

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

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1. Call To Order
2. Pledge Of Allegiance
3. Roll Call
4. Planning Commission Chairperson Announcements
5. Public Hearings
  - 5.I. In The Matter Of The Continuation Of File No. MC-1-16/MC-1-12/CUP-2-98,  
a request for approval of a minor change to an approved Conditional Use Permit authorizing the expansion of a pre-school program, Headstart, with the remodel of the existing facility to accommodate approximately 60 students. The subject property is located adjacent to the eastern boundary of Redwood Spur; Assessor's map 41-13-05CB, tax lots 9700 & 9901. Owner is SWOCC, Applicant is Curry County, Representative is Lon Samuels. Criteria used to decide this case can be found in Section 17.124.010 Day Care or Nursery School, Section 17.20.040(E) Single Family Residential and Chapter 17.136 Conditional Use Permits of the BMC. This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

Documents: [MEMO.PDF](#), [FINDINGS.PDF](#), [FINAL ORDER.PDF](#)

- 5.II. In The Matter Of File No. CPZ-1-16,  
Owner: Craig Byrd has requested a zone change from Single Family Residential (R-1-16) to Two-Family Residential (R-2) on a parcel located at the northwest corner of the intersection of Alder Street and Memory Lane, Assessors Map 41-13-05CC Tax lot 4600. The criteria used to decide this matter can be found in Chapter 17.140 Amendments of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

Documents: [STAFF REPORT.PDF](#), [FINDINGS.PDF](#), [UTILITY CONFORMATION.PDF](#), [HOUSING MIX.PDF](#), [FINAL ORDER.PDF](#)

6. Minutes For Approval
  - 6.I. Minutes Of Regular Planning Commission Meeting June 7, 2016

Documents: [06-07-16 PC MINUTES.PDF](#)

7. Unscheduled Public Appearances
8. Report From The Planning Staff
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.



## MEMO

**TO:** Planning Commission

**FROM:** Donna Colby-Hanks, Planning Manager *DC*

**DATE:** June 23, 2016

**SUBJECT:** Final Staff Comments on Continued Hearing for MC-1-16/MC-1-12/CUP-2-98

The Planning Commission conducted the initial hearing on April 5, 2016 to consider a request for authorization to increase the number of students from 40 to 60 and expand the structure to accommodate the increase in students for Headstart. A total of 22 staff were proposed that required 38 parking spaces. To provide the required parking spaces, the Applicant proposed shared parking with churches in the area. Due to difficulty obtaining the required parking agreement, the meeting was continued to May 3, 2016 and then continued to July 5, 2016.

The Applicant has submitted two emails as well as revised findings (**Attachment A**) indicating Headstart has revised their model and the staffing requirements for the facility have changed. The Agent, Lon Samuels, states in the revised findings that the facility will operate with a total of ten (10) teachers/advocates. The parking requirement for the teachers is 20 spaces and two (2) spaces for the administrative staff for a total of 22 spaces needed.

The existing parking lot is proposed to be reconfigured and will accommodate 22 parking spaces. Two (2) ADA spaces as well as one bus loading/unloading space will be provided in front of the building for a total of 25 spaces. See Figure 2. With the provided parking spaces, Section 17.124.010(D) Day care or nursery schools - Adequate off-street parking and loading spaces and Section 17.136 Conditional Use Permit adequate in size and shape are met.

The Planning Commission did not close the public testimony portion of the hearing and public input as well as the final rebuttal from the Applicant should be taken. Staff has prepared a revised Final Order and conditions of approval to be considered (**Attachment B**).

Considering all analysis, findings, and evidence in the record, staff recommends approval of MC-1-16/MC-1-12/CUP-2-98.

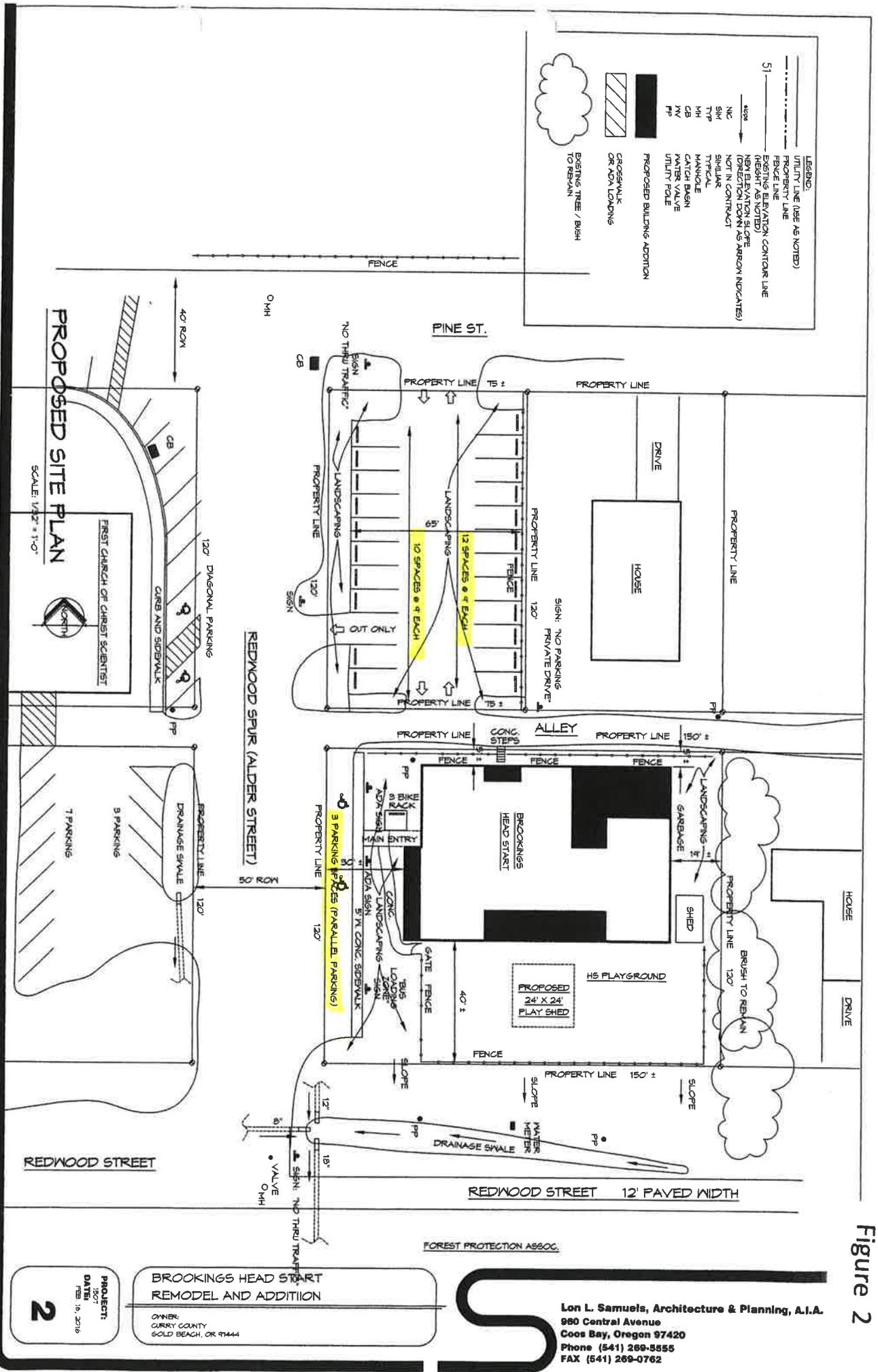


Figure 2

**2**

**BROOKINGS HEAD START  
REMODEL AND ADDITION**

OWNER:  
CURRY COUNTY  
GOLD BEACH, OR 97444

**Lon L. Samuels, Architecture & Planning, A.I.A.**  
980 Central Avenue  
Coos Bay, Oregon 97420  
Phone (541) 269-5555  
FAX (541) 269-0762



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**FW: Staffing Proposal at the Brookings Head Start**

1 message

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**Lon Samuels** <lon@samuelsarch.com>

Thu, May 26, 2016 at 12:51 PM

To: Donna Colby-Hanks <dcolbyhanks@brookings.or.us>

Cc: Eric Hanson <hansone@co.curry.or.us>

Donna-

Here is the email I received from Darlene Pieren regarding the new staffing requirements. I'm wondering if I should re-do Item 4, which addresses Section 17.20.090 Parking. Based on this new info, I don't think we need the 10 off-site parking places now.

Thanks, Lon

-----Original Message-----

**From:** Darlene Pieren [mailto:dpieren.schs@orcca.us]

**Sent:** Tuesday, May 03, 2016 2:52 PM

**To:** lon@samuelsarch.com

**Cc:** Wendi Baird

**Subject:** Staffing Proposal at the Brookings Head Start

Lon,

When we did a head count for approximate staff at the Head Start site in Brookings we left room for growth to maximum capacity years down the road using the current model. This would have included two Head Start classrooms, each with two 3.5 hours sessions (morning and afternoon), and one Early Head Start center based classroom. At our last meeting with Head Start admin a new model was proposed. The shift in Head Start is the goal to have a six and a half hour day. Instead of four sessions (each 3.5 hours), we would remain at two sessions, they would just be longer class times at 6.5 hours. We could still potentially have one Early Head Start classroom. This would lower our approximation of staff members by 7-8 people (6 teachers, 1 family advocate, 1 cook assistant).

Please let me know if you have any additional questions.

