

*For: Monday, **January 28, 2013**, City Council Meeting*

## **Advance Packet Information**

Dated: January 17, 2013

Included in this packet is documentation to support the following Agenda items:

### **PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS/FINAL ORDERS**

- a. Public Hearing on file LDC-2-12, proposing existing airport as outright uses in Brookings Municipal Code (BMC) Chapter 17.40, Public Open Space (P/OS).[Planning]  
Documents: Agenda Report [pg. 2]      Att.a. Draft language [pg. 4]
- b. Ordinance amending Section 17.40.020, Permitted uses, of Chapter 17.40, Public Open Space (P/OS) District. [Planning]  
Documents: Agenda Report [pg. 5]      Att.a. Ordinance 13-O-707 [pg. 6]

\*Obtain Public Comment Forms and view the agenda and packet information on-line at [www.brookings.or.us](http://www.brookings.or.us), or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.



All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: January 28, 2013

Originating Dept: Planning

 Donna Colby-Hanks  
Signature (submitted by)  
  
City Manager Approval

---

Subject: A hearing on File LDC-2-12 for consideration and possible adoption of text to add existing airports as an outright use in Chapter 17.40 Public Open/Space (P O/S), Brookings Municipal Code (BMC).

Recommended Motion: A motion approving text adding existing airports as an outright use in Chapter 17.40 Public Open/Space, BMC.

Financial Impact: None.

Background/Discussion: Properties within the Brookings Urban Growth Area (UGA) are planned for the eventual annexation into the City. As the properties are annexed into the City, the City Council is tasked with determining the most appropriate city zone to assign considering existing county zoning, existing development on the property, and the owner's future plans. However, if there is no existing city zone that permits, either outright or conditionally, the existing uses on the property in question, the annexation must be conditioned subject to a text amendment or denied. These requirements prevent the creation of non-conforming uses pursuant to existing zoning designations.

A conditioned annexation has the potential to create issues if a text amendment is denied or is not approved accommodating the development plans of the property owner. The best course of action is to complete the text amendment prior to the annexation. This provides certainty for the property owner.

The Brookings Airport is located within the City of Brookings Urban Growth Area. However, the Land Development Code does not provide for a zone where airports are allowed, either outright or conditionally. To resolve this, Staff proposes to allow existing airports along with limited accessory uses outright in the Public Open Space (P/OS).

One of the purposes of the P/OS zone is preserve and enhance publicly owned facilities and services. The Brookings Airport, located within the UGA, is currently owned and operated by Curry County. The preliminary steps to annex the airport and several adjacent properties has begun. Approval of a text amendment to allow airports is needed to prevent conditions from being placed on the future annexation.

Site Plan Committee reviewed the proposal and found this text addition to be consistent with City ordinances and policies. The Planning Commission reviewed the draft revisions at their January 8, 2013 meeting and recommended approval.

Policy Considerations: N/A

Attachment(s): Draft text adding existing airports as an outright use in Chapter 17.40, Public Open/Space, BMC.

Text addition in **bold**.

## **Chapter 17.40**

### **PUBLIC OPEN SPACE (P/OS) DISTRICT**

#### **17.40.020 Permitted uses.**

The following uses are permitted:

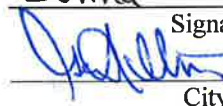
- A. Government structures including offices, fire stations, police stations;
- B. Publicly owned parks and/or recreation facilities, including recreational parks, swimming pools, tennis courts, playgrounds, campgrounds, and picnic areas;
- C. Community centers;
- D. Public schools;
- E. Public golf courses;
- F. Public museums, art galleries, libraries and information centers;
- G. Water-dependent or water-related uses only to be located within shorelands boundary;
- H. Wireless communication facilities, pursuant to Chapter 17.164 BMC, in conjunction with an existing tower operated by a public entity. [Ord. 99-O-446.GG § 2; Ord. 99-O-446.EE § 2; Ord. 89-O-446 § 1.]
- I. Existing airport facilities including expansion and accessory uses intended for the convenience of airport customers such as restaurants, car rentals, or retail shops subject to Chapter 17.76 Airport Approach (AA) Overlay Zone.**

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: January 28, 2013

Originating Dept: Planning

Donna Colby-Hanks  
Signature (submitted by)  
  
City Manager Approval

---

Subject: Ordinance amending subsection 17.40.020, Public Open Space, Permitted uses, of Title 17, Land Development Code, of the Brookings Municipal Code.

Recommended Motion: Motion to adopt Ordinance 13-O-707.

Financial Impact: None.

Background/Discussion: Revisions to this subsection were heard and approved by the City Council at their January 28, 2013 meeting.

Policy Considerations: N/A

Attachment(s): Adopting Ordinance 13-O-707.

**IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON**

**ORDINANCE NO. 13-O-707**

**IN THE MATTER OF ORDINANCE NO. 13-O-707, AN ORDINANCE AMENDING SECTION 17.40.020, PUBLIC OPEN SPACE, LAND DEVELOPMENT CODE, OF THE BROOKINGS MUNICIPAL CODE.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Amending Section 17.40.020.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 17.40.020, Public Open Space, Land Development Code, of the Brookings Municipal Code (BMC).

Section 2. Amends Section 17.136.080: Section 17.40.020, is amended to reads as follows:

**17.40.020 Permitted uses.**

The following uses are permitted:

- A. Government structures including offices, fire stations, police stations;
- B. Publicly owned parks and/or recreation facilities, including recreational parks, swimming pools, tennis courts, playgrounds, campgrounds, and picnic areas;
- C. Community centers;
- D. Public schools;
- E. Public golf courses;
- F. Public museums, art galleries, libraries and information centers;
- G. Water-dependent or water-related uses only to be located within shorelands boundary;
- H. Wireless communication facilities, pursuant to Chapter 17.164 BMC, in conjunction with an existing tower operated by a public entity. [Ord. 99-O-446.GG § 2; Ord. 99-O-446.EE § 2; Ord. 89-O-446 § 1.]
- I. Existing airport facilities including expansion and accessory uses intended for the convenience of airport customers such as restaurants, car rentals, or retail shops subject to Chapter 17.76 Airport Approach (AA) Overlay Zone.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_  
Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2013

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Joyce Heffington