

# Agenda

City of Brookings  
Common Council Meeting  
City Hall Council Chambers  
898 Elk Drive  
Brookings OR 97415  
August 12, 2002 7:00 p.m.



Thank you firefighters

The air might be smokey,  
but The Home of Winter  
Flowers is always the best  
place to be.

# **agenda**

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon  
August 12, 2002  
7:00 p.m.**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS**

**A. Announcements**

1. Yard of the Month/Most Improved Property of the Month

**V. PUBLIC HEARING**

A. In the matter of ANX-2-02, an application for annexation into the city of a ±553 acre parcel of land consisting of two complete tax lots and a portion of a third tax lot and approximately 11,680 feet of Highway 101 right-of-way from the northerly city limits to the north boundary of the subject property; U. S. Borax Corp., applicant; Martha Stiven, Western Advocates, Inc., representative.

B. In the matter of ANX-3-02, an application for annexation into the city of a 1.51 acre parcel of land located on the east side of Parkview Drive approximately 800 feet north of Hampton Drive; Assessor's Map No. 41-13-31 CB Tax Lot 1200; John Zia, applicant; Jim Capp, representative.

C. In the matter of approving an Urban Renewal Plan, titled the Brookings Urban Renewal Plan.

**VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

**A. Committee and Liaison reports**

1. Chamber of Commerce
2. Council Liaisons

**B. Unscheduled**

## **VII. STAFF REPORTS**

- A. Police Department
  - 1. Approval of School Resource Officer agreement with Brookings-Harbor School District 17C

## **VIII. CONSENT**

- A. Approval of Council Meeting Minutes
  - 1. Minutes of June 8, 2002, Regular Council Meeting
  - 2. Minutes of July 22, 2002, Regular Council Meeting
  - 3. Minutes of July 29, 2002, Special Council Meeting
- B. Acceptance of Parks and Recreation Commission Minutes
  - 1. Minutes of June 27, 2002, Regular Commission Meeting
- C. Acceptance of Planning Commission Minutes
  - 1. Minutes of June 4, 2002, Regular Commission Meeting
  - 2. Minutes of July 2, 2002, Regular Commission Meeting
- D. Approval of Vouchers (\$239,068.02)  
(end Consent Calendar)

## **IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

- A. Ordinances
  - 1. In the matter of Ordinance 02-O-549, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 553± acre parcel of land and the adjoining Highway 101 frontage including 1,600± feet of Highway 101 between the existing city limits and the subject property and rezoning the parcel P/OS (Public Open Space).
  - 2. In the matter of Ordinance 02-O-550, an ordinance amending the city limits and zoning map of the City of Brookings by annexing a 1.51 acre parcel of and rezoning the parcel R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).
  - 3. In the matter of Ordinance 02-O-551, an ordinance of the City of Brookings approving the Urban Renewal Plan and directing that a notice of approval be published.
- B. Final Orders
  - 1. Final ORDER and Findings of Fact for ANX-2-03
  - 2. Final ORDER and Findings of Fact for ANX-3-03

## **X. REMARKS FROM MAYOR AND COUNCILORS**

- A. Council
- B. Mayor

## **XI. ADJOURNMENT**

# August 2002

August 2002						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
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25	26	27	28	29	30	31

September 2002						
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29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				August 1	2	3
				8:15am CC-CmtyDevDpt Staff mtg/LLightle 9:00am CC-Crime Stoppers 10:00am CC- Site Plan Com Mtg/Lau		
4	5	6	7	8	9	10
1:00pm AMF Free Summer Concert 2002: Buzzard Brothers at Azalea Park	9:30am CC- VIPS/Volunteers in Police Service/BPalicki 7:00pm FH-FireTng/ChSh (Fire Hall)	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (K 7:00pm CC-Planning Commssn	12:00pm Comnity Agencies mtg (Chetco Sr.Ce 2:15pm CC-meeting re water policy-DLCD/ODC 7:00pm FH-PoliceReserve	8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/Lau 11:00am CC-Subdivision Committee me		3:00pm CC-Kevin Roeckl-Dog Obedience Training (People Only)-469-7673.
11	12	13	14	15	16	17
	7:00pm FH-FireTng/ChSh (Fire Hall) 7:00pm CC-Council Mtg	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	2:30pm FH-SafetyComMt HThmpson	8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/LauraLee Gray		Summer Rec Program "End c
18	19	20	21	22	23	24
1:00pm AMF Free Summer Concert 2002: at Azalea Park - ThunderRose (western band)	9:00am CC-Municipal Court/ JdgHa 9:30am CC-VIPS/Volunte in Police 6:00pm CC-American Red Cross 7:00pm FH-FireTng/ChSh	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell	8:15am CC-CmtyDevDpt Staff mtg/LLightl 10:00am CC- Site Plan Com Mtg/Lau 1:15pm CC-ODOT meeting-John 7:00pm CC-Parks & Rec		12:00pm City Volunteer & Employee Annual Picnic (Azalea Park)
25	26	27	28	29	30	31
	7:00pm FH-FireTng/ChSh (Fire Hall) 7:00pm CC-Council Mtg	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)		8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/Lau 2:00pm CC-Citizens for Emergency Pre		



# September 2002

September 2002						
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October 2002						
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27	28	29	30	31		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
September 1	2	3	4	5	6	7
1:00pm AMF Free Summer Concert 2002: Sans Prophet Band at Azalea Park	City Hall CLOSED - Labor Day 9:30am CC-VIPS/Volunteers in Police Service/BPalicki 7:00pm FH-FireTng/ChSh (Fire Hall)	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (K 7:00pm CC-Planning Commssn	12:00pm Comnity Agencies mtg (Chetco Sr.Center) 7:00pm FH-PoliceReserve	8:15am CC-CmtyDevDpt Staff mtg/LLightle 9:00am CC-Crime Stoppers 10:00am CC- Site Plan Com Mtg/Lau		
8	9	10	11	12	13	14
	7:00pm FH-FireTng/ChSh (Fire Hall) 7:00pm CC-Council Mtg	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	2:30pm FH-SafetyComMt HThmpson	8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/LauraLee Gray		
15	16	17	18	19	20	21
1:00pm AMF Free Summer Concert 2002: Humboldt State Lumberjacks Band at Azalea Park	9:00am CC-Municipal Court/ JdgHa 9:30am CC-VIPS/Volunteer in Police 6:00pm CC-American Red Cross 7:00pm FH-FireTng/ChSh	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell	8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/Lau 6:30pm CC-Seatbelt Class-PD/BPalicki		
22	23	24	25	26	27	28
	7:00pm FH-FireTng/ChSh (Fire Hall) 7:00pm CC-Council Mtg	9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)	6:00pm CC-Victim's Impact Panel (247-2412) Curry Prevention Services/MLaird	8:15am CC-CmtyDevDpt Staff mtg/LLightle 10:00am CC- Site Plan Com Mtg/Lau 7:00pm CC-Parks & Rec Comm/ LBlodge		
29	30					
	7:00pm FH-FireTng/ChSh (Fire Hall)					

# Memorandum

**TO:** Mayor and City Council  
**FROM:** John Bischoff, Planning Director  
**THROUGH:** Leroy Blodgett, City Manager  
**DATE:** August 5, 2002



**Issue:** Annexation of the Borax property.

**Background:** At its July 2, 2002 meeting the Planning Commission heard the request to annex 553 acres of the Borax property and 118 acres of Highway 101 in to the city.

**Recommendation:** The Commission voted to give a favorable recommendation to the Council.

**CITY OF BROOKINGS CITY COUNCIL**  
**STAFF AGENDA REPORT**

SUBJECT: Annexation  
FILE NO: ANX-2-02  
HEARING DATE: August 12, 2002

REPORT DATE: August 5, 2002  
ITEM NO: V.A

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**GENERAL INFORMATION**

APPLICANT: U. S. Borax Corp.

REPRESENTATIVE: Martha Stiven, Western Advocates, Inc.

REQUEST: To annex an area of 553± acres of land consisting two complete tax lots and a portion of a third tax lot and approximately 11,680 feet of Highway 101 right-of-way from the northerly city limits to the north boundary of the subject property.

TOTAL LAND AREA: 553± acres not including the highway segment.

LOCATION: On the east side of Highway 101 approximately 1,600 feet north of the northerly city limits, extending north to the approximate location of the entrance to the Cape Ferrelo overlook and approximately 5000 east of the highway at its furthest point.

ASSESSOR'S NUMBER: 40-14 & index, Tax Lots 2401, 2402 and a portion of 2403.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: County FG (Forest Grazing).

PROPOSED: City's P/OS (Public Open Space).

SURROUNDING: North and East—County FG; West—County PF (Public Facilities) and FG at the site of the Rainbow Rock Condominiums; South—County RR-10 (Rural Residential-Ten acres minimum lot size).

COMP. PLAN: County's designation—Resource Land.

PROPOSED: City's designation of Open Space.

**LAND USE INFORMATION**

EXISTING: Vacant.

PROPOSED: Vacant until a master plan of development can be submitted and approved by the city, then a mixture of residential, commercial and recreational uses.

SURROUNDING: North and East—Vacant forest and grazing land; West—State Park and the Rainbow Rock condominiums; South—Residential use.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

## BACKGROUND INFORMATION

The requested annexation will bring 553 acres of vacant land and 118 acres of existing Highway 101 right-of-way into the city limits. The subject property is located on the east side of the highway approximately 1,600 feet north of the northerly city limits, extending north to the approximate location of the entrance to the Cape Ferrelo overlook and approximately 5000 east of the highway at its furthest point. The 118 acres of highway right-of-way includes the 1,600 feet of highway that makes the connection with the existing city limits.

The full description of the property can be found in the attached Planning Commission Staff Report, which also contains staff's analysis of the request and the materials submitted by the applicant.

At its meeting of July 2, 2002 the Commission was presented with the staff report and recommendation and heard testimony from the public. There was both support and opposition to the annexation. The Commission unanimously voted to make a favorable recommendation to the City Council.

**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Annexation  
FILE NO: ANX-2-02  
HEARING DATE: July 2, 2002

REPORT DATE: June 20, 2002  
ITEM NO: 8.4

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**GENERAL INFORMATION**

APPLICANT: U. S. Borax Corp.

REPRESENTATIVE: Martha Stiven, Western Advocates, Inc.

REQUEST: To annex an area of 553± acres of land consisting two complete tax lots and a portion of a third tax lot and approximately 11,680 feet of Highway 101 right-of-way from the northerly city limits to the north boundary of the subject property.

TOTAL LAND AREA: 553± acres not including the highway segment.

LOCATION: On the east side of Highway 101 approximately 1,600 feet north of the northerly city limits, extending north to the approximate location of the entrance to the Cape Ferrelo overlook and approximately 5000 east of the highway at its furthest point.

ASSESSOR'S NUMBER: 40-14 & index, Tax Lots 2401, 2402 and a portion of 2403.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: County FG (Forest Grazing).

PROPOSED: City's P/OS (Public Open Space).

SURROUNDING: North and East—County FG; West—County PF (Public Facilities) and FG at the site of the Rainbow Rock Condominiums; South—County RR-10 (Rural Residential-Ten acres minimum lot size).

COMP. PLAN: County's designation—Resource Land.

PROPOSED: City's designation of Open Space.

**LAND USE INFORMATION**

EXISTING: Vacant.

PROPOSED: Vacant until a master plan of development can be submitted and approved by the city, then a mixture of residential, commercial and recreational uses.

SURROUNDING: North and East—Vacant forest and grazing land; West—State Park and the Rainbow Rock condominiums; South—Residential use.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

## **BACKGROUND INFORMATION**

The subject property is a 553± acre parcel consisting of two complete tax lots and a portion of a third tax lot, located on the east side of Highway 101 approximately 1,600 feet north of the northerly city limits. The property has approximately 10,080 feet of frontage on Highway 101, a northerly most boundary of 3,780 feet where it turns south for 2,642 feet. At this point the property boundary turns east again for a distance of 2,706 feet, then south once more for a distance of 5,173 feet where it turns west 1,101 feet back to the highway. The Rainbow Rock condominium homeowners association owns a small (in comparison) triangular piece of property on the east side of the highway at the south end of the subject property. This property extends east 1,017 feet from the highway and then south 888 feet back to the highway at a point 442 feet north of the southerly boundary of the subject property (See Exhibit 2).

The property is vacant and has three dedicated access points from the highway. Topographically, the subject property is divided by three stream corridors, Duley and Lone Ranch converge in the northerly most portion, then Ram Creek in the center area and then Taylor Creek in the southerly portion of the property. All of these streams are culverted under Highway 101 and then enter the ocean. The flattest areas of the subject property are located between these creek corridors.

The entire subject property is zoned FG (Forrest Grazing) by the county (the FG Zone is actually a state resource land zone) as is the property to the north and east. The area west of the highway is all a part of Boardman State Park and zoned PF (Public Facility) except for the Rainbow Rock condominiums, which is zoned FG. The area south of the subject property is zoned RR-10 (Rural Residential, 10 acre minimum lot size. There is no water or sewer service to the subject property.

## **PROPOSED ANNEXATION**

The applicant is requesting that the entire 553± acres be annexed into the city limits. The request also includes 118± acres of Highway 101 right-of-way that extends from the northerly city limits to the north boundary of the subject parcel. The applicant is also requesting that the city's Public Open Space (P O/S) Zone be applied over the property until a master plan of development is approved and zoning appropriate for the uses in the master plan is applied.

## **ANALYSIS**

Proposed annexation petitions shall be determined to not represent a potential negative or adverse impact upon the citizens of Brookings, either financially or in terms of the livability of the community. Such determination shall be made by the evaluation and assessment of the proposed annexation in relation to the following considerations and criteria.

- A. The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the city boundaries and is found to be a necessary control for development form and standards of an area adjacent to the City.
- B. The proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city (direct responsibility for extension costs shall be addressed).

- C. The annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.
- D. The proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add property which has existing development in need of urban services.
- E. The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.

The applicant's representative has presented an analysis that examines the proposed annexation in regard to each of the requirements of Section 148, Annexations, of the Land Development Code. In this report, staff will comment on each of the applicant's statements in regard to their validity, completeness and, may add to the statement.

The purpose of this analysis is to determine that the annexation is consistent with the Goals and Policies of the Comprehensive Plan and to determine any potential impact the annexation will have on city services. The applicant is requesting that the city's P/OS (Public Open Space) zone be placed over the entire property until the required master plan of development is approved. For this reason this analysis will review the ability to provide services to the area to be annexed and identify the potential for impacts on city services will only be in regard to the proposed open space zone. The need for the master plan approval before development of the property is unique in that it places another step between annexation and development. Due to this extra step staff has the ability to specifically identify, define and require mitigation of any impact on city services that may result from the review of the master plan.

### **Applicant's Submittal**

#### **148.020--Application Procedures.**

*An application for annexation may be filed with the City on a form prescribed by the City, accompanied by a filing fee in the amount established by general resolution of the City Council. No part of the filing fee is refundable. Said application shall contain the following information:*

- A. *Vicinity map.*
- B. *Assessor's parcel maps.*
- C. *Consent to annex forms.*
- D. *Legal metes and bounds, or lot and block description.*
- E. *Specific information:*
  - 1. *Current assessed valuation as shown on the Curry County Assessor's tax rolls.*
  - 2. *Acreage.*
  - 3. *Map and tax lot number.*
  - 4. *Owner or owners of record.*
- F. *Addresses of all dwelling units and businesses within the territory proposed to be annexed.*

The applicant has submitted all of the information required of Section 148.020, A thru F. Since there is only one property owner, the signed application form serves as the consent to annex.

*G. Written findings of fact which address the following:*

- 1. Existing land uses within the territory proposed to be annexed.*
- 2. Existing zoning and comprehensive plan designations.*
- 3. Existing improvements.*
- 4. Special service districts, such as water, irrigation, fire, school, sanitary.*

The applicant has addressed all of the requirements of Section 148.020.G, 1 thru 4. Staff agrees with the applicant's findings for these criteria.

- 5. Urban services needed and necessary to service the territory proposed to be annexed.*

As stated earlier, this review is in regard to the requested Public Open Space Zone. The extension of services will be reviewed at the master plan stage.

**A. Water**

Staff does not disagree with the applicant's findings. The specifics of providing water service will be determined at the master plan stage.

**B. Sewer**

Staff does not disagree with the applicant's findings. The specifics of providing sewer service will be determined at the master plan stage.

**C. Storm Drainage**

Staff does not disagree with the applicant's findings. The drainage concepts will be developed at the master plan of development stage and the details of the specific drainage system will be engineered during the process of approving and constructing the subdivisions, partitions, conditional use permits, and etc. that implement master plan.

**D. Roads**

Staff agrees with this finding. The internal road system on the subject property will be determined by the master plan of development.

**E. Electricity**

Coos Curry Electric has confirmed that there is electrical service within the Highway 101 right-of-way as far north as the Rainbow Rock condominiums. A main electrical transmission line traverses through the center of the subject property.

**F. Fire Protection**

Staff agrees with this finding.

**G. Police**

Staff agrees with this finding.

- 6. Compliance with all applicable goals and policies of the Comprehensive Plan.*

The following is the applicant's findings relating to the goals and policies of the city's Comprehensive Plan.



**Goal 1–Citizen Participation:**

*To provide a citizen involvement process that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Staff agrees with the applicant's finding.

**Goal 2–Planning:**

*To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such.*

Staff agrees with the applicant's finding. In addition to the hearing for the requested annexation there will be subsequent hearings for the master plan of development and all of the other land use applications required to implement the master plan.

**Goal 3–Agricultural Lands:**

*To cooperate with the County in the preservation and maintenance of agricultural lands.*

Staff agrees with the applicant's finding.

**Goal 4–Forest Lands:**

*To support and cooperate with the County in its efforts to protect forestland.*

Staff agrees with the applicant's finding.

**Goal 5–Open Spaces, Scenic and Historic Area and Natural Resources**

*To conserve open space and protect natural and scenic resources and historic areas while providing for the orderly growth and development of the City.*

*Policy 1. It is the policy of the City of Brookings to protect natural and scenic resources by encouraging the conservation of ecologically and scientifically significant natural areas, scenic views and sites, historic areas, local energy sources, and mineral and aggregate resources.*

*Policy 3. It is the policy of the City of Brookings to preserve forest and agricultural lands which serve as valuable open space areas by focusing development within the City limits/Urban Growth Boundary.*

Staff agrees with the applicant's finding, however, the applicant's findings mistakenly identified Policy 3 as Policy 2. As with any development on vacant land, the development plans, in this case the master plan of development, are the mechanism to protect natural features such as endangered plants and wetlands.

**Goal 6–Air, Water and 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.*

*Policy 3. It is the policy of the City of Brookings to utilize programs to manage land conservation and development activities in a manner that reflects the desires of the community for a quality environment and a healthy economy and is consistent with environmental quality statutes, rules, standards and implementation plans.*

Staff agrees with the applicant's finding.

**Goal 7—Areas Subject To Natural Disasters and Hazards:**

*To protect life and property from natural disasters and hazards.*

*Policy 1. when development is located in areas of known natural hazards, the density or intensity of the development shall be limited by the degree of the natural hazard.*

*Policy 2. When development is planned in areas of identified hazards, the developer will be required to show that property development will not be endangered by the hazard and that appropriate safeguards will be taken.*

Staff agrees with the applicant's finding. Once the master plan of development is submitted and reviewed, areas where the potential for a hazardous building site or other types of hazards can be identified and mitigated if required.

**Goal 8—Recreational Needs:**

*To satisfy the recreational needs of the citizens of the Brookings area, State and visitors.*

*Policy 1. It is the policy of the City of Brookings to encourage better utilization of existing recreational facilities and to plan for and develop new recreational facilities and opportunities.*

*Policy 2. The City of Brookings encourages the development of neighborhood parks to be coordinated with future expansion of residential areas.*

Staff agrees with the applicant's finding.

**Goal 9—Economy of the State:**

*To diversify and improve the economy of the Brookings area.*

*Policy 2. The City of Brookings will encourage the diversification of the City and the regional economy. The City wishes to create new employment opportunities while sustaining and expanding existing economic sectors.*

Staff agrees with the applicant's finding.

**Goal 10—Housing:**

*Provision of varied housing which is safe, sanitary and adequate for all residents of the community.*

*Policy 1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.*

*Policy 2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.*

*Policy 3. City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.*

Staff agrees with the applicant's finding.

**Goal 11—Public Facilities and 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.*

- A. Water treatment facilities will be maintained with the proper observation and planning to expand facilities on a timely basis to provide continued service to existing customers and projected growth.*
- B. Water distribution, pumping and storage construction will be constructed for new development by developers. The city council is presently reviewing methods of implementing a "pay as you go" development policy.*
- C. Wastewater treatment facility expansion programs will be funded through the most cost-effective methods utilizing all available federal, state and local funds.*
- D. All public works construction to serve newly developed areas will be on the "pay as you go" policy with developers designing and constructing new facilities in accordance with the city Standard Detail and Specifications adopted September, 1988.*

Staff agrees with the applicant's finding. The details of this process will be a part of the master plan of development stage.

**Goal 12—Transportation:**

*To provide and encourage a safe convenient and economic transportation system.*

Staff agrees with the applicant's finding.

**Goal 13—Energy Conservation:**

*To conserve energy.*

*Policy 2. Brookings will encourage the infilling of undeveloped parcels of land within the City as well as the re-use of vacant land to the extent possible. The City will encourage land development practices which conserve energy as well as utilize renewable energy sources whenever possible. The City desires high density development to be located adjacent to major shopping areas and along major transportation routes, as appropriate.*

*Policy 3. Energy conserving alternatives to conventional housing, such as multi-family housing and planned unit developments, are encouraged in appropriate areas. Education in energy conservation techniques and encouraging further energy resource development is also desired.*

Staff agrees with the applicant's finding.

**Goal 14—Urbanization:**

*To minimize the expansion of the urban service area outside of the city limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural and forest lands outside of the City.*

*Policy 1. City shall maintain the livability of Brookings while providing appropriate land-use designation and adequate areas to accommodate expected growth.*

*Policy 2. City shall encourage the orderly outward growth of the community in order to maintain costs of construction, maintenance, and extension of streets, utilities and public facilities at the lowest level possible.*

*Policy 3. City shall annex lands that are contiguous to the city limits and continue to extend city services only to areas within the corporate limits. City shall continue to honor present agreement for provision of public services in areas presently outside the corporate limits.*

Staff agrees with the applicant's finding. Annexation of the subject property is a natural step in bringing land within the UGB into production at urban densities.

Goal 15 Willamette Greenbelt.

This goal does not apply to the Brookings area.

Goals 16, 17, 18:

*These goals deal with estuarine, coastal shore, beach, and dune areas and resources.*

Staff agrees with the applicant's finding.

Section 148.030—Annexation criteria.

*Proposed annexation petitions shall be determined to not represent a potential negative or adverse impact upon the citizens of Brookings, either financially or in terms of the livability of the community. Such determination shall be made by the evaluation and assessment of the proposed annexation in relation to the following considerations and criteria.*

Criterion A.

*The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the city boundaries and is found to be a necessary control for development form and standards of an area adjacent to the City.*

Staff agrees with the applicant's finding. As stated under Goal 14 above, Annexation of the subject property is a natural step to bring land in the UGB into production at urban densities.

Criterion B.

*The proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city (direct responsibility for extension costs shall be addressed).*

Staff agrees with the applicant's finding.

Criterion C.

*The annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.*

Staff agrees with the applicant's finding.

Criterion D.

*The proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add property which has existing development in need of urban services.*

Staff agrees with the applicant's finding.

Criterion E.

*The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.*

Staff agrees with the applicant's finding.

Section 148.040—Annexation Impact Analysis.

*The comprehensive plan sets forth a program and direction for the future growth and development of the City of Brookings. Annexations are a means of implementing the goals and policies contained in the plan, recognizing that the city must plan for and provide extension of services to contiguous lands that will allow for development to densities as designated in the plan following annexation.*

*To assure that the Planning Commission and City Council, prior to acting upon a proposal for annexation, is fully informed as to the potential impacts of the annexation upon both the city and the territory proposed to be annexed, it shall be required that an impact analysis containing, but not limited to, the following information be prepared and submitted by the applicant(s) for consideration by the staff, advisory (Planning Commission) and approving authority (City Council).*

The requested annexation is unique in that there is another step inserted between annexation and development of the property. This step is the requirement that a master plan of development be approved prior to any development of the subject property. This requirement is a provision of the Urban Growth Boundary Joint Management Agreement between the city and county and approved by DLCD. Because of this requirement, the applicant is requesting that upon annexation, the city apply the city's P/OS (Public Open Space) Zone over the entire property. This zone only allows permitted uses that are public in nature. In regard to the intent of the Management Agreement provision, this annexation will carry the condition that no development will be allowed until the master plan is approved.

Because of the requirement for the master plan approval, the following findings show that it is feasible for the city to provide services to the subject property. The details and mitigation for any impacts that may occur will be specified in the master plan process.

Criterion A.

*A statement of the municipal service needs, if any, of the territory proposed to be annexed, including police and fire protection; public sewer and water supply facilities; street improvement or construction, or both; and such other municipal services that may reasonably be required.*

Staff agrees with the applicant's finding.

**Criterion B.**

*A statement of the projected methods and costs of supplying reasonably needed municipal services to the territory proposed to be annexed.*

Staff agrees with the applicant's finding.

**Criterion C.**

*A statement of additional revenues, if any available to the city as a result of the annexation.*

Staff agrees with the applicant's finding.

**Criterion D.**

*A statement of the foreseeable impact of the proposed annexation upon property within existing city limits, and upon property outside the city limits and contiguous to the property included within the proposed annexation.*

Staff agrees with the applicant's finding.

**Criterion E.**

*A statement analyzing the impact of the annexation on the growth, development, and future of Brookings and its urban growth area, recognizing that even small-area annexations involve implicit policy decisions concerning long-range development and ultimate impacts.*

Staff agrees with the applicant's finding.

**FINDINGS**

The applicant's findings are the primary 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 applicant has submitted findings addressing each of the goals of the city's Comprehensive Plan.
2. The applicant has submitted findings addressing the submittal required in Section 148.020, Annexations, of the Land Development Code.
3. The applicant has submitted findings addressing all of the criteria in Section 148.030.
4. The applicant has submitted findings addressing all of the criteria in Section 148.040.

**CONCLUSIONS**

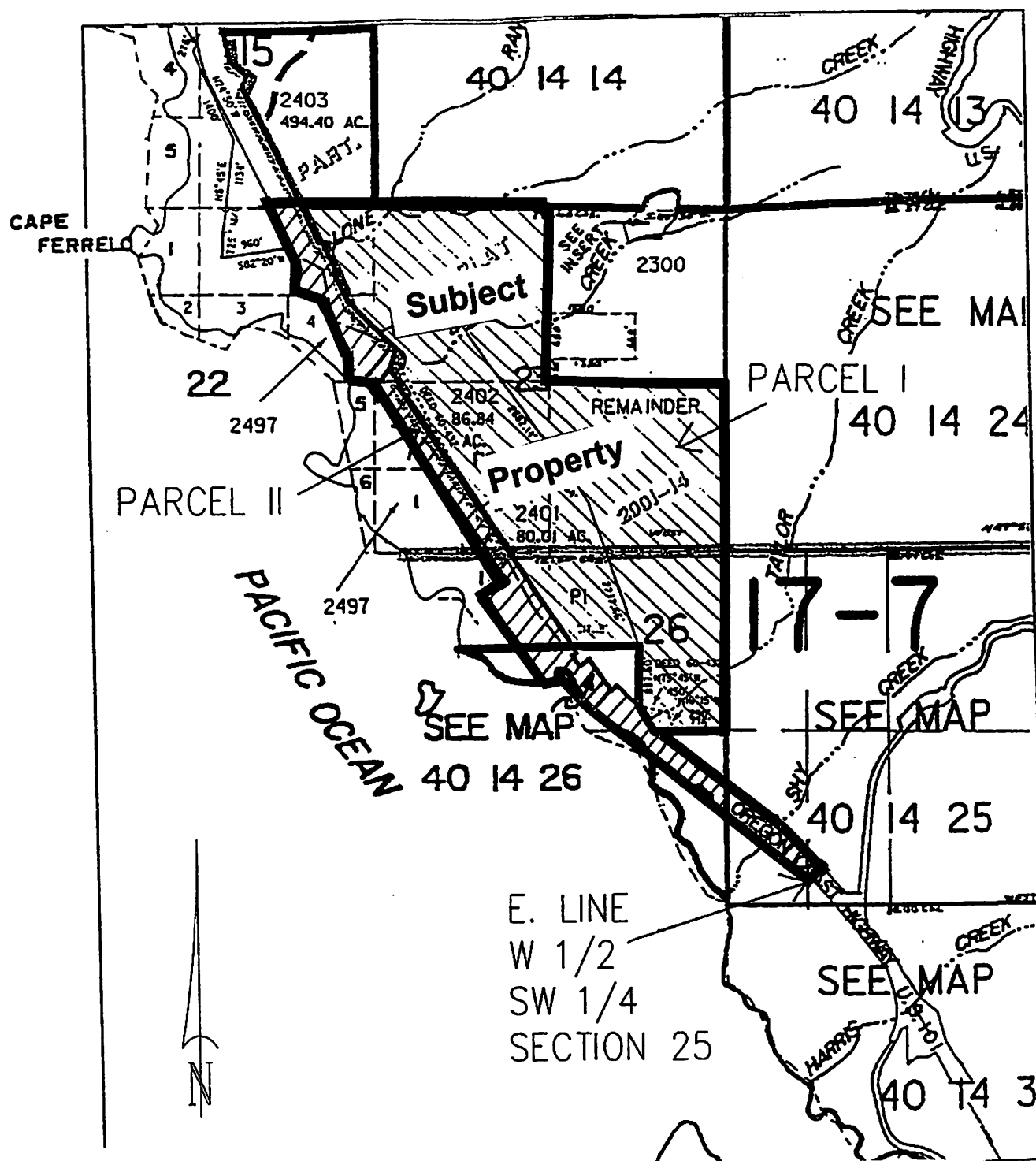
The materials submitted by the applicant are complete and satisfy all of the criteria presented in Section 148, Annexations, of the Land Development Code, to justify the proposed annexation.

**CONDITIONS OF APPROVAL**

1. The approval of this annexation will place the city's P/OS (Public Open Space) Zone over the entire property. Regardless of the permitted uses allowed in the P/OS Zone, no development shall occur on the property until such time as a master plan of development has been approved pursuant to the Urban Growth Boundary Joint Management Agreement.
2. Approval of this annexation does not in any way bind the city to the extension of services to the property beyond what already exists except for fire and police protection, nor does this approval bind the city to any statement, requirement or responsibility stated in the applicant's findings. These issues will be determined at the review and approval of the master plan process.

## **RECOMMENDATION**

Staff recommends **A FAVORABLE RECOMMENDATION** of Case File No. ANX-2-02 to the City Council, based on the findings and conclusions submitted by the applicant and staff and subject to the conditions of approval stated in the staff report.



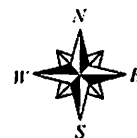
Applicant: U. S. Borax

Assessor's No: 40-14 INDEX & ROW

Location: East of Highway 101; north of city limits,

Size: 671 acres

Zone: F-G (Forest-Grazing) Curry County





**REQUEST TO ANNEX  
TO THE  
CITY OF BROOKINGS**

**U.S. BORAX INC.**

May 31, 2002

Revised: June 17, 2002

*Requested by:*

**U.S. Borax Inc.**

26877 Tourney Road

Valencia, CA 91355-1847

*Prepared by:*

**Western Advocates, Inc.**

22400 Salamo Road, Suite 201

West Linn, OR 97068

503.650.1181

*In Association with:*

**Otak, Inc.**

Civil Engineering

17355 SW Boones Ferry Road

Lake Oswego, OR 97035

**O'Melveny & Myers, LLC**

Attorneys-at-Law

400 S. Hope Street

Los Angeles, CA 90071

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### **APPENDIX**

## **REQUEST FOR ANNEXATION**

### **I. Request and Background**

U.S. Borax Inc. ("U.S. Borax"), as owner of undeveloped Property located north of the city limits of Brookings (the Property), hereby requests annexation of that portion of the Property that lies within the Brookings Urban Growth Boundary ("UGB") along with the adjoining U.S. Highway 101 ("U.S. 101"), right-of-way. The area proposed for annexation includes 553 acres owned by U.S. Borax and approximately 118 acres of land within the U.S. 101 right-of-way, which fronts the Property and connects the U.S. Borax Property to the existing City limits. (See Exhibit 1, Existing Conditions and Vicinity Map)

The annexation of the Property will benefit the City and its residents by helping to meet the City's long term plan for growth. Approval of this Request for Annexation will have a positive impact on the growth, development and future of the City by providing the following benefits among others:

- Increased tax revenue;
- An opportunity for a new fully improved water system serving the Property;
- An opportunity for a new college campus; and
- A large planned community for existing and future residents of the Brookings area.

In 1995, the UGB was amended to include 553 acres, more or less, of land owned by U.S. Borax, leaving 115 acres, more or less, of contiguous Property under U.S. Borax ownership outside the UGB. The UGB amendment specified that prior to development, the Property must be annexed into the City of Brookings and a master plan for development must be approved by the City. Approval of the annexation will not authorize commercial and residential development on the Property; rather, it will set the stage for the detailed master planning process and the application of implementing zones and other measures consistent with the master plan, the public facilities plan, the transportation systems plan, and other applicable comprehensive plan policies and statewide land use goals.

U.S. Borax operates California's largest open pit mine -- one of the richest borate deposits on the planet. The company supplies nearly half the world's demand for refined borates, and ships about 20 different products to customers in nearly 100 countries. U.S. Borax got its start in 1872 and built a global market for its products almost immediately. Born of a "white gold" rush in California's Death Valley, the company has long been considered the world leader in borate production and technology.

U.S. Borax employs over 1,600 men and women worldwide. California employees include 1,100 people working in Boron, its principal mine and refinery; Wilmington, a

refinery and shipping terminal; Valencia, its world headquarters; and Owens Lake, a trona mine that supplies raw material to its refineries. The company's remaining staff is located at mining and refining operations in Argentina; a shipping facility in Rotterdam, the Netherlands; a refinery and shipping facility in Coudekerque, France; a shipping and storage facility in Nules, Spain; European headquarters in Guildford, England; and sales offices around the world. U.S. Borax has fundamental responsibilities to the communities where it operates and conducts business. They range from protecting the environment and being responsible stewards of our natural resources to partnering with our local communities for long-term mutual benefit. Excellence in this area is critical to the company's commitment to its communities policy, its sustainable development principles and its long-term success.

U.S. Borax has a long history of contributing positively to local communities, as evidenced by their generosity to the State of Oregon and the City of Brookings. In 1950, over 300 acres of land were donated by U.S. Borax to the State of Oregon to make up a large portion of Samuel H. Boardman State Park. On December 9, 1961, dedication ceremonies, at which Governor Mark O. Hatfield spoke, commemorated the gift of land. Since the generous gift of land to the State of Oregon in 1950, U.S. Borax has contributed to several other local organizations, including Azalea Park and Kidstown. In that tradition, one of the reasons this Request for Annexation is being submitted to the City is so that U.S. Borax can move forward with a proposed donation of land to Southwestern Oregon Community College (SWOCC), for use as a new satellite college campus.

#### A. Property Description

Table 1 shows the parcel sizes, ownership, and the assessed value of the lands proposed for annexation.

**Table 1  
Parcel Identification**

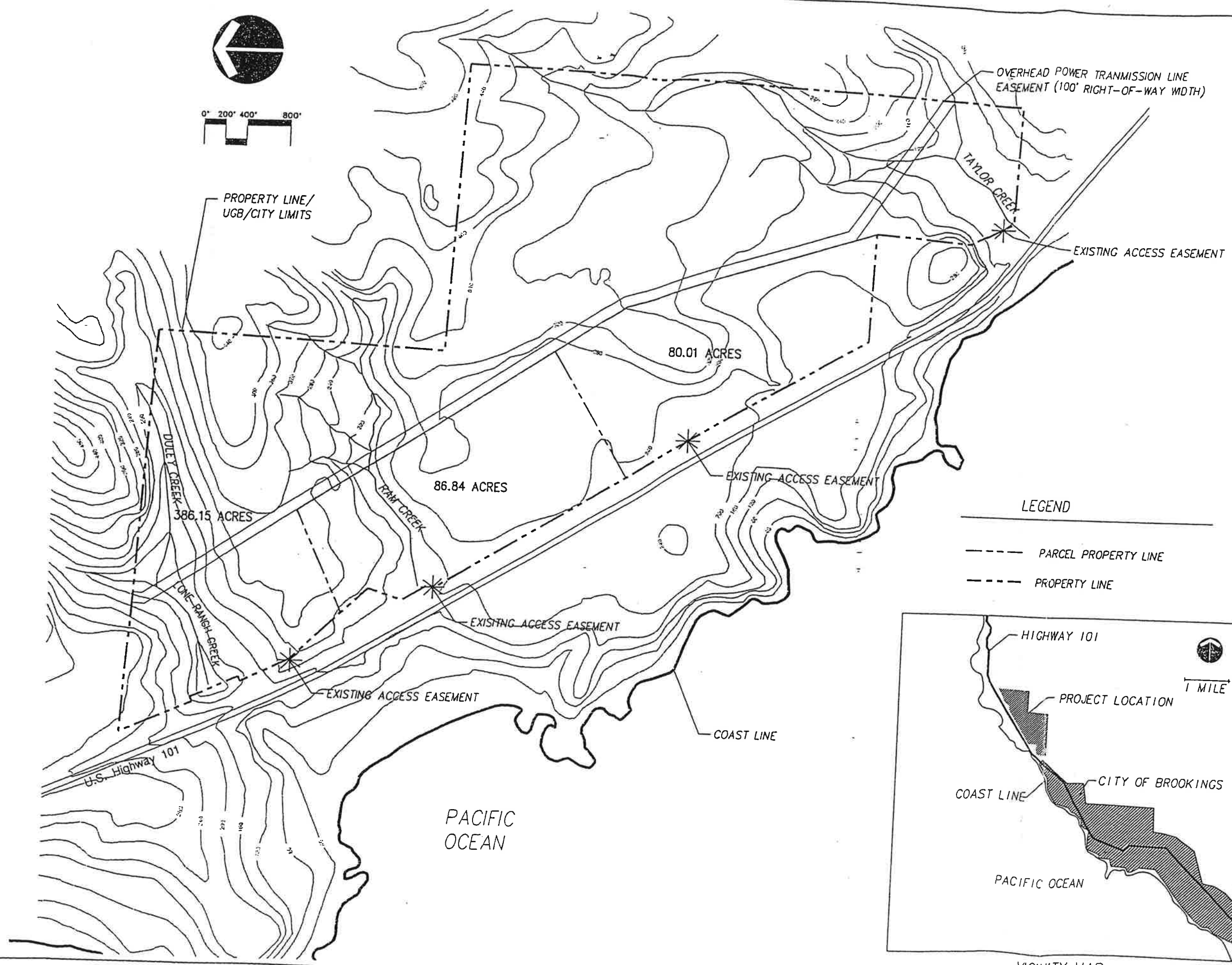
	<b>Tax I.D.</b>	<b>Size (Acres)</b>	<b>Assessed Value</b>	<b>Owner/Contact</b>
<b>Parcel I</b>	40 14 TL 2400	80.01±	\$1,546,780*	U.S. Borax
	40 14 TL 2401	86.84±		U.S. Borax
	40 14 TL 2402 (portion)	386.15±		U.S. Borax
<b>Parcel II</b>	U.S. 101 (estimate)	118±	Not available	Oregon Department of Transportation
<b>Total</b>		<b>671± acres</b>		

\* The U.S. Borax property was partitioned into three parcels in 2001. The tax assessor has not yet assigned new tax values to the newly created parcels. The previous year's tax assessment assigned an assessed value to the entire parcel of \$1,546,780.00.