Thank you,

Dar Pieren

Area Manager South Curry



Donna Colby-Hanks &lt;dcolbyhanks@brookings.or.us&gt;

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## Brookings Head Start - Conditional Use Application information - Revised 5-26-16

1 message

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**Lon Samuels** <lon@samuelsarch.com>

Thu, May 26, 2016 at 3:06 PM

To: Donna Colby-Hanks &lt;dcolbyhanks@brookings.or.us&gt;

Cc: Tracy Loomis &lt;t.loomis@ccdbusiness.com&gt;, Dar Pieren &lt;dpieren.schs@orcca.us&gt;, Wendi Baird &lt;wbaird.schs@orcca.us&gt;, Eric Hanson &lt;hansone@co.curry.or.us&gt;

Donna-

Thanks for discussing the Head Start - Conditional Use Application with me today. I have recently learned that the staffing requirements for the Brookings Head Start facility has changed and therefore I have revised the parking requirements accordingly. (See email from Darlene Pieren, Area Manager South Curry County, South Coast Head Start dated May 3, 2016, which I have forwarded to you.)

This revised information and calculations are shown in the attached document, CONDITIONAL USE APPLICATION dated May 26, 2016. Please note that I have ONLY changed Item #4: 17.20.090 Parking (found on Page 2) and Criterion 1: Adequate in size and shape: Parking (found on Page 4). No other items were changed, except the heading on each page.

With these new staffing requirements we will not pursue additional "off-site" parking nor bicycle parking. Please review and let me know if you need additional information.

Thanks for your help. See you on July 5th at 7:00 pm at the Planning Commission Meeting at City Hall in Brookings.

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### 2 attachments

 **Head Start - Cond. Use Ap - revised 5-26-16.pdf**  
28K

 **Cond. Use Ap - summary info - revised 5-26-16.doc**  
48K

Brookings Head Start  
Conditional Use Application  
May 26, 2016

CONDITIONAL USE APPLICATION

Number of Staff and Required Parking Revised May 26, 2016

We are requesting a Conditional Use in a R-1-6 Zone (Single Family Residential) for a pre-school (Day Care) facility. The facility is located on two (2) adjacent lots separated by an alley. The property is approximately 27,000 sq. ft. and located at 420 Redwood Spur (Alder St.)

Conditional Use for a "day care facility" is permitted under Section 17.20.040.E.

In addition, a Variance is requested for the "new construction" adjacent to the alley on the North side of the building. The Variance is requested from the 7'-6" width to 5' width. The 5' width will align with the existing 5' setback for the existing building.

CRITERIA:

1. 17.20.060 *Lot width, lot coverage and yard requirements.*

Lot size: Two lots: Building site is 120' wide x 150' deep.  
Parking lot is 120' wide x 75' deep.

Lot Coverage:

Parking Lot: n/a, no buildings.

Building site: 36.6% coverage.

Existing Yards:

Front Yard: 30' approx.

Side Yard: 5' and 40' approx.

Rear Yard: 19' approx.

2. 17.20.070 *Maximum building structure height.*

Maximum height of building is 20'-0"

Existing maximum height of building is 12'-0"

3. 17.20.080 *Signs.*

No free-standing sign is scheduled for either lot. A sign mounted on the face of the building will be mounted on the West side of the building near the southwest corner. It will be lighted by soffit lights mounted on the building shining down on the sign. A

Brookings Head Start  
 Conditional Use Application  
 May 26, 2016

sign permit will be applied for and obtained when it is designed and will meet all sign ordinance requirements.

4. 17.20.090 *Parking.*

Parking Requirements: 17.92: 2 spaces per teacher or adult supervisor.

<u>Number:</u>	<u>Staff:</u>
8	Teachers
+ 2	<u>Advocates</u>
10	Total Teaching Staff

In addition, there will be 2 office workers and parking spaces will be provided at the rate of one space per 400 s.f. of office space:

2 Administration:  
 The office space is an irregular shape, but generally an area 26' x 30' or 780 s.f. and consists of two small 10' x 12' offices and a conference room 10' x 12' shared by all staff members, including teachers, advocates, etc. plus a "work area" with 2 desks and a copy machine, etc. which is also used by all staff members.

In addition, there will be 1 cook, but she will not be "teachers or adult supervisors" nor will she be "administration". Therefore, required parking is as follows:

<u>Parking Category:</u>	<u>Number of Spaces Required:</u>
Teachers or Adult Supervisors	10 x 2 = 20 spaces
Administration:	2 x 1 = 2 spaces
Total Spaces Required:	22 spaces

Number and Location of Parking Spaces Provided:

<u>Number:</u>	<u>Location:</u>
22	Existing Parking Lot
3	Existing in Front of Building (2 ADA and
25	1 bus loading/unloading)
TOTAL	

5. 17.20.100 *Manufactured housing sitting requirements.*

The facility will be "stick-built".

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Conditional Use Application  
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6. 17.20.110 *Other required conditions.*
- A. Site Plan: See Drawing Sheet 1: Existing Site Plan and Drawing Sheet 2: Proposed Site Plan, attached, for setbacks, playground, etc.
  - B. Residential Structure: N/A, not a residential structure.
  - C. Landscaping: All of the large trees (approximately 32 trees and stumps) will be removed from the parking lot and around the building. A landscaping plan will be submitted for approval after it has been developed. Landscaping will meet the requirements of 17.92.100. See Sheet 2: Proposed Site Plan for location of areas to be landscaped.

While there are many large trees (taller than 25' and with trunks larger than 8" in diameters) are scheduled to be removed, all of the existing smaller brush, shrubs, etc. are to remain. The trees that are scheduled to be removed do not provide any "screening" qualities because of their size. Trunks for these trees are large (some 36" in diameter) and their limbs, "canopy" is 30' - 40' above ground. Screening is provided by shrubs, brush, etc. between the Head Start building and the adjacent houses, which will not be removed. After the trees are removed, there will be sufficient space for the brush to "fill-in" providing more screening.

In addition, a fence (with screening material in the fence) will be installed near the adjacent property line for additional screening between the parking lot and the residential property to the East and between the outdoor play area and the residential property to the East. (See Proposed Site Plan, Sheet 2.)

7. 17.124 Specific Standards Applying to Conditions Uses:

17.124.010 Day Care or Nursery Schools.

- A. *Facilities for 17 or more children are subject to these provisions.*

The facility is design for a maximum of 3 classrooms with 20 children each.

- B. *Day Care or nursery school facilities located in any residential zone shall have a minimum site size of 10,000 sq. ft.*

The site is approximately 27,000 sq. ft.

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Conditional Use Application  
May 26, 2016

- C. *All such facilities shall provide and thereafter maintain outdoor play areas with a minimum area of 75 sq. ft. per child at total capacity and a sight-obscuring fence, wall or vegetative hedge of at least four feet, but not more than six feet separating the play area from abutting lots with residential uses.*

The play area (within the property) is 40' x 114' = 4,560 sq. ft. and will support 60 students. (4,560 s.f. / 75 s.f. per student = 60.8) (Head Start would like to "level-out" the playground to make it more suitable for small children.

However, that requires "work" in the rights-of-way and we are not prepared to present a design for such work at this time. If and when that is pursued, we will present our design to the Public Works Dept. and obtain their approval.) The fence will be a sight-obscuring 5' high fence.

- D. Adequate off-street parking and loading space shall be provided.

See Item #4, above.

- E. *Must provide copies of any license/permit required by federal or state agencies to operate the school.*

See attached.

#### CONDITIONAL USE CRITERIA

##### Chapter 17.136 Conditional Use Permit.

##### Criterion 1: Adequate in size and shape:

Size: The subject property consists of two parcels of approximately 27,000 sq. ft. and will contain a 6,432 sq. ft. structure with the proposed additions.

Parking: There will be 3 classes with a maximum of 20 students per class. The program will be staffed with 8 teachers, 2 advocates, 2 administrators and 1 cook for a total staff of 12. (Cooks are not calculated in to the parking requirements.) Therefore, there is a total teaching staff of 10 requiring parking spaces at the rate of 2 per staff member, for a total of 20 spaces plus 2 administrators requiring 1 space at the rate of 1 per 400 square feet for a total of 2 spaces for a grand total of 22 required parking spaces and 25 spaces will be provided.

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Outside Play Area: The large side yard to the South of the facility is proposed for the required outside play area. Outside play areas are required at the rate of 75 sq. ft. per student. There are a total of 60 students (20 students per classroom x 3 classrooms = 60 students.) Therefore they require a total of 4500 sq. ft. of outside play area. The area on the south side of the building is 40' x 115' = 4600 sq. ft. This area is of sufficient size to accommodate the required outside play area for 60 students.

Landscaping: The parcel for the existing parking lot is 75' x 120' = 9000 sq. ft. and will have several areas of landscaping totaling 1288 sq. ft. or 14.4% of the lot. The parcel for the building is 120' x 150' = 18,000 sq. ft. and will have several areas of landscaping totaling 3,247 sq. ft. or 18% of the lot.

The property is large enough to accommodate the proposed use. See Sect. 17.20.110 C. above.

Criterion 2: Relation of streets:

The subject property is accessed by Redwood Spur which has two-lane paved travel surface with no other improvements, except the church across the street, which operates on different hours (weekends) than Head Start (weekdays).

Most of the pre-school students will either be transported to the facility by the Head Start bus, parents in cars or walk. Redwood Spur will accommodate traffic generated by the proposed use. Requiring street improvements required by the "Deferred Improvement Agreement" for the previous property owner, Southwestern Oregon Community College, would significantly change the character of the neighborhood and put a hardship on Head Start.

