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503-588-6173*

DECISION OF THE HEARINGS OFFICER

CONDITIONAL USE AND SIGN CASE NO. CU-SI18-10

APPLICATION NO. : 18-118810-SA, 18-116402-SI

NOTICE OF DECISION DATE: DECEMBER 4, 2018

SUMMARY: A proposal to replace an existing freestanding sign with a new electronic reader board display freestanding sign in a residential zone.

REQUEST: A request for Conditional Use and Sign Permit Applications to install a freestanding Electronic Display Sign, which will replace an existing freestanding sign for property approximately 2.98 acres in size, zoned RM-II (Multiple Family Residential), and located at 5020 Liberty Rd S - 97306 (Marion County Assessor's Map and Tax Lot number: 083W09DC / 800).

APPLICANT: Salem Sign Company, Inc.

LOCATION: 5020 Liberty Rd S / 97306

CRITERIA: Conditional Use – Electronic Display Sign: SRC 900.045(d)

FINDINGS: The findings are in the attached Order dated December 4, 2018.

DECISION: The Hearings Officer **APPROVED** Conditional Use and Sign Case No. CU-SI18-10 subject to the following conditions of approval:

The rights granted by the attached decision must be exercised, or an extension granted, by December 20, 2020 or this approval shall be null and void.

Application Deemed Complete:	<u>October 11, 2018</u>
Public Hearing Date:	<u>November 14, 2018</u>
Notice of Decision Mailing Date:	<u>December 4, 2018</u>
Decision Effective Date:	<u>December 20, 2018</u>
State Mandate Date:	<u>February 8, 2019</u>

Case Manager: Olivia Glantz, Planner III, 503.540.2343, OGlantz@cityofsalem.net

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., December 19, 2018.**

Any person who presented evidence or testimony at the hearing may appeal the decision. 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 Chapters 900. The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal

NOTICE OF DECISION

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



is untimely and/or lacks the proper fee, the appeal will be rejected. The Planning Commission will review the appeal at a public hearing. After the hearing, the Planning 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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**CITY OF SALEM
BEFORE THE HEARINGS OFFICER**

A REQUEST FOR CONDITIONAL USE AND SIGN PERMIT APPLICATIONS TO INSTALL A FREESTANDING ELECTRONIC DISPLAY SIGN, REPLACING AN EXISTING FREESTANDING SIGN FOR PROPERTY APPROXIMATELY 2.98 ACRES IN SIZE, ZONED RM-II (MULTIPLE FAMILY RESIDENTIAL), AND LOCATED AT 5020 LIBERTY RD S - 97306 (MARION COUNTY ASSESSOR'S MAP AND TAX LOT NUMBER: 083W09DC / 800).	} } } } } } } } } } }	CU-SI18-10 FINDINGS OF FACT, CONCLUSIONS, AND DECISION
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DATE AND PLACE OF HEARING:

November 14, 2018, Salem City Council Chambers, Room 240, Civic Center,
555 Liberty Street SE, Salem, Oregon.

APPEARANCES:

Staff: Olivia Glantz, Planner III

Neighborhood Association: None

Proponents: None

Opponents: None

SUMMARY OF THE APPLICATION AND HEARING

BACKGROUND

The City of Salem held a duly authorized and noticed public hearing on November 14, 2018, regarding an approval of applications for a Conditional Use and Sign Permit to install a freestanding Electronic Display Sign, which will replace an existing freestanding sign for property located at 5020 Liberty Rd S, Salem. Since there were no appearances at the hearing and there were no objections submitted by any party, the Hearings Officer adopts the findings from the staff report as follows:

FINDINGS OF FACT AND CONCLUSIONS

1. Salem Area Comprehensive Plan (SACP) designation

The Salem Area Comprehensive Plan (SACP) map designates the subject property as "Multi Family Residential". The subject property is within the Urban Growth Boundary and the Urban Service Area (USA).

2. Zoning and Surrounding Land Uses

The subject property is zoned RM-II (Multiple Family Residential). The proposal is to replace the existing freestanding sign with an electronic reader board. The existing sign is attached Attachment C in the staff report. Electronic Display Signs in a Residential zone may be installed with a Conditional Use permit, pursuant to SRC 900.090.

The zoning of surrounding properties includes:

North: Across Boone Rd SE, RM-II (Multiple Family Residential) – apartment complex

East: RM-II (Multiple Family Residential) – manufactured home park

South: RM-II (Multiple Family Residential) – manufactured home park

West: Across Liberty Rd S, RS (Single Family Residential) – single family dwellings and a fire station

3. Site Analysis

The subject property is approximately 2.98 acres in size and is developed with a church and associated parking area.

