

MINUTES
BROOKINGS PLANNING COMMISSION

June 2, 2009

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck	Hedda Markham
Ken Bryan	Cheryl McMahan
Randy Gorman	Jerry Wulkowicz
Kelly McClain	

Staff Present:

Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks and Secretary Alex Carr-Frederick

Other: no press

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

The Chair opened the public legislative hearing regarding File No. **CUP-2-09**, a request for a Conditional Use Permit to approve a short-term rental located at 96303 Spindrift Lane; Assessor's Map 40-14-36BB, Tax Lot 5000; R-1-6 (Single-family Residential) zone; Timothy & Sally Newby, applicant; Sammons, Representative. Criteria used to decide this case can be found in Chapter 17.20.050-R-1. (Single Family Residential)zone, Chapter 17.124.170 Provisions Applying to Special Uses, and Chapter 17.136-Conditional Use Permits, of the Brookings Municipal Code. No ex parte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear these requests.

Sr. Planner Colby-Hanks reviewed the staff report, which stated that all applicable criteria had been met. Rep. Sammons spoke in favor of the CUP, and Steven McCarthy, PO Box 8085, Brookings, OR, spoke in opposition. He owns property on Spindrift Lane and was primarily concerned that there would be no neighborhood recourse if the vacation renters became a nuisance. Mr. Sanders promised to distribute his contact information to all of the residents and assured the PC that he would be sensitive to the neighborhood impact. Public testimony closed at 7:19 p.m. Commissioner Bismarck made a motion, Commissioner Bryan seconded that the Planning Commission approve File No. **CUP-2-09**. Motion passed unanimously. Commissioner Bismarck then made a motion to approve the Final Order, Commissioner Bryan seconded and the motion passed unanimously.

The Chair opened the public legislative hearing at 7:22 pm in the matter of File No. **CP-2-09** adoption of the Economic Opportunities Analysis (EOA) and proposed amendment to Goal 9, Economy, of the Brookings Comprehensive Plan. No ex parte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear these requests.

Director Morris discussed the history of the EOA. Commissioner McMahan made several comments regarding Attachment A, Appendix E. She felt Eco Northwest, the study's author,

had made several erroneous leaps regarding the data that had been gathered, i.e., trend analysis and Community Advisory Committee input. Although Commissioner McMahan acknowledges that the data is available, she feels it has not been analyzed or used to develop a unique, economic vision for Brookings. Until that has been done, McMahan feels the Planning Commission cannot adopt the vague strategies (she referred to them as good practices) contained in the ECO Northwest plan. Planning Director Morris indicated that this particular File is but a small portion of the over-arching Economic plan the City Manager is currently working on, and that strategies and a vision will be forthcoming shortly. Director Morris indicated that the grant money runs out at the end of this month. After input from Commissioners Wulkowicz, Bryan, Gorman, and Bismarck, in the matter of File No. CP-2-09, Commissioner McMahan made a motion to recommend the City Council adopt the EOA from the 4/20/09 workshop without Appendix A, Attachment E or Comprehensive Plan revisions. Commissioner Bismarck seconded, and the motion passed unanimously.

The Chair announced at 7:53 pm that the public hearing regarding File No. **LDC-7-09**, regarding a City initiated amendment to Land Development Code Chapter 17.116, Planned Unit Developments, of the Brookings Municipal Code (BMC), City initiated. The criteria used to decide this matter is found in Chapter 17.140 Amendments, of the BMC. No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear these requests.

Director Morris reviewed the staff report, indicating there were three main changes to the Chapter. 1) State law has changed the name of Planned Unit Developments to Planned Communities, this change is now reflected in the chapter. 2) Approval periods now vary depending on the type of Community being built to accommodate the very differing needs of different types of Planned Communities. 3) Finally, the new Chapter spells out the responsibilities of the HOA's regarding ongoing Conditions of Approval, i.e. – maintenance. With minimal discussion, Chair Markham moved to recommend approval of File No. **LDC-7-09** to the City Council. Commissioner McMahan seconded and the motion carried unanimously.

At 8:02 p.m., the Chair opened the public legislative hearing regarding File No. **LDC-6-09**, a City initiated amendment to Land Development Code Chapter 17.120, Non-Conforming Uses, of the BMC, City initiated. The criteria used to decide this matter is found in Chapter 17.140 Amendments, of the BMC. Commissioner Bismarck declared a conflict of interest as he owns a parcel that is affected by Chapter 17.120. There was no challenge from the audience as to the jurisdiction of the Commission to hear these requests. Sr. Planner Colby-Hanks reviewed the staff report. Section 17.120.02. was stricken as the language regarding CUP's was redundant, CUPS are addressed in Chapter 17.136. Regarding discontinuance and destruction of non-conforming structures, the length of time given to remove the structure was lengthened, and new language was inserted to address new construction (enlarging, etc.). Finally, language regarding (section 17.020.070) pre-existing limited use permits and variances was also stricken due to redundancy.

With Commissioner McMahan making a motion and Commissioner Bryan seconding it, the PC voted 6-0 (Bismarck abstained) to make a recommendation to City Council to approve **LDC-6-09**. Motion carried.

APPROVAL of MINUTES

Chair Markham and Commissioner McMahan commented favorably on the new format of

the minutes. By a 7-0 vote (motion: Commissioner McMahan Second Chair Markham) the PC approved the minutes of the March 3, 2009 PC meeting.

COMMENTS by the PLANNING STAFF

Director Morris announced that the State LCDC will be visiting Brookings from July 29th to the 31st. This is a Governor appointed Commission and while the seven members are in town, the City of Brookings will be hosting a reception at the new Chrissy Field Visitor Center. She asked all the Commissioners to mark their calendars as their presence would be appreciated.

The parcel partitions within Emerald Coast Estates park was approved and completed. No neighboring properties were affected by the partition, only owners within the existing park. The draft copy of the County's Mixed Use Master Plan Zone (MUMPZ) which is going to the County Planning Commission on June 11th, is still vastly different from the City of Brookings Master Plan of Development Zone. The planning staff is hoping they will change their MUMPZ to more closely resemble our own, to make future annexations as problem free as possible.

Director Morris and Commissioner McMahan both attended a HATSRP open house on the 1st.

The County is hoping for a joint meeting between City and County Planning commissions to discuss the Plan. There may be an additional meeting needed in July. City Council continued the hearing on the Landscaping chapter again, and Director Morris is hoping they will pass it at their June 8th meeting. Commissioner Gorman was interested in knowing what portions the Council had changed, Director Morris explained that the Council removed the tree and drip irrigation requirements, turning them into incentives. She also explained to Commissioner Bismarck that a properly engineered rain garden does not need to be hooked into the City storm drainage system as a backup.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed at 8:17 pm.

Respectfully submitted,

Hedda Markham, Chair
(approved at 7/7/2009 meeting)