Criterion 3: Neighborhood impact:

The noise impact on the surrounding neighborhood is the primary issue concerning residents in the neighborhood where a pre-school is being proposed. The only outdoor play area is on the South side of the building and is located across Redwood St. from Coos Forest Protective Association, across Redwood Spur from the church's parking lot and adjacent to one residential structure. In this location, there is an existing vegetated buffer from the only adjacent residential dwelling which is located to the East of the playground. This buffer will remain. The proposed play area is of the size to accommodate the students and a condition of approval will require a sight-obscuring fence or vegetation to separate the play area from abutting lots with residential uses, which will be provided. The parking lot located to the North of the facility will have a sight-obscuring fence installed for the adjacent residential property.

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Criterion 4: Historic, scenic or cultural attributes:

There are no listed historic, scenic or cultural attributes on or in the vicinity of the subject property other than the natural quality of the area.

Criterion 5: Comprehensive Plan:

The Comprehensive Plan designation for this property is "Residential". The residential zone permits the operation of pre-school with the approval of a

Conditional Use Permit. With the applicant's findings and staff analysis, the proposed project is consistent with the provisions of the Land Development Code and with the Comprehensive Plan, pending approval of the Parking Variance.

SUMMARY:

The Head Start program provides a necessary service to the citizens of Brookings. The facility has operated in this building for many years and would like to continue serving the Brookings community. They have recently received a large grant allowing them to expand their program to meet the growing demand. The Head Start program is "strictly regulated" and in order to meet the demand, they must expand. This building meets their needs in several ways: (1) building is residential in character, (2) the building is located in a safe residential neighborhood, (3) provides good off-street parking, (4) quite neighborhood, (5) easily accessible, (6) generally "flat" layout for toddlers and students and staff with disabilities and (7) is located in a safe low-traffic area.

Design workshops with the staff has emphasized keeping the building residential in character, yet providing a means to perform additional programs that were not available in the current building.

Head Start wants to be a "good neighbor" and looks forward to developing the facility to enhance the quality of their services.

BEFORE THE PLANNING COMMISSION  
CITY OF BROOKINGS, COUNTY OF CURRY  
STATE OF OREGON

In the matter of Planning Commission File No. MC-1- )      **Final ORDER**  
16/MC-1-12 / CUP-2-98; a request for minor change )      **And Findings of**  
to a conditional use permit to authorize a pre-school )      **Fact**  
program, Headstart, Curry County, Applicant; Lon )  
Samuels, Representative.

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**ORDER APPROVING** a request for a minor change to a Conditional Use Permit (CUP) authorizing expansion of an existing pre-school facility on a 27,000 sq ft property, located at 420 Redwood Spur and 427 Pine Street; Assessor’s Map 41-13-05CB, taxlots 9700 and 9901; zoned R-1-6 (Single Family Residential).

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with the Title 17, Land Development Code, Brookings Municipal Code (BMC), pursuant to Chapter 17.136.140 Conditional Use Permits, Minor Change; and Chapter 17.116.090 Minor Change; and Chapter 17.136 Conditional Use Permit; and Chapter 17.124.010 Day care or nursery school

2. Such application is required to show evidence that all of the following criteria has been met:

Chapter 17.136.140, CUP, Minor Change. A minor change to the approved conditional use permit may be allowed through the procedure set forth in BMC 17.116.090.

Chapter 17.116.090, Minor Change. The applicant may apply to the planning commission for a minor change to the site plan and/or conditions of approval of an approved planned community. The planning commission will hold a public hearing to consider the nature of the requested change, impacts the change may have on surrounding properties and/or on the remaining portion of the project, and the impact on the city’s services and facilities. The commission may approve or deny the minor change. If the change is approved it may be incorporated into the project. If it is denied the project remains as originally approved and the change cannot be incorporated. Applications for a minor change must be submitted with the following:

- A. A filing fee in an amount established by general resolution of the city council. No part of the fee is refundable.
- B. A site plan or revised subdivision map showing the proposed changes and how they compare to the originally approved project. If the change does not

include the physical site plan of the project, a text explaining the desired change must be submitted.

- C. A statement explaining how the proposed change relates to the approved project and any impacts it may have on the project and/or adjoining property holders and city services and facilities.

#### 17.124.010 Day care or nursery schools.

A. Facilities for 17 or more children are subject to these provisions, and all state regulations and requirements. All preschool children residing in the dwelling which also serves as a day care or nursery facility shall be counted in the total number of children in such facility for purposes of calculating the category of such facility.

B. Day care or nursery school facilities located in any residential zone shall have a minimum site size of 10,000 square feet. Facilities located in the C-3 zone shall be located on lots of sufficient size to provide for required buildings, parking, pickup and drop off area, and outdoor play area.

C. All such facilities shall provide and thereafter maintain outdoor play areas with a minimum area of 75 square feet per child at total capacity and a sight-obscuring fence, wall or vegetative hedge of at least four feet but not more than six feet in height shall be provided, separating the play area from abutting lots with residential uses.

D. Adequate off-street parking and loading space shall be provided.

E. Must provide copies of any license/permit required by federal or state agencies to operate the school.

#### 17.136 Conditional Use Permit

1. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this code;

2. The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use;

3. The proposed use will have minimal adverse impact upon adjoining properties. In making this determination, the commission shall consider, but not be limited to, the proposed location of the improvements on the site, vehicular egress/ingress and internal circulation, pedestrian access, setbacks, height and bulk of buildings, walls and fences, landscaping, screening, exterior lighting and signing;

4. In areas designated as requiring preservation of historic, scenic or cultural attributes, proposed structures will be of a design complementary to the surrounding area;

5. The proposal is in compliance with the comprehensive plan.

- 3. The Brookings Planning Commission duly set this matter upon the agenda of a public meeting and considered the above described application with the public hearing a matter of record of the Planning Commission meeting of April 5, 2016; continued to May 3, 2016; continued to July 5, 2016; and

4. At the public meetings on said minor change application, evidence and testimony was presented by the applicant and recommendations were received from and presented by the Planning Manager in the form of a Staff Agenda Report, dated March 24, 2016 and oral presentation of same. Oral and written testimony from the public was also presented. The hearing was continued to May 3, 2016 and then to July 5, 2016 to allow the Applicant additional time to resolve issues with required parking spaces; and
5. At the conclusion of the public hearings, after consideration and discussion of testimony and evidence presented in the public hearings and submitted as written comments, the Brookings Planning Commission, upon a motion duly seconded, approved the request for the minor change and directed staff to prepare a Final ORDER with the findings set forth therein for the approval of said application.

**THEREFORE, LET IT BE HEREBY ORDERED** that the application of the minor change of the existing conditional use permit on the subject property is **APPROVED**. This approval is supported by the following analysis, findings and conclusions:

**17.116.090 Minor Change.**

The Applicant is applying for a minor change to a Conditional Use Permit, MC-1-12/CUP-2-98, to allow for expansion of a pre-school facility. Chapter 17.124.010 provides criteria for day care or nursery schools.

**17.124.010 Day care or nursery schools.**

**A. Facilities for 17 or more children are subject to these provisions.**

The applicant has stated in their findings, three classes of 20 students each will occupy the facility. With more than 17 students, this facility will be subject to the provisions of 17.124.010 Day care or nursery schools.

**B. Minimum site size of 10,000 sq ft.**

The subject property is approximately 27,000 square feet which is more than the minimum requirement of 10,000 sq ft. As discussed in detail later in this report, the property is of sufficient size to accommodate the structure, parking, pickup and drop-off area, and the outdoor play area.

**C. Minimum outdoor play area of 75 sq ft per child.**

The applicant has stated that each of the three classes would consist of a maximum of 20 students. The minimum play area for all classes would be 4,500 sq ft. According to the applicant, the vacant area to the south of the existing structure is approximately 4,560 sq ft. This area is of sufficient size to accommodate the minimum play area.

**D. Adequate off-street parking and loading spaces.**

The subject property has a parking lot that contains 19 parking spaces. The applicant states in the findings that this lot will be reconfigured to accommodate 22 parking spaces (See Figure 2). There are also two spaces proposed for ADA and one loading space in front of the structure.

The parking requirement, as discussed in more detail later in this report, is 22 spaces. The off-street parking and loading spaces are adequate for the proposed use.

E. Copies of any license/permits must be provided.

The applicant has provided a notice from the State of Oregon, Child Care Division, that states this program is exempt licensing requirements.

All of the above criteria are met.

**17.136 Conditional Use Permit (CUP)**

The following is staff's analysis of the proposed pre-school in relation to the general CUP criteria.

Criterion 1. Adequate in size and shape.

The subject property consists of two parcels of approximately 27,000 sq ft. and will contain a 6,432 sq ft structure with the proposed additions. The applicant states that there will be three classes with a maximum 20 students in each class which the proposed enlarged structure can accommodate. The program will have a total of 13 staff; 8 teachers, two (2) advocates, two (2) administrators and one (1) cook. Chapter 17.92 Parking, requires two spaces for each teacher or adult supervisor for pre-schools and one space per 400 sq ft of office space. According to the applicant, there is approximately 780 sq ft of office space utilized primarily by the 2 administrators which requires 2 parking spaces. A total of 10 teachers/advocates requires 20 spaces for a total of 22 required parking spaces. The parking lot contains 22 spaces. In front of the structure and parallel to Redwood Spur are 2 parking spaces to be utilized for ADA parking and one loading space for a total of 25 spaces.

As stated previously, the property contains a 4,560 sq. ft. vacant area to the south of the existing structure that is proposed for the required outside play area. This area is of sufficient size to accommodate the play area. The property is large enough to accommodate the proposed use. Criterion 1 is met.

Criterion 2, Relation of streets.

The subject property is accessed by Redwood Spur which has a two-lane paved travel surface with no other improvements. Most of the pre-school students will either be transported to the facility by the Headstart bus or will walk. A small number of students may be transported by personal vehicles. A Deferred Improvement Agreement (DIA) was required from the community college for future street improvements as a condition of their approval. There were no complaints regarding traffic problems during the time the community college operated from the site and there have been none since Headstart received authorization to operate the pre-school. Therefore without adjacent improvements, the City will not be requiring street improvements to be installed at this time.

