



**City of Dallas  
Planning Commission  
Council Chambers - City Hall  
August 13, 2013 - 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, Les Oehler, David Shein, and Robert  
5 Wilson.

6 Absent: Denise Jones and Carol Kowash.

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

9 **APPROVAL OF MINUTES**

10 Chair Lerwick presented the minutes of the regular meeting of July 9, 2013. Commissioner David Shein  
11 made a motion to approve the minutes and it was duly seconded. The motion passed unanimously.

12 **PUBLIC COMMENT**

13 President Chuck Lerwick explained the rules for making public comments.

14 Micky Garus, 2421 SW Oakwood Drive, Dallas, Oregon. Mr. Garus suggested that the sign code needed  
15 to be looked at again; it was written with good intentions but the meaning had been lost. He discussed  
16 working with six large companies when he was building his business and they all recommended not  
17 opening a business in Dallas because the City was terrible at working with business owners and was not  
18 business friendly. He stated that he grew up in Dallas and believed in the community and that was why  
19 he brought his business here. Mr. Garus talked about his desire to place a sign on an existing pole near  
20 his business that already had Hayward and White's Collision advertised on it. He obtained permission  
21 from both business owners to add his sign and the City would not allow it. He reported that two weeks  
22 ago on a Saturday, he was in his front yard visiting with a neighbor and the Code Enforcement Officer  
23 walked past him to check out a corrugated sign placed there to advertise his business. The officer told  
24 him it was in violation of City Code. He brought the sign with him along with a home security sign that  
25 included the business name and phone number. He didn't understand the difference between the two

26 signs and thought he should be able to put whatever sign he wanted on his private property. Mr. Garus  
27 explained that his business brought hundreds of people to Dallas for training and they spend their  
28 money while they were in town. He stated that the advertising helped bring those people here. Mr.  
29 Garus expressed his concern about how the City could afford to pay a Code Enforcement Officer to work  
30 on Saturdays when the budget was so tight. He mentioned that the flashing “Open” sign that was  
31 installed at the Electric Peddler on Main Street was similar to the one that Dallas Select Market had  
32 been using for several years. Both businesses had been written up twice in the last six months. He  
33 stated that every person he talked to has had an issue with code enforcement including Les Schwab and  
34 Anytime Fitness. He summarized the City was driving business away.

35 Chair Lerwick stated that he had spoken over the allotted time and thanked him for coming and  
36 participating in the process.

37 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon. Mr. Henshaw stated that he understood the  
38 sign code was under review. He suggested it should be revised to allow businesses to advertise where  
39 the public could see the signs. He explained American Outdoors was not allowed to put a sign on E.  
40 Ellendale Avenue to steer customers to NE Polk Station Road when their main pull of customers was  
41 from Salem and Marion County. He noted the importance of bringing customers into this City to spend  
42 money rather than the other way around.

43 Andrew Sparre, 1325 SW Levens Street, Dallas, Oregon. Mr. Sparre stated he owned the Graphic Sign  
44 shop in Rickreall and that he did a lot of business in Dallas and other areas. He reported that he had  
45 heard many stories about how people had run-ins with the City regarding permit fees and other things.  
46 He explained that what they were quoted over the phone may be different from what they were told  
47 when they came in. He noted the ordinance posted on the website said the permit fees were \$1.50 per  
48 square foot with a minimum fee of \$75. The permit application states the fee is \$2.50 per square foot.  
49 He agreed that the sign ordinance needed to be revisited.

50 Russle Poston, 291 SW Mill Street, Dallas, Oregon. Mr. Poston stated he wanted to see the contact log  
51 history from Code Enforcement for his residence and believed it to be extensive because he had been  
52 there for every little issue. He brought a small, corrugated sign that he explained was posted in his  
53 flowerbed against the home and a picket rail fence. The sign advertised a play that his daughter was  
54 part of in Salem. He stated this was a source of contact from code enforcement and he was told a sign  
55 was only allowed if it advertised a Dallas event. Mr. Poston reported that he told the officer that he  
56 would not remove the sign. The officer then called City Hall and stated he could leave the sign out  
57 unless there were complaints. He advised that he was at that meeting because he wanted the  
58 Commission to be aware of the time the City spendt on code enforcement.

