

ORDINANCE NO. 713

AN ORDINANCE AMENDING THE CITY OF STAYTON COMPREHENSIVE PLAN, CHAPTER 2, "NATURAL AND HISTORIC RESOURCES;" AND TO INVENTORY AND DESIGNATE HISTORIC RESOURCES WITHIN THE CITY OF STAYTON URBAN GROWTH BOUNDARY, COUNTY OF MARION, STATE OF OREGON.

WHEREAS, on April 25 1991 the Land Conservation and Development Commission (LCDC) acknowledged the Stayton Comprehensive Plan as being in compliance with all periodic review requirements and the State of Oregon Land Use Goals and Guidelines with the exception of Goal 5, Historic Resources; and

WHEREAS, on June 27 1991 LCDC issued an enforcement order stipulating that the city submit an amended ordinance removing "owner consent" provisions for historic properties from the city's historic preservation ordinance and further directed the city to establish a list of historic resources; and

WHEREAS, on 7 December 1992 the City entered into a grant agreement with the State Historic Preservation Office of the State Parks Department and the Department of Land Conservation and Development in which the State of Oregon provided funds to the City of Stayton to complete an historic resources inventory, historic context statement, Environmental, Social, Economic, and Energy (ESEE) Analysis, and adopt an ordinance incorporating the inventory into the Stayton Comprehensive Plan; and

WHEREAS, the City of Stayton has consulted with property owners, citizens of Stayton, members of the Stayton Planning Commission and of the Stayton City Council in the preparation of the necessary materials, and on January 25, 1993 held workshops with interested citizens and affected property owners; and

WHEREAS, the Stayton Planning Commission and Stayton City Council conducted a joint public hearing on 16 February 1993; and

WHEREAS, on February 22, 1993 the Stayton Planning Commission forwarded recommendations to the Stayton City Council; and

WHEREAS, the Stayton City Council rendered a decision on March 1, 1993 and on that date adopted an Order and Findings of Fact in compliance with Goal 5 requirements for the inventory and designation of historic resources in Stayton,

NOW, THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: That the text of the Stayton Comprehensive Plan, Chapter 2, "Natural and Historic Resources," subsection related to "Historic Sites, Structures, and Landmarks" is hereby amended to read as follows:

Stayton's early history can still be seen at several sites in the original townsite. The City has prepared an "Historic Context Statement" describing the general history of the Stayton area and the development of the community. An inventory of historic resources in Stayton has been developed so that visitors, as well as residents of Stayton, may enjoy their value.

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Amending the Stayton Comprehensive Plan, Natural and Historic Resources

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Inventory sheets list architectural features, historic uses, places each site or structure in context of the historical development of Stayton and indicates the significance or non-significance of each site. Sixteen sites, including twelve from the 1979 "Stayton Comprehensive Plan," were evaluated and inventoried. After a determination of significance, ESEE analysis and evaluation of conflicting uses twelve were included on Table NR-1, the Historic Resources Inventory. One resource, the Paris Woolen Mill, is also listed on the National Register of Historic Places.

Table NR-1
Historic Resources in Stayton

Site No.	Historical Name	Location	Prior/Current use
1.	A.D. Gardner House	633 N Third	A.D. Gardner residence Stayton Flowers & Gifts
2.	Charles Stayton House	784 N Third	Charles Stayton residence Mary E. Stayton residence
3.	Paris Woolen Mill	535 E Florence	Woolen mill, office, store On National Register of Historic Sites
4.	Stayton Paint Shop	308 E Water	Chair factory Fred Lau residence Ernst and Lee Lau residence
5.	Gehlen/Sims Building	189 N Second	Gehlen General Store Currently storage building
6.	Stayton Mercantile (Burmester Building)	429 N Third	Livery stable, mercantile Antique store
7.	Buster House	444 E Ida	Uriah Whitney residence Michel Lau residence
8.	Women's Club Building	260 N Second	Women's Club Building Stayton Library Santiam Historical Museum
9.	Mountain States Hydroelectric Project	Power canal at Third Avenue	Hydroelectric turbine power generator operated by Mountain States and then Pacific Power.
10.	Thomas Y Covered Bridge (now Jordan Bridge)	Pioneer Park over Salem Ditch; Seventh Ave at Marion	Reconstructed covered bridge
11.	Salem Ditch (site location only)	N Santiam River at Mill Creek	Man-made waterway to provide water to Salem woolen mills
12.	Stayton Power Canal (site location only)	N Santiam River and tailrace	Drury Stayton ditch and tailrace, man-made waterway to provide water to early industries near Water Street, city water supply, and power generators

