

VAULT COPY

Agenda
City of Brookings/Curry County
Special Joint Council and Commission Public Hearing
Best Western Brookings Inn Conference Room
1143 Chetco Avenue
Brookings, OR 97415
November 8, 2000
7:00 p.m.



is here in beautiful
Coastal Southern Oregon

agenda

CITY OF BROOKINGS AND CURRY COUNTY
SPECIAL JOINT COUNCIL AND COMMISSION PUBLIC HEARING
CITY OF BROOKINGS URBAN GROWTH BOUNDARY (UGB) REMAND

Best Western Brookings Inn Conference Room
1143 Chetco Avenue, Brookings, Oregon
November 8, 2000
7:00PM

- I. CALL TO ORDER - Brookings City Council/Curry County Commission
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. OPEN PUBLIC HEARING TO CONSIDER UGB REMAND ITEMS
- V. STAFF REPORT
- VI. CONCLUSION OF PUBLIC HEARING
- VII. DELIBERATION BY BROOKINGS CITY COUNCIL/CURRY COUNTY COMMISSIONERS
- VIII. CONSIDERATION OF CITY ORDINANCE 00-O-540 BY BROOKINGS CITY COUNCIL
- IX. CONSIDERATION OF COUNTY ORDINANCE 00-08 AND 00-09 BY CURRY COUNTY COMMISSIONERS
- X. ADJOURN

NOTE: The Brookings City Council and Curry County Commissioners may impose a limit on the length of testimony and the number of times one person or group may testify in order to allow everyone an opportunity to speak. The Council and Commission also have the right to continue the hearing to a future date and time, if necessary, due to a prolonged meeting. If the hearing is continued, the future date and time will be announced and no further written notice will be provided for the continued hearing.

STAFF REPORT
LCDC Remand Items
for the
Brooking Urban Growth Boundary
November 8, 2000

The complete packets containing all the materials to be considered by the City Council and County Board of Commissioners can be viewed at the Chetco Library, City Hall in Brookings and County Court House Annex in Gold Beach.

In 1996, in response to the adoption of an expanded Urban Growth Boundary (UGB), the Department of Land Conservation and Development (DLCD) remanded six items back to the city and county for further justification or to be included in either our Comprehensive Plans and/or UGB Joint Management Agreement. The packet containing the complete, detailed, response to these issues is between 150 and 200 pages. The following is a summary of the response to each of the six items remanded back for further consideration.

Issue #1—the city and county must provide additional justification for the projected commercial land needs or reduce the projected to the 243 acres projection estimated by the DLCD staff.

Response: Review of the materials submitted within the Needs Document and the Findings Document for the adopted boundary expansion, found that the population figures used by the DLCD staff were a mixture of the results of two different studies. An earlier study contained a higher base year population and a higher projected population than those in the actual adopted Findings Document. The DLCD staff used the higher base year population and the lower projected population when reviewing the commercial needs projections.

When the figures from the Findings Document were inserted into the same formula, the resulting commercial acreage needs was within five acres of the original projection.
See Attachment “A” of the city and county packets.

Issue #2—the city and county must adopt a policy to consider alternatives to water withdrawals from the Chetco River during the late summer months to address fish resources in the development of the public facilities plan.

Response: Both the city and county will place policies into their respective Comprehensive Plans recognizing the Chetco River as a significant fishery resource; to consider alternatives to limit the conflict of growth; develop programs to limit conflicting uses; provisions to meet the requirements of Statewide Planning Goal 5; and to develop programs for water reduction.

The Public Facilities Plan which is being considered for adoption, contains the basis for the policies stated above. The city has hired a consultant to prepare a “Water Master and Management Plan” which will contain a proposed ordinance to implement the policies addressed above. This plan is in its final stages at this time.
See Attachment “B” of the city and county packets.

Issue #3—the city and county must delete the six acre Ashcraft parcel and all or part of the Itzen parcel which suitable for farm use, contribute to farm use or adopt findings which show that these parcels are not suitable for farming, etc.

Response: The city and county have taken the position that the justification to keep these two parcels of land in the UGB is the responsibility of the property owners. Each owner has submitted a document toward this end. If the City Council and the County Board of Commissioners concur with their findings, they will be included with the findings to satisfy this remand issue. However, if the justification submitted by either or both owners does not satisfy the DLCD staff, these parcels will be removed from the UGB boundary.

