



**Planning Commission Minutes
Willamette Activity Center Room 8
January 20, 2015
7:00 P.M.**

1.0 Open Meeting 7:00 P.M.

Commissioners Present George Custer, Chairperson
Keith Brown, Vice Chair
Amy Kordosky
Teresa Freborg (Absent)
James Affa

Staff Present Louis Gomez, City Administrator
Jackie Taylor, Assistant Planner

2.0 Citizen Input

None

3.0 Consider Approval of Minutes

Motion: Commissioner Brown moved to approve the minutes. Commissioner Affa seconded the motion.

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

4.0 Action Item

4.1 Text Addition and Rezone property Map/Tax lot 21-35-22-20 1400, 00600 and 00300

a) Conflicts of Interest/Exparte Contacts

These are legislative changes so Exparte contact doesn't apply.

b) Open Public Hearing

8:23 P.M.

c) Staff Report

Louis read the staff report, it is unusual for us to have all that property from Pope & Talbot. All of our PRO is south of the Hwy 58, Greenwaters Park, Osprey Park...The comprehensive plan states that if we are going to have PRO it be on the South side of the highway.

This is strictly a recommendation to do a zone change and a text change, not a conditional use permit. The conditional use permit will come in to play if someone comes in front of the commission requesting that.

Commissioner Brown asked if there are other adjacent properties that are also zoned light industrial or is it all by itself?

Louis said it is all by itself. If this piece of property was in the middle of the industrial park this would be a no no because that would be spot zoning. He thinks it is reasonable to change this to PRO because it abuts forest service property on one end and it abuts some more of our property, which is open space, on the other end.

d) Statements in Favor

None

e) Statements in Opposition

None

f) Statements in General

Dawn Kinyon asked if this is City property, why would the city need to rezone it? Why not if it's sold then it gets rezoned. Who is to say that someone wouldn't buy it and want to build an industrial business there?

Commissioner Custer said there really isn't anything that you can do as light industrial down there.

Commissioner Brown said we don't really want light industrial down by the river.

Commissioner Custer said it is to the City's advantage to rezone the property.

Louis said the key comes back to the conditional use permit piece. At that point they do have a lot more control on what can or can't go in there. We can say you have to have sewer containment, potable water.....that is where the conditional use process comes in later.

g) Close Public Hearing

8:35 P.M.

h) Commission Discussion

Commissioner Affa asked about section 12.01 (5) Provide Channel maintenance to help flood control and prevention activities.

Louis said that is, for example, the dike right behind Hills Street, where the community garden is. We keep that channel open primarily as a flood way vs. a flood plain.

Commissioner Affa asked about section 12.02 (c) Exploration for and production of geothermal energy resources.

Louis said the city did a pretty thorough study in 1993. There was not enough geothermal to use city wide.

i) Commission Action

Motion: Commissioner Brown moved that after completing the finding of fact, the Planning Commission recommends to the City Council that a zone change from I-1 to PRO be granted for Assessors Map/Tax lot 21-35-22-20 00300, 00600 and 01400. Commissioner Kordosky seconded the motion.

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

Motion: Commissioner Affa moved that The Planning Commission hereby adopts the above findings of fact and recommends that City Council adopt a text change amending ZOCO Section 12 to add section 12 (2) (a) to allow recreation parks as a conditionally permitted use in the PRO zone in a Flood Plain Sub District (FP) south of Highway 58. . Commissioner Brown seconded the motion.

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

4.2 Text Language change and text addition Campgrounds, RV Parks and Recreation Parks in Flood Zones

a) Conflicts of Interest/Exparte Contacts

Commissioner Affa has had Exparte contact with Herb and Dede Hilton, Dan and Elizabeth Barclay and Audrey and Don Hadley and Dawn Kinyon.

Louis said these are legislative actions so this shouldn't be an issue.

b) Open Public Hearing

7:05 P.M.

c) Staff Report

Louis read the staff report, he took out all of the regulatory language that fits more with the Conditional Use Permit.

This request was discussed with Louis by Matthew Steele about this property. The history is he was granted a Planned Use Development about four years ago. Mr. Steele has concerns about folks being able to afford flood insurance if he puts his mixed use structures down there.

The question is, would a Recreational Vehicle Park fit in the residential zone. The Department of Land Conservation and Development stated from their office is that that is a use they are ok with.

A person will still have to come before the Planning Commission to ask for a Conditional Use Permit. This is only a recommendation today, it still has to go to the City Council. When you say Legislative you are talking a City law or ordinance.

Commissioner Brown wanted to understand that what we are doing is opening the door for someone to possibly be able to do this. What is the requirement for someone to come before this board if they wanted to put in a campground?

