



City of Lyons

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Lyons, Oregon 97358

TO: LYONS PLANNING COMMISSION

FROM: AUDREY MCNERNEY, ASSISTANT CITY MANAGER

RE: STAFF REPORT, CONDITIONAL USE PERMIT-Mari Linn School

DATE: December 14, 2010

Name of Applicant: Cascade Signs & Neon

Nature of Request: Cascade Signs & Neon have filed a Conditional Use Permit Application requesting permission to erect a monument sign with changeable reader board at Mari-Linn School which is located at 642 5th Street, Lyons, OR 97358. This sign will identify Mari-Linn School and provide message notification to the public of school events.

The school property is zoned Open Land/Public (OLP). The placement of a sign on this property is considered a conditional use and is subject to the provisions of LMC 18.30.150.

LMC 18.30. 150 A. (General Provisions) states:

1. Signs (other than time or temperature signs) which are flashing, blinking or fluctuating or signs which are moving or have any visible moving part shall not be allowed without the prior approval of the Planning Commission. Each request which does not conform to the requirements of this section shall be considered on a case by case basis.
2. No sign, regardless of setback requirements, may project over the public right of way.
3. Upon approval of the City Planning Commission, signs not over 24 square feet in area may permitted for public, charitable or religious institutions when they are located on the premises of these institutions. Such signs are not permitted to be projecting or at a point extending over the public right of way.

The sign does not have any visible moving parts; will not exceed 24 square feet in area, and does not extend over or project over the public right way.

In taking action on a conditional use permit application the City Planning Commission may either approve or deny the application. The decision to approve or deny a conditional use shall be based on the following criteria:

1. The location, size, design and operating characteristics of the proposed development are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

Since 5th Street is the main thoroughfare through the City, and in order to meet ODOT regulations, the sign will be placed 36 feet from the highway center line, 26 feet south of the walking path at the south end of the parking lot. The sign will face 5th Street which is a state owned highway. (See Exhibit A attached hereto and made a part hereof)

We have been advised by Dan Dooley of ODOT that so long as the sign is located at least 30 feet from the highway center line and is located on private property ODOT has no further concerns. (See Exhibit B attached hereto and made a part hereof)

The sign will have no effect on the livability or appropriate development of abutting properties and the surrounding neighborhood since it will be located on school property and the design and operating characteristics of the proposed sign are similar to the sign presently situated on the school property. The existing sign will be removed.

The installation of the sign at this location meets Criteria 1.

2. The ... site has the physical characteristics needed to support the use considering factors such as potential drainage problems and access to a public street.

The installation of the sign will have no effect on the underlying property since it will remain school property. The property has access to 5th Street if required for necessary repair or maintenance.

The installation of the sign at this location meets Criteria 2.

3. The proposed development will not unduly affect the capacity of current public facilities, including streets and utility systems.

The installation of the sign will have no effect on the capacity of current public facilities, including streets and utility systems.

The installation of the sign at this location meets Criteria 3.

4. The proposed development is consistent with the goals and policies in the comprehensive plan.

Section 19.10.010 A of the Comprehensive Plan states: “Goal. To develop a community involvement program that assures the opportunity for citizens to be involved in all phases of community planning.”

The sign will identify Mari-Linn School and will provide notification to the public of school programs and events. This will promote better citizen awareness and thus more community involvement in these programs and events.

The other Comprehensive Plan policies have little or no applicability to the utilization of this property as the site for the installation of the reader board.

The installation of the sign at this location meets Criteria 4.

In approving a conditional use permit application the City Planning Commission may impose, in addition to those standards and requirements expressly specified by this title, additional conditions which the City Planning Commission considers necessary to protect the appropriate development, and best interests of the surrounding property, the neighborhood and the City as a whole.

Based on the findings of fact set forth herein, it is recommended that the conditional use application be approved without any conditions.