

**IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON**

**ORDINANCE 10-O-661**

**ORDINANCE 10-O-661, AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE SECTIONS 17.04.050, 17.04.060, AND 17.04.070, OF CHAPTER 17.04, DEVELOPMENT PERMIT PROCEDURES, TITLE 17, LAND DEVELOPMENT CODE.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Sections 17.04.050, 17.04.060, and 17.04.070.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Brookings Municipal Code Sections 17.04.050, 17.04.060, and 17.04.070, of Chapter 17.04, Development Permit Procedures, Title 17, Land Development Code.

Section 2. Amends Sections 17.04.050, 17.04.060, AND 17.04.070. Sections 17.04.050, 17.04.060 and 17.04.070, are amended as follows:

**CHAPTER 17.04**

**DEVELOPMENT PERMIT PROCEDURES**

**17.04.050 Permit issuance, appeals of a City decision, and effective date of approval.**

Development permits shall be issued by the City Manager or their designee according to the provisions of this Code. Neither the City Building Official nor any other state or local official shall issue a permit for use, development or occupation of a structure which has not been approved according to this Code.

An appeal of an administrative decision or a Planning Commission decision may be filed with the Planning Department no later than 15 days following the date of mailing (postmark date) of the notice of the final order, or 15 days following notification of the administrative decision..

The effective date of approval in any land use decision under this code is the date upon which the decision is no longer appealable. [Ord. 10-O-654 § 2; Ord. 09-O-632 § 2; Ord. 08-O-600 § 2. Formerly 17.04.030.]

**17.04.060 Lands in violation.**

The City Manager or their designee shall not issue a development permit for the partitioning, subdivision, development, or use of land that has been previously divided in violation of state or local codes then in effect, or divided in violation of this code subsequent to its adoption, or otherwise developed or used in violation of this Code, regardless of whether the permit applicant created the violation, unless the violation can be rectified as part of the proposed development in a manner provided by this code. [Ord. 10-O-654 § 2; Ord. 09-O-632 § 2; Ord. 08-O-600 § 2. Formerly 17.04.040.]

17.04.070 Exemptions from requirement to do improvements to public infrastructure.

The developments and activities listed below are exempt from the requirements to do improvements to public infrastructure, but are nevertheless subject to the provisions of this code:

A. Remodel, addition, alteration, repair, or replacement of an existing residence for residential use, or siting of an accessory structure;


B. Remodel, alteration or repair to a commercial structure resulting in no greater impacts or intensity of use;

[Ord. 10-O-654 § 2; Ord. 09-O-632 § 2; Ord. 08-O-600 § 2. Formerly 17.04.050]

First Reading: September 13, 2010  
Second Reading: September 13, 2010  
Passage: September 13, 2010  
Effective Date: October 13, 2010

Signed by me in authentication of its passage this 14<sup>th</sup> day of September, 2010

  
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Mayor Larry Anderson

ATTEST:  
  
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City Recorder Joyce Heffington