

OFFICIAL MINUTES

Vice Chairperson Jacob Limmer called the meeting of the Planning Commission to order on Tuesday, July 1, 2025, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Tanner Aiken, Emily Braun, Billie Jo Hinrichs, Kyle Jamison, Jacob Limmer, Nick Schmeichel, Roger Solum and Debra Spear. Scot Leddy was absent. Also present were Community Development Director Michael Struck, City Planner Ryan Miller and Associate Planner Bailey Maca. Also present were Janet Merriman, Benjamin Stout, Doris Schumacher, Al Austreim, Rebecca Schmieding, Jeff Struwe, Johnnie Einspahr, Doug Austreim, Mike McClemans and Justin Ruesch from the public.

Item #5a – The City of Brookings proposes to rezone various city parcels to a Civic C District. Staff recommends approval.

(Hinrichs/Jamison) Motion to approve the rezone. All present voted aye. **MOTION CARRIED.**

(Schmeichel/Aiken) Motion to amend the Civic zoning ordinance changing the maximum allowable height from 60 feet to 40 feet. All voted nay on the amendment. **MOTION FAILED.**

OFFICIAL SUMMARY

Item #5a – The City of Brookings created a new zoning district, Civic district, in February 2025. The intent of the Civic district is to provide for a zoning district for public and civic buildings and large institutional uses that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose. The rezoning request is to rezone a number of city-owned properties throughout the community from their current zoning designation to the Civic district. The properties include parks, trails, drainage facilities, fire stations, lift stations, water towers, and electrical substations. The Comprehensive Plan identifies land use classification based upon intensity. The Civic land use intensity classification aligns with the Civic district and supports the rezoning.

Al Austreim asked how twelve different zoning categories could be combined into one. He also listed inquiries including: what dangers exist with the current designations; if the City of Brookings participated in recent legislation regarding parks land sale; if the city considered creating Park Zoning; the reasoning a park's use would need to change in the future and if a park is zoned Civic, what process would be required to change the use of the park. Schmieding asked the reasoning for the rezone. She purchased her property to be able to view nature and wants to know if her property is in danger of losing that. She also requested potential effects on her homeowner's association. Struwe asked that parks be removed from the rezone request. Einspahr requested that the city continues to maintain the drainage ponds to prevent noxious weeds and varmint. Doug Austreim stated that Brookings is known for its parks and was concerned that the city intended to build on park land. McClemans requested more information on how the rezone affects adjacent properties. Ruesch expressed concerns of a wildlife easement being rezoned due to its importance on drainage and asked if the rezone would allow the city to sell the property without a vote.

Limmer asked Struck to speak on the City's behalf. Struck stated that Civic zoning was created to give greater protection than what is currently in place. The city desired aligning the zoning of properties

more closely with their uses. He went on to say that Civic zoning creates awareness that these properties are designated for public use. Civic zoning is held to higher standards than residential property. There was a change in state law that took place July 1, 2025 that altered how parks property can be disposed. However, this did not affect rezones or zoning designations. Struck explained that not only City owned properties are eligible for Civic zoning. Struck explained that the Planning Commission cannot speak to nor are they responsible for a change of use on public land. In the event a Civic zoned property was transferred to the private sector, the developer would need to seek a rezone to fit their intended use.

Schmeichel asked if the city will continue to maintain the properties. Struck stated that the properties will still be maintained outside of property that is designated "No Mow". Aiken asked what zoning designation parks are currently. Struck stated that they are many different zones currently. Aiken went on to clarify that it would create a more cohesive zone for the parks.

Schmeichel made a motion to amend the Civic zoning ordinance changing the allowable height from 60 feet to 40 feet. Aiken seconded the motion. Struck mentioned that the action tonight is only to rezone property into the Civic Zoning District, not to amend the district standards. Struck stated that if he wished to make an ordinance amendment it would need to be a new request before Planning Commission.

Spear asked how the request would change the process of future construction. Miller stated that the steps would remain the same but the design criteria does change some. Solum asked if there were provisions for having subcategories within Civic zoning. Struck stated that this would require an ordinance amendment. Limmer asked if Planning Commission would be required to grant a rezone to an entity that met the permitted uses. Struck stated that each rezone needs to be reviewed on its own merit. Hinrichs expressed concerns that the request could be perceived like eminent domain. Struck stated that it is an entirely different process that the city has not pursued in his tenure. Hinrichs asked if it would be easier to develop on park land under the current zoning than Civic zoning. Struck confirmed that was correct.