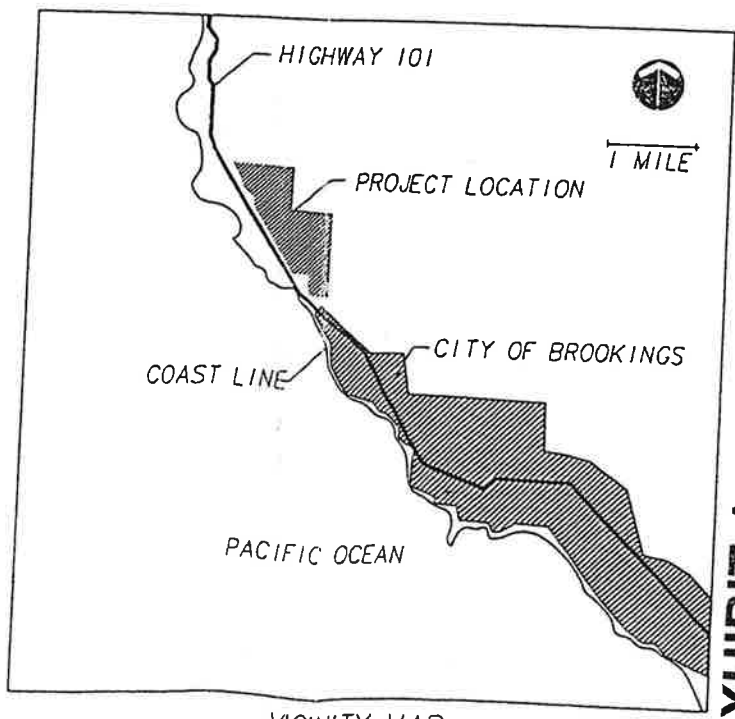
REF LIST  
1. Location  
2. Topography  
3. 106220000  
4. 106220000  
5. 106220000  
6. 106220000  
7. 106220000  
8. 106220000  
9. 106220000  
10. 106220000



0' 200' 400' 800'



- LEGEND
- PARCEL PROPERTY LINE
  - PROPERTY LINE



# EXHIBIT 1 EXISTING CONDITION AND VICINITY MAP

02/28/02  
Date KDK  
Designed SLM  
Drawn  
Checked By Date

U. S. BORAX  
26877 Tournay Road  
Valencia, CA 91355

WESTERN ADVOCATES INC.  
22400 Salamo Road, Suite 201  
West Linn, OR 97068



LONE RANCH  
Brookings, OR  
Curry County



17255 SW Boone Ferry Rd.  
Lake Oregon, Oregon 97035  
Phone: (503) 835-2818  
FAX: (503) 835-5395

10622  
Project No.  
D622EX1.0  
File No.  
FIGURE 1-0  
Sheet No.

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**B. Legal Description**

**1. Parcel I**

The Southeast Quarter of Section 23 and the Northeast Quarter of the Northeast Quarter of Section 26, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon, and those portions of the Northeast Quarter of Section 22, the Northwest Quarter of Section 23, the Southwest Quarter of Section 23, the Northwest Quarter of Section 26, the Northwest Quarter of the Northeast Quarter of Section 26, and the Southeast Quarter of the Northeast Quarter of Section 26, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon lying northeasterly of the northeasterly line of U.S. 101.

Contains 553 acres, more or less.

**2. Parcel II**

That portion of U.S. 101 lying northwesterly of the east line of the West Half of the Southwest Quarter of Section 25, Township 40 South, Range 14 West, Willamette Meridian, and southerly of the north line of the Northeast Quarter of Section 22, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon.

Contains 118 acres, more or less.

**C. Existing Conditions**

**1. Existing Land Use**

With the exception of several unimproved roadways, the Property is vacant. There is a 100-foot wide easement running through the center and along the length of the Property for Coos-Curry Electric Cooperative transmission lines, which tie into Bonneville Power Administration power lines near Gold Beach and provide the Brookings-Harbor area with electrical service. (See Exhibit 1, Existing Conditions and Vicinity Map) The easement specifically provides for the construction, reconstruction, maintenance and operation of electrical power lines and their supports.

**2. Existing Zoning/Comprehensive Plan Designations**

The Property is located in Curry County, as well as the City of Brookings planning area. The County zoning is Forest/Grazing, which allows forest and/or grazing parcels no smaller than 80 acres.

### **3. Surrounding Land Uses**

Immediately north of the Property is the remaining acreage owned by U.S. Borax, which is outside of the UGB. The land beyond the boundaries of the Property is held in a mixture of ownerships, including the highly parcelized and residentially developed Cape Ferrelo and Duley Creek areas, as well as a 15-acre parcel in non-irrigated pasture use. Much of the land to the north and east of the Property is contained in Curry County rural land exception areas.

Adjoining properties to the east are a mix of uses, including the highly parcelized and residentially developed Rainbow Rock area, the Rainbow Rock Mobile Home Park, and a 160-acre parcel in pasture use.

To the south lies the City of Brookings, the South Coast Lumber mill, and residential development.

To the west of U.S. 101 are the 60 residential units of Rainbow Rock Condominiums and Samuel Boardman State Park.

Although not owned by U.S. Borax and not part of this request, tax lots 100, 102 and 103 on Map 40-14-26 are surrounded on three sides by the Property. Tax lot 100 is vacant land; Tax lots 102 and 103 are the water storage and package treatment facilities serving the Rainbow Rock Condominiums.

### **4. Vegetation**

The Property is covered by grass, trees and shrubs. The types of trees include Douglas Fir, Sitka Spruce, Grand Fir, Red Alder and Tanoak. Most of the trees are immature, with the exception of a second growth of Douglas Fir in the northeastern portion of the Property. The underbrush is extremely dense and includes shore pine, salal and scattered immature fir and spruce.

An endangered plant species, the Western Lily (*Lilium occidentale*), is located in a confined area on the Property. A survey of the Western Lily and of associated wetland areas was conducted in July 2001 by a qualified biologist. Twenty specimens of the Western Lily were identified in approximately six different locations. Although the lilies are found on the Property, their specific location is not being made public in order to provide protection to them.

## **5. Topography**

As shown on Exhibit 1, the Property is divided by three stream corridors. At the northernmost portion of the Property, Duley and Lone Ranch Creeks converge. Lone Ranch Creek flows westward through the Property where it is culverted under U.S. 101 and drops into the ocean. To the south of Lone Ranch Creek is Ram Creek, which also runs westerly under U.S. 101 where it precipitously drops into the ocean. At the south end of the Property is Taylor Creek, which runs south along the southeastern edge until it bears west at the very south edge of the Property. None of these streams are identified by the City's comprehensive plan as fish-bearing, and none are accessible to anadromous fish. The stream corridors range in slope from 10% to greater than 20%.

The flattest portions of the Property are located between the Lone Ranch Creek and Ram Creek corridors and the large area located north of Taylor Creek and south of Ram Creek.



## **II. Conceptual Development Plan**

### **A. Proposed Plan**

When the UGB was expanded in 1995, the City and Curry County entered into an Urban Growth Area Joint Management Agreement ("JMA") which set out a plan for developing the areas outside of the City and inside the UGB known as the Urban Growth Area ("UGA"). The JMA assigned jurisdictional responsibilities to achieve the orderly transition of land from rural to urban within the UGA. It also designated certain areas within the UGA as Master Planned Areas, of which the Property is one such Master Planned Area. Policy X (B) of the JMA requires owners of the Master Planned Areas to prepare a master plan prior to development (other than that allowed by the present zoning designation) that sets forth the land use, road circulation system, and plans for municipal water, sanitary sewer, and management of surface water runoff. The policy goes on to state that the master plans shall be adopted before any development permits may be issued.

**This Request for Annexation is limited to the annexation of the Property into the City and does not seek approval of the master plan.** U.S. Borax understands that before development can occur, the master plan must be approved as a post-acknowledgment comprehensive plan amendment.

U.S. Borax has retained the firms of Western Advocates, Inc. and Otak, Inc. ("Otak") to complete a Conceptual Development Plan ("CDP") for the Property, to assess the impacts of the development on the public facilities, and to understand the financial viability of such a project. The preliminary planning work to date demonstrates the type and level of development that can be supported on the Property. Again, approval of the annexation is not an approval of the CDP. Once annexation is complete, the master plan and supporting documentation will be completed and submitted to the City for approval.

The CDP, as shown on Exhibit Two, is designed around the distinctive physical features of the Property. These include the power line easement, the stream corridors, the vegetation and the Property's general topography. The development is also designed to take advantage of three dedicated accesses for ingress and egress and one access that is limited to emergency access.

Development is designed to minimize the impact on Lone Ranch Creek, Duley Creek, Ram Creek and Taylor Creek. Buffers are planned along all of the creek corridors to maintain separation between development and the creeks. The largest of the creeks, Ram Creek, bisects the Property for development purposes and no crossing is currently anticipated.

SWOCC's desire to establish a new satellite campus on a portion of the Property, also influenced the development design. U.S. Borax has tentatively agreed to donate a ten-acre site to SWOCC, which is located at the southern edge of the

Property near U.S. 101. The proposed location would provide easy access to the highway and visibility for SWOCC. Based on these general features and factors, the CDP anticipates the following land uses as shown on Exhibit 2.

**Table 2  
Proposed Land Uses\***

<b>Land Use</b>	<b>Acreage</b>	<b>Dwelling Units</b>
Single Family Residential	149 acres	444
Multi-family Residential		
Apartments	13 acres	166
Assisted Living	8 acres	80
Commercial	6 acres	
Community College	15 acres	
Recreational Area	35 acres	
Hotel & Supporting Commercial Uses	6 acres	
Right-of-way on Property	41 acres	
Open Space	280 acres	
<b>Total</b>	<b>553 acres</b>	<b>690</b>

\*Does not include U.S. 101 right-of-way.

As indicated in the CDP, the southern portion of the Property would contain most of the proposed residential development, the college campus and the commercial development. It will be accessible by a loop road that will enter the Property from U.S. 101 in the vicinity of the proposed location of the college campus. The road will continue across the power line corridor into the eastern portion of the Property and loop back across the corridor where the road splits between a secondary access to U.S. 101 or back to the main entrance road. The planned commercial area, as shown on Exhibit 2, has been located to take advantage of the community college traffic and to minimize the residents' vehicular trips within the development and on U.S. 101. The multi-family development is planned to be located between the commercial area and the power line easement. The balance of the southern portion of the Property is proposed as assisted living facilities and single family development.

The area north of Ram Creek may include a hotel and a nine-hole golf course. The eastern portion is planned for large single family homesites that would benefit from their proximity to the golf course.

## **B. Proposed Zoning**

Section 148.050 of the Brookings Land Development Code, ("LDC") states that "a proposal for annexation shall include a request for a City zoning designation for the territory proposed to be annexed which shall be considered at the time of

02/28/02  
 Date KDK  
 Designed SLM  
 Drawn  
 Checked By Date

U. S. BORAX  
 26877 Tourney Road  
 Valencia, CA 91355

WESTERN ADVOCATES INC.  
 2400 Salamo Road, Suite 201  
 West Linn, OR 97068



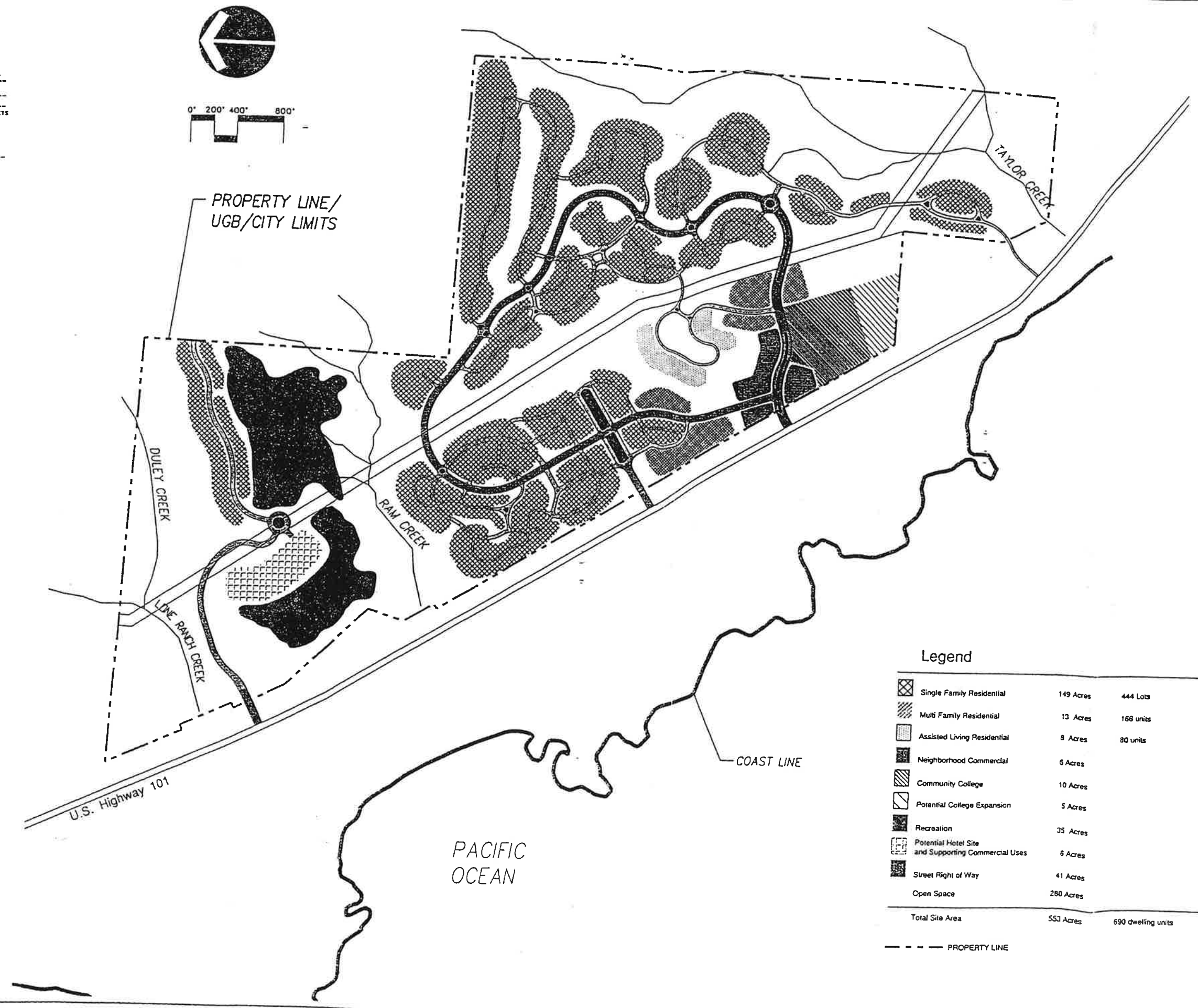
LONE RANCH  
 Brookings, OR  
 Curry County

otak  
 Incorporated  
 17250 SW Boones Ferry Rd.  
 Lake Oswego, Oregon 97035  
 Phone: (503) 835-2618  
 FAX: (503) 835-5355

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 Project No.  
 D622EX1.1  
 File No.  
 FIGURE 1-1  
 Sheet No.

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# EXHIBIT 2 CONCEPTUAL DEVELOPMENT AND PROPOSED ZONING PLAN



Legend

[Pattern]	Single Family Residential	149 Acres	444 Lots
[Pattern]	Multi Family Residential	13 Acres	166 units
[Pattern]	Assisted Living Residential	8 Acres	80 units
[Pattern]	Neighborhood Commercial	6 Acres	
[Pattern]	Community College	10 Acres	
[Pattern]	Potential College Expansion	5 Acres	
[Pattern]	Recreation	35 Acres	
[Pattern]	Potential Hotel Site and Supporting Commercial Uses	6 Acres	
[Pattern]	Street Right of Way	41 Acres	
[Pattern]	Open Space	280 Acres	
	<b>Total Site Area</b>	<b>553 Acres</b>	<b>690 dwelling units</b>

--- PROPERTY LINE

REF LIST  
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the annexation proposal. The zoning designation of annexed territory shall be specified in the annexation ordinance and shall become effective upon acceptance of the annexation by the Secretary of State.” The code continues to describe how county zoning designations will be converted to city designations. However, the only zones referenced are residential, so the code does not provide for a conversion of County to City zoning for properties other than residential.

As described earlier in this application, the JMA requires that the Property be master planned prior to the issuance of development permits. Until the master planning is complete, implementing zoning appears premature. The master plan will establish special implementing zones within each master planned area, and those implementing zones will be applied to the master planned areas either at the time the plans are adopted or after such further steps, as are prescribed in the master plans themselves. Therefore, as an interim measure, U.S. Borax proposes to apply the City’s Public/Open Space zone to the Property until the master planning is complete and the specific zoning is adopted.

### **C. Proposed Services**

#### **1. Water**

At this time there is no public water service to the Property. The nearest connection is located south of the Property. Wells and on-site storage systems will provide potable water and water for fire protection to the development consistent with the City’s Public Facility Plan for Urban Growth Expansion (“PFP”), completed by W&H Pacific, Inc. and dated November, 1999. At some point, the developed on-site water system likely will be integrated with the City’s existing water system.

Otak completed a Preliminary Utilities Engineering Report, dated February 28, 2002, for the purpose of the annexation and master planning of the Property. (See Appendix for Otak Report). Bandon Well & Septic Company performed tests to determine the potential and appropriate quantity and quality of water expected from such wells. Otak found that the water demand required by the levels of development as proposed in the CDP can be accommodated on-site so that an adequate water supply will be available and will function properly. Existing and additional wells will allow the development to minimize, if not avoid, any additional demands on the City’s existing water system.

#### **2. Sanitary Sewer**

Otak’s report assessed the sanitary sewer needs of the proposed conceptual development and the City’s ability to accommodate it. At present, the City’s existing sanitary sewer system terminates south of the Property.

The City's PFP includes a sewer system that serves the entire UGB area, including the Property. (See Appendix).

U.S. Borax anticipates that an interim on-site septic system will be used until such time that the public sewer pipeline is extended to the Property.

### **3. Stormwater Drainage**

The stormwater drainage facilities for the Property will utilize the existing conveyance system beneath U.S. 101 in combination with curb and gutter improvements and roadway ditches/swales to convey storm water away from the improved areas of the Property. Additional stormwater facilities will be incorporated if and when warranted. (See Appendix, for Otak Report).

### **4. Fire**

Upon annexation, the Property will be served by the City of Brookings Fire Department.

### **5. Police**

Upon annexation, the Property will be served by the City of Brookings Police Department.

### **6. Transportation System**

When developed, the Property will be served by a series of on-site public roads to be constructed by the developer. U.S. 101 provides access to the Property and a connection to downtown Brookings.

### **III. Criteria and Findings for Approval**

Section 148.020(G) of the LDC regarding annexations requires written findings of fact which address seven primary criteria, as described below. For ease of review, the following discussion includes cross references to the specific subsections of 148.020(G) as applicable.

#### **148.020(G)(1). Existing land uses within the territory proposed to be annexed.**

**Finding:** The Property is currently vacant. However, there are several unimproved roads on the Property. There is a 100-foot wide easement running through the center and along the length of the Property for Coos-Curry Electric Cooperative transmission lines. The easement specifically provides for the construction, reconstruction, maintenance and operation of electrical power lines and their supports.

#### **148.020(G)(2). Existing zoning and comprehensive plan designations within the territory.**

**Finding:** The Property is located in Curry County, as well as the City of Brookings planning area. The County zoning is Forest/Grazing, which allows forest and/or grazing parcels no smaller than 80 acres. There are no City designations for the Property.

#### **148.020(G)(3). Existing improvements such as water system, streets, sanitary sewer, storm drainage.**

##### **Finding:**

##### **1. Water**

There is no existing water service to the Property. The nearest public water line is located at the northern edge of the current City limits. Until 1973, the City's water system was privately owned. After the City acquired the system, numerous improvements and upgrades were constructed, including the following:

- A 1.5 mgd treatment facility;
- Chetco River intake improvements;
- A 1.5 million gallon storage reservoir; and
- A new pipeline to connect to the new reservoir

Currently the Chetco River supplies the City's water needs. According to the PFP, the river intake is a Ranney type collector with a rated capacity of

6 million gallons per day. The inlet was recently relocated up river to eliminate the intrusion of salt water during periods of low river flows. The pumps at the intake are rated at 2.6 million gallons per day. The water treatment plant ("WTP") is located downstream from the intake on the north river bank.

The PFP currently assumes that the City will provide water service within the UGB north of the Chetco River. However, drilling and testing on the Property has resulted in the development of additional water supply potential.

## **2. Sanitary Sewer**

Currently there are no public sanitary sewer services to the Property. The City operates a wastewater collection and treatment plant located at Chetco Point. The plant provides treatment for wastewater from Brookings as well as the Harbor Sanitary District. The City upgraded the treatment plant in 1991 and again in 2001, providing it with additional capacity to handle projected demand through and beyond the current planning period of 1995-2015. Brookings, like many Oregon communities, is experiencing high peak wastewater flows due to infiltration and inflow (I & I) of storm and groundwater, and is currently in the process of upgrading their system to improve I & I performance.

## **3. Storm Sewer**

Currently there are no storm water drainage systems located on the Property other than drainage systems incorporated into U.S. 101. According to the PFP, the City operates a storm drainage system within the current City boundaries. Eight drainage basins flow to the ocean or the Chetco River. Generally local area flows are conveyed via pipelines to discharge points at surface drainage ways, the majority of which are located in the western portions of the City draining to the Chetco River. U.S. 101 presents a major flow obstruction to the natural storm water drainage pattern, requiring culvert crossings.

## **4. Fire**

The Property is currently served by two Rural Fire Protection Districts ("RFPD"). The southern portion is served by the Suburban Rural Fire Protection District and the northern portion is served by the Cape Ferrello Rural Fire Protection District.

## **5. Police**

The Property is currently in the jurisdiction of the Curry County Sheriff's Department and the Oregon State Police.

## **6. Schools**

Homes built on the Property would be within the boundaries of the Brookings-Harbor School District. Table 3 contains a list of the schools that would serve future residents of the Property, including historical attendance data.

**Table 3**  
**Brookings Harbor School District Attendance**

<b>Year</b>	<b>Kalmiopsis Elem. (K-4)</b>	<b>Azalea Middle School (5 – 8)</b>	<b>Brookings – Harbor High School (9 – 12)</b>	<b>Totals</b>
1988	601	485	462	1,548
2000	603	667	672	1,942
Current	632	635	562	1,829

Currently the school district is involved in a \$14 million bonded building project which will enlarge all three schools. Facilities to be added include a cafeteria, a district kitchen and additional classroom space. Discussions with the architect for the project, Dick Bryant of WBGS Architecture and Planning, indicate that the additions are anticipated to serve the needs of the school district for the next 10 to 20 years. The master plan created for the district provides a plan to produce long-term solutions for growth on existing properties. According to Mr. Bryant, there are no plans for additional schools. In fact, the School District Master Plan allows for future on-site expansion of the schools following the completion of the current building projects.

## **7. Transportation Systems**

The area proposed for annexation includes U.S. 101 from the existing City limits and continues along the westerly boundary of the Property to the northern boundary of the UGB. U.S. 101 serves as the major route through the City serving residential and commercial development along the corridor. Outside the City limits, the highway is a two to three lane roadway. Where it exists, the third lane is a truck-climbing lane on steep grades. The speed limit along the portion of U.S. 101 fronting the subject Property is 55 mph with no sidewalks, parking areas or bike lanes.



Currently, there are five deeded access points along U.S. 101, which U.S. Borax retained when it conveyed Property to the State of Oregon in 1950. Four of these access points are located on the Property. The fifth is located north of the Property on the land owned by U.S. Borax outside of the UGB.

The City and County are adopting a Transportation Systems Plan ("TSP") for the Brookings-Harbor area. The draft plan has been submitted to Oregon's Land Conservation and Development Department ("DLCD") and Department of Transportation ("ODOT") and other agencies for comment and is expected to be adopted within the next two months. Under applicable statewide goals and rules, the master plan for the Property will be required to phase development and incorporate other measures necessary to ensure consistency with the TSP and the Oregon Highway Plan.

**148.020(G)(4). Special service districts within the territory proposed to be annexed, such as water, irrigation, fire, school, sanitary.**

**Finding:** According to the Curry County Tax Assessor Maps, the Property lies within two different Tax Code Areas - 17-7 and 27-6. The 2001-02 Property Tax Rate Summary identifies the special districts within the Property, as shown in Table 4.

**Table 4  
Special Districts within the Property**

<b>Tax Code Area 17-7</b>	<b>Tax Code Area 27-6</b>
School District 17-C	School District 17-C
Education Service District	Education Service District
Southwestern Oregon Community College	Southwestern Oregon Community College
Port of Brookings	Port of Brookings
South Curry Cemetery	South Curry Cemetery
Suburban-Rural Fire	Cape Ferrelo Fire
Curry County 4-H Extension	Curry County 4-H Extension
County General	County General
Curry County Soil/Water	Curry County Soil/Water
Chetco Library	Chetco Library

**148.020(G)(5). Urban service needed and necessary to service the territory proposed to be annexed, the availability of same relative to capacity, condition and cost of extension and/or improvement to urban standards.**

**Finding:** The project, as described by the CDP, will utilize the entire range of urban services including sewer, water, storm drainage, electrical

service, police and fire protection. Some of these services currently exist. Others will require various enhancements to reach the Property and accommodate the development's demands. The PFP specifically anticipated and accounted for the public facility needs arising from development of the Property. It relied on the population estimates prepared for the UGB expansion that included the Property. As a result, the City has developed a plan for providing sewer, water and storm drainage, that includes build-out of the Property.

## **1. Water**

The PFP calls for the construction of two reservoirs serving pressure zones 230 and 360, which includes the Property. The analysis completed by Otak in the Preliminary Utilities Engineering Report for the Lone Ranch Annexation and Development, dated February 28, 2002, indicates that the reservoirs contemplated by the PFP and the proposed wells can provide an adequate water supply to serve the Property at build-out. The cost of drilling the wells and construction reservoirs is shown in Table 5. Following completion, the water system may be integrated into the City's water system. The owner or developer will bear all costs associated with the construction of the on-site water system to serve the development.

## **2. Sewer**

The PFP addresses the extension of combined gravity and pressure sewer mains with pump stations to the Property. The first phases of development will be designed to accommodate on-site sewer systems. As the development approaches capacity of the on-site treatment system, the extension of the City system and connection to the Property will be considered. When public sewer becomes available, the earlier on-site septic system will be abandoned and sewer mains will be re-routed to connect to the City's system. All costs of constructing the on-site septic system, extending the combined gravity and pressure sewer mains, installing the pump stations and final connection to City systems will be borne by the developer or owner of the Property.

In 1991 and again in 2001, the City's wastewater treatment plant was expanded and upgraded. According to the PFP and the analysis completed by Otak, the existing treatment facility has adequate capacity to handle the proposed development. However, it may not be adequate to accommodate full build-out of all of the land within the UGB. Off-site alternatives can

be implemented to reduce the demands placed on the treatment plant as development occurs. When the on-site system is connected to the City's system, the wastewater treatment plant may have to be improved, depending how much other development has occurred. In addition, the City's wastewater transmission system may require improvement as well. The developer will pay for all costs of the on-site septic system for the first phases of the project. When connected to the City's system, the City and the developer may share in the cost of the required improvements to the treatment plant and the transmission lines. Under such a plan, the developer anticipates that the City would pay the cost of improvements arising from the needs of the existing residents while the developer would pay the costs arising from the needs of its new development. The City has the additional ability to establish a System Development Charge to help fund system improvement costs required to serve the proposed development.

### **3. Storm Drainage**

The on-site storm drainage system will be designed in accordance with the provisions of the PFP, which calls for improvement to the existing systems located beneath U.S. 101. The drainage facilities for the Property will combine the existing conveyance system beneath U.S. 101 with curb and gutter improvements and roadway ditches to convey storm water away from improved areas. Storm water detention, when warranted, will be provided adjacent to the existing streams on land near U.S. 101. The estimated cost of the on-site improvements is shown in Table 5.

### **4. Roads**

Prior to the approval of a master plan, the applicant will complete a transportation impact study to determine the impact of the development on the roads. Until that time, it is not known whether or not off-site road improvements may be required. However TSP provides a plan for the roads in the Brookings UGB and includes more development of the Property than outlined in the CDP. Specifically, the TSP assumed that Property would be developed as follows:

- 800 single family units;
- 100 multi-family units;
- An 18 hole golf course;
- A 200 room hotel; and
- 75 acres of commercial and/or industrial development

Although not part of this request, the level of development considered in the CDP results in less development than anticipated in the TSP, and generates fewer trips. The owner or developer will bear the costs for all

on-site roads and will participate with the State and the City in off-site improvements if they are necessary as a result of the development.

#### **5. Electricity**

According to Coos Curry Electric Cooperative, there is electrical service adjacent to the Property within the U.S. 101 right-of-way. Fiber optic lines were recently installed along the same right-of-way. The developer will pay the costs to connect to these utilities.

#### **6. Fire Protection**

The Property is currently within the boundaries of the Suburban RFPD and the Cape Ferrelo RFPD. Upon annexation, the Property will be served by the Brookings Fire Department. Discussions with Brookings Fire Chief William Sharp indicate that existing fire protection services are sufficient for pre-development needs. At the time of development, the developer will cooperate with the City to ensure adequate fire protection services are available.

#### **7. Police**

The Property is currently within the jurisdiction of the Curry County Sheriff. Upon annexation, the Property will be served by the City Police Department.

Table 5 indicates the estimated costs associated with providing sewer, water, storm drainage facilities, roads and utilities necessary to serve the Property. These costs have been estimated based on the CDP developed by the applicant. Although a master plan approval is not requested, it is anticipated that the identified costs would be applicable to any development that occurred in accordance with the population projections made for the purposes of expanding the UGB.

**Table 5**  
**On-site Cost Estimates for Installation of Services**

<b>Service</b>	<b>Cost Estimate</b>
Water	\$ 2,300,000
Sanitary Sewer	\$ 1,700,000*
Storm Sewer	\$ 1,600,000
Roads	\$ 5,000,000**
Electrical, TV, Fiber Optic, Telephone (dry utilities)	\$ 2,000,000
<b>Total</b>	<b>\$12,600,000</b>

\* Does not include the cost of upgrading waste water treatment facility or water transmission lines. \*\* Does not include the cost of off-site road improvements.

**148.020(G)(6) Compliance with all applicable goals and policies of the comprehensive plan.**

The City of Brookings Comprehensive Plan was adopted by the City and acknowledged by LCDC. It reflects the 18 statewide planning goals. Listed below are the goals and following each is a finding as to how the proposed annexation complies with the goal.

**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.

**Finding:** The annexation application was prepared in accordance with the public involvement elements identified in the LDC. Notice of the public hearings before the City Council and Planning Commission were sent to all property owners within 250 feet of the Property. Public notices of the hearings were also published in the local newspaper.

Approval of the annexation request is consistent with Goal 1.

**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 and actions.

**Policy 3:** In instances where public hearings are required, relative to this application, the Planning Commission and City Council will follow procedures established in the City's LDC. These bodies are responsible for considering the effects of a decision on the entire community and should not be swayed unduly by persons testifying for or against a particular course of action, but must place this input into its proper perspective and base the final decision on all information provided to them.

**Finding:** The annexation request is consistent with the provisions of the City's Comprehensive Plan and the LDC as well as the provisions of the PFP and the TSP. The request will be reviewed in light of the policies and facts presented in these plans. The City's reliance on the Comprehensive Plan, the LDC, the PFP and the TSP ensures that the City's decisions are based on an adequate factual base.

In addition, the request will be processed in accordance with the provisions of Section 148, Annexations, of the LDC. The applicant has

submitted all of the required materials; a public hearing will be held before the Planning Commission and the City Council; and the public will be notified of the hearing dates, the criteria for approval and of the decision.

Approval of the annexation request is consistent with Goal 2.

### **GOAL 3. Agricultural Lands**

To cooperate with the County in the preservation and maintenance of agricultural lands.

**Finding:** The Property is not zoned as agricultural and therefore, this goal is not applicable.

### **GOAL 4. Forest Lands**

To support and cooperate with the County in its efforts to protect Forest Lands.

**Finding:** The Property is zoned by the County as Forest/Grazing land but is located within the UGB. The inclusion of the Property in the UGB means that it is targeted for an urban level of development and is suitable land for annexation. The PFP and the TSP both assume an urban level of development will occur on the Property. Therefore, there is no requirement that the Property remain in the Forest/Grazing land use category.

Only that portion of the U.S. Borax land that is located within the UGB is proposed for annexation to the City. The balance of the U.S. Borax Property in the area will remain in the Forest/Grazing zone and would require a County Plan Amendment to be changed. An adequate buffer can be created along the northern boundary of the area to be developed in order to prevent negative impact on the adjacent forest grazing lands. Urban development will not occur beyond the UGB and the CDP illustrates that the Property can be developed with no negative impact on the adjacent forest/grazing property.

Therefore, this request is consistent with Goal 4.

### **GOAL 5. Open Spaces, Scenic and Historic Areas and Natural Resources**

To conserve open space and protect natural and scenic resources and historic areas while providing for the orderly growth and development of the City.

**Policy 1:** It is the policy of the City of Brookings to protect natural and scenic resources by encouraging the conservation of ecologically and scientifically significant natural areas, scenic views and sites, historic areas, local energy sources, and mineral and aggregate resources.

**Policy 2:** It is the policy of the City of Brookings to preserve forest and agricultural lands which serve as valuable open space areas by focusing development within the City limits/UGB.

**Finding:** The CDP for the Property demonstrates that the proposed level of development can occur while allowing a significant amount of open space. The City has not identified Goal 5 resources near the Property. Two natural areas identified by the plan are located within the UGB; the Harris Beach State Park and a portion of the Chetco River Estuary, neither of which are located near the Property. None of the streams located on the Property are identified by the City as fish bearing. However, the applicant has identified the presence of the Western Lily and associated wetland areas on the Property. When the Property is master planned, the applicant will further delineate the locations of the lilies and the wetlands and take appropriate steps to protect them.

This goal requires the balancing of open space and resource areas with the need for growth and development. As the Oregon Court of Appeals recognized in the City's decision to expand the UGB, there are limited areas for expansion near the existing city limits because of the geographical character of the Brookings area, which is a narrow flatland between rugged hills on the east and the ocean on the west. (Hummel v. Land Conservation and Development Commission, 152 Or App 404, 954 P2d 824, 1998). The City expanded to the north and included the U.S. Borax land because it was relatively flat and near the existing city limits. The City weighed the open space and resource areas with their need to grow and develop and determined that it was appropriate to expand to the north and include the Property in the UGB.

Therefore, the approval of this annexation is consistent with Goal 5.

#### **GOAL 6. Air, Water and 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.

**Policy 1:** It is the policy of the City of Brookings to recognize and comply with State and Federal environmental quality statutes, rules and standards.

**Finding:** All development that will occur on the Property as a result of the annexation will be in accordance with the rules and policies

established by the City, Oregon Department of Environmental Quality and Federal requirements. The Preliminary Utilities Engineering Report prepared by Otak indicates that the new water system developed for the Property will have little or no impact on the Chetco River, the City's existing water source, and if added to the City's system, could in fact provide a new water source for the City and reduce future demand on the river. In addition, the sanitary and storm drainage systems will be designed in accordance with the provisions of the PFP and the City Standard Detail and Specifications and therefore should be in compliance with local environmental quality requirements.

The CDP contemplates approximately 12 acres of future commercial land within the Property. The proximity of the commercial services to the future residents of the Property and others will benefit the City by reducing vehicle trips into the downtown Brookings area and, thereby, improving air quality.

#### **GOAL 7. Areas Subject to Natural Disasters and Hazards**

To protect life and Property from natural disasters and hazards.

**Policy 1:** When development is located in areas of known natural hazards, the density or intensity of the development shall be limited by the degree of the natural hazard.

**Policy 2:** When development is planned in areas of identified hazards, the developer will be required to show that Property development will not be endangered by the hazard and that appropriate safeguards will be taken.

**Finding:** There are no identified areas within the Property which are subject to natural disasters and hazards, according to the City Planning Director. However, there are limited areas of the Property that are in excess of 15% slope. The CDP demonstrates the areas proposed for development are limited to the flatter portions of the Property. Section 100 of the LDC requires areas in excess of 15% slope to be reviewed by an engineering geologist when divisions of land are proposed. Prior to approval of the master plan, the applicant will review the potential land hazards as required by the LDC.

Therefore, approval of the annexation request is consistent the provisions of Goal 7.

#### **GOAL 8. Recreational Needs**

To satisfy the recreational needs of the citizens of the Brookings area, state and visitors.



**Policy 1:** It is the policy of the City of Brookings to encourage better utilization of existing recreational facilities and to plan for and develop new recreational facilities and opportunities.

**Finding:** The approximate 553 acres of Property provides ample room for on-site recreational activities. The CDP currently contemplates a hotel/golf course and resort complex on the northern portion of the Property. In addition, the power line easement corridor, which is 100 feet wide and runs the entire length of the Property, could provide an excellent linear park facility. Finally, as stated earlier, significant portions of the Property are anticipated to be preserved for open space uses. Even if changes are made to the CDP, physical characteristics of the property, i.e., natural features which inhibit development in certain areas, will ensure the provision of sufficient space for recreational activities.

In addition to the recreational opportunities that may be provided on the Property, Boardman State Park and the ocean are located immediately west of U.S. 101 and will be accessible to future residents of the Property.

Therefore, approval of the annexation is supportive of Goal 8.

#### **GOAL 9. Economy of the State**

To diversify and improve the economy of the Brookings area.

**Policy 2:** The City of Brookings will encourage the diversification of the City and the regional economy. The City wishes to create new employment opportunities while sustaining and expanding existing economic sectors.

**Finding:** There are few opportunities for a large scale, mixed use development within the City limits. Prior to the expansion of the UGB, there were only three vacant residential parcels greater than 20 acres in size.<sup>1</sup> Annexation of the Property will allow for a planned development, including a college campus, a variety of housing types, supporting commercial development, and a hotel/golf course development, all of which should help to diversify the economy of the Brookings area. The findings of the Comprehensive Plan indicate that the City's primary economic base was previously the timber industry; but recently, that business has been in decline. The presence of a satellite college facility will provide improved educational facilities for City residents, resulting in new job opportunities and job training. It is anticipated that the new

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<sup>1</sup> Technical Memorandum, Brookings Urban Growth Boundary Needs Analysis, Linda L. Davis, AICP, Cogan Owens Cogan, March 6, 1995.

facility will attract students from the southern state border to southern Curry County.

In addition to the employment opportunities afforded by the expanded community college, the commercial facilities and the resort complex, additional jobs will be made available during the construction of the infrastructure improvements and buildings, including homes and commercial buildings.

Few sites allow the level of development available on this 553-acre Property. Without annexation, development at the densities proposed cannot occur and the economic benefits to the City cannot be realized. Annexation of the Property will assist the City in diversifying and improving the economy of the Brookings area.

Therefore, this request is consistent with Goal 9.

#### **GOAL 10. Housing**

Provisions of varied housing which is safe, sanitary and adequate for all residents of the community.

**Policy 1:** City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.

**Policy 2:** City shall provide for a variety of housing options and properties and plan for suitable locations.

**Policy 3:** City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial Property, schools, parks, public facilities and other urban development.

**Policy 8:** City shall, in light of increasing demand for multi-family housing, provide suitable and adequate areas for such development.

**Finding:** The UGB was expanded, in part, to accommodate future housing needs, after it was determined that the existing supply of land within the existing UGB would be inadequate to accommodate future population growth. Inclusion in the UGB is only the first step toward providing land in suitable quantities to encourage the construction of new residential units. Before units can be added to meet demand, the Property must be annexed and a master plan must be approved. Annexation of the Property will allow the construction of new homes to meet increased demand.

The CDP contemplates a mix of uses that includes single and multi-family housing, at a variety of densities. It is anticipated that lot sizes would range from 5,000 square feet to one acre, in order to provide a wide range of housing types and affordability levels. Again, there are very few sites in the UGB that can accommodate a large scale mixed use development where a variety of housing types can be integrated with a college campus, supporting commercial uses, and open space in a planned and aesthetically pleasing manner.

Inclusion of this Property in the City limits will assist the City in meeting its housing goals. Therefore, approval of the annexation is consistent with Goal 10.

### **GOAL 11. Public Facilities and 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.

**Policy 1 (D):** All public works construction to serve newly developed area will be on the "pay as you go" policy with developers designing and constructing new facilities in accordance with the City Standard Detail and Specifications adopted August, 1988.

**Finding:** The PFP and the TSP contemplated the development of the Property. As such, public facilities and services for the Property are included in the City's long range facilities planning. U.S. Borax's willingness to provide all on-site infrastructure needs, in accordance with the City's standards, and to participate in necessary off-site public facilities will ensure the orderly provision of public facilities and services necessary to the Property. Therefore, the annexation is consistent with Goal 11.

### **GOAL 12. Transportation**

To provide and encourage a safe, convenient and economic transportation system.

**Finding:** Prior to approval of the master plan, the applicant will prepare a Traffic Impact Study to assess the impact of the proposed development on the street and highway system. The annexation itself will have no impact on the City's transportation system as no development will be allowed until further land use approvals are received. The City's TSP and the design standards for roads and streets will apply to any new development on the annexed Property. Conformance with such City standards will ensure that future development on the Property will contribute toward a

safe, convenient and economic transportation system. Therefore, the annexation is consistent with Goal 12.

### **GOAL 13. Energy Conservation**

To conserve energy.

**Policy 2:** The City desires high density development to be located adjacent to major shopping areas and along major transportation routes, as appropriate.

**Policy 3:** Energy conserving alternatives to conventional housing, such as multi-family housing and planned unit developments, are encouraged in appropriate areas. Education in energy conservation techniques and encouraging further energy resource development is also desired.

**Finding:** The CDP indicates that the Property likely will be a mixed use development combining single family and multi-family residential development with supporting commercial facilities and a college campus, thereby furthering energy conservation goals and minimizing long distance auto trips.

Therefore, the annexation is consistent with Goal 13.

### **GOAL 14. Urbanization**

To minimize the expansion of the urban service area outside of the City limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural and forest lands outside of the City.

**Policy 3:** City shall annex lands that are contiguous to the City limits and continue to extend City services only to areas within the corporate limits. City shall continue to honor present agreement for provision of public services in areas presently outside the corporate limits.

**Finding:** The Property and U.S. 101 already lie within the UGB and are contiguous to the City limits. To the extent necessary, the owner or developer will install or finance the infrastructure necessary for the project.

Therefore, the annexation is supportive of Goal 14.

### **GOAL 15. Willamette River Greenway**

**Finding:** The Property is not within the Willamette River Greenway. Therefore, this goal is not applicable.

### **GOAL 16. Estuarine Resources**

To recognize and protect the unique environmental, economic and social values of the Chetco River Estuary and its wetlands.

**Finding:** Otak's report demonstrates that the proposed development will have no impact on the Chetco River. Therefore, the annexation of the Property is consistent with this goal.

