



# 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](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

June 30, 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 008-08

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: July 15, 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>

FORM 2

# 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

In person  electronic  mailed

DATE  
STAMP

DEPT OF

JUN 26 2008

LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Brookings**

Local file number: **LDC-5-08**

Date of Adoption: **6/23/2008**

Date Mailed: **6/25/2008**

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

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".

Housekeeping revisions to the Chapter 17.24 Two Family Residential (R-2) zone, Brookings Municipal Code (BMC) for clarification and formatting.

Does the Adoption differ from proposal? Please select one

N/A

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

to:

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

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

**1**  **2**  **3**  **4**  **5**  **6**  **7**  **8**  **9**  **10**  **11**  **12**  **13**  **14**  **15**  **16**  **17**  **18**  **19**

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 # 008-08 (NOA)**

**DLCD file No.** \_\_\_\_\_

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 Drive**

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

City: **Brookings, OR**

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            )  
Chapter 17.24, Two Family Residential of        )  
the City of Brookings Municipal Code.            ) Ordinance No. 08-O-613**

- Sections:  
Section 1.     Ordinance Identified.  
Section 2.     Amends Chapter 17.24 in its entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Chapter 17.24, Two Family Residential of Title 17, Land Development Code, of the Brookings Municipal Code (BMC) in its entirety.

Section 2. Amend Chapter 17.24, Two Family Residential, is amended, in its entirety, to read as follows:

**Chapter 17.24  
TWO-FAMILY RESIDENTIAL (R-2) DISTRICT**

- Sections:  
17.24.010 Purpose.  
17.24.020 Permitted uses.  
17.24.030 Accessory uses.  
17.24.040 Conditional uses.  
17.24.050 Minimum lot area and dwelling density.  
17.24.060 Lot width, lot coverage and yard requirements.  
17.24.070 Maximum building height.  
17.24.080 Signs.  
17.24.090 Parking.  
17.24.100 Manufactured housing siting requirements.  
17.24.110 Other required conditions.

**17.24.010 Purpose.**  
Promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of R-2 and other neighborhoods by providing suitable areas for two-family dwellings. [Ord. 89-O-446 § 1.]

**17.24.020 Permitted uses.**

The following uses are permitted:

- A. Single-family dwellings. Dwellings must have a garage or carport constructed of like materials;
- B. Duplex or two-family dwellings. Dwellings must have a garage or carport for each dwelling unit constructed of like materials;
- C. Subject to the requirements of BMC 17.24.100, a manufactured home as defined by ORS 446.003; [Ord. 94-O-446.T § 4; Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 3; Ord. 89-O-446 § 1.]

**17.24.030 Accessory uses.**

The following accessory uses are permitted:

- A. Guest houses containing no kitchen or kitchen facilities and limited to no greater than 500 square feet in size. Guest house may not be rented or otherwise conducted as a business;
- B. Other accessory uses and accessory buildings and structures, such as non-commercial greenhouses, customarily appurtenant to a permitted use;
- C. Home occupations, subject to the provisions of Chapter 17.104 BMC. [Ord. 89-O-446 § 1.]
- D. Boats, trailers, pick-up campers, motor homes and similar equipment may be stored, but not occupied, except as provided for temporary sleeping purposes in 8.15.087, BMC, on a lot in an "R" district; provided that:
  - 1. Parking and storage shall be at least five feet from the front property line and at least three feet from a street and interior side or rear lot line, except however, no storage shall be allowed within 20 feet of the corner along both property lines at a street corner;
  - 2. All areas used for storage of such vehicle/equipment shall be paved or a graveled hard surface.

**17.24.040 Conditional uses.**

The following conditional uses may be permitted subject to a conditional use permit:

- A. Triplexes or three-family dwellings, provided the lot or parcel is a minimum of 7,500 square feet or more and subject to BMC 17.124.210;
- B. Churches, subject to BMC 17.124.100;
- C. Hospitals, rest, nursing and convalescent homes, subject to BMC 17.124.100;
- D. Public, or private schools, but not including a business, dancing, trade, technical or similar school, subject to BMC 17.124.011;
- E. Nursery schools and day care, subject to BMC 17.124.011;
- F. Governmental structures or uses including parks and recreation facilities, fire stations, libraries, museums, but not including storage or repair yards, warehouses or similar uses;
- G. Riding academies and public stables, subject to BMC 17.124.070;
- H. Cemeteries mortuaries, crematories, mausoleums, and columbariums; subject to BMC 17.124.090;
- I. Off-street parking lots when contiguous to a less restrictive zoning district, subject to Chapter 17.92 BMC;
- J. Excavation and removal of sand, gravel, stone, soil or other earth products, subject to BMC 17.124.020 (commercial excavation);
- K. Public and quasi-public halls, lodges and clubs, subject to BMC 17.124.120;
- L. Planned unit developments, including multi-family dwellings, subject to provisions of Chapter 17.116 BMC;
- M. Bed and breakfast facilities, subject to the provisions of BMC 17.124.140;
- N. Utility substations or pumping stations subject to BMC 17.124.030;
- O. Recreation uses and facilities, including country clubs, golf courses, swimming clubs, but not including such intensive commercial recreation uses as a golf driving range, race track or amusement park;

