

MINUTES
BROOKINGS PLANNING COMMISSION
June 2nd, 2015

The regular meeting of the Brookings Planning Commission was called to order by Chair Bryan Tillung at 7:03pm 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, Ray Hunter, Joe Vogl, Timothy Hartzell
Commissioners Absent: Cheryl McMahan, Gerry Wulkowicz, Loren Rings
Planning Staff Present: Planning Manager - Donna Colby-Hanks; Administrator - Jordan Fanning
Others Present: 20 members of the public

PUBLIC HEARINGS

Public hearing procedures addressed by Chair Tillung

- Chair Tillung opened the quasi-judicial hearing regarding File No. CUP-3-15 at 7:04pm.

File Description: In the matter of File No. **CUP-3-15**, a request for approval of a conditional use permit for a short term vacation rental at 1535 Beach Avenue, a 0.17 acre parcel located on Assessor's Map No. 41-14-01AA; tax lot 403. Applicant/Owner, Bernard 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.

Planning Manager Colby-Hanks presented the staff report in full. Applicant David Bernard, 1051 Nepenthe, Ashland, spoke on his own behalf regarding the vacation rental plans for the property. Yvonne Dunn, PO Box 7500 Brookings, representing Premier Properties made herself available for questions from the Commission. No questions were asked of applicant. Chair Tillung asked for those in opposition of the file to speak. Carol Goetze, 1545 Beach Ave, Brookings, expressed some concerns about possible partying occurring at the rental property. Larry Goetze, 1545 Beach Ave, expressed his concerns about the proximity of the rental to his business fearing excessive partying or rambunctious dogs. Linda Johnson of 1431 Chetco Ave, asked some clarifying questions about what the definition of short term rental. Staff clarified the misconceptions for Johnson. Bernard was allowed some follow-up rebuttal time which he used to assuage the fears of his neighbors as well as to answer questions from the Commission. Colby-Hanks noted that neighbors always have the ability to call law enforcement if there are noise complaints or other issues. Colby-Hanks also noted that if a problem becomes chronic, the Commission will have the opportunity to revoke the CUP. Dunn was allowed to speak and she reiterated her company's experience with vacation rental management. After a brief discussion by the Commissioners, Chair Tillung made a motion to approve the file, which was seconded by Hunter. The file was approved by a unanimous vote. Chair Tillung furthered the process by making a motion to approve the final order as drafted by staff with the addition of condition number 12. The motion was seconded by Hunter and carried by a unanimous vote.

- Chair Tillung opened the legislative hearing regarding File No. LDC-2-15 at 7:41pm.

File Description: In the matter of the continuation 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 exploration portion of the opening statements, Hartzell noted that although he didn't believe it to be a true conflict, he is a licensed amateur radio operator. No other conflicts were noted by the Commission. Having been absent from the meeting, of which the file had been previously discussed, Chair Tillung questioned Hunter if he was up to date on the necessary material. Hunter answered in the affirmative. Further, Chair Tillung asked Hartzell the same question as he was a newly appointed commissioner. Hartzell answered in the affirmative. Planning Manager Colby-Hanks reviewed the staff report in full and answered a general clarification question from Vogl. In support of the application, Bruce Warren, 96506 Susan Pl, contrasted regulations from Deschutes County, questioned staff research, and asked for Commission to be accommodating to the amateur radio community. Warren was asked several clarification questions by the Commission as he did not support the criteria being discussed by the Commission. Also in support of the file, Robert Wilkinson, 19048 Woodton Ln., spoke of his experiences with Amateur Radio. In opposition of the file the following people spoke: David Bergmann, 96510 Susan Pl., Georgean Rudicel, 17285 Garvin Ct., Charles Rudicel, 17285 Garvin Ct., Ron Sloniker, 17265 Garvin Ct., Each opponent referenced personal affliction with Warren despite consistent reminder that the File was not regarding a specific tower, rather the city ordinance as a whole. Each noted that aesthetic values were a concern as well was safety. No specific suggestions were given to alleviate issues mentioned. Speaking as an interested party, John Gauger, 11 Seascape Ct., implored the commission to utilize the vagueness of the federal regulation PRB-1, in order to assure safety and aesthetic considerations. Staff clarified questions about proposed provisions and further reiterated that when a application for a tower is submitted, the neighbors will be contacted via mail. Public testimony was closed at 8:23pm. Chair Tillung made a motion to recommend the approval to the City Council. Second by Hunter and voted for unanimously by the Commission.

APPROVAL of MINUTES

By a 4-0 vote, (motion: Hunter, 2nd Vogl) the Planning Commission approved the minutes of the May 5th, 2015 Planning Commission meeting.

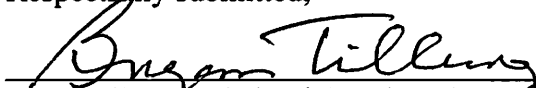
REPORT FROM PLANNING STAFF

Staff briefly spoke of the procedures to handle an errant CUP. If a design committee is formed for City standards, Commissioner Hunter will be the Planning Commission representative assigned to attend meetings. The July meeting will be held on the 7th and files regarding annexation, sub-division, and a code revision will be heard.

ADJOURNMENT

Meeting adjourned at 8:32pm

Respectfully submitted,


Bryan Tillung, Chair of the City of Brookings Planning Commission
(Approved at the 7/07/15 meeting)