



**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
Conditional Use Permit
2022-03**

I. REQUEST

The following report reviews a land use application request for Conditional Use approval to install a new 28 square foot electronic message sign.

II. BACKGROUND

- A. **APPLICANT/ AGENT:** Salem Sign Co., Inc. ATTN: Matt Boyinston
- B. **OWNER:** Keizer Church of Christ
- C. **PROPERTY LOCATION:** The subject property is located at 5405 Ridge Dr NE; Marion County Tax Assessor's Map No. 063W36CA Tax Lot 01000. (Exhibit 1)
- D. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property contains an existing house of worship. The property is served by public facilities.
- E. **ZONING:** The subject property is designated Mixed Use on the Comprehensive Plan and zoned Mixed Use (MU).
- F. **ADJACENT ZONING/LAND USES:** The properties to the west and north are zoned MU and developed with a multi-family complex. The property to the south is zoned Public (P) and developed with a multi-field baseball complex and the property to the east is zone Industrial Business Park (IBP) and is undeveloped.
- G. **PROPOSAL:** The applicant is requesting approval of a Conditional Use Permit to allow an electronic message sign to be located at 5405 Ridge Drive NE. The overall sign area will be 28 square feet. (Exhibit 2)

III. COMMENTS

The City of Keizer Public Works Department submitted comments that are attached as Exhibit 3. The Keizer Police Department and the City of Salem responded that they have reviewed the proposal and have no comments.

IV. FINDINGS AND CONCLUSIONS

The following are findings for the proposed Conditional Use to allow the installation of a freestanding message sign. Message signs are permitted only with conditional use permit approval as outlined in section 2.308 of the Keizer Development Code.

- A. Section 2.308.06.P *Electronic Message Signs* states that electronic message signs are prohibited, except by a conditional use permit.
- B. The approval or denial of a Conditional Use Permit is based on compliance with decision criteria found in Section 2.308.09.B of the Keizer Development Code. The criteria and staff's findings are listed below:

- 1) **The proposed sign is located in an EG, P, IBP, CR, CO, MU, CM or a CG zone, or the proposed sign is for a public or semi-public use regardless of the underlying zone.**

FINDINGS: The proposed sign is located at 540 Ridge Drive NE, the site of Keizer Church of Christ. The property has a zoning designation of Mixed Use (MU), therefore, staff finds this request satisfies this criterion.

- 2) **The proposed sign, when conditioned, will not either: a) significantly increase or lead to street level sign clutter, or b) lead to signs that adversely dominate the visual image of the area.**

FINDINGS: The proposal is to install a new 28 square foot monument sign at the Keizer Church of Christ's McLeod Lane entrance. Currently, there are no other signs at this entrance or in the near vicinity of the church on adjacent lots. Conditional use permit approval requires the total allowed sign area be reduced by 25%, which helps to mitigate the visual impacts of the sign. In addition, the new display will have an automatic dimmer, limiting the potential for excess brightness and will be positioned in a way to mainly be visible to through traffic. Taking into consideration the fact the monument sign will comply with all provisions of the KDC, staff finds this proposal will not significantly increase or lead to street level sign clutter or dominate the visual image of the area. Staff finds this request satisfies this criterion.

- 3) **The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree. Electronic Message Signs that are proposed to be located adjacent to residential areas shall include mitigation measures such as screening and buffering or other measures to mitigate any impacts onto adjacent properties. Electronic Message Signs proposed for a public or semi-public use adjacent to residential areas shall only be illuminated between the hours of 6:00 am and 11:00 pm.**

FINDINGS: The applicant proposes to install a 28 square foot monument sign. The property is located across McLeod Lane from a multi-family complex. In order to mitigate any impact onto adjacent properties, the Applicant is proposing to locate the sign facing east and west in a way to be most visible to through traffic

and have minimal visual impacts to the multi-family residents. In addition, the property use is semi-public requiring the illumination of the sign limited to the hours between 6am and 11pm. The hours of illumination will be placed as a condition of this Conditional Use approval. Taking into consideration all of the factors, and placing a condition of approval for illumination, staff finds that this proposal will not adversely impact the surrounding area to a significant degree. Therefore, this request satisfies this criterion.