The subject property abuts Boone Road SE to the north and Liberty Road S to the west. Surrounding properties are zoned RS (Single Family Residential) and RM-II (Multiple Family Residential). Liberty Road S is designated as a major arterial and Boone Road SE as a collector within the Salem TSP (Transportation System Plan).

4. Neighborhood and Citizen Comments

The subject property is located within Faye Wright Neighborhood Association and abuts Sunnyslope Neighborhood Association. The neighborhood associations were notified of the proposal. All property owners and tenants within 250 feet of the subject property were mailed notice of the proposal.

As of the date of completion of the staff report, no comments were received from the neighborhood associations or surrounding property owners. No representatives of the neighborhood associations appeared at the hearing, nor did any surrounding property owner or other interested party.

5. City Department and Public Agency Comments

The Building and Safety Division has reviewed the proposal and indicated that building permits would be required.

The Public Works Department reviewed the proposal and indicated no concerns with the proposal.

6. Analysis of Conditional Use Criteria

Salem Revised Code (SRC) Chapter 900.090(a) provides that:

No electronic display sign in a Residential zone may be erected without first obtaining a conditional use permit, as provided in SRC Chapter 900.045.

SRC Chapter 900.045 establishes the following approval criteria for Conditional Use for signage:

(1) The proposed sign, as conditioned, will not create or significantly increase street level sign clutter.

The Hearings Officer notes that staff concurs with the applicant that the replacement of the existing sign will not create or increase street level sign clutter.

(2) The proposed sign, as conditioned, will not adversely impact the neat, clean, orderly, and attractive appearance of the surrounding area to a significant degree.

The Hearings Officer notes that the properties in the area are zoned residential and are developed with single family dwellings, an elementary school, a fire station, a manufactured park, and an apartment complex. The proposal is to replace the sign with an electronic reader board. The existing sign is visible to the properties across Liberty Road S and Boone Road SE to the north. The Hearings Officer finds that as proposed with limited display hours, the new electronic reader board does not significantly impact or alter the appearance of the surrounding area.

(3) The proposed sign will not present a traffic or safety hazard.

The Hearings Officer notes that to meet the requirements of SRC Chapter 900, the sign needs to be equipped with an automatic dimming device to control and maintain proper brightness levels under ambient light conditions. The Hearing Officer finds that the sign will not flash, fade, or scroll, and will meet all City standards and criteria as to not cause a traffic or safety hazard.

(4) The proposed sign will comply with all other regulations, including, but not limited to sign height and placement restrictions.

The Hearings Officer notes that the sign meets size, location, and electronic display sign requirements of SRC Chapter 900. Accordingly, the Hearings Officer finds that the application satisfies the criteria found in SRC 900.045.

7. Analysis of Sign Permit

The Hearings Officer notes that SRC 900.045(f) states that the application for an electronic display sign conditional use permit shall be processed concurrently with the sign permit application. The Hearings Officer notes the following staff summary of the applicable sign standards:

General Illumination Standards; Zone-Specific Standards (SRC 900.075)

The applicant's request includes replacing a manual reader board with an Electronic Display Sign in an RM2 zone. Sign illumination shall be directed away from and not be reflected upon adjacent premises. No sign shall be illuminated between the hours of midnight and 7 a.m.

Flashing Light; Zone-Specific Standards (SRC 900.080)

The applicant is not proposing flashing lights.

Effects (SRC 900.085)

The applicant is not proposing a sign with effects.

Electronic Display Sign (SRC 900.090)

The sign will meet all regulations of the sign code for electronic display signs.

Rotating and Animated Signs; Zone-Specific Standards (SRC 900.095)

The sign is not proposed to rotate or be animated.

Signs in Vision Clearance Areas (SRC 900.105)

The sign is not located within the vision clearance area.

Freestanding Signs in Residential Zones (SRC 900.130)

SRC 900.130 requires a freestanding sign to be a minimum of 3 feet from the property line abutting a street and 5 feet from a side property line.

The proposed sign meets these requirements.

Permanent Signs in Residential Zones (SRC 900.195)

Freestanding signs shall be limited to a display surface not exceeding 24 square feet.

The proposed display surface is approximately 24 square feet in display area.

