

**ORDINANCE NO. 847**

**AN ORDINANCE INCORPORATING INTO THE CITY OF STAYTON'S MUNICIPAL CODE 17.12.485 AN OVERLAY ZONE DISTRICT ON THE CITY OF STAYTON'S "HISTORIC DOWNTOWN", AND ESTABLISHING DESIGN CRITERIA FOR EXTERIOR RENOVATIONS OF EXISTING BUILDINGS AND NEW CONSTRUCTION AND AMENDING STAYTON'S MUNICIPAL CODE 17.04.100 LAND USE AND DEVELOPMENT CODE DEFINITIONS.**

WHEREAS, the Stayton City Council as part of its their 1998 goals and the goals of the Stayton/Sublimity Main Street project, was to develop a set of criteria and standards for building design and signage for the historic downtown Stayton area;

WHEREAS, State Wide Planning Goal 5; Open Spaces, Scenic and Historic Areas, and Natural Resources encourages jurisdictions to protect natural resources and conserve scenic, historic, and open space resources for the present and future generations;

WHEREAS, a workshop was held at the City of Stayton, Community Center on September 9, 2002 to take public comment on the draft proposal;

WHEREAS, the Stayton Planning Commission conducted a public hearing on September 30, 2002, continued to October 28, 2002 and continued to November 25, 2002, at which time the Commission closed the hearing and voted to recommend approval to the Stayton City Council of the proposed amendments to Stayton's Municipal Code Title 17;

WHEREAS, the Stayton City Council conducted a public hearing on February 18, 2003 and subsequently rendered a decision and closed the hearing on February 18, 2003 approving said amendments to Stayton's Municipal Code;

WHEREAS, the Stayton City Council established and overlay zone district on the City of Stayton's "old downtown" area , with the following boundaries:

**THE HISTORIC DOWNTOWN BUSINESS OVERLAY DISTRICT:** The boundary encompasses both sides of N. Third Avenue from the south side of Burnett Street to the south side of Water Street and both sides of N. Second Avenue from the south side of Ida Street to the south side of Water Street, and intersecting east/west cross streets.

**THE HISTORIC DOWNTOWN RESIDENTIAL BUSINESS OVERLAY DISTRICT:** The boundary is N. Third Avenue from the south side of Washington Street to the north side of Burnett Street, and N. Second Avenue from Washington to Ida Streets, and intersecting east/west cross streets.

WHEREAS, the subject area is zoned for (CR) Commercial Retail and (CG) Commercial General use and designated in the Stayton's Comprehensive Plan for the same use;

WHEREAS, the Land Use and Development Code amendments provide reasonable standards while allowing the opportunity for exterior renovations or new building construction;

WHEREAS, proper notice of the proposed code amendments were sent to the Department of Land Conservation and Development as required by State law;

WHEREAS, findings of fact were established to substantiate the decision; and

WHEREAS, the proposed Ordinance complies with all applicable provisions of State Planning Goals, Statutes, and Administrative Rules, and with the City's Comprehensive Plan.

NOW THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Approval is based on findings of fact established and as set forth in Exhibit "A".

SECTION 2. Stayton Municipal Code Section 17.12.485 is hereby added to establish a Historic Downtown Overlay Business District and Historic Downtown Business and Residential Overlay District as set forth in Exhibit "B".

SECTION 3. Stayton Municipal Code Section 17.04.100 Definitions, is hereby amended to add:

**ALTERATIONS:** Any change or repair which should affect or materially change a supporting member of a building such as a bearing wall, column, beam or girder.

**CONCRETE STONE:** Cored Portland cement and basalt aggregate building blocks locally manufactured between 1908 and 1925.

**COMMON WALL CONSTRUCTION:** The use of zero lot line(s) where structures join one another.

**CORNICE:** The projecting moldings forming the top band of a wall or other element.

**FACADE:** Any of the exterior facet of a building

**HISTORIC:** A structure or site, usually over fifty years old, which possesses historical or architectural significance according to the City Inventory and or based on the criteria for listing in the National Register of Historic Places.

**PARAPET:** A low guarding wall that projects above the roof line.

**REPAIR:** The reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

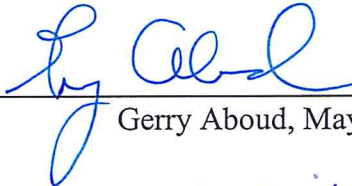
**REMODEL:** To alter the structure of a wall or building

**TRANSOM WINDOW:** A glazed or clear opening above a door or window.


ADOPTED BY THE STAYTON CITY COUNCIL this 18th day of February 2003.

