

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

CLASS II MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS25-09

APPLICATION NO.: 25-107464-PLN

NOTICE OF DECISION DATE: May 30, 2025

SUMMARY: A proposal to install a non-lighted sign on the awning, and make minor repairs to transom windows above the storefront of 335 State Street.

REQUEST: Class 2 Minor Historic Design Review of a proposal to install a non-lighted 12in by 5ft metal sign with acrylic lettering on the awning at the Bayne Building, a contributing resource within the Salem Downtown National Register Historic District, located at 335 State Street, zoned CB (Central Business District) zone, and located at 341 State Street NE, 97301. (Marion County Assessor's Map and tax lot number: 073W27AB07800)

APPLICANT: Steve Gorham

LOCATION: 335 State St, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.056 – Signs in commercial historic districts

FINDINGS: The findings are in the attached Decision dated May 30, 2025.

DECISION: The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Class 2 Minor Historic Design Review Case No. HIS25-09 based on the application deemed complete on April 25, 2025

The rights granted by the attached decision must be exercised, or an extension granted, by June 17, 2027, or this approval shall be null and void.

Application Deemed Complete:	<u>April 25, 2025</u>
Notice of Decision Mailing Date:	<u>May 30, 2025</u>
Decision Effective Date:	<u>June 17, 2025</u>
State Mandate Date:	<u>August 23, 2025</u>

Case Manager: Jacob Morris, jjmorris@cityofsalem.net, 503-540-23=417

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Monday, June 16, 2025. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Historic Landmarks Commission will

review the appeal at a public hearing. After the hearing, the Historic Landmarks Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)	
CASE NO. HIS25-09)	
335 STATE STREET)	MAY 30, 2025

In the matter of the application for a Minor Historic Design Review submitted by Steve Gorham on behalf of Yank Investments Ltd, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

SUMMARY: A proposal to install a non-lighted sign on the awning, and make minor repairs to transom windows above the storefront of 335 State Street.

REQUEST: Class 2 Minor Historic Design Review of a proposal to install a non-lighted 12" by 5' metal sign with acrylic lettering on the awning at the Bayne Building, a contributing resource within the Salem Downtown National Register Historic District, located at 335 State Street, zoned CB (Central Business District) zone, and located at 341 State Street NE, 97301. (Marion County Assessor's Map and tax lot number: 073W27AB07800)

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

FINDINGS

Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

BACKGROUND & PROPOSAL

The applicant is proposing to install a non-lighted sign to the awning and make in-kind repairs to deteriorated portions of the transom windows above the storefront. The proposed sign is non-lighted and consists of acrylic lettering affixed to a pre-existing 12" by 5' metal sign affixed to the front of the awning. Staff determined that the following standards Salem Revised Code (SRC) 230.056 – *Signs in commercial historic Districts* are the applicable criteria for evaluation of this proposal.

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony,

and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 25 107464.

APPLICANT'S STATEMENT

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicants submitted a written statement, excerpts of which are included as **Attachment B** in this staff report.

Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. SRC 230.056 – *Signs in commercial historic Districts* are the applicable criteria for evaluation of this proposal.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

2. Historic Significance

The Bayne Building (c.1902) was named after the original owner, George Bayne, a Salem hop grower. Born in Scotland, he came to the Salem area in 1891. Bayne was was a Democratic candidate for the State Legislature in 1896 and served two terms on the Salem City Council, 1903-1907. Early tenants in the Bayne Building included the Union Title and Abstract Company, 1902-1924, and a barber shop which originally offered baths. The eastern-most space has traditionally been food-oriented, the Bake-Rite Sanitary Bakery, 1932-1936, a grocery, the Market Basket, 1938.

3. Neighborhood and Citizen Comments

A Request for Comments was sent to the CANDO neighborhood association and surrounding property owners and tenants within 250 feet of the property pursuant to Salem Revised Code

(SRC) requirements on April 28, 2025. No comments were received from the Neighborhood Association. One letter of support was received from the public. **Attachment C** consists of all comments received within the required Request for Comment deadlines.

4. City Department and Public Agency Comments

No department or agency comments were received.