See Attachments “C” and “D” of the city and county packets.

Issue #4—the city and county must adopt policies and zoning standards which are adequate to limit adverse impacts on the farm uses and protect the long term viability of the existing farms on the Harbor Bench or to delete the lands included in the boundary south of Benham Lane and Between US 101 and the ocean.

Response: The city and county staff has held meetings with the farmers on the Harbor Bench to determine what specific concerns they have for urban development adjacent to the lily fields. From these meetings and after discussions with the DLCD staff, the county created a Harbor Bench Farm District Overlay Zone to complement the Harbor Bench Farm District. The Farm District has been in affect since the early 1980's and protects the farmer from complaints that arise from dust, noise, etc, resulting from normal farm practices. The Overlay Zone added the requirement that development adjacent to the farmland must provide certain setbacks, fences, drainage requirements and other requirements to protect the farmland. The county will adopt the Harbor Bench Farm District Overlay Zone into their ordinances. The city will establish Comprehensive Plan policies that recognize the Farm District and Overlay Zone and requiring the city to adopt and implement both the Farm District and Overlay Zone if the city should annex any portion of the land within the Farm District.

See Attachment “E” in the city and county packets.

Issue #5—the city and county must amend the Joint Management Agreement for the Urban Growth Area in paragraphs X.B, X.F, X.D, and X.E.

Response: The Joint Management Agreement is the document that sets out the provisions of how the city and county would cooperate in the management of the Urban Growth Area. Three areas within the UGB are designated as Master and/or Special Plan areas and require that prior to any development within these areas a master plan for the entire property must be approved by the city and county. The remand requirement for Sections X.B and X.F was to amend these sections of the agreement to require the Master and Special Plan be adopted into the city and county comprehensive plans once a master plan of development was approved for each of the three areas so designated.

The remand requirement to Sections X.D and X.E to require that any interim services used for development within the UGB, be limited to rural levels of development or be specifically allowed in the Public Facilities Plan for the UGB when it is adopted. This amendment would allow some interim development within the UGB before utility

services (water, sewer, storm drains, etc.) are constructed provided that the development (acreage parcels, on-site sewage disposal, and water system) or that the development proposal be specifically allowed in the Public Facilities Plan. The city and county planning staff have prepared these amendments to the Management Agreement. An amended copy of the Joint Management Agreement is in the packets. See Attachment "F" in the city and county packets.

Issue #6—the city, county and special districts must amend the existing agreements to state: a) that urban service agreements will be completed in conjunction with public facilities plans; b) amend the agreements with sanitary districts to require that any interim services will be limited to rural levels of development or levels specifically allowed by the public facilities plan; and c) submit coordination agreements signed by the city county and service districts.

Response: This issue concerns two specific amendments to the existing city, county and special district Planning Coordination Agreements. The first amendment requires that the detailed "urban service agreement" be completed with each district in conjunction with adoption of the Public Facilities Plan for the UGB. The second amendment requires that the two sanitary districts agree that any interim services be limited to rural levels of development or be specifically allowed in the Public Facilities Plan. The amended Planning Coordination Agreements have been submitted to all of the special districts in the UGB and staff has received signed copies of the agreement from all districts

Also enclosed in the packet is a second version of the city/county Urban Growth Area Joint Management Agreement proposed by the Curry County Citizens Involvement Committee and a letter from land owners on Cedar Lane (off of Oceanview Dr.) requesting to be left out of the boundary because they have farm animals and do not want to have to connect to a public sewer. Although the scheduled public hearings are for the purpose of addressing the remand items only, this request will probably be presented to the Board of Commissioners and City Council at this hearing.

The public hearing to consider the adoption of the remand items and thus finalize the establishment of the Urban Growth Boundary, will be held on November 8, 2000 at 7:00 P.M. at the Best Western Brookings Inn Conference Room.

If you have any questions regarding any of the information in these packets please contact John Bischoff, Brookings Planning Director at (541) 469-2163 Ext.237 or Chuck Nordstrom, Curry County Planning Director at (541) 247-7011 Ext. 285.