4) **The proposed sign will not present a traffic or safety hazard.**

FINDINGS: The electronic message sign proposed will be limited to a static message that is limited to change once every 15 seconds. With this placed as a condition of approval, it will ensure the message sign does not pose a potential traffic hazard. The limited frequency of the changing message will not distract drivers and no scrolling or animated effects will be utilized. Furthermore, the sign is not located in the public right of way, or within any required vision clearance area as defined by the KDC. The applicant also states the new electronic element will be a full color digital display and will be equipped with an automatic sensor that will adjust brightness to the lighting conditions outside. Staff finds the proposal will not present any additional traffic or safety hazards to motorists or pedestrians in the area. Therefore, staff finds this request satisfies this criterion.

5) **If the application is for the illumination of non-commercial use or electronic message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effect consisting of external lights, lamps, bulbs or neon tubes are allowed.**

Electronic Message Signs. Electronic Message signs must remain static and unchanging for a period no less than fifteen (15) seconds. Further, the level of illumination must be limited in the following ways:

- a. **An electronic message sign that contains a changeable display produced by light emitting diodes, incandescent or low-voltage lamps or bulbs, or cathode ray tubes shall include automatic brightness compensation features to adjust brightness to compensate for the angle and ambient light conditions.**
- b. **No electronic message sign may be illuminated to a degree of brightness that is greater than 7,500 nits in the daytime and 1,000 nits between sunset and sunrise; provided that electronic message signs comprised solely of one color may not be illuminated to a degree of brightness exceeding the following illumination levels:**
 1. **For a display comprised of red only, the degree of brightness shall not be greater than 3,150 Nits in the daytime and 450 between sunset and sunrise;**

2. *For a display comprised of green only, the degree of brightness shall not be greater than 6,300 nits in the daytime and 900 nits between sunset and sunrise;*
3. *For a display comprised of amber only, the degree of brightness shall not be greater than 4,690 Nits in the daytime and 670 nits between sunset and sunrise.*

FINDINGS: No rotary beacon lights, zip lights, strobe lights, or similar devices are proposed. The applicant's proposal indicates the message sign will be an internally illuminated LED reader board display, which will consist of a display and is adjustable in brightness and is equipped with a photo sensor to automatically adjust brightness based on ambient light conditions. The message sign will be required to be programmed to display a static message that will only change once every fifteen (15) seconds, and will not flash, rotate, or do anything else prohibited by code. In addition, the sign is limited to illumination between the hours of 6am and 11pm. Conditions of approval will be placed to ensure this requirement is followed. Staff finds this request can satisfy this criterion.

- 6) *The total allowed sign area shall be reduced by 25% if the application is for an electronic message sign.*

FINDINGS: This proposal is for an electronic message sign and therefore the total allowed sign area must be reduced by 25%. The KDC Section 2.308 outlines the requirements for signs in relation to allowed area, height, location, type and size.

The use of the property is of a House of Worship, considered a semi-public use in the KDC. Section 2.308.07C allows 64 square feet of total sign area for semi-public uses. If an Electronic Message Sign is desired, the total allowed sign area is reduced by 25% allowing 48 square feet of all signage. Therefore, considering the 25% reduction requirement and the fact the house of worship has no other signage, the 28 square feet sign will be within what is allowed by code.

A sign zoning permit must be obtained prior to the installation of the sign to ensure the total sign allowance does not exceed 48 square feet in area. Staff finds the applicant's proposal can comply with these requirements and therefore this request satisfies this criterion.

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

FINDINGS: The KDC limits the maximum sign height to 6 feet and requires that signs be located on private property and outside of any vision clearance area. Sign details will be reviewed during the sign zoning permit process, however the sign proposed will not exceed 6 feet and is proposed to be located on private property, oriented toward automotive traffic along McLeod Lane, outside of the public right-of-way and outside of the vision clearance area. Therefore, staff finds this request satisfies this criterion.