### **GOAL 17. Coastal Shorelands**

To conserve, protect, where appropriate develop and/or restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters.

**Finding:** There are no coastal shorelands located on the Property. Therefore, this goal is not applicable.

### **GOAL 18. Beaches and Dunes**

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas.

**Finding:** According to the Curry County Comprehensive Plan, there are only a few places along the shoreline where coastal dunes have developed and extend short distances along the coast or inland from the beach. The beach and dune areas are all located within the coastal shoreland area. As indicated in the Goal 17 finding, there are no coastal shorelands east of U.S. 101 and therefore Goal 18 is not applicable.

### **148.020(G)(7). Compliance with any of the below listed criteria A through E of subsection 148.030.**

This criteria allows the applicant to chose one of the identified criteria. Although all of the criteria will be met, the second criteria in subparagraph (B) is the most applicable to this request. The criteria are shown in **bold** type below followed by the finding.

**148.030 A. The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the City boundaries and is found to be a necessary control for development form and standards of an area adjacent to the City.**

**Finding:** The subject parcel lies within the UGB as amended in 1995 and approved by the City of Brookings, Curry County and the LCDC. When the City initially looked for land to satisfy its long-term growth needs, it determined that an additional 899 buildable acres of residential land would satisfy future needs. The areas appropriate for growth were limited in this community due to the physical barriers of the Pacific Ocean to the west, the steep terrain to the east and the agricultural land to the south. The City was also in a unique position, as three land owners controlled large, vacant parcels of land immediately adjacent to the existing UGB which provided superior locations for future growth.

Most communities are characterized by small, extremely parcelized areas surrounding their UGB's. That is the case with the exception areas located to the east of the existing City limits. Aggregation of these parcels is costly, and redevelopment would be difficult given the inefficient existing road and lot patterns. Therefore, the City approved the areas primarily north and south of the existing boundaries for future growth and included them in the expanded UGB.

The Property is one of the sites annexed into the UGB, in part because it is comprised of large vacant parcels that can accommodate a large part of the City's housing needs. The Property has one owner and can be served either with City services or on-site systems. It is near the existing City boundary and can be connected by annexing a small portion of U.S. 101 right-of-way.

The Property provides a **logical annexation** because it is in single ownership and near the City limits. It is **efficient** because there are no existing lot patterns or road systems that preclude efficient master planning and future use of the Property. It is **economical** because its development will make use of the Property's water resources that could be integrated in the future with the City's system. The Property can begin develop, utilizing an on-site sewage system, until which time it is economical to connect to the City's public sewer system.

Therefore, annexation of the Property is consistent with this criterion.

**148.030 B. The proposed annexation will facilitate the functional and economic provisions of services with the Urban Growth Boundary without seriously impairing City services to existing**

**portions of the City (direct responsibility for extension cost shall be addressed).**

**Finding:** When the City approved the expansion of the UGB, Statewide Planning Goal 14, the urbanization goal regarding the economic and functional provisions of services, was considered. It was determined that the Property could be developed without seriously impacting City services to the existing portion of the City. It was also determined that by master planning of the Property prior to the issuance of development permits, which includes a phasing plan for development and infrastructure, impact on the existing portions of the City would be minimized.

Section III, subheading 148.020(G)(5) of this application defined the required improvements for the planned development and a method for the payment of those improvements. As discussed therein, where necessary, the developer will construct additional services and facilities to ensure adequate services for the Property and to avoid impacts to the City's existing facilities. Therefore, this annexation request is consistent with the criteria.

**148.030 C. The annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.**

**Finding:** This criteria is not applicable as the Property is vacant.

**148.030 D. The proposed annexation will add Property to the City which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add Property which has existing development in need of urban services.**

**Finding:** In 1995, the UGB was expanded by an additional 3,491 acres in order to accommodate anticipated population growth.<sup>2</sup> The annexation of the Property and the adjacent right-of-way will assist the City in meeting the demand for additional buildable land to accommodate growth.

Following annexation, the Property will be master planned, in accordance with the terms of the Joint Management Agreement. The appropriate zoning, which will implement the master plan, will be adopted at that time.

Therefore, the annexation is supportive of the criteria.

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<sup>2</sup> See Technical Memorandum on the Brookings UGB Needs Analysis, prepared by Linda L. Davis, AICP, in association with Cogan Owens Cogan, dated March 6, 1995.

**148.030 E. The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.**

**Finding:** In approving the UGB amendment in 1995, the City and the State of Oregon Land Conservation and Development Commission, ("LCDC"), found that the additional acreage was needed to meet the anticipated population and land needs of the City. Of the lands annexed to the UGB, the Property can best meet the needs of the City, due to its proximity to the City and the minimal need for additional roads to access the Property from the existing urban area. In addition, as described throughout this request, the Property can be served with sewer, water and storm drainage facilities in an economical and efficient manner. Further, there is now market demand for the Property. SWOCC's interest in the Property and the general public interest are evidence that the annexation will assist the City in meeting the needs for urbanization.

Therefore, the annexation request satisfies the criteria.

**148.040. Annexation Impact Analysis.**

In addition to the above stated findings, Section 148.040 requires that the City consider the potential impacts of the annexation upon both the City and territory proposed to be annexed. The following points of consideration are addressed below. The criteria are identified in bold and the findings follow.

**148.040 (A). Statement of the municipal service needs, if any, of the territory proposed to be annexed, including police and fire protection; public sewer and water supply facilities; street improvement or construction, or both; and such other municipal services that may reasonably be required.**

**Finding:** The municipal service needs of the territory proposed are described in Section III subheading 148.020(G)(5) of this application. Please refer to the discussion regarding the "urban services needed and necessary," found in Section III for a response to this statement.

**148.040 (B). Statement of the projected methods and costs of supplying reasonably needed municipal services to the territory proposed to be annexed.**

**Finding:** Table 5, On-site Cost Estimates for Provision of Services and the discussion in Section III subheading 148.020(G)(5) , addresses the method and costs of supplying the required municipal services to be proposed. The stated costs will be borne by the developer of the Property.



Please refer to the discussion of the “urban services needed and necessary,” found in Section III for a response to this statement.

**148.040 (C). Statement of the additional revenues, if any, available to the City as a result of the annexation.**

**Finding:** Annexation of the Property will immediately result in additional revenues. The Property taxes that the County now receives will be collected by the City. The amount received will be minimal until the Property is rezoned, and is no longer subject to deferral status. According to the Curry County Assessor’s office, the 2001 taxes on the Property were \$10,330.18.

However, once the Property is developed, Property taxes will increase substantially. Specifically, the Property tax revenue anticipated to be generated from the residential component alone is estimated to be \$488,545 per year, assuming today’s tax rate, as shown in Table 6.

**Table 6  
Proposed Tax Revenue of Residential Development**

<b>Land Use</b>	<b>Number of Units</b>	<b>Average Assessed Value</b>	<b>Total Assessed Value</b>	<b>City tax rate/\$1000 av.</b>	<b>Tax Revenue</b>
SFR	444*	\$250,000	\$111,000,000	4.0389	\$448,318
MRF	166	\$ 60,000	\$ 9,960,000	4.0389	\$ 40,227
<b>Total</b>	<b>610</b>		<b>\$120,960,000</b>		<b>\$488,545</b>

\*Does not include assisted living units, as building type is unknown at this time.

Table 6 does not include any of the revenue to the City generated by the contemplated hotel development, the commercial development or the assisted living facility. It is premature to estimate the value of these potential improvements at this time, but clearly the tax revenue generated by the Property would be beneficial to the City.

**148.040 (D). Statement of the foreseeable impact of the proposed annexation upon property within existing City limits, and upon property outside the City limits and contiguous to the property included within the proposed annexation.**

**Finding:** The impacts on properties within the City limits will be positive. As a result of the annexation, the supply of land inside the City will be increased and a new planned community can be created. In addition to the opportunity for additional single and multi-family housing units, the assisted living facilities, the hotel/golf course development and the commercial services will provide revenue to the City and diversity to the city’s economic base. A new water source as well as increased

Property tax revenue are the key benefits anticipated from development of the Property.

The Property is uniquely situated such that its development will have minimal physical impact on the surrounding properties outside the City limits. The Property to the north is owned by U.S. Borax and remains outside the UGB and the City limits. The impact on the forest uses will be minimal as described earlier in this application, due to the planned buffers and land uses along the northern edges of the Property. The properties to the west are comprised of U.S. 101 and Samuel Boardman State Park. The Rainbow Rock condominium project is the only developed area west of the Property and is separated by the U.S. 101 right-of-way and a significant grade change. The Property will be designed during the master plan phase to minimize any impact on the surrounding properties. The Property is separated from the parcels to the south and west by the natural topography of the Property. No development is proposed south and west of Taylor Creek, which creates an extensive buffer south and west of the Property.

**148.040 (E). Statement analyzing the impact of the annexation on the growth, development, and future of Brookings and its urban growth area, recognizing that even small area annexations involve implicit policy decisions concerning long range development and ultimate impacts.**

**Finding:** Annexation of the Property will assist the City in meeting its long-term plan for growth. The Property's unique location and character make it the most appropriate Property inside the UGB for annexation, given its proximity to the City limits and City services. The other findings in this application demonstrate that approval of the annexation will have a positive impact on the growth, development and future of the City including but not limited to the following:

- Increased tax revenue;
- A new fully improved water system serving the Property;
- An opportunity for a new college campus; and
- A large planned community for new and existing residents of Brookings

For these reasons, the annexation of the Property owned by U.S. Borax is supportive of the criteria as outlined in the LDC.

#### **IV. Zoning of Annexed Property**

The Property is currently zoned Forest/Grazing in accordance with Curry County zoning regulations. Section 148.050 of the Brookings LDC states that "a proposal for annexation shall include a request for a City zoning designation for the territory proposed to be annexed which shall be considered at the time of the annexation proposal. The zoning designation of annexed territory shall be specified in the annexation ordinance and shall become effective upon acceptance of the annexation by the secretary of state." The code also describes how the zoning shall be determined, except where a plan amendment is requested and identifies city zones that correspond to existing county zones. However, the only zones described for conversion from county to city are residential, and no provisions are made for a conversion of County to City zoning for commercial or resource properties.

However, as described earlier in this application, the JMA requires that the Property be master planned prior to the issuance of development permits. Until the master planning is complete, appropriate zoning cannot be clearly determined. The master plan will establish special implementing zones within each master planned area, and those implementing zones will be applied to the master planned areas either at the time the plans are adopted or after such further steps as are prescribed in the master plans themselves. Therefore, U.S. Borax is proposing that the City's Public/Open Space zone be applied to the Property, on an interim basis, until the master planning is complete and the specific zoning are applied.

Applying the City's Public/Open Space zoning to the Property upon annexation on an interim basis satisfies the requirement that the Property be zoned at the time of annexation. Therefore, Section 148.050 of the Brookings LDC is satisfied.

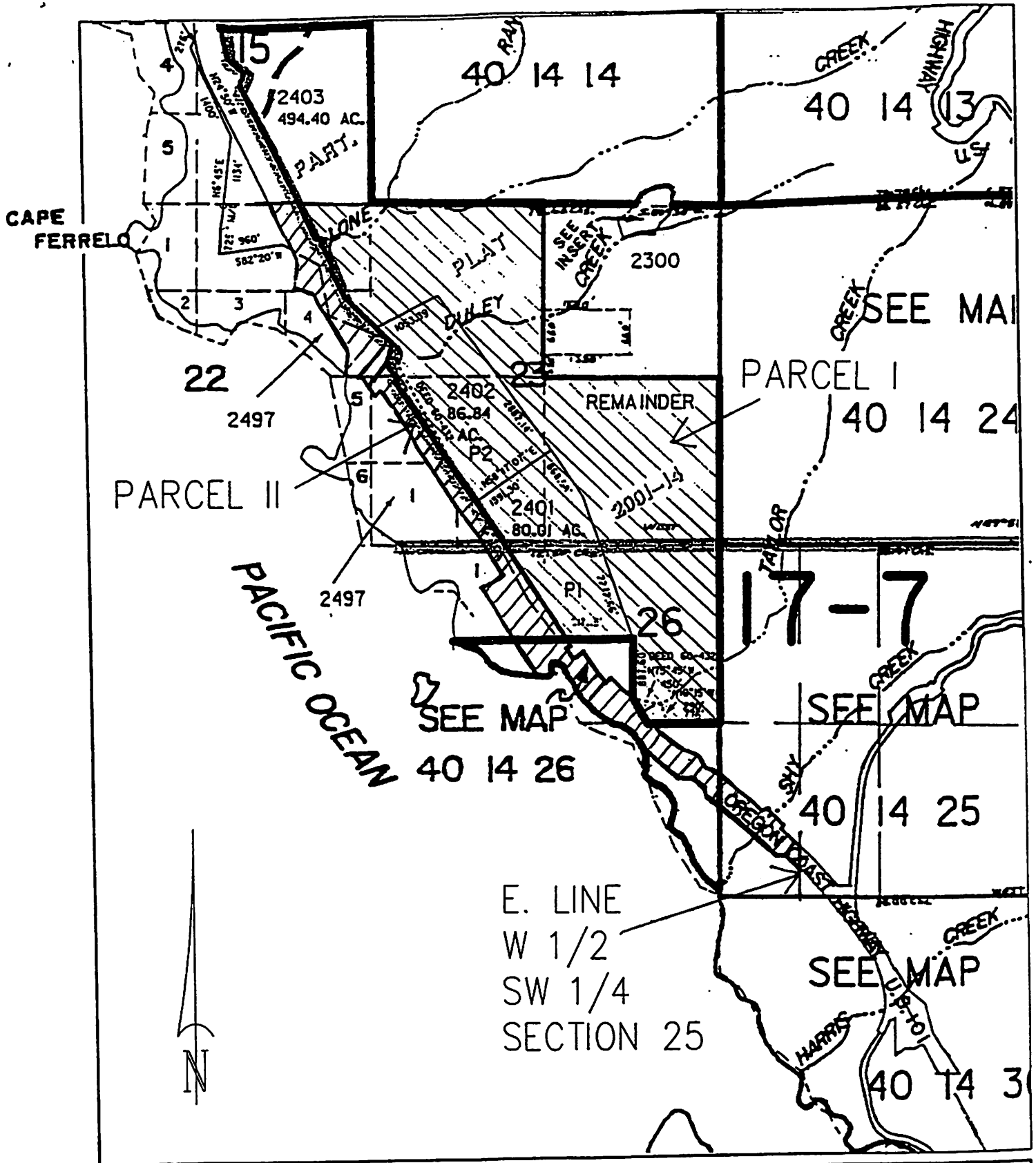
## **V. Conclusion**


U.S. Borax requests annexation of its Property into the City of Brookings. The request is consistent with the applicable provisions of state law and the Brookings Land Development Code. As importantly, the annexation is the next step in implementing the City's plan for the future as evidenced by the Urban Growth Boundary expansion, the Transportation Systems Plan and the Public Facilities Plan.

U.S. Borax is committed to proceeding with the master planning of the Property and creating an outstanding community for existing and future residents of Brookings. We respectfully request that the City approve the request and allow U.S. Borax to move forward in their planning.

## **A P P E N D I X**

- **Assessor Map**
- **Preliminary Utilities Engineering Report for the Lone Ranch Annexation Development, prepared by Otak, dated February 28, 2002**



PROPOSED ANNEXATION TO THE CITY OF BROOKINGS, US BORAX, US HIGHWAY 101		 17355 SW Boones Ferry Rd. Lake Oswego, Oregon 97035 Phone: (503) 635-3618 FAX: (503) 635-5395
PARCEL EXHIBIT SCALE: 1" = 2000'	PARCEL NO. I, II CURRY COUNTY, OREGON	
		DATE: 02-26-2002

# **Preliminary Utilities Engineering Report**

*for the*

## **Lone Ranch Annexation Development**

**Brookings, Oregon**

*Prepared by*



*17355 SW Boones Ferry Rd.*

*Lake Oswego, OR 97035*

*Phone (503) 635-3618*

*Fax (503) 635-5395*

**February 28, 2002**

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**Appendices**

Appendix A	Water
Appendix B	Sanitary Sewer

## Introduction and Background

The US Borax Corporation is preparing a master plan and annexation request for the Lone Ranch property located within the Urban Growth Boundary of Brookings, Oregon. The northwesterly Urban Growth Boundary for Brookings Harbor encompasses approximately 546 of the total 661 acres of the Lone Ranch property. The project will be a phased development with 690 residential housing units, 6 acres of commercial/retail, 10-15 acres of higher level education facilities, 6 acres of tourist commercial and a golf course. The plan in Figure 1-2 identifies the various phases for development.

At this time there is no sanitary sewer or water serving the Lone Ranch property. Existing public water and sewer services terminate approximately one mile south along Highway 101. It is anticipated that both sewer and water service will ultimately be provided through onsite resources and from the City of Brookings. The full built projected demands are preliminarily estimated in this report. In addition, we have presented recommendations for how the development and City can provide service to Phases 1 – 5 of the development.

Sewer and water service to the first phases of the development will be through onsite systems. Domestic water and fire flow storage will be developed through a system of groundwater wells and storage reservoirs. A Septic Tank Effluent Gravity (STEG) system will be utilized for the initial phase or phases until the City of Brookings' public sewer system is extended to the development with necessary pump stations.

Infrastructure improvement requirements for the proposed Lone Ranch Master Plan are presented in this report. Anticipated water and sanitary sewer needs are quantified and a storm drainage concept plan is established

The purpose of this report is to quantify required water and sanitary sewer improvements and establish a storm drain concept plan for the proposed Lone Ranch Master Plan. This report demonstrates the feasibility of the development within the City of Brookings.

This report also provides a preliminary Trip Generation Study for information purposes. The project will develop under the Transportation Study the City of Brookings has adopted.

## Water System – Supply and Storage

At this time, there is no public water service to the Lone Ranch property. The nearest connection is located one mile south of the site that will be annexed to the City. It is anticipated that service will be obtained through the development of onsite wells and storage improvements. The proposed wells and onsite storage system will be necessary to provide potable water and fire protection to the development. The developed onsite water system will be ultimately integrated with the existing water system of the City of Brookings to complement each other.

### Water Demand Calculation

The project will create new water demands on the City as illustrated in Table 2.1. Estimated average consumption rates include residential, commercial and institutional usage as shown in the Water Conservation Plan.

Table 2.1 - Water Demand					
Phase	Max. Units (EDU)	Equiv. Pop. <sup>(1)</sup>	Average Day Demand (GPD) <sup>(2)</sup>	Maximum Daily Demand (GPD) <sup>(3)</sup>	Fire Flow (gpm)
1	95	238	39,900	79,800	2 hours @ 1,500
2	350	875	147,000	294,000	2 hours @ 1,000
3	80	200	33,600	67,200	2 hours @ 1,000
4	140	350	58,800	117,600	2 hours @ 1,000
5	25	63	10,500	21,000	2 hours @ 1,500
<b>Total</b>	<b>690</b>	<b>1,724</b>	<b>289,798</b>	<b>579,597</b>	<b>2 hours @ 1,500</b>

**Notes:**

1. Assumes 2.5 persons per household (EDU). (Water Conservation Plan - April 2000 uses 2.48)
2. Based on 168 gallons per capita per day (includes non-residential component) (Water Conservation Plan - April, 2000).
3. Maximum Daily Demand = 200% Average Day Demand (Water Conservation Plan - April, 2000)

### Water Supply, Storage, and Treatment

# Water System – Supply and Storage

*Continued*

## **Water Supply**

In October 2001 two wells were drilled on the property investigating the potential of an alternate water source for the proposed development. G.L. Meyer Well Drilling installed two wells at the approximate locations shown in Figure 13. The initial flow tests indicated flows of 45 gpm and 110 gpm for Wells 1 and 2 respectively. In December 2001, Bandon Well & Septic Company was hired to perform a draw down flow test on Well 2 to validate the initial results. The well was tested in accordance with the State of Oregon Water Resources Department *Guide to Water Well Construction, Maintenance, and Abandonment* July 2001. The results of this test yielded potential flows of 235 gallons per minute. It is estimated that the well will pump for 18 hours per day, which will yield approximately 250,000 gallons per day.

## **Water Storage**

The domestic and fire flow demands require water storage based on Section 9.2 of the City of Brookings Water System Master Plan. The need for storage is outlined in Table 2.2. A minimum of one full day at maximum daily demand and minimum fire flow storage is required. An additional 20 percent of the average daily demand is included for equalization. The estimated water storage requirements are illustrated in Table 2.2.

Table 2.2 - Water Storage				
Phase	Cumulative Reserve Storage (gal) <sup>(1)</sup>	Fire Storage (gal) <sup>(2)</sup>	Cumulative Equalization Storage (gal) <sup>(3)</sup>	Cumulative Storage (gal)
1	79,800	180,000	7,980	267,780
2	373,800	120,000	29,400	583,200
3	441,000	120,000	6,720	627,720
4	558,600	120,000	11,760	750,360
5	579,600	180,000	2,100	761,700

### **Notes:**

1. Assumes one full Maximum Day Demand (Water Conservation Plan - April, 2000)
2. Equals the fire flow demand. (Fire flow based on Appendix III-A, 1997 Uniform Fire Code)
3. Assume 20% of Average Daily Demand. (Additional safety factor in addition to recommendations in the Water System Master Plan)
4. Maximum fire flow is 180,000 gallons based on 2 hour - 1500 gpm fire flow requirement.
5. Fire flow requirements established with Phase 1 Storage.

As shown in Table 2.2, Phase 1 accounts for 35 percent of the total water storage requirements. Phase I consists of single family, multifamily, institutional, and a significant quantity of commercial acreage. The market analysis performed on this

## Water System – Supply and Storage

*Continued*

development reflected most commercial developments would occur in the final phases of the project after most residential development is established. The residential and institutional acres in Phase 1 and a portion of Phase 2 can be supported with the construction of a 300,000 gallon reservoir. An additional 500,000 gallon reservoir will be required to support the remainder of Phase 2 and final three phases. Recommendations for the water system development are outlined below.

### ***Water Treatment***

As stated in Section 5.5 of the City of Brookings Water System Master Plan, water quality treatment is not necessary for groundwater that is not directly influenced by surface water if the source has acceptable water quality. Water samples must be routinely submitted for laboratory analysis as outlined in the Oregon Administrative Rules Chapter 333. Water samples taken from Well 2 by Bandon Well and Septic and tested by Coast Medical Lab of Coos Bay demonstrate acceptable water quality as indicated by the absence of coliforms and nitrate levels at four percent of the maximum allowable level. These test results are included in Appendix A. The City of Brookings has indicated their water department will monitor and maintain the proposed water system at the time it is placed in service.

### **Recommended Project for Phases 1– 5**

The storage requirements for this multiple phased development are greater than the output of the two wells installed at this time. We recommend a phased approach that is more economically feasible as follows:

### ***Recommended Project Elements***

1. Construct a 300,000 gallon storage reservoir (1) for Phases 1 and 2 utilizing the wells as previously discussed. The recommended location for reservoir 1 is shown on Figure 1-3. Phase 1 and 2 include the largest quantity of commercial acreage and high density housing. The commercial properties are most likely to be developed toward the later phases of the development and would not place high demands on the water system until completed. This reduction in commercial use in the early phases may allow more residential units to be built. With each new phase of development, we recommend the water demand analysis be updated. A network of medium and smaller water mains could be constructed from the reservoir to both phases with adequate fire flow and pressure. A booster pump will be required to provide minimum health standard pressure of 20 psi at the higher elevations near the reservoir. The facilities for Wells 1 and 2 will need to be increased in size to

## Water System – Supply and Storage

*Continued*

accommodate larger pumps. Coordination with the City of Brookings is necessary to provide necessary access and appurtenances for maintenance and monitoring of water quality and system operations.

2. A 500,000 gallon storage reservoir (2) will be required to provide sufficient storage for phases 3 through 5. The recommended location of reservoir 2 is shown on Figure 1-3. Additional wells and/or connections to the City of Brookings water system for better load balancing will need to be constructed, as necessary, to provide the demands placed on the system.

The recommendations for well and reservoir construction demonstrate that the development can provide adequate water supply to function properly. The use of the existing wells and construction of additional wells will allow the Lone Ranch development to minimize and potentially avoid any additional demands on the City of Brookings' existing water system dependent on the Chetco River. A more detailed analysis will be needed as construction documents are prepared and additional well information is gathered.

## Sanitary Sewer

At present, the City of Brookings' existing sanitary sewer system terminates one mile south of the Lone Ranch property. The Public Facilities Plan (dated November 1999) shows the extension of a combination gravity and pressure sewer main with pump stations to the Lone Ranch property. The first phases of the project will be designed to accommodate onsite sewer systems. As the property develops beyond the capacity of the onsite treatment system, the extension of the City system and connection to the Lone Ranch property will occur.

To serve the first phases of the project, the extension of the existing sewer system is cost prohibitive due to the required length of pipe and pump stations. Initially a Septic Tank Effluent Gravity (STEG) system and drain field will be constructed to provide service for Phase 1 until such time as City services are extended to the property.

### Sewage Loading Calculation

The project will result in sewage loadings as estimated in Table 3.1.

The Public Facilities Plan does not reference specific loading rates for commercial and institutional properties. Flow rates were determined based on assumed development uses and values provided in the *Water Resources and Environmental Engineering*, McGraw-Hill, 1991 text. These values are also consistent with the Environmental Protection Agency's *On-site Wastewater Treatment and Disposal Systems Design Manual*.

Table 3.1 - Sewage Loading					
Phase	Max. Units (ERU)	Equiv. Pop. <sup>1</sup>	Cumulative Population	Cumulative Average Daily Flow (GPD) <sup>2</sup>	Cumulative Peak Flow (GPD) <sup>3</sup>
1	95	237.5	237.5	28500	85500
2	350	875	1112.5	133500	400500
3	80	200	1312.5	157500	472500
4	140	350	1662.5	199500	598500
5	25	62.5	1725	207000	621000
<b>Total</b>	<b>690</b>	<b>1725</b>	<b>1725</b>	<b>207000</b>	<b>621000</b>

## Sanitary Sewer Continued

### Notes:

1. Assumes 2.5 persons per equivalent residential unit. (ERU).
2. Based on 120 gallons per capita per day. (The public facilities Plan for Urban Growth Expansion by W&H Pacific uses 100 gpcd. An additional 20 gpcd is added to include the commercial and institutional areas.) Supporting calculations for commercial and institutional flow rates are included in Appendix A.
3. Peak Day Flow = 300% Average Daily Flow (Public Facilities Plan for Urban Growth Expansion, W&H Pacific - November 1999)

### Sanitary Sewer Recommendations

The Lone Ranch project will utilize two methods of sewage conveyance and treatment. The first method consists of constructing a STEG (Septic Tank Effluent Gravity) system that will collect effluent from individual residences, commercial and institutional properties and convey to a septic drain field. Each property will construct a septic tank and effluent pump onsite and connect an outflow pipe to a gravity main line. This method will provide sanitary sewer service to a portion of the development until such time as the City of Brookings' public sewer is extended to the project. A system of gravity and pressure sewers with lift stations will be constructed with the extension of the City of Brookings' sewer extension.

### Recommend Project for Phases 1- 5

#### *Recommended Project Elements*

1. Phase 1 is initially intended to be serviced by an onsite STEG system and drain field as City services will not be extended to the property. From Table 3.1, Phase 1 of the development is expected to yield a peak day flow of approximately 85,500 gallons per day of sewerage. From the Soil Conservation Survey of Curry County, the area proposed for the drain field is classified as 43D (Cashner) with a permeability of 6.00 to 20.00 inches per hour at a depth of 44 to 60 inches. Using an average of 13 inches per hour and a flow of 85,500 gallons per day, a 6acre drain field will be required. (*Calculation based on Table 22-10 Suggested Sizes of Tile Fields for Septic Tank Effluent Standard Handbook for Civil Engineers, McGraw Hill 1983.*) Drain field size may be reduced at the time of final design through the use of either recirculating sand or textile filters commonly used in smaller communities. See Appendix A for drain field sizing calculations and soil conservation data. The location of the proposed drain field is shown on Figure 13. At the time the City sewer is extended to the development, the Phase 1 sewer will be rerouted to connect to the City sewer.

2. Phases 2 - 5 are expected to yield an additional 535,000 gallons per day (peak) of sewerage. This quantity will exceed the available land suitable for drain field construction and will require extension and connection to the City system.

Approximately one mile of a combination of both a pressure and gravity sewer



## Sanitary Sewer *Continued*

main will be extended from the manhole at the intersection of West Ocean View Drive and Deer Park Drive, north to a connection point on Highway 101 and the Lone Ranch Development as shown in Figure 1-4. Two of the lift stations identified in the Public Facilities Plan will be constructed and connected to the existing City system as shown in Figure 1-4 to service the proposed development.

## Storm Drainage

The storm drain system will be constructed in accordance with City of Brookings standards and be dedicated as a public system upon completion and acceptance by the City. All improvements will be consistent with the Public Facilities Plan for Urban Growth Expansion. The existing conveyance system beneath Highway 101 will be utilized in combination with curb and gutter improvements and roadway ditches to convey storm water from improved areas. Storm water detention when warranted will be provided adjacent to the existing streams on the property adjacent to the easterly right-of-way of Highway 101. A system of energy dissipaters will be necessary to reduce storm water velocities and resulting erosion prior to entering the existing culverts in Highway 101. Figure 1-5 illustrates the intended drainage basins, flow and location of storm water facilities.

Storm drainage facilities for the Lone Ranch PUD will be designed to convey the 25 year storm event in a combination open ditch and closed conduit (piped) system, and detain the developed site 25-year storm peak runoff rate to the predeveloped site 25-year storm peak runoff rate. Drainage hydrologic analysis and design will be based on the Santa Barbara Unit Hydrograph (SBUH) analysis method as used in the 1999 Public Facility Plan. The existing points of offsite discharge will be maintained. The 25-year storm conveyance pipe design will be evaluated with a 100year storm event to determine the overland flow route for the 100year storm.

Erosion and sediment control best management practices including, but not limited to: sediment fence, interceptor swales, temporary sediment ponds, inlet protection, gravel construction entrances, and revegetation of disturbed ground will occur through all phases of construction and development.

The Stormwater Management Report for all phases will be prepared and presented to the City for review and approval prior to the Phase 1 construction, and updated/verified with each additional phase.

## Appendix A — Water

# BANDON WELL & SEPTIC COMPANY, INC.

JAMES A. MACK, SR. - MGWC  
Master Ground Water Contractor  
Telephone: (541)-347-3178

47530 Highway 101  
Bandon, OR 97411

January 14, 2002

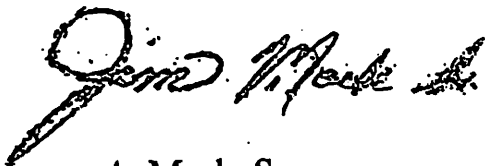
*"From the Bottom of Your Well,  
to the Bottom of Your Glass...  
Complete Service of Water Systems"*

Re: Well #1 - ID# 38360

This well was pumped at an average of 5.8 gpm with 98' of drawdown (DD) in the liner and 9' of DD outside the liner. This scenario would indicate that the .010 slot screen in the hole from 140' to 160' is plugged with debris from the hole.

Based on the 9' DD level outside the liner at 5.8 gpm pumping rate, the specific capacity of the well would be approximately 1.55 gallons with 1' of DD. With the well log showing the water coming in at 119' that would give 90' of pumpable water or approximately 135 gallons/minute. These numbers should be refigured once well problem is corrected.

Sincerely,



James A. Mack, Sr.

Nationally Certified Master Ground Water Contractor  
License #1493, #10111, #422-CPI, #521-WTI & CCB #102359, #37619

- ◆ Pumps: Submersible, Jet, Centrifugal
- ◆ Tanks: Pressure, Holding, Contact
- ◆ Irrigation Systems
- ◆ Treatment & Purification Systems
- ◆ Sales, Installation, & Service
- ◆ Water Testing

# BANDON WELL & SEPTIC COMPANY, INC.

JAMES A. MACK, SR. - MGWC  
Master Ground Water Contractor  
Telephone: (541)-347-3178

47530 Highway 101  
Bandon, OR 97411

January 14, 2002

*"From the Bottom of Your Well,  
to the Bottom of Your Glass...  
Complete Service of Water Systems"*

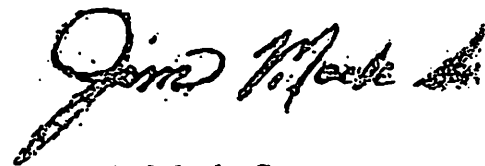
Re: Well #2 - ID# 38359

This well was pumped at an average of 98.3 gpm with 51' 6" of drawdown (DD) to 65'. Based on these numbers the specific capacity of the well is 1.9 gallons per foot of DD.

Based on a maximum of 126' DD that would put the water level at 140', the well is capable of 235 gallons. The largest pump available for the well, the way it is set up now, is an 80 gpm submersible pump that will put out approximately 100 gpm.

A 5" liquid end could be installed in the well with a 4" motor. The liner would have to be removed, and the pump hung in the open hole. The pump would be able to pump 170 gpm, but the pump could be in jeopardy of being stuck in the hole if the formation were to cave in on the pump.

Sincerely,



James A. Mack, Sr.

Nationally Certified Master Ground Water Contractor

License #1493, #10111, #422-CPI, #521-WTI & CCB #102359, #37619

- ◆ Pumps: Submersible, Jet, Centrifugal
- ◆ Tanks: Pressure, Holding, Contact
- ◆ Irrigation Systems
- ◆ Treatment & Purification Systems
- ◆ Sales, Installation, & Service
- ◆ Water Testing

**BANDON WELL & SEPTIC COMPANY, INC.**

**47530 Hwy 101**

**Bandon, Oregon 97411-9217**

**(541) 347-3178**

**PUMP TEST RESULTS:**

**DATE:** 1/14/02  
**OWNER:** U.S. Borax Inc (OTAK Engineering)  
**ADDRESS:** CY 40/14/23 TL# 2403 - Well #2 / ID# 38359  
Brookings OR 97415

---


**WELL:**                      **TYPE:**                      **Drilled**  
                                 **TOTAL DEPTH**                      **180' 4"**  
                                 **STATIC WATER LEVEL:**                      **13' 5"**

**PUMP:**                      **TYPE:**  
                                 **MODEL:**

<u>TIME:</u>	<u>METER READING:</u>	<u>WATER LEVEL:</u>	<u>AVERAGE GPM:</u>
2:06	7428732	13'5"	
3:06	7434764	60'6"	100.53 GPM
4:06	7440583	65'	96.53 GPM
5:04	7446236	65'	99.7 GPM

**REMARKS:** Average well production 98.9 GPM for 3 hours.  
Recovered to 13'5" the next morning

THANK YOU,

  
**JIM MACK, SR. MGWC**  
(License #1493 & CCB #102359)

**BANDON WELL & SEPTIC COMPANY, INC.**

**47530 Hwy 101**

**Bandon, Oregon 97411-9217**

**(541) 347-3178**

**PUMP TEST RESULTS:**

DATE: 1/14/02  
OWNER: U.S. Borax Inc (OTAK Engineering)  
ADDRESS: CY 40/14/23 TL# 2403 - Well #1 / ID# 38360  
Brookings OR 97415

---


**WELL:**                      **TYPE:**                      **Drilled**  
                                 **TOTAL DEPTH**                      **177' 6"**  
                                 **STATIC WATER LEVEL:**                      **29' 3"**

**PUMP:**                      **TYPE:**  
                                 **MODEL:**

<u>TIME:</u>	<u>METER READING:</u>	<u>WATER LEVEL:</u>	<u>AVERAGE GPM:</u>
11:38	7446237	29'3"	
12:38	7446654	136'7"	6.95 GPM
1:28	7446936	137'	4.7 GPM
2:15	RECOVERY	30'	

REMARKS: Average well production 5.8 GPM for 2 hours.  
Pump Broke Suction

THANK YOU,

  
JIM MACK, SR. MGWC  
(License #1493 & CCB #102359)

- Analysis of •
- Drinking Water
  - Waste Water
  - Industrial Chemicals
  - Solid Waste
  - Bacteriology



Analytical Laboratory & Consultants, Inc.  
361 West Fifth Avenue  
Eugene, OR 97401  
Oregon Certified Lab OR016  
541-485-8404

REC'D JAN 25 2002

Lab Report No. 38915

Client P.O. \_\_\_\_\_

Date Received 1/11/02 1545

Lab Report Page 1 of 1

Oregon ORELAP Accredited Laboratory ID# OR100012 accredited in accordance with NELAC  
Accredited analytes marked "¥"

## DOMESTIC WATER QUALITY INDICATOR TESTS

Attention Don Williams Delivered By Greyhound Bus  
Name Coast Medical Lab Water Source Well / Raw  
Address 620 W. Commercial Collected By \_\_\_\_\_  
Coos Bay, OR 97420 Company Bandon Well & Septic  
Phone/Fax 541-269-0534 / 541-269-7286 Collected Date 1/10/02 Time 1635  
Location Lone Ranch - Hwy. 101 Sample Point Well Head  
Brookings, OR Comments CML 11102-2 / U.S. Borax, Inc.

ANALYSES	METHOD	MAXIMUM CONTAMINANT LEVEL	RESULTS
<u>    </u> Arsenic ¥	SM 3113B	0.05 mg/l	<u>          </u> mg/l
<u>    </u> Hardness (as CaCO <sub>3</sub> ) ¥	SM 2340C	250 mg/l	<u>          </u> mg/l
<u>    </u> Iron ¥	SM 3111B	0.3 mg/l	<u>          </u> mg/l
<u>    </u> pH ¥	EPA 150.1	6.5 - 8.5	<u>          </u>
<u>    </u> Conductivity ¥	SM 2510B		<u>          </u> µmhos/cm
<u>    </u> Total Dissolved Solids (Estimated)		500 mg/l	<u>          </u> mg/l
<u>  X  </u> Nitrate-N ¥	SM 4500-NO <sub>3</sub> D	10 mg/l	<u>  &lt; 0.4  </u> mg/l
<u>    </u> Lead ¥	SM 3113B	Action Level 0.015 mg/l	<u>          </u> mg/l

     Total Coliform Bacteria ¥ SM 9223B Present            Absent             
E. Coli ¥ SM 9223B Present            Absent             
Coliform Analysis: Date            Time           

Oregon Health Division: *The presence of coliform bacteria indicates that other disease causing organisms may also be present in the water and it may be unsafe to drink.*  
MCLs taken from Oregon Administrative Rules for Public Water Systems 333-61-030.

APPROVED Sandra Nordman Laboratory Supervisor DATE 1/15/02



## Appendix B — Sanitary Sewer

## Commercial Sewer Flows

Average values vary from 800 to 1500 gal/acre·day -

(Water Resources and Environmental Engineering - McGraw-Hill 1991)

COMMERCIAL ACREAGE = 12 ACRES

ASSUME AVERAGE SEWER FLOWS OF 1200 gal/acre·day

$$12 \text{ ACRES} \times \frac{1200 \text{ gallons}}{\text{ACRE} \cdot \text{DAY}} = 14,400 \text{ gallons} \cdot \text{day}$$

## INSTITUTIONAL SEWER FLOWS

AVERAGE FLOW = 11 gal/day·student

ESTIMATE 500 maximum students in 15 ACRES

$$500 \text{ students} \times \frac{11 \text{ gallons}}{\text{Day} \cdot \text{student}} = 5500 \text{ gallons/day}$$

## RECREATIONAL (ASSUME HOTEL COMMERCIAL)

AVERAGE FLOW = 53 gallons/day·person

ESTIMATED 250 persons for 6 acres.

$$250 \text{ persons} \times 53 \text{ gallons/day} \cdot \text{person} = 750 \text{ gallons/day}$$

$$\begin{aligned} \text{TOTAL FLOW FOR COMMERCIAL, INSTITUTIONAL, RECREATIONAL} \\ = 14,400 \text{ gpd} + 5500 \text{ gpd} + 750 \text{ gpd} = 20,650 \text{ gpd} \end{aligned}$$

ASSUME COMMERCIAL, INSTITUTIONAL AND RECREATIONAL FLOWS  
TO BE DIVIDED THROUGHOUT DEVELOPMENT. ESTIMATED 1725  
RESIDENTIAL UNITS.

$$\frac{20,650 \text{ gpd}}{1725 \text{ Residential Units}} = \frac{12 \text{ gallons per day}}{\text{Residential Unit}}$$

ADD 12 gallons per day  
for each residential unit

INCREASING ESTIMATED FLOW RATES  
FOR EACH RESIDENT TO 20 gpd  
WILL BE USED FOR REPORT

## SEWER DRAINFIELD SIZING CALCULATIONS

SOIL TYPE 43D - CASHNER FROM SOIL  
CONSERVATION SURVEY OF CURRY COUNTY.

SOIL PERMEABILITY = 6" TO 20" / HOUR ..

ASSUME AVERAGE 13 INCHES / HOUR

FROM TABLE 22-10 SUGGESTED SIZES FOR TILE FIELDS  
FOR SEPTIC TANK EFFLUENT - STANDARD HANDBOOK FOR CIVIL  
ENGINEERS  $\Rightarrow$  209 LINEAR FEET OF DRAIN TRENCH IS  
REQUIRED FOR 1,000 gallons per day.

