



**City of Dallas
Planning Commission
Council Chambers - City Hall
March 11, 2014 - 7:00 p.m.**

MINUTES

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Carol Kowash, Les Oehler, David Shein,
5 Denise Jones, and Robert Wilson.

6 Staff present: City Attorney Lane Shetterly, Community Development Director Jason
7 Locke, Planner John Swanson, and Recording Secretary Patti Senger.

8 **APPROVAL OF MINUTES**

9 President Chuck Lerwick presented the minutes of the regular meeting of February 11, 2014.

10 Commissioner Bob Wilson made a motion to approve the minutes as presented and Commissioner

11 David Shein seconded the motion. The motion to approve the minutes passed unanimously.

12 **PUBLIC COMMENT**

13 There were no public comments.

14 **PUBLIC HEARING – DALLAS SIGN CODE**

15 President Lerwick opened the Public Hearing on the Revision of the Dallas Sign Code at 7:03 p.m. He
16 reviewed the procedures for a public hearing and explained the Planning Commission would make a
17 recommendation to City Council after the record was closed and deliberation was complete.

18 **Staff Report**

19 John Swanson reviewed the staff report. He reported the sign code had not undergone a thorough
20 review for over 20 years and that it needed to be updated and modernized. He explained that it was
21 currently in the Municipal Code and should be moved to the Development Code. Mr. Swanson stated
22 the Planning Commission held a work session on February 11, 2014, and a public open house on
23 February 5, 2014. He said that there were not changes made to the parts of the code that were working.
24 The sign code draft included changes based on staff research, public input, and direction from the
25 Planning Commission and it used explicit, understandable language. Mr. Swanson reported that staff
26 recommended the Public Hearing on the proposed sign code and that the Planning Commission could
27 close the Public Hearing and make a recommendation to the City Council or decide to continue the
28 hearing process or deliberations to future meetings. He stated that City Council would make the final
29 decision to revise sign the code.

30 **Public Comment**

31 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon, read two statements regarding the sign code
32 revisions, copies of which is in the hearing record.

33 Joe Koubek, 565 SE Mifflin Street, Dallas, Oregon, read a statement regarding the sign code revisions, a
34 copy of which is in the hearing record.

35 Andrew Sparre, 1325 SW Levens Street, Dallas, Oregon, stated he owned a sign shop and that he wanted
36 to see provisions for off-site directional signs for business that were not on main streets or were located
37 in industrial zones. He stated that Dallas was the most expensive city in the area to get a sign permit and
38 that some signs only cost \$50.00 to make but \$100.00 for the permit fee. He asked where the money for
39 the sign permits went and suggested donating it to Kids, Inc. to help the fund the football program they
40 dropped due to lack of funding.

41 Micky Garus, 2421 SW Oakwood Drive, Dallas, Oregon stated he owns American Outdoors, a gun shop
42 behind Walmart. He said he had been involved in the sign code issue for several months and agreed
43 with Gene Henshaw. He stated that he had lived in Dallas for over 30 years and had watched the town
44 grow and die and asked what the vision was for Dallas. He pointed out the loss of industry and the
45 recent closing of five businesses on Main Street and asked the Planning Commission to think about what
46 created the best opportunity for business. He indicated government had lost sight of common sense and
47 that it looked like the City of Dallas was after power and money. He suggested having faith in the
48 community to do the right thing and implement fines when they did not. Mr. Garus pointed out some
49 fees were too large and some permits should not have any fees. He stated that fellow business owners
50 were not happy with the City and that he agreed with Andrew Sparre's idea to use the sign code permit
51 fees to funnel funding to organizations that helped youth. He explained gestures like that would show
52 the City was doing something positive; otherwise, it looked like the money just disappeared. He further
53 discussed promoting business in Dallas to create jobs and keep people from taking their business to
54 Salem. Mr. Garus explained that if his business could put a sign on the corner on E. Ellendale Avenue and
55 Polk Station Road, because Polk County was a conservative, Republican community, those types of
56 people would see his sign and 50% of them would come into his store. He summarized it would make a
57 difference in the success of his business.