V. DECISION

Notice is hereby given that the Zoning Administrator for the City of Keizer has APPROVED WITH CONDITIONS the proposed Conditional Use Permit subject to certain requirements noted below. Findings in support of the decision can be found in Section IV of this report. Any interested person, including the applicant, who disagrees with this decision, may request that the application be appealed to the Keizer Hearings Officer at a public hearing. The appeal is subject to the appellant paying a \$250.00 fee. This fee will be refunded if the appeal is upheld. Requests for appeal to the Hearings Officer must be received in writing by the Keizer Planning Department, 930 Chemawa Road NE, Keizer by 5:00 p.m. on May 20, 2022.

Unless this decision is appealed it becomes final on May 21, 2022.

VI. CONDITIONS AND REQUIREMENTS

This decision does not include approval of a building permit or sign zoning permit.

- A. **CONDITIONS:** The following conditions must be continually met, as a condition of the particular land use:
1. The Conditional Use Permit is approved to allow the installation of an electronic message sign. The new sign must substantially conform to this proposal. The sign shall meet with all other requirements outlined in the KDC Section 2.308.
 2. The total sign allowance must not exceed 48 square feet in area (28 square feet is proposed for the EMC).
 3. The message sign shall comply with all applicable requirements of the Keizer Planning Department including but not limited to sign permit approval. A Sign Permit must be obtained prior to construction/installation of the new sign.
 3. The electronic message sign will be limited to display a static message that may change **only once every 15 seconds** and only be illuminated between the hours of 6am and 11pm. Violations of this requirement will result in code enforcement action.
- B. **OTHER PERMITS AND RESTRICTIONS:** This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon.

- C. TRANSFER OF CONDITIONAL USE: This Conditional Use shall automatically transfer to any new owner(s) or occupant(s) subject to all conditions of approval. It is the responsibility of the applicant and property owner to provide information to future property owner(s) regarding this Conditional Use request and any conditions of approval.

The proposed development meets the purpose and intent of the standards set forth within Section 2.308 Signs of the Keizer Development Code. Therefore, the above request for a Conditional Use Permit to install an electronic message sign is approved for the property located at 5405 Ridge Dr NE. If you have any question about this application or the decision, please contact the Planning Department at (503) 856-3441 or visit the Planning Department at the above address.

REPORT PREPARED BY: Dina Horner, Assistant Planner:

APPROVED BY:



Shane Witham, Planning Director

May 10, 2022



Salem Sign Co., Inc.

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

503-371-6362

CCB# 65297

SPECIFICATIONS

- * TOP CABINET**
- Aluminum Fab.
- * ILLUMINATION**
- White LED
- * STRUCTURE / CROSS**
- Aluminum Fab.
- * PAINT**
- White
- * FACES**
- 3/16" White Acrylic
- * VINYL**
- 230-69 Duranodic
- 230-149 Light Beige



