



# CITY OF STAYTON

## APPLICATION FOR ALTERATION, DEMOLITION, OR REMOVAL OF A HISTORIC STRUCTURE

### APPLICATION AND DECISION-MAKING PROCEDURES

#### 1. APPLICATION FEE

Submission of a completed application form, with a plan and attachments, and payment of the application fees are required before the review process begins. The application and fees shall be submitted to the Planning Department during regular business hours. If the cost to the City does not reach the amount of the fee paid, the excess fee will be refunded to the applicant after the file is closed. If during the processing of the application, the costs to the City exceed 75% of the fee paid, the applicant will be required to pay an additional 50% of the fee amount, to assure that there are adequate funds to continue to process the application.

#### 2. REVIEW FOR COMPLETENESS AND SCHEDULING A HEARING

The City Planner will review the submitted application for completeness and, within 30 days from the date of submittal, determine if the applicant has provided all required information. If the application is incomplete, the City Planner will notify the applicant of the items which need to be submitted. Once the application is deemed complete, the Planner will schedule a hearing before the Stayton Planning Commission. Planning Commission meetings are regularly scheduled for the last Monday of the month.

#### 3. STAFF REPORT

Once a hearing date is set, the City Planner will prepare a staff report summarizing the applicant's proposal, the decision criteria, comments from other agencies or the public, and address whether the application complies with code requirements or suggest conditions to meet those requirements. A copy of the staff report will be provided to the applicant 7 days prior to the public hearing.

#### 4. PUBLIC HEARING BEFORE THE STAYTON PLANNING COMMISSION

Prior to the public hearing, notice is required to be sent to all property owners within 300 feet of the property 20 days before the hearing, so the hearing will be scheduled at the first regular meeting following the notice period. The hearing is to give all interested parties an opportunity to comment on the application. The hearing is conducted by the Chairperson in accordance with the Stayton Public Hearing Rules of Procedure. These rules are available at City Hall.

At the conclusion of the hearing and deliberation, the Planning Commission will adopt an order stating the decision criteria, findings of fact, conclusions whether the application meets any applicable standards and the Commission's decision. The Commission may decide to deny, approve, or approve the application with conditions.

#### 5. PUBLIC HEARING BEFORE THE STAYTON CITY COUNCIL

An application may be called up by, or appealed to the City Council. If called up, the Council will also conduct a public hearing. If appealed, the Council will decide whether to hear the appeal and hold a public hearing. A notice is required 10 days prior to the hearing which will be held at the regular Council meeting, which meets the first and third Mondays of every month. Staff reports, Planning Commission findings, and any new information will be presented to Council for consideration. The purpose of the hearing is to receive further public testimony, to review the application and consider the Planning Commission's decision and conditions. Generally, the Council will make a decision at the conclusion of the hearing process, but may delay the decision for further information or action by the applicant. The Council will then adopt an order either approving or denying the application.

#### 6. APPEALS

Council actions may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

#### 7. FOR MORE INFORMATION

Call or write to City of Stayton Planning Dept., (mailing address) 362 N. Third Avenue, (building address) 311 N. Third Avenue, Stayton, Oregon 97383. (503) 769-2998; email: [jsiciliano@staytonoregon.gov](mailto:jsiciliano@staytonoregon.gov).

## APPLICATION CHECKLIST FOR ALTERATION, DEMOLITION, OR RELOCATION OF A HISTORIC STRUCTURE

This checklist has been prepared to assist applicants in submitting an application that includes all of the information necessary for the Planning Commission or City Council to reach a decision based on the decision criteria of Section 17.12.230.7 of the Land Use and Development Code. Review of an application will not begin until a complete application has been submitted. If you have questions, contact the Planning Department.