5. Historic Design Review

230.056 – *Signs in commercial historic Districts* are applicable to this project. Table 230-1 defines this activity as a Class 2 Minor Historic Design Review. Historic Preservation staff reviewed the project proposal and has the following findings for the applicable criterion:

FINDINGS:

The proposed transom window repair is limited to in-kind repair of deteriorated lower portions of sash. Under SRC Section 230.020(a)(2)(A), Historic Design Review is not required, as: “Ordinary maintenance or repair of any exterior architectural feature of a structure or contributing site feature of a local historic resource or contributing or non-contributing building in a local or National Register Historic District to correct deterioration, decay, or damage, which utilizes in-kind materials and restores, replicates, and sustains the existing form. By way of illustration, but not of limitation, ordinary maintenance and repair includes replacement of cracked or broken window panes; surface treatment that is consistent with accepted historic preservation methods; replacement of broken hardware; repair of a portion of a window frame or sash, part of a roof or a small percentage of siding. The criteria below are applicable to the sign proposal.

Criteria:

SRC 230.056 Signs in Commercial Historic Districts

(b) Permanent non-historic signs.

(1) Materials. Permanent non-historic signs shall be constructed of wood, metal, or acrylic.

Finding: The Current “All City Sweets” sign design is acrylic applied to a pre-existing metal sign measuring approximately 1’ by 6’. The materials are solely metal with acrylic face. The proposed material is acrylic, included in the list of approved materials, therefore staff finds that SRC230.056(b)(1) has been met for the proposal.

(2) Design.

(A) Permanent non-historic signs shall be located:

- (i) Within an existing sign frame attached to the historic structure provided the sign frame does not obscure significant features of the historic resource; or (ii) Between the transom and sill of the first story and: (aa) Perpendicular to the corner; (bb) Flush to the facade; or (cc) Perpendicular to the building; (iii)**

Suspended from the awning or marquee.

Finding: The sign is attached to the face of the awning, height just below the transom, perpendicular to the corner of the building. Therefore, SRC230.056(b)(2)(A) has been met for the proposal.

(B) Permanent non-historic signs shall be attached:

(i) Into mortar joints, not into masonry; and (ii) Where significant features are not obscured.

Finding: This sign is not affixed to masonry. It is affixed to the awning. It does not obscure significant features, the storefront, majority of the awning, and the transom windows and other significant features remain visible, therefore staff finds that SRC230.056(b)(2)(B) has been met for this proposal.

(C) Any permanent non-historic sign that incorporates lighting shall:

(i) Not be internally illuminated, except if it incorporates halo illumination utilizing reversed pan-channel letters with an internal light source reflecting off the building; (ii) Not exceed 366 watts or 250 nits between sunset and sunrise; and (iii) Not have exposed conduit.

Finding: The proposed sign does not incorporate lighting, so this criterion is not applicable to this proposal.

