

*For: Monday, **June 24, 2013**, City Council Meeting*

Advance Packet Information

Dated: June 14, 2013

Included in this packet is documentation to support the following Agenda items:

PUBLIC HEARINGS/FINAL ORDERS/ORDINANCES

1. Public Hearing and Final Order in the matter of File ANX-1-13, request to annex approximately 155 acres comprised of six tax lots, into the City of Brookings. This will be a quasi-judicial hearing and the City Council will make a decision on this matter. [Planning, pg. 2]
 - a. Planning Commission Staff report [pg. 4]
 - b. Exhibit B – Email from Curry County [pg. 76]
 - c. Final Order [pg. 78]
2. Ordinance amending the City limits and zoning map of the City of Brookings by annexing approximately 155 acres and applying zoning changes. Planning, pg. 80]
 - a. Ordinance 13-O-712 [pg. 81]

*Obtain Public Comment Forms and view the agenda and packet information on-line at www.brookings.or.us, or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: June 24, 2013

Originating Dept: PWDS -Planning

Donna Colby-Hanks
Signature (submitted by)
4 [Signature]
City Manager Approval

Subject: Request to annex approximately 155 acres of land into the City of Brookings; Assessor's Map 40-13-31, tax lots 200 & 500; Map 40-13-32C, tax lot 206; Map 40-13-31D, tax lots 103, 122, & 124; located between the northern terminus of Parkview Drive southeasterly to the northern terminus of Fifth Street including the Brookings Airport. The subject properties are owned by Curry County, the City of Brookings, the State of Oregon, Fallert, and Bonney. The current Curry County zoning includes residential, commercial, and public facilities. The proposed City of Brookings zoning will include residential, commercial, light industrial, and public open space.

Recommended Motion: Staff recommends approval of the File ANX-1-13 to annex six tax lots comprising of approximately 155 acres of land into the City of Brookings as well as approval of the Final Order.

Financial Impact: Approximately \$8,950 in additional taxes received and a minimal decrease in water fees collected.

Background/Discussion: The City of Brookings' Water Master Plan identified the airport area as the location of a water reservoir needed to serve existing and future development in this area. To facilitate the project, the City has secured \$1.7 million in funding from the U.S. Economic Development Administration, and is contributing an estimated \$1.0 million in water and sewer utility funds, to extend water and sewer improvements to the airport area.

The Airport Infrastructure project has numerous long term benefits to the City's water distribution system. The new tank height will allow for the abandonment of four pump stations; Seacrest, Dodge 1, Dodge 2 and Vista Ridge pump stations because the new tank height will sustain enough pressure to these areas without the need for pumps. Water quality will improve with additional circulation provided by pumping water from the Seacrest reservoir which doesn't experience a lot of demand.

The project will enhance the west side of town's base level storage volume. The additional storage will provide needed reserves in case of a water main break or additional fire flow is needed due to increased development.

Curry County currently owns the Airport and approximately 25 vacant acres immediately adjacent and north of the Brookings Airport. This vacant property is considered to have good development potential but can only be developed to its full potential by having city sewer and

water. The City currently owns 7.34 acres immediately adjacent and south of the airport. Development of the City parcel is limited by terrain.

Brookings Municipal Code (BMC) Chapter 13.10.270 states that sewer service may only be provided to properties within the corporate limits of the City. Property owners that request sewer service, but legally cannot annex to the City, must record a Deferred Improvement Agreement to annex at such future time as all legal requirements have been met. Usually these properties are not adjacent to the city boundary.

The Planning Commission was provided Exhibit B, an email from Commissioner Itzen, regarding the Industrial Park zone proposed for a portion of the airport parcel. Itzen states that this zoning designation was not requested contrary to that indication in the Staff Report. Numerous meetings were conducted between the Board of Commissioners, City Council, and County and City Staff during this annexation process. These discussions involved a detailed comparison of uses in the existing County commercial zone and the City Industrial Park zone. At the time parcels are annexed into the City, they must have a city zone placed on them, although not formally requested, the Industrial Park zone was the only city zone discussed.

After reviewing the attached Staff Report, reviewing Exhibit B, and considering oral testimony at their June 4, 2013 hearing, the Planning Commission recommended approval of the above requested annexation.

Attached is the Staff Report describing this application and a draft Final Order for your review.

Policy Considerations: None.

Attachment(s): A. Planning Commission Staff Report
 B. Exhibit B - email from Curry County
 C. Final Order

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Annexation

REPORT DATE: May 24, 2013

FILE NO: ANX-1-13

ITEM NO.: 5.1

HEARING DATE: June 4, 2013

GENERAL INFORMATION

APPLICANT: City of Brookings.

REPRESENTATIVE: City Staff.

REQUEST: Annexation of six tax lots including the Brookings Airport into the City of Brookings.

TOTAL LAND AREA: 155± acres total.

LOCATION: Between the northern terminus of Parkview Drive southeasterly to the northern terminus of Fifth Street.

ASSESSOR'S NUMBER: Map 40-13-31, Tax Lots 200 & 500; Map 40-13-32C, Tax Lot 206; Map 40-13-31D, Tax Lots 103, 122 & 124.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: T/L 124 and portions of T/L 200, 206 & 122--County C-1 (Light Commercial); Portion of T/L 200 --County PF (Public Facilities); T/L 103, 206, 500 & a portions of T/L 206 & 122--County R-2 (Residential Two). Shown on map as **Attachment A**.

PROPOSED: T/L 124 and a portion of T/L 200--City P/OS (Public Open Space); a portion of T/L 200--City I-P (Industrial Park); T/L 500, 103 and a portion of 122--City R-2 (Residential Two); Portion of T/L 122--City C-3 (General Commercial), T/L 206 -- City R-1 (Single Family Residential). Shown on map as **Attachment B**.

SURROUNDING: Shown on map as **Attachment A**.

COMP. PLAN: County Public Facilities, Commercial, and Residential

PROPOSED: City Public/Open Space, Commercial, Light Industrial, and Residential.

LAND USE INFORMATION

EXISTING:	Described in findings for criteria 17.144.020(J)(1) below (Chart 3).
PROPOSED:	Described in findings for criteria 17.144.020(I) below (Chart 2).
SURROUNDING:	Shown on map as Attachment C .
PUBLIC NOTICE:	Mailed to all property owners within 250 feet of subject parcels and published in local newspaper.

APPLICABLE CRITERIA

Land Development Code - Ordinance No. 06-O-572

Brookings Municipal Code (BMC), Chapter 17.144 Annexations

BACKGROUND INFORMATION

The City of Brookings' Water MasterPlan identified the airport area as the location of a water reservoir needed to serve existing and future development in this area. To facilitate the project, the City has secured \$1.7 million in funding from the U.S. Economic Development Administration, and is contributing an estimated \$1.0 million in water and sewer utility funds, to extend water and sewer improvements to the airport area.

Curry County currently owns the Airport and approximately 25 vacant acres immediately adjacent and north of the Airport. This vacant property is considered to have good development potential but can only be developed to its full potential by having city sewer and water. The City currently owns 7.34 acres immediately adjacent and south of the airport. Development of the City parcel is limited by terrain.

Brookings Municipal Code (BMC) Chapter 13.10.270 states that sewer and water service may only be provided to properties within the corporate limits of the City. Property owners that request water and sewer service, but legally cannot annex to the City, must record a Deferred Improvement Agreement to annex at such future time as all legal requirements have been met. Usually these properties are not adjacent to the city boundary.

The subject properties are adjacent to the City limits and are requesting annexation to be served by City sewer, water and other services.

PROPOSED ANNEXATION

The six tax lots listed above are proposed for annexation into the City of Brookings. The property owners of each of these tax lots have signed a Consent to Annex form. The proposed area to be annexed does not include any street or road right-of-way. The southern boundary of the subject parcels is contiguous to the City boundary at the terminus of Fifth Street and also to the east with properties adjacent to Old County Road, which annexed in 2006.

Chapter 17.144 Annexations
17.144.020 Applicant procedures

A. Vicinity Map

A vicinity map showing the proposed area of annexation and the existing City limits is included as **Attachment D**.

B. Assessor's maps

Assessor's maps of the proposed area of annexation showing the subject parcels to be annexed are included as **Attachment E**.

C. Consent forms

Consent to annex forms have been completed and signed by all property owners within the territory proposed to be annexed. These are included as **Attachment F**.

D. Legal metes and bounds

The legal metes and bounds description has been prepared by Roberts & Associates Land Surveying and is included as **Attachment G**.

E. Specific information for each parcel

Assessed Valuation	Acreage	Map & tax lot	Owners
No assessed value (exempt)	7.34	40-13-31; 500	City of Brookings
(County owned land & improvements exempt) \$1,224,940 (privately owned improvements)	95.88	40-13-31; 200	Curry County
No assessed value (exempt)	1.43	40-13-31D; 124	State of Oregon (ODOT)
\$721,600	4.32	40-13-31D; 103	Lawrence & Michelle Fallert
\$14,330	43.26	40-13-31D; 122	Lawrence Fallert
\$308,110	3.83	40-13-32C; 206	Sandra Bonney

Chart 1

F. Addresses of business and dwellings

The Airport property owned by Curry County is developed with 5 T-hangers and a terminal/administration building with the address of 17330 Parkview Drive.

The 4.43 acre parcel owned by Fallert is developed with a single family dwelling with the address of 16906 Fifth Street. The Curry County Elections Division advises there are two voters registered at this address.

The 3.83 acre parcel owned by Bonney is developed with a single family dwelling and a manufactured home. These two homes share the address of 16900 Old County Road. The Curry County Elections Division advises there is one voter registered at this address.

All other parcels are vacant and have no assigned addresses.

G. Significant natural features

The area proposed for annexation consists of several creeks that provide drainage ways surrounded by steep slopes, ridges and flatter areas. Except for the area surrounding the three dwellings and the area developed with the airport, the remainder is vegetated with conifer trees. The area is typical of undeveloped property in the Brookings area.

H. Adjoining land uses

The adjoining uses are shown in **Attachment C**.

I. Proposed land uses

No conceptual plans have been developed for projects in the proposed annexation area. The proposed City zoning designations are listed in **Chart 2** below. These designations will determine the land use and density at the time of development. The current Curry County zoning designations are shown in **Chart 4** below.

Proposed Zoning Designation	Address	Map & tax lot	Owners
Residential Two (R-2)	None assigned	40-13-31; 500	City of Brookings
Public Open Space (P O/S)/northeast 25 acres Industrial Park (IP)	17330 Parkview Drive	40-13-31; 200	Curry County
Residential Two (R-2)	16906 Fifth Street	40-13-31D; 103	Lawrence & Michelle Fallert
Residential Two (R-2)/ General Commercial(C-3)	None assigned	40-13-31D; 122	Lawrence Fallert
Public Open Space (P O/S)	None assigned	40-13-31D; 124	State of Oregon (ODOT)
Residential One (R-1)	16900 Old County Road	40-13-32C; 206	Sandra Bonney

Chart 2

J. Written Findings

1. Existing land uses

Existing land use	Address	Map & tax lot	Owners
vacant	None assigned	40-13-31; 500	City of Brookings
airport/northeast 25 acres vacant	17330 Parkview Drive	40-13-31; 200	Curry County
residential	16900 Old County Road	40-13-32C; 206	Sandra Bonney
residential	16906 Fifth Street	40-13-31D; 103	Lawrence & Michelle Fallert
vacant	None assigned	40-13-31D; 122	Lawrence Fallert
vacant	None assigned	40-13-31D; 124	State of Oregon (ODOT)

Chart 3

2. Existing zoning and comprehensive plan designation

The existing zoning is depicted on a map included as **Attachment A**.

Zoning	Comprehensive Plan	Address	Owners
Residential-Two (R-2)	residential	None assigned	City of Brookings
Public Facilities (PF) /Light Commercial (C-1)	public facilities / commercial	17330 Parkview Drive	Curry County
Residential -Two (R-2)/Light Commercial (C-1)	residential	16900 Old County Road	Sandra Bonney
Residential-Two (R-2)	residential	16906 Fifth Street	Lawrence & Michelle Fallert
Residential-Two (R-2)/Light Commercial (C-1)	residential / commercial	None assigned	Lawrence Fallert
Light Commercial (C-1)	commercial	None assigned	State of Oregon (ODOT)

Chart 4

3. Existing infrastructure

a. Water system

The Curry County Airport parcel is provided with City water through a one-inch connection at the end of a four-inch main. This connection serves one building and a few hangers. According to the records for well log permit number CURR 435, provided by Oregon Water Resources Department, a well 42 feet in depth was constructed in 1965. There are no records indicating this well has been decommissioned.

The Fallert parcel addressed as 16906 Fifth Street has a City water connection which serves the dwelling located on the property. The water is provided to the service lateral by an eight (8) inch water main. The larger Fallert parcel to the north is vacant and has no water service.

The Bonney parcel has two City water connections which serves the two dwellings located on the property. The water is provided to the service laterals from an eight (8) inch water main that terminates approximately 400 feet northeast of the Bonney property boundary.

The City of Brookings parcel is vacant and has no water service.

The State of Oregon parcel is vacant and has no water service.

b. Streets

Access to the airport area is provided via Parkview Drive, which has two paved travel lanes within a 40 foot right-of-way at the south end and a 50 foot right-of-way at the north. Segmented sections of sidewalk have been installed with recent developments. The majority are located on the north side. Parkview Drive was last paved in 2005. There are two small slips in the roadway, one just below Dodge Avenue that has not needed patching since the last overlay and one near the north end of the airport that was patched in 2007 and again in 2012. Parkview Drive is under the jurisdiction of the City from its intersection with Chetco Avenue to the city limits, just east of the upper entrance of Vista Ridge. Parkview Drive is under the jurisdiction of Curry County from the city limits to its terminus at the Airport.

Several other streets branch off of Parkview Drive to provide access to outlying parcels. Dodge Avenue is a county road which loops to the east of Parkview Drive. Dodge Avenue is in overall good condition; it was last paved in 1993. Dodge Avenue provides two paved travel lanes within a 50 foot right-of-way without any sidewalk improvements. Hilltop Drive intersects with Dodge Avenue to provide access to several residentially zoned and developed parcels further to the east. Hilltop Drive is a paved one lane private road in good condition within a 50 foot wide easement without any sidewalk improvements.

Old County Road provides access to the parcel east of the Ward Memorial Cemetery, 16900 Old County Road. Old County Road has two paved travel lanes within a 50 foot right-of-way. This road is in overall good condition with the exception of the section between Ransom Avenue and Pacific Avenue which is in poor condition. There is a section of sidewalk on the west side fronting two parcels just north of Azalea Park Road. There is another section of sidewalk on the east side between Lundeen Road and Rosichelli Lane. Other than these two sections of sidewalk, there are no other improvements and no gravel or paved shoulders. Old County Road is under the jurisdiction of the City from its intersection with North Bank Chetco River Road to the city limits. Beyond that, it is under the jurisdiction of Curry County.

Dan Crumley, Curry County Road Master, advised there are no facility permits on file for developed properties that gain access from any of these County roads. The accesses are considered "grandfathered". Crumley has provided comments as **Attachment H**.

Fifth Street is a city street that provides access to parcels south of the airport. Fifth Street has two paved travel lanes within a 50 foot right-of-way. With the exception of a small area between Chetco Avenue/Hwy 101 and Easy Street which is in poor condition, the remainder of the street is in good condition. From Chetco Avenue to Easy Street there are sidewalks and parking on both sides of the street. From Easy Street to Ransom Avenue there are no provisions for parking but there is a sidewalk on the north side. From Ransom Avenue to mid-block to Hassett Street there are no provisions for parking but there is a sidewalk on the south side. From this mid-block point to Fifth Street's terminus at Brooke Lane, there are provisions for parking and sidewalks on both sides of the street.

c. Sanitary sewer

The Curry County Airport parcel, the Bonney parcel addressed as 16900 Old County Road, and the Fallert parcel addressed as 16906 Fifth Street have onsite septic systems that serve the current development. The remaining parcels are undeveloped and have no sanitary sewer service.

d. Storm drainage

In 2009, HGE Engineering prepared the Storm Water Facilities Master Plan. The Master Plan did not recommend any storm drainage projects in the airport area. Draining in the area is almost entirely by surface, with culverts at roadway intersections and driveways.

Two natural creeks also provide drainage of the proposed annexation area near the Airport. Ransom Creek drains from the area east of the Airport and continues south to the southern boundary of the Airport, winding its way southwest through the Fallert property and continuing on south of Ocean Park Residential Care Facility where it exits under Chetco Avenue/Hwy 101 to the Pacific Ocean. Eiler Creek begins on the west boundary of the Airport at the northern intersection of Parkview Drive and Dodge Avenue. Eiler Creek continues southwest between the two streets to their southern intersection where it exits through a culvert under Parkview Drive. From there the creek continues on the north side of Parkview Drive and exits under Chetco Avenue/Hwy 101 to the ocean.

The Old County Road parcel is located on a ridge where runoff drains to the north by surface into an unnamed tributary of Ransom Creek. The drainage to the south sheets naturally over the lots further to the south and is collected by a drainage inlet at the end of Meadow Lane. From there the drainage is carried by an 18 inch pipe further south to a set of detention pipes. The drainage exits the detention pipes into an open ditch and continues south into Macklyn Creek. The Storm Water Facilities Master Plan did not recommend any storm drainage projects in this area.

Figure 5.3 of the Storm Water Facilities Master Plan showing the drainage from the areas proposed for annexation is **Attachment I**.

4. Proposed or existing local improvement districts

There are no proposed or existing local improvement districts.

5. Urban services needed and necessary to service the territory

Findings addressing the urban services needed and necessary to serve the area proposed to be annexed have been compiled by the The Dyer Partnership Engineers & Planners. Dyer states that the area will be served thru a combination of the Brookings Airport Infrastructure Project as well as existing City infrastructure. The findings with specific details are included as **Attachment J**.

6. Compliance with all applicable goals and policies of the comprehensive plan.

Goal 1: Citizen Involvement -To provide a citizen involvement process that ensures the opportunity for citizens to be involved in all phases of the planning process.

The City has adopted as part of Title 17, Land Development Code, Brookings Municipal Code, a requirement that notification be provided to all owners of property within 250 feet of subject property where a land use action is proposed. The map in Figure 1 below shows the boundary of the 250 foot radius. A list of the owners of property within that distance is provided as **Attachment K**. This information was compiled from records from the Curry County Assessor's Office.

