

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

AN ORDINANCE AMENDING THE )  
COMPREHENSIVE PLAN DESIGNATION )  
ON 5 PARCELS OF LAND LOCATED )  
WITHIN HARRIS BEACH STATE PARK )  
ADJACENT TO THE NORTHERLY )  
BOUNDARY FROM RESIDENTIAL TO )  
OPEN SPACE AND THE ZONING FROM R- )  
1-6 (SINGLE FAMILY RESIDENTIAL, 6,000 )  
SQ. FT. MINIMUM LOT SIZE) TO P/OS )  
(PUBLIC OPEN SPACE) )

*ORDINANCE NO. 03-O-556*

Sections:

**Introduction.**

- Section 1. Comprehensive Plan designation to Open Space.**
- Section 2. Zoning Map amendment to Public Open Space.**

**WHEREAS**, a public hearing was held on February 4, 2003 before the Brookings Planning Commission for the purpose of considering a request for a Comprehensive Plan change from a Residential designation to an Open Space designation and a zone change from R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to P/OS (Public Open Space) on five parcels of land totaling 27.7 acres, located within and adjacent to the northerly boundary of Harris Beach State Park; (identified as Assessor's Map No. 40-14-36 & Index, Tax Lot 400; 40-14-36BC, Tax lots 4200 and 4300; and 40-14-36BD, Tax Lots 1400 and 1500).

**WHEREAS**, following closure of the public hearing after considerable evidence and testimony was presented by proponents and opponents, the Planning Commission directed the Planning Director to prepare a recommendation, with findings, to the City Council, for approval of the request; and

**WHEREAS**, the Brookings City Council, at its regularly scheduled meeting of March 10, 2003 did conduct a public hearing on this matter, during which hearing considerable 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 grant the applicant's request and instructed staff to prepare a Final Order to that effect;

The city of Brookings ordains as follows:

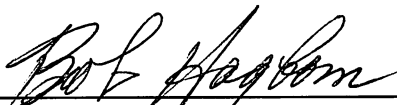
Section 1. Amendment to the Comprehensive Plan to designate property Open Space. The Comprehensive Plan of the City of Brookings is amended to show that the following described property is designated as Open Space.

Section 2. Amendment to the Zoning Map to designate property Public Open Space (P/OS) The Zoning Map of the City of Brookings is amended to show that the following described property is zoned Public Open Space (P/OS).

(See Attachment A and B)

First Reading: March 10, 2003  
Second Reading: March 10, 2003  
Passage: March 10, 2003  
Effective Date: April 9, 2003

**Signed** by me in authentication of its passage this 10<sup>th</sup> day of March, 2003

  
\_\_\_\_\_  
Bob Hagbom, Mayor

ATTEST:

  
\_\_\_\_\_  
Paul Hughes, Finance Director/Recorder

## EXHIBIT A

### Parcel 1

A parcel of land lying in Section 36, Township 40 South, Range 14 West, W.M., Curry County, Oregon; the said parcel being described as follows:

Beginning at the Northwest corner of Harris State Park, as described in the Deed to the State of Oregon, as recorded on Page 294 of Volume 19 of the Official Record of Deeds of Curry County, Oregon; said point being described as 2079.7 feet North and 4015.7 feet West of the Southeast corner of said Section 36 and on the ordinary high tide line of the Pacific Ocean; thence North  $71^{\circ}$  East 948.0 feet to an iron pipe marking the Northeast corner of the said Harris State Park, said point being on the Westerly boundary of the Oregon Coast Highway; thence in a Northerly direction following said Westerly boundary of the Oregon Coast Highway on a curve to the right with a radius of 995.0 feet, a distance of 413.2 feet; thence on a curve to the right with a radius of 756.2 feet, a distance of 380.8 feet; thence on a curve to the left with a radius of 676.2 feet, a distance of 138.3 feet; thence North  $60^{\circ} 45'$  West 15.0 feet; thence on a curve to the left with a radius of 661.2 feet, a distance of 400.1 feet; thence leaving the Westerly boundary of the Oregon Coast Highway South  $71^{\circ}$  West 2000.0 feet, more or less, to the ordinary high tide line of the Pacific Ocean; thence following said ordinary high tide line of the Pacific Ocean Southerly to the place of beginning.

EXCEPT therefrom that portion lying within the plat of HARRIS BEACH ESTATES.

The parcel of land to which this description applies contains 30.0 acres, more or less, of which approximately 2.6 acres lie between the ordinary high tide line of the Pacific Ocean and the line of vegetation as established by Section 8, Chapter 601, Oregon Laws 1969.