- P. Signs appurtenant to any conditional use and which do not comply with BMC 17.24.080;
- Q. Dwelling groups subject to BMC 17.124.180.
- R. Short-term rentals pursuant to the provisions of BMC 17.124.170. [Ord. 01-O-446.MM; Ord. 95-O-446.Y § 2; Ord. 95-O-446.X § 4; Ord. 93-O-446.L § 3; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]
- S. Poultry farms and eggeries subject to the provisions of BMC 17.124.040.
- T. Temporary living quarters for caretakers subject to the provisions of BMC 17.124.200.

**17.24.050 Minimum lot area and dwelling density.**

The minimum lot area shall be 6,000 square feet. [Ord. 89-O-446 § 1.] One duplex may be sited on each, separate lot or parcel.

**17.24.060 Lot width, lot coverage and yard requirements.**

Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Lot Coverage
60'	20'	5'*	5'*	45%

Provided however, that side yards abutting a street shall be a minimum of 10 feet in width; and \*Provided that the sideyards and rear yards shall be increased by one-half foot for each foot by which the average building height exceeds 15 feet.

Rear Lots (Flag lot), created pursuant to BMC 17.172.061 have setback requirements of 10 feet from all property line. Any irregularly shaped parcel with a minimal street frontage is also subject to the 10 foot setback from all property lines.

**17.24.070 Maximum structure height.**

No structure shall be over 30 feet in height, except as provided in BMC 17.128.030 or BMC 17.124.130. [Ord. 98-O-446.DD § 5; Ord. 89-O-446 § 1.]

**17.24.080 Signs.**

Signs shall be permitted in accordance with Chapter 17.88 BMC. [Ord. 89-O-446 § 1.]

**17.24.090 Parking.**

Off-street parking shall be provided in accordance with Chapter 17.92 BMC. [Ord. 89-O-446 § 1.]

**17.24.100 Manufactured housing siting requirements.**

A. The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.

B. The manufactured home shall be placed on an excavated and backfilled foundation and shall be enclosed at the perimeter such that the manufactured home is located so that no more than 12 inches of the enclosing material is exposed above grade. Where the manufactured home is placed upon a building site having a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12-inch limitation will not apply.

C. The manufactured home shall have a pitched roof, except that no standard shall require a sloped of greater than a nominal three feet in height for each 12 feet in width.

D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential

dwelling within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 445.010.

F. The manufactured home shall have a garage or carport constructed of like materials. [Ord. 91-O-446.E § 1; Ord. 89-O-446 § 1.]

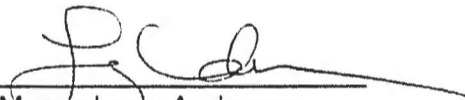
**17.24.110 Other required conditions.**


A. Site plan approval required as provided in Chapter 17.80 BMC.

B. No residential structure shall be located within the ocean coastal shorelands boundary nor the Chetco Estuary shorelands boundary as defined in the comprehensive plan. [Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

C. Prior to any development activity on the property, the applicant must comply with 17.100.030, General Mitigation, BMC.

First reading: June 23, 2008  
Second reading: June 23, 2008  
Passage: June 23, 2008  
Effective date: July 23, 2008  
Signed by me in authentication of its passage this 24<sup>th</sup> day of June, 2008.

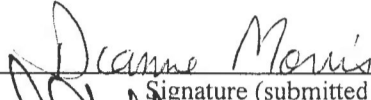
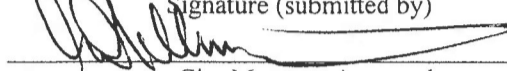
  
Mayor Larry Anderson

ATTEST:  
  
City Recorder, Joyce Heffington

**CITY OF BROOKINGS**  
**COUNCIL AGENDA REPORT**

Meeting Date: June 9, 2008

Originating Dept: Planning

  
\_\_\_\_\_  
Signature (submitted by)  
  
\_\_\_\_\_  
City Manager Approval

---

Subject: A hearing on Files LDC -3,4,5,6,7-08 to consider revisions to:  
Chapter 17.16, Suburban Residential (SR);  
Chapter 17.20, Single Family Residential (R-1);  
Chapter 17.24, Two-Family Residential (R-2);  
Chapter 17.28, Multi-Family Residential (R-3);  
Chapter 17.32, Manufactured Home Residential (R-MH);  
of the Brookings Municipal Code (BMC).