Louis said the text changes will be in the conditional use portion in the code book. It is still a conditional use.

d) Statements in Favor

Matt Steele, property owner, presented why he is asking for the language and text change. When he looked in our code book there was no language or text regarding RV Parks or Campgrounds. He suggested adding one additional sentence, paragraph (S) Campgrounds or Recreational Vehicle Parks and accessory structures when the subject

property is in a flood plain sub district. He wasn't asking for his property, there may be other properties in Oakridge that are in flood plains. Lane County has a document that says whenever possible residents are strongly encouraged to build outside the flood plain.

There has been a lot of media attention because of the Biggert-Waters Flood Insurance Act of 2012, then it was modified in 2014.

He was approved four years ago for a Planned Unit Development, this language would simply open the door for him to make another conditional use permit application to possibly do the RV Park and Campground. Right now there is no code for the Commission or Louis to apply when it comes to RV Parks and Campgrounds.

Mr. Steele hopes they will see the economic impact this will have on Oakridge, 40-42 spaces, 60-80 additional people in Oakridge, possibly for the entire summer. They will be spending time and money in our town and not looking for jobs. RV Parks pay the Transient Room Tax also.

Mr. Steele doesn't want this to turn into a mobile home park, that is the last thing he wants to see. If you could see his place they are sticklers about keeping the grounds kept up. There are limitations/definitions on guests vs tenants, he doesn't want this to turn into a landlord tenant situation where he would have to go through an eviction process to get someone out of there.

Statements in Opposition

Farlane Vester, 47792 Fairy Glen Drive, Oakridge – Read a statement about disadvantages to living near a mobile home park. Disregard for other people's property and vehicles, trespassing, theft, garbage, use of drugs and lewd behavior. She has had dogs possibly poisoned and rocks thrown at them.

Kent Bradstreet, 76400 Thatcher Lane, Oakridge – It will be hard to get mobile homes and RV's down Thatcher Lane. It is dangerous to exit Thatcher Lane onto Hwy 58, you can't see what is coming. The Kingdom Hall could not have ingress or egress onto the highway because it is too dangerous.

FEMA is not too high.

Dwight Chitwood, 76415 Thatcher Lane, Oakridge – Read a statement that he would like entered into the record. Proposed text changes go against the Watershed Council.

Dennis Boyd, 76394 Thatcher Lane, Oakridge – Read statement that will be entered into the record. They understand that this is just a text change recommendation, our opposition is, the reason they are here, is because they don't want to open the door for

an RV Park. When you go camping you go to have a good time. This is not compatible with the neighborhood. Who will monitor campfires and children? They don't want porta potties near their property, the current sewer system can't support an RV Park. Campers show up at 3:00 a.m. to set up.

The only person to benefit from this is the property owner. He understands he is limited to what he can do but, that is not his problem.

Mr. Boyd disagrees with the findings of fact, this does not go along with the Comprehensive Plan.

Lauren King, works for Leahy, Van Vactor, Cox and Melendy located at 188 W B Street, Springfield, OR 97477 – She represents Dwight and Sheila Chitwood, Sharon Lindsley, and Dana Tracy Gibbons. She read a statement to be entered into record. Additional time is requested, this is a quasi-judicial proceeding, although the staff report states this is a planning application to amend the Oakridge Zoning text a specific property is identified and referenced.

It remains our position that this is a quasi-judicial decision and we intend to raise this issue on appeal.

Sharon Lindsley, 76392 Thatcher Lane, Oakridge - read letter that will be entered into the record. Mr. Steele's claims are listed as the finding of fact in the staff report. What studies and surveys have been done to support these claims? An RV Park will invite transients to the area.

Ms. Lindsley purchased flood insurance for \$447.00 a year, just \$37.00 a month.

Dana Gibbons, 76396 Thatcher Lane, Oakridge – One concern that needs to be brought up is access to this area through Thatcher Lane. The street is a 20 ft wide street, this is where the class RV would be entering from the highway. When they put the neighborhood in they were limited to six single family residential lots because that is what the street could handle.

Since Mr. Steele has started working on his property they have witnessed over a hundred loads of gravel and heavy equipment coming down their street.

They do not see how section 8 trailers, drug problems and crime would fit into Thatcher Lane. The Planning Commission should protect and support the permanent residents who contribute to the tax base and care about their neighborhoods.

Sherri Elvrum, 76366 River Road, Oakridge – She lives on River Road, which is where the majority of the traffic will be. Mr. Steele should have to bring River Road up to

standards before putting in the RV Park to support the increased traffic an RV Park will create.

She is concerned about sewage and waste water disposal so close to the Willamette River. As an RV owner herself she has experienced and observed spills of sewage and gray water by inexperienced and careless campers.

