

MINUTES
BROOKINGS PLANNING COMMISSION
May 5th, 2015

The regular meeting of the Brookings Planning Commission was called to order by Chair Bryan Tillung at 7:01pm in the Council Chambers at the Brookings City Hall on the above date. The following Commission members and staff were in attendance:

Commissioners Present: Bryan Tillung, Gerry Wulkowicz, Loren Rings, Joe Vogl
Commissioners Absent: Ray Hunter, Cheryl McMahan
Planning Staff Present: Planning Manager - Donna Colby-Hanks; Administrator - Jordan Fanning
Others Present: 8 members of the public

PUBLIC HEARINGS

Public hearing procedures addressed by Chair Tillung

- Chair Tillung opened the quasi-judicial hearing regarding File No. CUP-2-15 at 7:04pm.

File Description: In the matter of File No. CUP-2-15, a request for approval of a conditional use permit for a short term vacation rental at 96344 Dawson Road, a 1.23 acre parcel located on Assessor's Map No. 40-14-36BC; tax lot 1400. Applicant/Owner, Pimentel and Representative, Premier Properties. The criteria used to decide this matter are found in Section 17.124.170 - Short Term Rentals, Chapter 17.136 - Conditional Uses, and Section 17.20.040(Q) Single-Family Residential (R-1) Conditional Uses, of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

Vogl declared a possible ex-parte contact with the file, noting that he had been to the property several times as the previous owner was a friend. Rings declared a possible ex-parte contact because he lives in the same neighborhood as the subject property. No concerns from the applicant, opposition, or Staff were declared regarding either instance of ex-parte contact. Planning Manager Colby-Hanks presented the staff report in full. Applicant Don Pimentel, 19985 Carpenterville Rd., spoke on his own behalf regarding the vacation rental plans for the property. No questions were asked of applicant. Chair Tillung asked for those in opposition of the file to speak. Sherri Scott of 17144 Pacific Hts, raised concerns about parking on the street, deeded beach access, and restricting parking to just cars and no trailers or RV's. Robert Huntoon, 96436 Ocean Park Dr, noted similar concerns as Scott, noting that violations tend to occur in the evening. Huntoon requested that neighbors be notified 24 hours in advance when renters will be present. Vogl questioned Huntoon on existing restrictions in the neighborhood. Alan Neerenberg, 96411 Oceanside E. Dr., voiced concerns about excessive parking from renters, beach access, and noise issues. With no others in the audience in opposition to the file, Chair Tillung allowed the applicant to rebut. Pimentel acknowledged the concerns of those in opposition to the file, and noted his concerns were similar and would work to assuage the fears of his neighbors. Rings made comments regarding private beach access in the neighborhood. Hedy Pimentel, Applicant, 19895 Carpenterville Rd, added that they didn't want the property be a party house either, and the point of the vacation rental was to "share the beautiful view". Staff reiterated the recommended conditions of approval and noted that any conditions of approval must meet the specified criteria. The public testimony portion of the application was closed at 7:48pm. Wulkowicz made note that the City create an avenue that would ensure street improvement plans be complete before renting be allowed to happen. Further, Wulkowicz mentioned the possibility of posting beach access limitations within the rental, as well as disallowing campers and over-sized vehicles to stay overnight. After some deliberation by the commissioners, Wulkowicz made a motion to approve the File. The motion was seconded by Vogl and passed with a vote of 3-1 (Rings as sole dissenter). Wulkowicz made a motion to approve the

Final Order with the following additions: Curb, gutter and paving should be installed prior to the issuance of a business license, motorhomes and travel trailers be prohibited to overnight parking, and a maximum of three personal vehicles be allowed at the rental. After a second by Chair Tillung, Staff verified the Final Order conditions. By a 4-0 vote, the motion was passed.

At the direction of the Chair, the commission took a 5 minute recess. Hearings resumed at 8:14pm.

- Chair Tillung opened the legislative hearing regarding File No. LDC-2-15 at 8:14pm.

