

Advance Packet 1/18/08

For

Monday, January 28, 2008 Council Meeting

Included in this packet is documentation to support the following 1/28/08 Agenda Item:

ORDINANCES

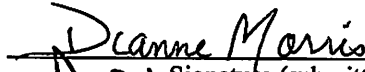
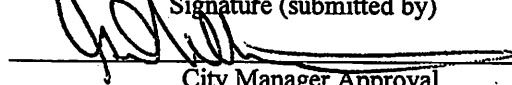
Motion to approve Ordinance 08-O-600, an ordinance amending Chapter 17.04, Development Permit Procedures, of Title 17, Land Development Code, of the Brookings Municipal Code (BMC), in its entirety.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: January 28, 2008

Originating Dept: Planning


Signature (submitted by)

City Manager Approval

Subject: Adopting ordinance for approved revisions to Chapter 17.04, Development Permit Procedures, Brookings Municipal Code (BMC).

Recommended Motion: Motion to adopt revisions to Chapter 17.04, Development Permit Procedures, BMC and read by title only. (Vote) Second motion to adopt revisions to Chapter 17.04, Development Permit Procedures, BMC and read by title only. (Vote)

Financial Impact: None.

Background/Discussion: The revisions to this Chapter were approved by the City Council at their January 14, 2008 meeting.

Policy Considerations: None.

Attachment(s): Adopting ordinance for Chapter 17.04, Development Permit Procedures.

BROOKINGS ORDINANCE

ORDINANCE NO. 08-O-600

AN ORDINANCE AMENDING CHAPTER 17.04, DEVELOPMENT PERMIT PROCEDURES, OF TITLE 17, LAND DEVELOPMENT CODE, OF THE BROOKINGS MUNICIPAL CODE (BMC), IN ITS ENTIRETY.

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amends Chapter 17.04 in its entirety

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Chapter 17.04, Development Permit Procedures of the Title 17, Land Development Code, of the Brookings Municipal Code (BMC) in its entirety.

Section 2. Amend Chapter 17.04. Chapter 17.04, Development Permit Procedures, is amended, in its entirety, to read as follows:

17.04.010 Purpose.

Development permits are issued to authorize the use and development of land consistent with the provisions of this code.

17.04.020 Development permit required.

No person shall engage in or cause the development of land for which a development permit has not been issued. Development permits shall be in a form prescribed by the city. Development permits are required for:

- A. Building permits; and/or
- B. Land use decisions; and/or
- C. Development on a hazardous building site as found in Chapter 17.100; and/or
- D. Other development requiring written authorization in this Code.

Making an application for a development permit is described in Chap. 17.80.030, Site Plan Approval, BMC or for hazardous building sites, Chapter 17.100.

17.04.030 Permit issuance.

Development permits shall be issued by the city manager or their designee according to the provisions of this code. Neither the city building official nor any other state or local official shall issue a permit for use, development or occupation of a structure which has not been approved according to this code.

17.04.040 Lands in violation.

The city manager or their designee shall not issue a development permit for the partitioning, subdivision, development, or use of land that has been previously divided in violation of state or local codes then in effect, or divided in violation of this code subsequent to its adoption, or otherwise developed in violation of this code, regardless of whether the permit applicant created the violation, unless the violation can be rectified as part of the proposed development in a manner provided by this code. (Ord. 89-0-446 1.)

17.04.050 Exemptions from requirement to do improvements to public infrastructure.

The developments and activities listed below are exempt from the requirements to do improvements to public infrastructure, but are nevertheless subject to the provisions of this code:

- A. Remodel, addition, alteration, or repair of an existing residence for residential use, or siting of an accessory structure;
- B. Remodel, alteration or repair to a commercial structure resulting in no greater impacts or intensity of use.

C. All structures damaged or destroyed by fire or acts of God provided there is no increase in original floor area, unless otherwise required by law, or in density, nor expansion of use of the original structure is involved. [Ord. 92-O-446.K § 2; Ord. 90-O-446.A § 1; Ord. 89-O-446 § 1.]