CITY OF STAYTON

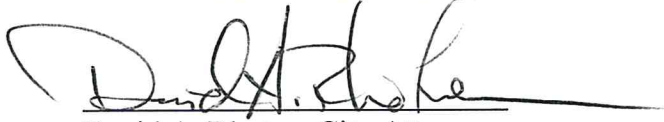
Signed: 2/20 2003

By:   
Gerry Aboud, Mayor

Signed: Feb. 20, 2003

ATTEST:   
Chris Childs, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney



ORDINANCE #847 EXHIBIT "A"

## MEMORANDUM

**TO:** Mayor Aboud and Stayton City Council

**FROM:** Steve Goeckritz, Interim City Planner

**DATE:** February 4, 2003

**SUBJECT:** COMPREHENSIVE PLAN AMENDMENT FILE NO. 14-09/02  
ZONE MAP AND ORDINANCE AMENDMENT FILE NO. 15-09/02

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This report represents the Planning Commission's summary, analysis, and recommendations concerning a proposal to establish an overlay zone district on the City of Stayton's "old downtown" establishing design criteria for exterior renovations or new building construction.

### A. GENERAL FACTS

1. At the request of the Stayton City Council (1998) and as part of the goals of the Stayton/Sublimity Main Street project, a group of downtown property and business owners and community volunteers came together to develop a set of criteria and standards for building design and signage for the historic downtown Stayton area.
2. State Wide Planning Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources encourages jurisdictions to "protect scenic and historic areas and natural resources for future generations,..."
3. One of the Periodic Review Tasks identified by the City Council was to revise and adopt architectural site design standards for downtown Stayton.
4. In June 2002 the Planning Commission began reviewing the building design standards originally developed as the Stayton/Sublimity Main Street project of 1998. This was followed by a staff presentation on September 6, 2002 to the Economic Development Main Street Committee, an arm of the Chamber of Commerce, in addition to a workshop open to the public in which all property owners within the downtown area affected by the design overlay district were notified.

5. This application is for approval of a Comprehensive Plan and Zone Ordinance Amendment that, in general, establishes design standards for the exterior renovation of existing buildings or new construction in downtown Stayton.

## **B. ANALYSIS - COMPREHENSIVE PLAN AMENDMENT**

The City of Stayton has incorporated into its Comprehensive Plan Policy language that speaks to the preservation of historic sites which reads as follows:

*NR-10 The City of Stayton shall protect the historic sites by enforcement of the Historical Overlay Zone and other regulations which apply to historic sites designated by the Historic Landmarks Committee in compliance with Stayton's Historic Preservation Ordinance. Chapter 2. pg. 23*

By memorializing that language in the City's Comprehensive plan it justified the City Council's action to proceed with the adoption of zoning regulations, SMC 17.16.760 and 17.12.480 which protect twelve (12) specific sites. Likewise, to justify the adoption of an historic overlay district for downtown Stayton it is necessary to incorporate language into the City's Comprehensive Plan that gives credence and justification to adopting such regulations. It is the Planning Commission's recommendation the following language be incorporated into Stayton's Comprehensive Plan.

*NR-16 To protect the historic integrity of Stayton's downtown in the 200 to 300 block between Washington and Water Streets the City shall adopt a design standards overlay district that is in keeping with the existing design elements of that area. (added to Chapter 2 pg.24)*

### **FINDING:**

The amendment to the Comprehensive Plan identifies the need to protect the integrity of Stayton's old downtown.

The Commission would also recommend that Comprehensive Plan Policy NR-10 be amended to read:

*The City of Stayton shall protect the historic sites by enforcement of the Historic Overlay Zone and other regulations which apply to historic sites designated by the ~~Historic Landmarks Committee~~ City Council in compliance with Stayton's Historic Preservation Ordinance.*

### **FINDING:**

Since the Historic Landmark Committee no longer exists, and the Stayton City Council has final land use decision authority, such authority should be initiated by Council.

To initiate a plan amendment five criteria must be met before a comprehensive plan amendment can be approved. These are found in 17.12.420.5.b through 17.12.420.5.e of the Stayton Land Use and Development Code.

