



Oregon

Theodore R. Kubongski, 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

7/9/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Brookings Plan Amendment
DLCD File Number 002-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, July 22, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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 Acknowledgment or 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 above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: LauraLee Gray, City of Brookings
Gloria Gardiner, DLCD Urban Planning Specialist

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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: **CP-01-10**

Date of Adoption: **6/28/2010**

Date Mailed: **7/02/2010**

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

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation

- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Revisions to Goal 7, the addition of policy 4 to address seismic hazards and a change to implementation, 2, deleting the reference to ordinance number and date of adoption to enable minor changes to the flood damage prevention ordinance.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **n/a** to: **n/a**

Zone Map Changed from: **n/a** to: **n/a**

Location: **n/a** Acres Involved: **0**

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

Applicable statewide planning goals:

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

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

none

Local Contact: **LauraLee Gray**

Phone: (541) 469-1131 Extension:

Address: **898 Elk Dr.**

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

City: **Brookings**

Zip: **97415-**

E-mail Address: **lgray@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.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: June 28, 2010

Submitted by: _____

Originating Dept: Building

City Manager: _____

Subject:

Revisions to Goal 7 of the City of Brookings Comprehensive Plan.

Recommended Motion:

Motion to approve the revisions to Goal 7 of the City of Brookings Comprehensive Plan and adopt Ordinance No. 10-O-669 to reflect those revisions.

Financial Impact:

None

Background/Discussion:

1. The City's Natural Hazard Mitigation Plan (NHMP) is scheduled to be updated this summer. One of the action items listed in the plan, adopted in June 2009, was to review the Comprehensive Plan for the need to update it to reflect the latest information on seismic hazards. Goal 7 currently does not have language addressing seismic hazards so, although there has been no significant new information on this topic, Goal 7 should be updated.
2. Also in Goal 7, the section covering "Implementation", item 2, gives the ordinance number and date of adoption of the Flood Damage Prevention Ordinance which necessitates changes to the Comprehensive Plan for even minor changes to the Flood Damage Prevention section of the BMC. Reference should be general and refer to the currently adopted Flood Damage Prevention Ordinance.

Policy Considerations:

None

Attachment(s):

Changes to Goal 7, Comprehensive Plan
Ordinance No. 10-O-669

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 10-O-669**

AN ORDINANCE AMENDING GOAL 7, AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS, OF THE CITY OF BROOKINGS COMPREHENSIVE PLAN BY ADDING SECTION 4 UNDER "POLICIES" AND AMENDING SECTION 2 UNDER "IMPLEMENTATION."

Sections:

- Section 1. Ordinance Identified.
- Section 2. Adds Section 4 under Goal 7, "Policies"
- Section 3. Amends Section 2 under Goal 7, "Implementation."

The City of Brookings ordains as follows:

Section 1. Ordinance Identified: This ordinance amends Goal 7, Areas Subject to Natural Disasters and Hazards, of the City of Brookings Comprehensive Plan, by adding Section 4 under "Policies" and amending Section 2 under "Implementation."

Section 2. Adds Section 4 under Goal 7, "Policies": Section 4 is added under Goal 7, "Policies", as follows:

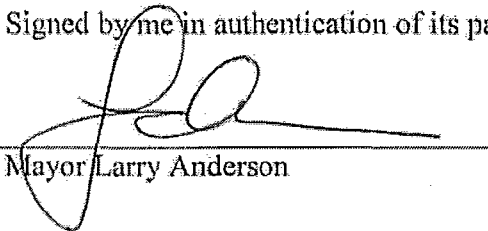
- 4. The City will continue to enforce the provisions of the State of Oregon Building Codes, which require design and construction parameters on the Southern Oregon Coast to meet the highest level of seismic potential in the State of Oregon."

Section 3. Amends Section 2 under Goal 7, "Implementation": Section 2 is added under Goal 7, "Implementation", as follows:

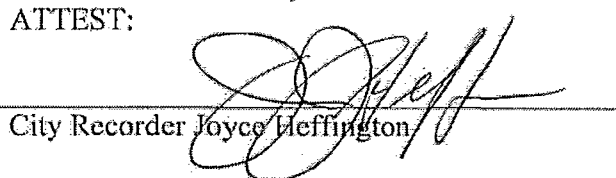
- 2. The City will utilize the Flood Damage Prevention Ordinance currently adopted by the Brookings City Council.

First Reading: June 28, 2010
Second Reading: June 28, 2010
Passage: June 28, 2010
Effective Date: July 28, 2010

Signed by me in authentication of its passage this 29th day of June, 2010



Mayor Larry Anderson

ATTEST:


City Recorder Joyce Heffington

City of Brookings
898 Elk Drive
Brookings, OR 97415



PLAN AMENDMENT SPECIALIST
DLCD
635 CAPITOL STREET NE, STE 150
SALEM, OR 97301-2540