59 Andy Henderson, 1333 Main Street, Dallas, Oregon. Mr. Henderson reported that his family owned the  
60 Old Mill Feed and Garden store and wanted to speak about the sign ordinance. He stated that he had  
61 put a sign in his yard for the OSU Master Gardener’s Plant Sale. He believed in the work they did for the  
62 community and wanted to support them. He indicated the sign was not invasive, intrusive, or ugly. He

63 was approached by code enforcement to remove the sign and suggested the sign code needed to be  
64 reviewed.

65 Chair Lerwick asked if there were further public comments. Hearing none he closed the Public  
66 Comment portion of the meeting. An audience member asked about when the sign committee would  
67 meet. Jason Locke stated that there was not a committee and it would be posted on the website when  
68 it became available. An audience member asked if he could speak. Chair Lerwick re-opened the Public  
69 Comment portion of the meeting.

70 Stuart Wright, 4985 Orchard Heights Road, Salem, Oregon. Mr. Wright stated he would like the sign  
71 ordinance issues resolved. He asked that a street sign labeling Main Street be added at the north Dallas  
72 intersection. He asked if the new sign code was done yet. Mr. Locke answered that it was ongoing and  
73 they would take into account the feedback they had heard at this meeting. He discussed the complexity  
74 of the issues and explained if someone was interested in the draft of the new code they could fill out a  
75 Public Information Request form to get a copy. Mr. Wright indicated that folks were upset with the Code  
76 Enforcement Officer and asked how cases were reported. Mr. Locke answered that there were  
77 numerous ongoing issues, some were reported, and some found by driving by. Mr. Wright summarized  
78 there was a public perception problem because of the strong arm of code enforcement.

79 Ed Dressell, 1215 SE Barberry, Dallas, Oregon. Mr. Dressell stated that he owned a small business and  
80 chose not to put up a sign after everyone he talked to had told him about problems when they obtained  
81 signs. He noted that none of the people he talked to were at this meeting. He pointed out that Mr.  
82 Sparre only had issues with Dallas and not other jurisdictions. He suggested using a boilerplate from  
83 another city and have the process open without having to use a Public Records Request form to get the  
84 information. He asked if this was a symptom of the problem or if it was the problem and indicated it did  
85 not make Dallas pro-business. He explained that he was up to six employees and if he needed another  
86 building that he would not want to go through the politics of building one in this town. Mr. Dressell  
87 reported that he approached a business owner in her shop and asked her how business was going. She  
88 thought he was from the City and stated it was great. Once she learned he did not work for the City he  
89 reported that she told him how bad it really was. He stated that there was tension between the  
90 business owners and management at City Hall.

91 Chair Lerwick expressed his excitement over the public participation and asked them to continue during  
92 the process. He closed the Public Comments portion of the hearing.

### 93 **OTHER BUSINESS**

#### 94 **Discussion of Citizen Involvement in the Land Use Planning Process**

95 Mr. Locke discussed the process of updating and creating a new Comprehensive Plan that would follow  
96 completion of the Dallas 2030 vision project. He stressed the importance of citizen involvement in the  
97 land use planning process and asked the Commission to familiarize themselves with Oregon's Statewide  
98 Planning Goals and Guidelines: Goal 1 Citizen Involvement. He mentioned that the current citizen  
99 involvement process was weak. He discussed providing information to an advisory committee that

100 would be understandable and thorough, and would work to streamline the process to keep bureaucracy  
101 out of the way. Mr. Locke stated that they did not want to reinvent the wheel but needed to ensure it  
102 would suit our needs and availability of resources where people could participate in the process in a  
103 meaningful way. He noted that during the vision process, people who had not previously been involved  
104 were becoming involved and people were saying they hadn't been asked to participate in meaningful  
105 interaction before.