Staff summarizes the findings and conclusions about the amendments' conformance in the following criteria:

*Criteria B - A demonstrated need exist for the product of the proposed amendment.*

**FINDING:**

The objective of the amendment is to protect the historic integrity of Stayton's old downtown. This has been demonstrated in such previous actions by the City Council in instituting Comprehensive Plan policies (Historic Site Structures and Landmarks pgs.19-20 and pg 23 NR-10) that protect historic sites in addition to Title 17 Land Use Development Code 17.12.480 which implements the Comprehensive Plan policy.

*Criteria C - The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.230 of this title) if a change in the urban growth boundary is requested.*

**FINDING:**

No change in the proposed urban growth boundary is requested with this plan amendment. However, the proposed amendment will be assessed for its compliance with the Statewide Planning Goals.

**FINDINGS:**

*Goal 1* Public hearings on the proposed Plan Amendment were held before both the Planning Commission and City Council.

*Goal 2* The proposal does not require exceptions to the Statewide Goals.

*Goal 3&4* The proposal does not affect farm or forest lands.

*Goal 5* The proposed amendment meets Goal 5 by protecting an historic area.

*Goal 6 &7* Air, water and land resources are not affected negatively by these amendments nor is this area affected by these amendments within a natural hazards area.

*Goal 8* Recreational needs are not applicable with the proposed amendments.

*Goal 9* By preserving the downtown as an historic center the community can use this as an attraction to draw tourists to the area.

*Goals 10,11,12,13 &14* Goals relating to Housing, Public Facilities and Services, Transportation, Energy Conservation and Urbanization are not adversely affected by the proposed amendments.

*Goals 15-19* These Goals relate to the Willamette Greenway and Coastal Goals and therefore are not applicable to the proposed amendments.

*Criteria D - The proposed amendment is possible within the existing framework of the plan (e.g., no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).*

**FINDING:**

Staff finds the proposed amendment is possible within the existing framework of the plan. The proposed amendment only reinforces the objectives of the plan by providing a language that calls for greater protection of Stayton's old downtown by providing for an overlay zone.

*Criteria E - The amendment is appropriate as measured by at least one of the following criteria:*

- 1) *It corrects identified error(s) in the provisions of the plan.*
- 2) *It represents a logical implementation of the plan.*
- 3) *It is mandated by changes in federal, state, or local law.*
- 4) *It is otherwise deemed by the Council to be desirable, appropriate, and proper.*

**FINDING:**

The proposed amendments are appropriate as measured by two of the above criteria. First, through discussions with downtown business interests and the Planning Commission, the proposed amendments are an additional and rational step in insuring the preservation of the old downtown. Secondly, the amendments are found necessary and desirable to preserve the historic integrity of the old downtown.

**C. ANALYSIS - ZONE MAP OVERLAY DISTRICT**

*17.12.430. 1. Definition: A zone change is a reclassification of an area from one zoning district to another, provided the new zoning district exists within chapter 17.16 of this title. Application of new zoning districts require legislative amendment of this code prior to such action, and are, therefore, not classified zone changes in the meaning of this chapter.*

**Staff Comment:**

In this case two approvals are sought. One is to amend the zoning ordinance text to incorporate design criteria relating to the downtown. To do so requires that the City go

through the legislative hearing process. Secondly, amend the zoning map with an overlay district for the downtown area.

1. Five criteria must be met before a zone change can be approved. These are found in 17.12.430.5 a through 17.12.430.5e for the Stayton Land Use and Development Code.
2. Staff will summarize its observations and conclusions about the proposal's conformance with the criteria below:

*Criteria a. - The proposed zone change and intended use is compatible with the surrounding area, as measured by:*

- 1) *Land use patterns:*

**FINDING:**

A proposal to provide for an overlay design district will not lessen the number of uses allowed in either the Commercial Retail (CR) or Commercial General (CG) District nor affect the pattern of development.

- 2) *Traffic generation and circulation:*

**FINDING:**

As renovations and new development occur, it is anticipated traffic generation will increase over the next decade. If so, the City will have to address this issue in its transportation plan.

- 3) *Population density and impacts of population concentrations.*

**FINDING:**

This criteria is not applicable to the proposed amendments.

- 4) *Potential adverse impacts such as noise, odors, appearance, hazards to the public, generation of waste products, excessive glare of lighting, and demand on public services and facilities.*

**FINDING:**

Establishing architectural design guidelines for Stayton's downtown will improve the appearance of the downtown over time. A successful program may result in higher levels of traffic which in turn require the City to designate and improve additional areas for off street parking.