- Property Owner Authorization:** If the applicant is not the owner of the property, the application must include written indication of the applicant's right to file the application. This may be a purchase and sale agreement, an option or other document that gives the applicant some legal interest in the property. If the applicant is to be represented by another individual (planning consultant, engineer, attorney) the application must be accompanied by a notarized statement certifying that the applicant's representative has the authorization of the applicant(s) to file the application.
- Three copies of a site plan at a scale of 1 inch equals not more than 50 feet with a north point, graphic scale, tax map number and tax lot number included and 12 reduced copies of the plan sized 11 inches by 17 inches.**
  - The boundary lines of the parcel and area of the property in acres or square feet.
  - Original layout of site.
  - Proposed modifications
  - Any changes to utilities or off-site improvements
- Vicinity Map:** The vicinity map may be drawn on the same map as the site plan. All properties, streets, and natural features within 300 feet of the perimeter of the parcel shall be shown on the vicinity map.
- Elevation Drawings:** Elevations drawings of all sides of the structure proposed to be modified. The drawings shall illustrate the existing conditions and the proposed modifications, detailing window placement and style, building siding, trim, and door location. Elevation drawings are not required for an application for demolition.
- Photos:** Photographs, taken within 90 days of submittal of the application, illustrating the current condition of the structure.
- A narrative explaining how the application meets the each of the decision criteria of Section 17.12.230.7.**

### BURDEN OF PROOF

This is a quasi-judicial application in which the applicant has the burden of proof. According to law, the applicant must present to the decision maker facts, evidence, analysis, and justification for each and every decisional criteria in order to carry out that burden of proof. It is important to remember that there is no assumption that the applicant is entitled to this approval. The burden of proof lies with the applicant to prove how the proposal complies with the land use ordinances, not with the City of Stayton.

Stayton Municipal Code Title 17, Land Use and Development, is available online at: [www.staytonoregon.gov](http://www.staytonoregon.gov). Click on the Document Center tab and select Municipal Code.



**CITY OF STAYTON**  
**APPLICATION FOR ALTERATION, DEMOLITION, OR REMOVAL**  
**OF A HISTORIC STRUCTURE**

PROPERTY OWNER: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Email: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Email: \_\_\_\_\_

APPLICANT'S REPRESENTATIVE: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Email: \_\_\_\_\_

CONSULTANTS: Please list below planning and engineering consultants.

PLANNING

ENGINEERING

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Select one of the above as the principal contact to whom correspondence from the Planning Department should be addressed:

- owner    applicant    applicant's representative    planning consultant    engineer

LOCATION:

Street Address: \_\_\_\_\_

Assessor's Tax Lot Number and Tax Map Number: \_\_\_\_\_

APPLICATION FOR:

- alteration    demolition    removal

SIGNATURE OF APPLICANT:

\_\_\_\_\_

DO NOT WRITE BELOW THIS LINE

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Application received by: \_\_\_\_\_ Date: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_

Land Use File# \_\_\_\_\_

## QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

The Stayton Planning Commission, with assistance from the Planning Department and the Public Works Department will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on how well the applicant presents information to show the application meets the standards and criteria set forth in the Stayton Land Use and Development Code 17.12.230.7. Please provide the following information in full and attach to this application as Exhibit A.

### 1. For an Application for Alteration.

- A. What are the distinguishing original qualities or character of a building, structure, or site and its environment? How will the alteration impact these features?
- B. How will the alterations that have no historical basis and which seek to create an earlier appearance structures and sites shall be recognized as products of their own time shall be discouraged?
- C. What changes have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment? These changes may have acquired significance in their own right and this significance shall be recognized and respected.
- D. How will the alterations sensitively treat any distinctive stylistic features or examples of skilled craftsmanship which characterize the building, structure, or site?
- E. How will deteriorated architectural features shall be repaired rather than replaced? Explain why it is not possible to repair. In the event replacement is necessary, how will the new material match the materials being replaced in composition, design, color, texture, and other visual qualities?
- F. Explain the efforts to be made to protect and preserve archaeological resources affected by or adjacent to the project.
- G. If a contemporary design for alterations and additions to existing properties is proposed, explain how they will not destroy significant historical, architectural, or cultural material and are compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- H. How will the additions or alterations shall be accomplished in such a manner that if they were to be removed in the future, the essential form and integrity of the structure would be repaired?

### 2. For an Application for Demolition

- A. Explain the state of repair of the building and the costs of repair.
- B. Describe any programs or projects might exist that could result in preservation of the structure.
- C. Describe any hardship that may result from denial or conditions of approval.
- D. What are the effects on the public welfare if the structure were demolished considering the significance of the structure and the economic, cultural, and energy consequences of demolition?
- E. Do reasonable alternative exist?

### 3. For an Application for Relocation.

- A. What will be the effects of the relocation on the historic and architectural integrity of the structure.
- B. Describe the compatibility with the designated historic resources surrounding the proposed location.