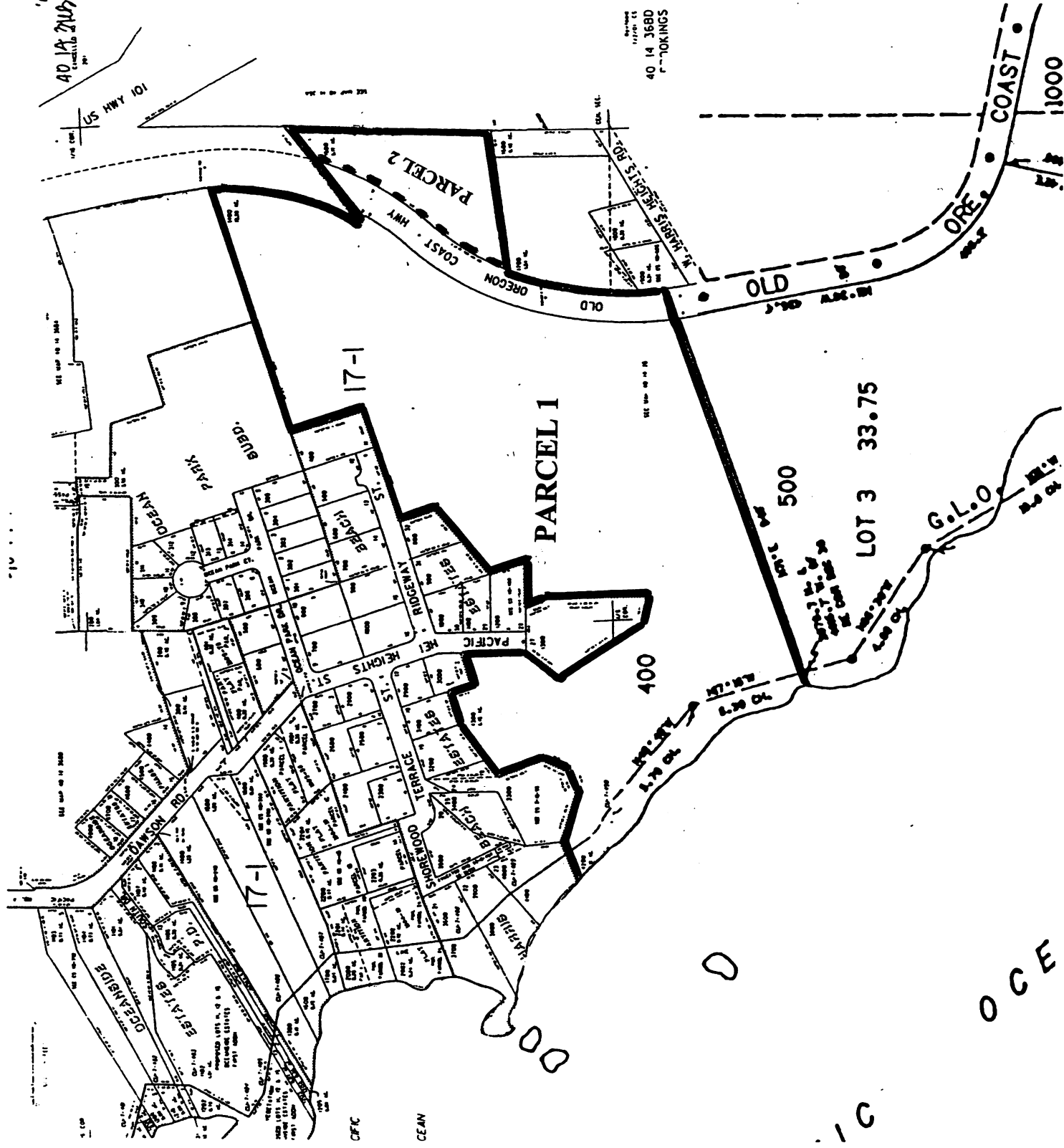
### Parcel 2

A parcel of land lying in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 36, Township 40 South, Range 14 West, W.M., Curry County, Oregon, described as follows:

Beginning at the Southeast corner of the following described parcel, said point being marked with an iron pipe, said point being North 293.39 feet and East 2.05 feet from the Interior Quarter Corner of said Section 36; thence North  $1^{\circ} 48'$  East a distance of 523.90 feet to an iron pipe; thence South  $52^{\circ} 26'$  West, a distance of 105.60 feet to an iron pipe on the Easterly boundary line of the Old Oregon Coast Highway; thence following along said highway boundary line Southwesterly to an iron pipe that is South  $82^{\circ} 30'$  West from the point of beginning; thence North  $82^{\circ} 30'$  East a distance of 357.00 feet to the point of beginning.

Including all of that portion of Old Highway 101 located within the combined description of Parcels 1 and 2.

EXHIBIT B



AD 14 2149

40 14 3680  
PLAT NO. 14  
PLAT NO. 14

US HWY 101

17-1

PARCEL 1

PARCEL 2

LOT 3 33.75

LOT 4 500

OCEAN

1000

100

OCEAN