However, the existing DIA runs with the property and if a project is proposed in the future, the property owner will be required to participate in the project. Redwood Spur will accommodate traffic generated by the proposed use. Criterion 2 is met.

Criterion 3, Neighborhood impact.

The noise impact on the surrounding neighborhood is the primary issue concerning residents in the neighborhood where a pre-school is being proposed. The applicant has stated that the required outdoor play area will be located to the south of the existing structure across from Coos Forest Protective Association. There are numerous trees that currently provide a buffering of noise to the only adjacent dwelling to the east. These trees are proposed for removal. The applicant states that the brush will remain. However, the existing brush is located on the neighboring property. The Applicant has stated the entire outside play area will be fenced and this may provide adequate noise mitigation. If noise from the playground becomes an issue, the applicant will be required to landscape the area between the required fence and the property line or provide some other noise barrier to ensure that the noise impact to the neighborhood is mitigated. A condition of approval will require that a sight-obscuring fence, wall or vegetative hedge of at least four feet but not more than six feet in height be provided, separating the play area from abutting lots with residential uses. Criterion 3 is met.

Criterion 4, Historic, scenic or cultural attributes.

There are no listed historic, scenic or cultural attributes on or in the vicinity of the subject property other than the natural quality of the area. Criterion 4 is met.

Criterion 5, Comprehensive Plan.

The Comprehensive Plan designation for this property is "residential". The residential zone permits the operation of pre-school with the approval of a conditional use permit. With the applicant's findings and staff analysis, the proposed project is consistent with the provisions of the Land Development Code and with the Comprehensive Plan. Criterion 5 is met.

Staff believes that with the responses, the above criteria have been met for approval of the minor change.

**CONDITIONS APPLICABLE PRIOR TO FINAL APPROVAL**

The conditions of approval are attached to and hereby made a part of this report.

Dated this 5<sup>th</sup> day of July, 2016.

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Bryan Tillung, Chairperson

ATTEST:

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Donna Colby-Hanks, Planning Manager

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT**  
**CUP-9-95**

November 7, 1995

(As Amended By The Planning Commission)

(No revisions to conditions with approval of CUP-2-98, October 6, 1998)

**(As amended by MC-1-12/CUP-2-98, June 12, 2012 Planning Commission)**

**(conditions that have been met or are no longer appropriate have been ~~stricken~~)**

**(As amended by MC-1-16/MC-1-12/CUP-1-98, July 5, 2016 Planning Commission)**

**(deleted text is ~~double-stricken~~ and added text is *bold italic*)**

General Conditions

1. Approval of this conditional use permit will expire ~~one~~ **two** years from approval, unless the project comes under substantial construction within that period. The ~~Planning Commission~~ **City** may extend the permit for an additional one year period at the request of the applicant.
2. ~~Approval of this conditional use permit will become null and void three years from the date of approval. If the applicant finds that it is necessary to continue the use of the subject building beyond a three year period, a new application must be filed and approved by the Planning Commission.~~
3. ~~The final construction plans for the parking lot pavement shall be in substantial conformance with the submitted preliminary site plan as amended herein and as approved by the Planning Commission. Substantial changes to the approved preliminary plat require re-approval by the Planning Commission~~
4. ~~Improvement work shall not be commenced until construction plans including grading have been approved by the City Engineer.~~
5. ~~All costs of plans checks and inspections by the City Engineer shall be paid by the applicant to the city.~~
6. ~~Prior to the issuance of an occupancy permit, the parking lot pavement must be completed.~~
6. ***Prior to the issuance of an occupancy permit, the parking lot must be reconfigured to include the striping of parking spaces and the completion of the landscaping.***
7. All outdoor lighting shall be directed and/or shielded so as to prevent light from falling directly on adjoining properties.

Street Conditions

8. ~~Prior to the issuance of any occupancy permit the applicant shall cause the execution and recordation of a Deferred Improvement Agreement providing for the construction of curb, gutter, sidewalk, and pavement to match existing pavement, plus any required underground storm drainage facilities along the Alder St. and Redwood St. frontage abutting the subject~~

parcel.

9. The applicant shall purchase and install street signs reading "No Thru Traffic" at the corner of ~~Alder St.~~ **Redwood Spur** and Pine St. and the corner of ~~Alder St.~~ **Redwood Spur** and Redwood St. and a "Left Turn Only" sign at the parking lot exit. The exact location of the signs shall be determined by city staff. (Amended by the Planning Commission, November 7, 1995)
- ~~10. The college will take steps to encourage students to use Redwood St. rather than Pine St. to travel to and from the college and to not use Pine St. and Redwood St. east of Alder St.~~

#### Parking, Landscaping And Screening

11. The applicant shall provide **one loading space in front of the building and** no less than ~~40~~ **20** parking spaces using a combination of the ~~Forest Service lot, church parking lot at 427 Pine St.~~ and the **remaining** area in front of the classroom building.
- ~~12. The parking areas on the Forest Service lot and in front of the classroom building shall be paved with a dust free material as approved the city staff.~~
- ~~13. The parking area shall be constructed as shown on the preliminary map and striped parking spaces.~~
14. All outdoor trash containers shall be screened from view with a decorative fence and gate at least 6 feet high.
- ~~15. The sale of any materials on the premise shall be limited class materials only and only to registered students. (Added by the Planning Commission, November 7, 1995)~~
16. **An outdoor play area that provides a minimum of 75 square feet per student must be provided. A sight-obscuring fence, wall or vegetative hedge of at least four feet but not more than six feet in height must be provided, separating the play area from abutting properties with residential uses. *If the fence does not adequately mitigate noise from the playground additional noise barriers will be required.***

**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Zone Change  
FILE NO: CPZ-1-16  
HEARING DATE: July 5, 2016

REPORT DATE: June 23, 2016  
ITEM NO: 5.2

---

**GENERAL INFORMATION**

OWNER/APPLICANT: Craig Byrd

REQUEST: A zone change from Single-Family Residential (R-1-6) to Two-Family Residential (R-2).

TOTAL LAND AREA: .56 acre/ 24,394 sq ft.

LOCATION: Adjacent to the northwest intersection of Alder Street and Memory Lane.

ASSESSOR'S NUMBER: 41-13-05CC, Tax Lot 4600.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: R-1-6, Single-Family Residential.

PROPOSED: R-2, Two-Family Residential.

SURROUNDING: Surrounded by R-1-6 with the exception of R-2 to the north.

COMP. PLAN: Residential.

**LAND USE INFORMATION**

EXISTING: The subject parcel is vacant.

PROPOSED: The R-2 zone allows single-family or two-family dwellings.

SURROUNDING: Surrounding properties, with the exception of the parcel to the northwest, are developed with single-family dwellings. The parcel to the northwest is developed with a two-family dwelling.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

## APPLICABLE CRITERIA

Land Development Code – Ordinance No. 06-O-572  
Brookings Municipal Code (BMC), Chapter 17.140 – Amendments

## BACKGROUND INFORMATION

The subject property is located at the northwest intersection of Memory Lane and Alder Street and is presently vacant. The southern boundary has 195 ft. of frontage on Memory Lane. The eastern boundary is adjacent to Alder Street and has 124 ft. of frontage. Memory Lane and Alder Street have 50 ft. right-of-ways with two paved travel lanes and no other improvements. The parcel is generally level.

Preliminary approval was given by the Planning Commission in 2007 to divide the subject property into three parcels. See Figure 3. Although the approval is still active, to date, no application has been received for final approval of the partition. Each proposed parcel contained more than the required 6,000 sq ft of the R-1-6 zone. The R-2 zone has the same minimum parcel requirements. If the zone change is approved, the proposed parcels would continue to meet the minimum parcel size should the partition move forward for final approval. The installation of street improvements including storm drainage, was a condition of the partition approval. A proposed condition of approval for the zone change will mirror the partition condition.

## PROPOSED ZONE CHANGE

Amendments to the zoning maps are governed by Chapter 17.140 of the Brookings Municipal Code (BMC). The Applicant is requesting a residential zone change from the R-1-6 designation to the R-2 designation to allow the siting of a single-family or two-family dwelling unit on each of the three proposed parcels.

## ANALYSIS

The following is staff's analysis of the proposed zone change in relation to the criteria found in BMC Chapter 17.140, Amendments. The Applicant's findings are **Attachment A**.

### **BMC Chapter 17.140.040(C) Compatibility of the proposed zoning designation with the surrounding land uses.**

Finding: The subject property is surrounded with residential zoned and developed parcels. The property to northwest is developed with a two family dwelling. Other properties are developed with single family dwellings. The property to the north is zoned R-2 and developed with a single-family dwelling. It could be developed with a two-family dwelling without any further land use approval. See Figure 4.

Once final approval is given for the three (3) parcel partition, with the current R-1-6 zoning, a total of three single-family dwellings could be sited. With the R-2 zoning, it would be possible to site a two-family dwelling on each parcel for a maximum of six dwelling units.

Conclusion: The subject property is located in a neighborhood developed with residential uses, both single-family and two-family dwellings. The potential addition of three dwelling units will have minimal impact and is compatible with the existing residential use.

**BMC Chapter 17.140.040(D) Impacts on City Services and Streets.**

Findings: City sewer, water, and storm drainage facilities have been considered for the project. Conformation of the utilities is found in **Attachment B**. The Public Works Department indicates that sewer and water are adequate to serve the property. Currently storm water from the vacant property sheets into an open ditch which is not adequate for development. A condition of the preliminary partition approval required improvement of the storm drainage facility to accommodate the storm water generated by development. The same condition is proposed for the zone change.