- 5) *Other similar factors deemed to be of importance to the decision by the Planning Commission or Council.*



FINDING:

Staff is unaware of any other similar factors deemed important by the Commission or Council.

*Criteria b - Other property zoned land is not available in sufficient quantity within the City to satisfy current and projected needs.*

FINDING:

Inside the City limits of Stayton there are over 175 acres of commercially zoned properties. However, there is a distinction between those commercial services which are very much highway-oriented and that area, such as the old downtown which are much more pedestrian oriented. Additionally, the proposed overlay zone map amendment does not change the uses within the CR nor CG districts. Its objective is to maintain the historic character of the area.

*Criteria c - There are adequate urban services to serve the possible use under the zone proposed.*

FINDING:

Water, sewer and storm drainage at adequate levels of service have been in place in the downtown area for decades.

*Criteria d - The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

FINDING:

Stayton's Comprehensive Plan presently speaks to the preservation of historic sites (chapter 2 pgs 19,20&23) by implementing measures incorporated in SMC 17.12.480. This is in addition to the proposed amendments to the Comprehensive Plan that reinforce action to implement the design review standards.

*Criteria e - The proposed zone change is compatible with applicable provisions of the City Comprehensive Plan.*

FINDING:

The proposed design overlay does not modify the uses allowed in the underlying CR nor CG zone districts and, therefore, does not conflict with the Comprehensive Plan map nor its applicable provisions.

**D. PLANNING COMMISSION CONCLUSION:**

The proposed Comprehensive Plan and Zone Map amendments comply with the applicable decision criteria and should be granted.



**Ord. 847 - Exhibit "B"**  
**TITLE 17: LAND USE AND DEVELOPMENT CODE**

**17.12.485 HISTORIC DOWNTOWN AND RESIDENTIAL BUSINESS DISTRICT OVERLAY**

1. **PURPOSE:** The Design Standards for downtown Stayton serve not only as a reference for preserving the historic character of the downtown area, but are also a guide for new development.  
The purpose of the design standards is to encourage a continuity in the pattern already established in the area and to provide flexible guidelines for design alternatives of downtown properties. To create a specific theme or reflect a specific period is not the purpose of this ordinance. It has been determined the majority of the buildings with historical significance are located in Stayton's Downtown Business District between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue.
2. **OBJECTIVE:** The objective in identifying historic districts is to retain and maintain buildings and to support development that will result in a compact town center that is economically healthy and promotes a wide variety of uses.  
The Architectural and Site Design Standards establishes a designated historic district that overlays the existing zone district and provides criteria as guidelines.
3. **BOUNDARIES OF THE DOWNTOWN BUSINESS AND RESIDENTIAL OVERLAY DISTRICTS.**
  - A. The Historic Downtown Business Overlay District is described as:  
The boundary encompasses both sides of Third Avenue from the south side of Burnett Street to the south side of Water Street and both sides of Second Avenue from the south side of Ida Street to the south side of Water Street, and intersecting east/west cross streets
  - B. The Historic Downtown Residential Business Overlay District is described as: Third Avenue from the south side of Washington street to the north side of Burnett Street, and Second Avenue from Washington to Ida Streets, and intersecting east/west cross streets.
4. **DESIGN REVIEW CRITERIA - STATEMENT OF INTENT**
  - A. The design review criteria are intended to provide a frame of reference for the applicant in the development of site, building and landscape plans, as well as providing the city with a means of reviewing proposed plans. These criteria are intended to be flexible requirements that allow creativity. The specification of one or more architectural styles is not intended by these criteria.
  - B. It is not the intent, as part of the design review process to approve projects which exceed specific developmental standards provided for by Stayton Municipal Code (SMC) Title 17.
  - C. Potential full development of a site, based solely on the standards of the



zoning ordinance (e.g., building height, building setback). It may be inappropriate for a given site. It is for this reason that discretion, through the application of the design review criteria may require that the building or site may not realize the potential for full build out as authorized by SMC Title 17. The basic components of this section consist of:

- 1) Site design. Only the exterior facade
- 2) Architectural design. Only the exterior facade.
- 3) Street scape/landscape design.