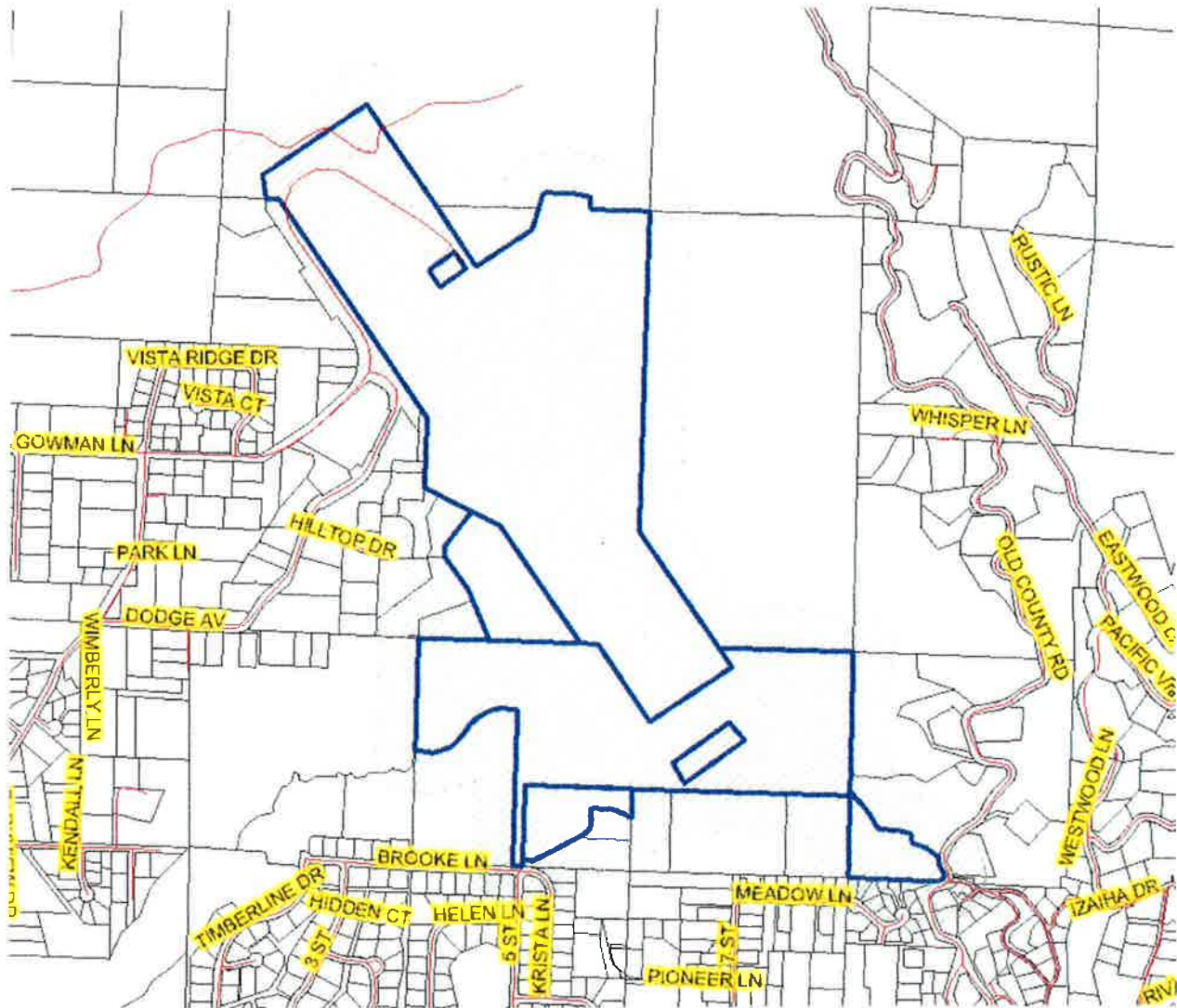


Figure 1

The City mailed notice, 20 days prior to the hearing, to each of the owners of property within 250 feet of the area to be annexed. The City provided a Public Notice to the local newspaper. This public notice has been published as required by the Land Development Code and Oregon Revised Statutes (ORS) Chapter 222. Additional notice will be provided as required by law prior to City Council hearing this matter. These procedures provide notice of the process and give owners within the vicinity and other interested citizens the opportunity to be informed and participate in the decision making process.

Approval of this annexation request is consistent with Goal 1.

Goal 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions.

The City's Comprehensive Plan was developed and adopted to meet the Statewide Planning Goals. The Land Development Code was developed and adopted to implement the Comprehensive Plan. The Planning Commission and the City Council base their decisions on the criteria in the Land Development Code. This criteria is addressed by facts contained in the materials which are required to be submitted for a complete application. The notices discussed in Goal 1 outline the process for citizens to provide oral and written testimony. This assures that there is an adequate factual basis for recommendations made by the Planning Commission and decisions made by the City Council.

Approval of this annexation request is consistent with Goal 2.

Goal 3: Agricultural Lands -To cooperate with the County in the preservation and maintenance of agricultural lands

Goal 4: Forest Lands -To support and cooperate with the County in its efforts to protect forest lands

The subject parcels are not zoned as either agriculture or forest lands. Goals 3 and 4 do not apply to this annexation.

Goal 5: Open Spaces, Scenic & Historic Areas, & Natural Resources -To conserve open space and protect natural, scenic resource, cultural, and historic areas while providing for orderly growth and development of the City.

The City's Comprehensive Plan states that the Curry County Zoning Ordinance and Comprehensive Plan will be used to implement Goal 5 within the Urban Growth Boundary.

Curry County's Comprehensive Plan does not identify any sites of ecological significance or natural resources in the area proposed for annexation. There are no archeological and historic sites or aggregate and quarry sites identified in the inventories for this area.

The Curry County Comprehensive Plan designates the parcels as residential, commercial, or public facilities. The majority of the parcels will retain their current comprehensive plan designation. One owner of a commercially zoned property is requesting a change to light industrial to accommodate potential growth near the Airport. Since the subject parcels are located within the Brookings Urban Growth Boundary (UGB) and planned for urban development, the annexation will provide for orderly growth and development of the City.

Approval of this annexation request is consistent with Goal 5 as neither the City or County's Comprehensive Plan Goal 5 Inventories identify any such resources on the subject parcels.

Goal 6: Air, Water & Land Resources Quality -To maintain and improve the quality of the air (including the control of noise pollution), water and land resources of the Brookings area.

Infrastructure projects are proposed to provide adequate water and sewer service to the airport area. Connecting existing and new uses to the City's water and sewer system will provide for safe and sanitary systems and will protect the environment. This will allow for any onsite septic systems that fail to be properly abandoned.

The City's Land Development Code requires that prior to any site preparation, certain standards must be met to reduce flooding, landslides, and soil erosion. For areas of disturbance greater than one acre in size, the property owner is also required to contact Oregon Department of Environmental Quality (DEQ) and comply with their erosion control requirements.

To reduce flooding, new development must control storm drain runoff to pre-development levels by retention/detention on site, connecting to adequate City facilities, or upsizing existing city facilities to accommodate additional storm drainage. New or upsized storm drainage systems are required to be designed in accordance with the Public Facilities Plan and Title 18, Engineering Requirements and Standard Specification for Public Works Construction.

The close proximity of the proposed light industrial property to the airport facilities will attract uses that are companionable thus reducing vehicle shipping trips. This has the potential to improve the air quality.

In order to receive building permits at the time development is proposed, the developer will be required, not only to comply with all City of Brookings development standards, but also all applicable State and Federal environmental standards, rules, and regulations.

Approval of this annexation request is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters & Hazards -To protect life and property from natural disasters and hazards.

The City has adopted a Flood Damage Prevention Ordinance located in BMC Chapter 15.15. Each new development is reviewed for compliance with the Federal Emergency Management Agency (FEMA) Flood Hazard Maps included in this chapter. The FEMA Flood Maps do not identify any flood hazards on the subject parcels.

The City has adopted Hillside Developed Standards located in BMC Chapter 17.100 of the Land Development Code to reduce the effects of flooding, erosion, and landslides. The Hillside Standards apply to properties with average slopes of 15% or more. As shown on the contour map, included as **Attachment L**, many areas of the subject parcels contain slopes of more than 15%. At the time development is proposed and a permit is applied for, the property owner will be required to provide a geologic report and engineered grading, drainage, and erosion control plans for development of any property with slopes of more than 15%. The materials will be reviewed and approved by the City prior to any site work occurring on the property. Compliance with these standards protect life and property from natural disasters and hazards.

Approval of this annexation request is consistent with Goal 7.

Goal 8: Recreational Needs -To satisfy the recreational needs of the citizens of the Brookings area, State and visitors.

The City of Brookings Parks MasterPlan was adopted in 2002 and updated in 2011. The update used recommendations from the National Recreation & Park Association. They recommend six (6) to nineteen (19) acres of overall parks per 1,000 residents. There are 55.4 acres of City owned parks and Harris Beach State Park provides another 173 acres for a total of 228 acres of parks within the city limits. With the current Brookings population of 6,360, 35 acres of parks per 1,000 residents are provided. With the projected 2020 population of 7,790 and without additional park area being added, 29 acres of parks per 1,000 residents will be provided. This amount is in excess of the National Recreation & Park Association recommendations.

The beaches are also considered State Parks under the jurisdiction of the Oregon Parks and Recreation Department. The beaches provide an opportunity for tide pooling, beach combing, wildlife viewing, fishing and picnicking. The City has recently received a grant and has begun a project to improve access to Mill Beach. This improvement will provide for restrooms, improved parking, and American Disabilities Act (ADA) accessibility to the beach.

Areas of the subject parcels proposes for annexation consists of steep slopes where commercial or residential development may not be appropriate. These areas would provide an opportunity for open space for recreational activities.

The State of Oregon parcel, approximately 1.5 acre, is intended to remain undeveloped for airport runway protection and may be developed as a park when the adjacent property develops. A park would be an outright use in the requested Public Open Space designation.

Approval of this annexation request is consistent with Goal 8.

Goal 9: Economy of the State -To diversify and improve the economy of the Brookings area.

ECONorthwest prepared an Economic Opportunity Analysis (EOA) which was adopted into the Brookings Comprehensive Plan in 2009. The EOA identified the City as being deficient in one to two acre sized industrial sites.

One option given in the study to address this deficiency was to provide a small industrial park. The annexation proposes to change a portion, approximately 25 acres, of the Curry County property that is currently zoned commercial to light industrial. This would provide a site that would accommodate an industrial park. Certain types of industry face difficulties in accessing markets due to the isolation of Brookings. Manufacturing in an industrial park located near the airport would allow goods to be shipped and received by air. This would be an appropriate location.

The proposed light industrial site near the airport will provide an opportunity to attract light manufacturing thereby diversifying and improving the economy of the area.

Approval of this annexation request is supportive of Goal 9.

Goal 10: Housing - Provision of varied housing types that are safe, sanitary and adequate for all residents of the community.

City policy is to not place undue restrictions on the development of land and to provide a variety of housing types. Oregon Administrative Rules, Chapter 660, Division 24, provides guidelines for a generally accepted housing mix known as a Safe Harbor. The Safe Harbor mix for housing for a city with a population between 2,501 and 10,000 residents, is listed in the **Chart 5** below.

	Low Density	Medium Density	High Density
City zones	Single Family Residential (R-1) Suburban Residential (SR)	Two Family Residential (R-2) Manufactured Home Residential (R-MH)	Multiple Family Residential (R-3)
No. of Acres (within City limits)	802	147	105
Percentage of Acres (within City limits)	76%	14%	10%
Safe Harbor Housing Mix (population 2,501 to 10,000)	60%	20%	20%

Chart 5

Approximately 35 acres are proposed to be zoned Two Family Residential (R-2). The R-2 zone provides an opportunity for duplexes along with single family dwellings. The above chart shows the City of Brookings has a lower than generally accepted proportion of medium density. This additional R-2 acreage will increase the percentage of medium density.

Approximately 18 acres are proposed to be zoned General Commercial (C-3). The C-3 zone provides an opportunity for dwelling units on the upper floors of commercial buildings. There is the potential for the second and third floors to accommodate residential uses. This would be more comparable to the high density of the R-3 zone. The above chart shows the City of Brookings has a lower than generally accepted proportion of high density. This additional C-3 acreage would increase the percentage of high density. However, proposals with second and third floors will need to be reviewed for compliance with the Airport Overlay Zone. This overlay zone, delineated by airport imaginary surfaces, provides protection for airport approach safety zones.

Annexation of the subject parcels will provide for a variety of housing for residents of the community. The proposed annexation is supportive of Goal 10.

Goal 11: Public Facilities & Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for urban and rural development.

The Brookings Comprehensive Plan and Land Development Code requires that all extensions of water, wastewater, and stormdrainage mains, pumping and storage facilities be paid for and constructed by the developer pursuant to the provisions of the City's Engineering Requirements and Standard Specifications for Public Works Construction. The City has secured a grant from the U.S. Economic Development Administration and is contributing additional funds to extend water and sewer improvements to the airport area. This project and existing City infrastructure will provide the framework needed for development to extend additional smaller mains to a particular site. The framework is outlined by The Dyer Partnership Engineers & Planners in **Attachment J**.

The subject parcels are located within the Brookings Rural Fire Protection District, which is served by the City's Fire Department. This annexation will bring the area into the City's jurisdiction.

Police protection to the annexed area will be provided by the City rather than by the Curry County Sheriff, who is the current provider.

Since the parcels proposed for annexation are located within the UGB and planned for urban development, the annexation will provide for an orderly and efficient arrangement of public facilities and services.

Approval of this annexation is supportive of Goal 11.

Goal 12: Transportation - To provide and encourage safe, convenient and economic transportation system.

The City of Brookings has an acknowledged Transportation System Plan (TSP) adopted in 2002. During the preparation of the TSP, consideration was given to trip generations from developed and committed areas within the Brookings Urban Growth Area (UGA). The subject parcels proposed for annexation are located within the UGA and therefore a committed area.

Consideration was given to the traffic impacts from the airport area resulting from Curry County zoning designations. The TSP identified Parkview Drive, approximately two miles in length, as the primary access to the airport. The TSP assigned an "A" Level of Service (LOS) for Parkview in 2002 and projected that same level in 2017. The TSP provides the acceptable city standard as LOS "D". The study also noted that Parkview Drive would require improvements to accommodate future development.

The 2002 TSP was supported by studies conducted in 1997 and provided a forecast of future facilities to 2017. The Oregon Transportation Planning Rule requires the TSP to address a 20-year forecast period. With 2017 fast approaching, the City applied for and has been awarded a Transportation Management Grant to facilitate an update of the TSP. The expansion and upgrade of the airport was listed as an important project site that would need to be evaluated in the grant application. The final product of the update will provide a priority list of new projects to accommodate growth along with funding sources. This update will occur over the next 1 1/2 years and will evaluate all areas of the City and UGA.

The 2002 TSP identified several large lots in the area that were available for development. Three of lots have been developed with subdivisions. The developers were required to improve their frontage adjacent to Parkview Drive. This resulted in a patchwork of improvements.

In 2011, revisions to the street standards were completed and adopted into the TSP. These revisions determined the minimum road surface needed for Parkview Drive was 20 feet with a multi-use path on the predominately western side. This would incorporate most of the patchwork of improvements from the subdivisions located on the west side. The new standards also allow for the engineer for an applicant proposing development to demonstrate that when constraints make this standard impracticable, the multi-use path could be eliminated. To utilize this provision, the City must review and agree with the engineer's analysis prior to formal review.

This annexation proposes to rezone a portion (northeast 25 acres that is vacant) of the Curry County Airport parcel from a county commercial zone to a city light industrial zone. In coordinating with both the Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) regarding this annexation process, both agencies advised that light industrial uses produce less traffic than commercial uses and an additional traffic analysis would not be warranted. The zone change will result in fewer potential vehicle trips being added to the transportation system and will not constitute a significant impact. DLCD comments are provided as **Attachment M**.

Development of the subject parcels located south of the Airport will be accessed from Fifth Street. Consideration was also given to trip generation from this area located within the UGA with the adoption of the TSP in 2002. The TSP assigned an "A" LOS for Fifth Street north of Easy Street and assigned a "B" LOS south of Easy Street. The LOS were projected at the same level in 2017. The study did not identify improvements that would be required to accommodate future development.

The City retained the services of The Dyer Partnership Engineers & Planners to provide a Traffic Impact Statement (TIS). The Dyer Partnership advises in their findings that the annexation of the Brookings Airport and surrounding properties into the city limits with the change in land use designation will lower the future build-out traffic volumes. The TIS is provided as **Attachment N**. The TIS was submitted to ODOT for review. ODOT concurs with the findings provided by The Dyer Partnership and their comments are included as **Attachment O**.

The City of Brookings has adopted Street Standards in Chapter 17.170 of the BMC to provide a multi-modal circulation system within the City. This system preserves the flow of motorized traffic in terms of safety, capacity, and level of service while providing and encouraging a safe and efficient bicycle and pedestrian system. These design standards apply to all new development. To receive a building permit, any new proposed development would be reviewed for compliance with these standards.

The Oregon Legislature recognizes that airports are a vital element of Oregon's transportation system. Oregon Revised Statutes (ORS) 836.600 through 836.630 was adopted to provide for future use and growth of Oregon Airports. The ORS requires local governments to allow for the growth of airport uses such as emergency medical flight services, law enforcement and firefighting activities, aircraft rental, aviation recreational and sporting activities, flight instruction, and air passenger and air freight services at levels consistent with the classification and need.

With this, the annexation is consistent with Goal 12.

Goal 13: Energy Conservation - To conserve energy.

The major shopping area in the City is located along Chetco Avenue. Other shopping areas are located across the Chetco River in Harbor. These shopping areas along Chetco Avenue/ US Highway 101 are all located within two miles of the subject properties. Professional and governmental services are also located along this route. The subject properties are located within minutes of the schools, parks, and beaches. Short travel distances between the subject properties and needed services provide savings in energy consumption.

Therefore, the annexation is consistent with Goal 13.

Goal 14: Urbanization - To provide for the orderly and efficient transition of land within the Urban Growth Boundary from rural to urban uses.

The subject properties proposed to be annexed were included in the original UGA which was adopted by Curry County and the City of Brookings in the early 1980's. There were no challenges to its urbanizable status during the Periodic Review process and expansion of the UGA in 1995. During this process, the amended (expanded) UGA was acknowledged by the Land Conservation and Development Commission (LCDRC). All participating agencies agreed this area was most appropriate to be developed with urban uses and densities.

The land use zones assigned to the subject properties are identified by Curry County's Comprehensive Plan as only being applied to land intended to be incorporated in the future and within the UGA. This area has been planned and zoned for urban development since the early eighties.

A policy of the Brookings Comprehensive Plan is not to extend City services until property to be served is within the corporate limits of the City. The subject properties are contiguous to the City boundary making the extension of services a reasonable and orderly expansion to allow urban densities.

The Brookings Comprehensive Plan provides a policy that encourages improvement of the airport facilities and insures that the airport approach zones are protected. The City adopted BMC Chapter 17.76, Airport Approach Overlay Zone, in 1989 to provide standards and limitations on development within the airport approach imaginary surfaces. These standards protect the airport approach. The extension of sewer and water service will allow the Airport and adjacent properties to develop to their full potential while still protecting airport uses.

The annexation of the subject properties is consistent with the policies of Goal 14.

Goal 16: Estuarine Resources - To recognize and protect the unique environmental, economic and social values of the Chetco River Estuary and its wetlands.

At the closest, the subject parcels are located .75 miles from the Chetco River. The storm drainage from the parcels flows into Ransom Creek or Eiler Creek before reaching the Pacific Ocean. The drainage does not enter the Chetco River and future development of the subject parcels will not impact the Chetco River Estuary. Goal 16 is not applicable to the annexation.

Goal 17: Coastal Shorelands

Goal 18: Beaches and Dunes

At the closest, the subject parcels are located 1.25 miles from the beach or dunes of the Pacific Ocean. The properties within this separation distance, are developed with high density, urban development. Goals 17 and 18 are not applicable to this annexation.

17.144.030 Annexation impact analysis

A. The proposed use for the site complies with the Brookings comprehensive plan and with the designation on the Brookings comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Brookings comprehensive plan.