17.04.060 Preapplication conference.

A. An applicant or the applicant's authorized representative shall request the city manager or their designee to arrange a preapplication conference, unless the applicant and director agree that the conference is not needed. Such preapplication conference will be conducted by the Site Plan Committee, or in the case of a subdivision, utilize the process found in BMC 17.172.070.

B. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of this code; to provide for an exchange of information regarding applicable elements of the comprehensive plan and development code requirements, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development.

C. Any multiple-family project involving more than four dwelling units, a Planned Unit Development, dwelling group, or rear lot development requires a rough sketch conceptual plan to be reviewed in the preapplication conference.

D. The applicant shall be provided with a written summary of the conference including confirmation of the procedures to be used to process the application, a list of materials to be submitted, and the criteria and standards which may apply to the approval of the application. [Ord. 89-O-446 § 1.]

17.04.070 Process and Decision

The review process and determination of completeness of an application for a subdivision is found in BMC 17.172.070. The review process and determination of completeness for other applications is found in BMC 17.80.050 through 17.80.070, or for a hazardous building site, in Chapter 17.100, BMC.

First Reading: _____
Second Reading: _____
Passage: _____
Effective Date: _____

INTRODUCED AND ADOPTED By the City of Brookings Council and signed by me in authentication of its passage the ____ day of _____ 2008.

Attest:

Mayor Pat Sherman

Interim City Recorder Joyce Heffington



City of Brookings

898 Elk Drive, Brookings, OR 97415

Phone: (541) 469-1100

Fax: (541) 469-3650

Email: city@brookings.or.us

www.brookings.or.us

APPLICATION TO SERVE ON A CITY OF BROOKINGS COUNCIL, BOARD, COMMITTEE, COMMISSION

Name: Sally Laasch Date: 1/28/08
Physical Address: 743 Second St., Brookings
Mailing Address: PO Box 7816, Brookings Phone: 412-0115
Email Address: drake6@wave.net

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input checked="" type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: 12 Year: 98

2. Please list no less than three references:

	<u>NAME:</u>	<u>ADDRESS:</u>	<u>PHONE:</u>
A.	<u>Bob Hanson</u>	<u>PO Box 1385, Brookings</u>	<u>251-0165</u>
B.	<u>Vicki Cooley</u>	<u>Dir. SCHS Shelter</u>	<u>412-0325</u>
C.	<u>Carl Rhodus, VP, SCHS Bd</u>	<u>PO Box 7833</u>	<u>707/</u>
	<u>(Smith R, CA)</u>		<u>Yahpo.com</u>

3. Briefly explain why you wish to serve the community in this capacity and what prior experience, community service, or background you have in this area. Attach additional sheets if necessary:

Incumbent in Position since April
2003. Prior to that served on Swim All Year Committee.
Volunteer in So. Coast Humane Society Thrift
Shop, part-time, 5 days/week.
Want to be on Budget Cmte to keep accounting
skills currently engaged.

4. Tell us about your education, employment, volunteer activities, etc. Attach additional sheets if necessary.

BS Business (Accounting)

Also, completed major in Sociology before
switching to business.

US Govt Project Officer in US Dept. of Educ.

Worked with colleges/universities, including
site visits to audit records. Reviewed
many proposed budgets to obtain Fed.
grants.

Later, in different job, was asked to consoli-
date purchase requests, to take advantage
of bulk prices.

Previously, while employed 100%, volunteered with

5. It is my intention to donate voluntary services for the City of Brookings (hereinafter "City") as follows:

Budget Cmte member

6. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
7. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
8. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
9. I release the City from all matters relating to voluntary service by the undersigned, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from this voluntary service.
10. I release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of voluntary services set forth above.

I, Sally Laasch sign this application voluntarily and in the presence of the witnesses whose signatures are shown below mine, and acknowledge that, upon signing, this document will become public information and will be presented to the City Council and news media.