- * DIGITAL DISPLAY**
- 12 mm RGB
60 x 160 matrix



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

Double Face Monument Display w/ Digital EMC

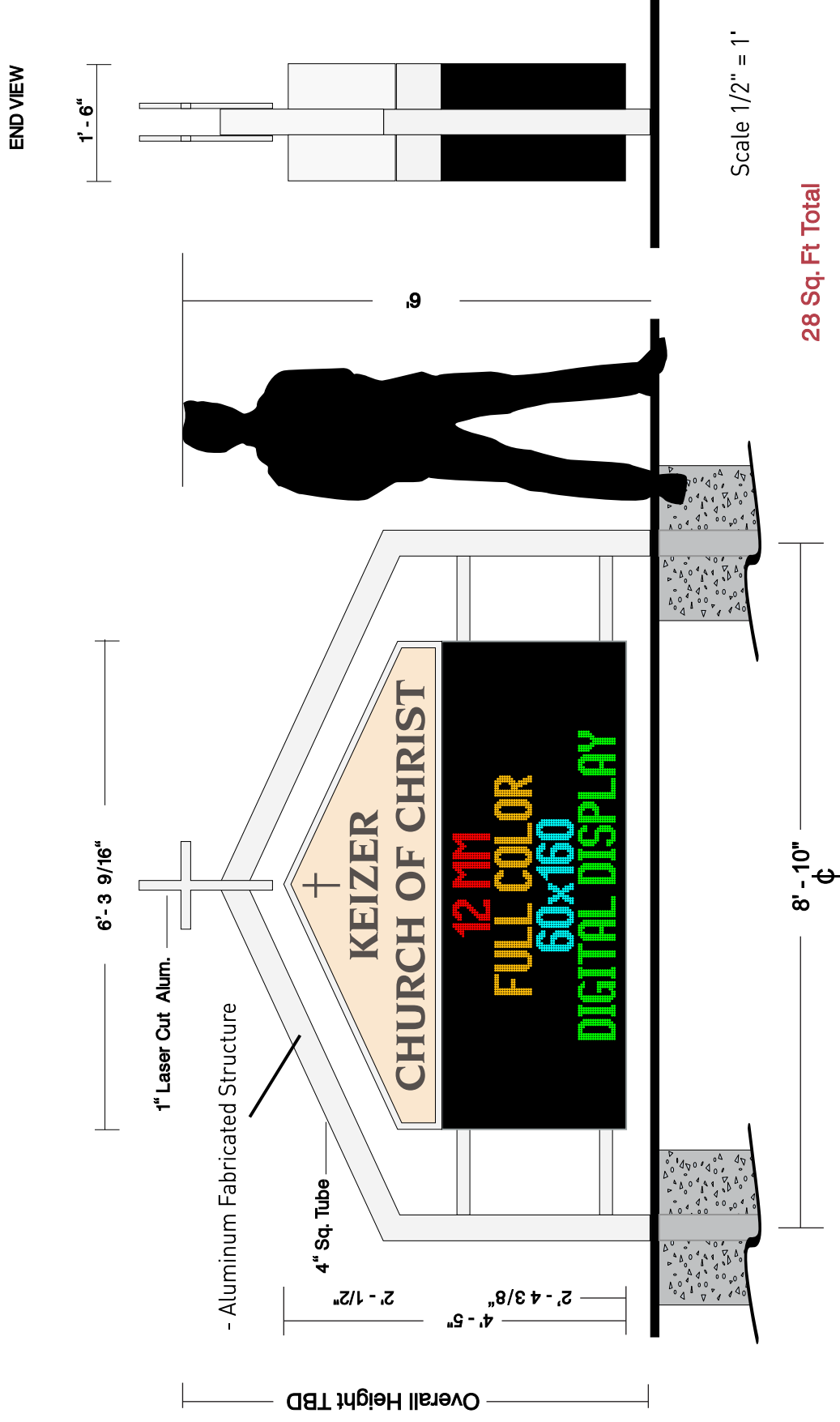


EXHIBIT 2

SK # 27131-22A

JOB TITLE: Keizer Church of Christ

LOCATION: Keizer, OR

DATE: 02-4-22

DRAWN BY: CZ

SALES: Corey Spady

APPROVED BY:

EXHIBIT 3

TO: DINA HORNER, ASSISTANT PLANNER
FROM: CITY OF KEIZER PUBLIC WORKS DEPARTMENT
SUBJECT: CONDITIONAL USE CASE NO. 2022-03

APPLICANT – MATT BOYINSTON
ADDRESS – 5405 RIDGE DRIVE NE

PUBLIC WORKS DEPARTMENT REQUIREMENTS

The application is for installation of a free standing electronic message sign. The location is shown to be on property adjacent to McLeod Lane NE 15 feet from the face of the existing curb and one foot from the McLeod Lane right of way.

- a) Street opening permits are required for any work within the City Right of Way.
- b) Construction shall not be within the existing McLeod Lane Right of Way. Erosion control permits shall be obtained from the City of Keizer prior to the disturbance of any soil on the subject property.
- c) No construction shall be located within any existing utility easements without authorization by the Public Works Department.