She understands and can empathize with the property owners desire to recover expenses and realize the potential profit on their investment.

She would ask the Planning Commission to study this request from all angles including whether it is compatible with the existing Oakridge Flood Plain Management Plan.

Susie Short, 48354 Hills Street, Oakridge – She lives in a flood plain, she is concerned if they change this, she will end up having an RV Park near her home at some point. Mr. Steele’s property isn’t in her neighborhood but, if we change this it will eventually affect her.

Mike Barr, 48340 Hills Street, Oakridge – He bought property by the river because he doesn’t want anyone behind him, doesn’t want the door open to any of this. He doesn’t want people to be able to come back by the river and camp out back there.

Kent Bradstreet, 76400 Thatcher Lane, Oakridge – You can’t mix living in the city with living outside of the city.

Lauren King, works Leahy, Van Vactor, Cox and Melendy located at 188 W B Street, Springfield, OR 97477- Residential zoning is not appropriate for RV Parks.

e) Statements in General

Larry Phipps, 76587 Westoak Road, Oakridge – It is not the Planning Commissions job to protect an investors decision to buy a piece of property or to put a business in, it is to protect the code of the City and make sure it is comprehensive and it covers all of the areas that have been talked about tonight. The excuse that he see’s tonight is because the flood insurance is going to make the lots too expensive for people to purchase or its going to deter them from buying.

Four years ago this was approved and that was not an issue, the issue is, is it in your finding of fact, is there a public need for an RV Park.

The finding of fact asks if there is a public need for an RV Park. Deer Village started out an as RV Park and is now 97% full of permanent RV spaces.

Mr. Phipps recommends not to postpone this, just vote not to add the language to the code.

f) Close Public Hearing

8:00 P.M.

g) Commission Discussion

Commissioner Brown said he wants to make sure we know this is not a specific project, this is about whether or not we want to allow this use in residential settings. Some of the things people brought up about RV Parks and Campgrounds only being outside city limits. If you go to the Oregon Coast there are hundreds of RV Parks along the 101 Hwy that are in fact inside city limits. However, he is not aware of any that are in residential areas, they are generally in commercial.

Commissioner Affa asked if these people were noticed earlier when we discussed this plan originally?

Louis said no they weren't, it was a discussion item only.

Commissioner Custer asked if this is an allowable use in that zone?

Louis said yes, it is an allowable use.

Commissioner Brown asked if there is a need for this language to be added? He asks this because if you look around our city we have an RV Park on Hwy 58. It is one that is perhaps not managed correctly, his question is, is there a need and is a residential setting the best place for such a park. He understands that being next to a river is very good.

Many RV Parks don't allow campfires because they are in city limits, there are things here that we shouldn't have to worry about or we can make part of the conditional use permit.

Commissioner Custer said we don't really take advantage of the river front property that we already have. Is there a need for an RV Park in city limits, there isn't a need for a lot of these things but, the overall economic benefit of Oakridge and our number one challenge is our river is under-utilized, not many cities have a river running through it. We don't take advantage of the river front properties that we do have.

Commissioner Affa said some of this property abuts Osprey Park, he is getting the impression that a lot of the people here would have objected to Osprey Park for pretty much the same reasons.

He understands the problem for these people.

Commissioner Custer said he believes we need to open these doors when other people have said not to and let the good people of the community make the ultimate decision as they will.

Louis said to tie in both sides, what is going to be the best for the public good? That is what the Commission needs to be keyed in on here.

Commissioner Custer said a campground would have to be really thought out, he wouldn't have a problem having one across from him if it were thought out and done properly.

Commissioner Affa said anything we decide here tonight will still have to go the City Council.

h) Commission Action

Motion: Commissioner Affa moved that the Planning Commission adopt and recommend to the City Council that a text change in R-1 Residential adding section 4.02 (3) (s) and section 4.02 (4) Recreation Parks be granted for Assessors map 21-35-18-14, tax lot 2002, 2003 and 2601 when located in a Flood Plain Sub-District (FP).

No second

Motion: Commissioner Kordosky moved that after completing the finding of fact we do not approve that the Planning Commission adopt and recommend to the City Council that a text change in R-1 Residential adding section 4.02 (3) (s) and section 4.02 (4) Recreation Parks be granted for Assessors map 21-35-18-14, tax lot 2002, 2003 and 2601 when located in a Flood Plain Sub-District (FP). Commissioner Brown seconded the motion.

Commissioner Kordosky said RV Parks don't have a place in residential zones. We have plenty of places outside the City.

J. Affa (Nay), G. Custer (Nay), A. Kordosky (Aye), K. Brown (Aye). Motion failed 2-2

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 8:45 p.m.

Signed:

George Custer Chairman Date

Attest:

Susan LaDuke City Recorder Date