ASSUME TRENCH WIDTH OF 14 FEET

PHASE 1 ESTIMATED PEAK FLOW = 85,500 gal/day.

$$85,500 \text{ gal/day} / 1000 \text{ gallons/day} = 85.5 \frac{\text{gal/day}}{1000 \text{ gal}}$$

$$85.5 \times 209 \text{ LINEAR FEET TRENCH} =$$

$$17,869 \text{ LF TRENCH}$$

$$17,869 \text{ LF} \times 14' \text{ TRENCH WIDTH} = 250,173 \text{ SQUARE FEET OF TRENCH}$$

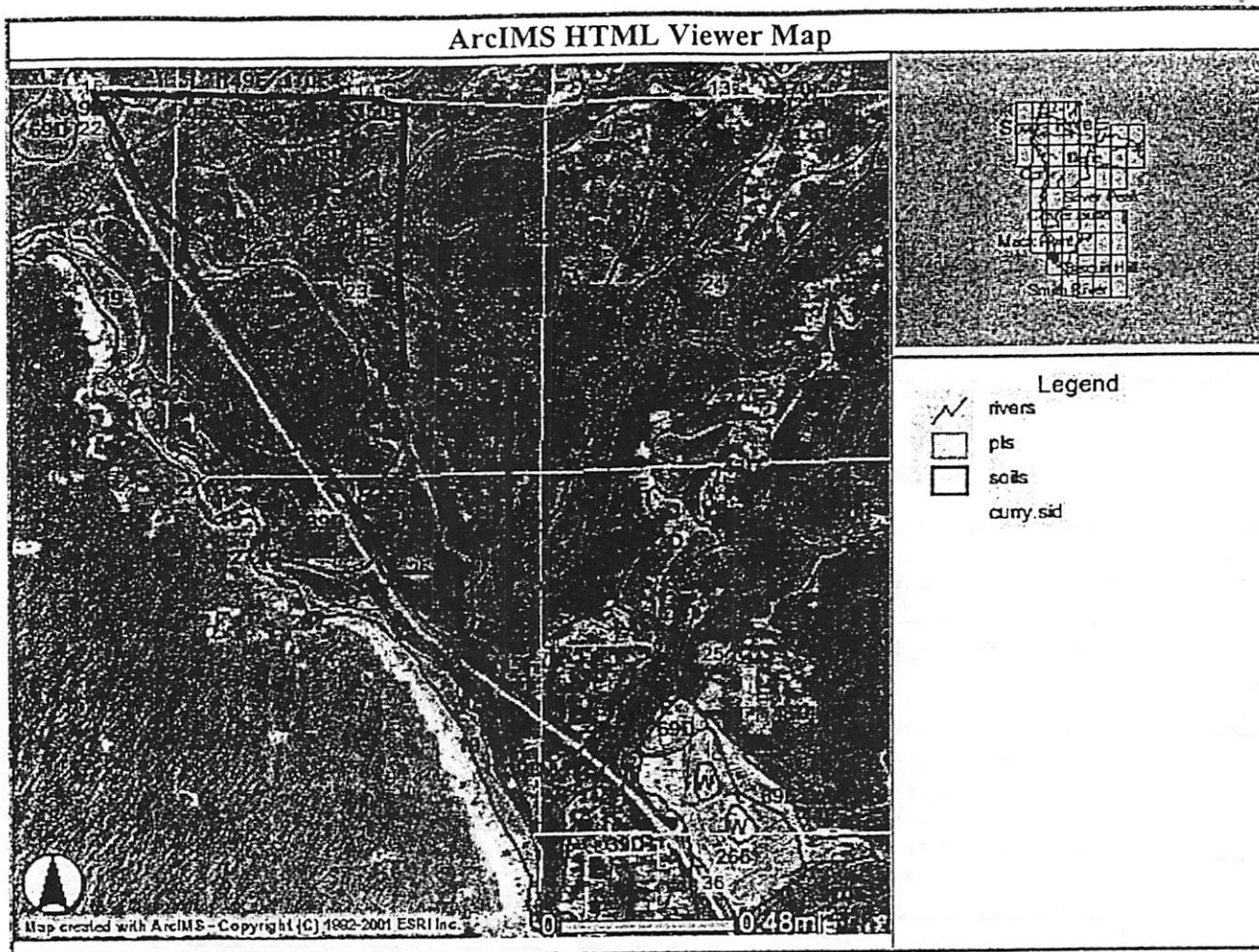
$$250,173 \text{ sq. ft} = 5.75 \text{ ACRES}$$

ASSUME 6 ACRE DRAINFIELD REQUIRED TO  
SERVICE PHASE 1.

PHYSICAL PROPERTIES OF SOILS  
Eng. Properties

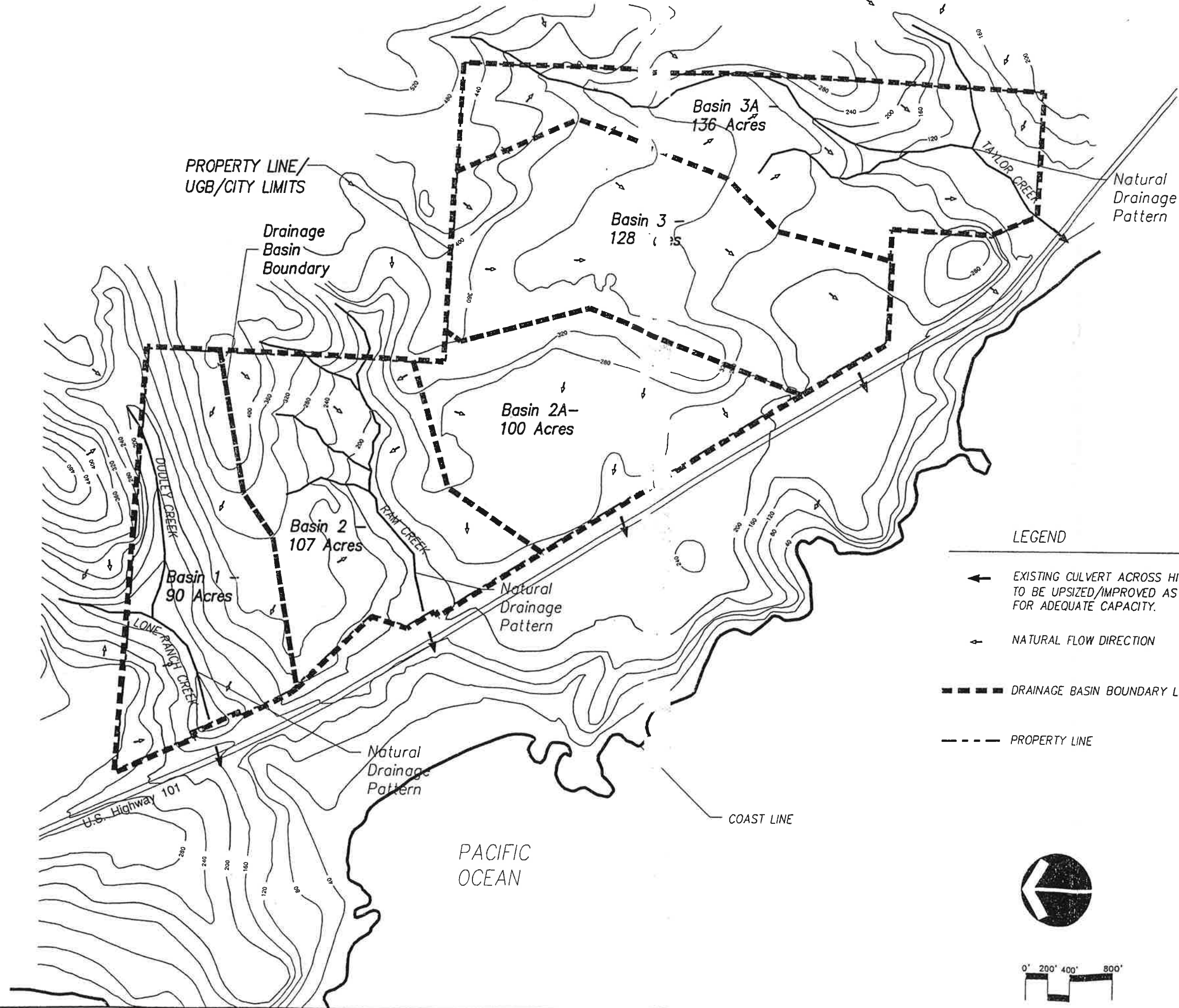
(Entries under "Erosion factors--T" apply to the entire profile. Entries under "Wind erodibility group" and "Wind erodibility index" apply only to the surface layer)

Map symbol and soil name	Depth	Clay	Moist bulk density	Permea- bility	Available water capacity	Shrink- swell potential	Erosion factors			Wind erodi- bility group	Wind erodi- bility index
							Organic matter	K	Kf	T	
	In	Pct	g/cc	In/hr	In/in		Pct				
<b>43D:</b> BURNINILL-----	0-11	10-20	0.90-1.00	0.60-2.00	0.15-0.18	Low	8.0-10	0.20	0.20	5	56
	11-43	25-35	1.10-1.30	0.10-0.60	0.11-0.19	Moderate	1.0-5.0	0.28	0.28		
	43-60	25-35	1.30-1.50	0.10-0.60	0.08-0.18	Moderate	0.5-1.0	0.32	0.32		
<b>CASHEW:</b> -----	0-12	10-20	1.35-1.50	0.60-2.00	0.14-0.18	Low	2.0-5.0	0.24	0.24	2	56
	12-21	5-15	1.30-1.65	2.00-6.00	0.11-0.17	Low	5.0-8.0	0.24	0.24		
	21-44	---	---	---	---	Low	---	---	---		
	44-60	6-16	1.20-1.65	6.00-20.00	---	Low	0.0-0.5	0.17	0.17		
<b>270E:</b> WEDDERBURN-----	0-26	15-27	1.10-1.30	0.60-2.00	0.11-0.16	Low	3.0-8.0	0.17	0.24	3	7
	26-46	27-35	1.20-1.30	0.60-2.00	0.11-0.16	Low	1.0-3.0	0.20	0.28		
	46-56	---	---	---	---	Low	---	---	---		
<b>270Q:</b> -----	0-21	12-18	1.10-1.20	0.60-2.00	0.13-0.17	Low	4.0-8.0	0.28	0.28	2	56
	21-25	12-18	1.10-1.30	0.60-2.00	0.07-0.13	Low	2.0-4.0	0.20	0.28		
	25-35	---	---	---	---	Low	---	---	---		
<b>271F:</b> WEDDERBURN-----	0-26	15-27	1.10-1.30	0.60-2.00	0.11-0.16	Low	3.0-8.0	0.17	0.24	3	7
	26-46	27-35	1.20-1.30	0.60-2.00	0.11-0.16	Low	1.0-3.0	0.20	0.28		
	46-56	---	---	---	---	Low	---	---	---		
<b>270Q:</b> -----	0-21	12-18	1.10-1.20	0.60-2.00	0.13-0.17	Low	4.0-8.0	0.28	0.28	2	56
	21-25	12-18	1.10-1.30	0.60-2.00	0.07-0.13	Low	2.0-4.0	0.20	0.28		
	25-35	---	---	---	---	Low	---	---	---		
<b>272F:</b> WHALESHEAD-----	0-3	18-27	1.10-1.30	0.60-2.00	0.07-0.11	Low	5.0-10	0.17	0.24	5	8
	3-47	27-35	1.30-1.40	0.10-0.60	0.06-0.11	Moderate	3.0-5.0	0.20	0.32		
	47-60	30-40	1.30-1.40	0.10-0.60	0.05-0.10	Moderate	0.1-0.5	0.20	0.32		
<b>REEDSPORT:</b> -----	0-8	10-25	0.70-1.00	0.60-2.00	0.11-0.15	Low	5.0-12	0.15	0.20	2	7
	8-37	20-35	1.00-1.20	0.60-2.00	0.12-0.17	Low	2.0-7.0	0.24	0.28		
	37-47	---	---	---	---	Low	---	---	---		



L:\S:\S\SHANNON\1-02\27\2002 3:38pm --> R:\LONE\042EX1.5.DWG  
Rescaled  
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06/22/2001  
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hazsol.dwg

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# STORM WATER DRAINAGE BASIN MASTER PLAN

02/28/02	
Date	KDK
Designed	SLM
Drawn	
Checked By	Date

<b>LONE RANCH</b> Brookings, OR Curry County	<b>WESTERN ADVOCATES INC.</b> 22400 Salamo Road, Suite 201 West Linn, OR 97068	<b>U. S. BORAX</b> 26877 Tournay Road Valencia, CA 91355
--	--	--

<b>otak</b> Incorporated 17355 SW Boones Ferry Rd. Lake Oswego, Oregon 97035 Phone: (503) 635-3818 FAX: (503) 635-5395	10622 Project No. 0622EX1.5 File No.
---	---

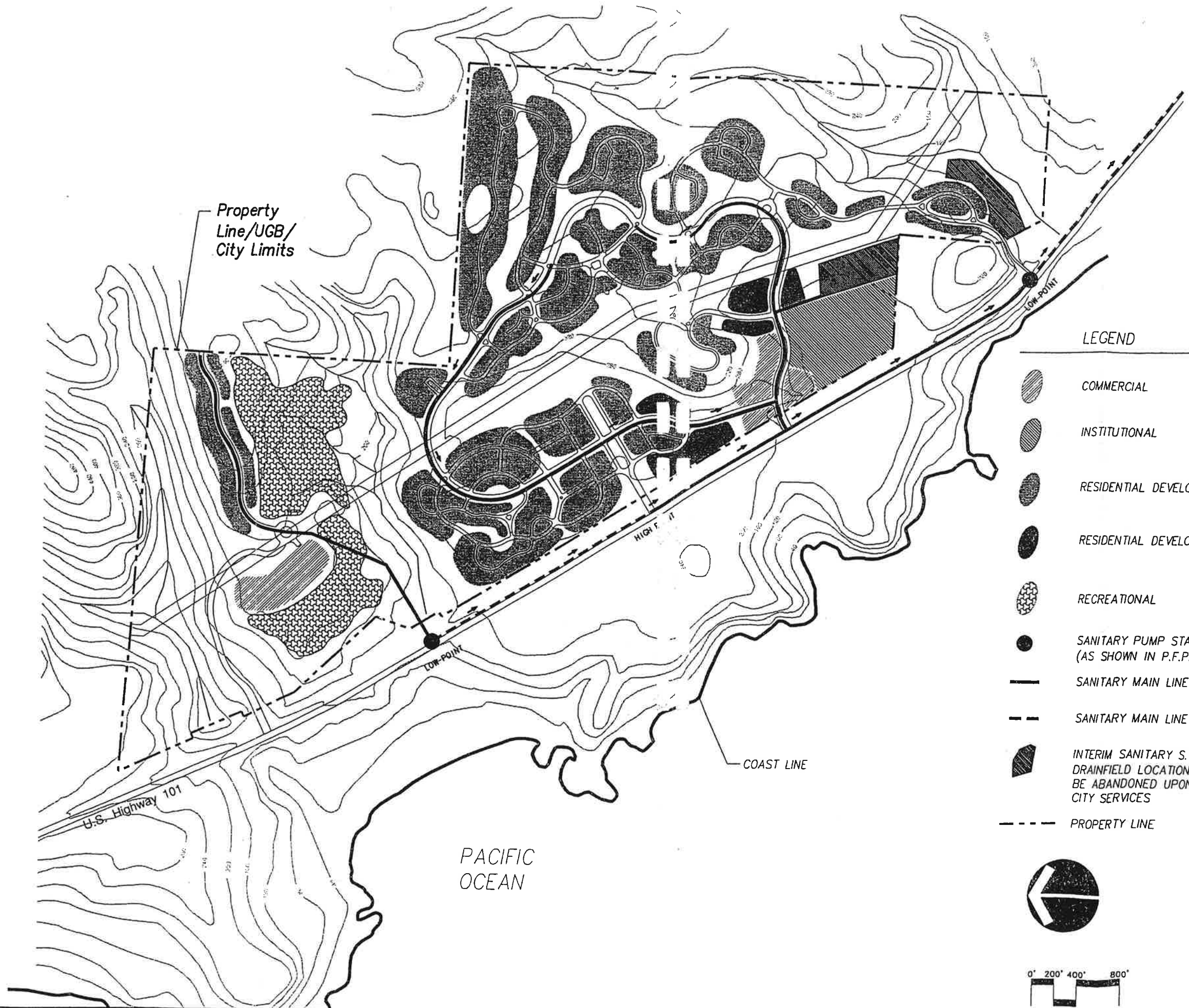
**FIGURE 1-5**  
Sheet No.

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Location: 1  
Revised:  
D622EX1.4  
02/28/02  
02/28/02  
02/28/02  
02/28/02  
02/28/02

U.S. Highway 101  
02/28/02 12:30pm --> R:\DWG\0622EX1.4.DWG



Property  
Line/UGB/  
City Limits

### LEGEND

- COMMERCIAL
- INSTITUTIONAL
- RESIDENTIAL DEVELOPMENT - LOW DENSITY
- RESIDENTIAL DEVELOPMENT - HIGH DENSITY
- RECREATIONAL
- SANITARY PUMP STATION  
(AS SHOWN IN P.F.P.)
- SANITARY MAIN LINE - GRAVITY
- SANITARY MAIN LINE - PRESSURE
- INTERIM SANITARY S.T.E.G. SYSTEM  
DRAINFIELD LOCATIONS (6 ACRES) TO  
BE ABANDONED UPON CONNECTION TO  
CITY SERVICES
- PROPERTY LINE

COAST LINE

PACIFIC  
OCEAN

## SANITARY SEWER MASTER PLAN

02/28/02	
Date	KDK
Designed	SLM
Drawn	
Checked By	Date

<b>U. S. BORAX</b> 26877 Tourney Road Valencia, CA 91355	<b>WESTERN ADVOCATES INC.</b> 22400 Salamo Road, Suite 201 West Linn, OR 97068
--	--

<b>LONE RANCH</b> Brookings, OR Curry County	<b>otak</b> Incorporated 17355 SW Boones Ferry Rd. Lake Oswego, Oregon 97035 Phone: (503) 835-3818 Fax: (503) 835-5395
--	---

10622
Project No.
D622EX1.4
File No.
FIGURE 1-4
Sheet No.

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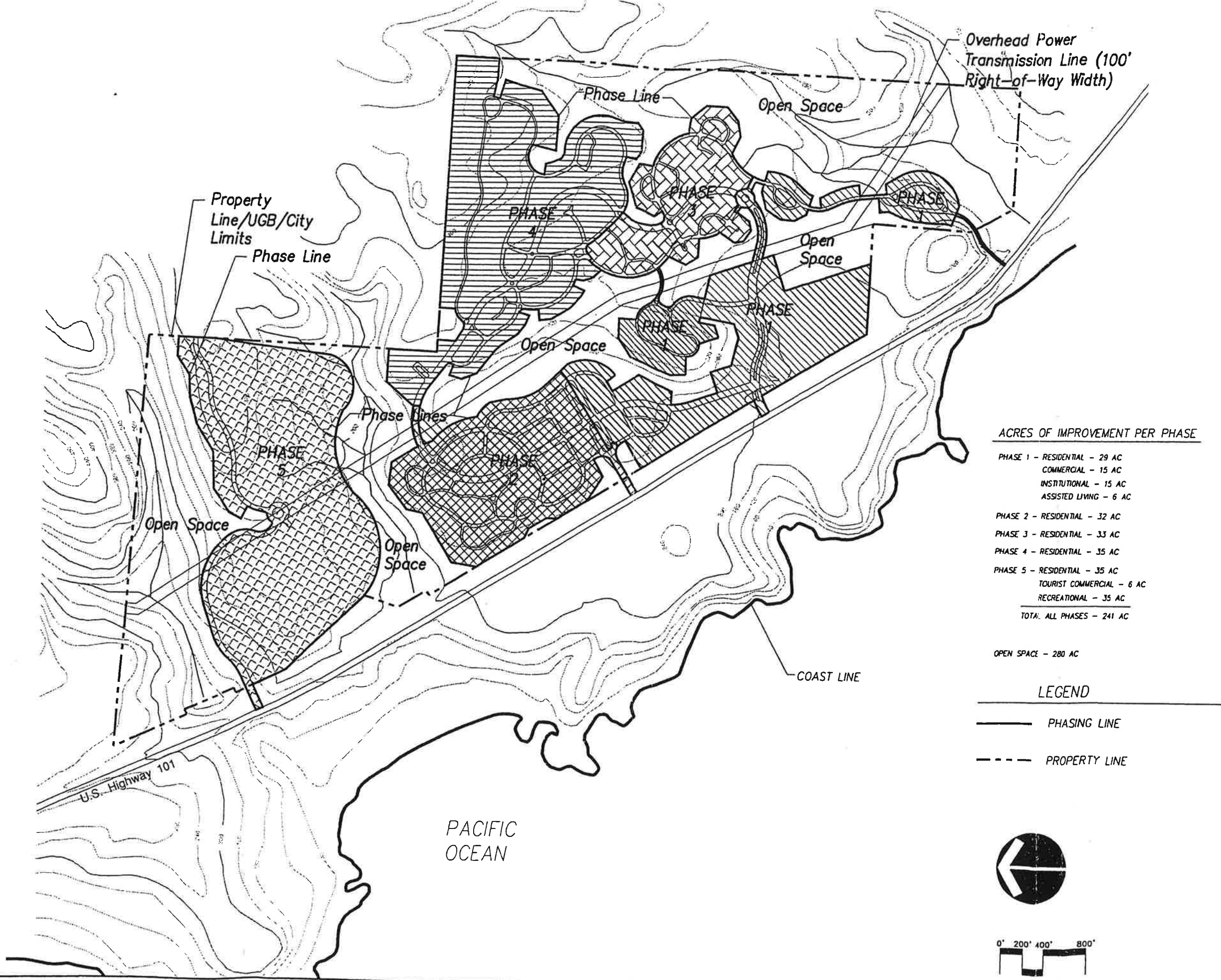
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**LONE RANCH**  
Brookings, OR  
Curry County

02/28/02  
Date  
KDK  
Designed  
SLM  
Drawn  
Checked By Date





## PHASING MASTER PLAN

Date	02/01/02
Designed	KDK
Drawn	SLM
Checked By	Date
<p><b>U. S. BORAX</b>          26877 Tourney Road          Valencia, CA 91355</p>	
<p><b>WESTERN ADVOCATES INC.</b>          22400 Selamo Road, Suite 201          West Linn, OR 97068</p>	
	
<p><b>LONE RANCH</b>          Brookings, OR          Curry County</p>	
	
<p>17355 SE Boones Ferry Rd.          Lake Oswego, Oregon 97035          Phone: (503) 635-3618          FAX: (503) 635-5396</p>	
<p>10622</p>	
<p>Project No.</p>	
<p>D622EX1.2</p>	
<p>File No.</p>	
<p>FIGURE 1-2</p>	
<p>Sheet No.</p>	

PROPERTY LINE/  
UGB/CITY LIMITS

DULEY CREEK










LDNE RANCH CREEK

RAM CREEK

- COAST LINE

PACIFIC  
OCEAN

### Legend

	Single Family Residential	149 Acres	444 Lots
	Multi Family Residential	13 Acres	166 units
	Assisted Living Residential	8 Acres	80 units
	Neighborhood Commercial	6 Acres	
	Community College	10 Acres	
	Potential College Expansion	5 Acres	
	Recreation	35 Acres	
	Potential Hotel Site and Supporting Commercial Uses	6 Acres	
	Street Right of Way	41 Acres	
	Open Space	280 Acres	
	<b>Total Site Area</b>	<b>553 Acres</b>	<b>690 dwelling units</b>

----- PROPERTY LINE

**CONCEPTUAL DEVELOPMENT AND PROPOSED ZONING PLAN**

**LONG BEACH**

---

Project: \_\_\_\_\_

File No: \_\_\_\_\_

FIG. \_\_\_\_\_

Sheet \_\_\_\_\_

17355  
Lake G  
Phone: \_\_\_\_\_  
FAX: \_\_\_\_\_

**WESTERN ADVOCATES INC.**  
22400 Salamo Road, Suite 201  
West Linn, OR 97088



**LONE RANCH**  
Brookings, OR  
Curry County



17356 SW Boones Ferry Rd  
Lake Oswego, Oregon 97035  
Phone: (503) 835-3811  
FAX: (503) 835-5088

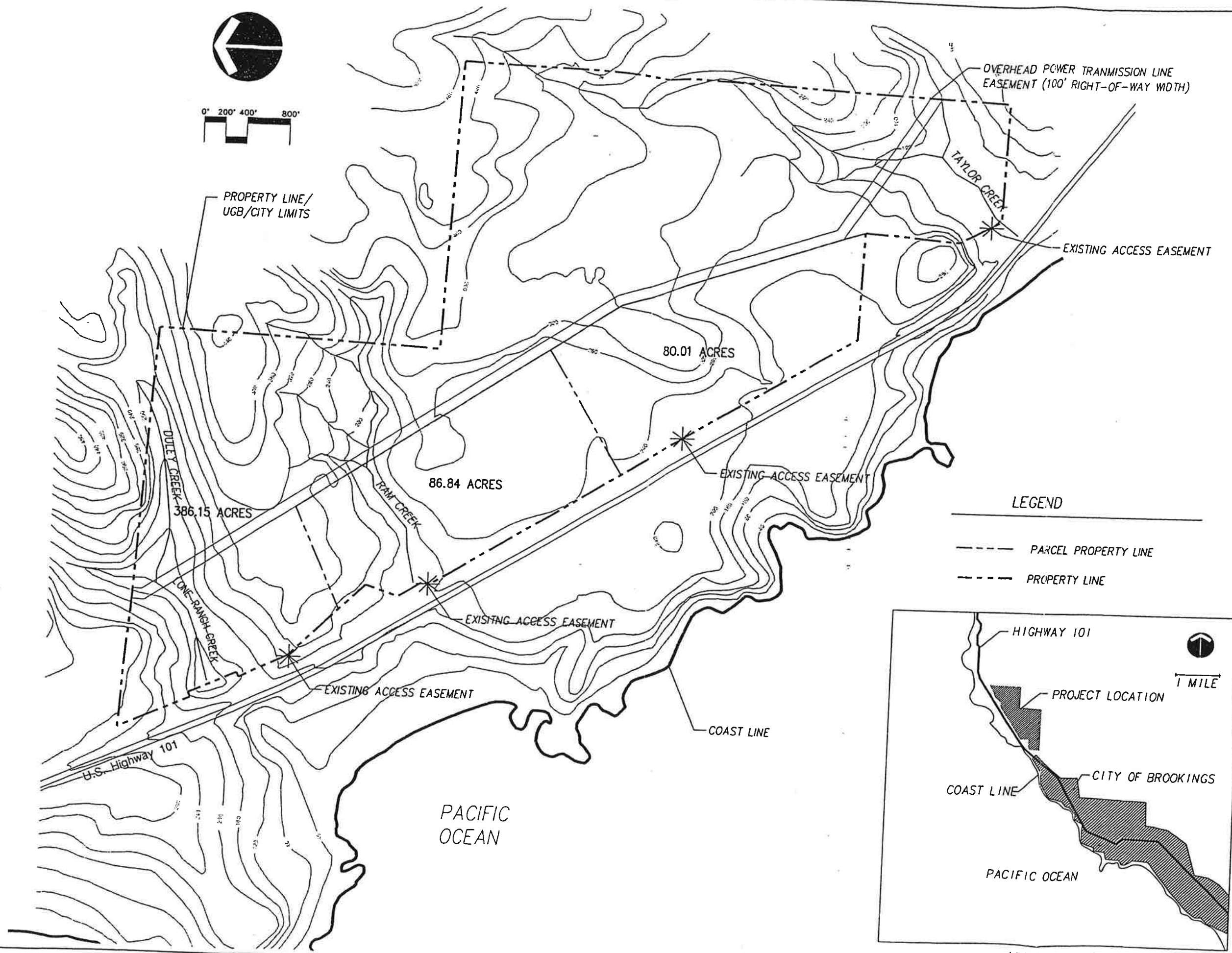
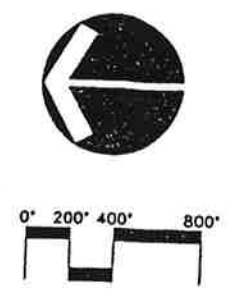
10622  
Project No.  
0622EX1.1  
File No.  
FIGURE 1-  
Sheet No.

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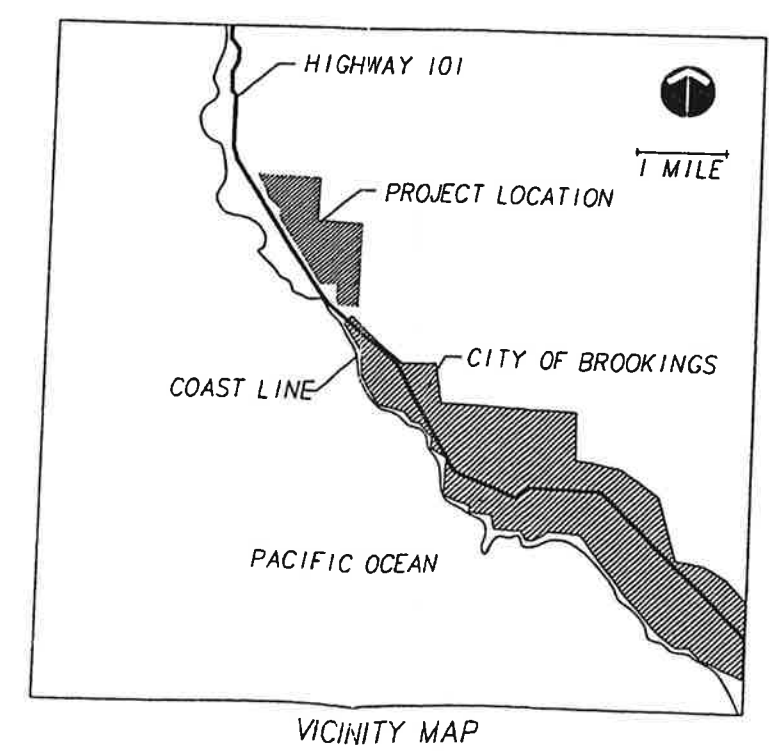
02/28/02  
Date  
Designed KDK  
SLM  
Drawn  
Checked By Date

**U. S. BORAX**  
226877 Tournay Road  
Valencia, CA 91355

REF LIST  
1. 10/20/01  
2. 10/20/01  
3. 10/20/01  
4. 10/20/01  
5. 10/20/01  
6. 10/20/01  
7. 10/20/01  
8. 10/20/01  
9. 10/20/01  
10. 10/20/01



- LEGEND
- PARCEL PROPERTY LINE
  - PROPERTY LINE



# EXISTING CONDITION AND VICINITY MAP

02/28/02  
Date KDK  
Designed SLM  
Drawn  
Checked By Date

**U. S. BORAX**  
26877 Tourney Road  
Valencia, CA 91355

**WESTERN ADVOCATES INC.**  
22400 Salamo Road, Suite 201  
West Linn, OR 97068



**LONE RANCH**  
Brookings, OR  
Curry County

**otak**  
Incorporated  
17355 SW Boone Ferry Rd.  
Lake Oswego, Oregon 97035  
Phone: (503) 835-3818  
FAX: (503) 835-5395

10622  
Project No.  
D622EX1.0  
File No.  
**FIGURE 1-0**  
Sheet No.





17355 sw boones ferry road • lake oswego, oregon 97035-5217  
(503) 635-3618 • fax (503) 635-5395  
www.otak.com

June 19, 2002

John Bischoff  
City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Re: ***Lone Ranch – Brookings, Oregon — Otak Project No. 10622***

Dear John:

This letter is in response to your question to Marty Stiven regarding the well reports in the Preliminary Utilities Engineering Report for the Lone Ranch Annexation Development. Bandon Well and Septic performed water quality and capacity tests on two wells drilled in the fall of 2001 on the project property.

The initial test on Well No. 2 indicated an average flow rate of 98.9 gallons per minute during the three-hour test. Due to the size of the well casing installed and the limited pump size that could be used for the test, the ultimate capacity of the well was not known. Jim Mack with Bandon Well and Septic calculated the potential well capacity using the data from the test and found that the well should be capable of producing 235 gallons per minute with a larger well casing and pump. I have included a copy of both the field test data and the letter provided by Bandon Well and Septic indicating these flows. The projected volume of 235 gallons per minute was used in the engineering analysis calculations as identified in the Preliminary Utilities Engineering Report, dated February 28, 2002.

During the field test on Well No. 1, difficulties were encountered due to the soil conditions at the bottom of the well and the initial well screen that was installed. Accurate flow rates were not achievable at the time of the tests as the screen installed in the well was blocked by sediment in the well. Future testing of this well will be possible once this situation is corrected.

If you have any questions please feel free to contact me at (503) 699-4549.

Sincerely,

Otak, Incorporated

Kurt Krueger  
Project Engineer

KK:sjs

Enclosure: Bandon Well & Septic Company Letter dated January 14, 2002



## *Western Advocates Incorporated*

22400 Salamo Road, Suite 201 ♦ West Linn, Oregon 97068  
toll free: 800-796-0028 ♦ phone: 503-650-1181 ♦ fax: 503-650-3668

August 5, 2002

City of Brookings  
John Bischoff  
898 Elk Drive  
Brookings, OR 97415

Dear John:

Attached is a memo that the U.S. Borax team has prepared identifying the work that has been done since the Planning Commission hearing on July 2<sup>nd</sup> and to address the issues raised at the Planning Commission meeting and since. Please pass this memo on to the Mayor and Members of the City Council for their consideration at the August 12, 2002 public hearing.

Please add this memo as well as the attachment, to the record regarding this proceeding. We also request that the attached statement be adopted as findings in support of the decision approving the annexation,

Please feel free to contact me if you have any questions.

Sincerely,

Burton Weast

Cc: Dennis Boyle  
Burton Weast  
Genc Emre  
Kurt Krueger  
Al Johnson  
Herb Koss

## MEMORANDUM

TO: Mayor and Members of City Council  
FROM: U.S. Borax/Western Advocates  
DATE: August 5, 2002  
SUBJECT: Questions and Answers About the U.S. Borax Annexation

On July 2<sup>nd</sup> the Brookings Planning Commission unanimously voted to recommend approval to the City Council to annex the property owned by U.S. Borax north of the existing city limits. At that time several questions were asked which were answered during the public hearing.

Since July 2<sup>nd</sup> the development team has been busy working with the public to answer other questions that have arisen. On July 10 Burton Weast met with the League of Women Voters as part of a public forum. Approximately 40 community members met and had an opportunity to ask Mr. Weast questions. On July 11, Weast met with the Chamber of Commerce with approximately 50 people and again answered questions raised by chamber members. On both occasions members of the press were present and both forums were reported in the Brookings and Coos County newspapers.

On July 25<sup>th</sup>, Genc Emre, project engineer for U.S. Borax, met with representatives of the Rainbow Rock homeowners to discuss the water system for the Rainbow Rock Condominiums as well as opportunities for sharing the surplus sewer capacity the condo's has available. In addition, Mr. Emre will be meeting on site with representatives of Rainbow Rock on August 13<sup>th</sup>.

In addition, several citizens have called the Planning Department or our representatives directly with questions. We have been working closely with the City and the public to quickly respond to every issue that has been raised.

Although many questions have been asked and addressed, we have prepared a list of the most significant questions and issues identified over the past month through the public hearing, the community forums, the press or direct citizen inquiries with written responses based on earlier research or new information. We believe that this might help you in making your decision.

- Q. Rainbow Rock homeowners have wanted to know what the impact of the proposed drainfields will be on their water supply.**
- A.** *Mr. Emre, of Otak has been talking regularly to representatives of Rainbow Rock condominiums, to identify more clearly their concerns. As identified in communication between the condominium representatives and OTAK, the interim sanitary drain field required for the college if first to develop, is not in the area of the condominiums and has no impact to the water source feeding their system. In addition, to this assurance, the State Department of Environmental Quality (DEQ) reviews all of the septic systems requesting approval, in order to protect any surrounding properties. Mr. Emre, will be meeting with owners and*

*representatives of the condos on August 13 to identify the specific areas that are providing water to their system and talk about specific design measures that will prevent any impact on the existing system. These measures will be incorporated into the design of the project during the master planning stage.*

**Q. Is there a road connection to Duley Creek Road?**

*A. The road connection issue will be decided when the master plan is submitted and approved by the City. Our current conceptual plan shows a road serving the golf course area and a few large lots. The road does **not** connect to Duley Creek, as a connection would have to be made by the county outside of the urban growth boundary area. U.S. Borax has no plans to connect to Duley Creek Road and can identify no benefits to the development by making such a connection.*

**Q. How much traffic will be generated by the college and later by the full development?**

*A. U.S. Borax will be preparing a completed Traffic Impact Study in order to finalize the master plan, once the annexation is approved. At that time full traffic counts for each phase of the development, including the college, will be completed. We do know, however, that the **conceptual development plan** submitted as part of the annexation application, shows less development and therefore, less traffic impact than the development identified in the city's draft Transportation System Plan.*

**Q. How do we know there is enough water for the U.S. Borax project?**

*A. The well tests completed prior to the submission of the annexation application indicate that an adequate amount of water can be gleaned from the site for the purpose of the proposed conceptual development. There has been doubt raised by individual citizens regarding the adequacy of the wells. A memo from OTAK, project engineers for U.S. Borax clarifying the work that has been completed regarding the test wells is attached.*

**Q. What impact will the project have on tax revenue for the schools.**

*A. During the public hearing before the Planning Commission, the impact on the city's tax revenue was discussed. The revenue generated to the school district was incorrectly stated. Because the state allocates the tax dollars which eventually accrue to the school district, it is impossible to anticipate the amount of revenue the school district will collect from the development that will eventually occur on the U.S. Borax property.*

**Q. Why is there a rush to get the annexation request approved?**

**A.** *U.S. Borax does not consider waiting 11 years for annexation to be "rushed." In fact, as anyone who has lived in the area for any amount of time knows, nearly a dozen hearing have been held over the years on the urban growth boundary and the Borax proposal. Annexation is necessary for work to begin on the master plan, and is the next logical step in the process.*

*The application was submitted to the City on May 31. In accordance with the City's procedure, hearing notices were sent to advertise the July 2 Planning Commission public hearing and then for the August 12 hearing before the City Council. We have not varied from the established procedure and timing for annexation procedures as provided by the City code.*

**Q. Why has U.S. Borax requested that the zoning be changed to "open space?" Why not leave it in the county "forestry-grazing" zone?**

**A.** *U.S. Borax would prefer to leave the zoning "forestry-grazing." It is the City annexation ordinance that requires a "city zone" be placed on the property upon annexation. The only zone in the city ordinance that would not allow development and act as a holding zone is the "open space" zone.*

**Q. In the presentation to the Planning Commission, only one annexation criteria was addressed. Why?**

**A.** *The current Brookings Development Code contains contrasting language regarding the annexation criteria. BCD Section 148.020(G) requires that applications for annexation include:*

*"written findings of fact prepared by the petitioner(s) or petitioner (s) representative which address, " among other things,*

*"(5) Compliance with **all applicable** goals and policies of the comprehensive plan .*

*and*

*"(6) Compliance with **any** of the below listed criteria A through ER of subsection 148.030."*

*Prior to submission of the annexation application, Al Johnson, U.S. Borax's attorney, coordinated with John Bischoff on this issue. It was determined and agreed that the apparent intent of the code language is that an applicant must show compliance with all applicable plan goals and policies but need only show compliance with one or more of the criteria listed at BCD Section 148.030 (A)-(E). It is clear that the five annexation criteria set forth represent different*



*reasons why a given annexation proposal would be determined to be appropriate and entitled to council approval.*

*The city's annexation ordinance clearly expresses the intent of the adopting city council that the applicant must address all applicable goals and policies of the comprehensive plan. It expresses with equal clarity the intent of the council that the applicant must address "any," not "all," not "all applicable," not even "any applicable" of the listed criteria in subsection 148.030.*

*Nevertheless, as the applicant's statement and the record show, the applicant has addressed "all" of the "applicable" criteria in subsections A through E and has shown that each criterion is either satisfied or is inapplicable.*



August 5, 2002

John Bischoff  
City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Re: *Lone Ranch – Brookings, Oregon — Otak Project No. 10622*

Dear John:

This letter serves to clarify water flow issues that have been raised in recent Lone Ranch public forums regarding the water supply on the Borax property.

On September 5, 2001, G.L. Meyer Well Drilling completed the drilling of two test wells on the Borax property at the locations shown in the annexation request. These test wells were installed with 6-inch diameter steel casings with 4-inch diameter plastic liners. Both test wells were then air tested to determine an estimated flow rate. Test wells number one and number two had estimated flow rates of 44 and 111 gallons per minute respectively. The results of the flow tests were recorded on the test well logs and submitted to the State of Oregon Water Resources Department, in accordance with State Water Resource procedures.

We determined that additional flow tests were needed to confirm the quantity and quality of the water in the two test wells. Bandon Well & Septic Company was hired to perform a more detailed flow test and water quality test in January 2002. A complete test on test well number one was not achieved due to equipment problems, however, initial testing revealed a specific capacity used to calculate an estimated flow of 135 gallons per minute. Equipment and materials were not available to correct the situation at that time. This problem will be corrected and additional testing will occur in the near future.