As stated previously in this report, the owner of one parcel included in this annexation has requested a comprehensive plan and zoning redesignation. The Comprehensive Plan designation for the eastern 25 acres of the Curry County parcel is commercial and the zoning is Light Commercial (C-1). The owner has requested the Comprehensive Plan designation for this area be changed to light industrial and the zoning be changed to Industrial Park (I-P). This area is currently vacant but all future proposed development will be required to comply with the Comprehensive Plan.

The parcel addressed as 16900 Old County Road is zoned both residential and commercial. The split zone was created when the adjacent parcel to the north received approval in 2002 to change the zone on a portion of his parcel to commercial to accommodate his business. In 2004, there was a lot line adjustment between the two parcels. Since zoning follows the land, not property lines, the portion adjusted to the 16900 Old County Road parcel was zoned commercial. There is no commercial use on this parcel and the property owner has requested the entire property be zoned residential. Approval of this request will comply with the comprehensive Plan.

The parcel addressed as 16900 Old County Road is developed with a single family dwelling and a manufactured dwelling, both legally sited. Two single family dwellings on one parcel is a non-conforming density. The parcel is of a size that has the potential to be divided in the future to have each dwelling on separate parcels thus resolving the non-conformance of the property. However, even though the density is non-conforming, the proposed comprehensive plan designation for the entire parcel will be residential and that is the use of the property.

All current uses of the other parcels involved in this annexation comply with the Brookings Comprehensive Plan. Future development of the parcels will be required to comply with the Comprehensive Plan and Land Development Code at the time a permit is applied for.

B. An adequate level of urban services and infrastructure to accommodate anticipated future development either is available, or can reasonably be made available. An adequate level of urban services shall be defined as: municipal sanitary sewer, storm drainage, and water service meeting the requirements enumerated in the Brookings public facilities plan and the land development code for provision of these services. The adequacy of these services shall be considered in relation to annexation proposals. If any substandard infrastructure exists within the boundaries of the area proposed for annexation, the city may deny an annexation application.

The Dyer Partnership Engineers & Planners has provided the findings addressing this criteria. They are found on the second page of **Attachment J**.

C. Documentation of impacts on existing streets within the annexation area and adjacent transportation facilities by future development of the area. The adequacy of the transportation facilities shall be considered in relation to annexation proposals.

The impacts on existing streets and adjacent transportation facilities is discussed in Goal 12 above.

D. As development occurs within the annexed area new streets shall be constructed to the standards of the Brookings transportation system plan and land development code. While it is preferred that public streets located within the city limits be a part of the city-maintained street system, streets within the annexed area shall remain in the county's jurisdiction until such time as they are improved to the city street standards. If the proposed annexation includes the transfer of county maintained roads to the city maintained street system, said streets located within the annexation area shall be improved to city standards prior to annexation approval, or the formation of a local improvement district to fund said street improvements shall accompany the annexation application.

The area proposed to be annexed does not include any street rights-of-way. Any new streets created by development will be constructed to the standards of the TSP and BMC, Title 17, Land Development Code.

E. Documentation of the availability and adequacy to serve the proposed annexation with police, fire, parks, and school facilities and services.

Police:

The subject parcels are currently in the jurisdiction of the Curry County Sheriff's Department and the Oregon State Police. Upon annexation the property will be served by the Brookings Police Department. The Brookings Chief of Police, Chris Wallace, has submitted comments in regard to this annexation as **Attachment P**.

Fire:

The subject parcels are currently within the boundary of the Brookings Rural Fire Protection District. Upon annexation, the property will be served by the Brookings Fire Department. Jim Watson, Operations Fire Chief, has submitted comments in regard to this annexation as **Attachment Q**.

Electricity:

The subject parcels are within the Coos-Curry Electric service boundary. Coos-Curry Electric has provided comments as **Attachment R**.

Parks:

The City of Brookings Parks are discussed in Goal 8 above.

Schools:

The subject parcels proposed for annexation are within the boundaries of the Brookings-Harbor School District. The District is comprised of three schools.

School Name	Grades Accommodated	2010 Enrollment
Kalmiopsis Elementary	K thru 4	639
Azalea Middle	5 thru 8	393
Brookings-Harbor High	9 thru 12	545
Total Enrollment		1,586

Chart 6

Other utilities:

Frontier Communications provides telephone service to the subject parcels. Charter Cable provides cable service.

F. Improvements for needed infrastructure shall be secured by a funding mechanism that will place the economic burden on the territory proposed for annexation and not on the city of Brookings.

The Dyer Partnership Engineers & Planners has provided the findings for this criteria. They are found on the second page of **Attachment J**.

General comments from effected agencies are included as Attachment S.

FINDINGS & CONCLUSIONS

This staff report along with the attachments provide the findings in this matter and will be made a part of the Final Order if the annexation is approved. The following are general findings to show that all of the criteria have been met.

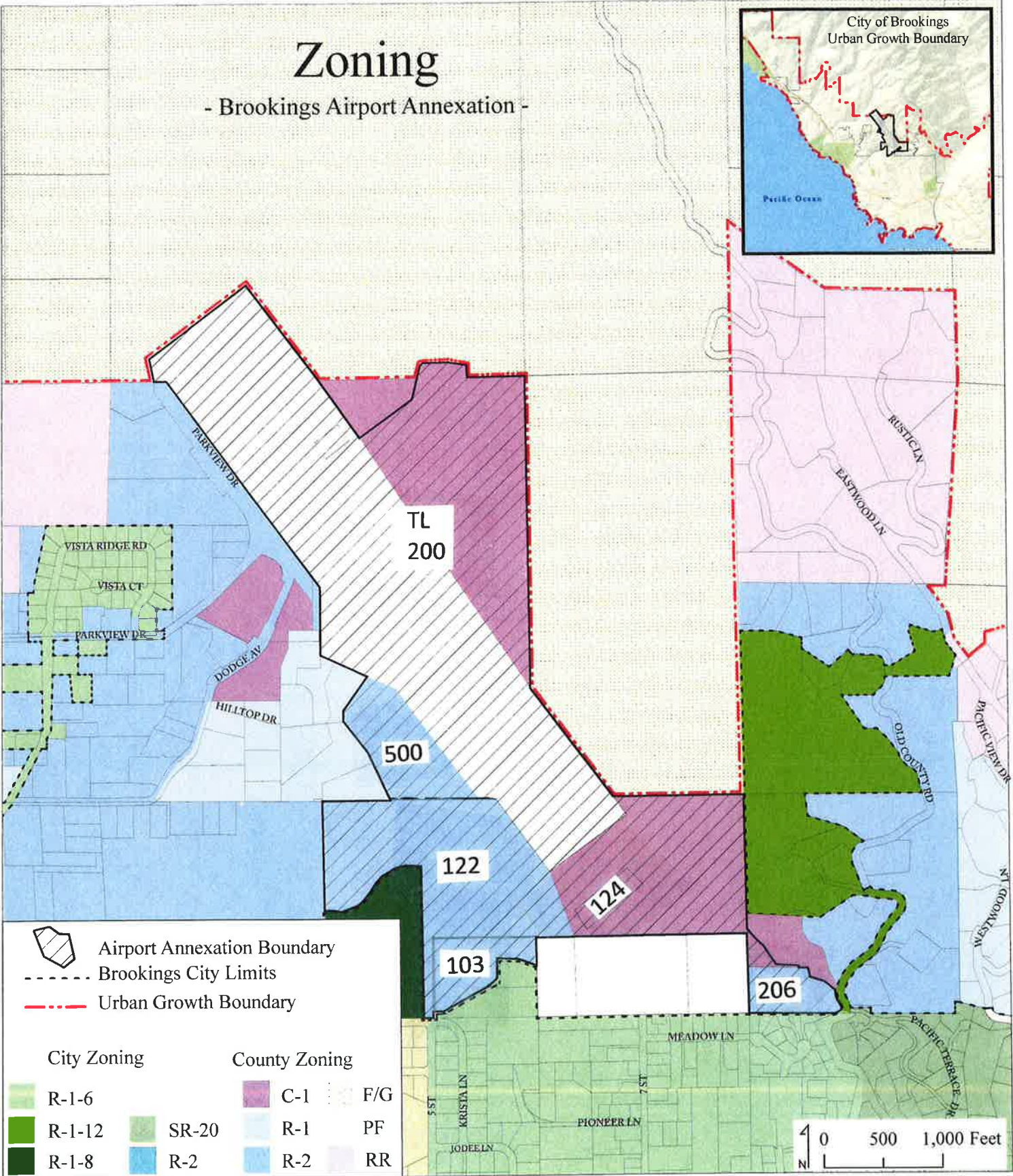
1. The findings address the application procedure requirements in BMC Section 17.144.020 as well as each of the goals of the City's Comprehensive Plan.

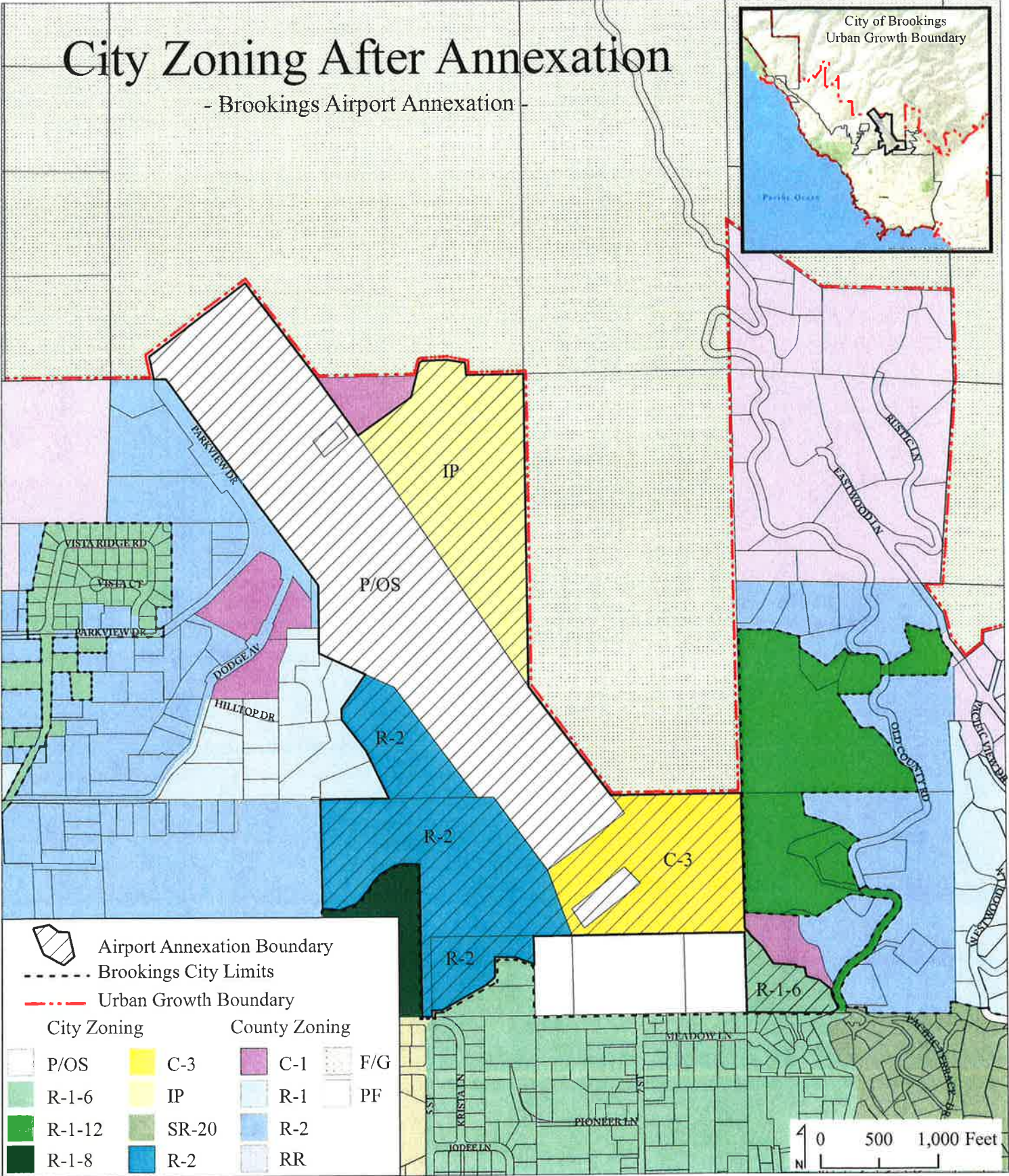
2. The findings address the annexation impact analysis requirements in BMC Section 17.144.030.

3. The materials satisfy all of the criteria presented in BMC Chapter 17.144, Annexations, of the Land Development Code, to justify the proposed annexation.

RECOMMENDATION

Staff supports a **favorable recommendation** of Case File No. ANX-1-13 to City Council, based on the findings and conclusions submitted in the staff report.





Map data derived from DRB, South County Council GIS. Updated: 10/10/2010 City of Brookings.

Adjoining Land Uses

- Airport Annexation - Brookings, OR

Forestry

SFD
(single family dwelling)

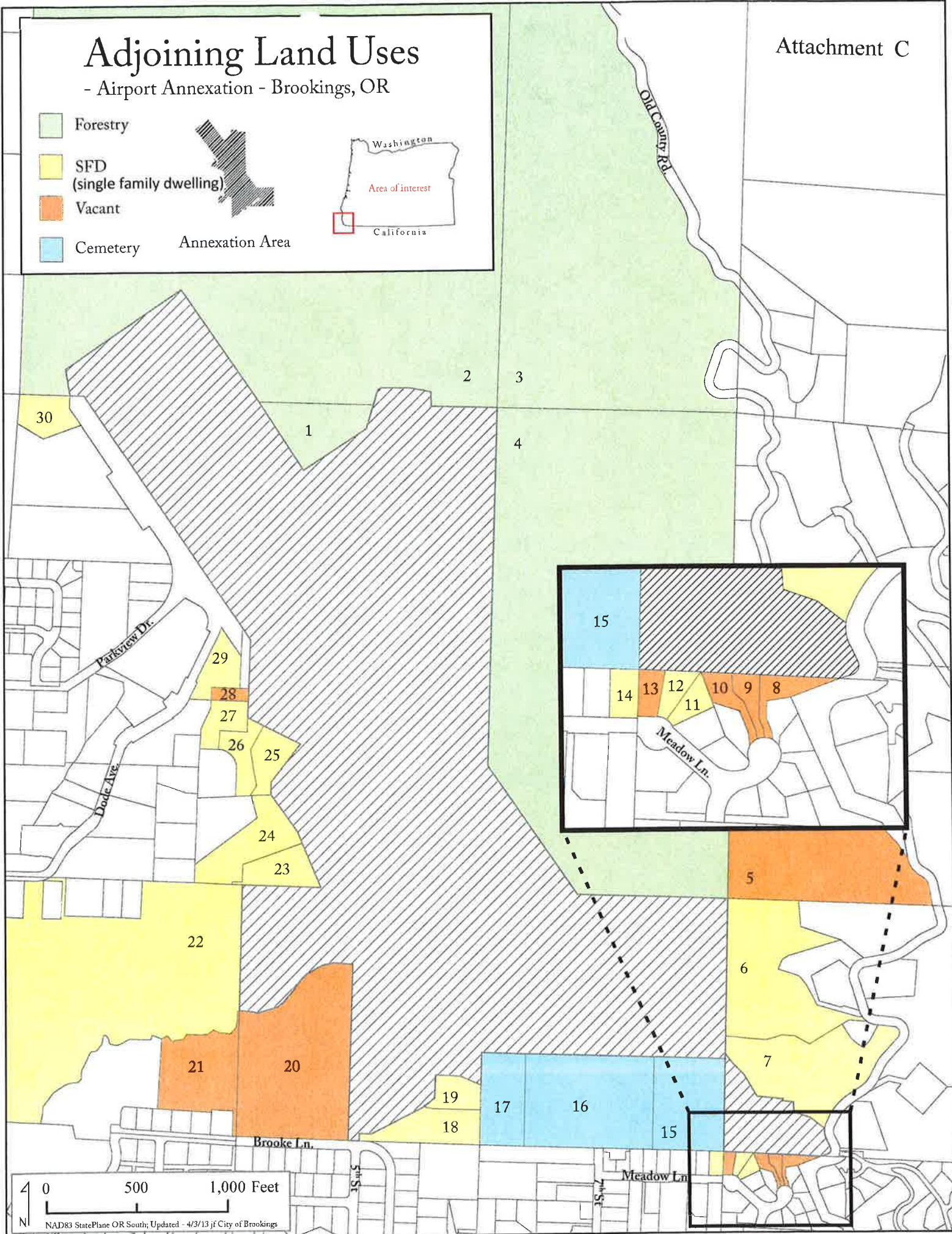
Vacant

Cemetery

Annexation Area



Attachment C

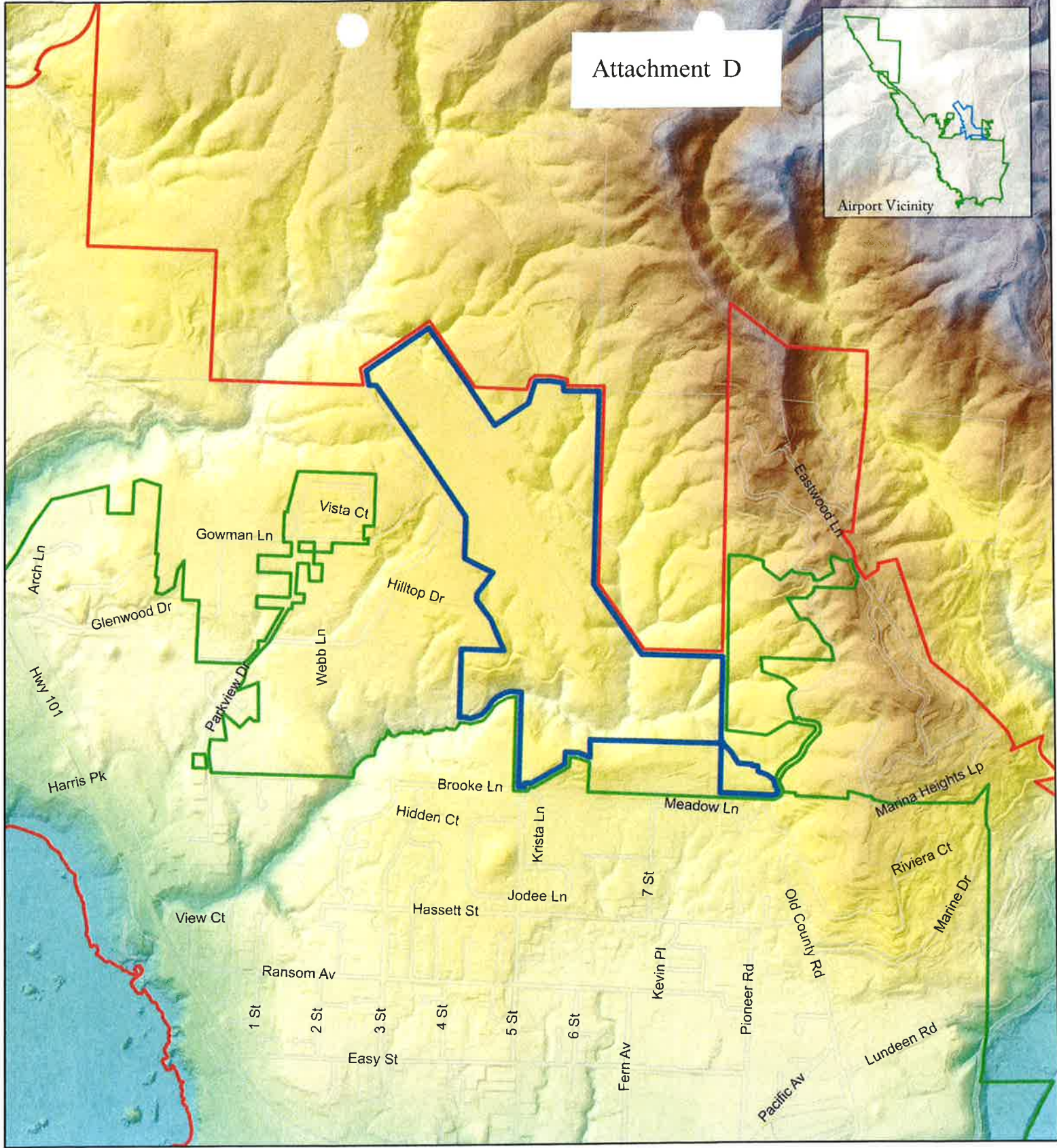


Uses of Adjoining Parcels

# on attached map	Map & tax lot	developed / use
#1	4013-31 -00300	forestry
#2	4013-30 -00300	forestry / gravel pit
#3	4013-30 -00400	forestry
#4	4013-31 -00100	forestry
#5	4013-32B -01201	vacant / residential
#6	4013-32C -00213	SFD
#7	4013-32C -00208	SFD / commercial Wong
#8	4013-32CC-00120	vacant / residential
#9	4013-32CC-00121	vacant / residential
#10	4013-32CC-00122	vacant / residential
#11	40-13-32CC-00103	SFD
#12	4013-32CC-00102	SFD
#13	4013-32CC-00101	vacant / residential
#14	4013-31DD-00100	SFD
#15	4013-31D -00121	cemetery
#16	4013-31D -00200	cemetery
#17	4013-31D -00120	cemetery
#18	4013-31D -00102	SFD
#19	4013-31D -00104	SFD
#20	4013-31D -00123	vacant / residential
#21	4013-31CA-00900	vacant / residential
#22	4013-31CA-00100	SFD
#23	4013-31B -03002	SFD
#24	4013-31B -03000	SFD
#25	4013-31B -03100	SFD
#26	4013-31B -03202	SFD
#27	4013-31B -03200	SFD
#28	4013-31B -03302	vacant / residential
#29	4013-31B -03307	SFD/commercial McVay
#30	4013-31B -00200	SFD

