



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

November 17, 2008



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Brookings Plan Amendment
DLCD File Number 015-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: December 4, 2008

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

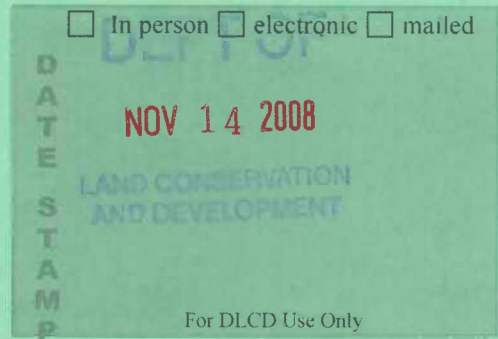
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
Dianne Morris, City of Brookings

<paa>

DLCD

Notice of Adoption



THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **City of Brookings**

Local file number: **LDC-12-08**

Date of Adoption: **11/10/2008**

Date Mailed: **11/13/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **No**Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
 Add the text "Public Art Committee" to Chap. 17.88, Sign Regulations.

Does the Adoption differ from proposal? Please select one
 No.

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved:

Specify Density: Previous: **N/A**

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 015-08 (NOA)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None.

Local Contact: **Dianne Morris**

Phone: **(541) 469-1138** Extension:

Address: **898 Elk Dr.**

Fax Number: **541-469-3650**

City: **Brookings**

Zip: **97415-**

E-mail Address: **dmorris@brookings.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

In the Matter of an Ordinance Amending)
Section 17.88.040(P), Exempt Signs, of)
Chapter 17.88, Sign Regulations of the) Ordinance No. 08-O-621
Brookings Municipal Code.)

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amends Section 17.88.040(P).

The City of Brookings ordains as follows:

Section 1. Ordinance Identified: This ordinance amends Section 17.88.040 (P), Exempt Signs, of Chapter 17.88, Sign Regulations, of the Brookings Municipal Code.

Section 2. Amends Section 17.88.040 (P). Section 17.88.040(P), Exempts Signs, is amended to read as follows:

Chapter 17.88
SIGN REGULATIONS

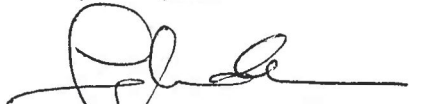
Section:

17.88.040 Exempt Signs

(P). Wall graphics, except that murals shall be reviewed by the Public Art Committee and conform to general guidelines adopted by City Council resolution. In the event the Public Art Committee is unavailable to convene, the Site Plan Committee will perform the needed review.


First reading: November 10, 2008
Second reading: November 10, 2008
Passage: November 10, 2008
Effective date: December 10, 2008

Signed by me in authentication of its passage this 12th day of November, 2008.



Mayor Larry Anderson

ATTEST:



City Recorder Joyce Heffington

CITY OF BROOKINGS PLANNING COMMISSION
STAFF REPORT

SUBJECT: Land Development Code Amendment
2008

REPORT DATE: September 24,

FILE NO: LDC-12-08

ITEM NO: 7.2

HEARING DATE: October 7, 2008

GENERAL INFORMATION

APPLICANT:	City Initiated.
REPRESENTATIVE:	City Staff.
REQUEST:	Revisions to Chapter 17.88, Sign Regulations, Brookings Municipal Code (BMC).
PUBLIC NOTICE:	Published in local newspaper.

BACKGROUND INFORMATION

The City Council has approved Mural Guidelines and the formation of a Public Art Committee by resolution at their September 8th meeting. Now that this Committee has been created, that language needs to be inserted in the Sign Regulations, Chapter 17.88.040 (P) where review of murals is discussed. This is the only change proposed by this amendment.

Following this report is the draft of Chapter 17.88.040 (P) (Attachment A).

RECOMMENDATION

Staff supports a Planning Commission recommendation of approval of file LDC-12-08, Chapter 17.88.040 (P), Sign Regulations, BMC, to the City Council.

**Chapter 17.88
SIGN REGULATIONS**

Language to be Added is *Bold and Italicized*.

Sections:

17.88.040 Exempt signs.

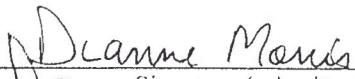
17.88.040 Exempt signs.

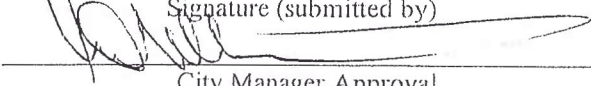
The following signs and devices shall not be subject to the provisions of this chapter:

- P. Wall graphics, except that murals shall be reviewed by the Site Plan Committee *or the Public Art Committee* and conform to general guidelines adopted by City Council resolution.

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: November 10, 2008



Signature (submitted by)


City Manager Approval

Originating Dept: Planning

Subject: Consideration and possible adoption of revisions to Chapter 17.88, Signs Regulations, Brookings Municipal Code (BMC) to add "Public Art Committee" as the review body for murals.

Recommended Motion: Motion approving revisions to 17.88.040 (P), Exempt Signs, Sign Regulations, BMC. Motion to adopt revisions by Title only.

Financial Impact: None.

Background/Discussion: At a previous meeting the City Council approved Mural Guidelines and the formation of a Public Art Committee by resolution. Now that this Committee has been created, that language needs to be inserted in the Sign Regulations, Chapter 17.88.040 (P) where review of murals is discussed. This is the only change proposed by this amendment. The Planning Commission recommends approval of this change. The draft language is attached.

Policy Considerations: None.

Attachment(s): Attachment A - Draft version of Chapter 17.88.040 (P), Exempt Signs
Attachment B - Adopting Ordinance 08-0-621

**Chapter 17.88
SIGN REGULATIONS**

Language to be Added is *Bold and Italicized*.

Language to be omitted has ~~strikethroughs~~.

Sections:

17.88.040 Exempt signs.

The following signs and devices shall not be subject to the provisions of this chapter:

- P. Wall graphics, except that murals shall be reviewed by ~~the Site Plan Committee~~ *the Public Art Committee* and conform to general guidelines adopted by City Council resolution. *In the event the Public Art Committee is unavailable to convene, the Site Plan Committee will perform the needed review.*

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CITY OF BROOKINGS

898 Elk Drive
Brookings, OR 97415
Ph: (541)469-2163 Fax: (541)469-3650

TO:
ATTN: PLAN AMENDMENT SPECIALIST
DLCD
635 CAPITOL ST., SUITE 150
SALEM, OR. 97301-2540