106 Mr. Locke discussed looking at the formula for modern communication, which had changed even in the  
107 last five years. Chapter 1 of the Comprehensive Plan would engage in active communication with  
108 citizens and make the various processes as easy as possible.

109 There was discussion about the Planning Commission acting as the citizens' advisory committee (CAC) or  
110 citizen involvement committee (CIC) and Mr. Locke clarified that the Planning Commission would act as  
111 the CIC for the Comprehensive Plan and provide direction for staff to carry out the program. Mr. Locke  
112 stated that he expected the vision project to be completed by the end of the year and would like to  
113 move forward with the citizen involvement chapter. The process to form the CIC would take four to five  
114 months because of public notices and hearings. He expected the work to take two or three years. In  
115 answer to a question, he stated the last Comprehensive Plan was adopted in 1998 and much of the data  
116 was outdated and not relevant. The Economic Development policies needed to be reviewed; inventory  
117 of public facilities, infrastructure, and residential and industrial land would be done; and the Public  
118 Facility Plan and the sewer plan would be reviewed. In addition, a storm water and parks plan would  
119 need to be created. He discussed the lack of staff resources that would be needed for the project and  
120 noted he would work to get funds budgeted to the project.

121 It was the consensus of the Commission to review the Oregon's Statewide Planning Goals & Guidelines  
122 document and discuss it further at the next meeting.

### 123 **COMMISSIONER COMMENTS**

124 Chair Lerwick asked about the status of the sign code and pointed out there had been a lot of interest.  
125 Mr. Locke stated they were working through it but due to staff resources, had put it aside. Mr. Locke  
126 explained that it was a poorly written, outdated document with lots of holes. Signage in residential  
127 zones was prohibited and off-premise signs were not allowed. He discussed the potential  
128 consequences of allowing off-premise and temporary signs and noted it would require ample discussion.  
129 Commissioner Wilson stated he rarely heard complaints about not being able to put up a sign until this  
130 meeting. He noted the complaints were usually about letting people put up too many signs.  
131 Commissioner Shein discussed the perception of capricious and arbitrary enforcement. Lane Shetterly  
132 stated that consistent enforcement was important. Mr. Locke mentioned that 60% of the people  
133 surveyed stated the City did not do enough code enforcement. He understood the aspect of not being  
134 able to make everyone happy but he could assure and ensure the program was carried out  
135 evenhandedly without targeting certain folks. He mentioned that code enforcement was not complaint  
136 driven but proactive. Mr. Locke noted too, that the Police Department did not address code  
137 enforcement issues. Commissioner Oehler shared a story where he felt the Code Enforcement Officer

138 had been nit-picky. Chair Lerwick expressed his excitement about people participating in the process. In  
139 answer to a question, Mr. Locke stated he would have a draft of the sign code next month.

140 Commissioner Castelli discussed community involvement and stated that at the Department of State  
141 Lands, they would set up an email box for the allotted time to get comments and it had worked well.

142 Commissioner Shein pointed out that the collisions with these people provided fuel for the perception  
143 that the City was unfriendly to businesses. Mr. Locke said enforcement of the current sign code was  
144 difficult but certain things were clear. He indicated the City was always willing to listen to issues and  
145 suggested that there were common misconceptions from prior administrations that were still out there.  
146 There was discussion asked about the high school sports yard signs and noted that the code could be  
147 interpreted both ways. Mr. Locke noted signage moving into neighborhoods created the most  
148 complaints. He stated that the Hayward and Whites Collision signs were grandfathered in and Mr.  
149 Garus' request could have gone before City Council or to a public hearing for approval.

150 The meeting adjourned at 8:18 p.m.

**APPROVED:**

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President

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Date