Recommended Motion: Motion to approve Files LDC-4/5/6/7-08 making revisions to the above Chapters.

Financial Impact: None.

Background/Discussion: The City's Land Development Code (LDC) Committee reviewed and made revisions to all the Residential Chapters in the BMC. The revisions to all 5 Chapters are virtually the same. Most of the revisions were to correct redundancies, put items in more appropriate Sections, and clarify language. Following are some of the more important changes:

- Under 17.16.020, Permitted Uses. The requirement to have a garage or carport when siting a dwelling was added. This was added for consistency as the Code currently requires a garage or carport when siting a manufactured dwelling.
- In 17.16.030, Accessory Uses, (C) and (D) were added.
- 17.16.040, Conditional Uses. Several uses listed needed specific Conditional Use Standards and a reference to where those are found.
- 17.16.040 (R), Short Term Rentals. This was added to the SR zone as it's allowed in all other Residential zones.
- 17.16.040 (T), Temporary Living Quarters for Caretakers. This was added in response to numerous requests for this use in the past.
- 17.16.120, Dwelling Groups was moved to 17.124.180, Specific Standards Applying to Conditional Uses. Dwelling groups are a type of Conditional Use and the standards for approval need to be in the Chapter dealing with that.

Policy Considerations: N/A

Attachment(s): **Attachment A** – Draft versions of the “R” zones.

**APPROVED BY CITY COUNCIL ON**

6-9-08

---



**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF REPORT**

SUBJECT: Land Development Code Amendment  
FILE NO: LDC-4/5/6/7-08  
HEARING DATE: May 20, 2008

REPORT DATE: May 7, 2008  
ITEM NO: 7.2 through 7.5

**GENERAL INFORMATION**

APPLICANT: City Initiated.  
REPRESENTATIVE: City Staff.  
REQUEST: Revisions to Chapter 17.20, Single Family Residential (R-1);  
Revisions to Chapter 17.24, Two-Family Residential (R-2);  
Revisions to Chapter 17.28, Multi-Family Residential (R-3);  
Revisions to Chapter 17.32, Manufactured Home Residential (R-MH),  
Brookings Municipal Code (BMC).  
PUBLIC NOTICE: Published in local newspaper.

**BACKGROUND INFORMATION**

The City's Land Development Code (LDC) Committee reviewed and made revisions to the Residential Chapter listed above. These revisions are identical to the changes made to Chapter 17.16, Suburban Residential (SR) that you reviewed at your last meeting with the exception of the following:

- The title of Chapter 17.32 is being changed from "Mobile Home Residential" to "Manufactured Home Residential".

At your May 6<sup>th</sup> meeting staff mentioned the possible inclusion of additional commercial uses in the conditional use section of these zones. After considerable discussion with the LDC Committee, it was decided to postpone the consideration of those revisions for the present time. At a future date a workshop will be scheduled to discuss this further.

Following this report is the draft version of Chapters 17.20, 17.24, 17.28, 17.32, BMC (Attachment A).

**RECOMMENDATION**

After careful consideration, and any input the public may provide, Staff supports a Planning Commission recommendation of approval of file LDC-4,5,6,7-08, R-1, R-2, R-3, R-MH, BMC, to the City Council.

---

Chapter 17.24

TWO-FAMILY RESIDENTIAL (R-2) DISTRICT

DRAFT April 28, 2008

*Text to be added bold and italicized.*

~~Text to be omitted has strikethrough.~~

Sections:

- 17.24.010 Purpose.
- 17.24.020 Permitted uses.
- 17.24.030 Accessory uses.
- 17.24.040 Conditional uses.
- 17.24.050 Minimum lot area *and dwelling density*.
- 17.24.060 Lot width, lot coverage and yard requirements.
- 17.24.070 Maximum building height.
- 17.24.080 Signs.
- 17.24.090 Parking.
- 17.24.100 Manufactured housing *siting* requirements.
- ~~17.24.110 Dwelling groups.~~
- 17.24.120 Other required conditions.

**17.24.010 Purpose.**

Promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of R-2 and other neighborhoods by providing suitable areas for two-family dwellings. [Ord. 89-O-446 § 1.]