Test well number two was tested at the same time, January 2002 and an average flow of 98 gallons per minute was recorded. Due to the limited size of the 6-inch casing and 4-inch liner installed initially, a limited pump size and type was able to be used for these tests. According to the drawdown value of 51.5 feet and the average flow of 98 gallons per

17355 sw boones ferry road  
lake oswego, oregon 97035-5217  
(503) 635-3618  
fax (503) 635-5395

**John Bischoff**  
*Lone Ranch – Brookings, OR*

Page 2  
August 5, 2002

minute, a specific capacity of the test well was determined. This specific capacity was then used to calculate the maximum flow rate of 235 gallons per minute when a larger casing, liner, and pump are installed. Due to the increase in cost associated with these larger pumps, most well contractors do not use them for testing purposes. These are pumps that are specifically ordered for a type of well and its intended use. These results are not required to be filed with the State Water Resources and therefore are not on record there.

Borax is committed to continue flow testing and exploration of additional test well sites on the property. To verify our previous test results, a third well contractor will be hired in the near future to correct the deficiencies with test well number one, conduct a third flow test on both test wells, and install an additional test well.

At this time, we remain confident that based on the initial test well data an adequate water supply exists on the property that can be developed to provide the necessary water flow and storage for the property. To restate, we have recorded flow rates of 44 and 111 gallons per minute for test wells one and two. Additional well testing on test wells one and two indicated maximum flow rates of 135 and 235 gallons per minute respectively. Combining the flow rates from the initial testing and the recent test and analysis, an estimated total of 370± gallons per minute has been calculated. I hope this clarifies any confusion between our test results and the information on record with the state. If you have any questions, please do not hesitate to call me at 503-699-4549.

Sincerely,

Otak, Incorporated



Kurt Krueger  
Project Engineer

KK:sjs

# CITY OF BROOKINGS

898 Elk Drive  
Brookings, Oregon 97415  
Phone (541) 469-2163  
Fax (541) 469-3650  
city@brookings.or.us

The Home of Winter Flowers



June 21, 2002

Rich Miller, Chief  
Cape Ferrelo Fire Protection District.  
P.O. Box 4068  
Brookings, OR 97415

Dear Chief Miller:

This letter and the attached hearing notice is provided to serve notice that the city has an application to annex 553± acres of land known as the Borax property into the City of Brookings. Approximately half of the area subject to this request is located in the Cape Ferrelo Rural Fire Protection District and upon annexation will be placed with in the city's service area.

If you have any questions or need further information, please contact the Planning Department at the number above.

Sincerely,

  
John Bischoff, Planning Director

**RECEIVED**  
JUL 1 2002

July 1, 2002

**CITY OF BROOKINGS  
COMMUNITY DEVELOPMENT**

Chairman, Brookings Planning Commission  
Commission Members  
Brookings City Hall  
898 Elk Drive  
Brookings, OR 97415

RE: Public Hearing—ANX-2-02, Borax and ANX-3-02, Zia

Dear Chairman and Commission Members:

Please accept the following comments for the proceedings and record of the aforementioned annexation public hearings.

**ANX-2-02 & ANX-3-02**

**Compliance with Goal 11, Public Facilities and Services--General comments and concerns**

1. **Goal 11, Public Facilities and Services---Staffing.** How will your staff be able to respond to the work load once these projects are underway? Before any more annexations are allowed, staffing should be reviewed and an action plan developed. Growth cannot occur in an orderly manner when staff isn't available to conduct and oversee the day to day duties that are consequential to annexations.
2. **Goal 11, Public Facilities and Services--Potable Water Source.** What is being done to further the acquisition/development of another water source? This was a top priority several years ago and nothing was finalized. Now with the recent annexation application (two alone within the last six months on Parkview Drive), water source development needs to be actively pursued.

**ANX-3-02**

1. According to the Curry County property ownership records, this parcel is owned by a consortium (i.e. "Bill Welch & ct al and John Zia & et al) and yet only one property owner is on record as making application for this annexation. The applicant cannot bind the others unless a power of attorney was given...there is no evidence of this in the application. The other owners need to be protected and until proof of their desire to annex is obtained, the annexation proceedings should be stopped until this is cleaned up.
2. **Goal 5, Natural Resources, etc.** There are wetlands located on this parcel, as well as a creek (northerly parcel boundary) that conveys surface drainage westerly and connecting with the drainage system along Parkview Drive. This creek provides

drainage for the parcels that are located easterly of subject parcel (parcels not located along Parkview Drive). Roughly on the southerly side of the subject parcel, the grades are such the slopes form a bowl relative to the surrounding parcels, creating a marshy area that has supported wetland vegetation, which has been disturbed when the area was cleared. The applicant needs to have a wetland delineation survey/report conducted so that the areas can be added to the inventory as areas needing to be protected.

3. Goal 12, Transportation network. The road that provides access to the subject parcel is a rural road. Annexing this parcel increases the density to urban levels, thereby forcing a rural road to function as an urban street. In addition, at this location, the road is owned by Curry County. Consequently the schedule for improving the road, as well as the standards to design for, are not controlled by the city. The street is inadequate now and until the road is brought to urban standards, no more annexations in this area.

Respectfully submitted,

Kolin and Robin Sanders  
17040 Wimberley Lane  
Brookings, OR 97415  
469-9256 HOME

pete chasar

935 marina heights road, brookings, or 97415-9278 • 541 469-2377  
pete@chasar.com

July 2, 2002

Brookings Planning Commission  
898 Elk Drive  
Brookings, OR 97415

Dear Planning Commission Members:

For the past several months I've spent many hours in meetings for the new Downtown Master Plan and Urban Renewal District. I believe that the proposed Borax annexation will make it far more difficult to keep downtown Brookings vibrant and attractive.

That's because some private capital that could and should be invested in the downtown revitalization efforts will likely be siphoned off by the new residential and commercial development planned for this outlying area.

Also, it's far more expensive for the City to support urban development beyond its existing public infrastructure. This will divert public capital and resources critically needed to revitalize downtown Brookings.

Chances are, it would be cheaper in the long run for the city to simply purchase this land than to annex and service it.

One new subdivision in Boulder, Colorado promised \$4 million in annual tax revenues. But planners discovered it would cost the city \$16 million a year to provide services to the 4,000 new homes. Instead of approving the proposal, Boulder bought the land from the developer and added the acreage to its park system.

This Borax application boasts that its residential development could someday produce tax revenues of \$488,000 per year. Here in Oregon, even with impact fees, it costs about \$165,000 per acre to provide urban infrastructure for new residential development. The Borax plan has 150 acres of single-family development. Using \$165,000 per acre, that comes to \$24 million in public infrastructure costs. The 1999 Public Facilities Plan for the new UGB confirms these costs.

I suggest that the Planning Commission learn the real costs of approving this annexation before taking action. Also, I suggest changing the phrase on page 17 that says, "...the City and developer may share in the cost of required improvements..." The developer should pay for these sewer improvements.

Sincerely,

Pete Chasar  
attach.

# **Salem Council rejects annexation plan**

**The Kuebler Village proposal is seen as too much of a threat to downtown.**

**TARA MCLAIN**  
Statesman Journal  
*June 25, 2002*

Developers of a controversial South Salem project will not be able to ask voters this fall to annex the land into city boundaries.

The Salem City Council voted unanimously Monday evening to deny an annexation proposal for "Kuebler Village" — possibly the first such denial in 30 years.

Council members said they rejected the annexation because plans for the 45-acre property did not follow the city's long-range growth plan and included too much retail space that could draw business from downtown.

The project at the Kuebler Boulevard intersection with I-5 would have been sliced into retail, office and residential uses.

Designers offered to change the plan several times to reduce the amount of retail space and add multifamily housing.

The council did not accept those plans and based its decision on the developer's original plans.

Councilor Wes Bennett, whose ward the land is in, said the development would have put too much strain on the neighborhood's roads and schools.

Councilor Anna Braun said the developer's attempt at creating a mixed-use area was an illusion. It did not actually follow the philosophy of Salem Futures, a long-range growth management plan.

"It was very much auto-oriented, and that is not what we are after with Salem Futures," Braun said.

Councilor Rick Stucky supported the denial but predicted that the issue would come up again and that the only way neighbors would approve of it would be if it were dotted with single family homes.

The council approved new annexation rules in March that require builders to reveal how they are going to use the land.

By law, all annexation requests must be approved by voters.

Councilor Kasia Quillinan said the new law is working as it should.

Without it, the council and voters would not have known what was going to be built.

Tara McLain can be reached at (503) 399-6705.



PO Box 2421  
Harbor, OR 97415

received  
7-29-02 *ADS*

July 27, 2002

Mayor Hagbom and City Council  
c/o John Bishoff  
City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Dear Mayor Hagbom and Council:

The City's apparent rush to annex the 553-acre Borax property north of the city is clouded by some troubling issues.

Borax wants Public Open Space zoning for this private land. But, according to the City Land Development Code, this zoning can only be used for publicly owned property, like parks and libraries.

A Borax representative claims that the property's wells produce more than enough water for development, 300 gallons per minute (gpm). But state records indicate far less—155 gpm.

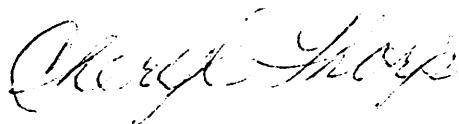
That same Borax representative says that a resort and golf course will "probably" be built in Phase 2. Or Phase 3. But the company's written Annexation Application says Phase 5.

Borax says city documents show there are no fish in the creeks crossing the property. Oregon Fish and Wildlife officials, as well as local residents, say there are fish in some of those creeks.

An agreement between the city and county says, "Until a Public Facilities Plan (PFP) is adopted, no land will be rezoned from the existing designation to an urban land use designation." The PFP hasn't been adopted.

The Brookings City Council should not proceed with this annexation until all these issues can be cleared up.

Sincerely,



Cheryl Thorp

To the Brookings City Council

**received**  
7-1-02

CC: Curry Coastal Pilot

The Borax Annexation, as reported in the Pilot, seems to have unanswered questions :

1. Open Space Zoning. My understanding of that zone is that it is reserved for public usage, such as parks, public libraries, community centers, etc. How can this property be developed as described in the article? Except for the college section, none of the developments would fit that category.
2. Public Facilities Plan. From previous information about annexations, I understand that such a plan is required before annexation can take place. Where is that plan?
3. Sewer and Water Problems. Will the state evaluation of the water supply confirm the 300 gal per minute flow Mr. Weast describes? The Ore. Water Resources Dept. found only 155 gal. per minute.
4. Has any analysis of public costs been done?

Planned growth is the most desirable way to look to the future--- BUT these and probably other questions need to be aired before the city jumps at this opportunity for such tremendous urban growth.

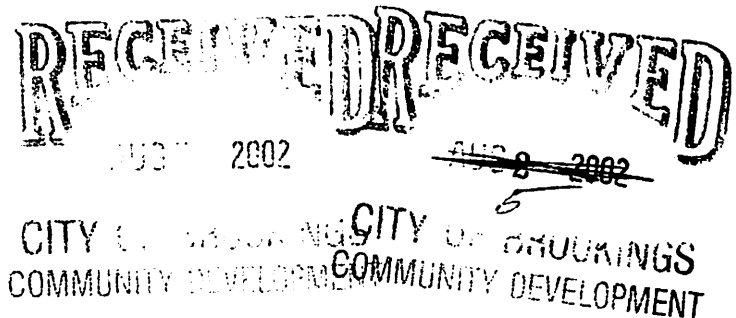
Pauline W. Olsen  
317 Memory Lane, Brookings  
469-3069

*Pauline W. Olsen*

pete chasar  
935 marina heights road, brookings, or 97415-9278 • 541 469-2377  
pete@chasar.com

August 2, 2002

Mayor and City Council  
c/o John Bishoff, Planning Director  
CITY OF BROOKINGS  
898 Elk Drive  
Brookings, OR 97415



Dear Mayor Hagbom and Council Members:

As I indicated in my public comments to the Planning Commission, I am opposed to the untimely U.S. Borax annexation request (ANX-2-02).

Will add more public costs than revenues. The UGA PFP indicates costs of at least \$30 million to support new development north of the Chetco River. Most of that development will come from the Borax property. Estimated Borax revenues would not even cover interest on the debt generated.

Conflicts with UGA Joint Management Agreement. Approving this annexation now--prior to periodic review--conflicts with the Brookings/Curry County UGA Joint Management Agreement policies regarding annexations and changes to urban zoning.

"Public Open Space" not for private land. The zoning U.S. Borax wants--Public Open Space--is not for private land under the Brookings Land Development Code.

Land not contiguous with City. The land to be annexed is not contiguous with the current City boundary, requiring strip annexation of highway right-of-way.

Water output questionable. U.S. Borax claims its wells 300 produce gallons per minute. But Oregon Water Resources Department figures show output of only 155 gpm.

Fish study flawed. U.S. Borax cites a study that says their property has no fish habitat. But local residents report there are fish in Duley and Lone Ranch Creeks.

In short, this annexation application is ill-timed and its benefits to the community questionable. It should be tabled or continued.

Sincerely,

Pete Chasar

August 5, 2002

Mayor and City Council  
c/o John Bishoff, Planning Director  
CITY OF BROOKINGS  
898 Elk Drive  
Brookings, OR 97415

**received**  
8-6-02 JLB

Dear Mayor Hagbom and Council Members:

We the undersigned urge you to continue or table the U.S. Borax annexation request (ANX-2-02) for the following reasons:

- Approving this annexation prior to periodic review violates the Brookings/Curry County UGA Joint Magagement Agreement (provisions for annexations and changes in zoning from rural to urban designations). Approval now also violates provisions of OAR 660-001-0315 regarding rules of planning and availability of public facilities.
- The zoning designation U.S. Borax has requested--Public Open Space--is not applicable to private land under the Brookings Land Development Code.
- The land to be annexed is not contiguous with the current City boundary and requires a contrived strip annexation of highway right-of-way to make it so.
- U.S. Borax claims that test wells on the property produce more water than needed, 300 gallons per minute (gpm). But well logs from the Oregon Water Resources Department show output of only 155 gpm.
- In its application, U.S. Borax claims the creeks crossing its property are not fish habitat. Yet cutthroat trout do exist in Duley and Lone Ranch Creeks.

Based on all of these factors, it is obvious that the proposed annexation is premature and further study is necessary. Therefore, we respectfully request a continuance prior to COMPLETION of periodic review.

Respectfully,

CITIZENS FOR ORDERLY DEVELOPMENT, PO Box 7102, Brookings, OR 97415

OREGON SHORES CONSERVATION COALITION, PO Box 1344, Depoe Bay, OR 97341

1000 FRIENDS OF OREGON, 534 SW Third Avenue #300, Portland, OR 97204

copy: Curry County Board of Commissioners

# Memorandum

**TO:** Mayor and City Council  
**FROM:** John Bischoff, Planning Director  
**THROUGH:** Leroy Blodgett, City Manager  
**DATE:** August 5, 2002



**Issue:** Annexation of property on Parkview Dr.

**Background:** At its July 2, 2002 meeting the Planning Commission heard a request to annex a 1.5 acre parcel of land located on the east side of Parkview Dr. directly across the street from the city limits.

**Recommendation:** The Planning Commission voted to give a favorable recommendation to the Council.

**CITY OF BROOKINGS CITY COUNCIL**  
**STAFF AGENDA REPORT**

SUBJECT: Annexation  
FILE NO: ANX-3-02  
HEARING DATE: August 12, 2002

REPORT DATE: August 5, 2002  
ITEM NO: V.B

---

**GENERAL INFORMATION**

APPLICANT: John Zia.

REPRESENTATIVE: Jim Capp, Western Land Use Services.

REQUEST: To annex a 1.51 acre parcel of land into the city.

TOTAL LAND AREA: 1.51 acres (65,775± sq. ft.)

LOCATION: On the east side of Parkview Dr. approximately 800 feet north of Hampton Dr.

ASSESSOR'S NUMBER: 41-13-31CB, Tax Lot 1200.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: County R-2 (Residential-2).

PROPOSED: City R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

SURROUNDING: North, East and South—County R-2; West across Parkview Dr.—City R-1-6.

COMP. PLAN: County Residential.

PROPOSED: City Residential.

**LAND USE INFORMATION**

EXISTING: One single-family house.

PROPOSED: Residential uses with city water and sewer.

SURROUNDING: Residential uses in the county R-2 Zone.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

## BACKGROUND INFORMATION

The applicant is requesting to annex a 1.51 acre parcel of land into the city limits. The property is located on the west side of Parkview Dr. approximately 800 feet north of Hampton Rd. The property is directly across Parkview Dr. from the city limits and currently contains one single-family house.

The full description of the property, the applicants submitted materials and staff's analysis of the request can be found in the attached Planning Commission Staff Report.

At its July 2, 2002 meeting the Planning Commission was presented with the staff report and heard testimony from the public. The Commission voted unanimously to give a favorable recommendation to the City Council.

**CITY OF BROOKINGS PLANNING COMMISSION**  
**STAFF AGENDA REPORT**

SUBJECT: Annexation  
FILE NO: ANX-3-02  
HEARING DATE: July 2, 2002

REPORT DATE: June 21, 2002  
ITEM NO: 8.5

---

**GENERAL INFORMATION**

APPLICANT: John Zia.

REPRESENTATIVE: Jim Capp, Western Land Use Services.

REQUEST: To annex a 1.51 acre parcel of land into the city.

TOTAL LAND AREA: 1.51 acres (65,775± sq. ft.)

LOCATION: On the east side of Parkview Dr. approximately 800 feet north of Hampton Dr.

ASSESSOR'S NUMBER: 41-13-31CB, Tax Lot 1200.

**ZONING / COMPREHENSIVE PLAN INFORMATION**

EXISTING: County R-2 (Residential-2).

PROPOSED: City R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

SURROUNDING: North, East and South—County R-2; West across Parkview Dr.—City R-1-6.

COMP. PLAN: County Residential.

PROPOSED: City Residential.

**LAND USE INFORMATION**

EXISTING: One single-family house.

PROPOSED: Residential uses with city water and sewer.

SURROUNDING: Residential uses in the county R-2 Zone.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.



## **BACKGROUND INFORMATION**

The subject property is an irregular shaped, 1.51 acre, parcel of land located on the east side of Parkview Dr. approximately 800 feet north of Hampton Dr. and directly across Parkview from the city limits. The property has 125.9 feet of frontage on Parkview Dr., a northerly boundary of 228.2 feet, and a easterly boundary of 389.4 feet. The south boundary extends west from the east boundary for 43.7 feet and then northwest for 317.8 feet back to Parkview. The property is essentially flat with a slight downward slope from north to south. A single-family house is located on the property near the street.

The subject property is zoned by the county as R-2 (Residential-Two) as is the area to the north, east and south, which are developed with single-family homes with scattered vacant lots. The area on the west side of Parkview Dr. is within the city's jurisdiction and is zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and contains one single-family house.

Parkview Dr. is a paved travel way within a 50-foot right-of-way with no other improvements. A water main is located within the Parkview right-of-way adjacent to the subject property. The closest sewer main is located approximately 1,500 feet south where Parkview turns from an east/west alignment to a north/south alignment. An approved partition located at the 90° turn, when recorded, will cause the sewer main to be extended another 270 feet closer to the subject property.

## **PROPOSED ANNEXATION**

The applicant is requesting that the subject property be annexed to the city. The purpose of this annexation is to be able to divide the property and provide water and sewer service to the site.

## **ANALYSIS**

Proposed annexation petitions shall be determined to not represent a potential negative or adverse impact upon the citizens of Brookings, either financially or in terms of the livability of the community. Such determination shall be made by the evaluation and assessment of the proposed annexation in relation to the following considerations and criteria.

- A. The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the city boundaries and is found to be a necessary control for development form and standards of an area adjacent to the City.
- B. The proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city (direct responsibility for extension costs shall be addressed).
- C. The annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.
- D. The proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add property which has existing development in need of urban services.

- E. The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.

The applicant's representative has presented an analysis that starts by examining the proposed annexation in regard to each of the goals of the Comprehensive Plan and then continues to address the above criteria. In this report, staff will comment on each of the applicant's statements in regard to their validity, completeness and, if necessary, may add to the statement.

### **Applicant's Submittal**

#### **Part 1 Policies of the Comprehensive Plan**

##### **Goal 1--Citizen Participation:**

*To provide a citizen involvement process that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Staff agrees with the applicant's finding.

##### **Goal 2--Planning:**

*To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such.*

Staff agrees with the applicant's findings.

##### **Goal 3--Agricultural Lands:**

*To cooperate with the County in the preservation and maintenance of agricultural lands.*

Staff agrees with the applicant's finding.

##### **Goal 4--Forest Lands:**

*To support and cooperate with the County in its efforts to protect forest land.*

Staff agrees with the applicant's finding.

##### **Goal 5--Open Spaces, Scenic and Historic Area and Natural Resources:**

*To conserve open space and protect natural and scenic resources and historic areas while providing for the orderly growth and development of the City.*

*Policy 1. It is the policy of the City of Brookings to protect natural and scenic resources by encouraging the conservation of ecologically and scientifically significant natural areas, scenic views and sites, historic areas, local energy sources, and mineral and aggregate resources.*

*Policy 3. It is the policy of the City of Brookings to preserve forest and agricultural lands which serve as valuable open space areas by focusing development within the City limits/Urban Growth Boundary.*

Staff agrees with the applicant's findings.

**Goal 6—Air, Water and 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.*

*Policy 3. It is the policy of the City of Brookings to utilize programs to manage land conservation and development activities in a manner that reflects the desires of the community for a quality environment and a healthy economy and is consistent with environmental quality statutes, rules, standards and implementation plans.*

Staff agrees with the applicant's findings.

**Goal 7—Areas Subject To Natural Disasters and Hazards:**

*To protect life and property from natural disasters and hazards.*

*Policy 2. When development is planned in areas of identified hazards, the developer will be required to show that property development will not be endangered by the hazard and that appropriate safeguards will be taken.*

Staff agrees with the applicant's findings.

**Goal 8—Recreational Needs:**

*To satisfy the recreational needs of the citizens of the Brookings area, State and visitors.*

*Policy 1. It is the policy of the City of Brookings to encourage better utilization of existing recreational facilities and to plan for and develop new recreational facilities and opportunities.*

*Policy 2. The City of Brookings encourages the development of neighborhood parks to be coordinated with future expansion of residential areas.*

Staff agrees with the applicant's findings.

**Goal 9—Economy of the State:**

*To diversify and improve the economy of the Brookings area.*

*Policy 2. The City of Brookings will encourage the diversification of the City and the regional economy. The City wishes to create new employment opportunities while sustaining and expanding existing economic sectors.*

Staff agrees with the applicant's findings.

**Goal 10—Housing:**

*Provision of varied housing which is safe, sanitary and adequate for all residents of the community.*

*Policy 1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.*

*Policy 2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.*

*Policy 3. City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.*

Staff agrees with the applicant's findings.

**Goal 11—Public Facilities and 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.*

- A. Water treatment facilities will be maintained with the proper observation and planning to expand facilities on a timely basis to provide continued service to existing customers and projected growth.*
- B. Water distribution, pumping and storage construction will be constructed for new development by developers. The city council is presently reviewing methods of implementing a "pay as you go" development policy.*
- C. Wastewater treatment facility expansion programs will be funded through the most cost-effective methods utilizing all available federal, state and local funds.*
- D. All public works construction to serve newly developed areas will be on the "pay as you go" policy with developers designing and constructing new facilities in accordance with the city Standard Detail and Specifications adopted September, 1981.*

Staff agrees with the applicant's findings.

**Goal 12—Transportation:**

*To provide and encourage a safe convenient and economic transportation system.*

Staff agrees with the applicant's findings.

**Goal 13—Energy Conservation:**

*To conserve energy.*

*Policy 2. Brookings will encourage the infilling of undeveloped parcels of land within the City as well as the re-use of vacant land to the extent possible. The City will encourage land development practices which conserve energy as well as utilize renewable energy sources whenever possible. The City desires high density development to be located adjacent to major shopping areas and along major transportation routes, as appropriate.*

Staff agrees with the applicant's findings.

**Goal 14—Urbanization:**

*To minimize the expansion of the urban service area outside of the city limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural and forest lands outside of the City.*

*Policy 1. City shall maintain the livability of Brookings while providing appropriate land-use designation and adequate areas to accommodate expected growth.*

*Policy 2. City shall encourage the orderly outward growth of the community in order to maintain costs of construction, maintenance, and extension of streets, utilities and public facilities at the lowest level possible.*

*Policy 3. City shall annex lands that are contiguous to the city limits and continue to extend*

*city services only to areas within the corporate limits. City shall continue to honor present agreement for provision of public services in areas presently outside the corporate limits.*

Staff agrees with the applicant's findings.

Goals 16, 17, 18: These goals deal with estuarine, coastal shore, beach, and dune areas and resources and do not apply to the proposed annexation.

## Part 2 Land Development Code, Section 148, Annexations

### 148.020—Application Procedures.

*An application for annexation may be filed with the City on a form prescribed by the City, accompanied by a filing fee in the amount established by general resolution of the City Council. No part of the filing fee is refundable. Said application shall contain the following information:*

- A. Vicinity map.*
- B. Assessor's parcel maps.*
- C. Consent to annex forms.*
- D. Legal metes and bounds, or lot and block description.*
- E. Specific information:*
  - 1. Current assessed valuation as shown on the Curry County Assessor's tax rolls.*
  - 2. Acreage.*
  - 3. Map and tax lot number.*
  - 4. Owner or owners of record.*
- F. Addresses of all dwelling units and businesses within the territory proposed to be annexed.*
- G. Written findings of fact which address the following:*
  - 1. Existing land uses within the territory proposed to be annexed.*
  - 2. Existing zoning and comprehensive plan designations.*
  - 3. Existing improvements.*
  - 4. Special service districts, such as water, irrigation, fire, school, sanitary.*
  - 5. Urban services needed and necessary to service the territory proposed to be annexed.*
  - 6. Compliance with all applicable goals and policies of the Comprehensive Plan.*
  - 7. Compliance with any of the below listed criteria A through E of subsection 148.030.*

The applicant has submitted all of these materials.

### 148.030—Annexation criteria.

*Proposed annexation petitions shall be determined to not represent a potential negative or adverse impact upon the citizens of Brookings, either financially or in terms of the livability of the community. Such determination shall be made by the evaluation and assessment of the proposed annexation in relation to the following considerations and criteria.*

#### Criterion A.

*The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the city boundaries and is found to be a necessary control for development form and standards of an area adjacent to the City.*

Staff agrees with the applicant's findings. The proposed annexation will create a small bulge or blister of city limits on the east side of Parkview Dr., however, this is how annexations occur and will ultimately pull other properties into the city boundaries. In fact this annexation could not occur except for the earlier Mahar annexation on the west side of Parkview. As sewer mains are extended, more properties will be able to annex and develop.

**Criterion B.**

*The proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city (direct responsibility for extension costs shall be addressed).*

Staff agrees with the applicant's findings. In the Parkview area, properties desiring to obtain sewer service to develop, further must annex to the city. As the mains are extended there is more incentive to annex to gain sewer service. This is the logical expansion of such services.

**Criterion C.**

*The annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.*

Staff agrees with the applicant's findings. The purpose of this annexation is allow sewer service to the subject property to allow for division of the parcel for further development.

**Criterion D.**

*The proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add property which has existing development in need of urban services.*

Staff agrees with the applicant's findings.

**Criterion E.**

*The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.*

Finding "b" states that there have been two amendments to the city's UGB. The only amendment was the expansion adopted in 1995. Staff believes that the statement is referring to the remand process that was completed in May of 2001, which was the completion of the original amendment. Otherwise, staff agrees with the applicant's findings.

**148.040—Annexation Impact Analysis.**

*The comprehensive plan sets forth a program and direction for the future growth and development of the City of Brookings. Annexations are a means of implementing the goals and policies contained in the plan, recognizing that the city must plan for and provide extension of services to contiguous lands that will allow for development to densities as designated in the plan following annexation.*

*To assure that the Planning Commission and City Council, prior to acting upon a proposal for annexation, is fully informed as to the potential impacts of the annexation upon both the city*

*and the territory proposed to be annexed, it shall be required that an impact analysis containing, but not limited to, the following information be prepared and submitted by the applicant(s) for consideration by the staff, advisory (Planning Commission) and approving authority (City Council).*

**Criterion A.**

*A statement of the municipal service needs, if any, of the territory proposed to be annexed, including police and fire protection; public sewer and water supply facilities; street improvement or construction, or both; and such other municipal services that may reasonably be required.*

Staff agrees with the applicant's findings.

**Criterion B.**

*A statement of the projected methods and costs of supplying reasonably needed municipal services to the territory proposed to be annexed.*

Staff agrees with the applicant's findings.

**Criterion C.**

*A statement of additional revenues, if any available to the city as a result of the annexation.*

Staff agrees with the applicant's findings.

**Criterion D.**

*A statement of the foreseeable impact of the proposed annexation upon property within existing city limits, and upon property outside the city limits and contiguous to the property included within the proposed annexation.*

Staff agrees with the applicant's findings.

**Criterion E.**

*A statement analyzing the impact of the annexation on the growth, development, and future of Brookings and its urban growth area, recognizing that even small-area annexations involve implicit policy decisions concerning long-range development and ultimate impacts.*

Staff agrees with the applicant's findings.

**FINDINGS**

The applicant's findings are the primary 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 applicant has submitted findings addressing each of the goals of the city's Comprehensive Plan.
2. The applicant has submitted findings addressing the submittal required in Section 148.020, Annexations, of the Land Development Code.

3. The applicant has submitted findings addressing all of the criteria in Section 148.030.
4. The applicant has submitted findings addressing all of the criteria in Section 148.040.
5. The City of Brookings has identified a limited maximum capacity in its wastewater treatment plant. This land use approval does not constitute a representation or commitment that capacity will exist in the wastewater treatment system of the City of Brookings to serve the development proposed. The availability of connection approvals to the wastewater treatment system are on a first come-first serve basis and regulated under the provisions of Ordinance No. 88-0-430.

## **CONCLUSIONS**

The materials submitted by the applicant are complete and satisfy all of the criteria presented in Section 148, Annexations, of the Land Development Code, to justify the proposed annexation.

## **RECOMMENDATION**

Staff recommends a FAVORABLE RECOMMENDATION TO THE CITY COUNCIL of Case File No. ANX-3-02, based on the findings and conclusions stated in the staff report.





# FINDINGS IN SUPPORT OF: ANNEXATION REQUEST

SUBMITTED TO: CITY OF BROOKINGS, OREGON.

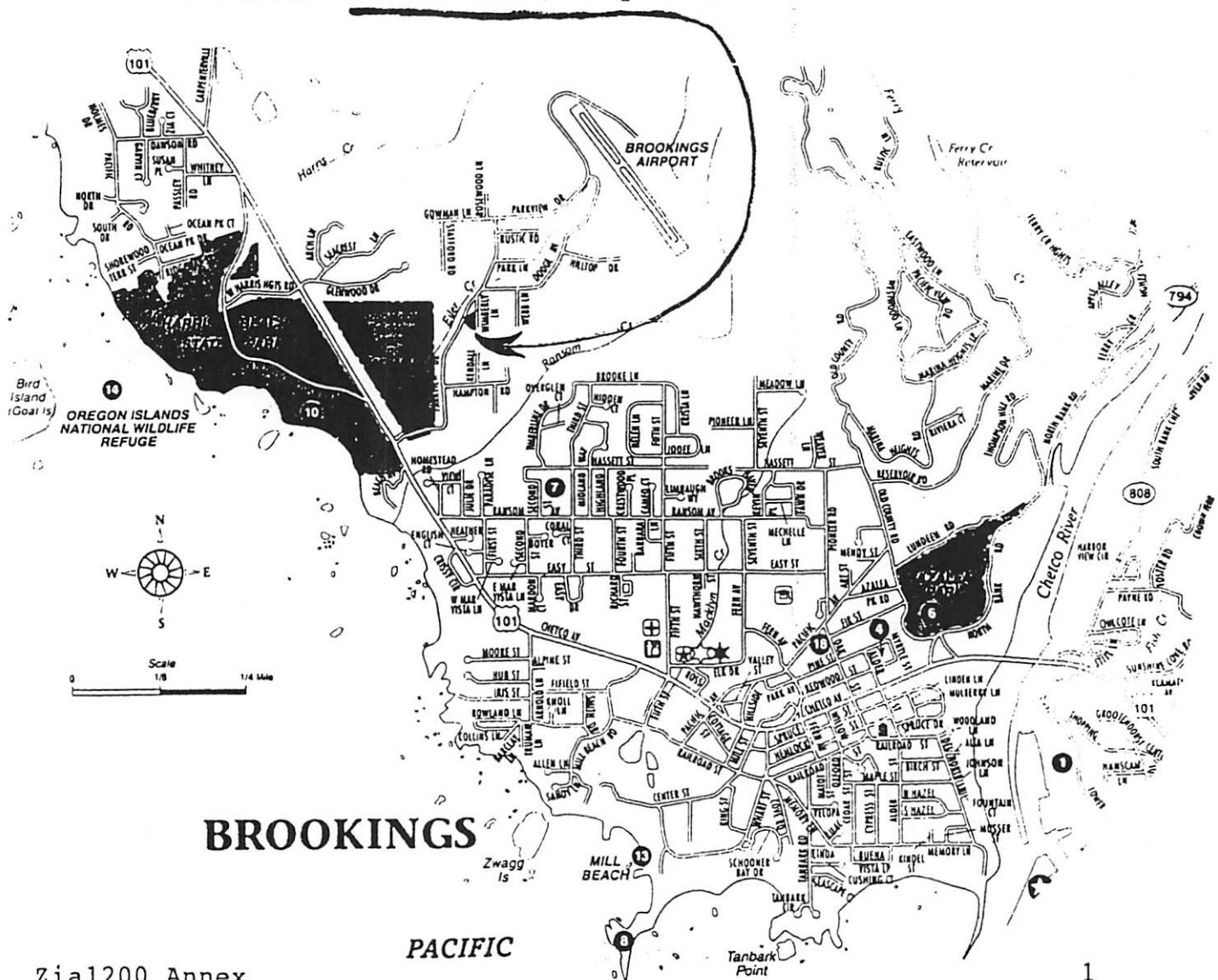
NOTICE: This application has been developed for the specific applicant property identified herein. Use of this application or portions of this application for other property or persons without the written consent of Western Land Use Services is not authorized.

APPLICANT: John Zia  
97848 Titus Lane  
Brookings, Oregon 97415

AGENT: Jim Capp, Western Land Use Services  
PO Box 2937  
Harbor, OR. 97415

PROPOSAL: Request for annexation to the City of Brookings.

SUBJECT PROPERTY: Tax Lot 1200, Map 40-13-31CB



Zia1200 Annex

1

**APPLICABLE CRITERIA:**

Brookings Planning Director advises several Policies of the Comprehensive Plan and Section 148.020, 030 and 040 of the Land Development Code, should be addressed in this application. This application is formatted so that ordinance requirements and our findings in regard thereto are both presented. Each applicable criterion is quoted and is then followed by our proposed findings of fact in response to that criterion. Part I addresses applicable policies of the Comprehensive Plan; Part II addresses Land Development Code Section 148. The information contained in these Findings and Exhibits should be considered as evidence on the relevant criteria in support of this application.

**EXHIBIT LIST:**

1. Curry County Assessor Map 40-13-31CB
2. Comprehensive Plan, Page 14-2, Residential Needs Analysis.
3. Warranty Deed, B & K Smith to Welch & Zia & Associates Inc., dated April 3, 2001, filed for record April 4, 2001 at Curry County Inst #2001 Pg 1571.
4. Composit Zoning Map, City and County

# Part 1 Policies of the Comprehensive Plan

## 1. Statement of the Criterion:

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

### a. Finding on this criterion:

The City has adopted a Land Development Code requirement that it notify property owners within 250 feet of a proposed action. Applicants are required to provide the City a list of owners of property within that distance from a property for which a land use permit or action is requested. The City then uses that list to mail notice to the property owners of the action anticipated and advising of the process for giving input to the decision makers.

By its adoption of Goal 1 the City determined that requiring applicants to provide lists of neighborhood property owners is an appropriate method of providing for and stimulating citizen involvement and participation in the land use hearing process. In this case the Land Development Code requires public hearing; an applicant must provide the names of property owners within the specified distance of the property to be annexed; and, the City provides notice of the hearing to those property owners. Surrounding property owners are therefore made aware, first hand, of the process and are thereby given opportunity to become informed and participate in the City's decision making process regarding this proposed annexation.

The required 250' radius has been drawn from the subject property exterior boundary onto Map 40-13-31CB which appears on the following page.

# Citizen Involvement Property Owner Notification Map

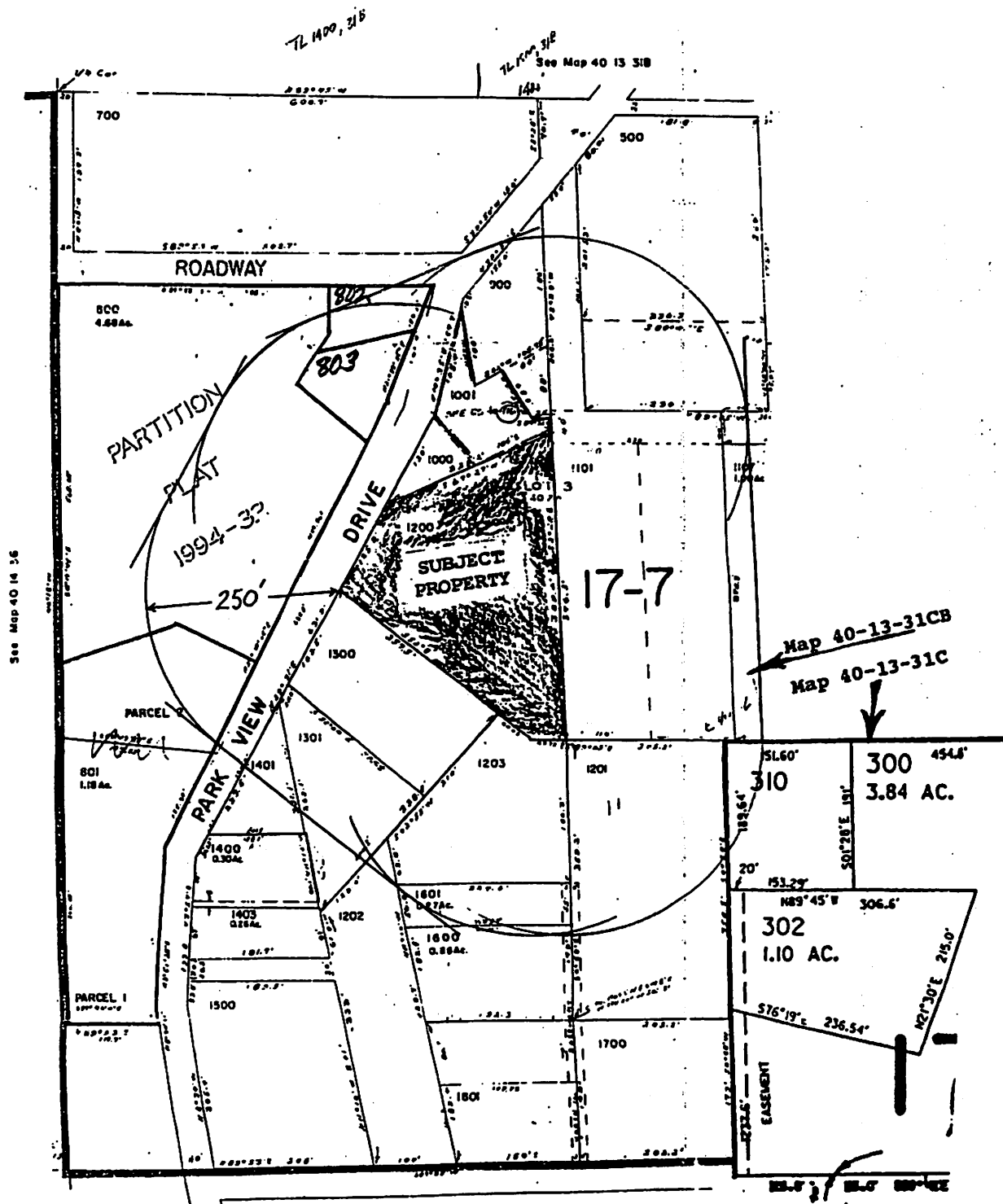


Figure 1 below provides ownership information for all lots touched by or included within the 250 foot distance.

**Figure 1**  
**Owners of Property Within 250'**

**Tax Lot      Owner**

**On Map 40-13-31C**

310 Steven & Kathryn Cain, PO Box 99, Brookings

**On Map 40-13-31CB**

500 Gary A & Elizabeth Wimberley, PO Box 329, Brookings  
800 Mahar Homes Inc, 815 Alder Creek Drive Medford 97504  
801 Ken & Melody Gossard PO Box 2641 Brookings  
802 Ben Murray PO Box 665, Brookings  
803 Mahar Homes Inc, 815 Alder Creek Drive Medford 97504  
900 Roberta G Taylor, PO Box 6624, Brookings  
1000 Roberta G Taylor, PO Box 6624, Brookings  
1001 Bart E Kast, 740 B Pioneer, Brookings  
1101 Consumer Electronics  
Robin Sanders, PO Box 868, Brookings  
1107 Hary & Barbary Horne, PO Box 1797, Brookings  
1201 Scott & Nicole Darger, PO Box 1888, Brookings  
1202 Elaine Bannister, PO Box 7860, Brookings  
1300 Robert D & Nancy Covey, 16987 Parkview Dr, Brookings  
1301 Kenneth C Burges Et Al, 2386 West Burnsade Apt A  
Portland, OR. 97210  
1401 Don & Lois Et Al, 4231 Kenneth Ave, Fair Oaks CA 95628  
1600 Frank Fund, PO Box 1003, Brookings  
1601 Richard Kendall, PO Box 1059, Brookings

**b. Finding on this criterion:**

Figure 1, was compiled from Curry County Assessment Department records of ownerships of all property within 250 feet of the subject property. Ownership of the tax lots reported was determined from review of printouts obtained from the Curry County Assessors office.