Access to the property as granted in the partition, it from Memory Lane. Memory Lane and Alder Street have two paved travel lanes with no other improvements. As with the condition of approval for the partition, a proposed condition for the zone change will be construction of improvements to bring both streets up to city standards.

Jim Watson, Operations Fire Chief, states in a memo that no issues for his department are anticipated by the proposed zone change. No comments were received from the Police Department.

Conclusions: Water and sewer service are adequate for the proposed development allowed with the zone change. Since City storm drainage facilities in the area are not adequate, the Applicant must install storm drainage facilities to accommodate the additional storm drainage created by development. Both Memory Lane and Alder Street do not meet city standards. The applicant must improve both streets to bring them up to city standards.

**BMC Chapter 17.140.040(E) Conformance with the Comprehensive Plan, provisions of the Code, and any applicable Statewide Planning Goals.**

The Applicant has provided findings (**Attachment A**) addressing the criteria in the Comprehensive Plan and Statewide Planning Goals. Staff addresses the applicable Goals as follows:

**Goal 1 Citizen Involvement**

*To provide a citizen involvement process that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Finding: The City of Brookings submitted a notice for publication in the local newspaper and mailed notice of the hearing with a map to property owners within 250 feet of the subject property. The notices have been provided in compliance with BMC, Chapter 17.84, Public Hearings Notice Procedures for quasi-judicial hearings.

Conclusion: With the required notices, citizens have an opportunity to be involved in all phases of the planning process.

**Goal 2 Land Use Planning**

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding: The Planning Commission and City Council base land use decisions on the criteria in the Land Development Code which is the implementing document for the Comprehensive Plan. The Comprehensive Plan was developed and adopted to meet the Statewide Planning Goals.

Conclusion: The notices discussed in Goal 1, outline the process for citizens to provide oral and written testimony. This along with the criteria for a decision, provides assurances that there is an adequate factual base for decisions made by the Planning Commission.

**Goal 3: Agricultural Lands -To cooperate with the County in the preservation and maintenance of agricultural lands**

**Goal 4: Forest Lands -To support and cooperate with the County in its efforts to protect forest lands**

Finding and Conclusion: The subject parcel is not zoned as either agriculture or forest lands. Goals 3 and 4 do not apply to the zone change.

**Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources**

*To conserve open space and protect natural, scenic resource, cultural, and historic areas while providing for orderly growth and development of the City.*

Finding: The City of Brookings Comprehensive Plan Inventories do not identify any Goal 5 resources on the subject property. The subject property is within the City limits and designated for urban use.

Conclusion: The approval of a zone change from low density residential to medium density residential will not impact any Goal 5 resources.

**Goal 6 Air, Water, and Land Resource Quality**

*To maintain and improve the quality of the air (including the control of noise pollution), water and land resources of the Brookings area.*

Finding: The subject parcel is within the city limits and is designated for urban uses. Urban densities better utilize land resources. To mitigate storm drainage issues, the installation of storm drainage facilities will be required prior to the partition becoming final. This is a proposed condition of the zone change as well.

Conclusion: To maintain clean water, the storm drainage facility will be designed and installed in accordance with Engineering Requirements and Standard Specifications for Public Works Construction for the City of Brookings.

**Goal 7 Areas Subject to Natural disasters and Hazards**

*To protect life and property from natural disasters and hazards.*

Findings: The City has adopted a Flood Damage Prevention Ordinance in BMC, Chapter 17.98. Each new development is reviewed for compliance with the Federal Emergency Management Agency (FEMA) Flood Hazard Maps. The FEMA Flood maps do not identify any flood hazards on the subject property.

The City has adopted Hillside Development Standards in BMC Chapter 17.100 to reduce the effects of flooding, erosion, and landslides. The subject property does not have slopes greater than 15 percent nor does it front on the Chetco River or the Pacific Ocean. A geologic report will not be required.

Conclusions: No flood hazards are identified on the subject property. Prior to any site preparation, an erosion control plan must be provided and implemented for compliance with BMC, Chapter 17.100,

General Mitigation. This is required prior to issuance of a development permit.

**Goal 8 Recreational Needs**

*To satisfy the recreational needs of the citizens of the Brookings area, State, and visitors.*

Finding: The subject property is designated for low density residential development. A residential zone change to medium density is being requested. As stated previously in this report, the net increase in dwelling units would be three (3).

Conclusion: A zone change to medium density residential development allowing three (3) additional dwelling units will have minimal impact on the recreational needs of the community.

**Goal 9 Economy of the State**

*To diversify and improve the economy of the Brookings area.*

Finding and Conclusion: The subject property is zoned residential and is proposed to remain residential. Goal 9 is not applicable to this zone change.

**Goal 10 Housing**

*Provision of varied housing types that are safe, sanitary and adequate for all residents of the community.*

Finding: Oregon Administrative Rule (OAR) 660-024 contains a generally accepted housing mix. The Safe Harbor Housing Mix for a city with a population of 2,500 to 10,000 residents is 60% low density (R-1), 20% medium density (R-2), and 20% high density (R-3). See **Attachment C**. The City of Brookings has 73% low density, 17% medium density, and 10% high density. This zone change will remove one parcel, approximately 1/2 acre in size, from the available low density category to the medium density category.

Conclusion: The City has a higher percentage of low density than recommended by the Safe Harbor Housing Mix so removing this 1/2 acre parcel will not negatively impact the percentage of low density mix. The City has a lower percentage of medium density than recommended by the Safe Harbor Mix so the addition of the subject property will make a minimal but positive impact on this density.

**Goal 11 Public Facilities and Services**

*To plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for urban and rural development.*

**Goal 12 Transportation**

*To provide and encourage safe, convenient and economic transportation system.*

The findings and conclusions for Goal 11 and Goal 12 are discussed above in *Impacts on city services and streets serving the area*.

**Goal 13: Energy Conservation**

*To conserve energy.*

Finding and Conclusion: The subject is located near the downtown core of the City. The downtown core

provides for shopping as well as professional and governmental services. The subject property is located within minutes of the schools, parks, and beaches. Short travel distances provide savings in energy consumption.

**Goal 14: Urbanization**

*To provide for the orderly and efficient transition of land within the Urban Growth Boundary for rural to urban uses.*

**Finding and Conclusion:** The subject property is within the city limits and zoned for urban development.

**Goal 16: Estuarine Resources**

*To recognize and protect the unique environmental, economic and social values of the Chetco River Estuary and its wetlands.*

**Finding and Conclusion:** The subject property is located over one fourth of a mile from the Chetco River. The drainage does not enter the Chetco River and future development will not impact the Chetco River Estuary. Goal 16 is not applicable to the zone change.

**Goal 17: Coastal Shorelands**

**Goal 18: Beaches and Dunes**

**Finding and Conclusion:** The subject property is located over 500 feet from the beach or dunes of the Pacific Ocean. The properties within this separation distance are developed with single-family dwellings. The storm drainage will make its way to the Pacific Ocean. A condition of the partition as well as a proposed condition of the zone change will require the installation of storm drainage facilities pursuant to the provisions of the Engineering Requirements and Standard Specification for Public Works Construction.

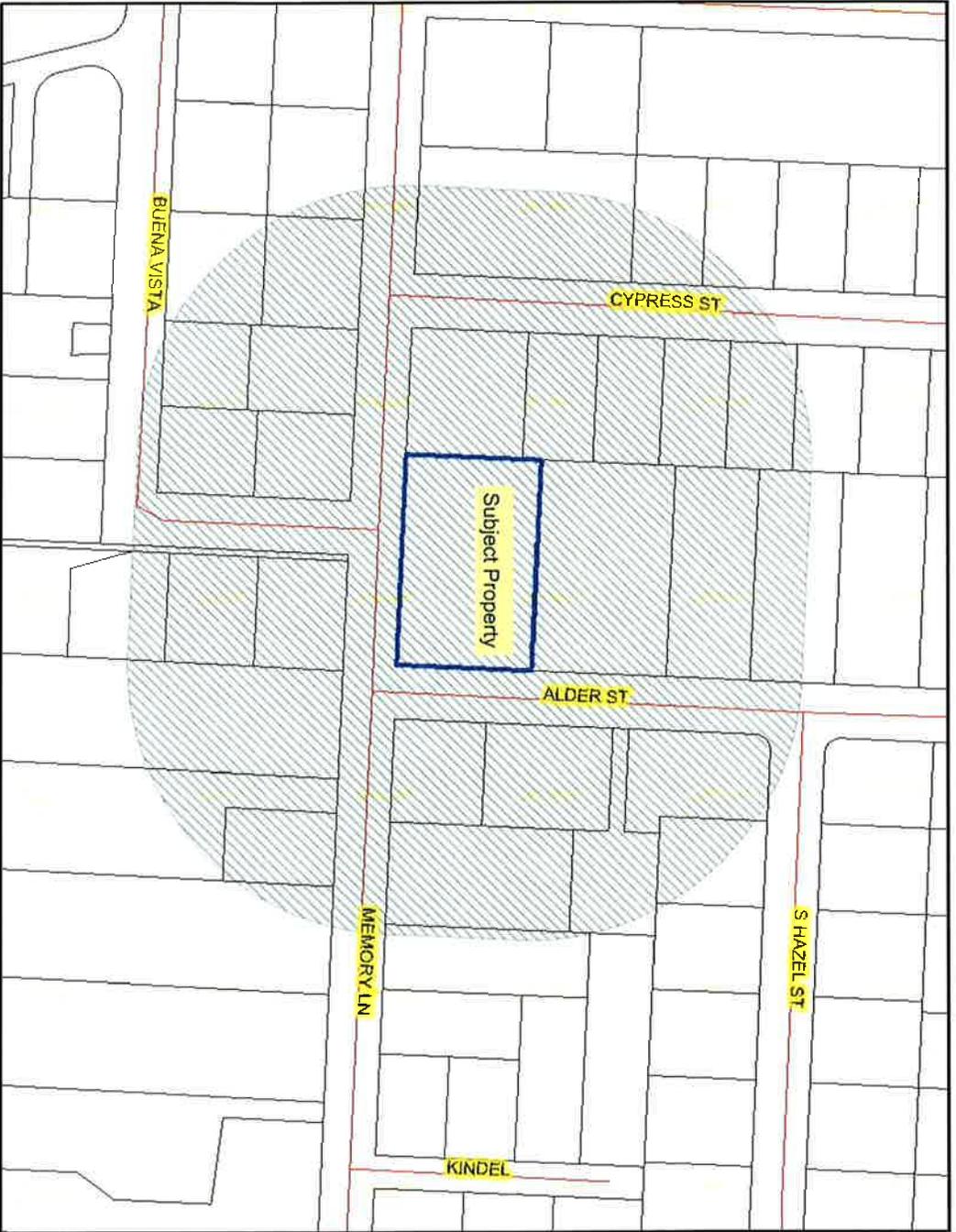
**RECOMMENDATION**

Staff recommends **APPROVAL** of File No. CPZ-1-16, based on the findings submitted by the Applicant and the findings and conclusions stated in the staff report.