The City has adopted an historic preservation ordinance as part of the Stayton Land Use and Development Code. The ordinance governs the addition or removal of sites from the historic resource inventory and requires the issuance of an historic modification permit for the exterior alteration, demolition or relocation of an historic resource.

Based on the economic, social, environmental and energy analysis of the sites and consideration of conflicting uses, four of the listed resources warrant special consideration.

2. Charles Stayton Home: The Charles Stayton home is located in a commercial-retail (CR) zone which may be redeveloped in the future. Due to the quality of this Queen Anne style home conversion to a compatible commercial use or relocation of the structure is strongly encouraged.
5. Gehlen/Sims Building: The building is a rare example in Marion County of a later 19th century wood-frame commercial building. The building has very little remaining economic life remaining. It lacks a foundation, though concrete has been added for support. There is extensive sinking to the east (front) elevation of the building. Much of the floor is rotten and there is extensive dry rot. The north elevation leans about one foot at the top of the building. The rear section has been extensively damaged by fire. Due to the deterioration of the building restoration is considered unlikely. Issuance of a permit to demolish the structure is appropriate due to the condition of the structure and to allow for redevelopment of this commercial area. In order to provide an opportunity to preserve the structure, a 60 day waiting period prior to demolition is encouraged to allow the removal of a portion of the structure or to allow a historic preservation group to measure and prepare blueprints of this unique structure.
11. Salem Ditch and Stayton Power Canal: The Salem Ditch was originally constructed in the 1850's and the Stayton Power Canal in the mid-1860's. Since that time a variety of modifications have been made to each structure. In the future state and federal water policies, environmental and energy regulations will effect the operation of the waterways and may require modifications to each. The Santiam Water Control District has informed the city modifications to fish ladders, addition of fish screens and the construction of a bypass channel for fish passage on the Stayton Power Canal are all changes being considered. The City of Stayton and Pacific Power may desire to make adjustments to potable water and hydroelectric intake systems.

Consequently, the sites/locations of the two waterways have been designated as historic resources and not the structures. Water quality protection actions including construction and on-going maintenance and operation within the waterways shall not be regulated by the city's historic preservation ordinance. Water quality protection actions include, but are not limited to, activities including dredging, siltation removal or transfer; maintenance of walls, channel beds, fish ladders, water intakes, hydroelectric facilities, headgates and other structures; relocation, maintenance or replacement of utility lines; chemical or biological treatment and water filtration; management of fish, water fowl and wildlife; raising or lowering of water levels; control of water flow rates including periodic, temporary or emergency stoppage or drainage; and placement of diversions, dams or minor channel modifications.

The relocation of the waterways from current location to another location will require issuance of an historic modification permit.

For new developments, the Stayton Land Use and Development Code requires the Planning Commission and City Council to consider the impacts of the development on existing historic resources and allows the city to impose appropriate conditions to preserve or enhance the resource.

PASSED BY THE STAYTON CITY COUNCIL this 15th day of March, 1993.

Date: 3-16-93 By: Willmer Van Vleet
WILLMER VAN VLEET, Mayor

ATTEST

Date: 3-16-93 By: David W. Kinney
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: MAR 18 1993 David A. Rhoten
DAVID A. RHOTEN, City Attorney

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