

## Watts Remy

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**From:** Sam Noble <samuelnoble@gmail.com>  
**Sent:** Monday, March 25, 2019 8:23 AM  
**To:** SENR Exhibits  
**Cc:** Sen Dembrow  
**Subject:** SB 927 : Relating to historic preservation.

To the Committee on Environment and Natural Resources,

I support this legislation, but its current form is deficient in its level of protection to individual property owners.

Let me explain: a large developer will have the resources to overcome local legislative hurdles. Protections under measure 49 are also significantly more clear cut -- capricious application of demolition restrictions are straightforward for an appraiser to quantify on a site zoned for high-intensity development.

A homeowner (like myself) will rarely have the money or the legal protections under measure 49 to protect his ability to modify his property. If an addition is necessary for my family to continue to reside in place, how do I convince an appraiser that a few hundred square feet would materially change the value of the property when such a modification makes all the difference in the world to me?

The status quo makes a mockery of our land use planning system, allowing activists in affluent communities to "opt out" of our comprehensive plans. I understand why this legislation needs to move forward. To that end, I have a few suggestions which I think would significantly improve this bill without harming its underlying ability to enable community preservation of historic assets:

First, this bill should include a cap on the amount of buildable land which can be protected via historic or discretionary review. There should be a limit city-wide and another per-square-mile limit. I like three percent of the city and ten percent of any square mile. Choosing these numbers carefully will have two benefits. The first is that it protects small property owners like myself by ensuring that the community makes the right choice and only protects truly important resources. The second is that it can largely remove the preservation/growth conflict because there will be significantly less incentive to fight over designation.

Historic resources are precious specifically because they're rare, and some kind of formal designation quota is a good way to preserve the incredibly subjective nature of the designation while also recognizing how easily this kind of legislative tool can be abused.

The second improvement I recommend to this bill is a provision ensuring that historic resource review be imposed on any property with a significant delay. It can take several years for construction to begin on a property, and a property owner shouldn't find his application appealed to a City Council empowered to extract concessions from the developer when everyone knows that an application couldn't be resubmitted.

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