**17.24.020 Permitted uses.**

The following uses are permitted:

- A. Single-family dwellings. *Dwellings must have a garage or carport constructed of like materials;*
- B. Duplex or two-family dwellings. *Dwellings must have a garage or carport for each dwelling unit constructed of like materials;*
- ~~C. Rear lot development in accordance with Chapter 17.112-BMC;~~
- ~~DC. Subject to the requirements of BMC 17.24.100, a manufactured home as defined by ORS 446.003; provided, however, nothing in this subsection abrogates a recorded restrictive covenant which may prohibit the placement of a manufactured home on a given lot. The city has no obligation to identify, investigate or enforce any such restrictive covenant. [Ord. 94-O-446.T § 4; Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 3; Ord. 89-O-446 § 1.]~~

**17.24.030 Accessory uses.**

The following accessory uses are permitted:

- ~~A. Rooming and boarding of not more than two persons;~~
- ~~B.A Guest houses *containing no kitchen or kitchen facilities and limited to no greater than 500 square feet in size. Guest house may not be rented or otherwise conducted as a business;*~~
- ~~C.B Other accessory uses and accessory buildings and structures, *such as non-commercial greenhouses*, customarily appurtenant to a permitted use;~~

D.C Home occupations, subject to the provisions of Chapter 17.104 BMC. [Ord. 89-O-446 § 1.]

*E.D Boats, trailers, pick-up campers, motor homes and similar equipment may be stored, but not occupied, except as provided for temporary sleeping purposes in 8.15.087, BMC, on a lot in an "R" district; provided that:*

*1. Parking and storage shall be at least five feet from the front property line and at least three feet from a street and interior side or rear lot line, except however, no storage shall be allowed within 20 feet of the corner along both property lines at a street corner;*

*2. All areas used for storage of such vehicle/equipment shall be paved or a graveled hard surface.*

#### **17.24.040 Conditional uses.**

The following conditional uses may be permitted subject to a conditional use permit:

A. Triplexes or three-family dwellings, provided the lot *or parcel area* is a minimum of 7,500 square feet or more;

B. Churches, subject to BMC 17.124.100;

C. Hospitals, rest, nursing and convalescent homes, subject to BMC 17.124.100;

D. Public, *or private and parochial schools, including nursery schools, kindergartens and day nurseries*, but not including a business, dancing, trade, technical or similar school, subject to BMC 17.124.0101;

*E. Nursery schools and day care, subject to BMC 17.124.010;*

~~E.F.~~ Governmental structures or uses including parks and recreation facilities, fire stations, libraries, museums, but not including storage or repair yards, warehouses or similar uses;

~~F.G.~~ Riding ~~instructors and academies~~ *and public stables*, subject to BMC 17.124.070;

~~G.~~ Mortuaries and crematories in conjunction with a mortuary subject to BMC 17.124.090;

H. Cemeteries, ~~and such used within cemeteries as~~ mortuaries, crematories, mausoleums, and columbariums; provided, that no mortuary or crematorium is within 100 feet of a boundary street, or where no street borders the cemetery, within 200 feet of a lot in a residential district. All of these uses are subject to BMC 17.124.090;

I. Off-street parking lots when contiguous to a less restrictive zoning district, *subject to* ~~For development standards see~~ Chapter 17.92 BMC;

J. Excavation and removal of sand, gravel, stone, soil or other earth products, subject to BMC 17.124.020 (commercial excavation);

K. Public and quasi-public halls, lodges and clubs, subject to BMC 17.124.120;

L. Planned unit developments, *including multi-family dwellings*, subject to provisions of Chapter 17.116 BMC;

M. Bed and breakfast facilities, subject to the provisions of BMC 17.124.140;

N. Utility substations or pumping stations with no ~~outside equipment storage~~ *subject to BMC 17.124.030;*

O. Recreation uses and facilities, including country clubs, golf courses, swimming clubs, but not including such intensive commercial recreation uses as a golf driving range, race track or amusement park;

P. Signs appurtenant to any conditional use and which do not comply with BMC 17.24.080;

Q. Dwelling groups in accordance with BMC 17.24.110 *subject to BMC 17.124.180.*

R. Short-term rentals pursuant to the provisions of BMC 17.124.170. [Ord. 01-O-446.MM; Ord. 95-O-446.Y § 2; Ord. 95-O-446.X § 4; Ord. 93-O-446.L § 3; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

*S. Poultry farms and eggeries subject to the provisions of BMC 17.124.040.*

*T. Temporary living quarters for caretakers subject to the provisions of BMC 17.124.200.*

