



AGENDA
City of Dallas Planning Commission
TUESDAY, March 8, 2016 - 7:00 p.m.
City Hall Council Chambers
187 SE Court Street

**Planning
Commission**

President
Chuck Lerwick

Vice President
Dave Shein

Commissioner
Chris Castelli

Commissioner
Carol Kowash

Commissioner
Andy Groh

Commissioner
Marc Pazina

Commissioner
Bob Wilson

Staff

Community
Development Director
Jason Locke

City Attorney
Lane Shetterly

Planner
Suzanne Dufner

Recording Secretary
Margie Pearce

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of February 9, 2016
4. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
5. PUBLIC HEARINGS
 - A) None
6. OTHER BUSINESS
 - Work Session: Signs – Exceptions and temporary signs
7. COMMISSIONER COMMENTS
8. STAFF COMMENTS
 - Land Use and Building Report
9. ADJOURN

ext Planning Commission meeting will be April 12, 2016

Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

For questions or comments on the agenda, contact: Suzanne Dufner at 503.831.3572 or suzanne.dufner@dallasor.gov



**City of Dallas
Planning Commission
Council Chambers - City Hall
February 9, 2016 - 7:00 p.m.**

DRAFT 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, Andy Groh, Carol Kowash,
5 David Shein, and Marc Pazina.

6 Absent: Robert Wilson

7 Staff present: City Attorney Lane Shetterly, Community Development Director
8 Jason Locke, Planner Suzanne Dufner, and Recording Secretary
9 Margie Pearce.

10 **APPROVAL OF MINUTES**

11 President Chuck Lerwick presented the minutes of the regular meeting of January 12, 2016.
12 Commissioner Shein made a motion to approve the minutes as presented and Commissioner
13 Kowash seconded the motion. The motion passed unanimously.

14 **SWEARING IN**

15
16 Andy Groh was sworn in to fill the Planning Commissioner vacancy
17

18 **PUBLIC COMMENT**

19 President Chuck Lerwick explained the rules for making public comment.

20 Mr. Gene Henshaw spoke in regards to the Sign Code and urged the commissioners to take the
21 Chamber of Commerce suggestions in consideration when revisiting the issues brought up by the
22 City Council.

23

24

25 **OTHER BUSINESS**

26 Mr. Jason Locke reviewed the remand of the Sign Code from the City Council and stated that
27 there were a number of options available to the Planning Commission regarding how to proceed
28 based on the information from the City Council and the Chamber of Commerce.

29 Mr. Lane Shetterly commented that in the Sign Code, Sections 3.6.120 and 3.6.050 in
30 combination create a no exceptions loop. He stated that if the Commission removed item B of
31 section 3.6.050 it would remove the loop and allow for certain exceptions.

32 Mr. David Shein stated that he felt that the Planning Commission should focus on the issues the
33 City Council brought up and that the Chamber of Commerce issues were the same as those
34 brought up prior to the Sign Code revision and there was no need to address those again.

35 President Lerwick concurred with Commissioner Shein. He stated that the Planning Commission
36 had done a good job with the Sign Code. He felt that somewhere in the variances and exceptions
37 the Planning Commission missed the mark and by cleaning up those issues citizens can be best
38 served.

39 Mr. Shein wanted to look at the size of temporary signs and short notice situations.

40 There was a consensus from the Commissioners that they would like to investigate the option
41 which Mr. Shetterly discussed, in addition to looking at the sizes of temporary signs.

42 **COMMISSIONER COMMENTS**

43 Commissioner Kowash brought to the Commissioner's attention that there was a legislative bill
44 dealing with inclusionary zoning. Mr. Locke discussed what that was and that Oregon
45 jurisdictions were not allowed to include it in their Development Codes.

46

47 **STAFF COMMENTS**

48 Mr. Locke reminded the Commissioners that the Land Use and Building report is included in the
49 agenda packet.

50 **The meeting adjourned at 7:45 p.m.**

51

APPROVED:

President

Date

EXCEPTIONS – Remove the loop and discuss the exceptions process

3.6.120 Exceptions.

The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

- A. No exception shall be granted unless it can be established that:
 - (1) The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
 - (2) The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
 - (3) The request will not be detrimental to community standards and the appearance of the city.
- B. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

3.6.050 Prohibited Signs.

The following signs are prohibited:

- A. Hazardous signs.
- ~~B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.~~
- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:
 - (1) Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.
 - (2) Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Electronic Digital (Video) signs.
- H. Flashing signs, except as provided in 3.6.040Z.
- I. Roof signs.
- J. Signs that appear similar in shape, color, size or copy to traffic control devices.
- K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

Temporary Signs – Review size and allocation

3.6.060 Temporary signs.

A. Temporary signs may be erected and maintained only in compliance with this section.

- (1) Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
- (2) Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
- (3) With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
- (4) Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.
- (5) Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.
- (6) With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
- (7) Temporary signs are not counted against the total area of permanent sign allowance.

Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.