File Description: In the matter of File No. **LDC-2-15**, the addition of BMC Section 17.124.230 Specific Standards Applying to Conditional Uses, Amateur communication facilities and the addition of Amateur communication facilities as a permitted use in Chapter 17.16 Suburban Residential (SR) and Chapter 17.20 Single-Family Residential (R-1-12) and as a conditional use in Chapter 17.20 Single-Family Residential (R-1-6, R-1-8, R-1-10), Chapter 17.24 Two-Family Residential (R-2), Chapter 17.32 Manufactured Home Residential (R-MH), Chapter 17.28 Multiple-Family Residential (R-3), Chapter 17.36 Professional Office (PO-1), Chapter 17.40 Public Open Space (P/OS), Chapter 17.44 Neighborhood Commercial (C-1), Chapter 17.48 Shopping Center Commercial (C-2), Chapter 17.52 General Commercial (C-3), Chapter 17.56 Tourist Commercial (C-4), Chapter 17.64 Industrial Park (I-P), and Chapter 17.68 General Industrial (M-2). City initiated. The criteria used to decide this matter are found in Chapter 17.140 Amendments, of the BMC. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on this matter.

During the ex-parte exploration portion of the opening statements, Vogl made note of his interpretation of the rules of order and ex-parte contact. Staff commented that the city attorney had been notified of the question, and were awaiting final direction. Planning manager Colby-Hanks reviewed the staff report in full and fielded a zoning question from Wulkowicz. In support of the application, Bruce Warren, 96506 Susan Pl, spoke about the history of the FCC regulations regarding Amateur Communication facilities, commented on his concerns that the City was wrongly increasing restrictions including security fencing, and the City's own communications tower. Warren was questioned in order to clarify his concerns. In opposition of the file the following people spoke: Jim Brock, 17275 Garvin Ct., and Georgean Rudicel, 17285 Garvin Ct. Brock spoke of his disapproval of the file given personal feelings regarding aesthetics, property values, and the application of Amateur Radio Facilities in an emergency. Brock was given additional time as a member of the public relinquished his time. Rudicel noted concerns about small residential lots with 70ft towers in the yard, as well as aesthetic and safety concerns. Staff clarified questions about proposed provisions. Further Staff talked about research regarding Deschutes County, as it was the only jurisdiction in the State with provisions regarding the facilities. Staff reiterated that the file was not about any one property in particular, rather, it was dealing with the application of Amateur Radio Facilities throughout the city. Public testimony was closed at 8:54pm. Chair Tillung made a motion to continue the hearing to the June 2nd meeting at 7pm. Second by Wulkowicz and voted for unanimously.

APPROVAL of MINUTES

By a 4-0 vote, (motion: Wulkowicz, 2nd Rings) the Planning Commission approved the minutes of the April 8th, 2015 Planning Commission meeting.

REPORT FROM PLANNING STAFF

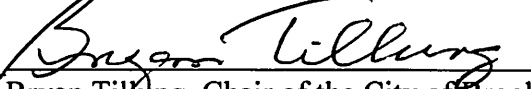
Staff included a memo about short term rentals in the staff report and asked for an opinion on moving forward with the code revision language provided. Betty Pomerleau has resigned from the Planning Commission citing personal reasons. An interview with a new Commissioner was to occur later in the week. Vogl commented about a Planning Commissioner

seminar he had attended. Staff reminded the Commission they are welcome to attend similar trainings throughout the year. New regulations regarding the Statement of Economic Interest surveys were explained in a handout given by Staff. At the June Planning Commission meeting, Commissioners will be hearing about another vacation rental property, as well as the continuation of the Amateur Radio Facility hearing. In July, there will be an annexation hearing.

ADJOURNMENT

Meeting adjourned at 9:02pm

Respectfully submitted,



Bryan Tilling, Chair of the City of Brookings Planning Commission

(Approved at the 6/02/15 meeting)