**CONCLUSION ON THIS CRITERION:**

The City has determined that applicants will meet the requirements of citizen involvement by providing the names and addresses of owners of property within 250 feet of a property for which zoning action has been submitted. This application provides the required ownership information. Therefore, we conclude this application is in compliance with Goal 1.

**2. Statement of the Criterion:**

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

**a. Finding on this criterion:**

Goal 2 is broad instruction given cities and counties by the state as to how the land use process is designed. It sets general parameters for making decisions.

The Brookings Comprehensive Plan and Land Development Code were developed and adopted over a long period of time with input from all sectors of the community. Those land use planning documents were developed as a result of the parameters set out in Goal 2. Goal 2 provides an overview of the process of land use planning. Local Comprehensive Plans and Zoning Ordinances provide the specifics (the nitty-gritty if you will) of making individual land use decisions. A local government comprehensive plan is developed and adopted in response to Goal 2 and other Statewide Goals. A local zoning ordinance is developed and adopted in response to the local comprehensive plan. The zoning ordinance [in this City the Brookings Land Development Code] is the document which implements the decisions and policies affecting land use in the City as set forth in the Comprehensive Plan. Goal 2 does not apply directly to this application because it set forth basic parameters under which applicable Land Development Code criteria were developed. Through decision making based on the criteria of the Land Development Code, the City will ensure goal 2 parameters are carried forth.

**3. Statement of the Criterion:**

**Goal 3: To cooperate with the County in the preservation and maintenance of agricultural lands:**

**and**

**Goal 4: To support and cooperate with the County in its efforts to protect Forest Lands.**

**a. Finding on this criterion:**

The subject property is not zoned as either agriculture or forest land. It is zoned as residential land under Curry County Zoning Ordinance and Map. The Subject Property lies within the Brookings Urban Growth (UGB) as originally adopted. It lies within the UGB as amended in 1995. In both the original adoption and the 1995 amendment to the UGB the City and County adopted findings supporting that boundary in response to the requirements of Goal 14.

That amendment, which continued inclusion of the subject property within the UGB, was later acknowledged by the Land Conservation and Development Commission at its regular meeting in May, 2001, to be in accord with the Statwide Land Use Planning Goals and Guidelines. The Brookings Urban Growth Boundary includes all lands in the vicinity which have been considered for urbanization under the Goal 2 Exceptions criteria pursuant adopted Goal 14 findings. The County planned and zoned the subject property for residential use over two decades ago and that intended use remains the stated intent under the newly

amended and acknowledged UGB. This application for annexation and City residential zoning will continue the intent of both the City and County to have the subject property developed as urban residential land.

**CONCLUSION ON THIS CRITERION:**

Because the subject property is developed with residential use; lies within a neighborhood which is planned and zoned for residential use; and is located in an area which is within the Urban growth boundary for the City of Brookings, Goals 3 and 4 do not apply to this application.

**4. Statement of the Criterion:**

**Goal 5: To conserve open space and protect natural and scenic resources and historic areas while providing for the orderly growth and development of the City.**

**Policy 1. It is the policy of the City of Brookings to protect natural and scenic resources by encouraging the conservation of ecologically and scientifically significant natural areas, scenic views and sites, historic areas, local energy sources, and mineral and aggregate resources.**

**Policy 3. It is the policy of the City of Brookings to preserve forest and agricultural lands which serve as a valuable open space areas by focusing development within the City limits/ Urban Growth Boundary.**

**a. Finding on this criterion:**

Implementation measure 3. states "Brookings will use the Curry County zoning ordinance and the Comprehensive Plan to implement those policies which apply to areas within the Urban Growth Boundary Area..."

According to the Curry County Zoning map the subject property lies within the Brookings UGB and is zoned Residential. Tax Lot 1200 is zoned Residential R-1. The subject property is already slated for residential uses via County zoning although allowable density may differ under that ordinance from density which would be allowed upon annexation to Brookings and development under Brookings Land Development Code. Therefore, both City and County land use ordinances project residential use for the subject and by annexing this property the City will be fulfilling the intent of the County Zoning Ordinance and Comprehensive Plan.

**b. Finding on this criterion:**

The Comprehensive Plan, Goal 5 Inventory does not identify any Goal 5 resources on the subject property. Additionally, policies 2 and 4 to Goal 5 do not apply because the subject property is not located within the Chetco River Estuary or the Harris Beach Bog.

As stated in Goal 5 Policy 3, the City intends to focus development within its Urban Growth Boundary and City Limits.



The Subject property is currently located within the Urban Growth boundary. Given approval of this application for annexation to the City the Subject will be developed to standards of the City's Land Development Code. Although annexation of the subject property and subsequent development to City standards will in fact comply with and be in concert with the stated intent in Policy 3 to "focus development within its Urban Growth Boundary and City Limits", we conclude Goal 5 in the overall does not apply to this request for annexation because neither the City or County Comprehensive Plan Goal 5 Inventories identify any such resources on the Subject Property.

**CONCLUSION ON THIS CRITERION:**

Goals 5 does not apply to this application.

**5. Statement of the Criterion:**

"Goal 6: To maintain and improve the quality of the air (including the control of noise pollution), water and land resources of the Brookings area.

Policy 3. It is the policy of the City of Brookings to utilize programs to manage land conservation and development activities in a manner that reflects the desires of the community for a quality environment and a healthy economy and is consistent with environmental quality statutes, rules, standards and implementation plans."

**a. Finding on this criterion:**

Environmental quality statutes, rules, standards and implementation plans are applied to development through implementation of measures such as safety and sanitation criteria of the state plumbing and building codes and standards and practices of transportation network design. These criteria are a facet of the permitting process which is required for development and they will be applied to development of the subject property upon approval of annexation and subsequent application for land division and building permits through the City.

Applicant and his Agents have discussed the topic of hookup to the City sewer and water systems on several occasions with City staff. Given approval of this annexation request, applicant intends division of the property and development of permitted uses. To do so will require extension of an 8" gravity flow, sewer main approximately 1300' along Parkview Drive. Water mains already exist in the R-o-W of Parkview Drive; however, it is not known at this time what if any improvement will be necessary to that piping system. Regardless the exact dimensions of sewer and water systems to be provided for such development; connecting new residential uses on the property to both municipal sewer and water systems will provide safe and sanitary systems and will protect the environment in an manner "consistent with environmental quality statutes, rules, standards and implementation plans".

### CONCLUSION ON THIS CRITERION:

We conclude this proposal will be rendered consistent with environmental quality statutes, rules, standards and implementation plans through the development permitting process utilized by the City.

### 6. Statement of the Criterion:

"Goal 7: To protect life and property from natural disasters and hazards...

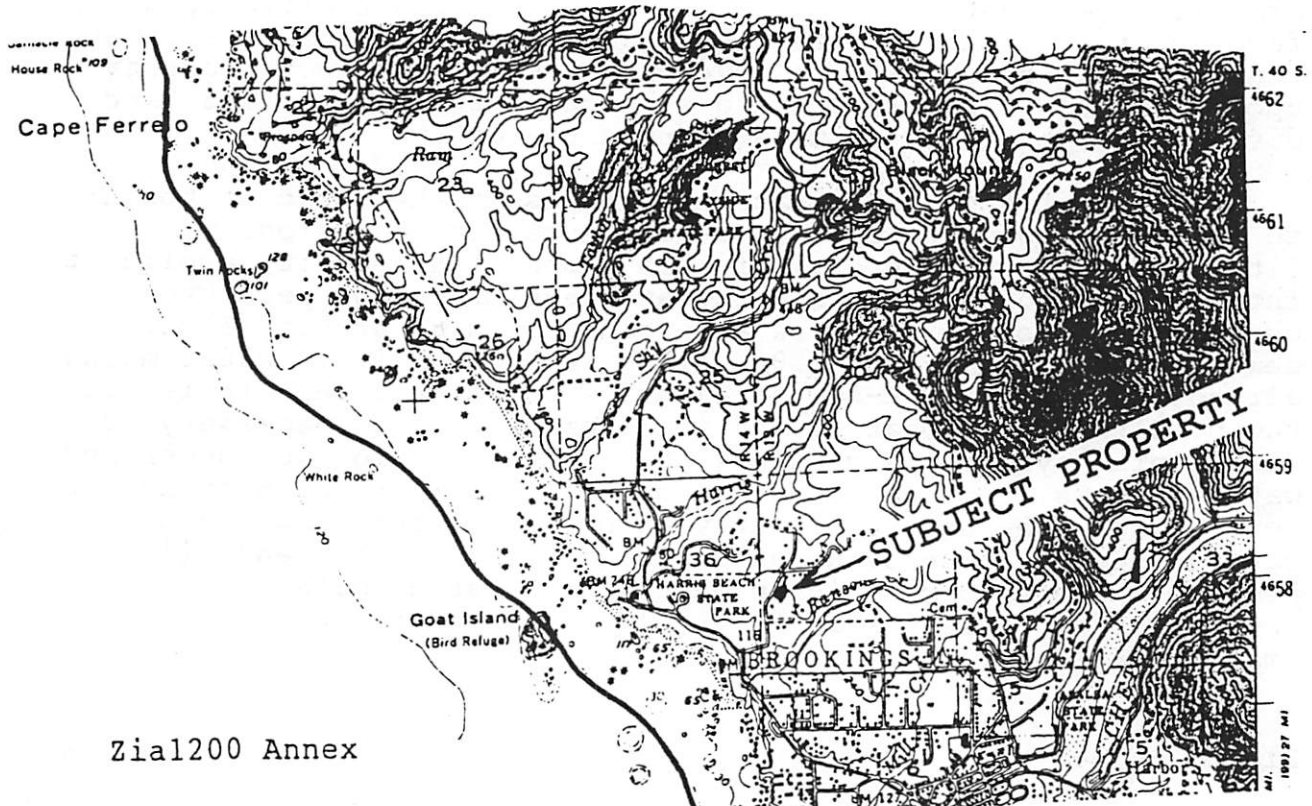
Policy 2. When development is planned in areas of identified hazards, the developer will be required to show that property development will not be endangered by the hazard and that appropriate safeguards will be taken..."

### a. Finding on this criterion:

According to the Geologic Hazard Map of the Cape Ferrelo Quadrangle Oregon, published in Bulletin 90 Land-Use Geology of Western Curry County, Oregon 1976, the subject property is not located in an area of geologic hazard. That map shows the area of the subject as not color coded for any hazard. It is shown in plain white [background paper colored]. Explanations on this map indicate slopes generally tend to be 0-5%; with slopes locally varying from 0% to 15%.

A copy of appropriate portion of this map is reproduced below. Color coding does not show in this black and white printing.

Geologic Hazard Map



The geologic hazard of most concern throughout Curry County and the City of Brookings is that of Earthflow and Slump Topography. It is easy to understand why the concern for earthflow and slump topography is important to the City and the County by review of the description provided for that type of hazard on that hazard map. It reads:

"Earthflow and Slump Topography: (areas less than 20 acres not shown) Moderately sloping terrain with irregularities of slope, drainage, or soil distribution: recent movement shown by tension cracks, bowed trees and others: most extensive in sheared bedrock areas: greatest activity where coastal retreat, stream-bank erosion, or steep-gradient streams remove material from the toe; hazards associated with inactive areas include variable foundation strength, caving in excavations, poor drainage, and others: development possible locally, but generally may reactivate or accelerate sliding; may also initiate sliding in previously stable areas."

The nearest occurrence of slump topography indicated on the Geologic Hazard map is a very small area along the western edge of the Dawson Tract north of Harris Beach adjacent the ocean approximately one and one half miles distant to the west. The next nearest occurrence of this topography is located approximately two and one quarter miles distant to the north on the north side of a rather large ridge on which Black Mound is located and in the headwater area of Joe Hall Creek. No indication of earthflow and slump topography appears on that Geologic Hazard map anywhere in the neighborhood of the subject property.

**b. Finding on this criterion:**

Preliminary review of topographic maps and on-site measurement of slope indicates the property is relatively flat with slope of 3% to 7%. There is a small drainage which traverses the property generally north to south near and generally paralleling Parkview Drive which may have steeper side slopes. The drainage is small and relatively shallow and may not interfere with building lots on the larger flat portions of the property. Section 100 of the Brookings Development Code addresses potential hazardous conditions. That section requires areas in excess of 15% slope be subject to review by an engineering geologist when divisions of land are proposed. Given approval of this request for annexation, the intent is to continue with land division application. Because overall slope is slight and nearly flat, necessity for review by a geologist is not anticipated. However, applicant is aware of the requirement for review and report concerning geologic information to consider any potential steep slope hazard.

**CONCLUSION ON THIS CRITERION:**

We conclude annexing the subject site is in compliance with Goal 7.

**7. Statement of the Criterion:**

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

**Policy 1.** It is the policy of the City of Brookings to encourage better utilization of existing recreational facilities and to plan for and develop new recreational facilities and opportunities.

**Policy 2.** The City of Brookings encourages the development of neighborhood parks to be coordinated with future expansion of residential areas.

**a. Finding on this criterion:**

The subject Tax Lot 1200 is situated within one half mile of the Brookings Airport which lies to the northwest and is easily accessible via Parkview Drive and Airport Road. This close location to the airport makes the subject property attractive to persons who may be involved or interested in recreational flying or air traffic business in general.

The Transportation Element of the Comprehensive Plan discusses the airport. Although it reports information that is now very dated (1971), the information gives a hint of the possible recreational use of airport even at that time.

"Brookings State Airport is located immediately north of the City. It is included in both the Oregon Aviation System Plan and the National Aviation System Plan where it is classified operationally as a basic utility airport (can accommodate about 95% of the general aviation propeller fleet under 12,000 lbs.) Functionally, it is classified as a feeder system airport with a low level of passenger enplanements.

The number and distribution of aircraft operations (take-offs and landings) in 1971...

...Business	2,295
Personal	5,780
Forest Service	425...

Although the airport is not a new facility and certainly not simply a recreational facility, recreational and flight hobby usage of those facilities is common. According to the 1971 information in the Plan, personal use of the airport was over twice that of business at that time. We assume a portion of the "Personal" use of the airport was (and is today) regarded as recreational by those who enjoy recreational flying and associated activities. Close location to the airport will allow coordinated use of that facility with this proposed annexation and the resultant increase of housing density which will result on the subject property.

**b. Finding on this criterion:**

The Comprehensive Plan inventories several parks and recreational facilities in and around the City. Harris Beach

State Park and Bud Cross Park (City owned), because they are close by, are those most pertinent to this discussion.

Harris Beach State Park located along Highway 101 westerly of the Subject Property. Harris Park has open and wooded areas, rest area and Information Center, nature trails, sandy beaches and picnic areas. It has facilities for campsites, travel trailers, restrooms and showers.

Bud Cross Park is located southeasterly of and is accessible from the subject by travelling south along Parkview Drive to Highway 101; travelling south on 101 to Ransom Avenue; and, easterly on Ransom two blocks to Bud Cross Park. By car the drive takes perhaps two to three minutes. The distance is approximately eight blocks.

In its review of these facilities the Comprehensive Plan, Goal 8 Inventory states:

"Harris Beach State Park is located in the northwest corner of the City and includes 171 acres. Picnic areas, overnight camp, showers, laundry rooms, an outdoor theater, hiking trails and a trailer dumping station are provided along the access to the ocean and swimming on the beaches. Harris Beach is one of the most popular State-owned parks in Oregon. The City owns and maintains an uncovered pool at Bud Cross Park..."

That inventory refers to further information found under Goal 11, Public Facilities and Services, which states:

"...Bud Cross Park which contains seven acres and has a large, heated swimming pool and bath house, two lighted tennis courts, two baseball fields, restrooms a concession stand and a large grass play area which is being developed into a landscaped picnic area..."

Since that statement was written Bud Cross Park has seen several additions or improvements such as two more lighted tennis courts, paved basketball court and a softball field.

Harris Park and Bud Cross Park are existing parks. They are situated close by the subject. Therefore, annexation within the City and development of increased housing density on the subject property within the City limits encourages coordination between those recreational facilities and this proposal because the subject lies in close proximity to each. These parks can easily be accessed and utilized by children or adults. They are within walking distance of the subject property. Development of additional residential area in close proximity to these two, existing recreational facilities will assist the City to better utilize these facilities and coordinate the use of those facilities with future residential areas as proposed here.

#### CONCLUSION ON THIS CRITERION:

We conclude annexation of the subject property would serve to encourage better utilization of existing recreational facilities and encourage coordination with expansion, in this

case infilling, of residential areas. This proposed annexation is in accord with Goal 8.

**8. Statement of the Criterion:**

**Goal 9:** To diversify and improve the economy of the Brookings area.

**Policy 2.** The City of Brookings will encourage the diversification of the City and the regional economy. The City wishes to create new employment opportunities while sustaining and expanding existing economic sectors.

**a. Finding on this criterion:**

The findings provided under Goal 9 in the Comprehensive Plan indicate Brookings had a narrow economic base at the time the Plan was adopted. Finding one indicates as follows: "The economic base in the Brookings area is relatively narrow and mostly dependent on the timber industry. The lumber and wood products industry accounts for over 60% of the basic jobs in the County, and there has been a continuing decline in timber harvested in the County since 1959. When interest rates are high, as is the case presently, money for the construction of new houses becomes relatively unavailable. This decrease in housing starts has a negative effect on lumbering activity in the area. As a result, Brookings can expect periods of time with high unemployment rates."

Economic conditions change from time to time and they have changed since the Plan was written. Current and past economic data indicate interest rates have both risen and fallen since then. Times have changed but still the concern voiced in the Plan remains valid. Encouragement of housing starts can have a positive effect on lumbering activity in the Brookings area.

**b. Finding on this criterion:**

Development of two additional lots within an existing residential neighborhood as proposed here, will not solve the problem of a narrow economic base for the local economy pointed out in Article 9 of the Plan. Policy 2 of that Comprehensive Plan Article comes closest of all to addressing any economic impacts of small developments in residential areas such as we propose. Where it indicates:

"The City of Brookings will encourage the diversification of the City and the regional economy..."

Policy 2 sets out the import of even small area residential development. In this case applicants intend dividing the property to create three residential lots in place of the existing one; and, construction of two additional residences. This type of small development will provide employment opportunities for those in the local home building and infrastructure construction industry; and, provide a boost to the local market through increased need for construction and building materials.

The Goal 9 Inventory section of the Comprehensive Plan discusses two general sectors of the local economy. Those are the Basic and Non-basic sectors. The Inventory states:

The economy can be separated into two separate categories. The basic sector is the first category which is responsible for bringing money into the area. The second part is the non-basic category which uses the income generated by the basic economy. A particularly good example of this is the sale of timber to another area. this sale brings outside income into the area which is in turn spent on trades and services locally. The basic sector is, therefore, supporting the non-basic sector..." The inventory indicates that the lumber and wood industry and tourism industry are examples of basic economic sectors for Brookings.

Where it discusses the Non-Basic economic sector the Plan inventory document completes the reasoning as it states:

"the capital revenues generated by the basic economic sectors establish the ability to purchase goods and services which comprise the non-basic sectors. these sectors include trade and services; construction; transportation, communication and utilities; finance, real estate and insurance; and local government..."

The inventory provides data for several Non-basic sectors. Those listed are 1) Trade, 2) Service, 3) Construction, Transportation, Communications, Utilities, 4) Finance Insurance and Real Estate and 5) Government.

The question then is what local non-basic economic sectors are involved with first building and then marketing and having families occupy new dwellings? It seems reasonable that at least the Trades (plumbers & electricians), Construction, Utilities (electric power, water, sewer etc.), Finance (banking) and Real Estate sectors would be involved. Admittedly the economic impact of building two additional houses in the City of Brookings will be small; but, it will have a positive impact on the local Non-basic economic sector. Economic spin offs will accrue to other sectors of the local economy as well because increased spending by one sector generally manifests itself in increased spending by other economic sectors such as the service industries. It will result in each gaining business activity. Therefore, the Plan policy to create new employment opportunities while sustaining and expanding existing economic sectors will be served.

#### **CONCLUSION ON THIS CRITERION:**

We conclude this proposed annexation is in accord with Goal 9.

#### **9. Statement of the Criterion:**

Goal 10: Provision of varied housing which is safe, sanitary and adequate for all residents of the community.  
Policy 1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and

existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.

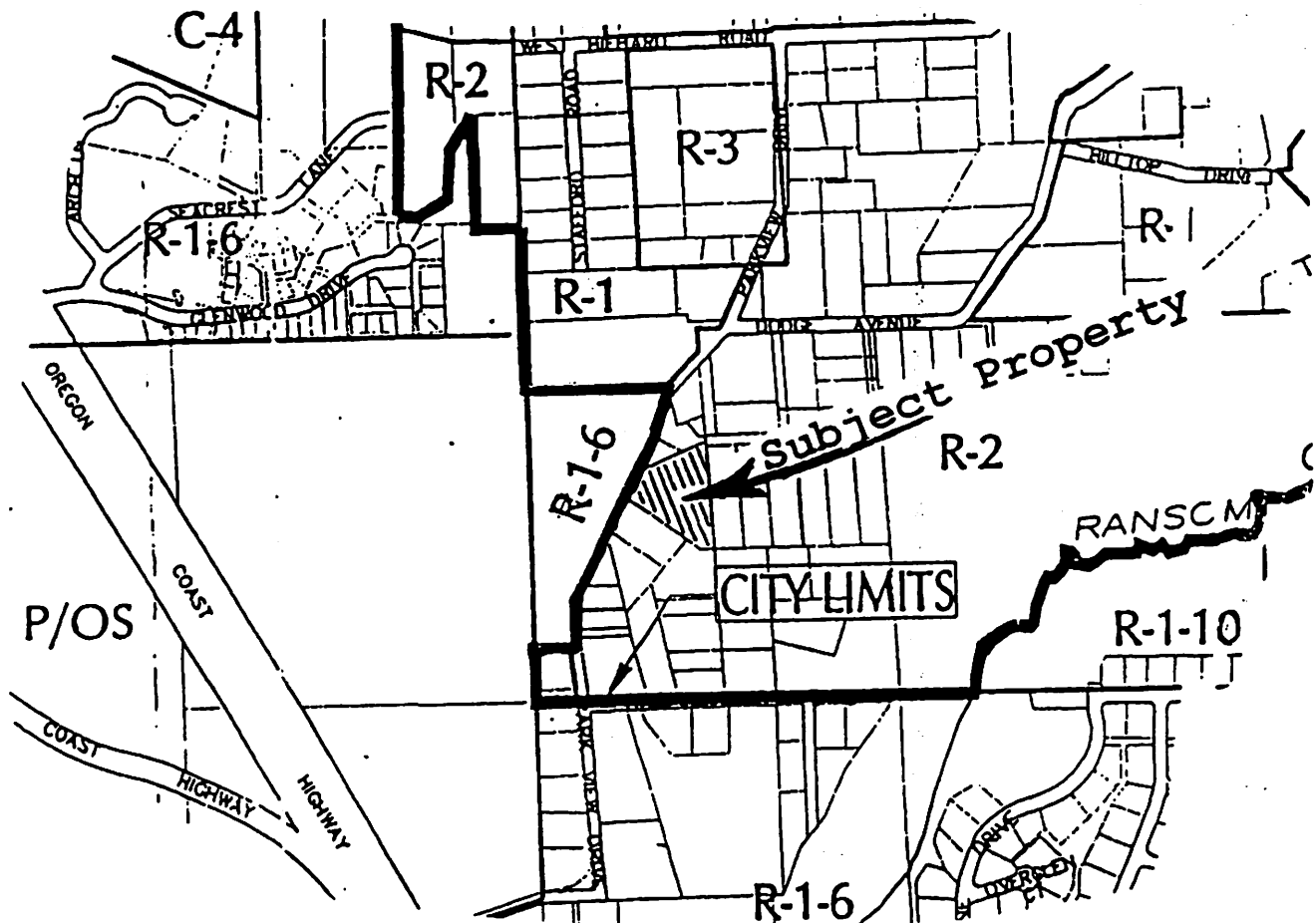
Policy 2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.

Policy 3. City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.

a. Finding on this criterion:

The subject property is currently located within the jurisdiction of Curry County. The County zoning applied to the subject property is Residential as shown on the Zoning Map below. Given approval of this request and upon annexation of the property City staff indicates the policy of the City is to provide zoning of like type; meaning the subject would have Residential zoning applied to it upon annexation to the City.

ZONING MAP





Applicants intent, given approval of this annexation, is to partition the property and develop two additional single family dwelling sites on it. Currently there is one single family dwelling located on the property. Where Goal 10 Policy 2 states "...City shall provide for a variety of housing options and sites and plan for suitable locations..." it most certainly describes the situation of this property. The subject is located in the existing, residentially zoned and developed neighborhood along Parkview Drive. Therefore, annexation and further development of this property is best described as in-fill within this urban area. Because the area constitutes an existing residential neighborhood, it is a suitable location for additional residential development via annexation to the City and redevelopment to urban standards.

**b. Finding on this criterion:**

The Technical Memorandum, Brookings Urban Growth Boundary Needs Analysis by Cogan Owens Cogan, indicates at Table 9 there were 1,987 acres of "existing developed in UGB" at the time of that study (1995). The subject property is 1.51 acres according to records of the Curry County Assessor Department. This proposal therefore equates to slightly less than one one thousandth of one percent ( $1.51 \text{ divided by } 1,987 = .000759$ ) of the land area within the Urban Growth Boundary which is (was) already developed.

**c. Finding on this criterion:**

Table 4, Estimated and Projected Population Brookings Urban Growth Area, of the Cogan Owens Cogan memorandum projects the number of new dwelling units needed in the UGB by the year 2015 (thirteen years hence) at 3,962 dwelling units. The calculation of percentage the proposed two additional dwellings would be of the total projected dwelling units equals, again, less than one thousandth of one percent ( $2 \text{ divided } 3,962 \text{ DU} = .000504$ )

**d. Finding on this criterion:**

The subject property is located adjacent an existing paved street and nearly all services, i.e. water, power, telephone, cable TV and etc. are located along this street. Upon approval, this request for annexation will allow extension of municipal sewer service lines to proposed development on the subject property. The extension of sewer service will allow more dense development in a sanitary fashion; and, because it is located in close proximity to recreational and commercial services of the neighborhood and community, annexation of the subject property will assist the City in attaining its goal to provide for a variety of housing which is safe, sanitary and adequate for all residents of the community. It will provide efficient use of the existing array of public facilities and services currently in use in the neighborhood.

**e. Finding on this criterion:**

The City, for many years, worked to adopt and later amend an Urban Growth Boundary (UGB) to guide its growth and development. The UGB was first acknowledged to be in conformance with Statewide Planning Goals by the Land Conservation and Development Commission (LCDC) in 1981. The process of UGB amendment hit a milestone in 1995 when an amended Boundary was adopted. The process of gaining Acknowledgment of that amendment by LCDC culminated after that Commission's final action on the matter in May of 2001. It is important the subject property was in the original Urban Growth Boundary. It remains within the recently acknowledged boundary amendment.

#### **CONCLUSION ON THIS CRITERION:**

The subject property has for a long time been in an area planned to be developed to urban standards and densities. Through mutual policy decisions which guide the implementation of the urban growth boundary, both the County and City, and now with renewed concurrence from LCDC through another acknowledgement, set out and later reaffirmed their intent the subject property is best utilized for residential development to urban densities and standards. Bringing about more nearly urban density on the subject property has been the adopted intent of City, with concurrence from Curry County and State government for twenty one (21) years. We conclude this proposed annexation is in compliance with Goal 10.

#### **10. Statement of the Criterion:**

**Goal 11: To Plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for urban and rural development.**

##### **Public Works:**

- A. Water treatment facilities will be maintained with the proper observation and planning to expand facilities on a timely basis to provide continued service to existing customers and projected growth.**
- B. Water distribution, pumping and storage construction will be constructed for new development by developers. The city council is presently reviewing methods of implementing a "pay as you go" development policy.**
- C. Wastewater treatment facility expansion programs will be funded through the most cost-effective methods utilizing all available federal, state and local funds.**
- D. All public works construction to serve newly developed areas will be on the "pay as you go" policy with developers designing and constructing new facilities in accordance with the city Standard Detail and Specifications adopted September, 1981**

#### **a. Finding on this criterion:**

The city "Standard Detail and Specifications" quoted in the Plan have, over time since adoption of the Plan, been updated and

amended. According to City staff the current document is referred to as "General Engineering Requirements and Standard Specifications" and was adopted in August 1988 and updated August 1998. Those standards are applied to all development and will be applied to development which may result from this application. The framework of public facilities and services is guided by implementation of those standards through the land use permit process, including building and plumbing permits. As a result of the long term land use decisions already made through residential zoning and urbanizable status for the subject property and engineering standards for design and construction of facilities, the framework for urban development of this property is already in place.

**CONCLUSION ON THIS CRITERION:**

This proposal for annexation is in accord with Goal 11.

**11. Statement of the Criterion:**

Goal 12 To provide and encourage a safe convenient and economic transportation system.

**a. Finding on this criterion:**

Goal 12 does not directly apply to this application and need not be specifically addressed here. This is because City design standards for roads and streets are long standing and apply to all new development. Standards for design and construction of streets and roads to serve new development are contained in City ordinances which were adopted in response to the Comprehensive Plan. The act of the City adopting and now enforcing those standards implements the goal "to provided and encourage a safe convenient and economic transportation system". Given approval of this request for annexation, a subsequent application for division and development of the subject property will be processed in accord with current City standards for streets and other public facilities.

**CONCLUSION ON THIS CRITERION:**

Future development of the subject property will become consistent with Goal 12 through implementation of the design standards previously adopted and contained in the Brookings Land Development Code.

**12. Statement of the Criterion:**

Goal 13 To conserve energy.

Policy 2. Brookings will encourage the infilling of undeveloped parcels of land within the City as well as the re-use of vacant land to the extent possible. The City will encourage land development practices which conserve energy as well as utilize renewable energy sources when-ever possible. The City desires high density development to be

located adjacent to major shopping areas and along major transportation routes, as appropriate.

**a. Finding on this criterion:**

The major shopping area of the City is located along the corridor of Highway 101. The subject property is located approximately one and three quarter miles by paved road from the intersection of Highway 101 and Fifth Street which is the approximate center of commercial uses within the City. Such close proximity to the major shopping area and major transportation route places the subject in a position which will assist the City in its desire to develop residential uses in close proximity to these features. The neighborhood constitutes an area of existing residential development. This neighborhood does not currently have true urban densities. This proposed annexation and subsequent additional development will assist the City to redevelop this portion of the urbanizable area to a more appropriate urban density.

**b. Finding on this criterion:**

The subject property is located approximately one third mile from Highway 101, the major transportation route which traverses through the County and City. This drive should require two to five minutes. Therefore, annexation and subsequent development of the subject will result in short commute distances to this major traffic route. Similarly the close proximity of the subject to shopping, governmental and professional services tends to promote little travel in order for homeowners to travel to and from these services. Those services are one and three quarter miles distant to the southeast of the subject along Highway 101 near the intersection of Fifth Street. The subject lies adjacent Harris Beach State Park and is within a few minutes of City parks and the public schools. All these locational factors will result in the desired situation whereby driving distances for normal family activities are kept short as intended. Shorter travel distances between homes and schools, parks, government, professional and commercial services means less fuel consumed; less tire wear and etc. All of which translates into less energy consumption; whether the the energy consumption results from engine operation time, manufacture of tires or vehicle repair parts, these factors will help bring about the desired savings of energy.

**CONCLUSION ON THIS CRITERION:**

For the above stated reasons, annexation and subsequent development of the subject property is a development practice which will conserve energy.

**13. Statement of the Criterion:**

**Goal 14 Urbanization** to minimize the expansion of the urban service area outside of the city limits in order to provide

for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural and forest lands outside of the City.

Policy 1. City shall maintain the livability of Brookings while providing appropriate land-use designation and adequate areas to accommodate expected growth.

Policy 2. City shall encourage the orderly outward growth of the community in order to maintain costs of construction, maintenance, and extension of streets, utilities and public facilities at the lowest level possible.

Policy 3. City shall annex lands that are contiguous to the City limits and continue to extend City services only to areas within the corporate limits. City shall continue to honor present agreement for provision of public services in areas presently outside the corporate limits.

**a. Finding on this criterion:**

The subject property was included within the urban growth boundary when the Brookings Comprehensive Plan was adopted in September, 1981. The subject property lies within the urban growth boundary amendments adopted by the City Council and Board of Commissioners on April 20, 1995. The subject property remains in the urban growth boundary at present and there is no evidence of any challenge to urbanizable status throughout the process of the boundary amendment through the past seven year Periodic Review procedure. The amended Urban Growth Boundary has been Acknowledged by LCDC. The subject is and has been in the urban growth boundary and has been planned and zoned for urban residential development since the Plan was adopted. Therefore, the City and County have provided appropriate land-use designation for urban use. Annexation of the subject property will assist in the City's stated desire to provide adequate areas to accommodate expected growth.

**b. Finding on this criterion:**

As demonstrated by the mapping contained in this application, the subject property is located situationally near the City Limit so as to be annexable (see "Zoning Map" on page 15). The Subject Property lies adjacent the east Right-of-way line of Parkview Drive. The west Right-of-way line of that road is the present City Limits. Enactment of City Ordinance No 02-0-546 brought City Limits into close proximity with the subject. City Limits are currently accross the street (Parkview Drive) from Tax Lot 1200. Oregon Revised Statutes (ORS), Chapter 222 contains law under which annexation to cities may occur. ORS 222.111 in pertinent part reads:

"222.111 Authority and procedure for annexation, generally.(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS ... the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way...."

Because the subject property is separated from the existing City Limit only by a public right-of-way it may be annexed in accord with the Statute. Annexation of the subject property will constitute the orderly outward growth of the City.

**c. Finding on this criterion:**

The stated policy is to not extend City services until land is annexed within the corporate limits of the City. Since most urban services are present in the area, as it applies to this neighborhood the policy is referring mainly to municipal sewer service. Upon annexation, extension of City sewer service presently existing along Parkview Drive neighborhood could then occur to the subject in accord with the stated desire to extend City services only to areas within the corporate limits. Given approval of this application and annexation of the subject property, extension of City services to the subject will only occur "...to areas within the corporate limits..." of the City.

**CONCLUSION ON THIS CRITERION:**

We conclude annexation of the subject property is in accord with policies of Goal 14.

**14. Statement of the Criterion:**

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

Goal To protect, maintain, and where appropriate restore or develop the long term environmental, economic, and social values, diversity and benefits of the Chetco River Estuary.

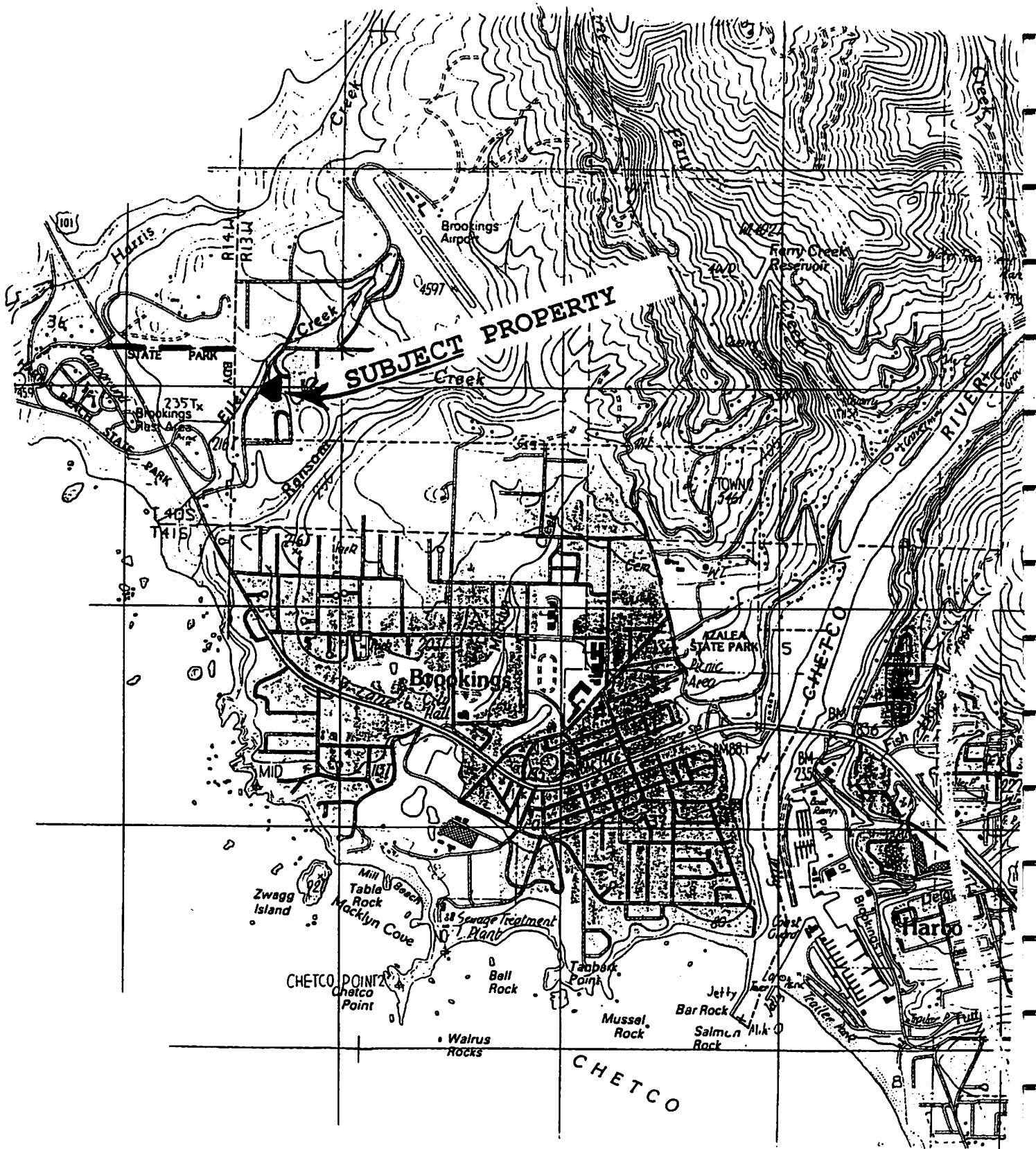
**a. Finding on this criterion:**

The Subject property is located more than two miles as the crow flies from the Chetco estuary. A Drainage Area Map appears on the following page which is prepared from a copy of the US Geologic Survey, Brookings Quadrangle topographic map. As can be seen on that map, runoff from precipitation received on the subject property flows down hill to the south across neighboring property then through a culvert under Parkview Drive to the west. That water will drain to the Pacific Ocean along the small natural drainage which is located off site on the opposite (west) side of Parkview Drive. That drainage is named Eiler Creek on the map. This small drainage reaches the Ocean near the intersection of Parkview Drive and Highway 101 approximately one mile south, southwest of the subject. Because water runoff from the subject does not pass through or drain into the Chetco Estuary, development of the subject property will not significantly impact the Chetco estuary.

**CONCLUSION ON THIS CRITERION:**

Goal 16 does not apply to this application.

# Drainage Area Map





**15. Statement of the Criterion:**

**Goal 17 Coastal Shorelands**

**a. Finding on this criterion:**

The subject property is located approximately one mile from any Ocean shoreland and on the north extremities of the City as demonstrated by maps included in this report. The City lies between the subject and the ocean shoreland and resources.

**CONCLUSION ON THIS CRITERION:**

Goal 17 does not apply to this application and is not addressed here.

**16. Statement of the Criterion:**

**Goal 18 Beaches and Dunes**

**a. Finding on this criterion:**

The subject property is located on the north extremities of the City. It is approximately one mile distant from any Ocean beach or dune. That intervening space within that separation distance is occupied by either high density urban level development or the Visitors Center, Campground and other development of Harris Beach State Park.

**CONCLUSION ON THIS CRITERION:**

Goal 18 does not apply to this application and is not addressed here.

## **Part 2 Land Development Code, Section 148**

### **1. Statement of the Criterion:**

148.020 Application procedures. An application for annexation may be filed with the city on a form prescribed by the city, accompanied by a filing fee in the amount established by general resolution of the city council. No part of the filing fee is refundable. Said application shall contain the following information:

A. Vicinity map drawn to scale of 1" = 1,000' identifying the proposed area of annexation and existing city limits.

#### **a. Finding on this criterion:**

The requisite vicinity map appears on page one of this application. Additionally, other maps appear throughout this application which show the subject property and its relationship to other property and features of the surrounding neighborhood. The best vicinity map for this application according to City staff is Assessor 40-13-31CB on which the Subject Property is delineated. That map was submitted with the this application along with the requisite \$725.00 Filing Fee paid by Applicants Agent, Western Land Use Services.

We conclude this application is in accord with this criterion.

### **2. Statement of the Criterion:**

B. Assessor's parcel maps of the proposed annexation area, which maps shall indicate and identify those parcels which consents to annex have been signed by either electors or owners.

