

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

In the Matter of an Ordinance amending the Comprehensive Plan of the City of Brookings from a Residential and Industrial designation to a Open Space designation and the zoning map by rezoning from R-2 (Two Family Residential) and M-2 (General Manufacturing) to P/OS (Public Open Space) on certain properties described below.

ORDINANCE No. 04-O-562

Sections:

- Introduction.
- Section 1. Comprehensive Plan to designate the parcel as Open Space.
- Section 2. Zoning Map to designate the parcel as P/OS (Public Open Space).

WHEREAS, a public hearing was held on April 6, 2004 before the Brookings Planning Commission for the purpose of considering a request for a Comprehensive Plan change on a 14± acre parcel of land consisting of two main tax lots and three smaller tax lots from a Residential designation and a Industrial designation to a Open Spaces designation and a zone change from R-2 (Two Family Residential) and M-2 (General Manufacturing) P/OS (Public Open Space) located on the south side of Wharf St. approximately 470 feet from the intersection with Chetco Pt. Tr.; identified as Assessor's Map No. 41-13-7A, Tax Lots 402, 403, 407, 408, and 500.

WHEREAS, following closure of the public hearing after evidence and testimony was presented by proponents and opponents, the Planning Commission, by a unanimous vote, directed the Planning Director to prepare a recommendation, with findings, to the City Council, for approval of the request for the Comprehensive Plan changes and rezoning changes.

WHEREAS, the Brookings City Council, at its regularly scheduled meeting of April 26, 2004 and May 10, 2004, did conduct a public hearing on this matter, during which hearing testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by the Planning Director; and

WHEREAS, at the conclusion of said public hearing, after consideration and discussion, the Brookings City Council, upon a motion duly seconded, did vote in the majority to adopt a Final Order and Findings of Fact document dated May 10, 2004 on its decision to grant the change.

The city of Brookings ordains as follows:

Section 1. Amendment to the Comprehensive Plan

The Comprehensive Plan is hereby amended to change the Land Use Designation from Residential to Open Space on Tax Lots 402, 403, 407, 408, and from Industrial to Open Space on a parcel of land described as Tax Lot 500, all on Assessor's Map 41-13-7A, and as described in Exhibit A attached.

Section 2. Amendment to the Zoning Map

The Zoning Map is hereby amended to change the zone on the parcel identified as Tax Lots 402, 403, 407, 408 from R-2 (Two Family Residential) to P/OS (Public Open Space) and on a parcel identified as Tax Lot 500 from M-2 (General Manufacturing) to P/OS (Public Open Space), as identified in Exhibit A attached.

First Reading: May 10, 2004
Second Reading: May 10, 2004
Passage: May 10, 2004
Effective Date: June 9, 2004

Signed by me in authentication of its passage this 10th day of May, 2004.

Bob Hagbom
Bob Hagbom, Mayor

ATTEST:
Paul Hughes
Paul Hughes
Finance Director/Recorder

EXHIBIT A
Ordinance 04-O-562

A tract of land lying in the Fractional Northeast $\frac{1}{4}$ of Section 7, Township 41 South, Range, 13 West, Willamette Meridian, City of Brookings, Curry County, Oregon, more particularly described as follows:

Beginning at a point described as South 436.76 feet and West 1,854.24 feet from the Northeast corner of said Section 7, being the southeast corner of the City of Brookings Sewer Treatment Plant; thence N16° 22' 57" E, 399.96 feet, thence N74° 28' 52" W, 310.26 feet, thence N88° 00' W, 217 feet more or less to the Ordinary High Tideline of the Pacific Ocean; thence Southerly, Southwesterly, Northwesterly, Southeasterly, and Northeasterly direction following the Ordinary High Tideline of the Pacific Ocean to a point that bears S00° 00' 00" E from the point of beginning; thence N00° 00' 00" E, 220 feet more or less, to the point of beginning.