

## BROOKINGS PLANNING COMMISSION MINUTES

July 5, 2022

### CALL TO ORDER

The regular meeting of the Brookings Planning Commission was called to order by Chair Wulkowicz at 7:02 pm in the Council Chambers at Brookings City Hall followed by the Pledge of Allegiance.

### ROLL CALL

Commissioners Present: Anthony Bond, Skip Hunter, Clayton Malmberg , Skip Watwood, John Weaver, Chair Gerry Wulkowicz

Commissioners Absent: Cody Coons

Staff Present: PWDS Director Tony Baron, Planning Tech Lauri Ziemer

Others Present: 14 audience members

**PLANNING COMMISSION CHAIR PERSON ANNOUNCEMENTS** – Chair Wulkowicz noted that Item 4.3 on the agenda has been postponed to the August 2, 2022 Planning Commission meeting.

### PUBLIC HEARINGS

4.1 In the matter of File No. CUP-18-22, a request for approval of a Conditional Use Permit to operate a Short Term Rental facility at 1125 Ransom Avenue; Assessors Map & Tax Lot No. 4113-06BA-01502

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:08 pm. PWDS Director Tony Baron reviewed the staff report.

The applicant, Norbert Roetzer, and his property manager, Ron Reel of Premier Ocean Properties, were present to answer any questions. No members of the public spoke in opposition and no participant requested additional time to submit materials. Public hearing was closed at 7:12 pm.

The Commission deliberated on the matter. **Motion made by Commissioner Watwood to approve File No. CUP-18-22 a request for a Conditional Use Permit to operate a short term rental at 1125 Ransom Avenue based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

**Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-18-22, based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

4.2 In the matter of File No. CUP-19-22, a request for approval of a Conditional Use Permit to operate a Short Term Rental facility at 1496 Seacrest Lane; Assessors Map & Tax Lot No. 4014-36AD-02009

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:14 pm. PWDS Director Tony Baron reviewed the staff report.

The applicants, Justin and Amanda Hanks, were present and addressed the Commission as to their intentions of operating a vacation rental and were available to answer any questions.

Joe Doherty, 1488 Seacrest Lane, Brookings spoke in opposition citing the majority of the Harris Beach Planned Unit Development (PUD) has CCR's against short term rentals, however this phase of the PUD did not have it specifically stated. Businesses are not allowed in the CCR's and believes this constitutes a business as a business license is required. Advised that the property is already being used as a vacation rental without an approved CUP.

Ginger Doherty, 1488 Seacrest Lane, Brookings spoke in opposition citing the CCR's prohibiting short term rentals and how short term rentals affect the long term rental market for the general workforce in Brookings.

Justin Hanks rebutted advising they are willing to work with the neighbors and that the CCR's do not block short term rentals. He advised they have been renting out the residence and was not aware it was prohibited.

No participant requested additional time to submit materials. Public hearing was closed at 7:38 pm.

The Commission deliberated on the matter. Chair Wulkowicz advised they have no authority to determine intentions of the CCR's and they make their decision based on the codes and ordinances of City of Brookings. Although a business license is required the property is used as a residence. The property owners would have to seek civil action against each other to determine if violations exist. Commissioners questioned the applicants using the property prior to issuance of an approved permit and the penalties. Staff advised they would be required to pay Transient Occupancy Taxes for any times rented, no other penalties to enforce currently exist.

**Motion made by Chair Wulkowicz to approve File No. CUP-19-22 a request for a Conditional Use Permit to operate a short term rental at 1496 Seacrest Lane based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

**Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-19-22, based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

#### **MINUTES FOR APPROVAL**

5.1 Minutes of regular Planning Commission meeting of June 7, 2022.

**Motion made by Commissioner Malmberg to approve the Planning Commission minutes of June 7, 2022; motion seconded and with no further discussion by a 6-0 vote the motion carried.**

**UNSCHEDULED PUBLIC APPEARANCES** – Candice Michel, 1253 Rowland Lane, Brookings voiced opposition to Short Term Rental Conditional Use Permits in general citing the current housing situation wherein affordable long term rental housing is not available for the general work force. Believes short term rentals change the atmosphere of residential neighborhoods and encouraged Planning Commission to plan ahead.

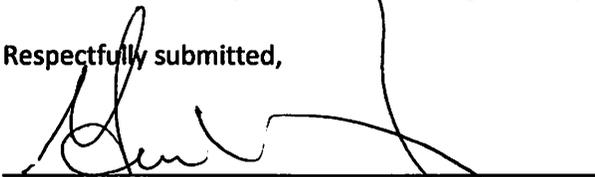
**REPORT FROM THE PLANNING STAFF** – August Planning Commission meeting will consist of three CUP's for short term rentals, a Land Development Code change, and a Variance.

**COMMISSION FINAL COMMENTS** – Commission discussed the number of short term rentals and the popularity of out of town buyers purchasing property with the intent of operating as short term rentals decreasing the number of long term rental properties. Commission advised they would like to schedule a joint workshop with the City Council to if determine if changes or additional criteria is needed on short term rental CUP's. Tony Baron to schedule and advise.

#### **ADJOURNMENT**

Chair Wulkowicz adjourned the meeting at 8:25 pm.

Respectfully submitted,



Gerald Wulkowicz, Brookings Planning Commissioner  
Approved at the August 2, 2022 meeting