#### **a. Finding on this criterion:**

Assessor Map 40-13-31CB is attached to this application as required. Tax Lot 1200 is the subject of this Request for Annexation. According to Curry County deed records the owners of this lot are:

Tax Lot 1200, Map 40-13-31CB

William Pl Welch and Zia & Associates Inc.

No other property or ownership is included in this request for annexation. This proposal complies with this criterion.

### **3. Statement of the Criterion:**

C. Consent to annex forms completed and signed by all consenting property owners and electors within the contiguous territory proposed to be annexed.

**a. Finding on this criterion:**

Brookings Planning Director, Mr. Bischoff, indicates this request for annexation does not require consent to annex forms be signed. In this case only one single tax lot is affected and the owners of this property have signed the application form. The act of submitting application for annexation, because it shows intent of the property owner and contains that owners signature, replaces the need for the consent to annex form. Therefore, no consent to annex form is necessary with this application and none is submitted. This application is a statement of intent and consent to annex and therefore is in compliance with this criterion.

**4. Statement of the Criterion:**

**D. Legal metes and bounds, or lot and block description of the territory proposed to be annexed.**

**a. Finding on this criterion:**

The metes and bounds description of the subject property is as depicted on Warranty Deed, B & K Smith to Welch & Zia & Associates Inc., dated April 3, 2001, filed for record April 4, 2001 at Curry County Inst #2001 Pg 1571. The description recorded on that deed describes the subject property as follows:

A Tract of land in Government Lot Three (3) Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a point North 1914.2 feet East and 272.2 feet from the Southwest corner of said Section 31, said point being on the Easterly line of the County Road known as Parkview Drive:

thence following said Easterly line of Parkview Drive North 29 31' East 163.5 feet to the true point of beginning:

thence along said Parkview Drive North 29 31' East 124.9 feet;

thence North 67 27' East 228.2 feet;

thence South 2 28' East 389.6 feet;

thence West 43.73 feet:

thence North 52 0' West 317.53 feet, more or less, to the point of beginning.

**5. Statement of the Criterion:**

**E. Specific information on each parcel within the territory proposed to be annexed as follows:**

1. Curry assessed valuation as shown on the Curry County Assessor's tax rolls.
2. Acreage.
3. Map and tax lot number.
4. Owner or owners of record and/or registered electors residing on the premises of the subject parcel.

**a. Finding on this criterion: Curry assessed valuation**

There is only one tax lot proposed to be annexed with this application. That is Tax Lot 1200 of Curry County Map 40-13-31CB

The Curry County Assessor office indicates current real market value assessments as follows:

Tax Lot 1200; Improvements	\$ 19,210	=	768 sq ft Dwelling
Land	<u>54,070</u>		
Subtotal	=	\$ 73,280	

**b. Finding on this criterion: Acreage:**

Acreage reported here is based on Curry County Assessor Department records.

Acreage is: TL 1200 = 1.51 Ac.  
Total = 1.51 Acres

**(a.3.) Map and Tax Lot Numbers:**

This parcel is located on Map 40-13-31CB

**(a.4.) Owners of Record**

Owners of Record per County Assessor:

TL 1200 William P Welch Et Al  
95100 Edson Creek Trail  
Gold Beach OR 97444

Zia & Associates, Inc  
97848 Titus Lane  
Brookings OR 97415

This ownership is documented by Curry County Clerks Office recorded documents recorded as follows:

Warranty Deed, B & K Smith to Welch & Zia & Associates Inc., dated April 3, 2001, filed for record April 4, 2001 at Curry County Inst #2001 Pg 1571. attached to this application as Exhibit 5.

**6. Statement of the Criterion:**

**F. Addresses of all dwelling units and businesses within the territory proposed to be annexed.**

**a. Finding on this criterion:**

According to records of the Curry County Assessor Department there is one dwelling unit on Tax Lot 1200 which is addressed at 16999 Parkview Drive, Brookings, Oregon, 97415. There are no commercially assessed structures located on the Subject Property.

**7. Statement of the Criterion:**

**G. Written findings of fact prepared by the petitioner(s) or petitioner(s) representatives which address the following:**

- 1. Existing land uses within the territory proposed to be annexed.**
- 2. existing zoning and comprehensive plan designations within the territory.**
- 3. Existing improvements, such as water system, streets, sanitary sewer, storm drainage.**
- 4. Special service districts within the territory proposed to be annexed, such as water, irrigation, fire, school, sanitary.**
- 5. Urban services needed and necessary to service the territory proposed to be annexed, the availability of same relative to capacity, condition and cost of extension and/or improvement to urban standards.**
- 6. Compliance with all applicable goals and policies of the comprehensive plan.**
- 7. Compliance with any of the below listed criteria A through E of subsection 148.030.**

**a. Finding on this criterion:**

The Subject Property is currently in residential use. It is occupied by one dwelling at the address of 16999 Parkview Drive, Brookings, Oregon, 97415. Assessor Department records indicate this dwelling was built in 1940 and has a living area of 768 square feet. Assessed value of the structure is \$19,210.

The subject property lies within the jurisdiction of Curry County. The County Comprehensive Plan designates the property as Residential and the County Zoning Ordinance Map indicates all of the subject property is zoned Residential R1.

**b. Finding on this criterion:**

Tax Lot 1200 served by an on-site subsurface sewage system. The nearest City of Brookings Sewer Line is approximately 900 feet distant to the south of the subject within the right-of-way of Parkview Drive. City Water Lines lie in the adjacent R-o-W of Parkview Drive and extend beyond the subject to the north to the

vicinity of the airport. Tax Lot 1200 is served by City Water according to City of Brookings staff.

Parkview Drive is a paved, striped, two lane County Road No 752 which lies adjacent the Subject to the west. There is considerable small lot development along the Parkview Drive neighborhood to the north, east and south of the Subject. All other services such as Telephone, cable TV and electric lines also exist and are in use in the vicinity.

According to Assessor Map 41-13-31CB, the subject property is located in an area of Curry County assigned tax code area 17-7. According to printed information distributed by the Assessors Office titled "Curry County 2000-01 Tax Roll Summary By Taxing Districts" the following special districts and other entities have taxing authority in this tax code area:

- School District 17-C
- Education Service District
- South West Oregon Community College
- Port of Brookings-Harbor
- South Curry Cemetery District
- Suburban Fire District
- Chetco Library District
- Coos Curry 4H & Extension
- Curry County General
- Curry Soil and Water Conservation

Based on this tax code area information there are no special districts providing municipal water or sewer services to the subject property or its vicinity.

**Criteria Repeated:**

5. Urban services needed and necessary to service the territory proposed to be annexed, the availability of same relative to capacity, condition and cost of extension and/or improvement to urban standards.

**c. Finding on this criterion:**

A complete array of Brookings area urban services is anticipated and desired to serve the area to be annexed to include: municipal sewer and water, Coos Curry Electric Cooperative electric service, Cable or Satellite TV, Police and Fire Protection.

**Criteria Repeated:**

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

7. Compliance with any of the below listed criteria A through E of subsection 148.030.

**d. Finding on this criterion:**

Issues regarding compliance with all applicable goals and policies of the comprehensive plan are discussed in Part 1 of

this application and those findings are made a part hereof by this reference.

Issues regarding compliance with criteria A through E of subsection 148.030 are dealt with in the remainder of this Part 2 of this application below.

**8. Statement of the Criterion:**

**148.030. Annexation criteria.** Proposed annexation petitions shall be determined to not represent a potential negative or adverse impact upon the citizens of Brookings, either financially or in terms of the livability of the community. Such determination shall be made by the evaluation and assessment of the proposed annexation in relation to the following considerations and criteria.

**A.** The proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the city boundaries and is found to be a necessary control for development form and standards of an area adjacent to the city.

**a. Finding on this criterion:**

Through out the land use planning process cities and counties were to establish urban growth boundaries in response to Statewide Planning Goal 14. The subject property is within the Urban Growth Boundary adopted along with the City of Brookings 1981 Comprehensive Plan. Additionally, the subject property lies within the expanded Urban Growth Boundary adopted by the City of Brookings and Curry County in 1995. The subject property lies within the Urban Growth Boundary amendments resulting from Periodic Review work task evaluations which were Acknowledged in May, 2001 by the Land Conservation and Development Commission.

**b. Finding on this criterion:**

Goal 14 sets out seven factors local governments are to consider when establishing or changing urban growth boundaries. The City of Brookings and Curry County have worked during the past two and a half decades to first establish and then amend the Brookings Urban Growth Boundary in response to the charge of the seven factors of Goal 14. Inclusion of the subject property and its neighborhood within the UGB nor urbanizable status resulting from that inclusion have not been challenged during that time and have not been an issue during the process.

Two of the seven factors address ... "orderly and economic provision of public facilities and services" ... and ... "Maximum efficiency of land uses within and on the fringe of the existing urban area ...". Following the adoption of the 1981 Comprehensive Plan the Land Conservation and Development Commission acknowledged the Brookings Comprehensive Plan (and the included Urban Growth Boundary) as being in compliance with the Statewide Planning Goals. Several years of effort by the City of Brookings and Curry County to amend the UGB resulted in changes the

boundary in 1995 and subsequent LCDC Acknowledgment of that amendment.

We conclude the proposed annexation is within the urban growth boundary and represents a logical, efficient and economical extension of the City boundaries. Further, annexation of the subject property is found to be a necessary control for development form and standards of an area adjacent to the City.

**9. Statement of the Criterion:**

**B. The proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city (direct responsibility for extension costs shall be addressed).**

**a. Finding on this criterion:**

As stated above the subject property was included within the UGB after consideration of the Goal 14 factors regarding economic provision of services and the Boundary was acknowledged by LCDC. The positive judgment regarding economic provisions of services to the subject property inherent in those decisions most probably resulted from its location in relation to the City and urban facilities. The east boundary of the subject is located adjacent the Parkview Drive. Water and sewer mains are located within the right-of-way of that street. Water lines are within the adjacent right-of-way. The sewer main is also in the right-of-way of Parkview Drive however that service line ends approximately 1,400 feet distant from (south of) the subject property. Other services such as power, cable TV, telephone, etc. are also located along this right-of-way and also within the pattern of streets in the neighborhood.

**b. Finding on this criterion:**

Of paramount concern when developing urban areas with an eye toward "functional and economic provisions of services" is whether the area to be served drains down hill to the nearest existing sewer main. Put another way; will sewer lines be able to flow by gravity rather than having to rely on mechanical pumping stations to assist the flow of sewage to treatment facilities. The least expensive, and therefore the most economical, is normally gravity flow piping. Since the subject is located uphill from the existing sewer line, we conclude the proposed annexation will facilitate the functional and economic provision of services within the UGB.

**c. Finding on this criterion:**

Applicant Zia indicates his intent is to partition the property and develop two additional dwellings for a total of three dwellings on the property. City police and fire services and other services are in existence and use in the neighborhood.



Land on the opposite (west) side of Parkview Drive is within the City Limit. Harris Beach State Park lying further to the west is also located within the City Limits. Hampton Road which is the City Limit is located approximately 750 feet south of the subject property. City Fire and Police are already in service to those areas.

Further, the Subject Property has an area of approximately 1.51 acres. City services will not be significantly impacted by annexation of the subject and subsequent development of the intended three homesites. Even assuming the property could be physically developed to maximum density for six dwellings [I.E.  $1.51 \text{ Acer} \times 43,560 = 50,094 - 10,018 \text{ (20\% road \& Utilities)} = 40,076 \text{ divided by } 6000 = 6.67 \text{ or } 6 \text{ lots/dwellings}$ ] This relatively small number of lots will not seriously impair City services to existing portions of the City. Development of the subject may indeed result in extension of systems to the property of greater size and serviceability than existing systems. This because the entire neighborhood north to the area of the Airport lies within the UGB, is urbanizable; and, therefore will require improved, upgraded sewer and water and other facilities at some time in the future. Indeed, the discussions contained in this application regarding impact analysis of the proposed annexation demonstrates there will be a positive economic impact (although admittedly small impact) of the annexation.

City staff indicates the municipal sewer plant was designed to meet population projections to the year 2017. The plant has been recently upgraded so there is plenty of sewer plant capacity. We conclude the proposed annexation will facilitate the functional and economic provisions of services within the Urban Growth Boundary without seriously impairing city services to existing portions of the city.

#### **10. Statement of the Criterion:**

**C. the annexation represents a needed solution for existing problems resulting from inadequate or insufficient provisions for sanitation, water service or other related problems resulting from development with less than full urban services and facilities provided.**

#### **a. Finding on this criterion:**

The Subject property is developed with one dwelling which utilizes a septic system. The existing sewer line along Parkview Drive ends in the ninety degree turn near the retirement home south of the subject. There is an existing water system in the Parkveiw Drive and Dodge Avenue neighborhood. Based on old mapping from City records and on discussions with City staff, there area City water mains along Parkview Drive and Dodge Road in the vicinity. The mapping indicates a six inch water line in R-o-W of Parkview adjacent the subject. City staff indicates a problem of inadequate water presure exists in the area toward the

Airport, however, that situation does not effect the subject property.

The property is in the urbanizable area and lies adjacent (across Parkview Drive from) City limits and existing water and other urban services. An eight inch sewer line is to be installed to provide sewer service to the Mahar property. That will solve the problem of no current sewer service to the area. Applicant will be required to connect to that service. The existing water system may be utilized. This process will ultimately allow a full array of urban level services to proposed development on the subject property and will provide a needed solution to potential problems of inefficient use of urban areas. In order to bring about the intent to urbanize the subject property inherent in City and County Comprehensive Plans, which depict the subject as urbanizable land, annexation must occur so that a full array of urban services (most notably sewer service) may be extended thereby avoiding the problem of inefficient use of urban land.

**11. Statement of the Criterion:**

**D. The proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for the uses projected on the comprehensive plan or will add property which has existing development in need of urban services.**

**a. Finding on this criterion:**

The Brookings Comprehensive Plan, dated September, 1981, sets out identified needs for urban residential land. The Plan indicated at that time there was a need for 673 dwelling units within the Urban Growth Area. The subject property, along with neighboring land, was included within that Urban Growth Boundary to accommodate a portion of that identified need. Applicant Zia indicates an anticipated development of three lots through later division of the property given approval of this annexation request. This would constitute a portion, albiet a small portion, of the identified need. This proposal will provide a portion of the needed residential growth of the City as stipulated two decades ago in the Plan.

We conclude the proposed annexation will add property to the city which is needed to provide an adequate supply of zoned lands for use as projected in the comprehensive plan.

**12. Statement of the Criterion:**

**E. The lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.**

**a. Finding on this criterion:**

As indicated above, the Brookings Comprehensive Plan of 1981 set out identified needs for urban residential land at that time for 673 dwelling units within the Urban Growth Area and the subject property was included within that boundary to supply a portion of that need.

**b. Finding on this criterion:**

Since adoption of the Plan in 1981 there have been two major amendments to the Urban Growth Boundary. The first of those amendments occurred in May 1995 after several years of study by the City and by outside consultants. The 1995 amendment to the boundary increased the size of the Urbanizable Area. The City and County prepared findings in support of the UGB which were in response to Periodic Review work tasks issued by LCDC. Those remand findings also verified the need for increased urbanisable area. The later needs analysis, which indicated even greater need for all classes of urban land, helps underscore the original decision of the City the subject property is urbanizable; is needed for urban development; and, should be developed under and to urban development standards once annexed to the City. We conclude the lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.

**c. Finding on this criterion:**

The Technical Memorandum, Brookings Urban Growth Boundary Needs Analysis by Cogan Owens Cogan, indicates at Table 9 there were 1,987 acres of "existing developed in UGB" at the time of that study (1995). The subject property is 1.51 acres according to records of the Curry County Assessor Department. This proposal therefore equates to slightly less than one one thousandth of one percent ( $1.51 \text{ divided by } 1,987 = .000759$ ) of the land area within the Urban Growth Boundary which is (was) already developed.

**d. Finding on this criterion:**

Table 4, Estimated and Projected Population Brookings Urban Growth Area, of the Cogan Owens Cogan memorandum projects the number of new dwelling units needed in the UGB by the year 2015 (thirteen years hence) at 3,962 dwelling units. The calculation of percentage the proposed two additional dwellings would be of the total projected dwelling units equals, again, less than one thousandth of one percent ( $2 \text{ divided } 3,962 \text{ DU} = .000504$ )

**Conclusion on this Criterion:**

Based upon information contained in UGB background studies and documents, we conclude the lands within the boundaries of the proposed annexation are demonstrated to meet identified needs for urbanization and/or transportation networks.

**13. Statement of the Criterion:**

**148.040 Annexation impact analysis.** the comprehensive plan sets forth a program and direction for the future growth and development of the city of Brookings. Annexations are a means of implementing the goals and policies contained in the plan, recognizing that the city must plan for and provide extension of services to contiguous lands that will allow for development to densities as designated in the plan following annexation.

To assure that the planning commission and city council, prior to acting upon a proposal for annexation, is fully informed as to the potential impacts of the annexation upon both the city and the territory proposed to be annexed, it shall be required that an impact analysis containing, but not limited to, the following information be prepared and submitted by the applicant(s) for consideration by the staff, advisory (Planning Commission) and approving authority (City Council).

A. A statement of the municipal service needs, if any, of the territory proposed to be annexed, including police and fire protection; public sewer and water supply facilities; street improvement or construction, or both; and such other municipal services that may reasonably be required.

**a. Finding on this criterion:**

There is one dwelling currently on the property. Development of two additional dwelling units on the site will require municipal police and fire protection.

The July, 2001 population estimates for the City of Brookings as published by Portland State University Center for Population Research was 5,680 persons. The average number of persons per household reported by the Cogan Owens Cogan memo for UGB land north of the Chetco River was 2.13 persons. Accordingly, extrapolating from those figures results in 2,667 households within the City.

An addition of 2 dwelling units as proposed would be an increase in the number of households in the City equivalent to 0.0007 or less than one tenth percent of the existing number of units. That increase in the number of dwelling units subject to police and fire coverage is not great; particularly so considering the Brookings Fire Department already serves the Suburban Fire District which is a large area surrounding the City

under contract agreement. This level of development would not be a significant impact to police and fire services.

Because the Parkview Drive neighbor hood is already provided fire protection service by the Brookings Fire Department; there is almost no impact to levels of fire service.

Municipal sewer and water will be required for development and, as indicated, these services are presently existing and in use in the neighborhood and will be utilized or applicants will participate in extension costs as required. Actually the extension of Sewer lines north along Parkview Drive will likely be brought about through development of neighboring property (Mahar) across that road from the subject. In that event applicant will be required to reimburse sewer construction costs on a prorated basis for the three dwelling hookups.

**14. Statement of the Criterion:**

**B. A statement of the projected methods and costs of supplying reasonably needed municipal services to the territory proposed to be annexed.**

**a. Finding on this criterion:**

Calculations based on Cogan Owens Cogan household size (2.13) estimates and a six lot maximum indicates that resulting development would add approximately 12 persons. the applicant indicates later land division and development applications will be submitted for three lots. Therefore, the proposal for three dwelling units equates to less than 1/10% (0.0007) of existing households in the City and 6 persons equates to less than 1/4 % (0.002) of the City population. These are not great increases in existing conditions and these increases would not cause a great impact on municipal services.

**b. Finding on this criterion:**

The developer of the project will construct all streets and utilities necessary to develop the site. Richard Nored of HGE [Consulting Engineer for the City of Brookings] estimates costs for developing a street to City standards, including curbs, gutters and sidewalks on both sides, would be in the range of \$200 to \$250 per lineal foot. The cost to provide utilities (sewer, water and storm drainage buried) will likely range from \$100 to \$150 per lineal foot. However, actual dimension of lots to be created by later land division application is not known at this time, therefore future configuration of street improvements, if any, cannot be calculated. As stated elsewhere in this application, utilities and services are already in existence in the area. The developer will be responsible for extension of those services.

15. Statement of the Criterion:

C. A statement of the additional revenues, if any, available to the city as a result of the annexation.

a. Finding on this criterion:

The principal source of additional revenue to the City of Brookings will be property taxes. Assessor Maps for private property in the City and in the vicinity of the Subject as being in Tax Rate Code area 17-1. We assume tax district 17-1 will be applied upon annexation. The pamphlet "2000-01 Curry County Property Tax Rate Summary" reflects the following taxing authorities and rates.

<u>TAX CODE AREA 17-1</u>		
School District 17-C	3.2494	
Education Service District	0.4432	
South West Oregon Community College	0.7017	
<b>EDUCATION TOTAL</b>	<b>4.3943</b>	<b>4.3943</b>
City of Brookings	3.7631	
Port of Brookings-Harbor	0.1249	
South Curry Cemetary District	0.0368	
Chetco Library District	0.4256	
Curry Co. 4H & Extension Service	0.1021	
Curry County General	0.5588	
<b>TOTAL GOVERNMENT</b>	<b>5.0113</b>	<b>5.0113</b>
City of Brookings (not subject to Mes 5)	0.2735	0.2735
Brookings Harbor Health	0	
Curry Soil and Water Conservation	0	
<b>TOTAL CODE RATE</b>	<b>9.6791</b>	<b>9.6791</b>

The total City tax rate in area 17-1 is 4.0366. Figure 2, below, reports the assessed value for land and improvements on the land of several neighborhood lots. This information provides base value for existing neighboring development.

**Figure 2**  
**Neighboring Property Value**

<u>Tax Lot</u>	<u>Improvements</u>	<u>Land</u>	<u>Total Value</u>
<b>On Map 40-13-31B</b>			
1500	93,330	60,090	153,420
<b>On Map 40-13-31CB</b>			
500	273,990	90,890	364,880
800	16,920	76,720	93,640
801	172,530	55,630	228,160
900	81,160	47,450	128,610
1001	112,230	47,200	159,430
1400	110,390	51,520	161,910
Total Assessed Values =			1,290,050
Average Value (7 lots) =			184,292

The Subject Property is currently developed with only one residence. Currently the City derives no tax revenue from the subject property because the property is not within City Limits. According to information from the Curry County Assessor Department, the current (2001) total tax rate for the City of Brookings in Tax Code Area 17-1 is 4.0366 per \$1000 assessed value. Utilizing the average value of the seven developed neighboring lots in the area of the subject but outside the City (which carries the assumption development on the subject would equate to existing neighboring development), the following calculations of low and high estimates of annual tax revenues potentially gained by the City through annexation of the subject property apply:

Assumption: Development will occur to the average value of existing developed lots in the neighborhood (which as reported above is \$184,292).  
Thereby development of 3 lots X \$184,292 (ave value) = \$552,876 X 4.0366/\$1000 (tax rate) = \$2,228.20  
Therefore, \$2,228.20 per year of additional tax revenue would accrue the City.

Therefore, \$2,228.20 per year of additional tax revenue would accrue the City given 3 dwellings. \$4,456.40 per year of additional tax revenue would accrue the City given 6 dwellings.

**b. Finding on this criterion:**

Additional revenues would accrue the City from utility billings to new development. City staff estimates monthly utility bills within the neighborhoods probably average \$55 to \$60 per month. Potential low and high revenue projections can be estimated based on the average neighborhood utility billing factored by the number of dwellings added. The following calculations provide an estimate of potential revenues from utility bill payments:

Subsequent subdivision and development to three lots would result in that many additional utility billings to produce revenue for the City. The revenue derived from \$55 per month utility bills for 3 lots/dwellings would produce an additional \$1,980 per year to the City. [ $\$55/\text{Mo} \times 12 \text{ mo} \times 3 \text{ dwell} = \$1,980$ ]. The revenue derived from \$55 per month utility bills for 6 lots/dwellings would produce an additional \$3,960 per year to the City. [ $\$55/\text{Mo} \times 12 \text{ mo} \times 6 \text{ dwell} = \$3,960$ ].

**c. Finding on this criterion:**

New families occupying the residences will also contribute to the local economy through the purchase of goods and services from local businesses. Spending habits of individuals is a matter of conjecture, however, for the sake of discussion we conservatively assume here the average family of three will spend between \$300 and \$500 per month in the community for food,

clothing, transportation, and other similar living expenses. Therefore, the following calculations apply:

Given partition of 3 lots with associated dwellings; an additional \$10,800 to \$18,000 consumer spending per year would be spent in the community by inhabitant families on living expenses. Six lots with associated dwellings; an additional \$21,600 to \$36,000 consumer spending per year would be spent in the community by inhabitant families on living expenses.

**16. Statement of the Criterion:**

**D. A statement of the foreseeable impact of the proposed annexation upon property within existing city limits, and upon property outside the city limits and contiguous to property included within the proposed annexation.**

**a. Finding on this criterion:**

Potential impacts to property within existing City limits and outside the City will be minimal. Land adjacent in all directions is already developed with residential uses and facilities or will by zoning be developed for residential use. As stated earlier in this application, City street patterns, utility and other services and police and fire protection currently exist in the well developed vicinity. Extension of these services to development on the subject property will, as a result of this proposal, be accomplished as planned in the Comprehensive Plan and Urban Growth Boundary documents which led to the decision to ultimately urbanize the Subject Property.



17. Statement of the Criterion:

E. a statement analyzing the impact of the annexation on the growth, development, and future of Brookings and its urban growth area, recognizing that even small-area annexations involve implicit policy decisions concerning long-range development and ultimate impacts.

a. Finding on this criterion:

As reviewed in this Application, the proposed annexation is in compliance with the criteria for annexation contained in the Brookings Land Development Code. Long ago the City developed and published its projected growth patterns in the Comprehensive Plan and Urban Growth Boundary documents. Annexation of this small property will not bring about all of the plans and aspirations of the City. Annexation of the subject property will assist the City to reach its goals for residential growth and development as stated in the Plan. Because the subject lies adjacent existing, paved streets and other utilities and services, development of the subject property will occur in an efficient manner with little impact to existing services and neighborhoods.

CONCLUSION:

Because the proposed annexation has herein been shown to comply with provisions of the Brookings Comprehensive Plan and Land Development Code which regulate annexations, we request approval of this application.

Respectfully submitted:

Jim Capp, Agent

# EXHIBIT 2

Vacant and available commercial lands are:

Property West of airport	15.7 acres
Snug Harbor	<u>8.6 acres</u>
AVAILABLE	24.3 acres

It is assumed that commercial use will be made of some of the industrial lands. In addition, the Brookings State Airport, totalling 90+ acres has been included in the Urban Growth Boundary since it is an integral part of the City of Brookings commercial activity.

4. Industrial vacant land needs within the urban growth area outside the Harbor Sanitary District Boundary are as follows:

Brookings	67.0 acres
Harbor Sanitary District	<u>19.0 acres</u>
NEEDED	86.0 acres

To meet this need, the City has included vacant, industrial lands adjacent to the South Coast Lumber Yards that amount to 119.3 acres of land, thus meeting the projected need.

5. The Harbor Rural Water District is separate from the Brookings water supply system. The system has a water infiltration galley on the South bank of the Chetco River, that is capable of providing 1,450 gpm which is more than adequate to meet the present needs of the residents. In addition, the District has developed plans to insure that the District will be able to deliver the projected water needs of future residents and meet fire flow requirements.

## POLICIES:

1. City shall maintain the livability of Brookings while providing appropriate land-use designation and adequate areas to accommodate expected growth.
2. City shall encourage the orderly outward growth of the community in order to maintain costs of construction, maintenance, and extension of streets, utilities and public facilities at the lowest level possible.
3. City shall annex lands that are contiguous to the City limits and continue to extend City services only to areas within the corporate limits. City shall continue to honor present agreement for provision of public services in areas presently outside the corporate limits.
4. City shall encourage the development of industrial and commercial lands in such a way as to insure a proper diversification of the local and regional economy.

# EXHIBIT 3

## WARRANTY DEED (INDIVIDUAL)

BUD SMITH and KATHERINE I. SMITH, as tenants by the entirety, herein called grantor, convey(s) to WILLIAM P. WELCH and ZIA & ASSOCIATES INC., each as to an undivided one-half (1/2) interest as tenants in common all that real property situated in the County of CURRY, State of Oregon, described as:

AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except  
AS SHOWN ON EXHIBIT "A" ATTACHED HERETO

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$80,000.00.

Dated this 3<sup>RD</sup> day of APRIL, 2001.

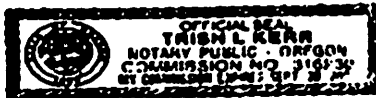
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN CRS 30.930

Bud Smith  
BUD SMITH

Katherine I. Smith  
KATHERINE I. SMITH

STATE OF OREGON, County of Curry) ss.

APRIL 3, 2001 personally appeared the above named BUD SMITH and KATHERINE I. SMITH and acknowledged the foregoing instrument to be THEIR voluntary act and deed.



Before me:

Trish L. Kerr

Notary Public for Oregon

My commission expires: 9-20-02

The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.

### WARRANTY DEED (INDIVIDUAL)

BUD SMITH and KATHERINE I. SMITH  
TO  
WILLIAM P. WELCH and ZIA &  
ASSOCIATES INC.

After Recording Return to:  
CURRY COUNTY TITLE, INC.  
430 Oak St P O Box 1363  
Brookings, OR 97415

Send Tax Statements To:  
WILLIAM P. WELCH  
ZIA & ASSOCIATES INC  
66100 EDSON CREEK TRAIL  
GOLD BEACH, OR 97444

04/04/2001 02:36 REC FEE: 131.00  
CURRY COUNTY, OR, RENEE' KOLEN - COUNTY CLERK

PAGE #: 0001 OF 0002  
INST#: 2001 1571

2001 1571 0001 0000 0000

**Exhibit A**

A tract of land in Government Lot Three (3) in Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a point North 1914.2 feet and East 272.2 feet from the Southwest corner of said Section 31, said point being on the Easterly line of the County Road known as Parkview Drive;

thence following said Easterly line of Parkview Drive North 29° 31' East 183.5 feet to the true point of beginning;

thence along said Parkview Drive North 29° 31' East 124.9 feet;

thence North 67° 27' East 228.2 feet;

thence South 2° 28' East 389.6 feet;

thence West 43.73 feet;

thence North 52° 0' West 317.53 feet, more or less, to the point of beginning.

**EXCEPTIONS:**

-The rights of the public in and to that portion of the herein described property lying within the limits of public roads or highways

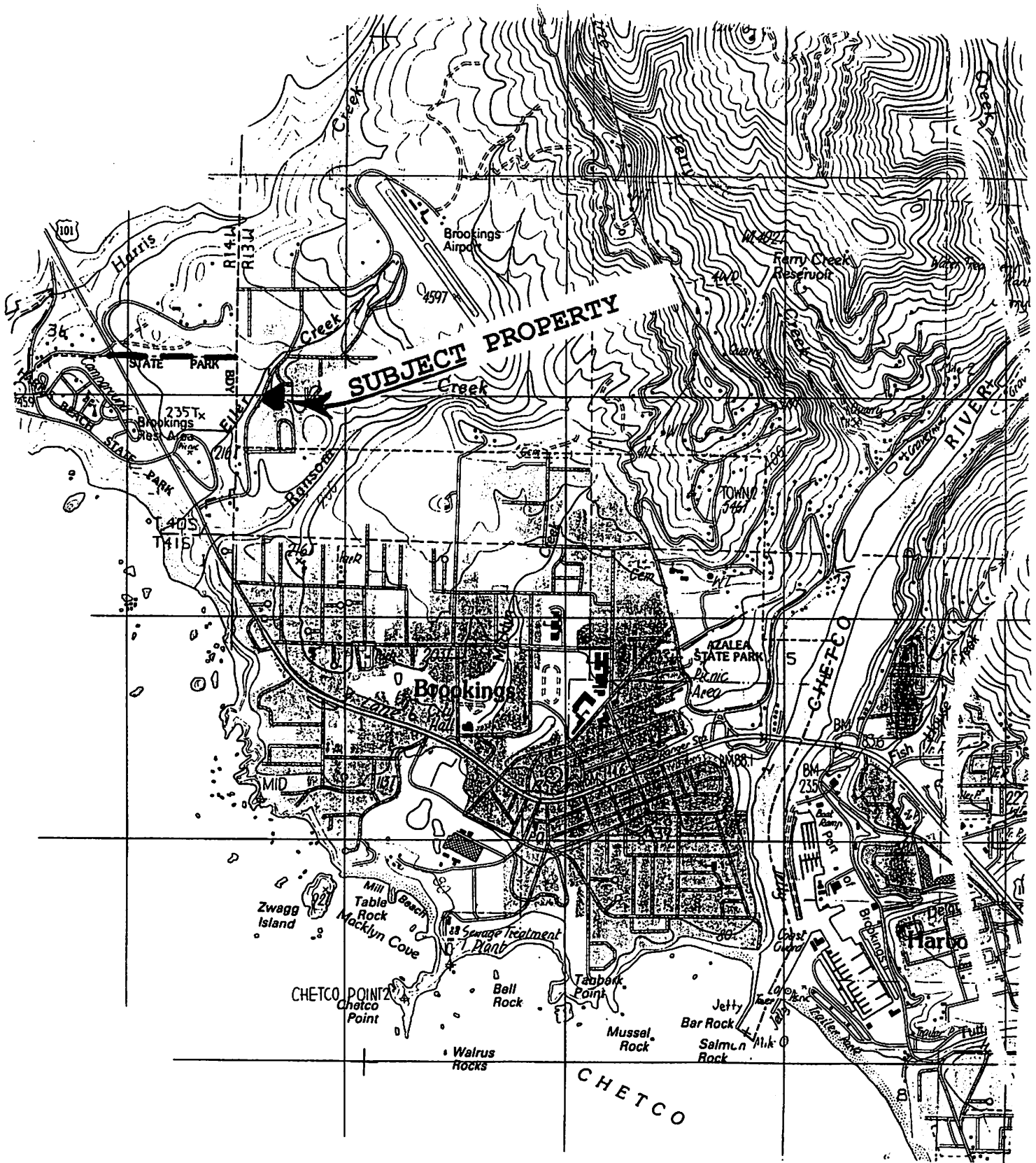
-Powerline easement as disclosed by physical inspection

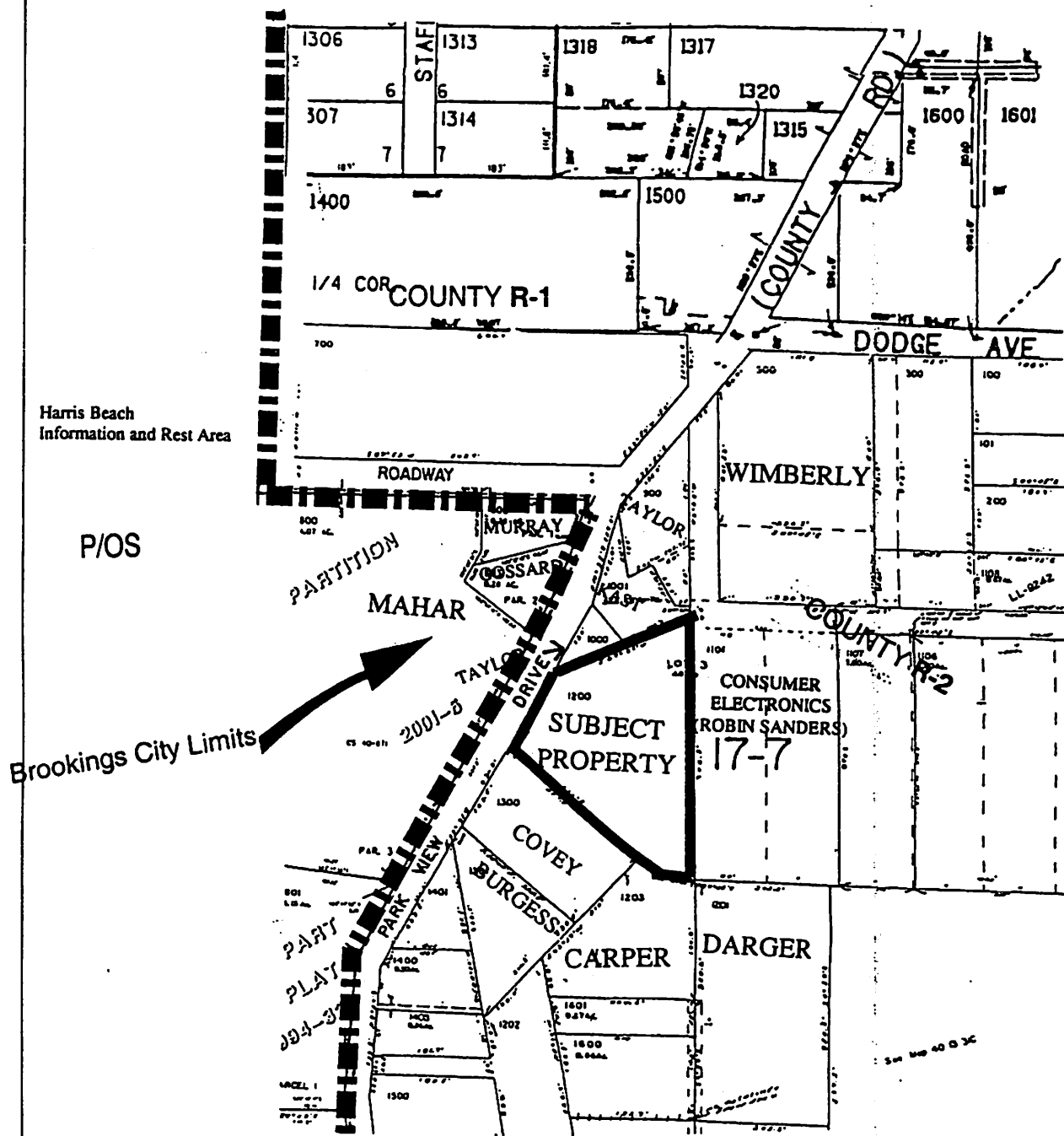
04/04/2001 02:36 REC FEE: \$31.00  
CURRY COUNTY, OR, RENEE KOLEN - COUNTY CLERK

PAGE #: 0002 OF 0002  
INST#: 2001 1571

2001 1571 0002 0000 0000

# Drainage Area Map





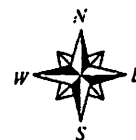
**Applicant:** John Zia, Zia & Associates

Assessor's No: 40-13-31 CBTax Lots 1200

Location: east side of Park View Avenue and 800 feet of Hampton Drive

Size: 1+ acres

Zone: R-2 (Residential) Curry County



July 1, 2002

**RECEIVED**  
JUL 1 2002

**CITY OF BROOKINGS  
COMMUNITY DEVELOPMENT**

Chairman, Brookings Planning Commission  
Commission Members  
Brookings City Hall  
898 Elk Drive  
Brookings, OR 97415

RE: Public Hearing—ANX-2-02, Borax and ANX-3-02, Zia

Dear Chairman and Commission Members:

Please accept the following comments for the proceedings and record of the aforementioned annexation public hearings.

**ANX-2-02 & ANX-3-02**

Compliance with Goal 11, Public Facilities and Services--General comments and concerns

1. Goal 11, Public Facilities and Services---Staffing. How will your staff be able to respond to the work load once these projects are underway? Before any more annexations are allowed, staffing should be reviewed and an action plan developed. Growth cannot occur in an orderly manner when staff isn't available to conduct and oversee the day to day duties that are consequential to annexations.
2. Goal 11, Public Facilities and Services--Potable Water Source. What is being done to further the acquisition/development of another water source? This was a top priority several years ago and nothing was finalized. Now with the recent annexation application (two alone within the last six months on Parkview Drive), water source development needs to be actively pursued.

**ANX-3-02**

1. According to the Curry County property ownership records, this parcel is owned by a consortium (i.e. "Bill Welch & ct al and John Zia & et al) and yet only one property owner is on record as making application for this annexation. The applicant cannot bind the others unless a power of attorney was given...there is no evidence of this in the application. The other owners need to be protected and until proof of their desire to annex is obtained, the annexation proceedings should be stopped until this is cleaned up.
2. Goal 5, Natural Resources, etc. There are wetlands located on this parcel, as well as a creek (northerly parcel boundary) that conveys surface drainage westerly and connecting with the drainage system along Parkview Drive. This creek provides

drainage for the parcels that are located easterly of subject parcel (parcels not located along Parkview Drive). Roughly on the southerly side of the subject parcel, the grades are such the slopes form a bowl relative to the surrounding parcels, creating a marshy area that has supported wetland vegetation, which has been disturbed when the area was cleared. The applicant needs to have a wetland delineation survey/report conducted so that the areas can be added to the inventory as areas needing to be protected.

3. Goal 12, Transportation network. The road that provides access to the subject parcel is a rural road. Annexing this parcel increases the density to urban levels, thereby forcing a rural road to function as an urban street. In addition, at this location, the road is owned by Curry County. Consequently the schedule for improving the road, as well as the standards to design for, are not controlled by the city. The street is inadequate now and until the road is brought to urban standards, no more annexations in this area.

Respectfully submitted,

Kolin and Robin Sanders  
17040 Wimberley Lane  
Brookings, OR 97415  
469-9256 HOME



Submitted at  
Hearing 7-7-02  
ANX-3-02

July 2, 2002

Chairman, Brookings Planning Commission  
Commission Members  
Brookings City Hall  
898 Elk Drive  
Brookings, OR. 97415

RE: Public Hearing - ANX-3-02, Zia

In the matter of an application for annexation of an acre, (or 1.51 acres as identified in the staff report) into the city limits of Brookings, located on the East Side of Parkview Drive, I would like to convey the following information and happenings, which relates to this annexation and the Goals of the Comprehensive Plan.

Goal 11 addresses: *Public Facilities and Services:*

*Policy is defined as: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for urban and rural development*

(City Services can be characterized, but not limited to, the Fire, Police, Building, Planning and Public Works Departments, Water and Wastewater Treatment facilities, as well as Parks and Recreation etc.)