**17.24.050 Minimum lot area and dwelling density.**

The minimum lot area shall be 6,000 square feet. [Ord. 89-O-446 § 1.] *One duplex may be sited on each, separate lot or parcel.*

**17.24.060 Lot width, lot coverage and yard requirements.**

- A. ~~The minimum lot width shall be at least 60 feet.~~
- B. ~~The minimum front yard shall be 20 feet.~~
- C. ~~The minimum side yard shall be at least five feet, except that the street side yard shall be a minimum of 10 feet. The nonstreet side yard shall be increased by one-half foot for each foot by which the average building height exceeds 15 feet.~~
- D. ~~The minimum rear yard shall be five feet. The rear yard shall be increased by one-half foot for each foot by which the building height exceeds 15 feet.~~
- E. ~~The maximum lot coverage by buildings and structures shall not exceed 45 percent of the total lot area. [Ord. 03-O-446.SS; Ord. 89-O-446 § 1.]~~

Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Lot Coverage
60'	20'	5'*	5'*	45%

*Provided however, that side yards abutting a street shall be a minimum of 10 feet in width, and*

*\*Provided that the sideyards and rear yards shall be increased by one-half foot for each foot by which the average building height exceeds 15 feet.*

*Rear Lots (Flag lot), created pursuant to BMC 17.172.061 have setback requirements of 10 feet from all property line. Any irregularly shaped parcel with a minimal street frontage is also subject to the 10 foot setback from all property lines.*

**17.24.070 Maximum building structure height.**

No structure shall be over 30 feet in height, except as provided in BMC 17.128.030 or BMC 17.124.130. [Ord. 98-O-446.DD § 5; Ord. 89-O-446 § 1.]

**17.24.080 Signs.**

Signs shall be permitted in accordance with Chapter 17.88 BMC. [Ord. 89-O-446 § 1.]

**17.24.090 Parking.**

Off-street parking shall be provided in accordance with Chapter 17.92 BMC. [Ord. 89-O-446 § 1.]

**17.24.100 Manufactured housing siting requirements.**

A. The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.

B. The manufactured home shall be placed on an excavated and backfilled foundation and shall be enclosed at the perimeter such that the manufactured home is located so that no more than 12 inches of the enclosing material is exposed above grade. Where the manufactured home is placed upon a building site having a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12-inch limitation will not apply.

C. The manufactured home shall have a pitched roof, except that no standard shall require a sloped of greater than a nominal three feet in height for each 12 feet in width.

D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 445.010.

F. The manufactured home shall have a garage or carport constructed of like materials. [Ord. 91-O-446.E § 1; Ord. 89-O-446 § 1.]

**17.24.110 Dwelling groups.**

~~Dwelling groups shall be allowed on lots that can not be divided further and are less than four acres in size, subject to the following standards.~~

~~A. Density. One dwelling unit shall be allowed for each 3,000 square feet of lot area.~~

~~1. All residential units shall be either be in single family or duplex units.~~

~~2. Buildings may be clustered on the lot.~~

~~B. Setbacks. The distance between any principal buildings and the property line shall be not less than established in BMC 17.24.060. The minimum distance between residential buildings shall be twice the minimum side yard setback that would be required for the tallest building on the lot; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space. An inner court providing access to double row dwelling groups shall be a minimum of 20 feet in width.~~

~~C. Access. Every building containing a dwelling in the group shall be within 60 feet of an access roadway having a curb to curb section of at least 20 feet in width providing vehicular access from a public street.~~

~~D. Neighborhood Character. The development of dwelling groups shall respect the character of both the neighborhood in which it is located and the properties adjacent to said dwelling group. Emphasis shall be placed on retention of neighborhood character and privacy of adjacent properties when reviewing dwelling groups.~~

~~E. All dwelling groups shall be subject to the review and approval of the site plan committee, as provided in Chapter 17.80 BMC. [Ord. 95 O 446.X § 4; Ord. 91 O 446.E § 1; Ord. 91 O 446.D § 2; Ord. 89 O 446 § 1.]~~

**17.24.120 Other required conditions.**

A. Site plan approval required as provided in Chapter 17.80 BMC.

B. No residential structure shall be located within the ocean coastal shorelands boundary nor the Chetco Estuary shorelands boundary as defined in the comprehensive plan. [Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

*C. Prior to any development activity on the property, the applicant must comply with 17.100.030, General Mitigation, BMC.*



**CITY OF BROOKINGS**

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

**TO:**

Att: Plan Amendment Spec.  
DLCD  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540