flood of applications which would overwhelm her office resources assigned to the Special Assessment program. While that may be, it is

important to note that in the 9 years since the Irvington National Historic District's 2807 properties were designated and became eligible for the Special Assessment, fewer than 50 new Special Assessment applications have been filed by affected property owners. This suggests that there will be no mad rush to overwhelm SHPO's resources, even while making the program accessible to folks who have been subject to local regulation for years without any associated financial benefits.

I should point out that although I have been a participant in the Legislative Work Group on Historic Preservation which helped craft the language of SB 927, this amendment is my own proposal and has not been cleared by or even reviewed with other members of the Legislative Work Group.

Thank you for your consideration!

Jim Heuer

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