DECISION

The Hearings Officer **APPROVES** the request for a consolidated conditional use and sign application to allow an electronic message display to replace the existing monument sign in a residential zone for property located at 5020 Liberty Rd S, Salem.

DATED: December 4, 2018.

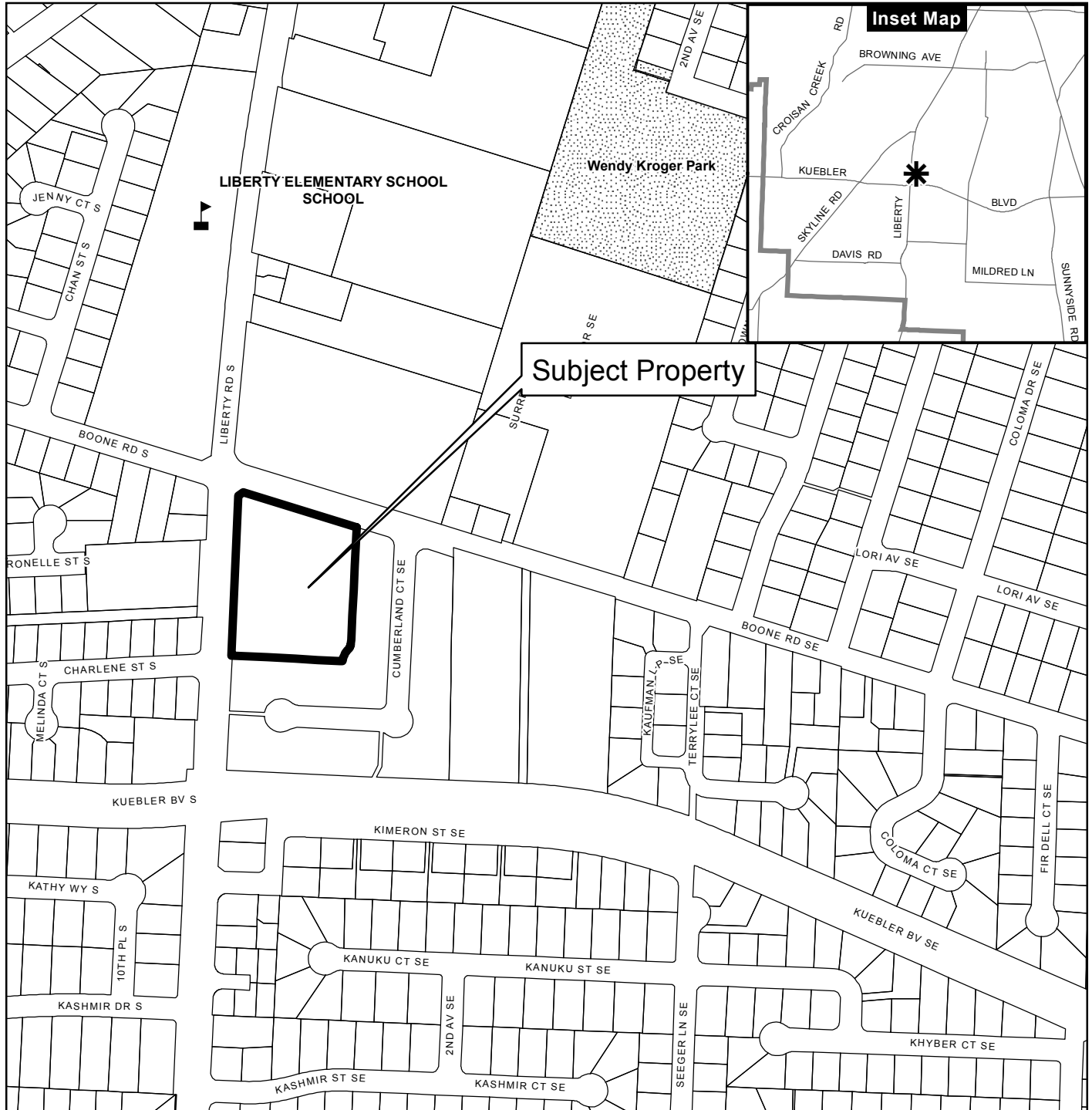
A handwritten signature in black ink, appearing to read 'James K. Brewer', with a long horizontal stroke extending to the right.

