



**City of Dallas  
Planning Commission  
Council Chambers - City Hall  
February 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 January 14, 2014.  
10 Commissioner Bob Wilson made a motion to approve the minutes; it was duly seconded and the  
11 minutes were accepted as presented.

12 **PUBLIC COMMENT**

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

14 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon, commented that the process for the sign code  
15 revision with the open house and the upcoming public hearings was good. He stated it allowed everyone  
16 to be heard and involved.

17 **PUBLIC HEARING**

18 There was no public hearing.

19 **OTHER BUSINESS**

20 **Work session: Review of Sign code Open House Results and Draft of Sign Code**

21 Jason Locke stated the materials presented to the Commission for the meeting included a letter from  
22 the Chamber of Commerce, a synopsis of comments from the open house held on February 5, 2014,  
23 results of the survey, a post open house memo, and a working draft of the revised sign code dated  
24 February 11, 2014. He indicated the goal was to accomplish a draft that would be ready for the public  
25 hearing on March 11, 2014. Mr. Locke explained that after the public hearing there would be time to  
26 make revisions based on testimony received before it went to the next public hearing in front of City  
27 Council where it would ultimately be adopted.

28 Mr. Locke identified technical issues in the draft sign code and areas where there was confusion or non-  
29 clarity that needed to be addressed. These included temporary signs, signs for home occupations, off-  
30 site and off-site directional signs, and electronic video signs.

31 Mr. Locke discussed the portion of the letter from the Chamber of Commerce that asked to allow signs  
32 for home occupations in residential zones. He explained there were about 200 home businesses in  
33 Dallas and the original idea was for them to be conducted in a manner that did not give an outward  
34 appearance of being a business. He added that when people apply for home occupations they generally  
35 do not ask about signage for their home and most indicated they were not interested in having signs. In  
36 addition, the Development Code would need to be amended. President Lerwick asked about businesses  
37 such as adult foster care homes and if signs were allowed and Mr. Locke explained that signs were  
38 allowed in Commercial Zones but not in Residential Zones.

39 Mr. Locke talked about off-site signs and off-site directional signs. He stated there were not many  
40 jurisdictions that allowed them and the ones that did were usually larger and allowed billboards. He  
41 suggested that off-site directional signs, if allowed, would need to have clear criteria.

42 Mr. Locke stated that electronic digital video signs, similar to flat screen televisions, were prohibited in  
43 the current draft but electronic changeable copy signs with less movement were allowed.

44 The Commission reviewed the draft sign code page by page.

45 There was discussion about the purpose statement and the scope. It was the consensus of the  
46 Commission to leave those as written and address them if they came up at the public hearings. Lane  
47 Shetterly stated the definitions provided clarity. Mr. Locke added that the definitions were the industry  
48 standard and sign professionals and other jurisdictions used the same language.

49 The Commission talked about signs placed inside of buildings that were visible from the public right-of-  
50 way. Mr. Shetterly explained that signs inside buildings were not regulated and were permitted. Mr.  
51 Shein indicated the code should allow a sign to advertise a sale but not allow video signs to hang in the  
52 window. Mr. Locke said the new code specified only 50% of the windows could be used for signs. Les  
53 Oehler asked what determined if it could be viewed from the right-of-way, indicating driving and  
54 walking provided different views.

55 Mr. Locke explained some signs were exempt from the code such as roadway signs put up by city,  
56 county, state, or federal agencies that generally were located in the public right-of-way. He stated that  
57 hand-held signs were also exempt and they could only be used on private property. Mr. Locke explained  
58 there were times when it was appropriate to allow temporary signs on a public right-of-way such as A-  
59 frame signs in the downtown area to add visual interest to the streetscape, but the City was not under  
60 obligation to allow them.

61 There was discussion about the banners that hung across Main Street; Mr. Shetterly suggested deleting  
62 “official” from the language, and the Commission agreed.

63 Mr. Shetterly pointed out that the content or message of a sign could not be regulated, only the sign  
64 itself. Mr. Locke added that signs for advertising could be regulated and if they were not advertising it  
65 was a different issue.

66 Mr. Oehler asked about covered flyer boxes attached to real estate signs and it was decided to change  
67 the language to “associated with”.

68 Mr. Locke talked about prohibited signs and noted that a business could have an open sign that flashed  
69 if it was less than two square feet.

70 Mr. Locke explained that in an effort to streamline the process, the City Manager would approve  
71 exceptions for temporary/portable signs and sign-spinners in the public right-of-way rather than City  
72 Council. There would be a one-page application that explained the rules the applicant would be required  
73 to comply with.

74 There was discussion about electronic and video signs. Carol Kowash asked about the demand for those  
75 and Mr. Locke indicated that there had been one telephone inquiry in the past five years. Mr. Shein  
76 commented that subject did not draw as much debate as others at the open house.

77 Mr. Shein talked about off-site directional signs and stated he was looking for a compromise. He brought  
78 up the Hayward off-site directional sign. Mr. Locke reported the history of that sign and explained the  
79 owner specifically leased office space in the complex to put up a sign at that location. President Lerwick  
80 suggested a kiosk that was mentioned at a previous meeting by Ms. Kowash. Mr. Locke noted a kiosk  
81 would be for pedestrians and off-site directional signs with arrows would be for drivers. Mr. Wilson  
82 pointed out that the majority of people now use GPS technology reducing the need for directional signs.  
83 Mr. Oehler stated that something should be allowed with restrictions on size, location, and appearance.  
84 Mr. Wilson asked about how to handle multiple businesses that wanted to post signs on the same  
85 corner. Mr. Shein stated that you would not want off-site directional signs in the commercial business  
86 district. Mr. Swanson clarified not allowing permanent signs but A-frames could be permitted. There was  
87 discussion about the process of putting up off-site directional signs and Mr. Locke explained that it  
88 would need to go through an exception process for the Planning Commission to review. Mr. Shein  
89 thought that was excessive and Mr. Oehler agreed. Mr. Shetterly said the draft code had it listed as a  
90 quasi-judicial action and noted that the exceptions process was not available to something that was  
91 prohibited in the code. He suggested changing the language to open the exception process to directional  
92 signs. Mr. Castelli confirmed conditions could be added by the Planning Commission and the consensus  
93 of the Commission was to make the change.

94 Mr. Locke stated the language was changed to clarify that temporary signs were not counted against  
95 allowance for total area of a permanent sign. He indicated the draft limited temporary signs to three per  
96 building and two per business in a multi-complex and they were not allowed to be attached to  
97 permanent sign structures, awnings, trees, or utility poles. Mr. Castelli asked about the change from 30  
98 to 90 days. Mr. Locke indicated that it was in line with what other jurisdictions allowed. Mr. Locke stated  
99 election signs could be erected 30 days prior to an election and removed 10 days following one and that

100 the standardized size was 2' x 3' or six square feet. Mr. Castelli stated he would support that and  
101 suggested reviewing the code periodically after adoption.

102 Mr. Locke reported that the garage sale sign section was straight out of City Code and had not been  
103 changed.

104 There was discussion about residential signs not being prohibited; in cases of hardship, an approval  
105 process was available. President Lerwick noted the neighbors would be notified during the process and  
106 it was the consensus of the Commission to keep the language as presented.

107 The Commission discussed awnings as signs and Mr. Shein noted the language should remain as  
108 presented.

109 Mr. Locke reviewed changeable copy signs and explained only one sign per site for multi-tenant  
110 complexes would be allowed. The electronic changeable copy portion would be calculated at two times  
111 the rate of other signs.

112 President Lerwick asked about local sign shop owners and Mr. Locke stated that they wanted clarity of  
113 the code so they know how to design a sign package for their clients. Mr. Swanson added that most of  
114 the inquiries from sign companies were about temporary signs.

115 Mr. Swanson reported that signs over six feet tall require building permits to ensure structural integrity.

116 Mr. Locke stated that abandoned signs need to come down within 45 days after a business closed.

117 There was further discussion about variances and Mr. Shetterly stated the burden of proof would be on  
118 the applicant. Mr. Shein asked if Type III rules would apply and Mr. Shetterly stated they would.

119 Mr. Castelli asked about enforcement. Mr. Locke explained that a clear code would clarify expectations  
120 and would aid enforcement.

121 Mr. Shetterly advised listing the flashing two-foot open sign as permitted rather than an exception to  
122 prohibited signs. The consensus of the Commission was to accept the change.

123 There was further discussion about grandfathered in signs and President Lerwick asked about  
124 replacement of the existing billboard if it was damaged beyond repair. Mr. Locke stated it could not be  
125 replaced. When asked about the sign at Polk County Mr. Locke indicated it could be rebuilt in the same  
126 circumstance and the display would continue to be regulated.

127 Ms. Kowash thanked staff for the open house and the articles published in the newspaper and Mr. Shein  
128 acknowledged the number of man hours of work that were put into it.

129 Mr. Locke summarized that the revisions to the draft sign code would be made and an updated version  
130 would be forwarded to the Planning Commission. Mr. Shetterly advised Commissioners to forward  
131 comments to staff. Mr. Locke stated that after the March 11, 2104, public hearing the Planning  
132 Commission would take testimony. After that, it could take a couple of meetings to incorporate the

133 changes prior to forwarding it to City Council. President Lerwick stated that they would work on the sign  
134 code as long as it took until they were comfortable with it before forwarding to City Council.

135 Mr. Locke reminded the Commission that the public had been educated and it is up to the  
136 Commissioners to decide how much weight to give to any one person's testimony.

137 **COMMISSIONER COMMENTS**

138 Mr. Shein stated the meeting had been time well spent.

139 **STAFF COMMENTS**

140 Mr. Locke pointed out that they had received the Land Use Monthly Activity Report and that he was  
141 expecting a subdivision application to come in soon.

142 The meeting adjourned at 9:15 p.m.

**APPROVED:**

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President

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Date