



**Planning Commission Minutes  
Willamette Activity Center Room 8  
February 18, 2014  
7:00 P.M.**

**1.0 Open Meeting**

7:05 P.M.

**Commissioners Present**

George Custer, Chairperson  
Keith Brown, Vice Chair  
Amy Kordosky - Absent  
Matt Altemus  
Teresa Freborg  
James Affa  
Gary Carl

**Staff Present**

Louis Gomez, City Administrator  
Jackie Taylor, Assistant Planner

**2.0 Citizen Input**

None

**3.0 Consider Approval of Minutes**

**Motion:** Commissioner Freborg moved to approve the January 18, 2014 meeting minutes and Commissioner Affa seconded the motion.

G. Custer (Aye), M. Altemus (Aye), R. Freborg (Aye), J. Affa (Aye), K. Brown (Aye). Motion carried 5-0

**4.0 Action/Discussion Items**

**LID – Recommendations from the U of O Community Planning/DEQ**

Commissioner Custer would like to go through this page by page. There was clarification on the format for this, it appears that they go through and delineating the existing code and make recommendations to that code. Many of them have very little comment other than adding to the code.

Louis said that is correct. What this is is this something we would want to add or not.

### **51.01 Definitions**

Commissioner Altemus asked what are the code amendments for the rain barrels. Are they allowed or not allowed.

Louis said with placing this as a definition, it is saying we will allow rain barrels.

Commissioner Custer said it is a definition, so anywhere else that rain barrel is mentioned in the LID language; this is what you will see.

Commissioner Freborg said it doesn't have any limitations on it, so we could have a 500,000 gallon rain barrel on their property if they wanted.

Louis said no, State Statute already regulates the amount of water you can have in your home.

Commissioner Freborg said we should add the statement "In accordance with State Statutes".

Louis said we can add that and he will get the State Statute number.

Commissioner Custer said citizens are required to know the laws.

Commissioner Carl asked about 51.23 – Discharge of Stormwater, it says no person shall make connection of roof downspouts, exterior foundation drains etc... does this apply to existing drains or future connections?

Louis said it applies to future connections.

Commissioner Custer said we are going to add the caveat in there "In accordance with State Statute number...."

Commissioner Custer asked if anyone has an issue with the definition of a rain garden.

Louis said whatever is enacted here, anyone who brings in any planning unit developments, subdivisions, any of that in front of this body, we will expect some low impact development within the subdivisions or PUD's.

Commissioner Freborg said she would prefer that we use the word "may" to encourage but not you will which insists.

Commissioner Carl said he disagrees with that.

Commissioner Custer said we are talking about the codes, we may adopt those, we do not have to adopt those.

Louis said the discharge of stormwater is a specific issue. That is beyond definitions. What he is hearing is that if someone comes in front of this body and they are going to put in another subdivision, you all could say all new houses going in to that subdivision will use at least one low impact development strategy. You don't have to be specific to what one they use. The key issue is the surface water management, that is what most of this is about.

Commissioner Carl said he doesn't see this as you may, if you go to page four, the purpose of this chapter is to establish standards and procedures for the division of land within the city. These regulations are necessary to provide uniform procedures and standards for the division of land to provide for the proper width and arrangement of streets to coordinate proposed development and on and on... so he doesn't see any room for "you can if you want to".

Commissioner Freborg said she was thinking with rain garden and rain barrel there were other ones that let them that if they "choose" to that they may.

Commissioner Custer said which is a combination of different strategies.

Louis said he see's what they mean, for example in 51.23.1 it says roof downspouts in residential and commercial "may" be connected to rain gardens, rain barrels so long as overflow is directed away from the public storm sewers.

They key is they want us to keep all of this off of the streets.

Commissioner Altemus asked if people are charged for stormwater.

Louis said you are charged so we can mitigate the stormwater.

When we do Teller Road we will be doing bio swales instead of doing regular catch basins. We will be doing some up on Ash Street also.

Commissioner Freborg asked which other Oregon cities have adopted these?

Louis said Turner, Gold Hill, and a couple more small cities.

Commissioner Brown said isn't the State forcing us to come up with a Stormwater Plan.

Louis said yes and we have a Stormwater Plan and a Surface Water Management Plan, this ties in to the Surface Water Management Plan. This body doesn't have to recommend that the Council do all of this, they can pick and choose and see what fits and what doesn't.

So at some level we are required to do this.