James K. Brewer, Hearings Officer

Vicinity Map

5020 Liberty Rd S

Tax Lot #083W09DC / 800



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet





Single Face Digital Wall Display



SPECIFICATIONS

CABINET:
Custom Metal
Fabricated;
Painted Black

FACE:
3/16" White SG
High Impact
Acrylic

VINYL:
TBD

DIGITAL DISPLAY:
Guru P10 Full Color;
64 x 192 Matrix

OPTION:
Re-Paint existing
concrete base
(Exact colors TBD)

SCALE: 3/4" = 1'-0"

EXISTING



*Note: Sign in Photo is Approximate Scale.

PROPOSED



Salem Sign Co., Inc.

1825 FRONT ST. N.E.
SALEM, OR 97301

503-371-6362

FAX 503-371-0901

e-mail signs@salemsign.com

CCB# 65297



THIS DRAWING IS THE PROPERTY
OF SALEM SIGN CO., INC.

SK# 19003-18

JOB TITLE: Trinity Covenant Church

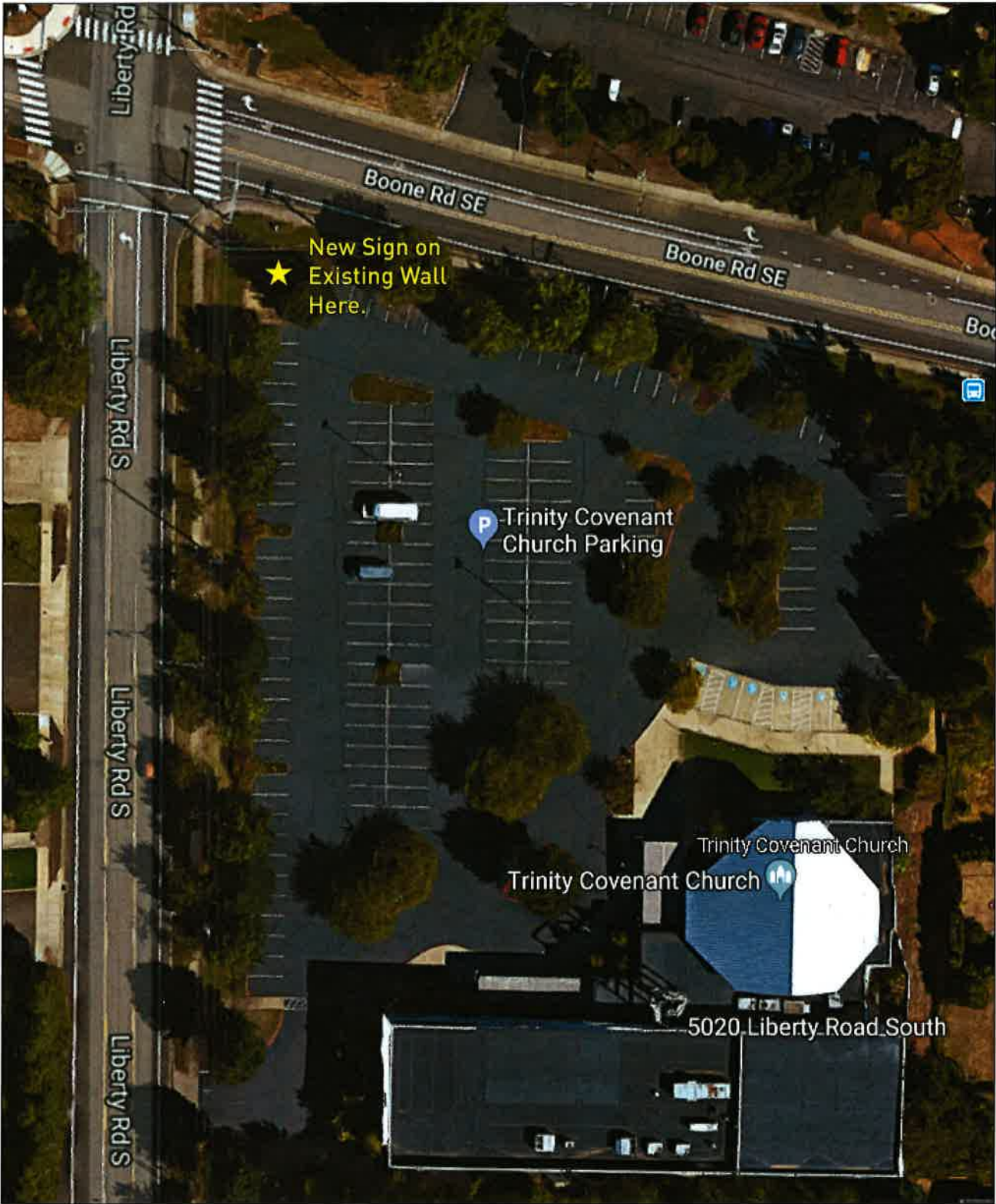
LOCATION: Salem, OR

DATE: 5-22-18

DRAWN BY: E.D.