Staff has prepared a FINAL ORDER (**Attachment D**) to be considered at this meeting.

Figure 1

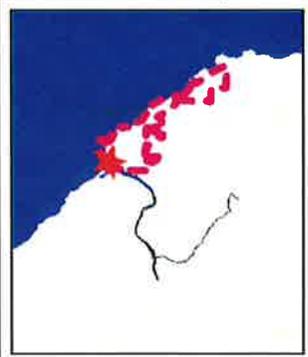
# CPZ-1-16 Byrd



This map is a public resource of general information. Use this information at your own risk. Curry County makes no warranty of any kind, expressed or implied, including any warranty of merchantability, fitness for any particular purpose or any other matter.



Map center: 42° 2' 52.4" N, 124° 16' 33.6" W



- Legend**
- RIVERS
  - ROADS
  - PARCELS
  - URBAN GROWTH BOUNDARY
  - OCEAN



Figure 2

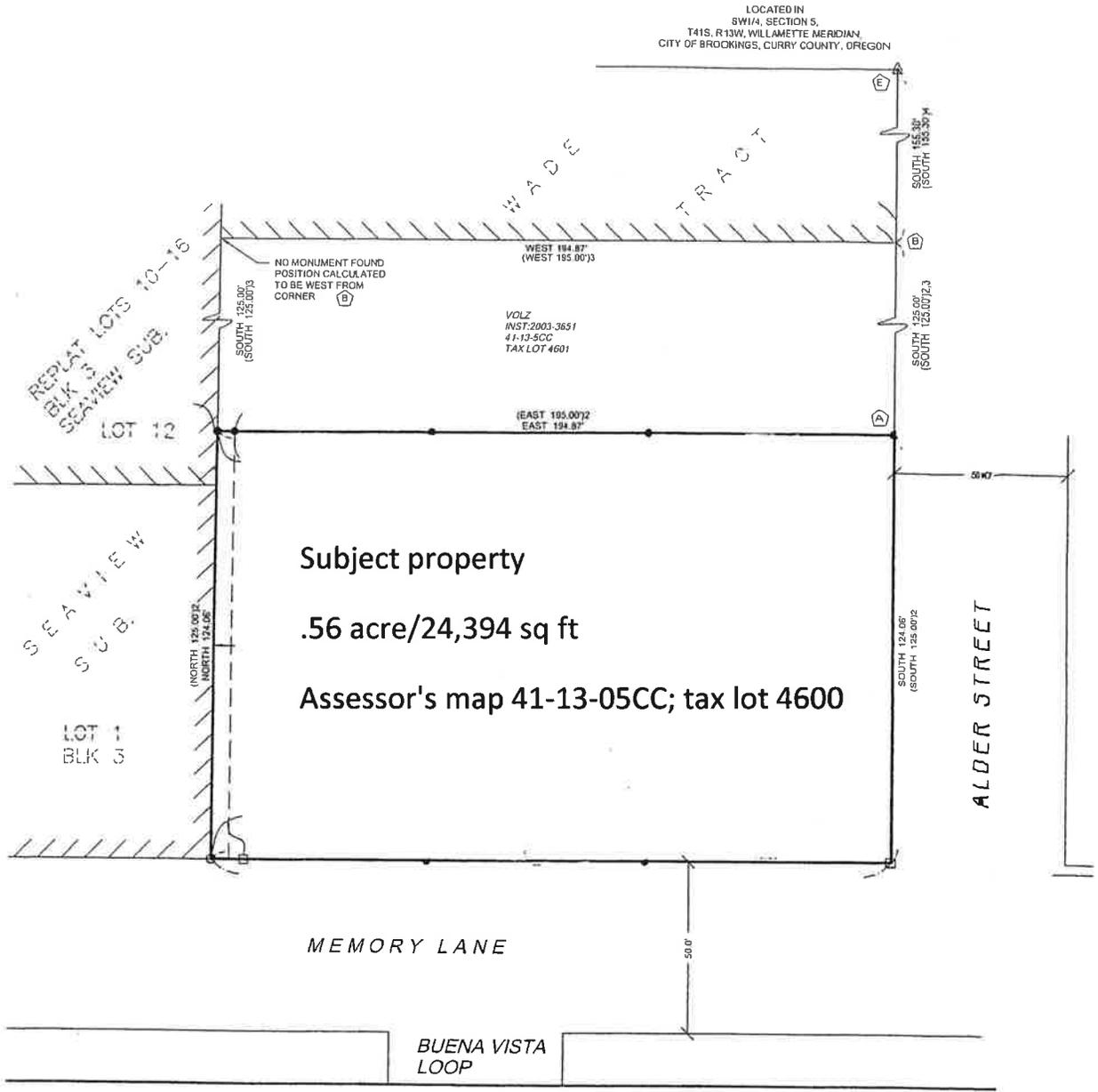


Figure 3

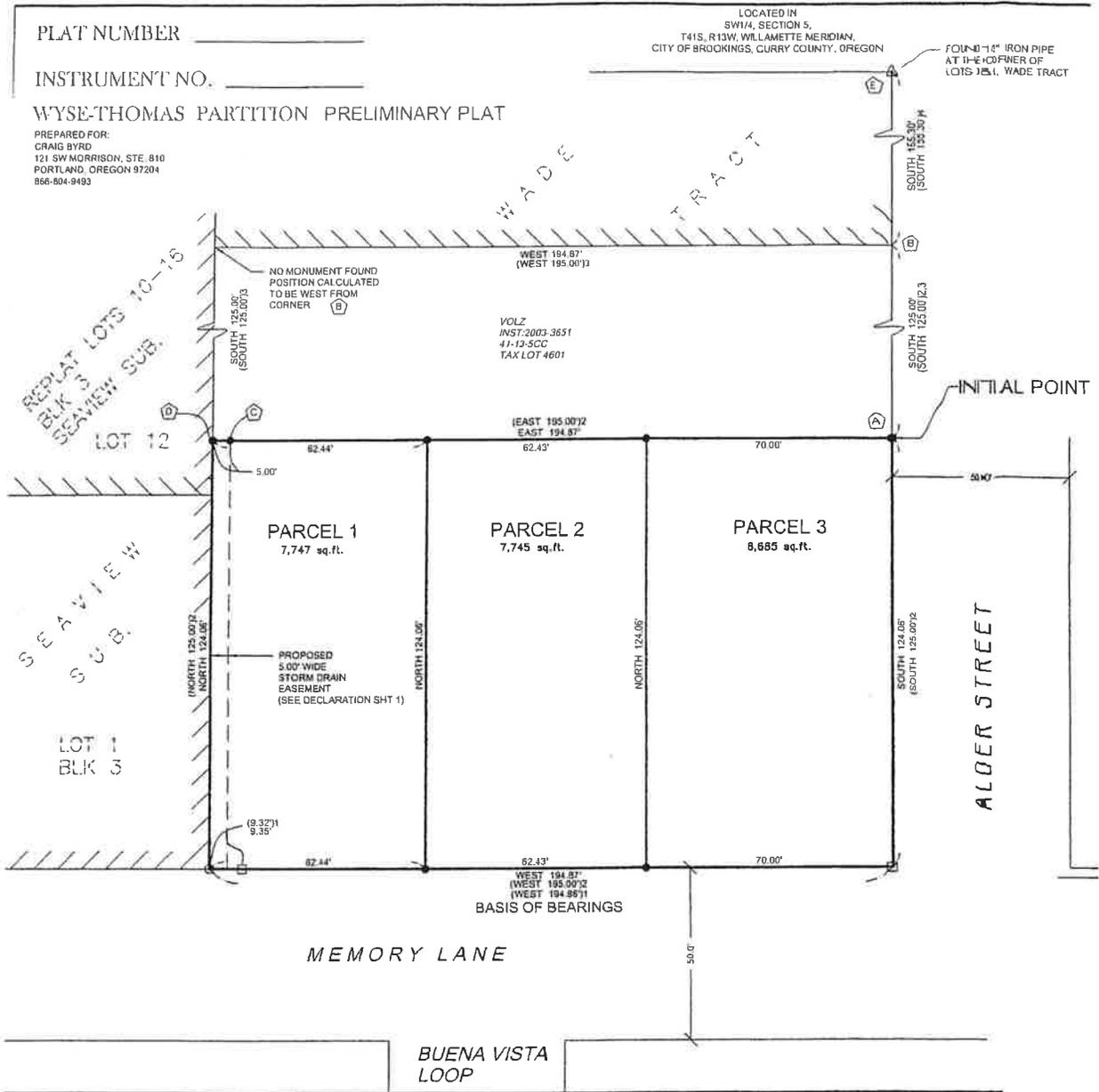
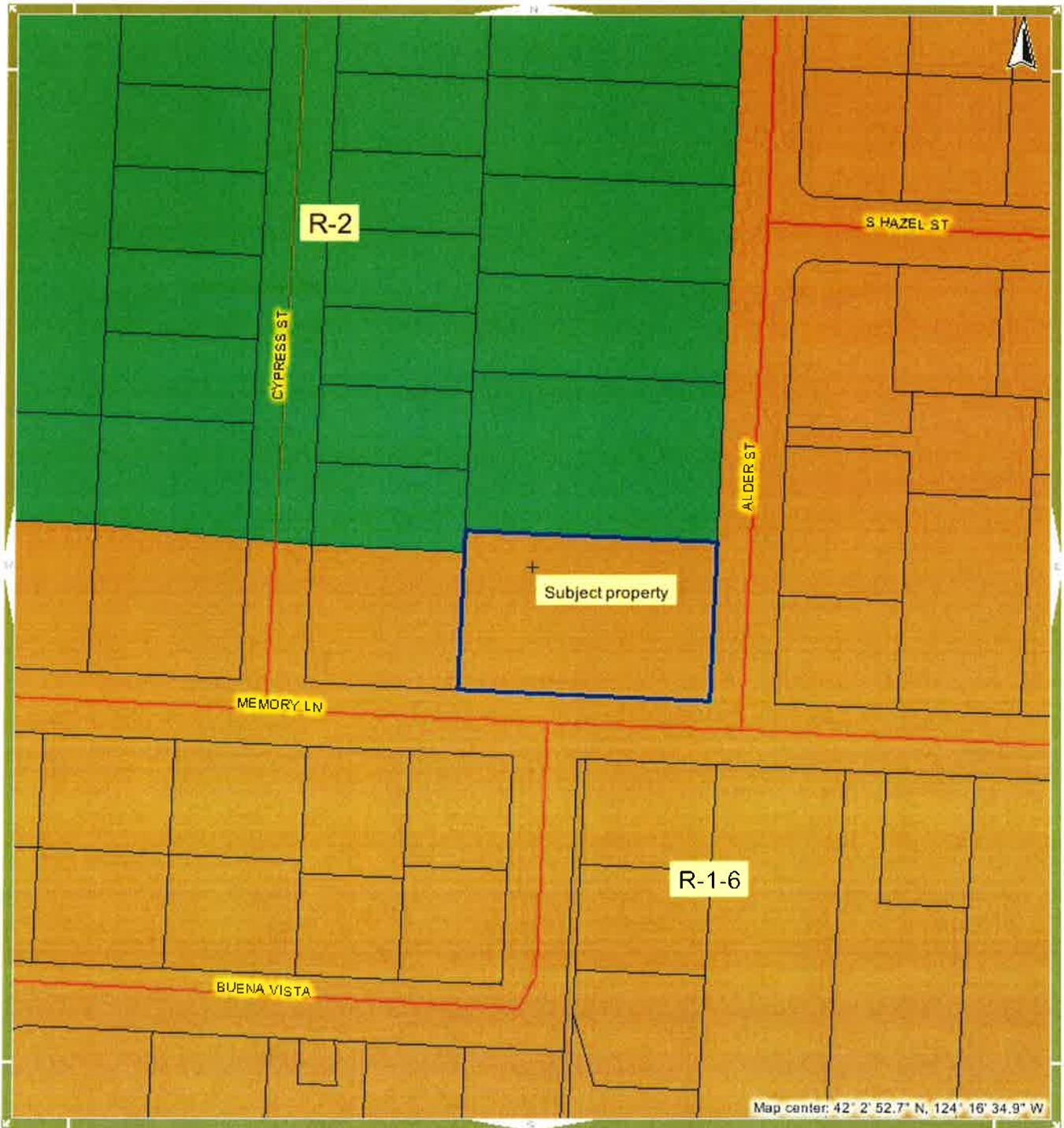


Figure 4

Zoning Map



## Attachment A

To: City of Brookings Planning Department.

Attachment for Land-use Permit Application Request for zone change from R-1 to R-2.

Location: Memory Lane & Alder.

Map# 41-13-05cc, Lot# 4600, Owner, Craig Byrd.

- We are asking for a zone change from R-1 to R-2
- Each of the three lots will have off street parking with driveways off from Memory lane.
- There are no buildings on the lots at this time.
- Each of the buildings on each lot would be a two family home with a garage for each home.
- The lot widths are over 60' and the side yards of the buildings would be around 10'.
- The lots are a little over 124' deep, so there would be at around 30' for both the front and back yards for each building.
- There are R-2 zoned lots bordering the property at this time.
- The lots have easy connection to water, sewer and street access onto Memory Lane. There should not be any impact to these services.
- According to the Housing Mix/Density safe Harbor guidelines from the State wide planning goals for the city of Brookings. For R-2 zoned lots we should be at 20% density and at this time we are only at 17%.

Thank you,

Craig Byrd





# City of Brookings



## FIRE / RESCUE

898 Elk Drive, Brookings, OR 97415

(541) 469-1142 Fax (541) 469-3650

TTY (800) 735-1232

*Operations Fire Chief*

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

5/24/2016

In regards to the development of the lot at 209 Alder St. I don't foresee any problems with traffic flows that the proposed project would create. The project should be allowed to move forward from a fire Department point of view.

Jim Watson  
Operations Fire Chief

**CITY OF BROOKINGS**  
**Public Works Department**  
**898 Elk Drive, Brookings, OR 97415**  
**Telephone – 541.469.1135**  
**FAX – 541.469.3650**

FOR CITY USE ONLY:	
Date - <u>5-11-16</u>	to <input checked="" type="checkbox"/> Admin Services
Date - <u>5/11/16</u>	to <input type="checkbox"/> Planning
Date - <u>5/12/16</u>	to <input type="checkbox"/> PW
-----	
Final Approval	
Date - <u>5/12/16</u>	to <input checked="" type="checkbox"/> Building
Applicant notified: <u>5</u>	

