

**MINUTES  
BROOKINGS PLANNING COMMISSION  
REGULAR MEETING  
April 5, 1994**

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

Ted Freeman	Judy Krebs
Dan Ambrose	Mary O'Holleran
Marv Lindsey	John Bischoff, Planning Director
George Ciapusci	Denise Wood, Secretary

Earl Breuer was absent.

**MINUTES**

By a unanimous vote, (motion: Commissioner Ciapusci, second: Commissioner Lindsey) [Commissioner Krebs abstaining due to her absence at that meeting] the Planning Commission approved the minutes of the March 1, 1994 Planning Commission regular meeting.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE WRITTEN REQUESTS AND COMMUNICATIONS**

1. By a unanimous vote, (motion: Commissioner Krebs, second: Commissioner Ambrose) the Planning Commission granted an extension of time for the Preliminary Plat for 1 year for File No. SUB-5-92/Riviera Heights Subdivision, to be continued at a future date.

This action was taken following questions or comments regarding the request from the following people:

- |    |                   |                            |
|----|-------------------|----------------------------|
| a) | Charles Simpson   | Applicant's Representative |
| b) | Nancy Brendlinger | City Council Liaison       |

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS**

1. By a 5-0 vote, (motion: Commissioner Krebs, second: Commissioner Lindsey [Commissioner O'Holleran removed herself due to conflict of interest]) the Planning Commission approved a request for a minor partition of a single lot to create two lots of 31,144 sq. ft. and 68,512 sq. ft. in size, located in the south east corner of Highway 101 and Fifth Street; C-3 zoned; South Coast Lumber Co., applicants.

This action was taken following questions or comments regarding the request from the following people:

- |    |              |                               |
|----|--------------|-------------------------------|
| a) | Darryl Niemi | 17225 Mountain Dr., Brookings |
|----|--------------|-------------------------------|

1A. By a unanimous vote, (motion: Commissioner Krebs, second: Commissioner Ciapusci) the Planning Commission approved the Final ORDER and Findings of Fact Document for File No. M3-2-94.

2. By a unanimous vote, (motion: Commissioner Lindsey, second: Commissioner Ambrose) the Planning Commission approved a request for a minor partition of a parcel of land to create two lots of 6,622.42 and 29,923.50 sq. ft. in size, located on the west side of Seventh Street approximately 260 feet north of Pioneer Lane (1019 Seventh Street); R-1-6 zoned; Bill Weaver, applicant.

This action was taken following questions or comments regarding the request by the following people:

a) Darryl Niemi 17225 Mountain Dr., Brookings

2A. By a 6-0 vote, (motion: Commissioner Ambrose, second: Commissioner Ciapusci) the Planning Commission approved the Final ORDER and Findings of Fact Document for File No. M3-3-94.

3. By a unanimous vote, (motion: Commissioner Krebs, second: Commissioner Ciapusci), the Planning Commission denied a request for a minor partition to create two lots of 7,661.95 and 35,545.89 sq. ft. in size, located on the west side of South Passley Rd. approximately 130 feet south of Dawson Road with the conditions that all fees paid to date toward the minor partition be either refunded or applied to subdivision fees in the future (denied because it didn't meet the criteria of the application submitted); R-1-6 zoned; Victor and Susan Williams, applicants.

This action was taken following questions or comments regarding the request from the following people:

a) Darryl Niemi 17225 Mountain Dr., Brookings

b) Nancy Brendlinger Brookings, OR

#### **UNSCHEDULED PUBLIC APPEARANCES**

None

#### **REPORT OF THE CITIZENS ADVISORY COMMITTEE**

The Chair Freeman reported that the Hillside Development Standards Committee had held a recent meeting and unfortunately there were no geologists at this meeting and not much progress was made and another meeting would be necessary.

Commissioner Krebs asked if the Hillside Committee was a citizens advisory committee or ad hoc etc and will they be handling other things once the hillside ordinance is finished? Chair Freeman

indicated that this was not intended. Commissioner Krebs asked if we do not have a Citizens Advisory Committee to study other issues. The Planning Director commented that he agrees with the need but the way the ordinance reads everyone of voting age within the Urban Growth Boundary has a vote on the Citizens Advisory Committee and under these conditions there may be ten people at one meeting who vote one way and at the next meeting ten different people who vote just the opposite.

Commissioner Krebs asked if the advisory committee was only to bring recommendations to the Planning Commission and is a consensus by the committee necessary? The Planning Director replied that under these conditions it is hard to get the same people to each meeting. If the committee consisted of people selected by the Council and representing a variety of community interest, the members would feel more responsible for the committee and be more likely to attend consistently. The city could have a hundred different advisory committees studying different issues. Commissioner Krebs said that she does not see the problem with consensus, that we (the Commission) come to a consensus. The Planning Director replied that you have no consistency when the vote is open to everyone. The urban growth boundary was a good example, you would never have a group of people who agreed on a boundary that could be brought to the Commission.

