

MINUTES
BROOKINGS COMMON COUNCIL MEETING (RECONVENED)

December 15, 1988
7:00 P.M.

The City Council of the City of Brookings, Curry County, Oregon, reconvened the recessed Council Meeting of December 12, 1988, at 7:00 p.m., on December 15, 1988, at 7:00 p.m. in the council chambers of Brookings City Hall.

III. ROLL CALL

Council Present: Vice Mayor Gil Batty, Councilors Ray Nidiffer, Doug Peterson, Kathy Hoselton

Council Absent: Mayor Bob Kerr

Staff Present: City Manager Roy Rainey, City Attorney John Babin, Executive Secretary Donna Van Nest, Planning Director Richard Ullian, Recorder/Treasurer Beverly Shields,

Planning Commission Present: Chairman Leo Appel II, Vice Chairman Ted Freeman, Jr.

Media Present: Roger Hayden, Curry Coastal Pilot

DEVELOPMENT CODE REVIEW

Vice Mayor Batty opened the matter to public discussion at 7:05 p.m. [See Development Code Minutes of December 15, 1988]

At 10:15 p.m., Vice Mayor Batty reconvened the regular Council meeting.

XII. ORDINANCES (CONTINUED)

3. ORDINANCE NO. 88-O-430 - An ordinance regulating the use and discharge of wastes into the public sewers of the city of Brookings, Oregon; promulgating the regulations; and providing penalties.

Executive Secretary Donna Van Nest read Ordinance No. 88-O-430 into the record in its entirety.

Councilor Peterson moved to adopt Ordinance No. 88-O-430 by first reading, which motion was duly seconded by Councilor Nidiffer. A vote was taken with the following results:

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Ayes: Vice Mayor Batty, Councilors Nidiffer,
Peterson, Hoselton

Nays: None

Vice Mayor Batty declared Ordinance No. 88-O-430
adopted by first reading.

Executive Secretary Donna Van Nest read Ordinance
No. 88-O-430 into the record by title only.
Councilor Nidiffer moved for adoption of Ordinance
No. 88-O-430 by title only, which motion was duly
seconded by Councilor Peterson. A vote was taken
with the following results:

Ayes: Vice Mayor Batty, Councilors Nidiffer,
Peterson, Hoselton

Nays: None

Vice Mayor Batty declared Ordinance No. 88-O-430
adopted by second reading.

4. ORDINANCE NO. 88-O-431 - An ordinance prescribing
monthly service charges for the use and benefits
of the sewerage facility of the city, providing
for the methods of charges for sewerage service,
providing for a penalty for non-payment, providing
for the disposition of funds collected from the
monthly sewer use charges, repealing Ordinance
Nos. 38, 78, 116, 378 and 379, and declaring an
emergency.

Executive Secretary Donna Van Nest read Ordinance
No. 88-O-431 into the record in its entirety.

Councilor Peterson moved to adopt Ordinance No.
88-O-431 by first reading, which motion was duly
seconded by Councilor Nidiffer. A vote was taken
with the following results:

Ayes: Vice Mayor Batty, Councilors Nidiffer,
Peterson, Hoselton

Nays: None

Vice Mayor Batty declared Ordinance No. 88-O-431
adopted by first reading.

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Executive Secretary Donna Van Nest read Ordinance No. 88-O-431 into the record by title only. Councilor Nidiffer moved for adoption of Ordinance No. 88-O-431 by title only, which motion was duly seconded by Councilor Peterson. A vote was taken with the following results:

Ayes: Vice Mayor Batty, Councilors Nidiffer, Peterson, Hoselton

Nays: None

Vice Mayor Batty declared Ordinance No. 88-O-431 adopted by second reading.

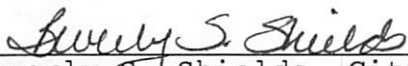
XVI. ADJOURNMENT

Vice Mayor Batty adjourned the meeting at 12:00 midnight.



Gil Batty, Vice Mayor

ATTEST:



Beverly S. Shields, City Recorder

XVI. ADJOURNMENT
Vice Mayor Batty adjourned the meeting at 12:00 midnight.

ATTEST:

cc: Roy Rainey
[Signature]



HGE INC./ENGINEERS & PLANNERS
375 PARK AVENUE / COOS BAY, OREGON 97420 / (503) 269-1166

December 9, 1988

City of Brookings
898 Elk Drive
Brookings, Oregon 97415

Attn: Richard Ullian
Planning Director

Re: Latter Day Saints
Brookings, Oregon
Project #2221

Dear Richard:

In follow-up to our site investigation relative to the physical location of Elk Drive, on Thursday, December 8, 1988, which involved LDS Church representatives, Mac McSwain, Greg Solarz and Darryl Niemi, and Brookings staff members Roy Rainey, Richard Ullian and Richard Nored, we negotiated a modification to the proposed alignment of the roadway and R/W needs at the Westerly boundary of the LDS Church site, and abutting the BPOE property. Concern has been expressed relative to how the new improvements to Elk Drive by the LDS Church development would meet with existing road R/W at the West end of the property, and the following recommendations were made for modifications to the submitted plans.