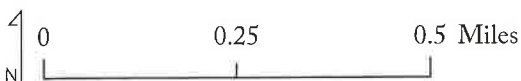
Attachment D

Airport Vicinity



- Airport Annexation Boundary
- Brookings City Limits
- Urban Growth Boundary

Airport Annexation City of Brookings - Vicinity Map -



NAD83 StatePlane OR South; Curry County GIS; Updated - 4/2/13 jf City of Brookings

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



S.W.1/4 SEC.32 T.40S. R.13W. W.M.
CURRY COUNTY
1" = 200'

40S13W32C
BROOKINGS

CANCELLED:
100
201
209 THRU 212
214
301 THRU 307
309
400 THRU 404
500
600 THRU 609
700 THRU 704
799
800 THRU 804
900
901
1000
1100 THRU 1114
1200
1300 THRU 3300

CEN. SEC.

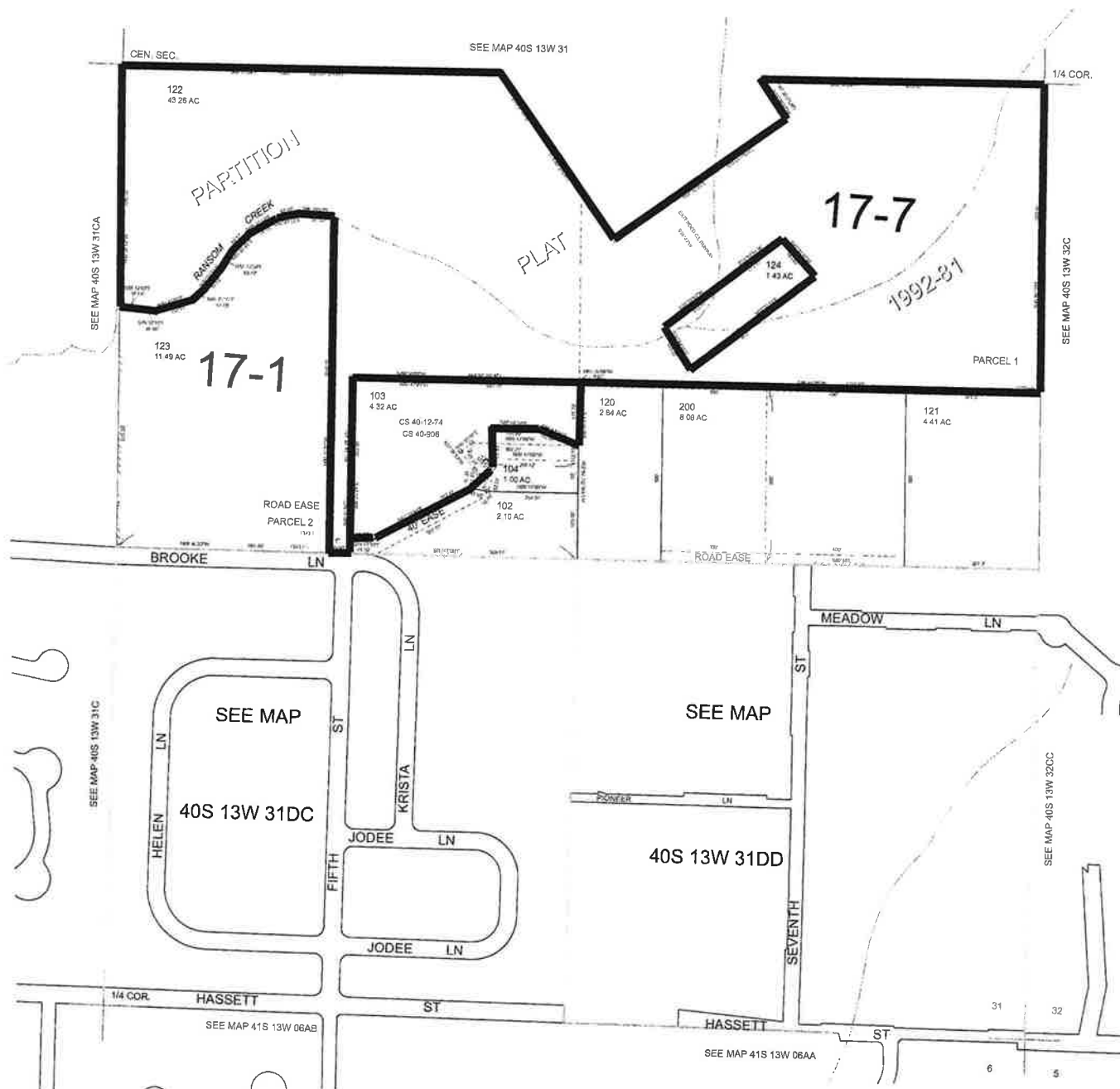
SEE MAP 40S 13W 32D

Revised MRT
8/18/2008

BROOKINGS
40S13W32C

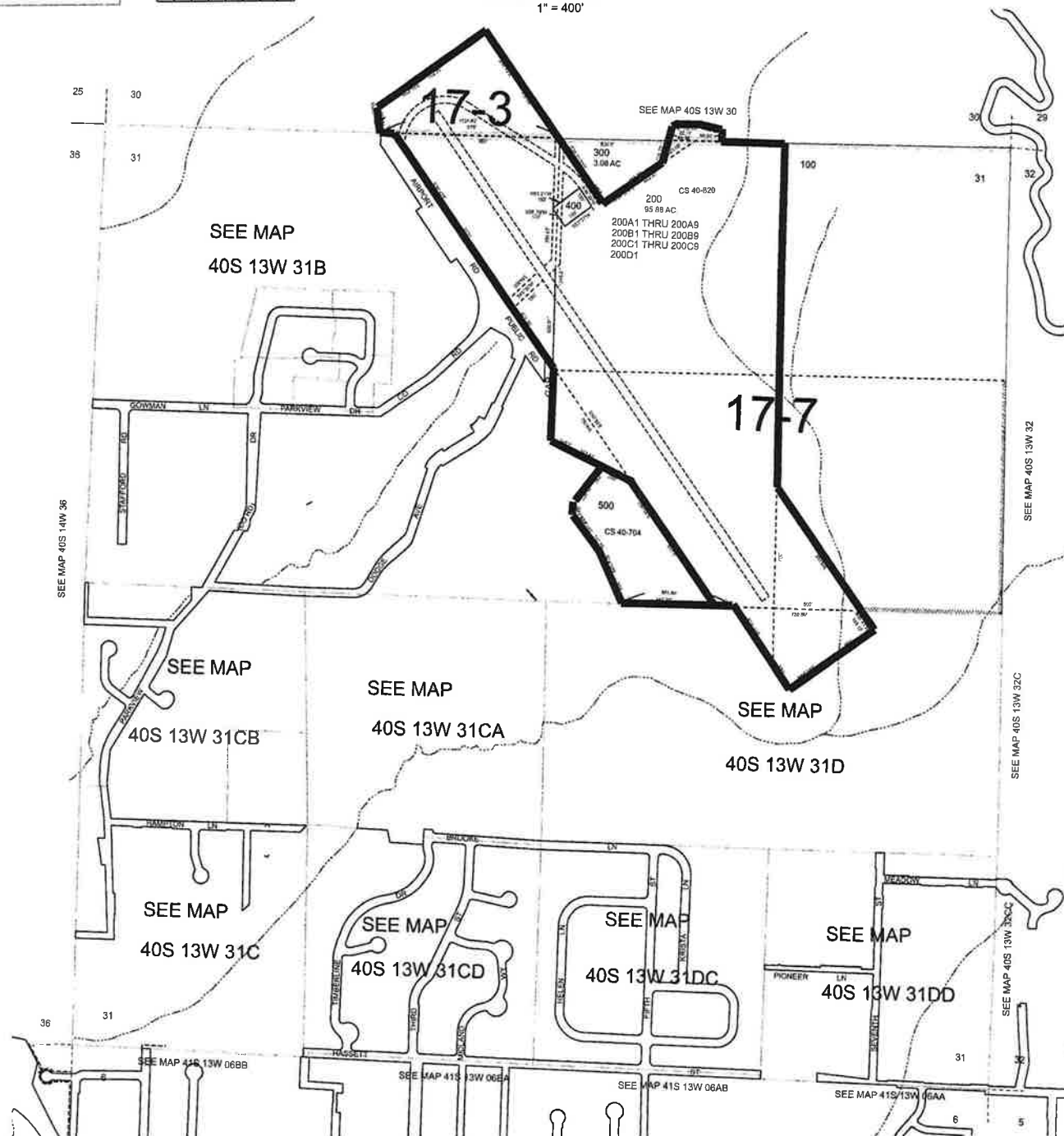
1" = 200'

CANCELLED NO
100
101
105
106
110
300
400
401
402
403
404

Revised RAA
12/7/200640S 13W 31D
& INDEX

40S13W31
BROOKINGS

CANCELLED:

Revised: RA
11/4/2010

BROOKINGS
40S13W31

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

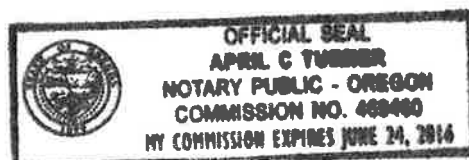
The sole and exclusive owner of the following described real property as described in Exhibit "A" attached hereto and by this reference incorporated herein, hereby consents to its annexation to the City of Brookings, Oregon.

Dated FEBRUARY 26, 2013.

Sandra L. Bonney, Trustee
 Sandra L Bonney, Trustee

Assessor's Map
 40-13-32C; tax lot 206

STATE OF Oregon)
) ss.
 County of Cumy)



The foregoing instrument was acknowledged before me this 26 day of February, 2013, by Sandra L. Bonney, Trustee of the Sandra L. Bonney Trust.

April Turner
 Notary Public for Oregon
 My Commission Expires: June 24, 2014

Exhibit A

Assessor's Map

40-13-32C; tax lot 206

A parcel of land lying within the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-two (32), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, being more particularly described as follows:

Beginning at the Southwest Corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section 32;

thence along the West line of said Section, North 00° 26' 15" West 300 feet;

thence leaving Section line South 87° 26' 34" East 593 feet more or less, to a point lying on the Westerly right of way of Old County Road;

thence along said right of way South 31° 30' West 150 feet, South 33° East 150 feet, and South 68° West 60 feet to a point lying on the South line of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4);

thence along said line North 89° 43' 05" West 538 feet, more or less, to the point of beginning.

SAVE AND EXCEPT any portion lying within the boundaries of County Roadways.

SAVE AND EXCEPT that parcel conveyed to Ken E. Gossard and Melody Gossard, described in deed recorded December 12, 1986 BR: 127 page 488-489.

TOGETHER with that parcel conveyed to Sandra L. Bonney, Trustee of the Sandra L. Bonney Trust, as recorded on April 16, 2004 in Instrument No. 2004-2314, official records of Curry County, Oregon.

,

EXCEPT therefrom that portion conveyed to Patrick Wong and Teresita D. Wong as recorded on April 16, 2004 in Instrument No. 2004-2315, official records of Curry County, Oregon.

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

The sole and exclusive owners of the following described real property as described in Exhibit "A" attached hereto and by this reference incorporated herein, hereby consents to its annexation to the City of Brookings, Oregon.

Dated December 13, 2012.

Lawrence W. Fallert
Lawrence W. Fallert

Michelle R. Fallert
Michelle R. Fallert

Assessor's Map
40-13-31D; tax lot 103

STATE OF Oregon)
County of Curry) ss.

The foregoing instrument was acknowledged before me this 13th day of December, 2012, by Lawrence W. Fallert and Michelle R. Fallert.



[Signature]
Notary Public for Oregon
My Commission Expires: 1-4-2014

40-13-31D, 103

EXHIBIT A

A parcel of land lying within the Southeast Quarter of Section 31, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon, being more fully described as follows:

Beginning at a point described as being North 00°04'21" West 322.30 feet from the Center One-sixteenth corner of said Southeast Quarter;

thence North 00°04'21" West 177.70 feet;

thence North 89°47'09" West 644.77 feet;

thence South 00°04'21" East 460.00 feet;

thence South 89°47'10" East 65.00 feet;

thence North 61°18'49" East 317.47 feet;

thence North 49°27'43" East 73.91 feet;

thence North 01°00'00" East 126.92 feet;

thence South 87°46'10" East 134.00 feet;

thence South 68°52'30" East 116.45 feet to the Point of Beginning.

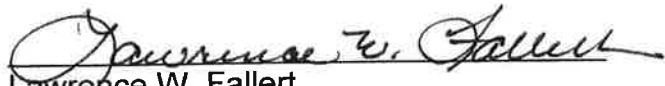
Containing 4.316 acres.

TOGETHER WITH and SUBJECT TO easements of record, including the 40 foot wide private drive and utility easement from Fifth Street to above described parcel.

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

The sole and exclusive owners of the following described real property as described in Exhibit "A" attached hereto and by this reference incorporated herein, hereby consents to its annexation to the City of Brookings, Oregon.

Dated December 11, 2012.

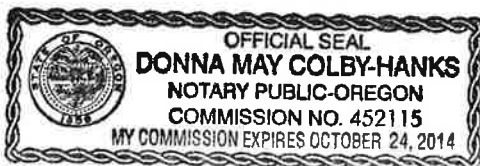

Lawrence W. Fallert

Assessor's Map
40-13-31D; tax lot 122

STATE OF Oregon)
) ss.
County of Curry)

The foregoing instrument was acknowledged before me this 11 day of
December, 2012, by Lawrence W. Fallert.

Donna Colby-Hanks
Notary Public for Oregon
My Commission Expires: Oct 24, 2014



40-13-31D, 122

EXHIBIT A

Parcel 1, Larry Fallert Partition Plat 1992-81, recorded December 30, 1992, in Instrument 92-10510, Official Records of Curry County, Oregon.

EXCEPT that parcel conveyed to the State of Oregon, by and through its Department of Transportation, recorded December 21, 1995, in Instrument 95-5960, Official Records of Curry County, Oregon.

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

The sole and exclusive owners of the following described real property as described in Exhibit "A" attached hereto and by this reference incorporated herein, hereby consent to its annexation to the City of Brookings, Oregon.

Dated: January 17, 2013.

 Director of Aviation
Mitchell T. Swecker - State of Oregon, Department of Aviation.

Assessor's Map
40-13-31D; tax lot 124

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 17th day of
January, 2013.




Notary Public for Oregon
My Commission Expires: April 7, 2013

OOOT
File 6101-001

DONATION DEED

LAWRENCE W. FALLERT and MICHELLE R. FALLERT, husband and wife, Grantor, for no monetary consideration does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Aeronautics Division, Grantee, fee title to the following described property:

That certain tract of land lying within the Northeast Quarter (NE¼) and the Southeast Quarter (SE¼) of Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, established as the clear zone for the Brookings Airport and more particularly described as follows:

Beginning at a 1/2 inch diameter iron pipe which marks the center of the South end of the Brookings Airport runway, said pipe falling 522.83 feet North and 912.97 feet East from the center 1/4 section corner of Section 31, Township 40 South, Range 13 West of the Willamette Meridian as restored by Newhouse; thence South 36° 42' East 1407.06 feet along the extended centerline of said runway to the TRUE POINT OF BEGINNING, said point falling 610.19 feet South and 1,747.24 feet East of the above described center 1/4 corner; thence South 53° 18' West 210.71 feet; thence South 30° 57' 22" East 143.65 feet; thence North 53° 18' East 450.00 feet; thence North 42° 24' 38" West 143.65 feet; thence South 53° 18' West 210.71 feet to the TRUE POINT OF BEGINNING described above.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.830.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

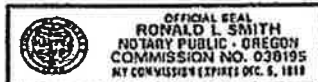
Dated this 11 day of Dec, 1995.