Commissioner Krebs said that maybe what must happen is that as each meeting is held, it should be stated that this is the purpose and at this particular time this is the issue to be decided. I think what happens as people get into this the ones that stop you in the middle and say back up, are the ones who do not know about the original meetings and if they are not advertised or not held so that everyone feels that they are not invited to come... The Planning Director said that he sees a more structured condition. For instance, if you are studying hillside development, you want to get a certain amount of expertise on the committee. You need to appoint people who will be there every single time to vote. In an at large committee only those people who have an interest in the subject will be at the meeting. Chair Freeman said that he has a problem with that also, that meetings go on and on.

#### **MESSAGES AND PAPERS FROM THE MAYOR**

None

#### **MESSAGES AND PAPERS FROM THE CITY MANAGER**

None

#### **REPORT OF THE PLANNING DIRECTOR**

The Planning Director apologized that he did not have the promised quarterly report, that he had worked all day on the Riviera Heights final map application. He promised to have it at the May meeting.

The Planning Director asked the Commission if they thought that adding a night watch man or care takers residence to the I-P zone should be considered. After some discussion the Commission

directed the Planning Director to suggest some wording within the next couple of meetings.

The Planning Director reported on the City Attorney's opinion on the rebuttal process, particularly if the same people who testified during the pro and con portion of the hearing had to rebut and if new evidence could be introduced. The City Attorney stated that different people could do the rebuttal but no new evidence could be introduced.

The Planning Director reported on the street light situation at the Lido and Hillcrest Subdivisions. The street lights for the Lido Subdivision were ordered but not yet received. He said that he drove through the Hillcrest Subdivision and saw no missing street lights. Chair Freeman said that the one he was referring to was at Fifth and Jodee Ln. The Planning Director said he would check again.

The Planning Director referred to the letter he passed out earlier which was the annual ethics report. Commissioner Krebs said that it had to be returned by a certain date and there was a penalty for being late.

#### **PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS**

Commissioner Ciapusci said that at the corner of Arnold and Rowland at the new subdivision there was no stop sign and many cars were coming through without stopping. The Planning Director said that he thought the sign had been ordered but would check.

Commissioner Ambrose said that when they were attending the Commissioner Training Sessions at the Eugene City Hall, they had a sign in their council chambers that announces a three minute time limit on presentations and wondered if we should do the same. Commissioner Krebs asked if they limited the applicants to three minutes as well? That to limit the applicant of a large project would not be fair. Discussion followed. Commissioner O'Holleran said she agreed and that one way to solve the problem was to make sure that the applicant knows that they can not hand out papers at the last minute. Discussion followed related to the events of the final map decision earlier in the meeting.

Commissioner Krebs reminded the Commission that on Monday April 18, there was a joint work/study session with the City Council for the annual report.

Commissioner Krebs reported that the Curry County Planning Commission was holding a hearing on Thursday night on a total revision of the county zoning ordinance and asked if the city was asked for input. The Planning Director responded no. Some of the major items are:

Expansion of administrative decisions by the Planning Director in the R-1, R-2 and R-3 zones in Urban Growth Boundary

- \*TV and Microwave facilities.
- \*Utilities, services necessary for public services.
- \*Fire stations.
- \*Utility substations.
- \*Parks, public use etc.
- \*Private horse stable with lot of more than one acre in size.
- \*Keeping of farm animals for non-commercial use on one acre or more.
- \*Trailer camping or RV for temporary use for residence during construction or for a watchman residence for security of material stored on the site for a period of no more than one year.
- \*Vacation Rentals of an existing dwelling.

Commissioner Krebs stated that her concerns for impact on this community are the same as in Lincoln City, Cannon Beach and Seaside and that they would place a strain on public services, police protection, animal control, and general destruction of the quality of life. Other concerns are for the possible eviction of elderly and families who rent year round in exchange for the greater return from daily or weekly rentals. Additional concerns for security because of a constant change of faces in the neighborhood etc. Commissioner Krebs asked if we wanted non-resident people purchasing homes in the residential zones and renting them for profit without making the most important investment of all-that of themselves to protect the nature of the community. This was advertised only in the Gold Beach newspaper.

Commissioner Lindsey said that we talked about limiting the testimony time but how do we move on it? Can we do this or what? Commissioner Krebs said that we have not changed our cover sheet after the changes made to the hearing process in Sept 1992. We can make the time limit change at that time. We could make a public announcement as such and take recommendations.

The Planning Director commented that the Commission had asked about a definition of "Congregate Care" and that he had learned that the state does not have a definition per se, but described different levels of care. A suggestion was made to ask the League of Oregon Cities and possibly Bandon since they just did such a facility.

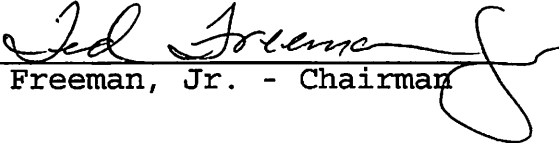
Chair Freeman asked that since the Land Development Code does not provide for a minimum lot size in the General Commercial Zone, should we be looking at that? Discussion followed and no decision was made.

**ADJOURNMENT**

There being no further business before the Planning Commission, the meeting was adjourned at 10:03 p.m.

Respectfully submitted,

**BROOKINGS PLANNING COMMISSION**

  
\_\_\_\_\_  
Ted Freeman, Jr. - Chairman