



Legislation Details (With Text)

**File #:** 19-541      **Version:** 1

**Type:** Public Hearings      **Status:** Agenda Ready

**In control:** City Council

**On agenda:** 11/25/2019      **Final action:** 11/25/2019

**Title:** Oregon State Hospital National Register Historic District Boundary Revision

Ward(s): All Wards  
 Councilor(s): All Councilors  
 Neighborhood(s): All Neighborhoods  
 Result Area(s): Good Governance; Welcoming and Livable Community

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map of Boundary Changes, 2. National Park Service Decision, 3. Ordinance Bill No. 15-19, 4. Exhibit A (Ordinance Bill No. 15-19), 5. Exhibit B (Ordinance Bill No. 15-19)

Date	Ver.	Action By	Action	Result
11/25/2019	1	City Council	approved on Public Hearing	Pass

**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

Oregon State Hospital National Register Historic District Boundary Revision

Ward(s): All Wards  
 Councilor(s): All Councilors  
 Neighborhood(s): All Neighborhoods  
 Result Area(s): Good Governance; Welcoming and Livable Community

**ISSUE:**

Shall the City Council advance Ordinance Bill. No. 15-19, amending Salem Revised Code (SRC) Chapter 230 to reflect approved changes to the boundary of the Oregon State Hospital National Register Historic District and removing the historic district from that portion of property located at 2575 Center Street NE consistent with the approved boundary revision, to second reading for enactment?

**RECOMMENDATION:**

Advance Ordinance Bill No. 15-19, amending Salem Revised Code (SRC) Chapter 230 to reflect approved changes to the boundary of the Oregon State Hospital National Register Historic District and removing the historic district from that portion of property located at 2575 Center Street NE consistent with the approved boundary revision, to second reading for enactment.

## **SUMMARY:**

The National Park Service approved the Oregon State Department of Administrative Services request to reduce the boundary of the Oregon State Hospital Historic District in August 2019.

The revised boundary of the district is south of Center Street NE, bounded on the north by B Street NE, the west by 23<sup>rd</sup> Street NE, and the east by 25<sup>th</sup> Street NE. (Attachment 1).

The proposed amendments remove references to Santiam Hall, Breitenbush Hall, McKenzie Hall and Eola Hall. These buildings were demolished in 2017 and the area where they originally stood is outside of the current historic district boundary. References to the open space bounded by D Street NE to the north, 23<sup>rd</sup> Street NE to the west and Park Ave. NE to the east have been removed, as this area is also outside the current historic district boundary.

The proposed amendments to SRC Chapter 230 (Historic Preservation), and the corresponding legislative zone change to remove the historic district from the portion of the property located at 2575 Center Street NE affected by the boundary change, align SRC 230 and the City's zoning map with the new National Park Service established historic district boundary.

## **FACTS AND FINDINGS:**

### ***Procedural Findings***

1. Pursuant to SRC 300.1110(a)(3), legislative land use proceedings may be initiated by staff through preparation and placement of an ordinance bill on the City Council agenda for first reading. The City Council may schedule a public hearing on the ordinance bill, refer it to another Review Authority for review and recommendation, or may decline to advance the ordinance bill to second reading.
2. On October 28, 2019, the Salem City Council conducted first reading of Ordinance Bill No. 15-19 and voted to hold a public hearing on the proposed ordinance. The public hearing is scheduled for November 25, 2019.
3. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was provided on October 11, 2019.
4. Public hearing notice was provided on November 5, 2019 and published in the Statesman Journal newspaper on November 14, 2019 and November 21, 2019.

## ***Boundary Amendment Process***

1. On May 16, 2019, the Historic Landmarks Commission discussed the proposed Oregon State Hospital Historic District Boundary Decrease and acknowledged that there have been significant changes to the historic district since its establishment in 2008.
2. On June 21, 2019, the Oregon State Advisory Committee on Historic Preservation (SACHP) held a public meeting in Cottage Grove, Oregon where they reviewed the boundary decrease reduction and forwarded it on to the National Park Service, the Keeper of the National Register of Historic Places.
3. On August 23, 2019, the National Park Service accepted the boundary decrease under NRIS No. BC100004300 (Attachment 2).

## **Proposed Amendments**

The proposed amendments are in response to the National Park Service reduction of the Oregon State Hospital Historic District Boundary and the identified need to amend the historic code (SRC 230) to reflect this change. (Attachment 3). Important sections being addressed by the proposed amendments include:

- a. Oregon State Hospital District (SRC 230.05) Amendments.

The proposed amendments remove references within Table 230-4 *Oregon State Hospital District Resources* to Santiam Hall, Breitenbush Hall, McKenzie Hall and Eola Hall. These buildings were all demolished in 2017 and the area where they originally stood are outside of the current historic district boundary. Additionally, Figure 230-1 has been updated to reflect the reduced boundary and references to the open space bounded by D Street NE to the north, 23<sup>rd</sup> Street NE to the west and Park Ave. NE to the east have been removed, as this area is also outside the current historic district boundary.

- b. Oregon State Hospital Historic District Map Amendment (Figure 230-6)

The proposed amendment removes the 2008 map of the Oregon State Hospital Historic District and replaces it with the newly adopted National Park Service approved 2019 map of the Oregon State Hospital Historic District, reflecting the revised boundary of the district north of Center Street NE, which is now bounded on the north by B Street NE, the west by 23<sup>rd</sup> Street NE and the east by 25<sup>th</sup> Street NE.

- c. Oregon State Hospital District Text Amendments (SRC 230.200 (e))

The proposed amendment reflects the reduction of historic resources within the Oregon State Hospital Historic district from 67 to 40.

SRC 110.085 establishes the approval criteria which must be met for a code amendment to be approved and SRC 265.010 establishes the criteria for a legislative zone change to be approved.

SRC 110.085(b)(1) and SRC 265.010(d)(1):

1. *The amendment is in the best interest of the public, health, safety and welfare of the City; and (SRC 110.085(b)(1) and SRC 265.010(d)(1))*

**Finding:** It is in the public's best interest to maintain the zoning code, zoning map and historic resources with accuracy and in compliance with state and federal requirements. The City will continue to maintain a robust historic inventory within our historic districts and individually designated properties thus providing a public benefit by preserving Salem's past for future generations.

SRC 110.085(b)(2) and SRC 265.010(d)(2):

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

**Finding:** The proposal is consistent with the Salem Area Comprehensive Plan and Statewide Planning Goals as follows.

Goal 1: Citizen Involvement. Opportunity for citizens to be involved in all phases of the planning process.

The public was given multiple opportunities to be involved in the proposed reduction of the Oregon State Hospital District Boundary. On May 16, 2019, discussion about the proposed Oregon State Hospital Historic District Boundary Decrease was held with the Historic Landmarks Commission at their regular public meeting.

On October 28, 2019, the Salem City Council initiated the amendments and conducted first reading of Ordinance Bill No. 15-19. Public notice regarding the City Council hearing on the matter was mailed on November 5, 2019 and notice was published in the Statesman Journal on November 14, 2019 and November 21, 2019.

Goal 2. Land Use Planning. Consistency with the Comprehensive Plan.

The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. The overall goal of the plan is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area. The SACP includes two goals related to historic preservation:

*Natural, Ecological, Historic and Scenic Areas. Identified areas of significant architectural, archaeological, natural, ecological, historic or scenic value, which have been so designated and approved by the appropriate government body, shall be protected for future generations. Where no conflicting uses have been identified, such resources shall be managed to preserve their original character. When conflicting uses are identified resources shall be protected by acquisition or by plans which limit the intensity of development and promote conservation of these resources.*

*Historic Sites and Structures. The historic, cultural and architectural character of structures identified in the National Register of Historic Places and structures designated as historic buildings pursuant to the City's land use shall be preserved. Preservation is achieved by limiting those uses that conflict with the historic resource, identified to be building alteration and demolition. The City's land use regulations establish the process for alteration/demolition review and limitation, as well as the procedure for making additional designations.*

The proposed amendments are consistent with and implement the Salem Area Comprehensive plan components relating to historic preservation. By modifying text and replacing maps associated with the Oregon State Hospital Historic District with the most recent SACHP and the National Park Service (NPS) approved boundary for this district, this will ensure that National Park Service designated resources within this National Register Historic District boundary are preserved.

Goal 5: Natural Resources, Scenic and Historic Areas and Open Spaces: Significant Historic Resources Protected.

The proposed amendments are consistent with and implement the applicable goals related to protecting historic resources inventoried and identified as significant under Goal 5. By modifying text and replacing maps associated with the Oregon State Hospital Historic District with the most recent SACHP and NPS approved boundary for this district, the remaining, extant Goal 5 historic resources within this National Historic District will continue to be clearly identified, furthering their protection under SRC 230.

SRC 265.010(d)(3):

3. *If the zone change requires a comprehensive plan change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation, a demonstration that the proposed zone change is consistent with the most recent economic opportunities analysis and the parts of the comprehensive plan which address the provision of land for economic development and employment growth; or be accompanied by an amendment to the comprehensive plan to address the proposed zone change; or include both the demonstration and an amendment to the comprehensive plan.*

**Finding:** The proposal is not for a change from an industrial designation to a non-industrial designation, or a comprehensive plan change from a commercial or employment designation to any other designation; therefore, the criteria is not applicable.

SRC 265.010(d)(4):

4. *The zone change does not significantly affect a transportation facility, or, if the zone change would significantly affect a transportation facility, the significant effects can be adequately addressed through the measures associated with, or conditions imposed on, the zone change.*

**Finding:** The proposal does not affect a transportation facility in any way; therefore, the criteria is not applicable.

## **BACKGROUND**

The Oregon State Hospital Historic District was listed on the National Register of Historic Places in 2008 with the district roughly bounded by D Street NE on the north, Park Avenue NE on the east, 23rd Street NE on the west and Greenway Drive NE on the south. The Oregon State Hospital Replacement project in 2012 resulted in a significant change to the building configuration on the south side of Center Street NE and demolition in 2017 of all four of the buildings north of Center Street NE and east of 25th Street NE.

In April 2019, the property owner, the Oregon State Department of Administrative Services (DAS) submitted a request to the Oregon State Historic Preservation Office (SHPO) and the National Park Service (NPS) to decrease the boundary of the Oregon State Hospital Historic District north of Center Street NE, to exclude both the open space and the area where there are no extant buildings in this portion of the district. The National Park Service approved the property owner's request to reduce the boundary in August 2019.

Kimberli Fitzgerald  
Historic Preservation Officer

### Attachments:

1. Map of Boundary Changes
2. National Park Service Decision
3. Ordinance Bill 15-19
4. Exhibit A (Ordinance Bill 15-19)
5. Exhibit B (Ordinance Bill 15-19)