5. DECISION AUTHORITY

The decision authority shall be as follows:

- A. Staff Decisions: City staff shall be empowered to review, evaluate and render decisions on the following:
  - 1) Structural and or facade alterations affecting less than ten percent (10%) of the exterior of any given wall of a building.
- B. Planning Commission decisions: The Planning Commission shall be empowered to review, evaluate and render decisions on the following applications:
  - 1) Alterations: Alterations that exceed ten percent (10%) of the exterior of a building.
  - 2) New construction: Any structure that requires a building permit. The Planning Commission shall hold a public hearing on any proposed request, pursuant to procedures and notification requirements of this title.
- C. City Council decisions: The City Council shall be empowered to review and render final decisions on all Planning Commission and City staff decisions.
  - 1) Public Hearing: The Council shall hold a public hearing on any proposed request and pursuant to procedures and notification requirements of this title.

6. ORDINARY MAINTENANCE AND REPAIR

Nothing in this article shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature on any property covered by this section that does not involve a change in design, material, or external appearance thereof. Nor does this article prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when the building official determines that such emergency action is required for the public safety due to an unsafe or dangerous condition. Prior to such emergency action, notification shall be provided to the Planning Commission and City Council.

7. HISTORICAL DOWNTOWN BUSINESS OVERLAY DISTRICT

A. Description

This area is defined by historic commercial buildings built with wood,

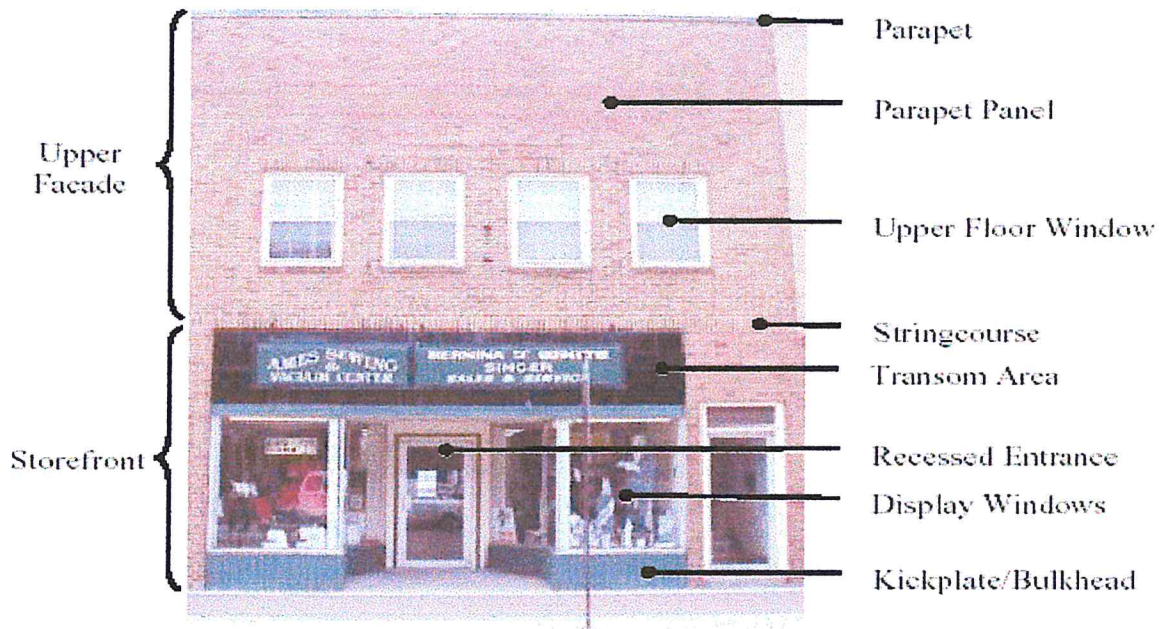
brick, or tile and cast stone; built without setback from sidewalk; having no space between buildings; often having party walls; and hosting a diverse system of sidewalk coverings to encourage pedestrian use.

B. Alterations/Restorations

A property owner shall obtain approval for alteration/restorations from the City for any construction that requires a building permit.

C. The following items are encouraged for alterations and restorations:

- 1) Repainting of block;
- 2) Restoration of original materials;
- 3) Detailing of parapets with patterned or relief cornices and stepping;
- 4) Recessed entries oriented toward the street;
- 5) Large plate glass windows with transoms on the first floor;
- 6) Upper story use of vertical, double-hung windows;
- 7) Fabric awnings (retractable or fixed). Flat awnings;
- 8) Natural color of original materials should be retained;
- 9) Use of 2-3 colors when painting;
- 10) Replacing lost architectural elements;
- 11) Kickplate/Bulkhead;
- 12) Stringcourse.