1) The R/W across the LDS Church property will be widened at the connection to existing public R/W which exists adjacent to the BPOE Lodge property. A wedge shaped additional R/W shall be dedicated to the City of Brookings in accordance with the attached sketch. This parcel will allow for direct access to the existing Elk Drive R/W. Legal descriptions and dedications will be furnished by the developer.

2) A field relocation of the Westerly 100 foot m/l of the proposed development of Elk Drive by the LDS Church will be permitted to provide correct alignment with the existing roadway West of the proposed development. The physical location of final alignment will be agreed upon prior to construction by City staff and LDS Church Architect's and Engineering representatives.

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3) To permit proper alignment of the new roadway extension with the existing Elk Drive West of the intersecting parcels, the City of Brookings will clear the R/W above the hillside to the South of the existing R/W, as a means of indicating available R/W for straightening of the existing Elk Drive roadway in the area.

4) When the existing usable R/W for development can be visually observed, alignment will be negotiated between City of Brookings and LDS Church representatives, to maximize the availability of R/W for development of roadway surfacing. The LDS Church will excavate the roadway beyond the proposed development to provide for the extension to existing improved sections of Elk Drive, and will provide base rock and leveling courses for the roadbed in accordance with City standard specifications. The City of Brookings will then agree to provide asphaltic surfacing on the improvement from the existing surfaced sections of Elk Drive to the new proposed development by the LDS Church.

5) The LDS Church development will also include the addition of necessary guardrails to provide public protection from the hillside existing along the proposed development.

These suggestions appear to offer a quality compromise to the roadway and R/W location at the West of the proposed development, and we would recommend Council approval of the project contingent on the suggested changes.

Please contact me if we can offer further guidance of any nature.

Very truly yours,

H. G. E., INC.



Richard D. Nored, P.E.
Vice President

RDN:is

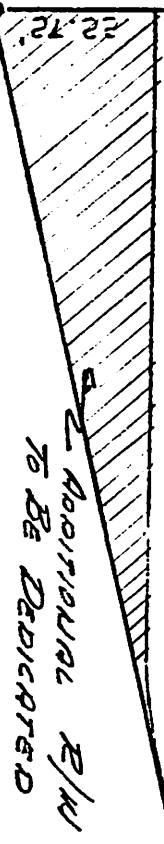
cc: McSwain and Woods
Roy Rainey
Leo Lightle ✓

N 00° 00

P, 6+4491

ST 5+447
20.25
25.27
23.48
23.48
20.00
23.48

ST 6+4491
63.34
100.00
61.97



APPROXIMATE E/W TO BE DEDICATED

N 89° 39' 42" E, 92.92

L = 24.15

N 53° 14' 05" E, 81.83

N 89° 55' 25" W - 127.54'

S 89° 54

MINUTES

CITY COUNCIL PUBLIC HEARING
ON THE DRAFT LAND DEVELOPMENT CODE

December 15, 1988

7:00 p.m.

The fourth public hearing conducted by the City Council on the draft Land Development Code was called to order at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Council members and staff in attendance:

Councilors

Gil Batty, Vice Mayor
Ray Nidiffer
Doug Peterson
Kathy Hoselton

Staff

Roy G. Rainey, City Manager
Richard A. Ullian, Planning Director
Donna Van Nest, Executive Secretary
Beverly S. Shields, City Recorder

Mayor Bob Kerr was absent, attending an LCDC public hearing concerning secondary lands proposal in Salem.

PUBLIC HEARING

The public hearing was opened at which time the staff introduced into the record a memorandum submitted by the Brookings Planning Commission listing recommendation's for amendments, deletions, modifications and additions of certain provisions in the draft Land Development Code, and a favorable recommendation for adoption of the Code as amended.

It was decided by the Councilors that a review and consensus of the members would be made on a section by section basis, and any changes proposed would be authorized by motion and a majority vote.

