



City of Brookings

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Public Notice

NOTICE IS HEREBY GIVEN that on May 23, 2022, at 7:00 PM in City Hall Council Chambers, 898 Elk Drive, during a regular Common Council meeting, Brookings City Council will consider for adoption, by title only, the following:

- In the matter of Ordinance 22-O-798, an Ordinance adding Chapter 17.82 to the Brookings Municipal Code.

All persons wishing to address these matters may do so in person at the meeting, or by submitting written evidence to the City Manager, Brookings City Hall, 898 Elk Drive, Brookings, 97415, prior to the meeting. Copies of the ordinance and associated staff report are available for inspection at City Hall, on the City's website at www.brookings.or.us, and at the Chetco Community Public library. Copies of the documents may also be purchased.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

*For: **Monday, May 23 2022**, City Council Meeting*

Advance Packet Information

Dated: May 23, 2022

Included in this packet is documentation to support the following Agenda items:

PUBLIC HEARINGS/ORDINANCES

1. Land Development Code Revisions – Prohibited Activities [Pg. 1]
 - a. Ordinance 22-O-798 [Pg. 2]

*Obtain Public Comment Forms and view the agenda and packet information on-line at www.brookings.or.us, or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

Due to the COVID-19 virus, meeting participants in the council chambers will be limited and social distancing of six (6) feet will be required and maintained. If you would like to view the City Council Meeting live, you can via:

- Television – Charter Channel 181
- Internet – Go to the City of Brookings website at <http://www.brookings.or.us>

Watch Meeting Live instructions: 1. Visit the City of Brookings website home page. 2. Click on Government (top page). 3. Click on City Council (right side). 4. Under Agenda & Meetings click Watch Meeting Live. 5. You will need to download the VLC Media Player. Follow directions and links for your device.


On computers, it is possible to stream the meetings LIVE by copying and pasting the following link inside your web browser: <mms://68.185.2.46:8080>

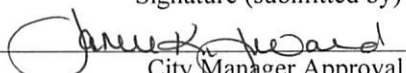
CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2022

Originating Dept: PW/DS



Signature (submitted by)


City Manager Approval

Subject:

Land Development Code Revisions – Prohibited Activities

Recommended Motion:

Approve file LDC-1-22 and adopt ordinance 22-O-798 amending the Brookings Municipal Code Chapter 17, amending Chapter 17.08.090 I Terms, 17.08.190 S Terms, and adding Chapter 17.82 Uses Prohibited in all Land Use.

Financial Impact:

None

Background/Discussion:

Council discussed the topic of banning Safe Injection Sites at the March 7, 2022 Council workshop. We researched this issue and did not find any cities or counties in Oregon that have enacted. However, several cities in Washington, including Bellevue, Federal Way, Auburn, and Kent, have adopted ordinances in the last several years banning these types of facilities.

Council directed staff to prepare a Land Development Code revision, adding a chapter addressing prohibited activities, and present it to the Planning Commission for review. The Planning Commission unanimously approved a recommendation to Council at the May 3, 2022 Planning Commission meeting.

Staff recommends approval of file LDC-1-22 and the adoption of ordinance 22-O-798 amending the Brookings Municipal Code, Chapter 17, amending Chapter 17.08.090 I Terms, 17.08.190 S Terms and adding Chapter 17.82 Uses Prohibited in all Land Use Districts.

Attachment(s):

- a. Ordinance 22-O-798

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 22-O-798

IN THE MATTER OF ORDINANCE 22-O-798, AN ORDINANCE ADDING CHAPTER 17.82 TO THE BROOKINGS MUNICIPAL CODE

Sections:

Section 1. Ordinances Identified.

Section 2. Amends Chapter 17.08.090 I Terms and 17.08.190 S Terms

Section 3. Adds Chapter 17.82 Uses Prohibited in all Land Use Districts

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends the Brookings Municipal Code Chapter 17.08.090 Terms and adds Chapter 17.82 Uses Prohibited in all Land Use Districts

Section 2. Amends Chapter 17.08.090 I Terms and 17.08.190 S Terms to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

Section 3. Adds Chapter 17.82 Uses Prohibited in all Land Use Districts to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: _____ Passage: _____

Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2022

ATTEST:

Mayor Ron Hedenskog

City Manager Janell K Howard

Uses Prohibited in all Land Use Districts

Changes to BMC:

(additions are **bold and underlined**, deletions are ~~**bold and underlined**~~)

Chapter 17

LAND DEVELOPMENT CODE

17.08.090 I Terms

“Illicit Drugs” means any controlled substance as defined in ORS 475.005(6). This includes, but is not limited to, heroin, LSD, ecstasy, cocaine, methamphetamine and fentanyl.

17.08.190 S Terms

“Supervised Drug Consumption Facility (SDCF)” means a facility designed to provide a hygienic environment where individuals are able to consume illicit drugs intravenously or by other means.

Chapter 17.82

Uses Prohibited in all Land Use Districts

17.82.010 Purpose

The purpose of this chapter is to prohibit activities detrimental to the residents and visitors in all zones of the city.

17.82.020 Prohibited

17.82.020(A) Supervised Drug Consumption Facilities

A. Supervised Drug Consumption Facilities (SDCF) designed to provide a hygienic environment where individuals are able to consume illicit drugs intravenously or by other means are prohibited in all Land Use Districts in the City. An SDCF includes all uses established or activities undertaken for the above-defined purposes, irrespective of how the use or activity is described. An SDCF may also be referred to as a medically supervised injection center, community health engagement location, supervised injection site or facility, safe injection site, fix room, or drug consumption facility.

17.82.030 Severability

A. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such a decision shall not affect the validity of the remaining parts of this ordinance.