Lawrence W. Fallert
Lawrence W. Fallert

Michelle R. Fallert
Michelle R. Fallert

STATE OF OREGON, County of CURRY

11 DEC, 1995, Personally appeared the above named Lawrence W. Fallert and Michelle R. Fallert, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Ronald L. Smith
Notary Public for Oregon
My Commission expires Dec 5 - 98

12-6-95

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

1995 INSTRUMENT 95 05960

STATE OF OREGON
COUNTY OF CURRY

I RENEÉ KOLEN, COUNTY CLERK, CERTIFY
THAT THE WITHIN DOCUMENT WAS
RECEIVED AND DULY RECORDED IN THE
OFFICIAL RECORDS OF CURRY COUNTY AT

01:27 ON 12-21-95

BY: CF DEPUTY

FEE \$.00

PAGES: 1

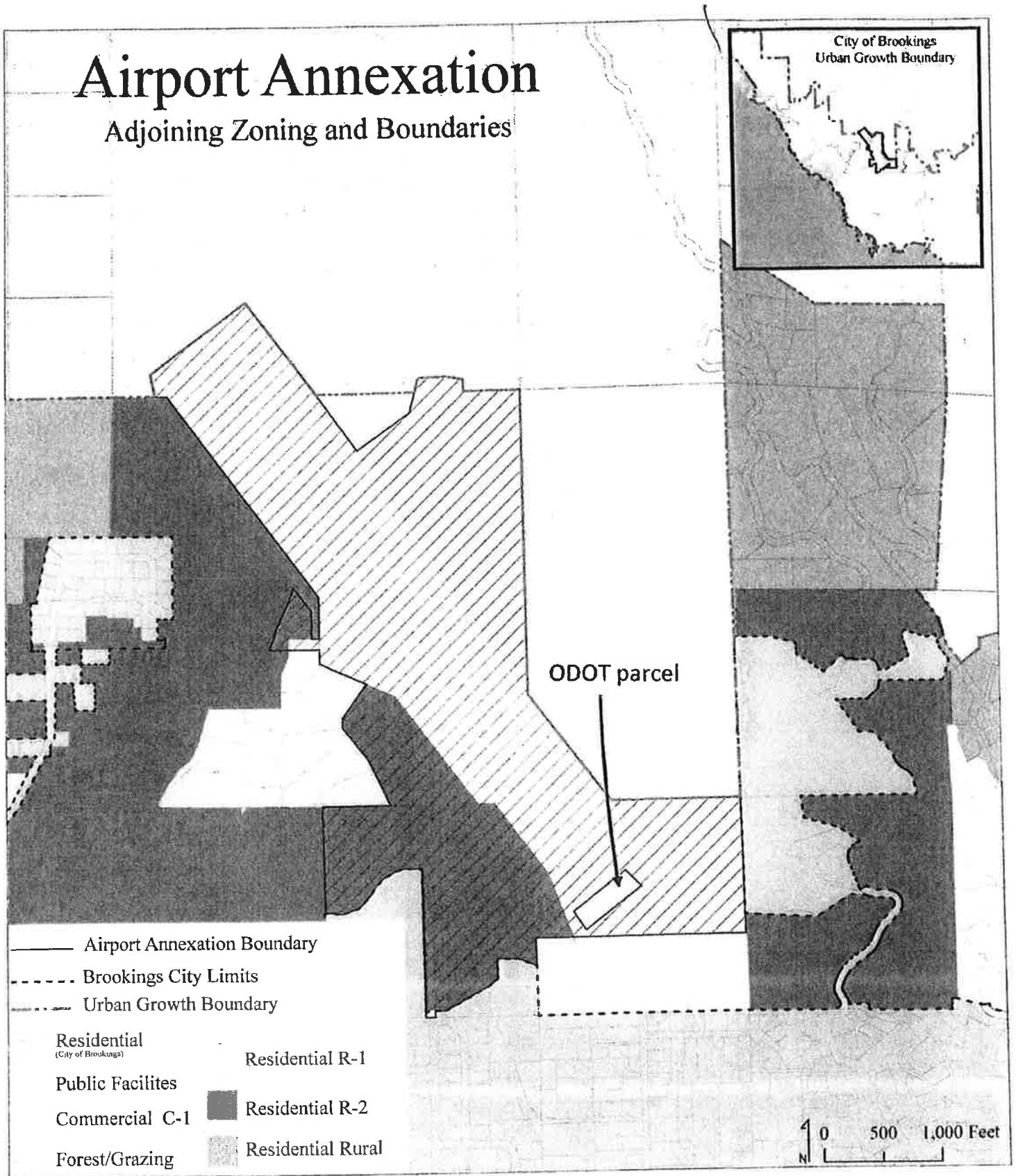


Return to: 61666
CURRY COUNTY TITLE, INC.
P.O. Box 872-Gold Beach, OR 97444

RECORDED
10

Airport Annexation

Adjoining Zoning and Boundaries



Brookings Airport

Tax Lot 124



Copyright 2011 ORMAP. All rights reserved. Thu Jan 17 2013 10:46:26 AM.

EXHIBIT A

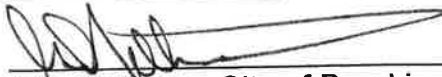
That certain tract of land lying within the Northeast Quarter (NE 1/4) and the Southeast Quarter (SE 1/4) of Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, established as the clear zone for the Brookings Airport and more particularly described as follows:

Beginning at a 1/2 inch diameter iron pipe which marks the center of the South end of the Brookings Airport runway, said pipe falling 522.83 feet North and 912.97 feet East from the center 1/4 section corner of Section 31, Township 40 South, Range 13 West of the Willamette Meridian as restored by Newhouse; thence South $36^{\circ}42'$ East 1407.06 feet along the extended centerline of said runway to the TRUE POINT OF BEGINNING, said point falling 610.19 feet South and 1,747.24 feet East of the above described center 1/4 corner; thence South $53^{\circ}18'$ West 210.71 feet; thence South $30^{\circ}57'22''$ East 143.65 feet; thence North $53^{\circ}18'$ East 450.00 feet; thence North $42^{\circ}24'38''$ West 143.65 feet; thence South $53^{\circ}18'$ West 210.71 feet to the TRUE POINT OF BEGINNING described above.

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

The sole and exclusive owner of the following described real property as described in Exhibit "A" attached hereto and by this reference incorporated herein, hereby consents to its annexation to the City of Brookings, Oregon.

Dated 12/03/12



City Manager, City of Brookings


Assessor's Map
40-13-31; tax lot 500

STATE OF Oregon)
County of Curry) ss.

The foregoing instrument was acknowledged before me this 3rd day of December, 2012, by Gorey Millman,

City Manager, City of Brookings, a political subdivision of the State of Oregon.





Notary Public for Oregon

My Commission Expires: 1-4-2014

Exhibit A

Assessor's Map

40-13-31; tax lot 500

A tract of land, reserved hereunder to Elmer Bankus, lying in the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, more particularly described as beginning at a point on the East-West centerline of said Section 31, said point being 421.01 feet East of the interior quarter section corner of Section 31;

thence North 24° 37' West 327.00 feet;

thence North 37° 33' West 248.70 feet;

thence North 69.00 feet;

thence North 36° 00' East 264.00 feet;

thence South 65° 00' East 200.00 feet;

thence South 36° 00' East 857.00 feet, more or less, to a point on the East-West centerline of Section 31, said point being 973.50 feet Easterly of the interior quarter section corner of Section 31;

thence Westerly along said East-West centerline 565.00 feet, more or less, to the point of beginning, all lying and being in Curry County, Oregon.

4701

CONSENT TO ANNEXATION - CONTIGUOUS TERRITORY
TO THE CITY OF BROOKINGS, OREGON

The County of Curry, sole and exclusive owner of the real property described in Exhibit "A" attached hereto and by this reference incorporated herein, by and through its Board of Commissioners, hereby consents to the annexation of said real property to the City of Brookings, Oregon, subject to the following condition: If the property in Exhibit "A" remains County-owned property, and if this property becomes part of an Urban Renewal District, the scope of work for said real property in the Urban Renewal Plan for infrastructure improvements must be jointly approved by both the City of Brookings and Curry County.

Dated March 6 2013,

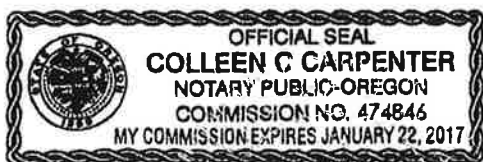
David Brock Smith
David Brock Smith, Chair

Opposed
Susan Brown, Vice Chair

David G. Itzen
David G. Itzen, Commissioner

STATE OF Oregon)
County of Curry) ss.

The foregoing instrument was acknowledged before me this 6th day of March, 2013, by David Brock Smith, Chair, Susan Brown, Vice Chair, and David G. Itzen, Curry County Board of Commissioners, a political subdivision of the State of Oregon.



Colleen C. Carpenter
Notary Public for Oregon
My Commission Expires: 1/22/17

State of Oregon }
County of Curry } ss.
I hereby certify that the within is a
true copy of the original record on
file in my office and custody.
Dated 3/14/2013
Renee Kolen, Curry County Clerk
By [Signature]

40-13-31, 200

EXHIBIT "A"

A parcel of land as described in Exhibit A of Instrument 1997-2452, TOGETHER WITH that parcel conveyed to Curry County as recorded January 8, 1997, in Instrument 97-00096, Official Records of Curry County, Oregon.

EXHIBIT ____

A parcel of land lying in within the South Half of Section 30, and the Northwest Quarter and the East Half of Section 31, and the Southwest Quarter of Section 32, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon more particularly described as follows:

BEGINNING at a point lying on the north line of Parcel One of Partition Plat No. 1992-81, recorded December 30, 1992 in Instrument 1992-10510 Official Records of Curry County, Oregon, said point bears North 89°54'37" West a distance of 815.96 feet from the common Quarter corner of Section 31 and Section 32;

thence, along said north line, South 89°54'37" East (record South 89°54'09" West) a distance of 815.96 feet to said Quarter corner;

thence, southerly along the Section line common to Section 31 and Section 32, South 00°56'38" East a distance of 861.00 feet, more or less, to the center of an unnamed creek, said point being the Northwest corner of that parcel of land conveyed to the Sandra L. Bonney Trust Dated October 4, 1995, recorded April 16, 2004 in Instrument 2004-2314, Official Records of Curry County, Oregon;

thence, along the northerly line of said Bonney parcel, South 39°40'10" East a distance of 57.28 feet;

thence South 47°16'05" East a distance of 90.18 feet;

thence South 33°51'20" East a distance of 135.41 feet;

thence South 86°45'31" East a distance of 143.31 feet;

thence South 02°18'34" East a distance of 12.06 feet, more or less, to the northerly boundary of that parcel of land conveyed to the Sandra L. Bonney Trust Dated October 4, 1995, recorded January 22, 1996 in Instrument 1996-0284, Official Records of Curry County, Oregon;

thence, along said northerly boundary, South 86°45'31" East a distance of 56.19 feet, more or less, to the westerly boundary of that parcel of land conveyed to Patrick Wong and Teresita D. Wong, husband and wife, recorded April 16, 2004 in Instrument 2004-2315, Official Records of Curry County, Oregon;

thence, along said westerly boundary, South 07°27'07" East a distance of 54.98 feet;

thence South 74°12'24" East a distance of 94.89 feet;

thence South 47°56'34" East a distance of 101.69 feet, more or less, to the westerly right-of-way of Old County Road said point being the beginning of a non-tangent curve, to the left with a radius of 100.00 feet, from which the radius point bears North 89°33'16" East;

thence, southerly along said right-of-way, along the arc through a central angle of 27°31'10", an arc distance of 48.03 feet;

thence South 27°47'56" East a distance of 49.96 feet, to a point of a tangent curve to the right, with a radius of 25.00 feet;

thence, southerly, along the arc through a central angle of 98°34'35", an arc distance of 43.01 feet;

thence South 70°46'30" West a distance of 36.06 feet, more or less, to the north line of the Northwest Quarter of the Southwest Quarter of section 32;

thence, leaving said right-of-way and westerly along said north line, North 89°13'38" West a distance of 530.38 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 32;

thence, northerly along the Section line common to Section 31 and Section 32, North 00°56'38" West a distance of 500.06 feet, more or less, to the southeast corner of Parcel One of said Partition Plat No. 1992-81;

thence, leaving said Section line and along the boundary of said Parcel One, South 89°54'58" West a distance of 1321.93 feet;

thence North 65°46'34" West a distance of 8.97 feet;
 thence North 89°58'30" West a distance of 644.92 feet;
 thence South 00°12'25" East a distance of 501.44 feet;
 thence North 89°46'50" West a distance of 60.00 feet;
 thence North 00°12'25" West a distance of 959.19 feet to the centerline of Ransom

Creek;

thence, along said centerline, North 86°21'10" West a distance of 101.67 feet;
 thence South 76°46'45" West a distance of 62.50 feet;
 thence South 58°41'16" West a distance of 98.16 feet;
 thence South 43°19'54" West a distance of 58.57 feet;
 thence South 32°13'30" West a distance of 63.72 feet;
 thence South 38°50'57" West a distance of 74.68 feet;
 thence South 46°21'22" West a distance of 42.45 feet;
 thence South 70°42'33" West a distance of 112.71 feet;
 thence North 79°52'43" West a distance of 46.66 feet;
 thence North 88°42'31" West a distance of 57.64 feet to the North-South centerline of

said Section 31;

thence, leaving said creek and along said North-South centerline, North 00°29'10" West a distance of 695.40 feet, to the Center Quarter Section corner of said Section 31;

thence South 89°54'37" East a distance of 421.01 feet, more or less, to the southwest corner of Parcel I of those tracts of land conveyed to the City of Brookings, recorded March 7, 1974 in Book of Records 33 Page 366, Official Records of Curry County, Oregon;

thence, leaving the boundary of said Partition Plat No. 1992-81 and along the westerly boundary of said Parcel I, North 24°36'32" West a distance of 327.00 feet;

thence North 37°32'01" West a distance of 248.70 feet;

thence North 00°00'34" West a distance of 69.00 feet;

thence North 36°00'00" East a distance of 264.00 feet, more or less, to the most northerly corner of said Parcel I;

thence, leaving the boundary of said Parcel I, North 65°15'02" West a distance of 323.38 feet, more or less, to the North-South centerline of said Section 31, said point also being the most northerly corner of Parcel Two of Partition Plat No. 1996-11, recorded April 25, 1996 in Instrument 1996-1832, Official Records of Curry County, Oregon;

thence, northerly along said North-South centerline, North 00°17'48" West a distance of 386.00 feet, more or less, to the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 31;

thence, Northwesterly 1703.0 feet, more or less, to a point lying on the Section line common to Section 30 and Section 31, said point being 1034.83 feet westerly from the Quarter corner common to said Section 30 and Section 31, also being the Southwest corner of that parcel of land conveyed to Curry County, recorded February 21, 1963 in Deed Volume 67 Page 493 Official Records of Curry County, Oregon;

thence, leaving said Section line and along the boundary of said Deed Volume 67 Page 493, North 12°11'06" West 144.59 feet;

thence North 53°18' 00" East 769.70 feet;

thence South 36°42'00" East 750.00 feet to the Quarter corner common to Sections 30 and 31;

thence, leaving said Section line and along the boundary of Parcel II of those tracts of land conveyed to the South Coast Lumber Company, recorded August 5, 1960 in Deed Volume 59 Page 336, Official Records of Curry County, Oregon, South 35°21'53" East 449.80 feet;

thence, North 54°37'04" East 413.38 feet, more or less, to the Southwest corner of that parcel of land conveyed to Curry County, recorded January 8, 1997 in Instrument 1997-0096, Official Records of Curry County, Oregon;

thence, leaving the boundary of said Deed Volume 59 Page 336 and along the boundary of said Instrument 1997-0096, North 14°07'25" East 221.08 feet;

thence North 49°11'06" East 22.11 feet;

thence North 88°44'16" East 158.02 feet;

thence South 80°50'48" East 115.83 feet;

thence South 04°08'11" East 80.94 feet, more or less, to the Section line common to Sections 30 and 31;

thence, leaving the boundary of said Instrument 1997-0096, Easterly along said Section line, 364.86 feet, more or less, to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 31;

thence Southerly along the One Sixteenth line 1320 feet, more or less, to the Southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 31;

thence continuing Southerly along the One Sixteenth line 620 feet, more or less, to a point North 700 feet from the Center East One Sixteenth corner of Section 31;

thence Southeasterly 855 feet to a point on the East-West centerline of section 31, said point being 500 feet easterly of said Center East One Sixteenth;

thence Easterly along said east-West centerline 2.00 feet, more or less, to the POINT OF BEGINNING.



From: Dan Crumley [CrumleyDan@co.curry.or.us]
Sent: Thursday, March 14, 2013 4:39 PM
To: Donna Colby-Hanks
Subject: RE: facility permit for 16900 Old County Rd

Hi Donna,

I don't have a specific facility permit for that address. I suspect the access is grandfathered. I have a permit for the adjacent residence, which takes off at the same access location as 16900 but this permit would not apply to 16900. We consider this access to be within the County Road jurisdiction.

Dan

Donna Colby-Hanks

From: Dan Crumley [CrumleyDan@co.curry.or.us]
Sent: Wednesday, December 26, 2012 4:59 PM
To: Donna Colby-Hanks
Subject: Brookings Airport Accesses

Hi Donna,

As far as I can determine there are no facility permits on file for accesses to the Brookings Airport or the McVay parcel on Dodge Avenue. Access permits will not be required as a condition for the proposed annexation of the above described properties. Should conditions change in the future for these parcels where new accesses are needed then permits will need to be secured. For the present the accesses to the airport and the McVay parcel are considered grandfathered.

Dan

Dan Crumley
Curry County Roadmaster
541-247-7097

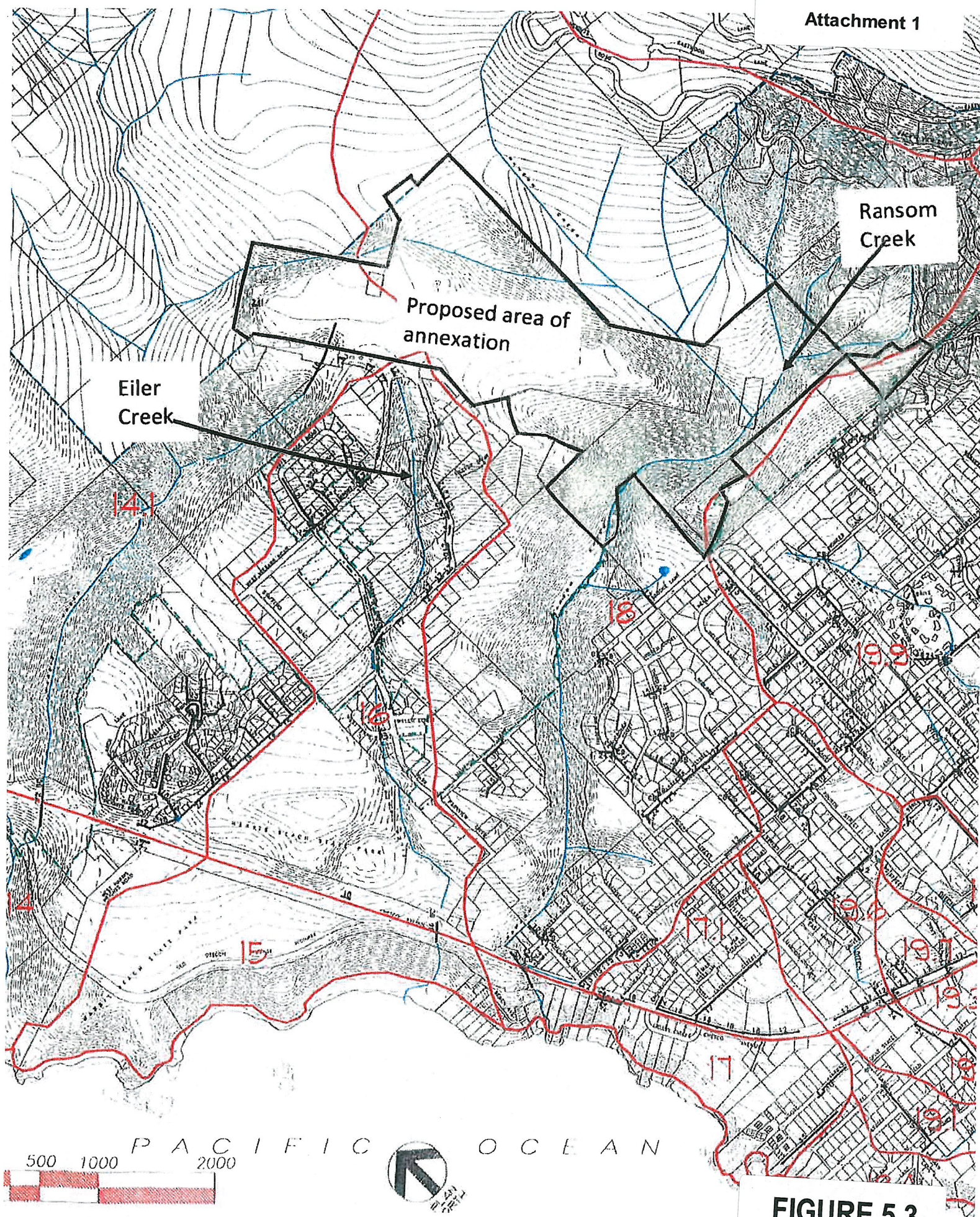


FIGURE 5.3

Findings for City of Brookings Territory Annexation

1. 17.144.020(J)(5) Urban services needed and necessary to service the territory proposed to be annexed, including the availability of the same relative to capacity, condition and cost of extension and/or improvement to urban standards and an estimated timeline for any required improvements. City staff will provide written information regarding existing infrastructure and any improvements that would be necessary to serve the territory proposed to be annexed, as well as any other properties within the urban growth area that would also be served by these improvements in the future.

The economic development at the Brookings Airport and adjacent properties necessitate water and sewer system improvements. The annexation area will be served thru a combination of the Brookings Airport Infrastructure Project as well as the City's existing infrastructure. The attached map (Figure 1) shows the intended area of service for the proposed Airport Infrastructure Project as well as the area which will be served from the City's existing infrastructure located primarily along Meadow Lane, Brooke Lane and Old County Road. Several significant drainages affect the annexation area which dictates where service will come from. There is one overlapping area where water service will come from the proposed Airport Infrastructure area and sewer service will need to come from existing sewer located on Meadow Lane and Brooke Lane.

The total cost for the Brookings Airport Infrastructure Project including construction, engineering, geotechnical, contingency, land acquisition, administration, and legal is \$2.5 million and will include a new reservoir located to the north of the annexation area. Overall schedule for the Airport Infrastructure Project is approximated as follows:

Design: approximately 9 months – April 2013 thru January 2014.

Bid Solicitation / Contract Award: approximately 3 months – February thru April 2014

Construction: approximately 10 months – May 2014 thru February 2015.

Service for the south area will be dictated by development and the overall schedule is unknown.

It should be noted that additional waterlines / sewer lines will be needed to serve developable parcels within the annexation parcel, but the primary waterline that will be routed from the new tank can serve as the main feed line for these areas. The placement and cost associated with these branch lines will be the responsibility of the developers and not the City.

2. 17.144.030(B) An adequate level of urban services and infrastructure to accommodate anticipated future development either is available, or can reasonably be made available. An adequate level of urban services shall be defined as: municipal sanitary sewer, storm drainage, and water service meeting the requirements enumerated in the Brookings public facilities plan and the land development code for provision of these services. The adequacy of these services shall be considered in relation to annexation proposals. If any substandard infrastructure exists within the boundaries of the area proposed for annexation, the city may deny an annexation application.

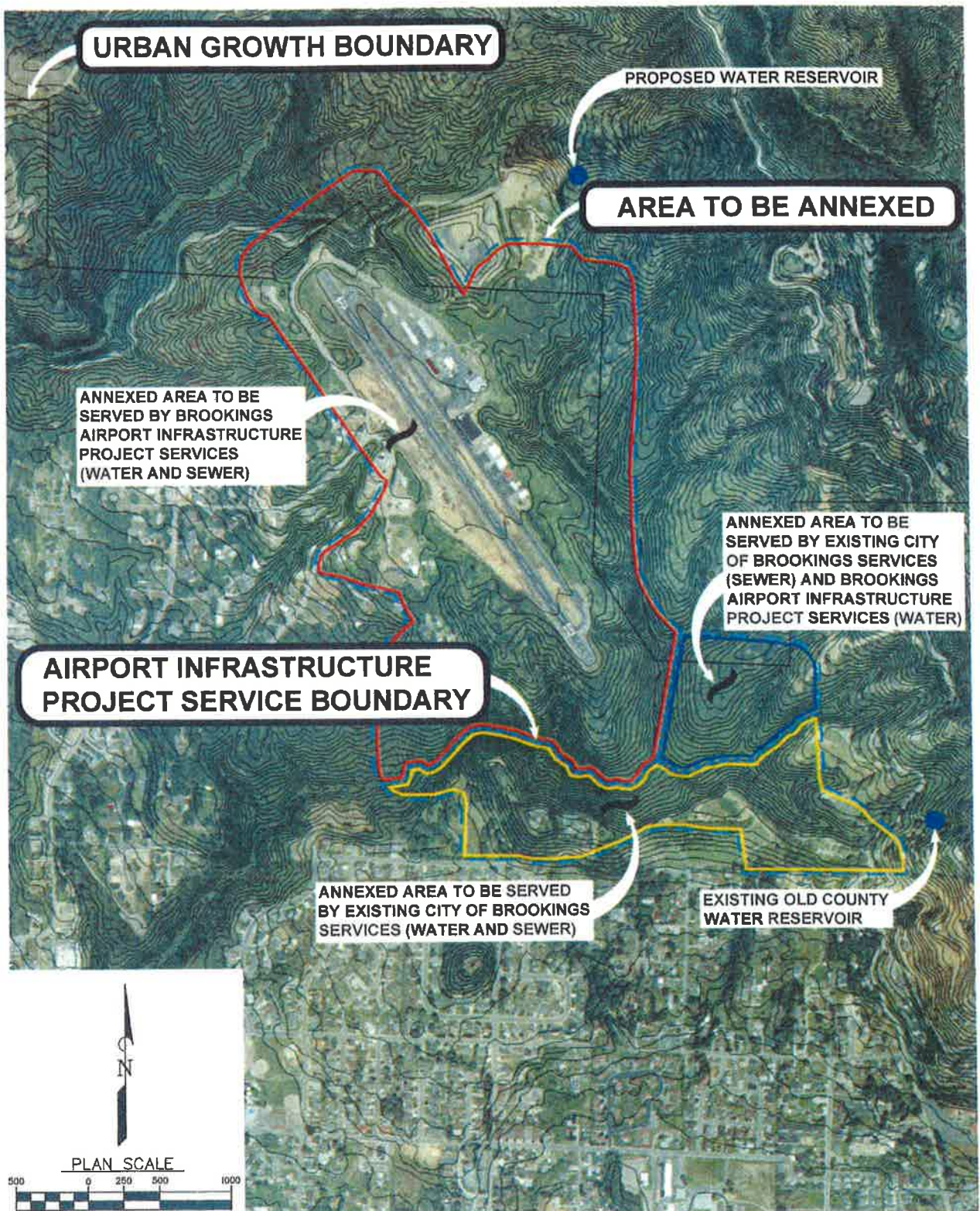
The water and sewer improvements associated with the construction of the Brookings Airport Infrastructure Project will accommodate anticipated future development within the boundary line of the territory to be annexed as shown in Figure 1. The water improvements will provide adequate water pressure and capacity, including fire flows. The higher elevation reservoir will allow the higher elevation areas of the airport and surrounding property to acquire adequate service pressure. The sewer improvements will provide adequate capacity and connect to the existing city sewer system at the intersection of Vista Ridge Road and Airport Way. Development between elevation 435' and 465' will require the installation of a private pump station that would also discharge into the proposed force main. The improvements allow for independent development of the airport property but do not provide any gravity sewer collection system improvements to existing or future development in the area.

The southern portion of the territory to be annexed as shown in Figure 1 will not be served by the Brookings Airport Infrastructure Project and will be required to connect into existing city service areas as development occurs. Water service may be available from existing water transmission lines located on Brooke Lane, Meadow Lane, Old County Road, or from Old County Reservoir. Existing gravity sewer service is available on the western portion of Brooke Lane (some properties have pressure sewer service connections), along Meadow Lane, and approximately 500' south of the territory to be annexed along Old County Road.

One area of the territory for annexation, as shown in Figure 1, will require a combination of services from Brookings Airport Infrastructure Project and existing city services. The water service for new development would be connected to the new project while the sewer service would be connected to the City's existing sewer collection system to the south.

3. 17.144.030(F) Improvements for needed infrastructure shall be secured by a funding mechanism that will place the economic burden on the territory proposed for annexation and not on the city of Brookings.

Funding for the Brookings Airport Infrastructure Project will be provided by a combination of grant money with the remainder provided by the City of Brookings. The annexed territory future development will require infrastructure to be constructed as needed and paid for by the developer in addition to any SDC requirements. The City of Brookings will not be responsible for further development of the territory.



THE DYER PARTNERSHIP ENGINEERS & PLANNERS, INC.	CITY OF BROOKINGS ANNEXATION MAP SITE PLAN	FIGURE NO. 1
DATE: APRIL 2013		
PROJECT NO.: 145-44		

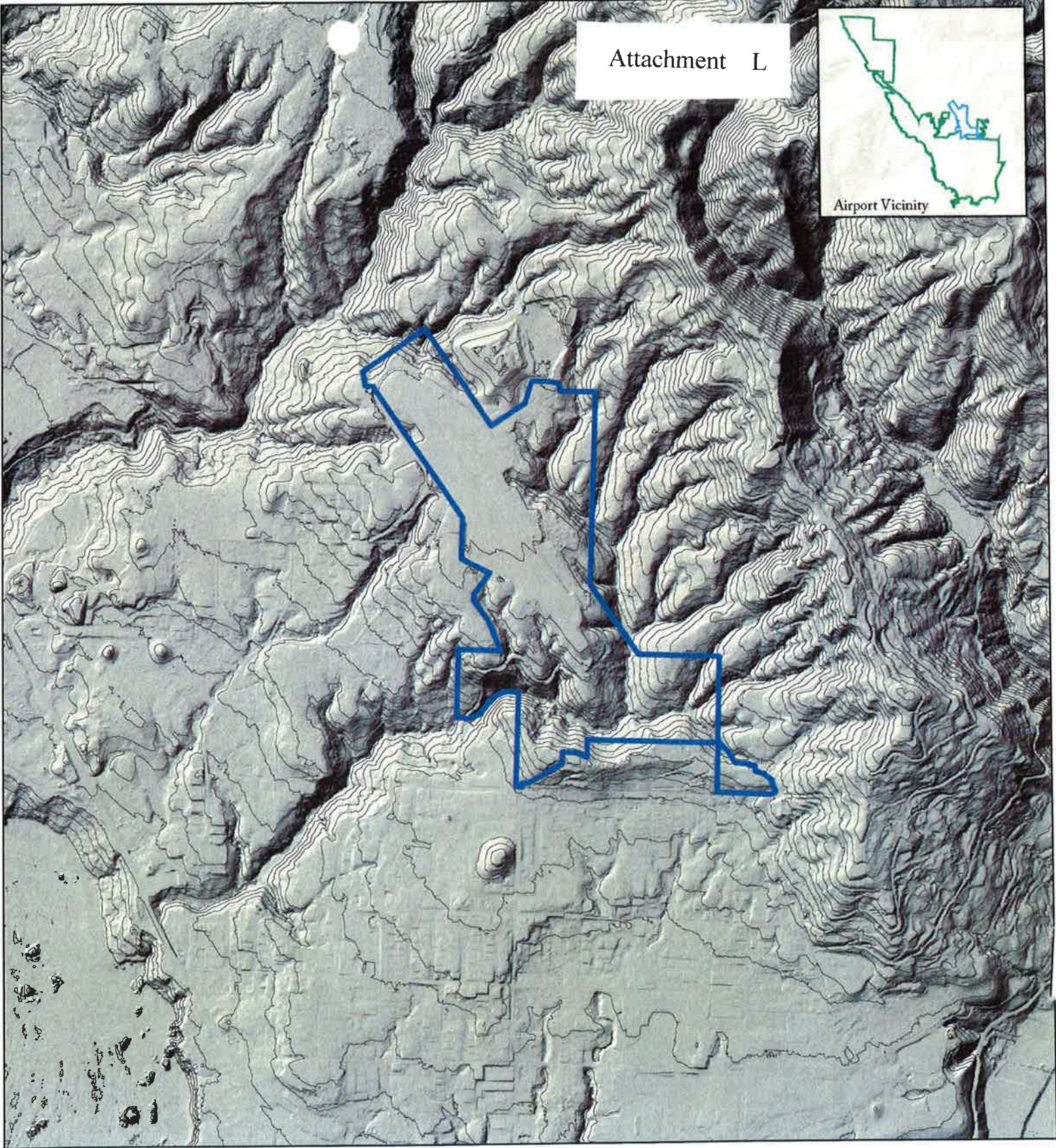
OWNERS OF PROPERTY WITHIN 250 FEET

Assessor Map #	Tax Lot #	Name	Mailing Address
40-13-31DC	1000	Hansen	P.O. Box 7830 Brookings, OR 97415
40-13-31DD	1700	Hutton	601 Meadow Lane Brookings, OR 97415
40-13-31DC	900	Rettke	977 Helen Lane Brookings, OR 97415
40-13-31DC	801	Moore	P.O. Box 2795 Harbor, OR 97415
40-13-31D	120	WJ Ward Memorial Cemetery	P.O. Box 1083 Brookings, OR 97415
40-13-31D	121	WJ Ward Memorial Cemetery	P.O. Box 1083 Brookings, OR 97415
40-13-31D	200	Southern Curry Cemetery District	P.O. Box 1083 Brookings, OR 97415
40-13-31DC	802	Williams	P.O. Box 4185 Brookings, OR 97415
40-13-31DC	803	Schuler	925 Brooke Lane Brookings, OR 97415
40-13-30	200	South Coast Lumber	P.O. Box 670 Brookings, OR 97415
40-13-31DC	701	George	997 Krista Lane Brookings, OR 97415
40-13-31DC	702	Davis	995 Krista Lane Brookings, OR 97415
40-13-31DC	703	Young	2357 Stuart Clovis, CA 93611
40-13-31DC	721	Longo	994 Krista Lane Brookings, OR 97415
40-13-31DC	722	Hall	998 Krista Lane Brookings, OR 97415
40-13-30	300	South Coast Lumber	P.O. Box 670 Brookings, OR 97415
40-13-31DD	1600	Hargrove	P.O. Box 1094 Brookings, OR 97415
40-13-32C	205	Bach/Williams	P.O. Box 6326 Brookings, OR 97415
40-13-30	400	South Coast Lumber	P.O. Box 670 Brookings, OR 97415

Assessor Map #	Tax Lot #	Name	Mailing Address
40-13-32C	213	Hedenskog	16956 Old County Rd Brookings, OR 97415
40-13-32C	208	Wong	16920 Old County Rd Brookings, OR 97415
40-13-31D	102	Spratt	P.O. Box 1344 Brookings, OR 97415
40-13-32C	215	Dreiszus	P.O. Box 1221 Brookings, OR 97415
40-13-31	100	South Coast Lumber	P.O. Box 670 Brookings, OR 97415
40-13-31	300	South Coast Lumber	P.O. Box 670 Brookings, OR 97415
40-13-31B	203	Downing	P.O. Box 26 Brookings, OR 97415
40-13-31B	204	Downing	P.O. Box 26 Brookings, OR 97415
40-13-31D	123	Mitts	P.O. Box 670 Brookings, OR 97415
40-13-31B	3000	Heliotes	P.O. Box 232 San Andreas, CA 95249
40-13-31B	206	Campbell	615 Easy Manor Dr. Brookings, OR 97415
40-13-31B	3001	Moffit/Kroog	97116 Hilltop Drive Brookings, OR 97415
40-13-31B	3002	Kessler	P.O. Box 6335 Brookings, OR 97415
40-13-31B	3100	Birks	97145 Hilltop Drive Brookings, OR 97415
40-13-31CA	100	Gowman	96903 Gowman Ln Brookings, OR 97415
40-13-31B	3200	Ramos	97115 Hilltop Drive Brookings, OR 97415
40-13-31B	3201	Jojo	97113 Hilltop Drive Brookings, OR 97415
40-13-31B	3300	Chetco Federal	4807 Spicewood Springs Rd #5100 Austin, TX 78759
40-13-31B	3307	McVay	P.O. Box 2096 Harbor, OR 97415

Assessor Map #	Tax Lot #	Name	Mailing Address
40-13-31B	202	Curry	P.O. Box 1473 Brookings, OR 97415
40-13-31B	3202	Savercool	P.O. Box 4055 Brookings, OR 97415
40-13-32CC	101	Markley	19816Avenue of Oaks Newhall, CA 91321
40-13-32CC	102	Donahue	P.O. Box 7187 Brookings, OR 97415
40-13-32CC	103	Howard	501 Meadow Lane Brookings, OR 97415
40-13-32CC	106	Riley	585 Meadow Lane Brookings, OR 97415
40-13-32CC	1500	Bruce Brothers	P.O. Box 69 Brookings, OR 97415
40-13-31B	3302	McVay	P.O. Box 2096 Brookings, OR 97415
40-13-31CA	900	Sirchuk	P.O. Box 2711 Harbor, OR 97415
40-13-31DD	1602	Whipple/Burke	P.O. Box 3266 Brookings, OR 97415
40-13-32CC	108	Lejeune	P.O. Box 7282 Brookings, OR 97415
40-13-31D	104	Smelosky	P.O. Box 4524 Brookings, OR 97415
40-13-32CC	100	Wiley	17257 Whitney Way Brookings, OR 97415
40-13-31DC	100	Ensley	950 Pioneer Lane Brookings, OR 97415
40-13-32B	1201	KD Properties	P.O. Box 30848 Albuquerque, NM 87190
40-13-32CC	1507	Bruce Brothers	P.O. Box 69 Brookings, OR 97415
40-13-32CC	1508	Bruce Brothers	P.O. Box 69 Brookings, OR 97415
40-13-32CC	1509	Coito	831 Chetco Point Brookings, OR 97415
40-13-32CC	1510	Redd	P.O. Box 1557 Pennington, NJ 08534
40-13-32CC	1511	Valdez	7775 Zoe Drive Brookings, OR 97415
40-13-32CC	1512	Western Pacific Fin.	2140 Chapman Ste 202 Orange, CA 92868

Assessor Map #	Tax Lot #	Name	Mailing Address
40-13-32CC	1513	Bank of America	400 National Way Simi Valley, CA 93065
40-13-31B	200	Stonebrook	574 Brookstone Hills Grants Pass, OR 97526
40-13-32CC	114	Johnson	6715 Cumorah Crest Magalia, CA 95954
40-13-32CC	117	Johnson	6715 Cumorah Crest Magalia, CA 95954
40-13-32CC	118	Bassett	500 Wonder Lane Wilderville, OR 97543
40-13-32CC	119	Bassett	500 Wonder Lane Wilderville, OR 97543
40-13-32CC	120	Lewis/Russell	6170 N Union Drive Prescott Vllly, AZ 86314
40-13-32CC	121	Le	14372 Rosewood Cir Tustin, CA 92780
40-13-32CC	122	Tilka	5712 Texas Drive Vancouver, WA 98661
40-13-32CC	123	Jarrett	1101 Ona Lane Redding, CA 96003
40-13-31DD	100	Hardin/Shermoen	600 Meadow Lane Brookings, OR 97415
40-13-31DD	200	Southern Curry Cemetery	P.O. Box 1083 Brookings, OR 97415
40-13-31DD	300	Kime	608 Meadow Lane Brookings, OR 97415



 Airport Annexation Boundary

 Contours lines = 25ft

Airport Annexation City of Brookings - Contour Map -

0 0.25 0.5 Miles

NAD83 StatePlane OR South; Curry County GIS; Updated - 4/2/13 jC City of Brookings



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Donna Colby-Hanks

From: Holmstrom, Bill [bill.holmstrom@state.or.us]
Sent: Friday, December 28, 2012 12:05 PM
To: Donna Colby-Hanks
Cc: Perry, Dave; MCDONALD John (John.MCDONALD@odot.state.or.us); GUEVARA Thomas
Subject: Brookings Airport Annexation- Transportation issues
Attachments: Sample TPR findings no increase in trips.pdf

Hi Donna,

I just wanted to follow up with you on our conversation this morning. My understanding is that your proposal to annex the Brookings airport and some of the surrounding land will not result in a change to most of the allowed land uses. Most of the land will simply shift from a county zone to an equivalent city zone. A few properties will move from a county commercial zone to a city industrial zone, which will allow uses that would potentially generate fewer trips than the previous allowed uses.

For purposes of the Transportation Planning Rule, findings stating the facts showing that the changes in land use will result in fewer potential trips added to the transportation system and will hence not constitute a significant effect are adequate.

For purposes of your local ordinance regarding annexations, I only know what you read to me on the phone, but the above findings should be adequate for meeting those requirements as well. I do not believe additional traffic analysis is warranted. If the city believes additional analysis is necessary, a straightforward analysis of the trips that are expected to be generated under reasonable land uses scenarios under both the current and potential zoning regulations should suffice.

I have attached a copy of some recent findings from a substantial rezoning in Lane County. The findings showed that the new zoning would not generate as many trips as what was previously allowed. They are probably more involved than what you require, but the overall concepts are the same.

Please let us know if you need anything else.

Thanks,
-Bill

Bill Holmstrom AICP | TGM Coordinator
Planning Services Division | Transportation & Growth Management
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Salem Office: (503) 373-0050 ext. 265
bill.holmstrom@state.or.us | www.oregon.gov/LCD/



THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.

1330 Teakwood Avenue
Coos Bay, Oregon 97420
Ph: (541) 269-0732
Fx: (541) 269-2044
www.dyerpart.com

M E M O R A N D U M

DATE Jan. 15, 2013
TO Donna Colby-Hanks , Planning Manager
FROM Tom Hart, PE
PROJECT NAME Airport Property Annexation
PROJECT NO. Dyer No. 145.40
Re: Traffic Study

The purpose of this traffic study is to determine the change in future traffic volumes due to the proposed annexation of the airport properties into the city of Brookings. The density of development allowed in the county's land use and zoning ordinance, although similar, does not correspond exactly to the allowed density in the city's land use and zoning ordinance. This change in allowable density from the county to the city will result in future traffic being generated at different rates and volumes.

Traffic forecasting presented in this study is based on trip rates published in the Institute of Traffic Engineers (ITE) Trip Generation manuals. Vehicle trip generation for aviation flights for both the county forecast and the city forecast is based on 61 flights per day, 94% of the flights designated as general aviation and 6% of the flights as air taxi (similar to general aviation). The change in projected traffic volumes resulting in the annexation is due to the change of each jurisdictions maximum allowable land use density. Table 1 depicts the ITE forecast for daily trips and PM peak hour trips per vehicle.

Existing County Traffic Volumes

County airport area traffic volumes are forecast based on 45.8 acres of General Commercial (C-1), 69 acres of Public Facility (PF, airport) and 36 acres of Single Family Detached (R-1&2). The forecast for General Commercial zone utilizes 30% of the area for streets, 25% of the area for parking, 10% of the area for landscaping, and 35% for floor space of the structures. Single Family Detached dwelling units (DU) are estimated based on 30% of the land area developed as streets with 6,000 square foot lots.

Proposed City Traffic Volumes

City airport area traffic volumes are forecast based on 18.5 acres of General Commercial (C-3), 69 acres of Public/Open Space (P O/S, airport), 35 acres of Residential (R) and 27.7 acres of Industrial Park (IP). The forecast for General Commercial and Industrial Park zones utilizes 30% of the area for streets, 25% of the area for parking, 10% of the area for landscaping, and 35% estimated as the floor space of structures. Residential dwelling units (DU) are estimated based on 30% of the land area developed as streets with 3,000 square foot lots.

Findings

Annexation of the Airport and subject properties into the city limits will change the land use designation and lower the future build-out traffic volumes. At full build-out, daily trips will be reduced by 1,230 vehicles trips and PM peak hour trips will reduced by 260 trips. See Table 1, attached.

TABLE 1
Airport Annexation - Trip Generation

Description (ITE Code)	Acres	Average Vehicle Trip		Average Daily Rate	Average Peak Rate	%PM In	%PM Out	Daily Trips	Calculated			
		Quantity	Units						PM Peak Hr	PM In	PM Out	
County Zoning												
Air Taxi (022)	69	4	Trips	20.00	1.00	55%	45%	80	4	2.2	1.8	
General Aviation (022)		57	Trips	1.97	0.30			112				
C-1, General Commercial/Office (710)	45.8	700	ksf	11.01	1.49	17%	83%	7,707	1,043	177	866	
Single Family Detached Housing (210)	36	180	DU	9.57	1.01	63%	37%	1,723	182	115	67	
Total County Zoning								9,620	1,230	290	930	
City Zoning												
Air Taxi (022)	69	4	Trips	20.00	1.00	54%	46%	80	4	2	2	
General Aviation (022)		57	Trips	1.97	0.30			112				
C-3, General Commercial/Office (710)	18.5	300	ksf	11.01	1.49	17%	83%	3,303	447	76	371	
Industrial Park (130)	27.7	400	ksf	6.96	0.84	21%	79%	2,784	336	71	265	
Duplex (230)	35.2	360	DU	5.86	0.52	64%	36%	2,110	187	120	67	
Total City Zoning								8,390	970	270	710	
Forecast Change in Traffic Volumes								-1,230	-260	-20	-220	

1. Based on ITE Trip Generation Rates

2. Land Usage estimated quantities based on allowed density per zone.



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Region 3 Planning

3500 NW Stewart Parkway

Roseburg, OR, 97470-1687

Phone: 541.957.3692 / Fax: 541.672.6148

Thomas.Guevara@odot.state.or.us

February 4, 2013

Donna Colby-Hanks, Planning Director
City of Brookings
898 Elk Drive
Brookings, Oregon 97415

Re: Brookings Airport Annexation & Rezone

Donna
~~Ms. Colby-Hanks:~~

Thank you for sending agency notice of a proposed Annexation/Rezone of approximately 148 acres to include the Brookings Airport and several surrounding properties. We reviewed the City's traffic volume assessment prepared by Dyer Partnership Engineers & Planners, Inc., and agree with its conclusions that the proposed lands uses generate less traffic than the existing land uses (See Attached Technical Memorandum). ODOT determined that the proposed project is not expected to significantly affect state transportation facilities.

You may contact me if you have questions or require additional information.

Sincerely,

THOMAS GUEVARA JR.
Development Review Planner

Attachment

CC: SWDRT



Oregon

John A. Kitzhaber, Governor

Oregon Department of Transportation

Region 3 Planning Section
3500 NW Stewart Parkway
Roseburg, OR 97470-1600
(541) 957-3500
FAX (541) 672-6148

Interoffice Memo

DATE: January 30, 2013

TO: Thomas Guevara Jr., Development Review Planner

FROM: John Oltman, P.E., Development Review Traffic Engineer

SUBJECT: Brookings Airport Annexation Traffic Volume Analysis Review

Brookings Airport Annexation & Rezone

Located in Township 40 South, Range 13 West, Section 31 in the follow subdivisions

31 Tax Lot 00200
31 Tax Lot 00500
31 D Tax Lot 00122
31 B Tax Lot 03302
31 B Tax Lot 03307

Totaling 148.4 acres

DRS file #: 5560

ODOT staff has reviewed the Traffic Volume assessment of the above land use proposal submitted by Tom Hart, P.E of the Dyer Partnership Engineers & Planners, Inc. Although ODOT calculations would use slightly different volume rates, they are not significant and ODOT staff agrees with the study's findings that the land use change and annexation will be a reduction in traffic volumes at build-out.

You may contact me at 541-957-3539 if you have questions or require additional information.

CITY OF BROOKINGS POLICE DEPARTMENT

Chris Wallace, Chief of Police



To: City of Brookings Planning Manager
From: Chief Chris Wallace 27813/201
Date: April 26, 2013
Subject: Police Coverage for Annexed Parcel

I have reviewed the attached map you provided and feel at this time we can adequately offer Brookings Police Department coverage for the area identified as "Airport Annexation Boundary." I request upon annexation of the proposed parcels blue address signs be utilized to readily identify the parcels as being within city jurisdiction. I would also appreciate notification in writing upon approval in order for us to properly update data in our law enforcement computer systems.

Sincerely,


Chief Chris Wallace

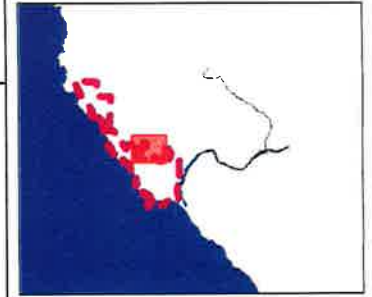
Enclosure: Airport Annexation Vicinity Map



898 ELK DRIVE
BROOKINGS, OR. 97415
www.brookings.or.us

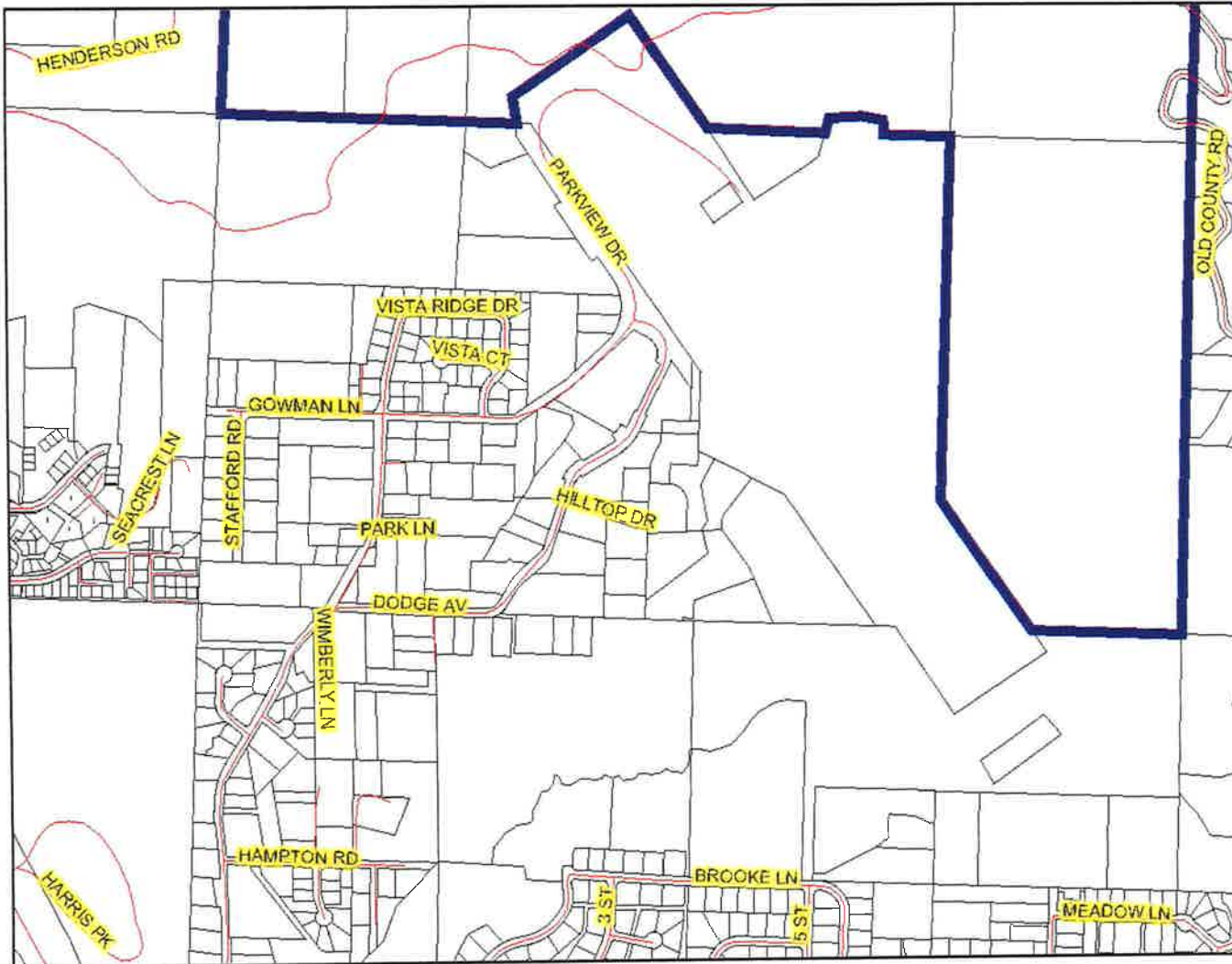
Phone: (541) 469-3118
Fax (541) 412-0253

Curry County Enterprise GIS



Legend

- RIVERS
- ROADS
- PARCELS
- URBAN GROWTH BOUNDARY
- OCEAN



0 1050 2100 3150 ft.

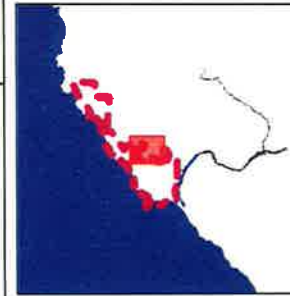
Map center: 42° 4' 19" N, 124° 17' 32" W



Scale: 1:10,965

This map is a public resource of general information. Use this information at your own risk. Curry County makes no warranty of any kind, expressed or implied, including any warranty of merchantability, fitness for any particular purpose or any other matter.

Curry County Enterprise GIS



Legend

-  RIVERS
-  ROADS
-  PARCELS
-  URBAN GROWTH BOUNDARY
-  OCEAN

0 1050 2100 3150 ft.

Map center: 42° 4' 19" N, 124° 17' 32" W



Scale: 1:10,965

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City of Brookings

Attachment Q

FIRE / RESCUE

898 Elk Drive, Brookings, OR 97415

(541) 469-1142 Fax (541) 469-3650

TTY (800) 735-1232

jwatson@brookings.or.us

Airport Annexation

4/1/2013

Donna, the Fire Department supports the proposed annexation of the airport.



Jim Watson
Operations Fire Chief
Brookings Fire & Rescue

Your Safety Is Our Business

America's
Wild Rivers
Coast
101 MILES OF NATURE'S BEST

UTILITY CONFIRMATION FORM

This form must be signed by Coos-Curry Electric, the electric utility provider, and then submitted with your application. Bring a copy of your plot plan or plat when discussing your proposal with the utility provider.

I. Application Information – This section to be filled out by applicant

Applicant Name: City of Brookings Date: _____
Assessor Map #: 40-13-31; Th 200 + 500 Tax Lot: _____
40-13-32C; 206 40-13-31D; 122, 103, 124
Site Address: Th 200 17330 Parkview; Th 206 16900 Old County Rd.
Proposal: _____ Subdivision/ Partition _____ Variance
_____ Conditional Use Permit X Other Annexation

II. Utility Provider Confirmation:

Utility Provider: Coos Curry Electric Coop. Inc.

I have reviewed the above referenced proposal and can confirm that the subject property is within this utility provider's district boundary and service can be provided. Any needed extension of service lines and all applicable fees and required charges have been discussed with the applicant.

Signature: Walter Gjyzler Title: Staking Engineer

Date: _____

From: Perry, Dave [dave.perry@state.or.us]
Sent: Tuesday, April 30, 2013 10:11 AM
To: Donna Colby-Hanks
Subject: ANX-1-13 Airport Annex and Rezoning

Donna,

I participated in the pre-application conference on the above referenced proposal and we have discussed the matter over the phone as well. The proposed annexation and rezoning would bring the airport and several other adjacent parcels into the city limits. The airport would be zoned "public facilities," and other parcels would be rezoned from commercial to industrial park.

DLCD staff have reviewed the proposal and support the planned changes.

If you have questions or if I may be of assistance, please call or respond to this e-mail.

Dave Perry | South Coast Regional Representative
Community Services Division | Coastal Services Center
Oregon Dept. of Land Conservation and Development
810 SW Alder Street, Suite B | Newport, OR 97365
Office: (541) 574-1584 | Cell: (541) 270-3279 | Fax: (541) 574-4514
dave.perry@state.or.us | www.oregon.gov/LCD



Oregon

John A. Kitzhaber, MD, Governor



3040 25th Street, SE
Salem, OR 97302-1125
Phone: (503) 378-4880
Toll Free: (800) 874-0102
FAX: (503) 373-1688

May 15, 2013

Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

SUBJECT: Local File No. ANX-1-13
Annexation of the Brookings Airport and Rezoning of Adjacent Parcels

The Oregon Department of Aviation (ODA) has reviewed the proposed annexation and the Public/Open Space zoning of Brookings Airport. ODA has the following comment regarding rezoning of 40-13-31D, tax lot 124 from Commercial to Public/Open Space for the purpose of protecting the airport from encroaching land use:

ODA recommends that future development be compatible with the airport overlay and adheres to Chapter 17.76 of the Brookings Municipal Code, Airport Approach (AA) Overlay Zone.

ODA recommends adherence to ORS 836.600 through 836.630, which allow for the future use and growth of Oregon airports, as well as to OAR 660-013-0010 through 660-013-0160, known as the Airport Planning Rule. These rules require local jurisdictions to provide for the protection of airport imaginary surfaces, aviation-related uses, airport growth, and from incompatible land uses where applicable and in accordance with the applicable criteria as noted on the pre-application notice.

Thank you for the opportunity to comment on this land use action. If you have any questions or need further information please feel free to contact me at heather.peck@aviation.state.or.us or (503) 378-3168.

Sincerely,

Heather Peck
Program and Planning Manager

cc: Donna Colby-Hanks
City of Brookings

Exhibit B

Supplemental Packet for Planning Commission

Hearing Date: June 4, 2013

7:00 pm - Council Chambers

File No. ANX-1-13

Doc #	Date received	From	Description
Exhibit B	06-04-2013	Dave Pratt, Curry County Planning	Email from Dave Pratt forwarding email from Dave Itzen, Curry County Commissioner

Donna Colby-Hanks

From: David Pratt [PrattD@co.curry.or.us]
Sent: Tuesday, June 04, 2013 4:15 PM
To: Donna Colby-Hanks
Cc: !Commissioners; Jerry Herbage; Colleen Carpenter; Jan Sirchuk; Nancy Chester
Subject: FW: Brookings Planning Commission Agenda for June 4, 7 PM

Donna:

Please enter this email into the public record for tonight's Planning Commission public hearing on ANX-1-13. I would respectfully request that the record show that Curry County did not request a zone change from Curry County C-1 (Light Commercial) to the City of Brookings I-P (Industrial Park) District.