DECISION

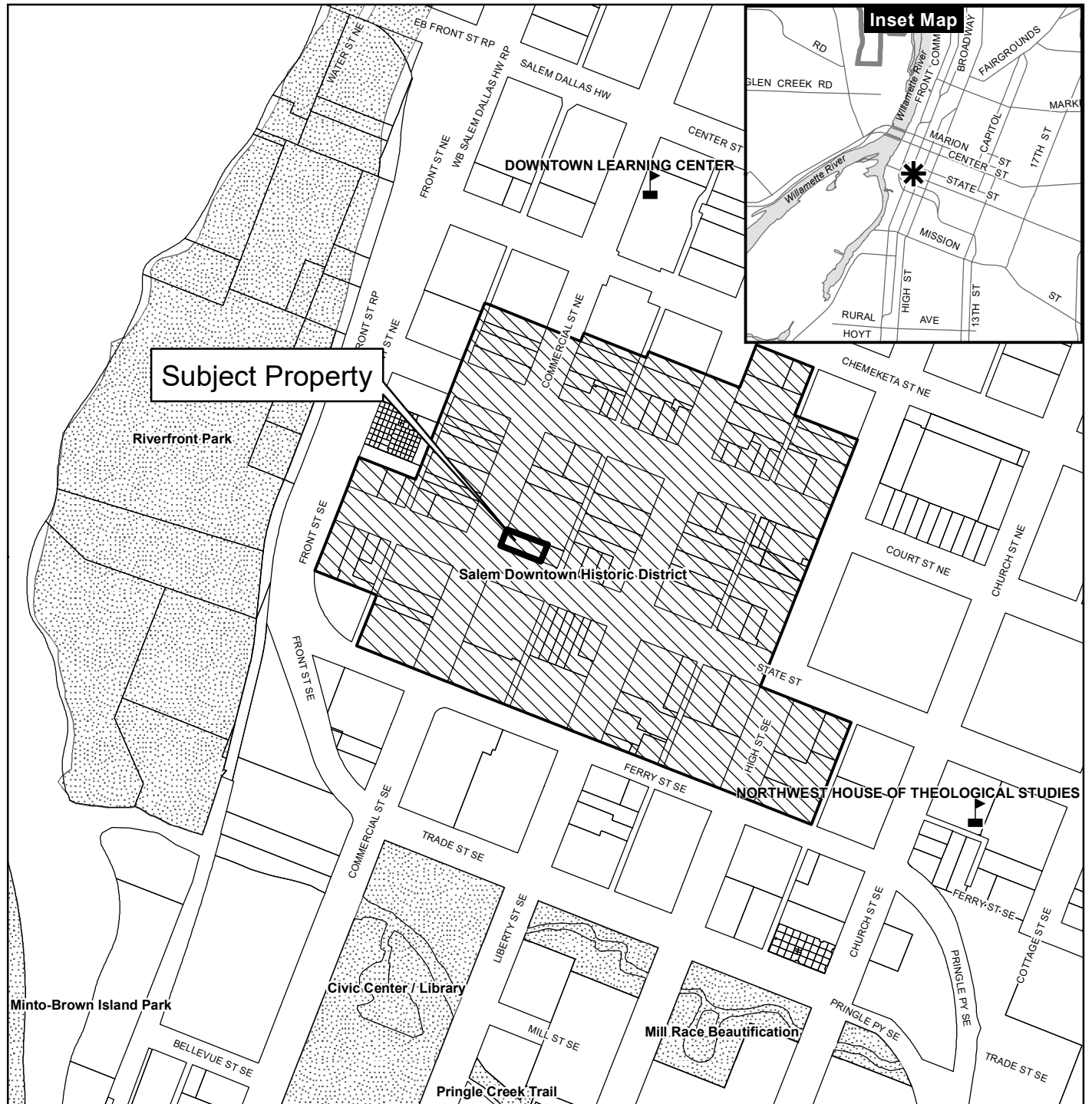
Based upon the application materials deemed complete on April 25, 2025 and the findings as presented in this report, the application for HIS25-09 is **APPROVED**.



Jacob Morris, PhD
Historic Preservation Planner
Planning Administrator Designee

Attachments: A. Vicinity Map
B. Applicant's Submittal Materials
C. Comments

Vicinity Map 335 State Street



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



CITY OF Salem
AT YOUR SERVICE
Community Planning and Development

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0.07 0 0.04 0.07 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
City of Salem, Oregon.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NOT TO BE USED FOR NAVIGATION

Historic Alteration Review WorksheetSite Address: 341 State StreetResource Status: Contributing ☒ Non-Contributing ☐ Individual Landmark ☐Type of Work Activity Proposed: Major ☐ Minor ☒Chose One: Commercial District ☒ Individual Resource ☐ Public District ☐
Residential District ☐ Sign ☐**Replacement, Alteration, Restoration or Addition of:****Architectural Feature:**

- ☐ Awning
☐ Door
☐ Exterior Trim, Lintel
☐ Other architectural feature
☐ Roof/Cornice
☐ Masonry/Siding
☐ Storefront

☒ Window(s) Number of windows: in kind repair**Landscape Feature:**

- ☐ Fence
☐ Streetscape
☐ Other Site feature (describe) _____

New:

- ☐ Addition
☐ Accessory Structure
☒ Sign
☐ Mural
☐ Accessibility Ramp
☐ Energy Improvements
☐ Mechanical Equipment
☐ Primary Structure

Will the proposed alteration be visible from any public right-of-way? ☒ Yes ☐ NoProject's Existing Material: Metal/wood Project's New Material: metal/wood**Project Description**

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work:

Repair of rotted wood over transom window & install non lighted sign to awning

Lt. H. Lohm
 Signature of Applicant

4/3/2025
 Date Submitted/Signed



All City Sweets

CAKES
CUPCAKES
COOKIES
DRINKS
VEGAN &
GLUTEN
FRIENDLY
OPTIONS

S★LEM

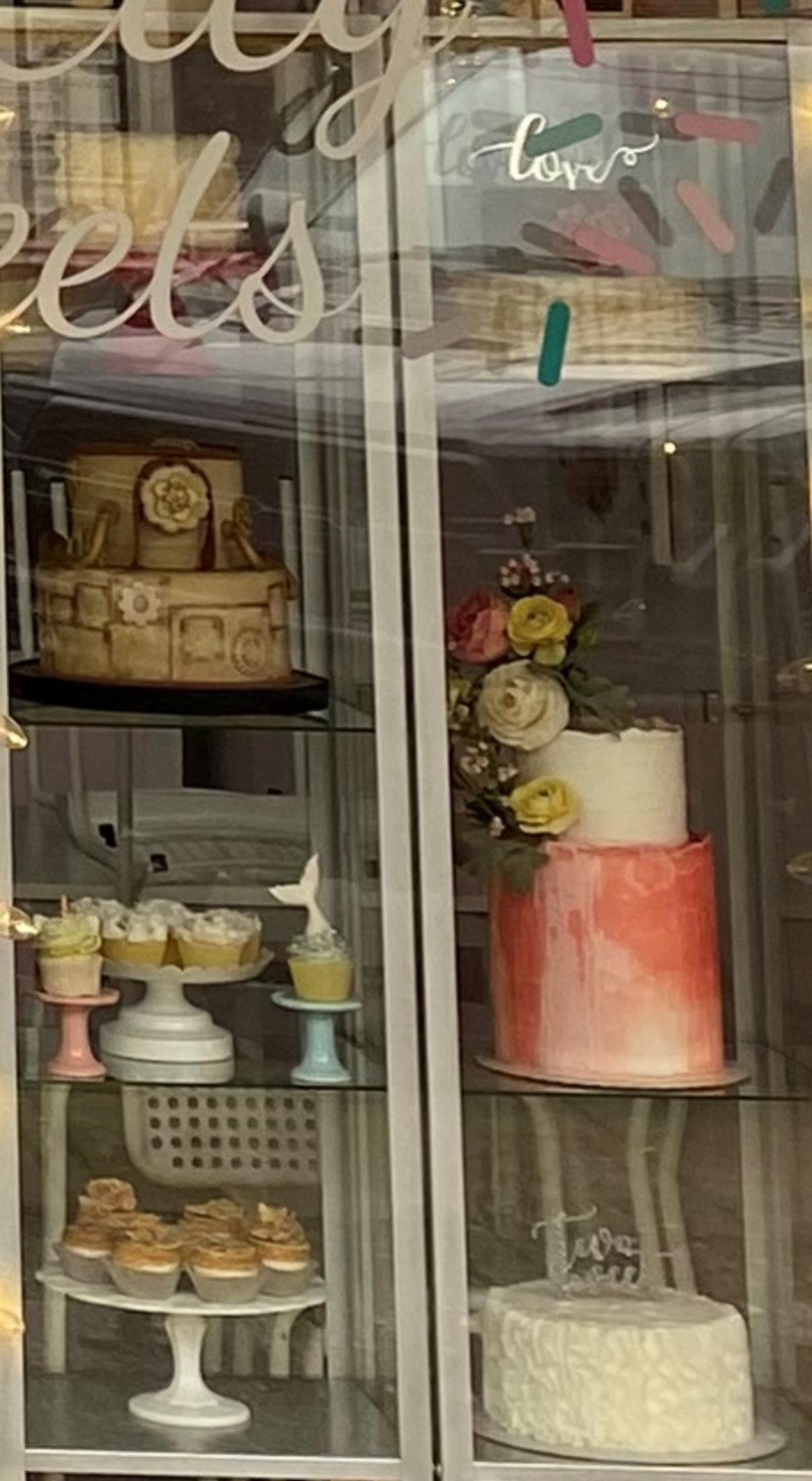


BUSINESS HOURS	
MON	10 AM - 6 PM
TUE	10 AM - 6 PM
WED	10 AM - 6 PM
THU	10 AM - 6 PM
FRI	10 AM - 6 PM
SAT	10 AM - 6 PM
SUN	10 AM - 6 PM