58 President Lerwick closed the public hearing at 7:25 p.m.

59 **Deliberation**

60 Commissioner Shein stated he went through the draft sign code and apologized for not expressing
61 concern earlier in the process. He stated he found many things that he had difficulty with and would
62 pick a few items from his list to discuss; he indicated he would not be able to approve this draft of the
63 sign code as it was presented. He was concerned about the strict no-signage for home based businesses
64 and understood the draft sign code to say that they would not be allowed to have a sign for UPS
65 deliveries. Mr. Locke replied that a small window sign was allowed because it was not expressly
66 prohibited. Mr. Shetterly clarified that page 4 of the draft sign code supplied the definition of signs and
67 because a UPS delivery sign did not advertise or identify a business, it did not fall under that definition.

68 Commissioner Shein discussed temporary signage section 3.6.060 subsection B, subsection c, and read
69 “One temporary sign per frontage....during time of construction, landscaping, or remodeling...” limited
70 subcontractors from posting signs if the general contractor already had one and pointed out that in
71 many instances there would be several subcontractors for one project. Commissioner Carol Kowash
72 reported that certain types of projects required funding signs to be posted during construction and that
73 would eliminate all other signs.

74 Commissioner Shein asked if the draft sign code was consistent with industry standard sign sizes. Mr.
75 Locke explained that the temporary sign sizes were consistent with industry standards and commercial
76 signs were custom sized based on street frontage.

77 Commissioner Shein discussed the exceptions section 3.6.123 subsection B, and read “Exceptions shall
78 not be granted for the convenience of the applicant or for the convenience of regional or national
79 businesses that wish to use a standard sign size that may exceed the limits in this code.” He stated this
80 spoke to the issue of encouraging and keeping business and indicated if an applicant wanted to install a
81 sign with a standardized size mandated by their corporate office and it was a few inches larger than
82 what the code allowed it would be a potential roadblock for business to relocate here.

83 Commissioner Shein spoke about another area he found troublesome and read the exceptions section
84 3.6.123 subsection C, “An exception request shall be made in accordance with Chapter 5.1.050 and
85 processed as a Type III application.” He stated he looked up the Type III application in the Development
86 Code and determined that a pre-application conference was required, a specific application with a
87 narrative statement, a public hearing with published notice, and was truly a quasi-judicial procedure
88 with all that applies to that. He concluded that a simple, 4’ x 8’ cardboard sign used temporarily for an
89 event like SummerFest would be required to go through the same bureaucratic hoops as someone
90 spending one hundred thousand dollars or more.

91 Commissioner Shein summarized that there was not a strict deadline and the draft sign code needed
92 further review by the Commission and he wanted to give it more time.

93 Commissioner Les Oehler agreed that the draft sign code was still not ready. Commissioner Kowash
94 concurred and wanted to further discuss off-site directional signs.

95 Commissioner Shein stated he would forward his list to City staff for distribution to the Planning
96 Commission. Mr. Shetterly suggested Commissioners forward all of their issues to staff within ten days.
97 He indicated staff could compile a list to distribute to the Planning Commission well in advance of the
98 meeting so the Commissioners could come prepared to work through the list and deliberate.

99 Commissioner Wilson stated that deliberation needed to continue and agreed another meeting was
100 required. He pointed out the importance of putting everything on the table up front and that bringing
101 up a large list of items at the Public Hearing on things that the Commission had not had issue with
102 before was not what the public deserved.

103 Commissioner Shein asked about the Planning Commission coming together for a workshop similar to
104 what City Council does. Mr. Shetterly clarified that workshops were public meetings. The consensus of
105 the Planning Commission was to continue deliberation at the next regular meeting. Commissioner Chris
106 Castelli asked when public comments would be taken with a new revised draft and Mr. Shetterly
107 indicated they could be made when it went before City Council.

108 Commissioner Les Oehler asked for the comments to be listed so they could be gone through one by
109 one. He asked about sign permit fees and implied they were another tax. In answer to his question, Mr.
110 Locke explained they covered the administrative costs and staff would look at what other jurisdictions
111 charged. Mr. Shetterly added that the Planning Commission did not set the fees but that was done by
112 City Council.

113 Commissioner Castelli asked if putting the Sign Code into the Development Code would provide periodic
114 review and Mr. Locke indicated it would.

115 **STAFF COMMENTS**

116 Mr. Locke reviewed the February 2014 Land Use Report and pointed out a new category that showed
117 items being forwarded to the Planning Commission.

118 The meeting adjourned at 7:50 p.m.

APPROVED:

President

Date