Commissioner Custer said the LID is the first line of defense before the Stormwater Plan.

DEQ says if we don't do something about this they will send this to us; this is our opportunity now to adopt what works for Oakridge, not everyone else.

Louis said he can bring the Commissioners copies of the 151's and 51's and we can just work on 874 since they have that information with them. It appears most of the questions asked, are asked and answered.

Commissioner Custer said they will only need the provisions for codes 51, 151 and 159.

Commissioner Brown said for some of the things listed here he didn't see the definitions, he was wondering if we need to add that. Some of what he's talking about are Stormwater planters, swales, in curb planter vaults.....do we need to include the definitions somewhere.

Commissioner Custer said the definitions are in article 33.

#### **Section 4.02 Uses and Structures (2) (I)**

Add (L) as a permitted use in R-1 from page 8.

Commissioner Freborg asked if she had a lot next to her house and she wanted to use that for Stormwater Mitigation she could do that.

Louis said she could, it is a permitted use in R-1.

Commissioner Custer asked who has the ones in the red type; the red types are the additions.

Commissioner Custer said as we go through these we need to understand that we can always find an exception, so that's what we are here for. We need to accept general language that generally works. If there is an issue, it will come before the commission.

Commissioner Brown said what he is reading is that they are trying to minimize impervious surfaces; that is not what this is saying, it's not minimizing the impervious surface driveways; it's limiting all future driveways. In our code right now we are not requiring concrete or asphalt driveways, so we can't even put in a gravel driveway that is more than 30 feet long.

Commissioner Altemus said if your house is 35 feet from the street, you would have to move the garage up or apply for a variance.

Louis said under current code you must have at least 20 feet from the Street.

Commissioner Affa said he looks at all this stuff for low impact and he's see's one thing missing and that is a lawn.

Commissioner Custer said it is under landscaping on the next page.

Commissioner Brown said we are limiting the parking, not limiting the impervious surface which is what the intention is.

Commissioner Carl said why don't we add on the application of section G does not apply to a driveway or parking space that provides a porous surface.

Louis said that would work.

We will add "Impervious surfaces not to exceed 30 feet" to section (g)

#### **Section 4.07 Off-Street Parking (3) (a) (b)**

Commissioner Carl said section (3) should read no more than, not less than shouldn't it.

Commissioner Brown said when he read this he didn't understand it, from his perspective a street has a certain length and there should be a certain amount of parking.

Commissioner Freborg said she asked about this when they were here and this was to encourage fewer vehicles.

Commissioner Carl wanted to make a motion to eliminate 4.07 and this does not address the length of the street, this is off street parking.

**Motion:** Commissioner Carl moved to eliminate 4.07 Off-Street Parking section (3). Commissioner Altemus seconded the motion.

Commissioner Carl said currently section A says two, they are suggesting we change it to one and no less than. It just doesn't make sense and that's why he'd just rather eliminate it all together.

Commissioner Custer recommends we don't adopt 4.07 off street parking.

Commissioner Freborg said when they were here doing the presentation, some of these items are to enable higher density which decreases storm run off.

G. Custer (Aye), G. Carl (Aye), K. Brown (Nay), J. Affa (Aye), M. Altemus (Aye), T. Freborg (Aye). Motion carried 5-1

#### **Section 4.10 Landscaping**

**Motion:** Commissioner Freborg moved to accept 4.10 Landscaping, removing the line "a minimum of 10% of the entire lot area" and highlighting the word *preferably*. Commissioner Affa seconded the motion.

Commissioner Altemus asked if this is saying a duplex or apartment can not have a lot.

Commissioner Custer said no, they want them to have a yard and to be landscaped.

Commissioner Custer said we need to go through this and filter it out and say this does not work for our city. They just don't want common areas filled with dirt where you will have runoffs.

Commissioner Carl asked if Commissioner Freborg would amend her motion to highlight/bold the word *preferably*.

Commissioner Brown is wondering why they put a minimum of 10% of the entire lot shall be landscaped. Are they trying to get at the building and its parking areas cannot be more than 90%. If we strike that out then we can have a building and a parking lot that covers 100% of a lot.

Commissioner Custer said 65% is the maximum for building on a lot.

**Amend Motion:** Commissioner Carl moved to accept 4.10 Landscaping, removing the line "a minimum of 10% of the entire lot area" and highlight/bold the word *preferably*. Commissioner Freborg seconded the motion.