All City Sweets

THE
SECRET
INGREDIENT
IS ALWAYS
LOVE



BAPPE

Transom Window Repair:

Signage: The proposed repair to the transom windows is limited to in-kind repair of lower portions of sash that is deteriorated by water damage and associated rot. Under SRC Section 230.020(a)(2)(A), Historic Design Review is not required, as this is: “**Ordinary maintenance or repair** of any exterior architectural feature of a structure or contributing site feature of a local historic resource or contributing or non-contributing building in a local or National Register Historic District **to correct deterioration**, decay, or damage, which utilizes in-kind materials and restores, replicates, and sustains the existing form. By way of illustration, but not of limitation, ordinary maintenance and repair includes replacement of cracked or broken window panes; surface treatment that is consistent with accepted historic preservation methods; replacement of broken hardware; **repair of a portion of a window frame or sash**, part of a roof or a small percentage of siding.” (bold added)

Sec. 230.056. - Signs in commercial historic districts.

Signs in commercial historic districts shall meet with the standards set forth in this section. The standards in this section are in addition to, and not in lieu of, the applicable standards of SRC [chapter 900](#). Where the standards in this section conflict with the standards of SRC [chapter 900](#), the standards in this section shall be the applicable standard.

(b) Permanent non-historic signs.

(1) *Materials.* Permanent non-historic signs shall be constructed of wood, metal, or acrylic.

Response: The Current “All City Sweets” sign design is acrylic applied to a pre-existing metal sign measuring approximately 1’ by 6’. The materials are solely metal with acrylic face.

(2) Design.

(A) Permanent non-historic signs shall be located:

(i) Within an existing sign frame attached to the historic structure provided the sign frame does not obscure significant features of the historic resource; or

(ii) Between the transom and sill of the first story and:

(aa) Perpendicular to the corner;

(bb) Flush to the facade; or

(cc) Perpendicular to the building;

(iii) Suspended from the awning or marquee.

Response: The sign is attached to the face of the awning, height just below the transom, perpendicular to the corner of the building. This is consistent with the criterion.

(B) Permanent non-historic signs shall be attached:

(i) Into mortar joints, not into masonry; and

(ii) Where significant features are not obscured.

Response: This sign is not affixed to masonry. It is affixed to the awning. It does not obscure significant features, the storefront, majority of the awning, and the transom windows and other significant features remain visible.

(C) Any permanent non-historic sign that incorporates lighting shall:

(i) Not be internally illuminated, except if it incorporates halo illumination utilizing reversed pan-channel letters with an internal light source reflecting off the building;

(ii) Not exceed 366 watts or 250 nits between sunset and sunrise; and

(iii) Not have exposed conduit.

Response: The proposed sign does not incorporate lighting, so this is not applicable in this case.

REQUEST FOR COMMENTS**Si necesita ayuda para comprender esta información, por favor llame 503-588-6173****REGARDING:** Class 2 Minor Historic Design Review Case No. HIS25-09**PROJECT ADDRESS:** 335 State St, Salem OR 97301**AMANDA Application No.:** 25-107464-PLN**COMMENT PERIOD ENDS:** May 9, 2025 at 5:00 p.m.**SUMMARY:** A proposal to install a non-lighted sign on the awning, and make minor repairs to transom windows above the storefront of 335 State Street.**REQUEST:** Class 2 Minor Historic Design Review of a proposal to install a non-lighted 12in by 5ft metal sign with acrylic lettering on the awning at the Bayne Building, a contributing resource within the Salem Downtown National Register Historic District, located at 335 State Street, zoned CB (Central Business District) zone, and located at 341 State Street NE, 97301. (Marion County Assessors Map and tax lot number: 073W27AB07800)

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m. Friday, May 9, 2025, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below, or submit comments online at <https://egov.cityofsalem.net/PlanningComments>*

CASE MANAGER: Jacob Morris, Historic Preservation Planner, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2417; E-Mail: jjmorris@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☒ 1. I have reviewed the proposal and have no objections to it.
☐ 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: Mindful Moments Behavioral Health LLC

Address: 147 Commercial St NE Ste 4

Phone: 541-891-7823

Email: _____

Date: 4-29-25

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM