



**Planning Commission Minutes  
Willamette Activity Center Room 8  
July 21, 2015  
6:00 P.M.**

**1.0 Open Meeting**

6:05 P.M.

**Commissioners Present**

George Custer, Chairperson  
Keith Brown, Vice Chair (arrived late)  
Amy Kordosky  
Teresa Freborg (absent)  
James Affa  
Jackie Taylor

**Staff Present**

Louis Gomez, City Administrator  
Jackie Taylor, Assistant Planner

**2.0 Citizen Input**

None

**3.0 Consider Approval of Minutes**

***Motion:*** Commissioner Affa moved to approve the minutes from the May 19, 2015 Planning Commission Meeting. Commissioner Kordosky seconded the motion.

G. Custer (Aye), J. Affa (Aye), J. Taylor (Aye), A. Kordosky (Aye), Motion carried 4-0

**4.0 Consider Approval of Order and Findings**

Commissioner Custer read the Order and Findings.

***Motion:*** Commissioner Affa moved to approve the Conditional Use Permit for 48122 Hwy 58 Map/Tax lot 21-35-16-01 04100.

Commissioner Kordosky asked for more information on the reason we couldn't put the original conditions on the Order and Findings regarding the wording of the sign.

Louis explained that we went a little far at the last meeting, as the commission you can regulate size, location, color, and those kinds of things. You cannot regulate words on a sign. He wanted to put a green cross on his building and that is considered free speech under the First Amendment, so he is allowed to put up his green cross. We cannot dictate any wording, we asked him to do that and we cannot do that. He is going to add his green cross, the State of Oregon has determined that as medicine, that is one of the reasons he wanted the cross, so people can identify his business.

Commissioner Custer said most of the green crosses he has seen are all about the same standard size.

Louis said our hands are tied on the issue and we have to follow state law.

Commissioner Kordosky said when he left here at the last meeting Mr. Mack was in agreement to not put up a green cross.

Louis said we can't hold him to that. It is not a legal request.

Commissioner Custer said the City Administrator caught it early before anything came back on us.

Commissioner Kordosky asked why we even have a sign code if we can't regulate the words on the signs?

Louis said the First Amendment says we can't regulate what goes on the sign.

Commissioner Custer said as long as it's not offensive or threatening we can't do anything.

G. Custer (Aye), A. Kordosky (Aye), J. Affa (Aye), J. Taylor (Aye). Motion carried 4-0

## **5.0 Action Item**

### **5.1 Annexation and Zone Change permit submitted by Matt Carson 76527 Westoak Road Map/Tax lot 21-35-16-11 06400**

#### a) Conflicts of Interest/Exparte Contacts

Commissioner Custer said he is an advisor on the construction of the home and he recommended that he go for the annexation. He has no personal gain with the annexation.

#### b) Open Public Meeting

6:14 P.M.

#### c) Staff Report

Louis read the staff report for the annexation. The property is on Westoak Road, it does have city water, but it does not have city sewer. He and Mr. Carson did investigate the cost of connecting the sewer, because it is a county road the cost is in the neighborhood of \$20,000 - \$30,000, you have to put the road back to normal.

Louis went through the criteria for annexation. In regards to district changes in general once you do an annexation from county into the city you have to change the zoning. With our review they do meet the requirements for a zone change also.

- d) Statements in Favor

Matt Carson said he is the property owner, this is good for the property taxes and revenue for the city.

- e) Statements in Opposition

None

- f) Statements in General

None

- g) Close Public Hearing

6:20 P.M.

- h) Commission Discussion

Commissioner Affa asked about us having to change the zoning.

Louis said it is state law, if we annex them in we have to change the zoning.

- i) Finding of Fact

Louis read the criteria and findings to the Planning Commission.

- j) Commission Action

**Motion:** Commissioner Affa moved that after completing the finding of fact, the Planning Commission recommends to the City Council that tax parcel 21-35-16-11 Lot 06400 be annexed into the City of Oakridge and zoned R-1 effective upon filing the annexation with the Secretary of State. Commissioner Kordosky seconded the motion.

A. Kordosky (Aye), G. Custer (Aye), J. Affa (Aye), J. Taylor (Aye). Motion carried 4-0

**5.2 Annexation and Zone Change permit submitted by Robert and Sherry Moe  
48539 E 1<sup>st</sup> Street Map/Tax lot 21-35-15-23 03100**

- a) Conflicts of Interest/Exparte Contacts

None

- b) Open Public Meeting

6:26 P.M.

- c) Staff Report

Louis read the staff report.

- d) Statements in Favor

Robert Moe said this is a benefit to our community.

- e) Statements in Opposition

None

- f) Statements in General

None

- g) Close Public Hearing

6:30 P.M.

- h) Commission Discussion

Commissioner Affa asked which tax lot we are talking about, he sees two on one of the forms.

Louis said we are talking about tax lot 3100.

- i) Finding of Fact

Louis read the criteria and findings to the Planning Commission.

- j) Commission Action

**Motion:** Commissioner Kordosky moved that after completing the finding of fact, the Planning Commission recommends to the City Council that tax parcel 21-35-15-23; lot 03100 be annexed into the City of Oakridge and zoned R-1 effective upon filing the annexation with the Secretary of State. Commissioner Taylor seconded the motion.

J. Taylor (Aye), J. Affa (Aye), A. Kordosky (Aye), G. Custer (Aye). Motion carried 4-0

**5.0 Discussion Items**

None

**6.0 Positive Comments and Constructive Input**

None

**7.0 Announcements**

None

**Meeting Adjourned**

Chair Custer adjourned the meeting at 6:41 p.m.

**Signed:**

George Custer Chairman Date

**Attest:**

Susan LaDuke City Recorder Date