The following persons spoke concerning specific sections of the draft Code with questions, expressing opinions and/or concerns:

1. Nancy Brendlinger, 925 Marina Heights, Brookings
2. John Zia, 97848 Titus Lane, Harbor
3. Barbara Gosset, 98 Tanbark Road, Brookings
4. Fred Hummel, 202 Alder Street, Brookings
5. Eldon Gossett, 98 Tanbark Road, Brookings
6. Ken Trautman, First Interstate Bank, Brookings

By consensus of Councilors, the following additions, deletions, modifications and amendments were authorized, by section, to the draft Land Development Code:

1. Amend Section 4.070 Exemptions from development permit requirements, by the addition of the following:

"D. Remodel, addition, alteration or repair of an existing single family residence for residential use."

2. Amend Section 8.010 Definitions, as follows:

" 'Building, height of' - The vertical distance measured from grade to the highest point of the building."

" 'City' - The city of Brookings, Oregon, as represented by the city manager or his designated representative."

3. Correction of a typographical error, Section 16, indicates Section 4.040 Conditional uses, change to Section 16.040.

4. Amend Section 16.110 Other required conditions, as follows:

"A. Site plan approval required as provided in Section 80.

B. No residential structure shall be located within the ocean coastal shorelands boundary nor the Chetco Estuary shorelands boundary as defined in the Comprehensive Plan."

5. Amend Section 20.100 Other required conditions, as follows:

"A. Site plan approval required as provided in Section 80.

B. No residential structure shall be located within the ocean coastal shorelands boundary nor the Chetco Estuary shorelands boundary as defined in the Comprehensive Plan."

6. Amend Section 28.050 Minimum lot area, as follows:

"The minimum lot area shall be 6,000 square feet. For each additional dwelling unit, the lot area shall be increased by 1,500 square feet."

7. Amend Section 28.060 Lot width, lot coverage and yard requirements, as follows:

"B. The minimum front yard shall be ten (10) feet."

8. Amend Section 28.070 Maximum building height, as follows:

"Maximum building height shall be three stories or 40 feet, whichever is the lesser, except as provided in Section 132.030."

9. Amend Section 32.100 Other required conditions, as follows:

"A. The manufactured housing unit must conform to the Manufactured Housing Construction and Safety Standards Code (also referred to as the HUD code), or the Oregon State Structural Specialty Code and Fire Safety Regulations, 1985 edition."

...

"F. Site plan approval required as provided in Section 80."

10. Amend Section 36.020 Permitted uses, as follows:

"Permitted uses. Professional and business office uses, such as:"

"A.
B." etc.

11. Amend Section 36.070 (maximum building height), Section 40.050, E, Section 44.050, C, Section 48.050, C, Section 52.050, Section 56.050, Section 60.050, Section 64.050, C, Section 68,050 to replace existing building height dimension of 30 feet to 40 feet, and where applicable, change two (2) stories to three (3) stories.

12. Amend Section 48.040, D, (Conditional uses), Section 52.040, G, Section 56.040, F, Section 60.040, A, Section 64.040, C, Section 68.040, B as follows:

"Buildings over 40 feet in height"

13. Amend Section 52.020 Permitted uses, as follows:

"M. Professional or business offices."

14. Correction of typographical error, Section 48.010 Purpose, as follows:

"...New C-2 districts shall have a minimum area of five (5) acres, shall be... etc..."

15. Section 76.050 Conditional uses within the airport approach safety zone, delete subsections "A" and "B" and change subsections "C" and "D" to the letters "A" and "B".

16. Section 80 Site Plan Approval, correct typographical error referencing Section 20.040 Improvement standards to 80.040.

17. Amend Section 80.040 Improvement standards, subsection 1, as follows:

"1. Make provision for screening the visibility of roof, wall or ground mounted mechanical equipment and devices, in addition to propane tanks."

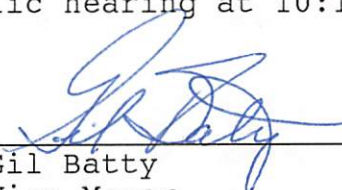
18. Amend Section 80.060 Appeals, by deleting the last sentence thereof which reads as follows:

"The decision of the planning commission shall be final."

19. Section 84 ARCHITECTURAL REVIEW APPROVAL: Delete in entirety, and all references thereto throughout other portions of the Code.

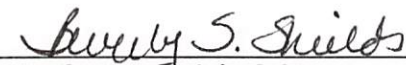
20. Section 88 Sign Regulations. Ken Trautman from First Interstate Bank presented a revised revision to the proposal presented to the Planning Commission and City Council at the September 7, 1988 joint public hearing. This revision was considered by Council but continued further action on it or the balance of the Land Development Code to the January 9, 1989 meeting.

Vice Mayor Gil Batty closed the public hearing at 10:10 p.m.



Gil Batty
Vice Mayor

ATTEST:



Beverly S. Shields
City Recorder