

ORDINANCE NO. 99-O-446.FF

AN ORDINANCE AMENDING SECTION 100, HAZARDOUS BUILDING SITE PROTECTION/HILLSIDE DEVELOPMENT STANDARDS, AND SECTION 176, LAND DIVISION, OF ORDINANCE 89-O-446, AN ORDINANCE CREATING THE LAND DEVELOPMENT CODE.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amendment to Section 100
- Section 3. Amendment to Section 176

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Ordinance No. 89-O-446, enacted April 10, 1989 entitled, the Land Development Code.

Section 2. Amendment to Section 100. Section 100 of Ordinance No. 89-O-446 is hereby amended to read:

Sections

100.030 Change to read:

100.030 Partitions and Subdivisions

Section 100.010 Purpose

100.010.A Change the first sentence to read:

A. The purpose of this section is to reduce building site risks and threats to life and property created by...

A.3 Delete.

A.4 Renumber to A.3.

Section 100.020 Review by City Manager or Planning Commission.

100.020.C Change the first sentence to read

C. The City Manager or qualified designee may refer matters to the Planning Commission which require the use of standards.

Section 100.030 Slope Density Standards

100.030 Change entire section to read:

100.030 Partitions and Subdivisions. When dividing land within the SR-20 and SR-40 zones or when dividing other land with slopes of greater than 15%, a geological report prepared by a certified engineering geologist or a civil engineer registered in the State of Oregon consulting with a certified engineering geologist, shall be required.

A. The geological report shall contain the following information:

- 1. The stability of the slopes and their suitability for the proposed type of construction in relation to the size of lot proposed, including all existing and proposed new streets.**
- 2. The need for engineered foundations or for site specific studies to determine if engineered foundations are necessary.**
- 3. Any other information pertaining to the suitability of the site in relation to the proposed use.**

B. On land that contain slopes of greater than 15%, all lots will be of the minimum lot size allowed by the underlying zone, except larger lots may be required if the geological survey of the property requires a larger lot to avoid hazardous areas or other condition.

Section 100.040 Site Study Authorization.

100.040.A Change the first sentence to read:

- A. The City Manager or a qualified designee may require a site study by a certified engineering geologist, civil engineer registered in the State of Oregon and/or other qualified person prior to issuance of a building, or grading permit or the approval of a partition plat, subdivision plat, or conditional use permit, in areas containing or adjacent to a fault zone, sinkhole, unstable soils, steep slopes, high water table, or other geologic hazard.**

Section 3. Amendment to Section 176. Section 176 of Ordinance No. 89-O-446 is hereby amended to read:

Section 176.040 Lot Line Adjustments.

176.040.B.3 Amend to read:

- 3. The adjusted lot configuration does not result in a substandard condition relative to Section 100 and other applicable site development standards of this code.**

Section 176.050 Minor Partitions

176.050.A.9 Amend to read:

9. Slope: Contour map with contour intervals of five (5) feet or less and indicating average slope to determine compliance with the provisions of Section 100, Hazardous Building Site Protection/Hillside Development Standards, of the Land Development Code.

176.050.A.10 Amend to read:

10. Drainage: show direction of drainage.

Section 176.060 Major Partitions and Subdivisions.

176.060.B.9 Delete entirely and replace with.

9. Topographic contour lines having minimum intervals of 5 feet or less and indicating average slope.

176.060.B.10 Add new provision:

10. On parent parcels with containing slopes of 15% or greater, a geological report prepared by a certified engineering geologist or a civil engineer registered in Oregon working with a geologist licenced in Oregon. The report shall be prepared pursuant to the provisions of Section 100.030 of this code.

176.060.B.10 through B.30 Renumber to read:

11. B.11 through B.31.

First Reading: May 10th, '99
Second Reading: May 10th, '99
Passage: May 10th, '99
Effective Date: June 7th, '99

Signed by me in authentication of its passage this 10th day of May, 1999.

Bob Hagbom
Bob Hagbom, Mayor

ATTEST:

Gail L. Hedding
Gail L. Hedding,
Finance Director/Recorder