D. The following are discouraged in restorations:

- 1) Painting of brick;
- 2) Sandblasting, unless treated;
- 3) Plastic bubble awnings
- 4) Replacement or addition of doors, windows or other architectural features and materials that are not compatible with the original building design;

E. New Construction

New construction fronting streets should be in keeping with the original architectural character, color, mass, scale and materials of the building to which they are added to the neighboring buildings. New buildings and structures should maintain the continuity of the multi-story buildings and the clear distinction between street level commerce and upper floor offices or residences through facade treatment and articulation.

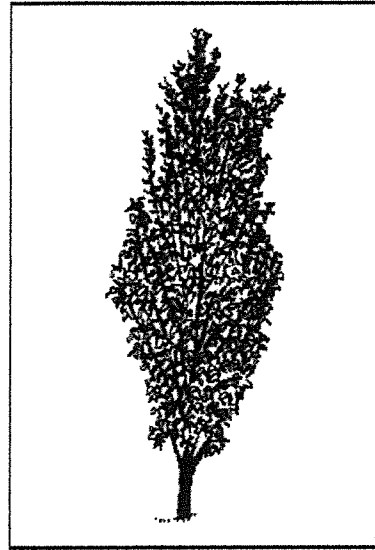
- 1) Site Plan Review: Site plan review shall be required as stipulated in 17.12.470 5.-6. of this title and a public hearing shall be held in accordance with 17.12.370.1.b. and 17.12.360.
- 2) Site Design
  - a) Sidewalks adjacent to street.
  - b) Buildings should promote viewing of waterways. Pedestrian walkways are encouraged.
  - c) Provide landscaped off-street parking behind buildings or on designated city parking lots.
  - d) Service delivery areas will be located behind buildings.
  - e) Building fronts and entrances shall face the street with facades at the property edge along the sidewalk, except for café's.
- 3) Architectural Design
  - a) Building height:
    - i. Corner buildings, two stories, 35' maximum, should be tallest building on the block.
    - ii. Interior buildings, two stories, 30' maximum.
    - iii. Generally, buildings shall be constructed to a height of existing buildings, dating from the historic period.
  - b) Building width:
    - i. All new buildings should build from side lot line to side lot line. An exception to this standard would be an area specifically designed as plaza space, courtyard, dining space or rear access for public pedestrian walkways.
    - ii. New buildings whose street frontage is more than 25 feet shall be designed so they convey a sense of

other architectural details.

division through the use of either pilasters, windows and door openings, recessed entries, off-sets on

c) Building scale:

- i. The overall size and proportions of new structures shall be compatible with the scale of buildings constructed during the historic period. The relationship between the height and width of the main facade of the building shall be visibly compatible with adjoining buildings.



d) Roof form:

- i. Roof forms should be consistent with those commercial buildings of the downtown core.
- ii. Parapet, parapet gables and flat roof forms are acceptable.
- iii. Pitched roof forms visible from the street and associated with residential structures are unacceptable.
- iv. Detailing of the parapets with patterned or relief cornices and stepping is strongly recommended.

e) Materials:

- i. Building materials should be consistent with predominant materials used on buildings of a similar period within the downtown core.
- ii. The use of wood for windows is encouraged. Reflective and smoked glass is discouraged. Window design should replicate the windows of the historic period and be consistent with those used in other buildings in the downtown core.

f) Color:

- i. The predominant color shall be of a variety and be derived from a specific color palette of earth tones similar to those used from 1905 - 1930. New colors are designated to allow for the same kind of flexibility and freedom that created the original

appearance of downtown.

- ii. Buildings should retain variety and each building should be painted in a different color palette.
- iii. Very bright or neon type paint used to attract attention to the building is prohibited.

F. Streetscape Design

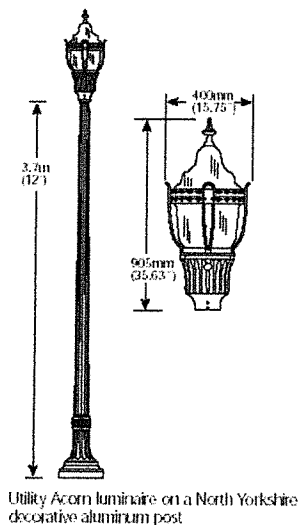
A comprehensive street scape program, consisting of street trees, street lighting, planters, sidewalk and crosswalk paving shall be developed for the Historic Downtown Business Overlay District.