**WATER/SEWER/STORM DRAIN SERVICE AVAILABILITY REQUEST**

Depending on the research required requests may take up to 10 days to process.

Applicant: Craig Bryd Date: 05/11/16

Telephone: (866) 804 9493 Fax: ( ) email: \_\_\_\_\_

Current Property Owner: Craig Bryd

Property Address: intersection Memory/Alder Map & Tax Lot No. 41-13-05CC; 4600

Is the property located within the current City Limits?  YES \_\_\_ NO\* \*If no, DIA forms required.

Does property have a well? \_\_\_ YES♦  NO ♦If yes, backflow protector will be required.

Describe project and proposed sized of piping to serve development: Property has preliminary approval for 3 parcels. Its currently zoned R-1-6. Proposal to zone change to R-2. This would allow three additional dwelling units to be sited

Are you requesting service at this time? If yes, complete service request form. \_\_\_ YES  NO

For City Use Only:			
Administrative Services			
Is there a current water account/service for this property?	<input checked="" type="checkbox"/>	YES/How many <u>1 meter/2 units</u>	___ NO
Is there a current sewer account/service for this property?	<input checked="" type="checkbox"/>	YES/How many ___	___ NO
Are there any liens on this property?	___ YES		<input checked="" type="checkbox"/> NO
Planning <u>with city limits</u>			
*Out of city limits, DIA Forms Submitted:	YES	NO	In UGB: YES NO
Public Works			
Location and size of existing infrastructure:			Adequate?
Water: <u>4" on Memory / 4" on Alder</u>	<input checked="" type="checkbox"/>	YES	___ NO
Sewer: <u>8" " 8" "</u>	<input checked="" type="checkbox"/>	YES	___ NO
Stormdrain: <u>open ditch</u>	___	YES	___ NO
Additional Comments:	<u>STREET IMPROVEMENTS required, engineered plans HAVE BEEN SUBMITTED FOR STORM WATER</u>		
Pay Backs: \$	<u>Building</u>	<u>SDC's: \$</u>	<u>TO BE DETERMINED @ TIME OF REQUEST FOR BUILDING PERMITS</u>
Backwater Valve Required	___	YES	___ NO

**Attach/Draw Site Location Map with cross streets, etc. on back of this form**



## UTILITY CONFIRMATION FORM

This form must be signed by Coos-Curry Electric, the electric utility provider, and then submitted with your application. Bring a copy of your plot plan or plat when discussing your proposal with the utility provider.

### I. Application Information – This section to be filled out by applicant

Applicant Name: Craig Byrd Date: \_\_\_\_\_

Assessor Map #: 41-13-05CC Tax Lot: 4600

Site Address: Intersection of Memory Lane + Alder St

Proposal: \_\_\_\_\_ Subdivision/ Partition \_\_\_\_\_ Variance  
\_\_\_\_\_ Conditional Use Permit  Other  
Zone change R-1-6 → R-2

### II. Utility Provider Confirmation:

Utility Provider: Coos Curry Electric Coop., Inc.

I have reviewed the above referenced proposal and can confirm that the subject property is within this utility provider's district boundary and service can be provided. Any needed extension of service lines and all applicable fees and required charges have been discussed with the applicant.

