



City of Prineville
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
STAFF REPORT

HEARING DATE: June 21st, 2016

PROJECT NUMBER: VAR-2016-100

APPLICANT/OWNER: Crook County School District
Prineville OR 97754

STAFF: Joshua Smith
Senior Planner

APPLICABLE CRITERIA:

- (1) City of Prineville Sign Code - Chapter 152, sections 152.20, 152.43, 152.65.

FINDINGS OF FACT:

1. **LOCATION:** The proposed variance is located at 1396 SE 2nd St. (Utility Address), Crook County Assessor's Map # 15-16-05DA tax lot 00700.
2. **ZONING:** The subject property is zoned General Residential, (R-2) and is designated as open space on the Comprehensive Plan Map.
3. **SITE DESCRIPTION:** The parcel is occupied by a portion of the track, football field and baseball field.
4. **PROPOSAL:** The applicant is requesting a variance to the City's sign code to allow a business (Robertson Ford) to place a sign behind the newly donated scoreboard at the baseball field behind Cecil Sly Elementary School. The sign is proposed to be 8 x 12 (96 sq. ft.) and mounted at the height of the scoreboard on its own poles. The sign will depict the name of the business (Robertson Ford) that donated the scoreboard.
5. **COMMENTS:** No comment were received from neighboring properties.

Criteria: *152.20 Exempt Signs. The following signs are exempt from this ordinance.*

16. Off premise. Commercial advertising signs located within recreational athletic fields, parks arenas, and other public property operated by public or non-profit civic organizations; provided however, that the signs face inward toward the respective athletic fields and do not extend above any of the perimeter fences. These signs shall be non-illuminated, and shall not have any flashing or animated components.

Finding 1: An off premise sign, meaning a sign that is not on the property where the business is located is not allowed in the City of Prineville. An exception to that rule is for athletic fields where the signs face inward toward the field and do not extend above the fence as described in section 152.20(16).

Criteria: 152.65 Variance Application. *An applicant for a sign permit or an applicant owning or leasing a sign that is not in conformance with the provisions of this chapter may seek a variance to the provisions of this chapter. A variance request for sign location or for sign height or area may be allowed by the Planning Commission. The decision of the Commission may be appealed to the City Council. A variance may be granted upon a finding by the appropriate review body that all of the following criteria can be satisfied:*

1. There are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape or topography of the property that do not generally apply to other properties or uses in the same zoning district.

2. The request will be the minimum variance necessary to alleviate the hardships or practical difficulties.

3. In determining a variance, the Commission or the Hearings Officer may attach such conditions to granting all or a portion of any variance as necessary to achieve the purpose of these standards.

Finding 2: The school district is essentially asking for a variance to the location and size of a sign allowed under the off premise sign exception. They are proposing a sign behind the newly donated scoreboard that would face outward and above the fence. A variance may be granted if the three criteria above are satisfied.

1. The exceptional or extraordinary circumstance is that this is school property that received a donation of a new scoreboard with the understanding that the donor would be allowed to place a sign behind the scoreboard facing Combs Flat Rd. While the situation is unique, the School district and business owner should have been aware that the City does have a sign code and should have consulted the city prior to making an agreement. The Planning Commission shall determine if the Schools reasoning is enough to warrant a variance.

2. It is difficult to justify a hardship or practical difficulty to what amounts to an off premise sign. An athletic field sign is typically limited in size by the fence it is attached to. In order to see the sign from Combs Flat Rd. the sign would have to be much larger than a typical athletic field sign. However, if approved the sign should not exceed 150 sq. ft. which is the maximum within the City's commercial zones. The sign is proposed to be 96 sq. f.t

3. The Planning Commission may attach conditions for granting of a variance. If approved staff would recommend a size and height limit. A condition should also be made that clearly states that this variance does not set a precedent for future signs of this nature.

Criteria:

152.31 Signs in Residential Zones. *No signs shall be permitted in any residential zones except as provided in this section.*

*3. **Commercial Uses.** A commercial use, in a residential zone may have 1 wall or ground-mounted sign not to exceed 32 square feet in area and may have a building directory sign provided in the area if such a sign does not exceed 1 square foot per use of the building.*

152.43 Ground Mounted or Monument Signs. *A sign which is not attached to any structure or building, and has a support which places the bottom thereof less than 4 feet from the ground.*

The following criteria shall be applicable for a ground mounted or monument sign.

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1. *A ground mounted or monument sign shall not be located within 10 feet of any other sign, within any street right-of-way, or within any clear vision area.*
2. *No more than 1 ground mounted sign shall be permitted for each street frontage. Unless otherwise specified in these standards, ground mounted signs shall have maximum overall dimensions and area not exceeding any of the following:*
 - A. *A maximum height of 15 feet.*
 - B. *May contain 1 square foot of sign area for each 2 lineal feet of street frontage, not to exceed a maximum area of 150 square feet.*

Finding 3: The proposed variance is to the size and location allowed by the exemption. Since the exemption does not have specific size requirements other than the fence height the code sections above are to provide some clarity on what is normally allowed. The first section, 152.31 is size requirement for a commercial sign within a residential zone and the second section 153.43 are the requirements for ground mounted signs within a commercial zone.

Recommended Conditions if Approved: Application VAR-2016-100 to allow a variance to the sign code shall be subject to the findings stated in the staff report, those conditions contained within and the following conditions set forth below:

General Conditions

1. The sign shall be 8 x 12 (96 sq. ft.), mounted directly behind the scoreboard and no taller than the height of the scoreboard. The sign may be angles to face Combs Flat Rd.
2. This variance does not constitute a variance for any other sign, nor does it set precedent for future signs of this nature. Any variance to the City's sign code shall be considered on its own merit.

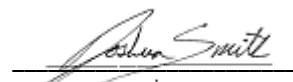
MOTION IN FAVOR

*The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Favor of this Application. I Move that the application be **APPROVED**, subject to the Conditions of Approval as they have been finalized, and based upon the Findings of Fact in favor of the application.*

MOTION IN OPPOSITION

*The Staff Report and record of tonight's proceedings are hereby incorporated as Findings of Fact in Opposition to this Application. I Move that the request be **DENIED** based upon Findings of Fact in opposition to the application.*

Written By:


Joshua Smith
Senior Planner