

MINUTES
BROOKINGS PLANNING COMMISSION
October 4, 2016

The regular meeting of the Brookings Planning Commission was called to order by Chair Gerry Wulkowicz at 7:00pm in the Council Chambers at the Brookings City Hall on the above date. The following Commission members and staff were in attendance:

Commissioners Present: Loren Rings, Bryan Tillung, Gerry Wulkowicz, Ray Hunter,
Joseph Vogl

Staff Present: Public Works Development Services Director - Paul Stevens; Planning Manager -
Donna Colby-Hanks; Administrator - Lauri Ziemer; Others Present: 3 audience members

PLANNING COMMISSION BUSINESS

Paul Stevens was introduced as the new Public Works Development Services Director. The Chair welcomed Commission Bryan Tillung back to the commission.

Commissioner Tillung was nominated for Vice-chair to serve the remaining proceedings in 2016. Commissioner Rings made a motion, seconded by Chair Wulkowicz, to elect Commissioner Tillung as Vice-chair. Motion passed by unanimous vote.

PUBLIC HEARINGS

Public hearing procedures were addressed by Chair Wulkowicz.

- Chair Wulkowicz opened the quasi-judicial hearing regarding File No. CUP-4-16.

File Description: In the matter of File No. **CUP-4-16**, a request for approval of a conditional use permit to operate a short term vacation rental at 840 Third Street, a 0.18 acre parcel located on Assessor's Map No. 41-13-06BA; tax lot 332. Applicant/owner Smithers. 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-1-6) Conditional uses of the Brookings Municipal Code (BMC). This is a Quasi-judicial hearing and the Planning Commission will make a decision on the matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:08pm. Planning Manager Colby-Hanks reviewed the staff report.

The applicant, Brandon Smithers, 860 Cameo Ct, Brookings stated that he was available to answer any questions.

There was no one in opposition and no interested parties. No participant requested additional time to submit materials and the applicant did not request additional time for written rebuttal. The public hearing was closed at 7:16pm.

The Commission agreed this was a straight forward short-term rental application. By a 5-0 vote (motion: Tillung, 2nd Vogl) the Planning Commission voted to approve File No. CUP-4-16 to allow a short-term rental to be operated in the single family dwelling located at 840 Third Street, based on the findings and conclusions stated in the staff report and subject to the conditions of approval.

Commissioner Wulkowicz made a motion to approve the final order, which was seconded by Commissioner Tillung. The final order was approved by unanimous vote.

- Chair Wulkowicz opened the quasi-judicial hearing regarding File No. CUP-5-16.

File Description: In the matter of File No. **CUP-5-16**, a request for approval of a conditional use permit to operate a short term vacation rental at 523 Railroad Street, a .13 acre parcel located on Assessor's Map No. 41-13-05CC; tax lot 1700. Applicant/owner Seymour. The criteria used to decide this matter are found in Section 17.124.170 - Short Term Rentals, Chapter 17.136 - Conditional Uses, and Section 17.28.040(R) Multiple-Family Residential (R-3) Conditional uses of the Brookings Municipal Code (BMC). This is a Quasi-judicial hearing and the Planning Commission will make a decision on the matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:18pm. Planning Manager Colby-Hanks reviewed the staff report.

The applicants, Randy Warren and Rhonda Seymour, 99898 South Bank Chetco River Road, Brookings stated that they were available to answer any questions.

There was no one in opposition and no interested parties. No participant requested additional time to submit materials and the applicants did not request additional time for written rebuttal. The public hearing was closed at 7:26pm.

By a 5-0 vote (motion: Tillung, 2nd Rings) the Planning Commission voted to approve File No. CUP-5-16 to allow a short-term rental to be operated in the single family dwelling located at 523 Railroad Street, based on the findings and conclusions stated in the staff report and subject to the conditions of approval.

Commissioner Tillung made a motion to approve the final order, which was seconded by Commissioner Vogel. The final order was approved by unanimous vote.

- Chair Wulkowicz opened the legislative hearing regarding File No. LDC-1-16.

File Description: In the matter of File No. **LDC-1-16**, revision of BMC Section 17.124.170 Specific Standards Applying to Conditional Uses, Short-term rentals to disallow the permit approval to transfer upon sale of property. 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 the matter.

There was no bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:28pm. Planning Manager Colby-Hanks reviewed the staff report.

Randy Warren, 99898 South Bank River Road, Brookings asked about how the proposed code revisions would affect short-term rentals with current approvals. The Chair explained that current short-term rentals would not be affected by the proposed changes.

There was no one in opposition and no interested parties. No participant requested additional time to submit materials. The public hearing was closed at 8:32pm.

Commissioner Vogel questioned whether it would be beneficial for the new owner to go through the entire conditional use permit process. Staff provided information regarding the minor change process that could be utilized. Vogel felt this would be a better option for any new owners and that they would need to apply within 6 months. The Planning Commission deliberated on the matter.

By a 5-0 vote (motion: Tillung, 2nd Wulkowicz) the Planning Commission voted to made a positive recommendation to City Council on File No. LDC-1-16 for revisions to BMC Section 17.124.170 Specific Standards Applying to Conditional Uses, Short-term rentals to have short-term rental approval be specific to the owner and a new owner would need to apply for a minor change permit within six (6) months.

APPROVAL of MINUTES

By a 4-0 vote (motion: Rings, 2nd Vogel) the Planning Commission approved the minutes of the August 2, 2016 Planning Commission meeting as presented. Commissioner Tillung abstained due to being absent from the meeting.

STAFF REPORT

Staff provided comments on two (2) county referrals; one for a flood plain permit and the other replat/partition. No applications have been received for the November Planning Commission meeting and it will be cancelled. Code updates were provided.

The draft of the update of the Transportation System Plan (TSP) should be provided mid-October. A public open house and committee meetings as well as a joint City Council/Planning Commission workshop is tentatively scheduled for November.

COMMISSIONER COMMENTS

Commissioner Rings stated that he had attended a training in Salem. He participated in one class that he felt was very beneficial. The class provided information on using the criteria to base decisions on. Some of the other discussions involved issues that were more relevant to larger cities in the Willamette Valley.

ADJOURNMENT

Meeting adjourned at 7:50 pm.
Respectfully submitted,



Gerald Wulkowicz, Chair of the Brookings Planning Commission
(Approved at the 02/07/2017 meeting)