

Public Notice

Planning Commission Agenda  
DATE , 7:00 pm City Hall Council Chambers  
898 Elk Drive, Brookings, OR 97415

---

1. Call To Order
2. Pledge Of Allegiance
3. Roll Call
4. Planning Commission Chairperson Announcements
5. Minutes For Approval
  - 5.I. 10/4/2016 Minutes

Documents:

[10-4-16 PC MINUTES.PDF](#)

6. Unscheduled Public Appearances
7. Report From The Planning Staff
  - 7.I. Citizen Involvement Report

Documents:

[CCI ANNUAL REPORT 2016.PDF](#)

8. Planning Commission Business
  - 8.I. Election: Chair & Vice Chair
  - 8.II. 2016 PC Annual Report

Documents:

[2016 PC ANNUAL REPORT.PDF](#)

9. Commission Final Comments
10. Adjournment

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 10 days advance notification. Please contact 469-1137 if you have any questions regarding this agenda.

**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, 2<sup>nd</sup> 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, 2<sup>nd</sup> 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, 2<sup>nd</sup> 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, 2<sup>nd</sup> 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)



# City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-1137 Fax (541) 469-3650

[dcolbyhanks@brookings.or.us](mailto:dcolbyhanks@brookings.or.us)

TO: Planning Commission  
FROM: Donna Colby-Hanks, Planning Manager *DC*  
DATE: January 26, 2017  
RE: Committee for Citizen Involvement 2016

The Resolution creating the Committee for Citizens Involvement (CCI) requires an annual evaluation of the Citizens Involvement Program and a report to be given to the Mayor and City Council, the County Planning Coordinator, and the State's Citizen Involvement Advisory Committee.

Many efforts are made to be sure information concerning meetings, process, and specific applications is available to the public. These efforts include providing hearing notices and/or agendas to several local papers, several radio stations, to the library, posting in City Hall, on the City's website, and mailed to neighbors when a specific property is involved. Contact information is provided and files are available for review at the Planning Department, the public library, City Hall and on the City's web site. The public is able to sign up to receive email or text message notices of Planning Commission meetings, both regular meetings and workshops. There are currently 56 participants in this program.

A survey form, designed to evaluate the effectiveness of the citizen involvement program, has been available for the past year at the sign-in table at every Planning Commission meeting and on the City's website. The survey is mailed to all participants in the land use process with the Notice of Decision. With this process, the number of returned surveys continues to increase each year; 16 in 2016, 14 in 2015 and 8 in 2014. Below is a summary of the responses from the surveys.

#### Summary of key questions:

- Is information concerning meetings, process, and specific applications available to the public?

All but one response indicated that the process or criteria were able to be located prior to the Planning Commission meetings or that no efforts were made to obtain the information.

- Were citizens allowed to participate and did the Planning Commission consider their input?

Fifteen of the responders indicated that they were allowed to participate while fourteen felt the Planning Commission considered their comments.

- Did the Planning Commission explain their decision and how it pertains to the applicable policies?

Thirteen of the responders felt that the Planning Commission accomplished this. One responder suggested that the entire final order be provided with the notice of decision.

Recommendation: Motion to accept the CCI Annual Report for 2016 and forward to the City Council.

## BROOKINGS PLANNING COMMISSION

### 2016 YEAR IN REVIEW

The Brookings Planning Commission met in quorum eight (8) times in 2016. It was initially chaired by Bryan Tillung with Gerald Wulkowicz as Vice Chair. The other members of the Commission were: Loren Rings, Cheryl McMahan, Ray Hunter, Joseph Vogl and Timothy Hartzell. Mr. Tillung briefly resigned from the Commission and Mr. Wulkowicz assumed his Chairmanship. Mr. Tillung was subsequently reappointed by the City Council.

During the year the Commission acted on the following matters:

Recommendations of Approval to the City Council of the Wastewater Facilities Plan, the Storm Drainage Master Plan and two (2) Revisions to Municipal Code (LDC);

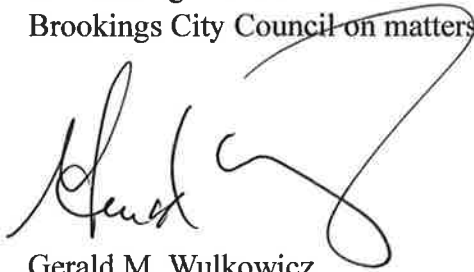
Approval of five (5) Conditional Use Permits (CUP), a Partition (M3), a Minor Change to a Conditional Use Permit (MC), a variance (VAR) and two (2) Zoning changes (CPZ));

And finally, in response to an appeal of a Public Art Committee application denial, the Planning Commission overturned that denial.

Additionally the Commission held a Workshop on Short Term Vacation Rental and participated jointly with the City Council in a Workshop on the Transportation System Plan (TSP).

Commissioners received counseling from the City Attorney regarding open meeting rules and land use decisions and attended an Oregon State training session concerning Ethics. Several members of the Commission also attended training sessions related to Planning Commission duties in general.

The Planning Commission looks forward to the upcoming year and serving the residents of Brookings with a fair and unbiased decision making process as well as advising the Brookings City Council on matters affecting its residents.



Gerald M. Wulkowicz  
Chairman