Signature: Walter Jurzenko Title: Staking Engineer

Date: 5-17-16

Table 1: Housing Mix/Density Safe Harbors

A. Coordinated 20-Year Population Forecast	B. Housing Density Safe Harbor Numbers are in Dwelling Units (DU) per net buildable acre	C. Housing Mix Safe Harbor (Percentage of DU that Must be Allowed by zoning)		
		Low Density Residential	Medium Density Residential	High Density Residential
Less than 2,500	<ul style="list-style-type: none"> <li>Required Overall Minimum: 3</li> <li>Assume for UGB Analysis: 4</li> <li>Zone to Allow: 6</li> </ul>	70%	20%	10%
2,501 – 10,000	<ul style="list-style-type: none"> <li>Required Overall Minimum: 4</li> <li>Assume for UGB Analysis: 6</li> <li>Zone to Allow: 8</li> </ul>	60%	20%	20%
10,001 – 25,000	<ul style="list-style-type: none"> <li>Required Overall Minimum: 5</li> <li>Assume for UGB Analysis: 7</li> <li>Zone to Allow: 9</li> </ul>	55%	25%	20%
More than 25,000 but not subject to ORS 197.296	<ul style="list-style-type: none"> <li>Required Overall Minimum: 6</li> <li>Assume for UGB Analysis: 8</li> <li>Zone to Allow: 10</li> </ul>	50%	25%	25%

- **Low Density Residential:** A residential zone that *allows* detached single family and manufactured homes and other needed housing types on individual lots in the density range of 2-6 units per net buildable acre (DU/NBA). The specified mix percentage is a maximum; a local government may allow a lower percentage.
- **Medium Density Residential:** A residential zone that *allows* attached single family housing, manufactured dwelling parks and other needed housing types in the density range of 6-12 units per net buildable acre. The specified mix percentage is a minimum; a local government may allow a higher percentage.
- **High Density Residential:** A residential zone that *allows* multiple family housing and other needed housing types in the density range of 12-40 units per net buildable acre. The specified mix percentage is a minimum; a local government may allow a higher percentage.
- **More than 25,000 but not subject to ORS 197.296:** The current population estimate for the city is less than 25,000 but the 20-year population forecast for the UGB is 25,000 or more. This safe harbor is not available for a jurisdiction subject to ORS 197.296 at the time of a UGB amendment.

	<b>Low Density</b>	<b>Medium Density</b>	<b>High Density</b>
<b>City zones</b>	Single Family Residential (R-1) Suburban Residential (SR)	Two Family Residential (R-2) Manufactured Home Residential (R-MH)	Multiple Family Residential (R-3)
<b>No. of Acres</b> (within City limits)	802	182	105
<b>Percentage of Acres</b> (within City limits)	73%	17%	10%
<b>Safe Harbor Housing Mix</b> (population 2,501 to 10,000)	60%	20%	20%

BEFORE THE CITY COUNCIL  
CITY OF BROOKINGS, COUNTY OF CURRY  
STATE OF OREGON

In the matter of City Council File No. CPZ-1-16; ) Final ORDER  
application for a Zone Change; Craig Byrd, ) and Findings of  
Owner/Applicant. ) Fact

**ORDER** approving an application for a zone change from R-1-6 (Single-family Residential) to R-2 (Two-Family Residential, on a .56 acre parcel located on Assessor's Map 41-13-05CC, Tax Lot 4600; Zoned R-1-6 (Single-family Residential).

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with Chapter 17.140, Amendments, Brookings Municipal Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its scheduled public hearing on July 5, 2016; and,
3. Recommendations were presented by the Planning Manager in the form of a written Staff Report dated June 23, 2016, and by oral presentation, and evidence and testimony was presented by the Applicant at the public hearing; and,
4. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Report and approved the request for the zone change.

**THEREFORE, LET IT BE HEREBY ORDERED** that the application for a zone change on the subject parcel is approved. This approval is supported by the following findings and conclusions:

**FINDINGS and CONCLUSIONS**

1. Applicant has filed a complete application requesting a Zone Change from Single-Family Residential (R-1-6) to Two-Family Residential (R-2) on the .56 acre subject property. The application is supported by findings of fact and conclusion of law and evidence submitted by Applicant as well as Staff's analysis addressing the criteria as found in the staff report for CPZ-1-16 and included by this reference.
2. The subject property is presently vacant.
3. City water and sewer are available and adequate to serve development of the subject property.
4. Storm water facilities are not adequate to serve the development of the subject property. A Condition of Approval requires installation of facilities to accommodate storm drainage from the proposed development in accordance with Engineering Requirements and Standard Specification for Public Works Construction for the City of Brookings.

5. The subject property has frontage on both Memory Lane and Alder Street. Both streets do not meet city standards. A Condition of Approval requires both streets to be improved to bring them up to city standards.
6. Preliminary approval has been granted by the Planning Commission for the subject property to be divided into three parcels.
7. The zone change will allow a two-family dwelling to be sited on each proposed parcel at the time final approval is granted for the partition.
8. The minimum parcel size for both the R-1-6 and R-2 zones is 6,000 square feet.
9. The subject property is surrounded by a mix of single-family and two-family dwellings on residentially zoned parcels. The increase of a maximum of three dwelling units will have minimal impact and is compatible.
10. The Safe Harbor Housing Mix for a city with a population of Brookings' size is 60% low density and 20% medium density. The City has 73% of residential properties zoned for low density and 17% of residential properties zoned for medium density. Removal of a .56 acre parcel from low residential use to medium residential use will make a minimal but positive impact on medium density.

**CONDITIONS of APPROVAL**

1. Memory Lane and Alder Street frontage adjacent to the subject property must be improved to meet City street standards, including storm drainage.
2. Storm drainage facilities must be installed pursuant to the provisions of the Engineering Requirements and Standard Specification for Public Works Construction for the City of Brookings . The facilities must be designed to accommodate all storm drainage from the subject property to protect downstream properties from water flows greater than currently exists.

**LET IT FURTHER BE OF RECORD** that the Planning Commission APPROVED the Zone Change requested by File # CPZ-1-16.

Dated this 5th day of July, 2016.

---

Bryan Tillung, Chairperson

ATTEST:

---

Donna Colby-Hanks, Planning Manager

**MINUTES**  
**BROOKINGS PLANNING COMMISSION**  
**June 7, 2016**

The regular meeting of the Brookings Planning Commission was called to order by Chair Bryan Tillung at 7:04pm 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, Ray Hunter, Gerry Wulkowicz, Timothy Hartzell,  
Bryan Tillung, Joseph Vogl  
Staff Present: Planning Manager - Donna Colby-Hanks; Administrator - Lauri Ziemer  
Others Present: 0 audience members

**PUBLIC HEARINGS**

Public hearing procedures were addressed by Chair Tillung

- Chair Tillung opened the quasi-judicial hearing regarding File No. MC-1-16/CUP-1-05.

File Description: In the matter of File No. **MC-1-16/CUP-1-05**, a request for a minor change to an approved conditional use permit to operate an auto lubrication and car wash facility. The minor change is to remove the condition of approval for the access easement to be named. The subject property is a 1.57 acre parcel; located at 336 Fifth Street; Assessor's Map 41-13-06DB, tax lot 1600; zoned General Commercial (C-3). Applicant, City of Brookings and owner, Newcomb. The criteria used to decide this matter are found in Chapter 17.52.040 General Commercial Conditional Uses, Chapter 17.136.140 Conditional Use Permits Minor Change, and Chapter 17.116.090 Minor Change of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the Planning Commission will make a decision on this 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 7:07pm. Planning Manager Colby-Hanks reviewed the staff report and entered Exhibit B, a memo from LauraLee Snook, Public Works and Development Services Director, recommending approval as the sign makes it appear that the access easement is a public street thereby encouraging traffic. More traffic may increase conflicts with vehicles backing out of parking spaces at adjacent businesses. There was no testimony from the public and the public hearing portion of the meeting was closed at 7:15pm.

The Commission deliberated on the matter. By a 6-0 vote (motion: Wulkowicz, 2<sup>nd</sup> Hunter) the Planning Commission voted to approve File No. MC-1-16/CUP-1-05 requesting a minor change to remove condition of approval #25 for the access easement to be named. Chair Tillung made a motion to approve the final order to remove condition #25, which was seconded by Wulkowicz. The final order was approved by unanimous vote.

## **APPROVAL of MINUTES**

By a 6-0 vote (motion: Tillung, 2<sup>nd</sup> Rings) the Planning Commission approved the minutes of the May 3, 2016 Planning Commission meeting as presented.

## **STAFF REPORT**

Staff requested the Planning Commission consider providing a support letter for a Transportation Growth Management (TGM) Grant application being prepared by Chrissy Bevens, Management Analyst, to further develop an Area Plan for the Parkview Drive and Airport Area. By a 6-0 vote (motion: Wulkowicz, 2<sup>nd</sup> Hunter) the Planning Commission authorized the Chair to sign the letter of support for the TGM grant.

In July, the Planning Commission will be considering the continuation of a minor change to the expansion of Headstart as well as a zone change from single-family dwelling to two-family dwelling on a property located on Memory Lane.

## **COMMISSION FINAL COMMENTS**

Commissioner Rings expressed concerns regarding the speed limits on Hwy 101 from the Dawson/Carpenterville intersection to Harris Beach State Park. He felt the speed limits need to be reduced to improve safety. The rest of the Commissioners agreed. Discussion ensued regarding the matter including the process used by Oregon Department of Transportation (ODOT) to analysis traffic and assign speed limits. ODOT will be involved in the presentation of the updated Transportation System Plan and this would provide an excellent opportunity for discussion of this matter.

## **ADJOURNMENT**

Meeting adjourned at 7:28 pm.  
Respectfully submitted,

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Bryan Tillung, Chair of the Brookings Planning Commission  
(Approved at the 7/5/16 meeting)