S. Laasch
Applicant
[Signature]
Witness
[Signature]
Witness

1/28/08
Date
1-28-08
Date
1/28/08
Date



City of Brookings
898 Elk Drive, Brookings, OR 97415
Phone: (541) 469-1100
Fax: (541) 469-3650
Email: city@brookings.or.us
www.brookings.or.us

APPLICATION TO SERVE ON A CITY OF BROOKINGS
COUNCIL, BOARD, COMMITTEE, COMMISSION

Name: John White Date: 1-25-08
Physical Address: 6008 Easy St. Brookings OR 97415
Mailing Address: Same Phone: (541) 661-0909
Email Address: -

I would like to serve on one or more of the following Councils, Commissions or Committees:

<u>Council, Commission or Committee</u>	<u>Selection Method</u>	<u>Term</u>
<input type="checkbox"/> City Council	Elected	4 years
<input type="checkbox"/> Planning Commission /Commission for Citizen Involvement (CCI)	Appointed by Council	4 years
<input type="checkbox"/> Parks and Recreation Commission	Appointed by Council	4 years
<input checked="" type="checkbox"/> Budget Committee	Appointed by Council	3 years
<input type="checkbox"/> Urban Renewal Agency Advisory Committee	Appointed by Council	3 years
<input type="checkbox"/> Other (please specify): _____		

1. Resident of the City of Brookings since: Month: 2 Year: 06

2. Please list no less than three references:

NAME:

ADDRESS:

PHONE:

A. Pat Sherman 54898 Elk Dr. 541 413-8840
B. Les Cohen P.O. Box 940 541 469-4094
C. Charlie Koder 507 Chetco Ave. (541) 469-3123

3. Briefly explain why you wish to serve the community in this capacity and what prior experience, community service, or background you have in this area. Attach additional sheets if necessary:

I welcome the opportunity to become more involved in the Brookings community. My background in the banking industry gives me will provide a unique and useful perspective to the Budget committee

4. Tell us about your education, employment, volunteer activities, etc. Attach additional sheets if necessary.

I have graduated from Hidden Valley High School with a diploma. I attended Rogue Community College for a little over a year. During that time I became a bank Teller and have since been promoted to bank manager and loan officer. I am involved with Rotary Club international and volunteer my time whenever possible.

5. It is my intention to donate voluntary services for the City of Brookings (hereinafter "City") as follows:

Budget Committee

6. I acknowledge that I will not be under the direct supervision and control of the City in connection with voluntary services described above.
7. I acknowledge that no compensation or expense reimbursement will be paid by the City in connection with the services described above.
8. I agree that such volunteer services will be donated to the City at times other than my regular work hours.
9. I release the City from all matters relating to voluntary service by the undersigned, including compliance, if any is required, with social security, withholdings, insurance and all other regulations and reportings governing such matters. I assume full responsibility for any injuries or damages suffered by or arising from this voluntary service.
10. I release, indemnify and hold the City harmless from and against any and all actions, causes of action, claims, demands, liabilities, losses, damages or expenses, of whatsoever kind and nature, including attorney fees, which City may sustain or incur as a result of errors or omissions in the performance of voluntary services set forth above.

I, John D. White sign this application voluntarily and in the presence of the witnesses whose signatures are shown below mine, and acknowledge that, upon signing, this document will become public information and will be presented to the City Council and news media.

[Signature]
Applicant

1-25-08
Date

[Signature]
Witness

1-25-08
Date

[Signature]
Witness

1-25-08
Date

Jan 8, 2008

Phyllis Cottingham
1307 English Ct
Brookings, OR 97415

I want to encourage Mayor Pat Sherman and the Brookings City Council to Please take action on the Editorial Opinion of the Curry Coastal Pilot and the Public Forum article by Elmo Williams.

They are both requesting resident park hosts to minimize or eliminate vandalism in Ayala Park. Mr Williams and the Pilot both enumerate the many costly attacks that have occurred over the years and they seem to be increasing.

In the flower garden area there are many attractive commemorative placards honoring the wonderful volunteers that have contributed so much to the beauty and usefulness of Ayala Park. The city should honor these volunteers by protecting their great contributions.

Please establish a resident Host Program.

I appreciate this opportunity to express my concerns.

OPINION

Editorial

Azalea Park needs resident park hosts

For years now, the city of Brookings has tried to solve the ongoing vandalism problems at Azalea Park with increased police patrols and security cameras.

