

MINUTES
BROOKINGS PLANNING COMMISSION
SPECIAL MEETING WORK-STUDY SESSION
August 12, 2003

Chair Gorman called the work-session to order at 6:02 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Jim Collis	Randy Gorman	Leroy Blodgett, City Manager
Ted Freeman	Bruce Nishioka	John Bischoff, Planning Director
Bob Gilmore		Cathie Mahon, Secretary

Commissioners Fritz and Smith were not present at the meeting.

Chair Gorman explained the reason for the work-study session was to continue discussing issues and questions resulting from last week's Public Hearing, August 5, 2003, at which time the Commission heard a variance request to park an RV on the street side of a corner lot. Planning Director Bischoff explained the variance request was denied because it did not meet the criteria (conditions) for granting a variance.

Planning Director Bischoff answered questions regarding the ordinance for boats, trailers, campers, and RV parking. Commissioner Collis asked when Section 132, was written. Bischoff answered in 1989. Discussion ensued on the interpretation of the Land Development Code, Section 132, and Ordinance 115. Planning Director Bischoff stated circumstances for enforcement; if a written complaint is received, a letter is written to the resident. He added enforcement is minimal due to time constraints, and parking issues are a low priority to more eminent things.

Several Commissioners stated aesthetics is also a concern. Planning Director Bischoff questioned who is going to decide what is aesthetically acceptable.

City Manager Blodgett handed out a copy of Section 132.020 of the Land Development Code.

E. *Boats, trailers, pick-up campers or coaches, motorized dwellings, and similar recreation equipment may be stored, but not occupied, on a lot in the "R" district as an accessory use to a dwelling provided that:*

- 1. Parking and storage in a front yard or in a street side yard shall not be permitted and shall be permitted only on a driveway or concrete pad.*
- 2. Parking or storage shall be at least three (3) feet from an interior side or rear lot line.*

He drew a diagram on the chalkboard and asked questions on what the Commissioners would allow. He also illustrated various scenarios of parking, asking the Commissioners what they thought should be permitted.

Discussion centered on outside storage. Planning Director Bischoff brought up the point that the regulations should not be confined to recreational vehicles, but should include construction trailers.

Planning Director Bischoff stated Ordinances and Laws tend to be the minimum standards versus CCR's (Codes, Conditions and Restrictions), which are stricter. Commissioner Nishioka suggested a revision of the code with clearer wording because there is questionable interpretation. He stated if new verbiage is added it could be more restrictive. He asked what the process is to change the wording for a code.

Planning Director Bischoff discussed the process of changing verbiage to any section of the Land Development Code. The process would begin with the suggested change reviewed by John Trew, the City's attorney, and then a Planning Commission Public Hearing would be scheduled; if the Commission recommended a change, it would be forwarded to City Council.

Discussion ensued on enforcement of the code(s). Commissioner Freeman asked the question of how to enforce this code to bring the people who are not in compliance with the present parking regulations. Planning Director Bischoff replied 100 letters could be sent out, but the question remains as to who would be the enforcement agent.

J.B. White approached the Commission. He stated it is common knowledge that those outside of CCR areas, park their recreational vehicles anywhere on the property. He questioned the response from the City that we know there are violators but there's nothing that can be done about it. If the ordinance becomes enforced there are hundreds of people that would be affected by it. He explained there are two types of violators: those who don't abide by the regulations, and those who don't know the regulation(s) exist. He stated we want people to come live in our community, we are a retired community, and many folks have recreational vehicles. He questioned if the Ordinance is changed, would you allow those currently parked in violation to be *grandfathered*. He added there are two factors to be considered: Is it aesthetically pleasing and does it cause a danger to the public. He concluded he does not have any problem with the current ordinance, it's just not flexible; we need to look at alternatives.

City Manager Blodgett responded properties with recreational vehicles currently not in compliance would not be *grandfathered*. He added according to the interpretation of the code, recreational vehicles are not allowed in the front yard or side yard. Commissioner Collis asked if any variances would be allowed. Commissioner Gilmore responded perhaps those not affecting neighbor's property and not a safety hazard. Commissioner Nishioka stated the issue seems to be enforcement. He also asked if we change the Land Development Code for recreation vehicle parking, the question remains are those vehicles not in compliance to be *grandfathered*.

Chair Gorman commented on the safety issue. He added we are a community with a lot of RV's and we need to look at the safety issues. Discussion ensued on the sight setback for corner lots. Planning Director Bischoff referenced Section 92.100 E-Vision Clearance of the Land Development Code, explaining there must be no obstruction in the Sight Triangle. City Manager Blodgett posed questions of the Commission: do we care if recreational vehicles are parked on the property line? Do we care if they are parked in the front yard? Discussion ensued on parking on internal lots versus corner lots.

City Manager Blodgett discussed the issue of having a Code Enforcement Officer. Commissioner Nishioka said if the Ordinance is changed, those not in compliance should be put on notice to bring the parking of recreation vehicles into compliance. Commissioner Gilmore entertained the idea of recreation vehicle registration, suggesting a ten-dollar fee. Discussion ensued on picking a date, say June 1st, and having a year to comply. J.B. White entered the discussion, stating the permits would be similar to paying for a permit to park a boat at the Port of Brookings, adding it would also be a revenue source. Planning Director Bischoff brought up the question of who would be responsible for the bookkeeping. Mr. White added the permit-plan could be one way to regulate the residential properties.

Commissioner Freeman suggested allowing recreational vehicles to be parked anywhere on an interior lot; 3 feet from the side yard, 5 feet from the property line in front, and on a concrete lot. Planning Director Bischoff added Section 92.100 D of the Land Develop Code states it (vehicle parking) must be on a hard surface, meaning concrete, asphalt, or gravel. He stated the setbacks are already defined in the Land Development Code.

The meeting concluded with Planning Director Bischoff explaining the process for any change to the Land Development Code. The process would take approximately 90 days. The new verbiage would have to be drafted, public notification of the proposed change presented to the Planning Commission for their review and recommendation, then forwarded to City Council for their review. He noted there is no guarantee what City Council will do; if City Council approves an ordinance change, it becomes effective 30 days after approval.

ADJOURNMENT

With no further business before the Planning Commission, the meeting adjourned at 8:00 p.m.

Respectfully submitted:

Approved by the Planning Commission September 2, 2003



Randy J. Gorman, Chair

Grandfathered: creating an exemption based on circumstances previously existing.
Merriam-Websters, ed.1983.

cmm