1) Landscape

- a) The building architecture should be the dominant feature and street trees should be planted and pruned back from building facades.
- b) Tree plantings meet the standards as specified in SMC 17.20.890.7. and 17.20.970.2.
- c) Planters beautify the downtown and should be encouraged throughout downtown and near benches. Bench height should provide for easy seating. Sidewalk elements, such as planters should be designed and made with materials compatible with the architecture and of the downtown area.
- d) Pedestrian right of way should be improved with alteration materials, such as concrete blocks, brick or stone, at the pedestrian crossings.

2) Street lights

- a) The Holophane Utility Acorn luminaire on a North Yorkshire decorative aluminum post will be placed within the city right of way.



G. Signage

It is recognized that signage is a key component in identifying businesses and in contributing to the livelihood of the street. Individuality is encouraged, but signage should not be the dominant feature of a building or site in the Historic Downtown Overlay Business District. New design and restoration should maintain a system of signage that identifies businesses that is visible to both pedestrian and automobile traffic, without detracting from the architecture or overpowering the street scape.

1) Permit Procedures

- a) No property owner, lessee, contractor, or any other person shall construct or alter any sign without first obtaining a valid permit.
  - b) Application requirements.
    - i. An application for a sign permit shall be made on a form prescribed by the City. City shall issue a permit for the sign unless the sign is in violation of the provisions of these regulations or other provisions of the Stayton Land Use and Development Code.
    - ii. Sign Permits mistakenly issued in violation of these regulations or other provisions of the Code are void. Stayton City Administrator may revoke a sign permit if it is found that material errors or misstatements of fact were made by the applicant on the permit application.
    - iii. The sign permit does not take the place of any required building (e.g. structural, mechanical, electrical) permits which may be required to construct or locate an approved sign.
  - c) Permit Fees: Permit fees shall be established by City Council resolution.
  - d) Construction and Maintenance: All signs shall be designed, constructed and maintained in accordance with the following standards:
    - i. All signs shall comply with the applicable provisions of the Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other regulations. Issuance of a sign permit under these regulations does not relieve the applicant of complying with all to all other permit requirements.
    - ii. Permanent signs conforming with the requirements of these regulations shall be constructed of durable materials and be permanently attached to a building, or to another structure by direct attachment to a rigid wall, frame, or structure.
    - iii. All signs shall be maintained in a good structural condition and be readable at all times.
- 2) Permitted Signs: Exclusive of all signs allowed in SMC Title 17.20.960 Sign Code Item (3).
- a) Wall signs, window signs, canopy and projecting signs attached to buildings should be compatible in scale, without obscuring the architectural features.



- b) Window signs should be at eye level to entice the pedestrian.
- c) The window background should be treated as if it is a black surface in order for a painted sign to be readable.
- d) The use of gold leaf window signs and custom-made neon signs at an appropriate scale is encouraged.
- e) Awning or valance signs are encouraged.
- f) Hanging signs using front lighting are encouraged.
- g) Wall, awning, window and projecting right-angle signs shall be suggestive of those used during the historic period in size.
- h) The re-creation of old signs, using historic photos and paint analysis to determine the character and color of an old sign, is encouraged where allowable by these standards.
- i) Signs under awnings may be as low as 6'6" above the sidewalk if needed to accommodate an historic awning design.
- j) Murals, which do not advertise, with a cultural theme, are not considered commercial signs and are exempt from this ordinance.
- k) Real estate signs not to exceed sixteen (16) square feet.
- l) All signage existing at the time of adoption of this ordinance.

H. Demolition

A demolition permit shall be required in this district where there is common wall construction.

- 1) A demolition permit shall be obtained from the city's building official.
- 2) Upon securing a demolition permit, the property owner shall notify in writing, the City of Stayton and adjoining property owner(s) that share a common wall construction ten days (10) prior to beginning demolition.

8. HISTORIC DOWNTOWN RESIDENTIAL BUSINESS DISTRICT OVERLAY (TRANSITION AREA)

This area was once predominantly residential in nature and now include homes that have been converted to businesses or new buildings constructed for the purpose of conducting business but featuring residential-like facades. The area is architecturally residential and should remain so to maintain continuity and retain its neighborhood appearance.

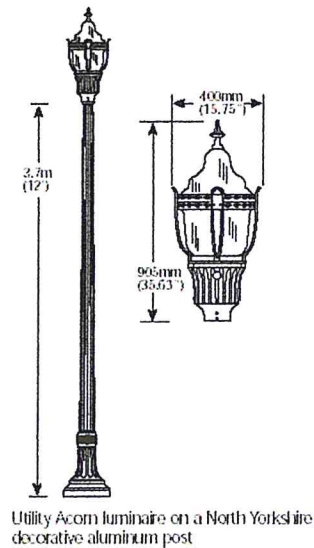
- A. Restoration of existing buildings is encouraged.