Dave

David J. Pratt, AICP
Interim Planning Director
Department of Public Services
Curry County
94235 Moore St., Suite 113
Gold Beach, OR 97444
Phone: (541) 247-3228
FAX: (541) 247-4579
Email: prattD@co.curry.or.us

From: David Itzen
Sent: Tuesday, June 04, 2013 3:43 PM
To: David Pratt
Cc: Jerry Herbage
Subject: Brookings Planning Commission Agenda for June 4, 7 PM

Hello David,
Please convey to the appropriate parties associated with the Brookings Planning Commission Hearing scheduled for tonight at 7 PM regarding the annexation of the County owned Brookings Airport Property that the County has not, contrary to it being indicated on pages 9 and 16 of the Planning Commission Packet for the Meeting, "requested that the Comprehensive Plan designation for this area be changed to light industrial and the zoning be changed to Industrial Park (I-P)". While the Curry County Board of Commissioners (BOC) currently is not on record as opposing this change, the BOC most certainly has not requested it. Thanks for your assistance.

Regards,
Dave Itzen
Curry County Commissioner
Liaison Commissioner to the Brookings Airport

Exhibit B

Supplemental Packet for Planning Commission

Hearing Date: June 4, 2013

7:00 pm - Council Chambers

File No. ANX-1-13

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Regards,
Dave Itzen
Curry County Commissioner
Liaison Commissioner to the Brookings Airport

**BEFORE THE CITY COUNCIL
CITY OF BROOKINGS, COUNTY OF CURRY
STATE OF OREGON**

In the matter of Planning Commission File No.)	Final ORDER
ANX-1-13; application for approval of annexation,)	and Findings of
City initiated.)	Fact
)	

ORDER approving an annexation of approximately 155± acres, identified as six tax lots on Assessor's Map 40-13-31 tax lots 200 and 500, Map 40-13-32C tax lot 206, and Map 40-13-31D tax lots 103, 122, and 124 located between the northern terminus of Parkview Drive southeasterly to the northern terminus of Fifth Street. The subject property is located contiguous to the City Limits at the terminus of Fifth Street and also adjacent to Old County Road. Each of the property owners of the six lots have signed a notarized Consent to Annex.

WHEREAS:

1. The Planning Commission duly accepted the application filed in accordance with Chapter 17.144, Annexations, Brookings Municipal Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its scheduled public hearing on June 4, 2013; and,
3. Recommendations were presented by the Planning Manager in the form of a written Staff Report dated May 24, 2013, and by oral presentation, and evidence and testimony presented at the public hearing; and,
4. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Report and recommended that the City Council approve the request; and,
5. The Brookings City Council duly considered the above described application in a public hearing at a regularly scheduled public meeting held on June 24, 2013, and it is a matter of record; and,
6. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the City Council, upon a motion duly seconded, accepted the Planning Commission's recommendation and approved the request.

THEREFORE, LET IT BE HEREBY ORDERED that the application for an annexation of the subject parcels is approved. This approval is supported by the following findings and conclusions:

FINDINGS

The staff report dated May 24, 2013 along with the attachments provide the findings in the matter and are attached to and hereby made a part of this Final Order. The following are general findings to show that all of the criteria have been met.

1. The findings address the application procedure requirements in BMC Section 17.144.020 as well as each of the goals of the City's Comprehensive Plan.

2. The findings address the annexation impact analysis requirements in BMC Section 17.144.030.
3. The materials satisfy all of the criteria presented in BMC Chapter 17.144, Annexations, of the Land Development Code, to justify the proposed annexation.

CONCLUSIONS

The materials provided in the Staff report dated May 24, 2013 along with the Attachments satisfy all of the criteria presented in BMC Chapter 17.144, Annexations, of the Land Development Code, to justify the proposed annexation.

Dated this 24th day of June, 2013.

Ron Hedenskog, Mayor

ATTEST:

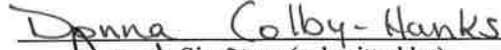
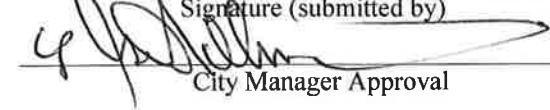
Donna Colby-Hanks, Planning Manager

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: June 24, 2013

Originating Dept: PWDS -Planning


Signature (submitted by)

City Manager Approval

Subject: Adopting Ordinance for amending the City limits and zoning map of the City of Brookings for File CPZ-1-13, annexing approximately 155± acres.

Recommended Motion: Motion to approve Ordinance 13-O-712.

Financial Impact: None.

Background/Discussion: This application was reviewed and approved at the City Council meeting held on June 24, 2013.

Policy Considerations: None.

Attachment(s): Adopting Ordinance 13-O-712.

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 13-O-712

IN THE MATTER OF ORDINANCE 13-O-712, AN ORDINANCE AMENDING THE CITY LIMITS AND ZONING MAP OF THE CITY OF BROOKINGS BY ANNEXING SIX TAX LOTS IDENTIFIED AS ASSESSOR'S MAP 40-13-31 TAX LOTS 200 AND 500, MAP 40-13-32C TAX LOT 206, AND MAP 40-13-31D TAX LOTS 103, 122, AND 124 AND APPLYING THE R-1-6 (SINGLE FAMILY RESIDENTIAL, 6,000 SQ. FT. MINIMUM LOT SIZE), THE R-2 (TWO FAMILY RESIDENTIAL), THE P/OS (PUBLIC OPEN SPACE), THE C-3 (GENERAL COMMERCIAL), AND THE I-P (INDUSTRIAL PARK) FOR EACH TAX LOT AS DEPICTED ON EXHIBIT "C".

Sections:

Introduction.

Section 1. Declaration of Annexation.

Section 2. Declaration of withdrawal from the Brookings Rural Fire Protection District

Section 3. Uncollected Taxes

Section 4. Submittal to Secretary of State.

Section 5. Rezoning.

WHEREAS, the six tax lots described in Exhibit "A" and depicted on map Exhibit "B" attached hereto, and that said territory is contiguous to exiting city limits pursuant to ORS 222.111; and

WHEREAS, notarized consent petitions for the annexation of each of the six tax lots have been filed with the City of Brookings which consents represent over a majority of the electors registered in the territory proposed to be annexed and the owners of more than half of the land in that territory, pursuant to ORS 222.170(2).

The City of Brookings ordains as follows:

Section 1. Declaration of Annexation. That the property in the territory described in Exhibit "A" and depicted on map Exhibit "B", attached hereto and by this reference made a part hereof, which said real property is situated in Curry County, Oregon, and is contiguous to the City of Brookings, and the same is hereby annexed to the City of Brookings.

Section 2. Declaration of withdrawal from the Brookings Rural Fire Protection District. That the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby withdrawn from the Brookings Rural Fire Protection District upon annexation of the aforementioned property to the City of Brookings.

Section 3. Uncollected Taxes. That all the uncollected taxes therefore levied by such district shall become the property of the City of Brookings and be delivered to up upon collection.

Section 4. Submittal to Secretary of State. That the City Recorder be, and is, authorized and directed to make and submit to the Secretary of State a copy of this ordinance, and a copy of the statement of consent of all the land owners of said real property heretofore filed with him.

Section 5. Rezoning. Concurrent with the annexation, the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby rezoned as depicted on map Exhibit "C" attached hereto and as described below:

Assessor Map 40-13-31 tax lot 200 is hereby rezoned from Public Facilities (PF)/Light Commercial (C-1) Curry County zoning classification to Public Open Space (P/OS)/Industrial Park (I-P) City of Brookings zoning classification; and

Assessor Map 40-13-31 tax lot 500 is hereby rezoned from Residential Two (R-2) Curry County zoning classification to Two-Family Residential (R-2) City of Brookings zoning classification; and

Assessor Map 40-13-31D tax lot 103 is hereby rezoned from Residential Two (R-2) Curry County zoning classification to Two-Family Residential (R-2) City of Brookings zoning classification; and

Assessor Map 40-13-31D tax lot 122 is hereby rezoned from Residential Two (R-2)/Light Commercial (C-1) Curry County zoning classification to Two-Family Residential (R-2)/General Commercial (C-3) City of Brookings zoning classification; and

Assessor Map 40-13-31D tax lot 124 is hereby rezoned from Light Commercial (C-1) Curry County zoning classification to Public Open Space (P/OS) Brookings zoning classification; and

Assessor Map 40-13-32C tax lot 206 is hereby rezoned from Light Commercial (C-1)/ Residential Two (R-2) Curry County zoning classification to Single-Family Residential, 6,000 sq. ft. minimum lot size (R-1-6) City of Brookings zoning classification.

First Reading: _____ Passage: _____
Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2013

ATTEST:

Mayor Ron Hedenskog

City Recorder Joyce Heffington

Exhibit "A"

A parcel of land lying in within the South Half of Section 30, and the Northwest Quarter and the East Half of Section 31, and the Southwest Quarter of Section 32, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon more particularly described as follows:

BEGINNING at a point lying on the north line of Parcel One of Partition Plat No. 1992-81, recorded December 30, 1992 in Instrument 1992-10510 Official Records of Curry County, Oregon, said point bears North 89°54'37" West a distance of 815.96 feet from the common Quarter corner of Section 31 and Section 32;

thence, along said north line, South 89°54'37" East (record South 89°54'09" West) a distance of 815.96 feet to said Quarter corner;

thence, southerly along the Section line common to Section 31 and Section 32, South 00°56'38" East a distance of 861.00 feet, more or less, to the center of an unnamed creek, said point being the Northwest corner of that parcel of land conveyed to the Sandra L. Bonney Trust Dated October 4, 1995, recorded April 16, 2004 in Instrument 2004-2314, Official Records of Curry County, Oregon;

thence, along the northerly line of said Bonney parcel, South 39°40'10" East a distance of 57.28 feet;

thence South 47°16'05" East a distance of 90.18 feet;

thence South 33°51'20" East a distance of 135.41 feet;

thence South 86°45'31" East a distance of 143.31 feet;

thence South 02°18'34" East a distance of 12.06 feet, more or less, to the northerly boundary of that parcel of land conveyed to the Sandra L. Bonney Trust Dated October 4, 1995, recorded January 22, 1996 in Instrument 1996-0284, Official Records of Curry County, Oregon;

thence, along said northerly boundary, South 86°45'31" East a distance of 56.19 feet, more or less, to the westerly boundary of that parcel of land conveyed to Patrick Wong and Teresita D. Wong, husband and wife, recorded April 16, 2004 in Instrument 2004-2315, Official Records of Curry County, Oregon;

thence, along said westerly boundary, South 07°27'07" East a distance of 54.98 feet;

thence South 74°12'24" East a distance of 94.89 feet;

thence South 47°56'34" East a distance of 101.69 feet, more or less, to the westerly right-of-way of Old County Road said point being the beginning of a non-tangent curve, to the left with a radius of 100.00 feet, from which the radius point bears North 89°33'16" East;

thence, southerly along said right-of-way, along the arc through a central angle of 27°31'10", an arc distance of 48.03 feet;

thence South 27°47'56" East a distance of 49.96 feet, to a point of a tangent curve to the right, with a radius of 25.00 feet;

thence, southerly, along the arc through a central angle of 98°34'35", an arc distance of 43.01 feet;

thence South 70°46'30" West a distance of 36.06 feet, more or less, to the north line of the Northwest Quarter of the Southwest Quarter of section 32;

thence, leaving said right-of-way and westerly along said north line, North 89°13'38" West a distance of 530.38 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 32;

thence, northerly along the Section line common to Section 31 and Section 32, North 00°56'38" West a distance of 500.06 feet, more or less, to the southeast corner of Parcel One of said Partition Plat No. 1992-81;

thence, leaving said Section line and along the boundary of said Parcel One, South 89°54'58" West a distance of 1321.93 feet;

thence North 65°46'34" West a distance of 8.97 feet;
 thence North 89°58'30" West a distance of 644.92 feet;
 thence South 00°12'25" East a distance of 501.44 feet;
 thence North 89°46'50" West a distance of 60.00 feet;
 thence North 00°12'25" West a distance of 959.19 feet to the centerline of Ransom
 Creek;
 thence, along said centerline, North 86°21'10" West a distance of 101.67 feet;
 thence South 76°46'45" West a distance of 62.50 feet;
 thence South 58°41'16" West a distance of 98.16 feet;
 thence South 43°19'54" West a distance of 58.57 feet;
 thence South 32°13'30" West a distance of 63.72 feet;
 thence South 38°50'57" West a distance of 74.68 feet;
 thence South 46°21'22" West a distance of 42.45 feet;
 thence South 70°42'33" West a distance of 112.71 feet;
 thence North 79°52'43" West a distance of 46.66 feet;
 thence North 88°42'31" West a distance of 57.64 feet to the North-South centerline of
 said Section 31;
 thence, leaving said creek and along said North-South centerline, North 00°29'10" West
 a distance of 695.40 feet, to the Center Quarter Section corner of said Section 31;
 thence South 89°54'37" East a distance of 421.01 feet, more or less, to the southwest
 corner of Parcel I of those tracts of land conveyed to the City of Brookings, recorded March 7,
 1974 in Book of Records 33 Page 366, Official Records of Curry County, Oregon;
 thence, leaving the boundary of said Partition Plat No. 1992-81 and along the westerly
 boundary of said Parcel I, North 24°36'32" West a distance of 327.00 feet;
 thence North 37°32'01" West a distance of 248.70 feet;
 thence North 00°00'34" West a distance of 69.00 feet;
 thence North 36°00'00" East a distance of 264.00 feet, more or less, to the most
 northerly corner of said Parcel I;
 thence, leaving the boundary of said Parcel I, North 65°15'02" West a distance of 323.38
 feet, more or less, to the North-South centerline of said Section 31, said point also being the
 most northerly corner of Parcel Two of Partition Plat No. 1996-11, recorded April 25, 1996 in
 Instrument 1996-1832, Official Records of Curry County, Oregon;
 thence, northerly along said North-South centerline, North 00°17'48" West a distance of
 386.00 feet, more or less, to the Northwest corner of the Southwest Quarter of the Northeast
 Quarter of said Section 31;
 thence, Northwesterly 1703.0 feet, more or less, to a point lying on the Section line
 common to Section 30 and Section 31, said point being 1034.83 feet westerly from the Quarter
 corner common to said Section 30 and Section 31, also being the Southwest corner of that
 parcel of land conveyed to Curry County, recorded February 21, 1963 in Deed Volume 67 Page
 493 Official Records of Curry County, Oregon;
 thence, leaving said Section line and along the boundary of said Deed Volume 67 Page
 493, North 12°11'06" West 144.59 feet;
 thence North 53°18' 00" East 769.70 feet;
 thence South 36°42'00" East 750.00 feet to the Quarter corner common to Sections 30
 and 31;
 thence, leaving said Section line and along the boundary of Parcel II of those tracts of
 land conveyed to the South Coast Lumber Company, recorded August 5, 1960 in Deed Volume
 59 Page 336, Official Records of Curry County, Oregon, South 35°21'53" East 449.80 feet;
 thence, North 54°37'04" East 413.38 feet, more or less, to the Southwest corner of that
 parcel of land conveyed to Curry County, recorded January 8, 1997 in Instrument 1997-0096,
 Official Records of Curry County, Oregon;

Exhibit "B"

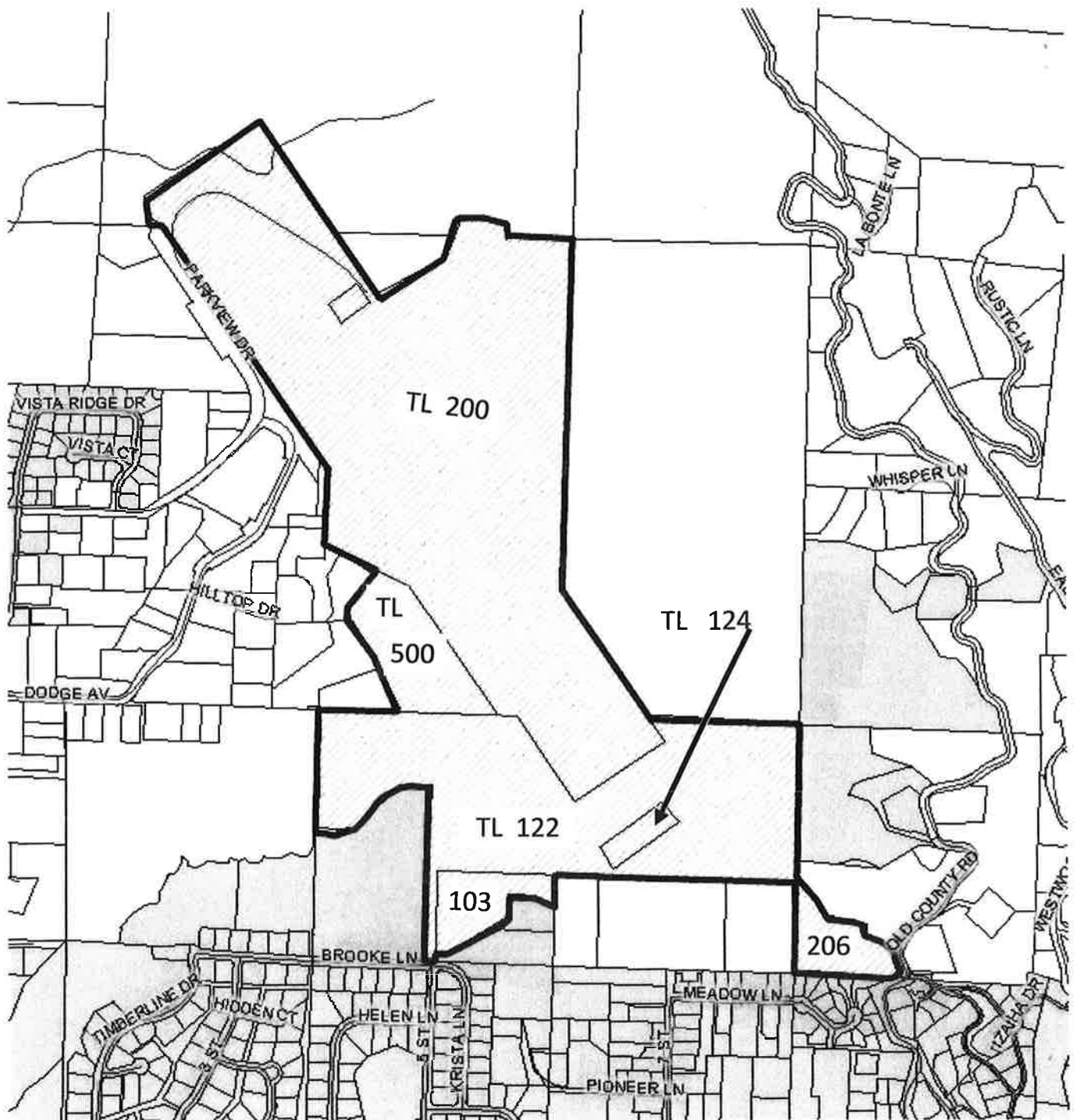


Exhibit "C"



General Commercial (C-3)



Public Open Space (P/OS)



Single Family Residential (R-1-6)



Industrial Park (I-P)



Two-Family Residential (R-2)

