

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

ORDINANCE 09-O-646

IN THE MATTER OF ORDINANCE 09-O-646, AN ORDINANCE AMENDING CHAPTER 17.156, APPEAL TO PLANNING COMMISSION, TITLE 17, LAND DEVELOPMENT CODE, OF THE BROOKINGS MUNICIPAL CODE, IN IT'S ENTIRETY.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Chapter 17.156, in it's entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Chapter 17.156 Appeal to Planning Commission, Title 17, Land Development Code, of the Brookings Municipal Code (BMC).

Section 2. Amend Chapter 17.156. Chapter 17.156, Appeal to Planning Commission is amended to read as follows:

**Chapter 17.156
Appeal to Planning Commission**

Sections:

- [17.156.010](#) Generally.
- [17.156.020](#) Appeal procedure.
- [17.156.030](#) Public hearing.

17.156.010 Generally.

In the event of an ambiguity in Title 17, Land Development Code, Brookings Municipal Code, affecting enforcement, the Planning Commission shall have the power to hear and decide appeals from administrative interpretations and to declare the meaning and intent, and interpret the provisions of this Code. In thus resolving ambiguities, being considered in this appeal, the Planning Commission shall so interpret this Code as to carry out BMC [17.01.020](#) and the expressed purpose of the zoning district involved. [Ord. 89-O-446 § 1.]

17.156.020 Appeal procedure.

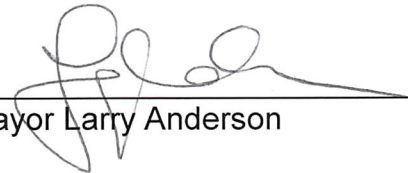
Any interested person may, within 15 days from the postmark date on the mailing of the decision of the Site Plan Committee or administrative staff, file an appeal with the Planning Department on forms provided by that Department (available at office or on City webpage) together with the appropriate fee. The written request appealing the decision shall state specific reasons for the appeal based upon pertinent, applicable sections of this Code. Staff shall prepare the required legal notice and Staff Report for the next available Planning Commission meeting. [Ord. 89-O-446 § 1.]

17.156.030 Public hearing.

The Planning Commission shall, at the time of the public hearing, hear the Appellant or their representative, City Staff, any agency representative, and the public. The decision of the Planning Commission shall be documented in a written final order. Any participant in the hearing may, within 15 days after the postmark date on the mailing of the final order, appeal the decision to the City Council as set forth in Chapter 17.152, BMC.

First reading: September 28, 2009
Second reading: September 28, 2009
Passage: September 28, 2009
Effective date October 28, 2009

Signed by me in authentication of its passage this 29th day of September, 2009.



Mayor Larry Anderson

ATTEST:



City Recorder Joyce Heffington