- 1) Additions to residential buildings is controversial and shall be reviewed by the Planning Commission to ensure compatible massing, roof forms, materials and window and door types.
- 2) To maintain the residential character of the district a minimum 4/12 roof pitch-and/or compatible with neighboring uses shall be required for all new construction.
- 3) Building setback standards for new construction shall be determined through the site plan review process (17.12.470).
  - a) A front yard setback may be predicated on the average building setback fronting a street within that block, or;
  - b) A minimum of a ten (10) foot setback from a front yard or street side yard, property line.
  - c) Crowding new structures on to open spaces in the yard is discouraged.
  - d) Extraordinary planting is

encouraged.

B. Streetscape Design

- 1) A comprehensive streetscape program, consisting of street trees, street lighting, sidewalk and crosswalk paving is encouraged in the Historic Downtown Residential Business Overlay District.
- 2) Lighting
  - a) The Holophane Utility Acorn luminaire on a North Yorkshire decorative aluminum post will be placed within the city right of way.



3) Trees

a) Tree

plants shall meet the standards as defined in SMC 17.20.8, 17.20.9 and 17.20.2.



1. Flowering Pear



2. Japanese Zelkova



3. Norway



### C. Signage

It is recognized that signage is a key component in identifying businesses and in contributing to the livelihood of the street. Individuality is encouraged, but signage should not be the dominant feature of a building or site in the Historic Downtown Residential Business Overlay District. New design and restoration should maintain a system of signage that identifies businesses that is visible to both pedestrian and automobile traffic, without detracting from the architecture or overpowering the streetscape.

#### 1. Permit Procedures

- a) No property owner, lessee, contractor, or any other person shall construct or alter any sign without first obtaining a valid permit.

4. Red Maple

5. Red Oak

6. Skyrocket Oak

#### b) Application requirements.

- i. An application for a sign permit shall be made on a form prescribed by the City. City shall issue a permit for the sign unless the sign is in violation of the provisions of these regulations or other provisions of the Stayton Land Use and Development Code.
- ii. Sign Permits mistakenly issued in violation of these regulations or other provisions of the Code are void. Stayton City Administrator may revoke a sign permit if it is found that material errors or



misstatements of fact were made by the applicant on the permit application.

- iii. The sign permit does not take the place of any required building (e.g. structural, mechanical, electrical) permits which may be required to construct or locate an approved sign.
  - c) Permit Fees: Permit fees shall be established by City Council resolution.
  - d) Construction and Maintenance: All signs shall be designed, constructed and maintained in accordance with the following standards:
    - i. All signs shall comply with the applicable provisions of the Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other regulations. Issuance of a sign permit under these regulations does not relieve the applicant of complying with all to all other permit requirements.
    - ii. Permanent signs conforming with the requirements of these regulations shall be constructed of durable materials and be permanently attached to a building, or to another structure by direct attachment to a rigid wall, frame, or structure.
    - iii. All signs shall be maintained in a good structural condition and be readable at all times.
2. Permitted Signs: Exclusive of all signs allowed in SMC Title 17.20.960 Sign Code Item (3).
- a) Wall signs, window signs, canopy and projecting signs attached to buildings should be compatible in scale, without obscuring the architectural features.
  - b) Window signs should be at eye level to entice the pedestrian.
  - c) The window background should be treated as if it is a black surface in order for a painted sign to be readable.
  - d) The use of gold leaf window signs and custom-made neon signs at an appropriate scale is encouraged.
  - e) Awning or valance signs are encouraged.
  - f) Hanging signs using front lighting are encouraged.
  - g) Wall, awning, window and projecting right-angle signs shall be suggestive of those used during the historic period in size.
  - h) The re-creation of old signs, using historic photos and paint analysis to determine the character and color of an old sign, is encouraged where allowable by these standards.
  - i) Signs under awnings may be as low as 6'6" above the

sidewalk if needed to accommodate an historic awning design.

- j) Murals, which do not advertise, with a cultural theme, are not considered commercial signs and are exempt from this ordinance.
- k) Real estate signs not to exceed sixteen (16) square feet.
- l) Monument signs are allowed.
- m) All signage existing at the time of adoption of this ordinance.