Those "catch-the-vandal" strategies have not worked.

This winter's Nature's Coastal Holiday display suffered thousands of dollars in thefts and damage, from stolen extension cords to people using the public dumpsters for their private trash. Despite the attendance of 7,000 visitors, the organizers are understandably discouraged.

And it's not just a problem during the light display. The cover for the bandshell is a repeated target for vandals. The Rotary Snack Shack is a target for break-ins. The softball diamond lawns attract off-road drivers. The picnic tables are riddled with carvings. The azalea groves pile up with litter.

Patrols and cameras are not solving the problem. It's time to realize that prevention is the best cure.

How? We have argued before that volunteer resident park hosts could be the answer. A "full-time" presence of someone authorized by the city would tend to prevent most trouble. If they have an alert dog, we bet they would hear about most anything else that was going wrong during the night.

Oregon State Parks, the Forest Service and even the city of Bandon use volunteer park hosts. We see no reason why Brookings cannot be creative enough to do the same. A call to any of those agencies would probably help understand and overcome any legal, liability or contracting issues.

In fact, it's our understanding that when the snack shack was constructed, the idea of an RV for a park host was taken into consideration.

An ounce of prevention is worth a pound of cure. It's time for the city to prevent these problems, before some of the wonderful ways we use Azalea Park are jeopardized any further.

Need human presence in the park

by Elmo Williams

Brookings

I've lived in Brookings for 20 years.

Vandalism was around then. It's still around.

Researching it, I found that it was a problem way back when the state owned our Azalea Park. They found the cure was to have a presence there at night. Accordingly, the state parked a live-in trailer in a wooded area now occupied by KidTown. When the city took over the park, the trailer disappeared. Vandalism returned. It plagued me all the time I was active as president of Azalea Park Foundation when, numerous volunteers helped Lorraine and I make the park the number one city attraction. Graffiti kept us busy repainting; bench repair was an ongoing problem; the band shell slashing was an annual affair. The old cookhouse built by CCC (Civilian Conservation Corps) in 1936 was rebuilt and used as a tool storehouse until vandals sprayed their gang logo on the metal doors we had installed, then burned it to the ground because it had been a hangout for pot peddlers. Solutions were discussed, then discarded, and the beat goes on.

We, the taxpaying citizens, are a long-suffering lot. As most of you know, I have been paying for the construction of a quiet sanctuary in the park because there is a crying need for it. A letter from a stressed-out young lady illustrates that need:

"It was in this quiet place I was transformed from an insecure, empty, bitter, and at times dishonest, teenager into a young woman who now knows her identity. Although I still struggle with selfishness, laziness and the need for human approval, I have found peace and hope here. Thank you for this quiet place."

This young lady made it a habit of spend-

ing some time meditating in the sanctuary where there were no outside distractions. The one I am building should be completed this summer. It will be a beautiful place dedicated to the memory of my wife, Lorraine, who loved Brookings as I do. Named "Capella by the Sea," it will be deeded to the city once completed, and landscaped in keeping with the rest of the park. Properly managed, the revenue from renting it for weddings, christenings, and other special occasions, should generate enough revenue for its upkeep and its insurance. Another like this one has for nine years proven this possibility. From the foundation laying two years ago, vandalism has been on my mind. Although the capella will have lights and cameras covering all four sides of it, we know from recent events that such protection is not enough. This brings me back to the need of a presence in the park as the best solution I know. A man with a good watchdog could minimize or eliminate vandalism. I discussed this at length with Leroy Blodgett when he was city manager. We picked a perfect place for a small live-in like the ones at Whaleshead, which could be purchased and installed for \$30,000 and situated between the band shell and the capella. A live-in could be given free rent. Single, responsible people would jump at the chance to be the presence, I'm sure. I've made this suggestion a number of times. For those in city government worried about added insurance I'm sure a signed liability release such as the ones we all sign before going into surgery would minimize such concern.

The point is, "How long do we have to put up with stupid destruction? How long do we have to put up with our unprotected park being used as an area for the sale of drugs. How long? How long?"

Speak up, wake up, Brookings.