M. Altemus (Aye), J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 6-0

## Section 5.01 Purpose

**Motion:** Commissioner Carl moved to accept section 5.01 Purpose. Commissioner Freborg seconded the motion.

Commissioner Custer said what is being added to this is “while also conserving the city’s natural resources”.

G. Custer (Aye), M. Altemus (Aye), T. Freborg (Aye), J. Affa (Aye), G. Carl (Aye), K. Brown (Aye). Motion carried 6-0.

The Commission went back to vote on section 4.02 Uses and Structures to add (l)

**Motion:** Commissioner Freborg moved to accept section 4.02 item (l). Commissioner Carl seconded the motion.

Commissioner Brown asked if we need to add this to the code. Is there a problem with having people do them without having it in the code?

Commissioner Custer said is there an allowance for green roofs in the code? If you wanted to put a green roof on your new house you are more likely to get approval with the planning department by showing the city wants these kinds of things.

Commissioner Brown said he understand the reason for us doing this, are we promoting it?

Louis said yes, what we are saying is that it is a permitted use.

G. Custer (Aye), G. Carl (Aye), K. Brown (Aye), J. Affa (Aye), M. Altemus (Aye), T. Freborg (Aye). Motion carried 6-0

Section 4.02 Uses and Structures item (g)

**Motion:** Commissioner Carl moved that 2 (g) be eliminated. Commissioner Affa seconded the motion.

K. Brown (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), T. Freborg (Aye), M. Altemus (Aye). Motion carried 6-0

## 5.02 Uses and Structures

**Motion:** Commissioner Freborg moved that section 5.02 section 2 item (g) remain unchanged. We are rejecting their suggested changes. Commissioner Carl seconded the motion.

M. Altemus (Aye), J. Affa (Aye), T. Freborg (Aye), G. Custer (Aye), G. Carl (Aye), K. Brown (Aye). 6-0 motion carried.

### **Section 5.02 Uses and Structures (1) (p)**

**Motion:** Commissioner Carl moved to accept 5.02 Section 1, Item (p). Commissioner Affa seconded the motion.

K. Brown (Aye), G. Custer (Aye), J. Affa (Aye), G. Carl (Aye), T. Freborg (Aye), M. Altemus (Aye). Motion carried 6-0

### **Section 5.03 Lots (4) (a)**

**Motion:** Commissioner Carl moved that we accept section 4, item (a) Lot coverage bonus. Commissioner Affa seconded the motion.

Commissioner Carl said the reason he moved to accept it, he thinks this will make them happy and not have much practical effect at all.

Commissioner Freborg said this is unenforceable.

Louis said if they people knowingly violate this they can be sited by code enforcement. If they said in their plans that they were going to do it and they don't; they can be fined.

G. Custer (Aye), K. Brown (Nay), G. Carl (Aye), M. Altemus (Aye), T. Freborg (Nay), J. Affa (Aye). Motion carried 4-2

### **Section 5.07 Off- Street Parking (3) (a) (b)**

Commissioner Custer said they want to change it from no less than two to no less than one.

**Motion:** Commissioner Freborg moved to reject Section 5.07 Off-Street Parking (3) (a) (b) recommended changes. Commissioner Affa seconded the motion.

Commissioner Freborg said it keeps it in consistency with our R-1 motion that we made on section 4.07 as far keeping the number of existing parking spaces the same.

Commissioner Altemus asked if we approve this, then there would be less cars?



K. Brown (Nay), M. Altemus (Nay), J. Affa (Aye), G. Custer (Aye), G. Carl (Aye), T. Freborg (Aye). Motion carried 4-2

**Section 5.10 Landscaping**

**Motion:** Commissioner Freborg moved to accept 5.10 Landscaping striking the sentence “a minimum of 10% of the entire lot shall be landscaped” with “preferably” being highlighted. Commissioner Affa seconded the motion.

M. Altemus (Aye), J. Affa (Aye), K. Brown (Aye), G. Carl (Aye), T. Freborg (Aye), G. Custer (Aye). Motion carried 6-0

**7.0 Positive Comments and Constructive Input**

None

**8.0 Announcements**

None

**Meeting Adjourned**

Chair Custer adjourned the meeting at 8:50 p.m.

Signed:

\_\_\_\_\_  
George Custer                      Chairman                      Date

Attest:

\_\_\_\_\_  
Susan LaDuke,                      City Recorder                      Date