SALES: Corey Spady

APPROVED BY:

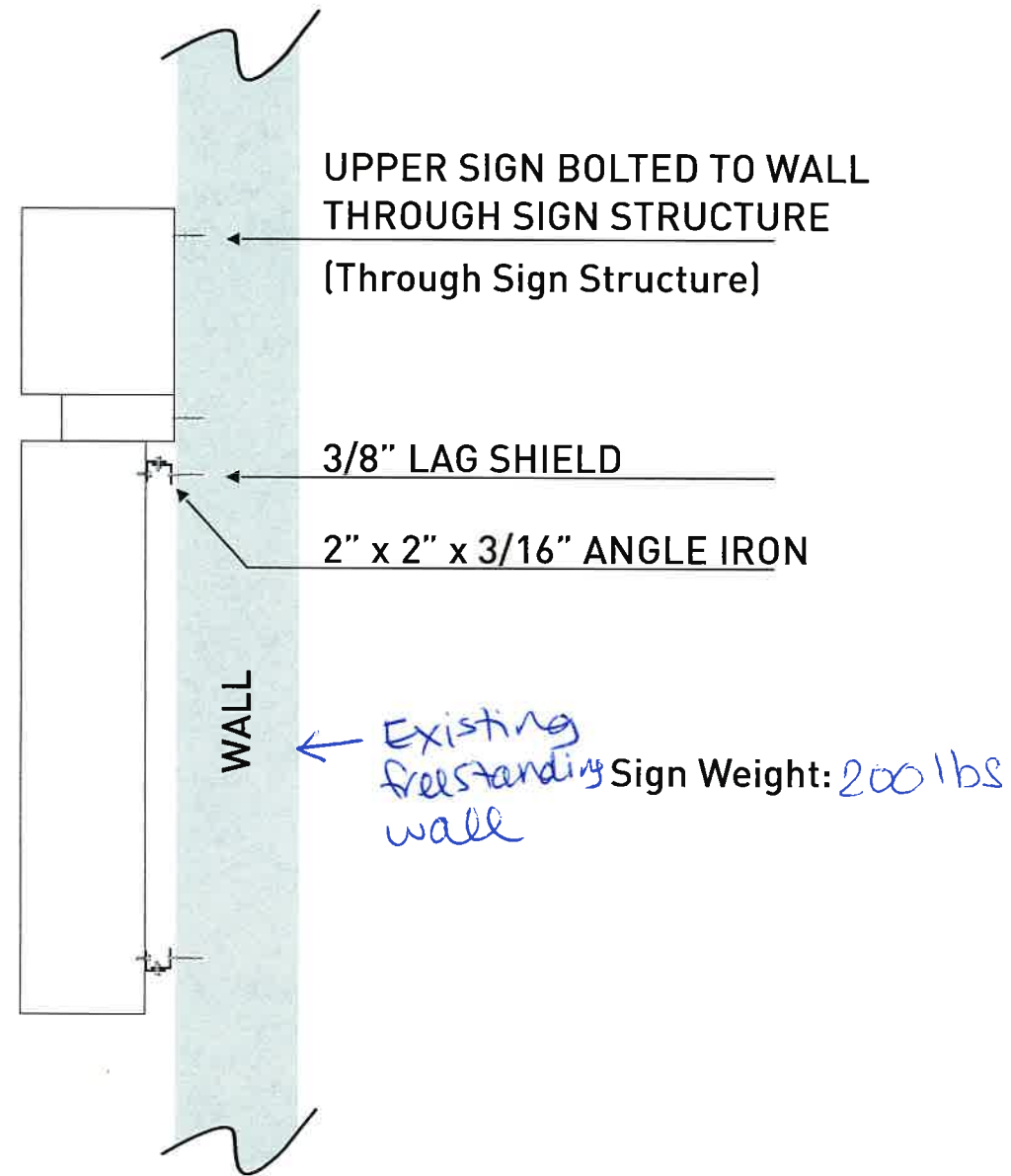


SCALE: 1/64" = 1'-0"





TYPICAL ATTACHMENT DETAIL - DIGITAL WALL DISPLAY



JOB TITLE:

LOCATION:

DATE:

DRAWN BY:

SALES:

APPROVED BY: