

# HERITAGE BULLETIN

Tips, Ideas & More to Help Preserve Oregon's Heritage

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## NATIONAL REGISTER BENEFITS AND RESTRICTIONS

NOVEMBER 2007

The National Register of Historic Places is the official federal list of properties that are significant in American history, architecture, archaeology, and engineering. This is primarily an honorific designation intended to recognize important buildings, structures, object, sites and districts to encourage their preservation. The National Register program is a federal program administered at the state level by the State Historic Preservation Office (SHPO). The regulation of National Register-listed properties in Oregon takes place at the local level. The following benefits and restrictions apply to National Register-listed properties:

### BENEFITS

**Recognition:** Owners may purchase an official plaque that can be placed on the building. Please contact Susan Haylock at 503-986-0672 for ordering instructions.

**Eligibility for federal tax credit:** The SHPO administers a federal tax credit program that can save building owners twenty percent of the cost of rehabilitating their National Register-listed commercial, industrial, or rental residential building. Requirements include submitting a short application form and performing only work that meets appropriate rehabilitation standards. Because tax aspects outlined above are complex, individuals should consult legal counsel, an accountant or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions.

**Consideration in planning for federally licensed, permitted, or funded projects:** Section 106 of the National Historic Preservation Act of 1966 requires that federal agencies allow for the Advisory

### *Benefits:*

- *Recognition*
- *Tax Credit Eligibility*
- *Consideration in planning for federally licensed, permitted or funded projects*
- *Grants*
- *Special Assessment*
- *Building Code Leniency*



Council on Historic Preservation to have an opportunity to comment on all projects affecting historic properties listed in the National Register. This program is administered at the state level.

**Grants:** When funds are available, Preserving Oregon grant applications are invited, usually in November. Contact the SHPO for the grant schedule. Grants are awarded competitively since demand invariably exceeds availability of funds.

**Special Assessment:** This program allows owners of properties listed in the National Register of Historic Places to apply to freeze the assessed value of the property for a 10-year period. The program is designed as an incentive to assist property owners in the preservation of historic resources. The law requires property owners to submit a preservation plan for the building and to install an identification plaque. Owners have the opportunity to apply for an additional 10-year freeze after the completion of the first term.

**Building Code Leniency:** Under Section 3403.5 of the Uniform Building Code/Oregon Structural Specialty Code, National Register properties, and other certified historic buildings, are eligible to be considered for waivers of certain normal code requirements in the interest of preserving the integrity of the property.

## RESTRICTIONS

No restrictions are imposed by the state or federal governments; however, state law in Oregon requires local governments to offer some level of protection to National Register properties. Local jurisdictions (county or city) regulate National Register-listed properties per their local ordinances, which means restrictions will vary from jurisdiction to jurisdiction. Contact your local planning bureau to determine the level of regulation in your community.

**Historic District Listing:** Private property owners may object to the listing of their property by sending a notarized letter to that effect to the SHPO prior to final review. In the case of a historic district, a majority of property owners must object in order to stop a nomination. Individual property owners within a historic district may not “opt out”

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if the majority of owners have not objected. National Register-listed historic districts, just like individually listed buildings, are subject to whatever local regulations apply (as described above).

**Public Property Listing:** 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 to move forward.

If you wish to comment on the nomination of a property to the National Register, please send your comments to the SHPO before the forthcoming meeting of the State Advisory Committee on Historic Preservation. A copy of the nomination and information on the National Register is available from the SHPO upon request.

## ADDITIONAL INFORMATION

State Historic Preservation Office  
 Oregon Parks and Recreation Department  
 725 Summer Street, N.E., Suite C  
 Salem, OR 97301

Oregon SHPO website: [www.oregonheritage.org](http://www.oregonheritage.org)  
 National Register website: [www.cr.nps.gov/nr/index.htm](http://www.cr.nps.gov/nr/index.htm)

For general information about the National Register of Historic Places, contact Kimarie Lamb, Heritage Programs Administrative Specialist at 503-986-0690.

National Register Program Staff:

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 503-986-0678  
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