



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

11/10/2010

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 006-10

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: Monday, November 29, 2010

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.

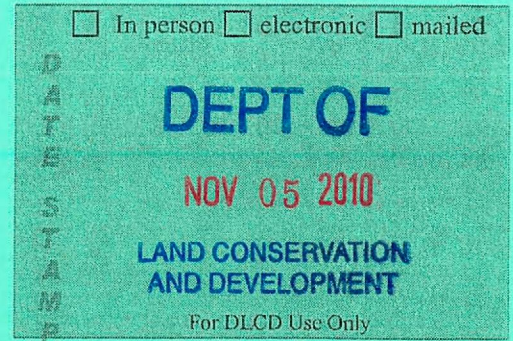
If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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 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: Dianne Morris, City of Brookings
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<paa> N

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-1-10**

Date of Adoption: **5/24/2010**

Date Mailed: **5/27/2010**

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".
 Changes to the language of Section 17.08.160, P Terms, of the Brookings Municipal Code.

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 |
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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

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

n/a

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

ORDINANCE NO. 10-O-666

IN THE MATTER OF ORDINANCE NO. 10-O-666, AN ORDINANCE AMENDING SECTION 17.08.160, TITLE 17, LAND DEVELOPMENT CODE, OF THE BROOKINGS MUNICIPAL CODE.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Section 17.08.160, P TERMS.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Sections 17.08.160, P TERMS, Title 17, Land Development Code, of the Brookings Municipal Code (BMC).

Section 2. Amend Section 17.08.160, P TERMS. Section 17.08.160, P TERMS IS amended to read as follows:

Chapter 17.08, Definitions

17.08.160, P Terms

"Planned Community" – (previously "Planned Unit Development") means a development that receives approval to allow a greater variety in relationships between buildings and open space. The standards for Planned Communities can be found in Chapter 17.116, BMC. The terms "Planned Community" and "Planned Unit Development" are synonymous as used in Title 17, BMC.

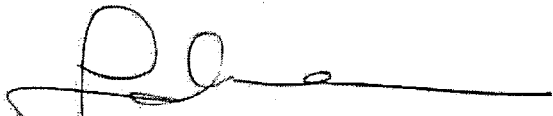
First reading: May 24, 2010

Second reading: May 29, 2010

Passage: May 24, 2010

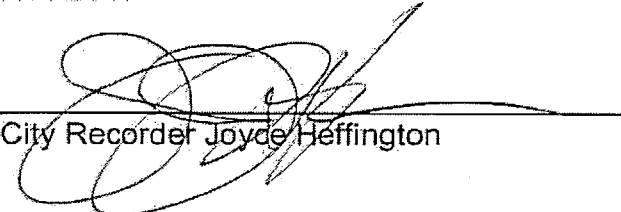
Effective date June 23, 2010

Signed by me in authentication of its passage this 25th day of May, 2010.



Mayor Larry Anderson

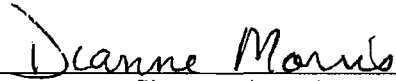
ATTEST:



City Recorder Joyce Heffington

CITY OF BROOKINGS
COUNCIL AGENDA REPORT

Meeting Date: May 10, 2010



Signature (submitted by)

Originating Dept: Planning

City Manager Approval

Subject: A hearing on File LDC-1-10 for consideration of revisions to Section 17.08.160 Definitions, "P" Terms, of the Brookings Municipal Code (BMC) .

Recommended Motion: Motion approving revisions to Section 17.08.160 Definitions, "P" Terms.

Financial Impact: None

Background/Discussion: City Council approved revisions to Chapter 17.116, Planned Community (formerly Planned Unit Development) that became effective on July 22, 2009. This ordinance did not change the term "Planned Unit Development" referenced in other sections of Title 17, Land Development Code, BMC, to "Planned Community". The codifiers of the BMC suggested adding a definition for "Planned Community" to clarify the two terms are interchangeable. This would be the most economical way to avoid any confusion regarding the terms.

The Planning Commission reviewed this Section and recommended approval to the City Council after making several changes.

Policy Considerations: N/A

Attachment(s): Draft version of Sections 17.08.160 "P" Terms, BMC.

Attachment A

Chapter 17.08, Definitions
17.08.160 P terms.

Planning Commission revisions in ***bold and italicized***.

"Planned Community" – ***previously Planned Unit Development***. means a development that receives approval to allow a greater variety in relationships between buildings and open space. The standards for Planned Communities can be found in Chapter 17.116, BMC. The terms "Planned Community" and "Planned Unit Development" are interchangeable ***synonymous*** as used in Title 17, BMC.

CITY OF BROOKINGS PLANNING COMMISSION
STAFF REPORT

SUBJECT: Land Development Code Amendment
FILE NO: LDC-1-10
HEARING DATE: April 6, 2010

REPORT DATE: March 19, 2010
ITEM NO: 7.2

GENERAL INFORMATION

APPLICANT: City Initiated.
REPRESENTATIVE: City Staff.
REQUEST: Revisions to Chapter 17.08.160 Definitions, "P" Terms; Brookings
Municipal Code (BMC).
PUBLIC NOTICE: Published in local newspaper.

BACKGROUND INFORMATION

City Council approved revisions to Chapter 17.116, Planned Community (formerly Planned Unit Development) that became effective on July 22, 2009. This ordinance did not change the Planned Unit Development reference in other sections of Title 17, Land Development Code, BMC to Planned Community. The codifiers of the BMC suggested adding a definition for Planned Community to clarify the two terms are interchangeable. This is the most economical way to avoid any confusion regarding the terms.

Following this report is the draft version of the above stated code section (Attachment A).

RECOMMENDATION

After careful consideration, and any input the public may provide, Staff supports a Planning Commission recommendation of approval of file LDC-1-10, Chapter 17.08.160 Definitions "P" Terms, BMC, to the City Council.

Attachment A

Chapter 17.08, Definitions
17.08.160 P terms.

“Planned Community” means a development that receives approval to allow a greater variety in relationships between buildings and open space. The standards for Planned Communities can be found in Chapter 17.116, BMC. The terms Planned Community and Planned Unit Development are interchangeable as used in Title 17, BMC.

Priority Mail
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UNITED STATES POSTAGE



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CITY OF BROOKINGS

898 Elk Drive

Brookings, OR 97415

Ph: (541) 469-2163 Fax: (541) 469-3650

TO:

Plan Amendment Specialist

DLCD

635 Capitol St. NE, Suite 150

Salem, OR 97301-2540

DEPT OF

NOV 05 2010

LAND CONSERVATION
AND DEVELOPMENT