The current city services were not able to provide oversight or control over a recent annexation into the city limits. The City's delay of action and or failure to employ an action plan to regulate and enforce policy upon a report of impropriety hampered the publics' right to due process.

The following is a recounting of the events:

During the Common Council Meeting, held on April 22, 2002, the City Council unanimously approved Ordinance No. 02-O-546, amending the city limits by annexing and rezoning a 5.78-acre parcel of land located on Parkview drive. At the meeting concerns were raised over water impact, traffic, wetlands and development date, but each was answered to the satisfaction of the councilors.

Jim Capp, the representative for the developers, stated that they were working with a company out of Coos Bay and a wetland delineation would be conducted prior to commencement of development in June 2003.

- On Wednesday, April 24, 2002, a contractor had moved onto the annexed land and commenced excavation. To my knowledge, no development permit or fill/removal permits were obtained from the City, yet over the course of the work performed more

RESPECTFULLY SUBMITTED BY THE FOLLOWING RESIDENTS OF PARKVIEW DRIVE

403  
TAX LOT #

Susan Wimberley  
PRINT NAME

S. Wimberley  
SIGNATURE

1005 Parkview  
ADDRESS

7/2/02  
DATE

402  
TAX LOT #

Mr & Mrs Richard Stapley  
PRINT NAME

Richard L. Stapley  
SIGNATURE

1099 Parkview  
ADDRESS

7-2-02  
DATE

501  
TAX LOT #

John Pohl  
PRINT NAME

John Pohl  
SIGNATURE

1090 Parkview  
ADDRESS

7-2-02  
DATE

500  
TAX LOT #

GARY Wimberley  
PRINT NAME

Gary Wimberley  
SIGNATURE

1704D WIMBERLEY LANE  
ADDRESS

7-2-02  
DATE

500  
TAX LOT #

Elizabeth Wimberley  
PRINT NAME

Elizabeth Wimberley  
SIGNATURE

17044 Wimberley Ln.  
ADDRESS

7-2-02  
DATE

JOAN P. LEWIS  
TAX LOT #

JOAN P. LEWIS  
PRINT NAME

Joan P. Lewis  
SIGNATURE

P.O. Box 7513 Dodge Ave  
ADDRESS

7/2/02  
DATE

407  
TAX LOT #

NORM MEFFORD  
PRINT NAME

Norman Mefford  
SIGNATURE

P.O. Box 8186  
ADDRESS

7/2/02  
DATE

405  
TAX LOT #

John Haller  
PRINT NAME

John L. Haller  
SIGNATURE

PO Box 514  
ADDRESS

7-2-02  
DATE

Guy Imada  
TAX LOT #

Guy Imada  
PRINT NAME

Guy Imada  
SIGNATURE

Stafford DRD  
ADDRESS

7-2-02  
DATE



## **Staff Report**

**To:** Mayor Hagbom & City Councilors  
**From:** Leroy Blodgett, City Manager  
**Date:** August 7, 2002  
**Re:** Urban Renewal

---

### **BACKGROUND**

In March 2002, we started the process to create an Urban Renewal District. The process first included development of a Downtown Master Plan. There were numerous public meetings and Downtown Development Committee meetings to gather input and ideas of desired future of downtown Brookings. Using that information we prepared an Urban Renewal Plan and Urban Renewal Report. Those documents are included in the City Council packets.

As required by law, we held a joint City Council/Planning Commission work session. We then notified all taxing entities within the city limits by sending them a copy of the documents and a letter offering to meet with them. To date, no requests have been received by any taxing entity. Again, as required by State law, we sent notice of the August 12, 2002, public hearing to all property owners within the Brookings city limits. On August 5, 2002, I attended the Curry County Commissioners meeting to discuss the Urban Renewal and answer any questions. The County Commissioners unanimously voted to write a letter of support for the Brookings Urban Renewal Plan & Report. On August 6, 2002, I had the same discussion with the Brookings Planning Commission. The Planning Commission unanimously voted to forward a favorable recommendation to approve the Urban Renewal Plan & Report.

The next step is for City Council to hold a public hearing and then consider approval of an Ordinance adopting the Plan & Report. If the Ordinance is approved we are required to make public notice of the approval and file it with the County.

At the public hearing I will answer questions and explain how urban renewal works.

### **STAFF RECOMMENDATION**

Adopt Ordinance 551 approving the Urban Renewal Plan and directing that notice of approval be published.

# Memorandum

**TO:** Mayor and City Council  
**FROM:** John Bischoff, Planning Director  
**THROUGH:** Leroy Blodgett, City Manager  
**DATE:** August 7, 2002



**Issue:** Recommendations from the Planning Commission.

**Background:** At the August 6, 2002 meeting the Planning Commission provided a presentation on the Urban Renewal Area and Plan and asked to make a recommendation in that regard to the City Council.

**Recommendation:** The Planning Commission voted unanimously to make a favorable recommendation to the Council on the Urban Renewal Plan.

# **CITY OF BROOKINGS**

## **URBAN RENEWAL PLAN**

**Brookings Urban Renewal Agency  
July, 2002**

## **CITY OF BROOKINGS URBAN RENEWAL PLAN**

### **ACKNOWLEDGEMENTS**

This urban renewal plan was prepared with funding assistance from a grant by the U.S. Dept of Agriculture and Oregon Economic Development Department. Citizens of Brookings participated in five workshops leading to the preparation of the renewal Plan and Report. Members of the Downtown Development Committee were active in promoting and attending all public workshops. The Committee members are:

Dr. Jay Patel  
Linda Kelly  
Brian Scott  
Tom Kerr  
Tim Patterson

### **Staff Assistance**

Leroy Blodgett, City Manager  
John Bischoff, City Planner  
Sharon Ridens, Administrative Secretary  
Linda Barker, Community Development Dept. Secretary  
Jeremy McVeety, Special Projects Assistant

### **Urban Renewal Consultant**

Charles Kupper, Spencer & Kupper

# **BROOKINGS URBAN RENEWAL PLAN**

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## **100. INTRODUCTION**

The Brookings Urban Renewal Plan consists of Part One - Text and Part Two - Exhibits. The Brookings City Council acts as the Urban Renewal Agency of the City of Brookings, Oregon.

This Plan has been prepared pursuant to Oregon Revised Statute (ORS) Chapter 457, the Oregon Constitution, and all applicable laws and ordinances of the State of Oregon and City of Brookings respectively. All such applicable laws and ordinances are made a part of this Plan, whether expressly referred to in the text or not.

The Urban Renewal Area is a single geographic area with a single contiguous boundary in, which a variety of activities and projects are contemplated to eliminate blight and the causes of blight and intended to create an environment in which the private sector may develop uses compatible with the purposes of this plan.

This Urban Renewal Plan for the Brookings Urban Renewal Area was approved by the City Council of the City of Brookings on \_\_\_\_ by Ordinance No. \_\_\_\_.

## **200. DEFINITIONS**

The following definitions will govern the construction of this Plan unless the context otherwise requires:

"Area" means the area included within the boundaries of the Brookings Urban Renewal District.

"Bonded Indebtedness" means any formally executed written agreement representing a promise by a unit of government to pay to another a specified sum of money, at a specified date or dates at least one year in the future.

"City" means the City of Brookings, Oregon.

"City Council" means the City Council of the City of Brookings, Oregon.

"Comprehensive Plan" means the City's Comprehensive Land Use Plan and its implementing Ordinances, policies and development standards.

"County" means the County of Curry, State of Oregon.

"Displaced" person or business means any person or business who is required to relocate as a result of action by the Urban Renewal Agency to vacate a property for public use or purpose.

"Disposition and Development Agreement" means an agreement between the Urban Renewal Agency and a private developer which sets forth the terms and conditions under which will govern the disposition of land to a private developer.



"Exhibit" means an attachment, either narrative or map, to the Urban Renewal Plan for the Brookings Urban Renewal Area, Part Two - Exhibits.

"ORS" means Oregon Revised Statute (State Law) and specifically Chapter 457 thereof.

"Plan" means the Urban Renewal Plan for the Brookings Urban Renewal Area, Parts One and Two.

"Planning Commission" means the Planning Commission of the City of Brookings, Oregon.

"Project, Activity or Project Activity" means any undertaking or activity within the Renewal Area, such as a public improvement, street project or other activity which is authorized and for which implementing provisions are set forth in the Urban Renewal Plan.

"Report" refers to the report accompanying the urban renewal plan, as provided in ORS 457.085 (3)

"Redeveloper" means any individual or group acquiring property from the Urban Renewal Agency or receiving financial assistance for the physical improvement of privately or publicly held structures and land.

"State" means the State of Oregon.

"Text" means the Urban Renewal Plan for the Brookings Urban Renewal Area, Part One - Text.

"Urban Renewal Agency" means the Urban Renewal Agency of the City of Brookings, Oregon.

"Urban Renewal Area", "Brookings Urban Renewal Area", or "Renewal Area" means the geographic area for which this Urban Renewal Plan has been approved. The boundary of the Renewal Area is described in Exhibits made a part of this plan.

### **300. BOUNDARY DESCRIPTION**

The boundary of the renewal area is shown in Exhibit 1, attached to this plan. A legal description of the project boundary is included as Attachment "A" of this plan. If inconsistencies exist between Exhibit 1 and Attachment A, Attachment A governs.

### **400. RELATIONSHIP TO LOCAL OBJECTIVES**

The purpose of this Renewal Plan is to eliminate blighting influences found in the Renewal Area, to implement goals and objectives of the City of Brookings Comprehensive Plan, assist in meeting the City's economic development objectives through rehabilitation of older and historic structures, redevelopment of key sites, improving transportation and utility facilities in the renewal area, assisting with the construction of needed public facilities, and creating public amenities.

The Urban Renewal Plan relates to the following local goals and objectives:

**A. Promote Private Development**

**Goal:** To promote private development, redevelopment, and rehabilitation within the urban renewal area to help create jobs, tax revenues, and self-sustaining, vital, and vibrant commercial districts.

**Objectives:**

1. Enhance the environment for development and investment through improvements to streets, streetscapes, parks, and public buildings and spaces.
2. Assist property owners in rehabilitating buildings so they can accommodate more intensive and dynamic commercial activity.
3. Help create economic vitality by creating activities and encouraging uses that bring a significant number of potential shoppers and investors.

**B. Rehabilitate Building Stock**

**Goal:** To upgrade the stock of existing structures in the renewal area which contribute to its small-town character, but are run down or do not meet current Code requirements.

**Objectives:**

1. Improve the appearance of existing buildings in order to enhance the overall aesthetics of the renewal area.
2. Help in improving the safety of older buildings in regard to seismic stability, fire safety, building code compliance and accessibility to persons with disabilities.
3. Redevelop buildings and areas that are inconsistent with the goals and objectives of this plan in manners that benefit the entire economic development effort and property owners.

**C. Improvements to Streets, Streetscapes, and Open Spaces**

**Goal:** To improve existing streets and construct missing street links to improve connectivity, improve and enhance beaches, parks, and other public open spaces as an integral part of the district, and to enhance livability.

**Objectives:**

1. Enhance streetscapes by installing street lighting, street furniture, banners, planters and other amenities.
2. Reconstruct existing roadways and sidewalks where needed and in a manner meeting the objectives of this Plan.
3. Construct new streets to provide connectivity and encourage private investment.
4. Address and improve pedestrian safety in the renewal area.
5. Improve pedestrian and bicycle access to and through the renewal area. Create pedestrian spaces that are attractive areas for residents and employees, that stimulate economic activity, and enhance livability..

**D. Utility Improvements**

**Goal:** Improve and repair utilities to allow efficient development of the area.

**Objectives:**

1. Construct or reconstruct utilities (including water, sewer, and storm sewer) as

necessary to encourage and permit development of private properties and public amenities.

**E. Parking**

Goal: Develop convenient, attractive parking facilities close to shopping, entertainment, and business destinations.

Objectives:

1. Construct public parking to support businesses and activities in the Renewal area

**F. Public Facilities**

Goal: Maintain, remodel, and construct public parks and open spaces, public facilities, and public safety facilities

Objectives:

1. Ensure that public safety facilities within the renewal area are adequate to support and protect existing and proposed development in the renewal area.
2. Evaluate the adequacy of other public facilities serving the renewal area.

**G. Housing**

Goal: Provide for new housing units in livable mixed-income neighborhoods Support housing development that is geared to support the Area's employment generation goals.

Objectives:

1. Provide a wide range of housing opportunities to accommodate households at all income levels, including low income, moderate-income, and market-rate rental and owner-occupied housing, which support prospective residential markets in, adjacent to, and near the Area.
2. Provide assistance to help maintain, and assist in the rehabilitation of the stock of existing housing in the renewal area.
3. Assist in the development of quality housing for a range of household incomes that are representative of the City as a whole.

**H. Public Art**

Goal: Assist in funding a program of art in public spaces within the renewal area.

Objectives:

1. Provide a set-aside of urban renewal funds for art in public spaces within the urban renewal area.

**I. Signage**

Goal: Make it easy for residents and especially visitors to find and utilize public and commercial facilities within the area.

Objectives:

1. Unify and improve signage
2. Provide public maps of area facilities at strategic locations

#### **J. Economic Development**

Goal: Utilize urban renewal funds in ways that will help increase employment, incomes, and the economic vitality of the City of Brookings

Objectives:

1. Assist in creation and retention of businesses in the renewal area, with special emphasis on tourism, recreation, and high technology firms.
2. Assist in attracting or retaining public or non-profit employers, including medical facilities, and governmental and educational services.

#### **K. Downtown Brookings Master Plan**

Goal: Utilize this urban renewal plan and urban renewal funds to help implement the Vision and Strategies outlined in the Downtown Brookings Master Plan.

### **500. PROPOSED LAND USES**

#### **A. Land Use Plan**

The use and development of land in the Renewal Area shall be in accordance with the regulations prescribed in the Brookings Comprehensive Plan, Zoning Ordinance, Sign Ordinance, Subdivision Ordinance, City Charter, or any other applicable local, county, state or federal laws regulating the use of property in the Urban Renewal Area.

The following plan/zone designations are found within the Renewal Area. Plan area zonings are included in the boundary map, Exhibit One of this Plan.

C-3	General Commercial
C-4	Tourist Commercial
IP	Industrial Park
M-2	General Indus
R-2	Two family residential
R-3	Multi-Family Residential
R-1 through 6	Residential, varying lot sizes
P/OS	Public/Open Space

#### **B. Plan and Design Review**

The Urban Renewal Agency shall be notified of any Comprehensive Plan/Zoning amendment application, building permit, conditional use or other development permits requested within the Area. Redevelopers, as defined in this Plan, shall comply with the Redevelopers Obligations, Section 800 of this Plan.

### **600. OUTLINE OF DEVELOPMENT**

The Urban Renewal Project consists of activities and actions which treat the causes of blight and deterioration in the Brookings Urban Renewal Area. Conditions include deficiencies in streets, curbs, and sidewalks, a need for utility improvements, poorly

located and inadequate parking, vacant and poorly maintained buildings, and a lack of new private investment in the project area. The conditions also pose a constraint to future development called for in the Comprehensive Plan, and the Downtown Master Plan. Project activities to treat these conditions include:

- A. Constructing street, curb, sidewalk and pedestrian improvements in the project area
- B. Improving the visual appearance of the area, and provide a safer, more attractive pedestrian environment by constructing:
  - Sidewalks, landscaping, signage, bike racks rest rooms, and other streetscape improvements.
  - Street lighting improvements.
  - Gateway entry improvements.
  - Improved signing in the project area.
- C. Providing incentives to new building investments in the project area.
- D. Providing incentives for the repair and rehabilitation of deficient structures in the project area.
- E. Developing additional parking within the renewal area.
- F. Making improvements to deficient utilities in the project area.
- G. Administration and co-ordination of development in the Renewal Area.

Section 700 provides further description of each urban renewal project to be undertaken within the Urban Renewal Area.

## **700. DESCRIPTION OF PROJECTS TO BE UNDERTAKEN**

In order to achieve the objectives of this Plan, the following activities will be undertaken on behalf of the City by the Urban Renewal Agency in accordance with applicable federal, state, county, and city laws, policies, and procedures. The Renewal Agency may fund these activities in full, in part, or seek other sources of funding for them.

### **701 PUBLIC IMPROVEMENTS**

Public improvements include the construction, repair, or replacement of sidewalks, streets, parking, parks and open spaces, pedestrian amenities, water, sanitary sewer and storm sewer facilities and other public facilities necessary to carry out the goals and objectives of this plan.

#### **701A Public Parks and Open Spaces**

The Renewal Agency may participate in funding the design, acquisition, construction or rehabilitation of public spaces, parks or public facilities within the urban renewal area. Projects to be undertaken include:

- Create Central Plaza
- Walkways and plazas
- Local Nature interpretive areas

- Develop a looped pedestrian walkway from downtown to Stout Park, Azalea Park and Chetco Point
- Wetlands Park at Old Mill Pond
- Enhancements to Chetco Point and other parks in the project area

#### **701B Street, Curb, and Sidewalk Improvements**

Improvements within the renewal area will require the construction of new street, curb, and sidewalks within the project area. The Renewal Agency may participate in funding sidewalk and roadway improvements including design, redesign, construction, resurfacing, repair and acquisition of right-of way for curbs, streets, and sidewalks, and pedestrian and bicycle paths. Projects to be undertaken include:

- Improvements to street, curb and sidewalk on Railroad, Chetco, Fern, Willow, Spruce, Hemlock, Alder Wharf and other streets in the Area
- Assist local street improvements identified in Brookings Capital Improvements Program (CIP)

#### **701C Public Utilities**

The development proposed for the renewal area will require the replacement and construction of water, storm and sanitary sewer facilities. These improvements include

- Sanitary sewer upgrades & replacements identified in Brookings Capital Improvements Program
- Water system upgrades & replacements identified in Brookings Capital Improvements Program
- Storm water system upgrades & replacements identified in Brookings Capital Improvements Program

#### **701D Streetscape Projects**

This activity will enable the Renewal Agency to participate in activities improving the visual appearance of the project area. . These improvements may include :

- Accent paving,
- Decorative lighting,
- Street trees, planters, and landscaping
- Furnishings, including benches, trash receptacles, bicycle racks
- Street and directional signage
- Public art
- Gateway Monuments and Landscape Features
- Under grounding of overhead utilities in the renewal area

#### **701E Pedestrian, Bike, and Transit Improvements**

These activities will include pedestrian, bicycle and transit connections between the renewal project area, the Port, public parks, and other areas of Brookings. Activities may include bicycle parking and storage, transit stops, covered shelters, transit pullouts, and

other related activities, which will promote pedestrian, bicycle, and public transportation uses in the renewal area. These improvements include:

- Provide new bike paths or lanes in the renewal area
- Provide pedestrian connections to the waterfront

#### **701F Public Parking Facilities**

The Agency is authorized to participate in funding the acquisition, construction and enhancement of public parking facilities within the renewal area. The precise location and type of facilities will be decided by further study. Potential parking improvements may include:

- New lot at Fern and Spruce
- New lots at pockets along Railroad Street
- New RV Parking lot

#### **701G Other Public Facilities**

To further redevelopment of the area, and renewal project objectives, the Agency may participate in development of public facilities including police and fire facilities, libraries, recreation centers, conference facilities, and community centers. The extent of the Agency's participation in funding such facilities will be based upon an Agency finding on the benefit of that project to the renewal area, and the importance of the project in carrying out Plan objectives. Potential public facilities to be funded include:

- Public Restrooms
- Enhancement of public Museum
- Relocation of City Hall
- Performing Arts Center
- Community Center

### **702 PRESERVATION AND REHABILITATION**

This activity will enable the Renewal Agency to help improve the condition and appearance of buildings in the project area, and encouraging infill and reuse in the project area. The Renewal Agency may participate, through loans, grants, or both, in maintaining and improving exterior and interior conditions of properties within the renewal area.

### **703 DEVELOPMENT AND REDEVELOPMENT**

The Renewal Agency is authorized to provide loans, or other forms of financial assistance to property owners wishing to develop or redevelop land or buildings within the renewal area, or to persons desiring to acquire or lease buildings or land from the Agency. The Agency may make this assistance available as it deems necessary to achieve the objectives of this Plan. Projects receiving Agency assistance may include :

- Assisting development of a new medical facility
- Assisting development of a higher education facilities
- Assisting the construction or expansion of job-creating projects

#### **704 PROPERTY ACQUISITION AND DISPOSITION**

In order to carry out the objectives of this Plan, the Renewal Agency is authorized to acquire land or buildings for public and private development purposes. The procedures for acquiring and disposing of property are described in Sections 800 and 900 of this Plan.

#### **705 BELOW MARKET INTEREST RATE LOANS AND INCENTIVES**

The Agency, with funds available to it, may promulgate rules, guidelines and eligibility requirements for the purpose of establishing below-market or market rate loan programs, or other incentives to advance the goals and objectives of the Brookings Urban Renewal Plan. Loans or incentives provided by the Agency may be used for rehabilitation of buildings, façade improvements, provision of amenities on private property in compliance with design guidelines and standards, construction of new buildings, pre-development assistance, connecting to underground electrical and communication systems, or other activities approved by the Agency.

#### **706 PLAN ADMINISTRATION**

Tax increment funds may be utilized to pay indebtedness associated with preparation of the urban renewal plan, to carry out design plans, miscellaneous land use and public facility studies, engineering, market, and other technical studies as may be needed during the course of the urban renewal plan. Project funds may be utilized to pay for marketing materials and programs to assist in carrying out the objectives of the redevelopment plan. Project funds also may be used to pay for personnel and other administrative costs incurred in management of the renewal plan.

#### **800. PROPERTY ACQUISITION PROCEDURES**

The Renewal Agency is authorized to acquire property within the Area, if necessary, by any legal means to achieve the objectives of this Plan. Property acquisition, including limited interest acquisition, is hereby made a part of this Plan and may be used to achieve the objectives of this Plan. All acquisition of property will require an amendment to the plan as set forth in Section 1100 of this Plan

##### **A. Acquisition requiring City Council approval.**

Acquisitions described in Section 800A1, and A2 of this plan will require an amendment to this Plan as set forth in Section 1100B 2a of this Plan. The City Council shall ratify the amendment to this Plan by resolution. City Council ratification is required for Renewal Agency acquisitions for the following purposes:

1. Acquisition of land for development by the public or private sector.
2. Acquisition for any purpose that requires the use of the Agency's powers of eminent domain.



**B. Acquisition not requiring City Council approval.**

Land acquisition not requiring City Council ratification requires a minor amendment to this Plan as set forth in Section 1100 C2 of this Plan. The minor amendment to the Renewal Plan may be adopted by the Renewal Agency by Resolution. The Agency may acquire land without Council ratification where the following conditions exist:

1. Where it is determined that the property is needed to provide public improvements and facilities as follows:
  - a. Right-of-way acquisition for streets, alleys or pedestrian ways;
  - b. Right of way and easement acquisition for water, sewer, and other utilities
  - c. Public parks, open space or parking uses
2. Where the owner of real property within the boundaries of the Area wishes to convey title of such property by any means, including by gift.

**C. Properties to be acquired**

At the time this plan is prepared, no properties are identified for acquisition. If plan amendments to acquire property are approved, a map exhibit shall be prepared showing the properties to be acquired and the property will be added to the list of properties to be acquired. The list of properties acquired will be shown in this section of the Plan. The map exhibit shall be appropriately numbered and shall be included in Part Two as an official part of this Urban Renewal Plan.

**900. REDEVELOPER'S OBLIGATIONS**

Redevelopers within the Urban Renewal Area will be subject to controls and obligations imposed by the provisions of this Plan. Redevelopers also will be obligated by the following requirements:

1. The Redeveloper shall develop or redevelop property in accordance with the land-use provisions and other requirements specified in this Plan.
2. The Renewal Agency may require the redeveloper to execute a development agreement acceptable to the Renewal Agency as a condition of any form of assistance by the Renewal Agency. The Redeveloper shall accept all conditions and agreements as may be required by the Renewal Agency.
3. The Redeveloper shall submit all plans and specifications for construction of improvements on the land to the Renewal Agency or its designated agent, for review and approval prior to distribution to reviewing bodies as required by the City.
4. The Redeveloper shall commence and complete the development of such property for the use provided in this Plan within a reasonable period of time as determined by the Agency.
5. The Redeveloper shall not effect any instrument whereby the sale, lease, or occupancy of the real property, or any part thereof, is restricted upon the basis of

age, race, color, religion, sex, marital status, or national origin.

#### **1000. RELOCATION**

The Agency will provide relocation assistance to all persons or businesses displaced by project activities. Those displaced will be given assistance in finding replacement facilities. All persons or businesses which may be displaced will be contacted to determine such relocation needs. They will be provided information on available space and will be given assistance in moving. All relocation activities will be undertaken and payments made, in accordance with the requirements of ORS 281.045-281.105 and any other applicable laws or regulations.

Relocation payments will be made as provided in ORS 281.060. Payments made to persons displaced from dwellings will assure that they will have available to them decent, safe, and sanitary dwellings at costs or rents within their financial reach. Payment for moving expense will be made to residences and businesses displaced. The Brookings Renewal Agency may contract with Oregon Dept. Of Transportation (ODOT), or other appropriate agencies or parties for assistance in administering its relocation program.

#### **1100. PLAN AMENDMENTS**

It is anticipated that this Renewal Plan will be reviewed periodically during the execution of the Project. The plan may be changed, modified, or amended as future conditions warrant. Types of Plan amendments are:

##### **A. Substantial Amendments**

Substantial amendments consist of:

1. Increases in the urban renewal area boundary in excess of one percent (1%), shall be a substantial amendment requiring approval per ORS 457.095, and notice as provided in ORS 457.120.
2. Increasing the maximum amount of indebtedness to be issued under the plan shall be a substantial amendments requiring approval per ORS 457.095, and notice as provided in ORS 457.120.

##### **B. Other Amendments requiring Council approval**

1. The following Plan amendments will require approval per ORS 457.095 but will not require notice as provided in ORS 457.120.
  - a. The addition of improvements or activities which represent a substantial change in the purpose and objectives of this Plan, and which cost more than \$500,000. The \$500,000 amount will be adjusted annually from the year 2002 according to the "Engineering News Record" construction cost index for the Northwest area.

2. The following Plan amendments must be presented to the Council for approval, but require only approval by a City Council resolution.

a. Acquisition of property for purposes specified in Section 800A1 and 800A2 of this plan.

**C. Minor Amendments.**

Minor amendments may be approved by the Renewal Agency in resolution form. Such amendments are defined as:

1. Amendments to clarify language, add graphic exhibits, make minor modifications in the scope or location of improvements authorized by this Plan, or other such modifications which do not change the basic planning or engineering principles of the Plan.
2. Acquisition of property for purposes specified in Section 800B of this plan.
3. Addition of a project substantially different from those identified in Sections 700 of the Plan or substantial modification of a project identified in Section 700 if the addition or modification of the project costs less than \$500,000 in 2002 dollars.
4. Increases in the urban renewal area boundary not in excess of one percent (1%).

**1200. MAXIMUM INDEBTEDNESS**

The maximum indebtedness authorized under this plan is fifteen million, eight hundred and twenty-five thousand dollars (\$15,825,000).

**1300. FINANCING METHODS**

**A. General**

The Urban Renewal Agency may borrow money and accept advances, loans, grants and other forms of financial assistance from federal, the state, city, county governments or other public body, or from any sources, public or private for the purposes of undertaking and carrying out this Plan. In addition, the Agency may borrow money from, or lend money to a public agency in conjunction with a joint undertaking of a project authorized by this Plan. If such funds are loaned, the Agency may promulgate rules and procedures for the methods and conditions of payment of such loans. The funds obtained by the Agency shall be used to pay or repay any costs, expenses, advances and indebtedness incurred in planning or undertaking project activities or in exercising any of the powers granted by ORS Chapter 457.

**B. Tax Increment Financing**

Tax increment financing will finance the project in whole or in part. Ad valorem taxes shall be divided as provided in section 1c, Article IX of the Oregon Constitution and ORS 457.420 to ORS 457.460

### **C. Prior Indebtedness**

Any indebtedness permitted by law and incurred by the Urban Renewal Agency or the City in connection with preplanning for this Urban Renewal Plan shall be repaid from tax increment proceeds generated pursuant to this section.

### **1400. CITIZEN PARTICIPATION**

This renewal plan was developed in a series of public workshops conducted in Brookings City Hall. The workshops were noticed in the local newspaper, and posting of public notice at City Hall and other locations. Two of the workshops were held in conjunction with major presentations of the Brookings Downtown Master Plan. The workshops topics included basic information on urban renewal and tax increment financing, development of project goals and objectives, development of a list of project activities, and review of the revenues, costs, and tax impacts of carrying out the project. The results of the workshops were presented to the City Council and Planning Commission in a joint workshop on June 24<sup>th</sup>, 2002.

The Brookings Planning Commission met to review the Plan In August, 2002. The Brookings City Council scheduled a public hearing on adoption of this Plan on August 12 , 2002. Additional notice on City Council adoption of the Plan was provided, as required by ORS 457.120.

**Brookings Urban Renewal Plan**

**Brookings, Oregon**

**Part Two-Exhibits**

**EXHIBITS**

Exhibit 1 .....Map of Plan Boundary & Zoning

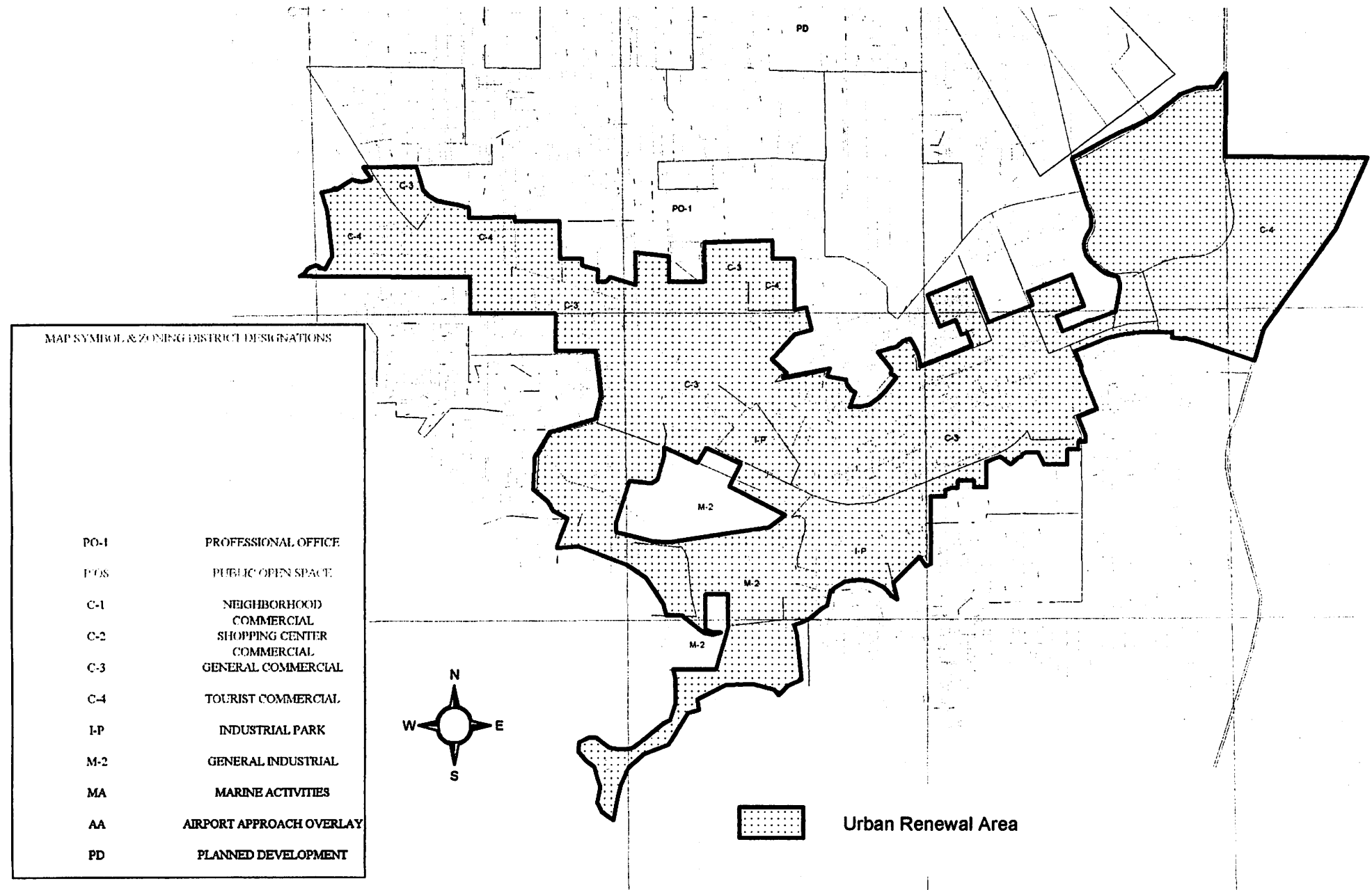
**ATTACHMENTS**

Attachment A ..... Boundary Description

# Brookings Urban Renewal Area

## Brookings Urban Renewal Boundary and Zoning Designations

### Exhibit 1:



## URBAN RENEWAL DISTRICT BOUNDARY

### LEGAL DISCRIPTION

A TRACT OF LAND IN SECTIONS 5, 6, 7, AND 8, TOWN SHIP 41 SOUTH, RANGE 13 WEST, WILLAMETTE MERIDION, CITY OF BROOKINGS, CURRY COUNTY OREGON, BEING MOR PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF MARDON MANOR SUBDIVISION; THENCE EAST, 390 FEET; THENCE SOUTH, 40 FEET MORE OR LESS TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 99-3026; THENCE EAST, 387 FEET ALONG SAID PROPERTY BOUNDARY; THENCE SOUTH, 315.3 FEET; THENCE EAST, 191.2 FEET; THENCE SOUTH, 58.8 FEET; THENCE SOUTH 72°54' EAST, 140 FEET; THENCE SOUTH, 107 FEET; THENCE EAST, 74.9 FEET TO THE CENTER LINE OF CHETCO LANE; THENCE NORTH ALONG SAID CENTER LINE TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 94-7435; THENCE SOUTH 72°54' EAST, 222.91 FEET; THENCE NORTH, 260 FEET MORE OR LESS TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 89-550; THENCE SOUTH 85°2'54" EAST, 290.2 FEET; THENCE SOUTH 0°15'37" WEST, 219.82 FEET; THENCE EAST, 319.7 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 5<sup>TH</sup> STREET; THENCE NORTH, 322.5 FEET; THENCE NORTH 89°23' EAST, 605 FEET; THENCE SOUTH, 129 FEET MORE OR LESS TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY DV 66-252; THENCE EAST, 185.4 FEET ALONG SAID PROPERTY BOUNDARY; THENCE SOUTH, 470 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ELK DRIVE; THENCE EAST, 127.54 FEET, THENCE SOUTH 15°24'47" WEST, 154.48 FEET; THENCE SOUTH 74°35'13" WEST, 163.01 FEET; THENCE SOUTH 42°35'14" WEST, 283.01 FEET; THENCE SOUTH 47°24'46" EAST, 171 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PACIFIC AVENUE; THENCE SOUTH 42°35'14" WEST, 50 FEET MORE OR LESS TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE AND THE NORTHERLY RIGHT-OF-WAY LINE OF VALLEY STREET; THENCE NORTH 80°38'15" EAST, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HILLSIDE AVENUE; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE OF HILLSIDE AVENUE TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY BR 111-979; THENCE EASTERLY ALONG SAID PROPERTY BOUNDARY TO A POINT ON THE CENTER LINE OF PARK AVENUE (VACATED); THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE CENTER LINE OF CENTER STREET (VACATED); THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF AN UNNAMED ALLEY; THENCE NORTHEASTERLY ALONG SAID ALLEY RIGHT-OF-WAY LINE TO

THE EASTERLY RIGHT-OF-WAY LINE OF AN UNNAMED STREET; THENCE NORTH 52°45' WEST, 36.679 FEET; THENCE NORTH 37°57'07" WEST, 39.84 FEET; THENCE NORTH 38°44'28" WEST, 191.21 FEET; THENCE NORTH 29°57'30" EAST, 3.97 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF PARK AVENUE; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF FERN AVENUE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PINE STREET; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE OF FERN AVENUE TO THE NORTHERLY RIGHT-OF-WAY LINE OF REDWOOD STREET; THENCE NORTH 68°10' EAST, 482.5 FEET; THENCE NORTH 21°50' WEST, 120 FEET; THENCE SOUTH 68°10' WEST, 50 FEET; THENCE NORTH 21°50' WEST, 134 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PINE STREET; THENCE SOUTH 68°10' WEST, 150 FEET; THENCE NORTH 21°50' WEST, 295 FEET; THENCE NORTH 68°10' EAST, 413 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF OAK STREET; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF AN UNNAMED ALLEY BETWEEN PINE STREET AND REDWOOD STREET; THENCE EASTERLY ALONG SAID ALLEY RIGHT-OF-WAY TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ALDER STREET; THENCE NORTH 21°50' WEST, 120 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PINE STREET; THENCE EAST ALONG SAID RIGHT-OF-WAY LINE TO THE EASTERLY RIGHT-OF-WAY LINE OF MYRTLE STREET; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF REDWOOD STREET; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE OF REDWOOD STREET 257 FEET; THENCE SOUTH 21°50' EAST, 135 FEET MORE OR LESS TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY DV 35-418 AND DV 35-419; THENCE EASTERLY ALONG SAID PROPERTY BOUNDARY TO A POINT ON THE WESTERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY BR 48-436; THENCE SOUTHERLY ALONG SAID PROPERTY BOUNDARY TO THE SOUTHERLY BOUNDARY OF SAID PARCEL; THENCE EAST ALONG SAID THE SOUTHERLY BOUNDARY OF SAID PARCEL, 237 FEET MORE OR LESS TO THE EASTERLY BOUNDARY OF SAID PARCEL; THENCE ALONG SAID EASTERLY BOUNDARY, N 8°30' E, 360.76 FEET MORE OR LESS; THENCE N 19°01'30" W, 37.73 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD COUNTY ROAD; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE TO A POINT INTERSECTING THE WESTERLY EXTENSION OF THE NORTHERLY RIGHT-OF-WAY LINE OF LUNDEEN ROAD; THENCE EASTERLY ALONG SAID LUNDEEN ROAD RIGHT-OF-WAY LINE TO THE CITY OF BROOKINGS EASTERLY CITY LIMITS; THENCE SOUTHERLY ALONG THE CITY LIMIT LINE, 710 FEET MORE OR LESS TO THE POINT WHERE THE CITY LIMIT LINE TURNS EAST; THENCE EASTERLY ALONG THE CITY LIMITS LINE, 1,070 FEET MORE OR LESS TO THE POINT WHERE THE CITY LIMIT LINE TURNS SOUTH; THENCE SOUTHERLY ALONG THE



CITY LIMITS LINE, 1,950 FEET MORE OR LESS TO THE POINT WHERE THE  
EASTERLY CITY LIMITS LINE INTERSECTS THE EXTENSION OF THE  
SOUTHERLY RIGHT-OF-WAY LINE OF BRIDGE STREET BEARING SOUTH  
70°25'04" EAST; THENCE NORTH 70°25'04" WEST, 140 FEET MORE OR  
LESS TO THE SOUTHERLY TERMINUS OF THE SAID RIGHT-OF-WAY LINE  
OF BRIDGE STREET; THENCE NORTH 70°25'04" WEST, 281.23 FEET  
ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 75°22'35" WEST,  
145.65 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF  
THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 101; THENCE  
SOUTH 86°24'9" WEST, 264.54 FEET ALONG SAID RIGHT-OF-WAY LINE;  
THENCE 727 FEET MORE OR LESS ALONG SAID RIGHT-OF-WAY LINE TO  
A POINT WHERE SAID RIGHT-OF-WAY LINE TURNS NORTH 21°50' WEST;  
THENCE SOUTH 21°50' EAST, 183.3 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY LINE OF THE NORTH LEG OF SPRUCE  
DRIVE; THENCE SOUTH 68°12'25" WEST, 10 FEET MORE OR LESS TO THE  
INTERSECTION OF SAID RIGHT-OF-WAY LINE AND THE EASTERLY RIGHT-  
OF-WAY LINE OF AN UNNAMED ALLEY; THENCE SOUTH 21°50'21" EAST,  
360 FEET MORE OR LESS ALONG SAID ALLEY RIGHT-OF-WAY LINE TO A  
POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SOUTH LEG OF  
SPRUCE DRIVE; THENCE SOUTH 68°12'25" WEST, 175 FEET MORE OR  
LESS ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE  
NORTHERLY RIGHT-OF-WAY LINE OF ALDER STREET; THENCE SOUTH  
21°50'21" EAST, 180 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE  
INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF DEL NORTE  
LANE; THENCE SOUTH, 50 FEET TO THE SOUTHERLY RIGHT-OF-WAY  
LINE OF DEL NORTE LANE; THENCE WEST, 58 FEET MORE OR LESS  
ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE  
WESTERLY RIGHT-OF-WAY LINE OF ALDER STREET; THENCE SOUTH  
0°10'45" EAST, 65 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE  
NORTH 89°55'33" EAST, 100 FEET; THENCE SOUTH 0°10'45" EAST, 130  
FEET; THENCE EAST, 205 FEET; THENCE NORTH 26°30'30" WEST, 196.8  
FEET; THENCE SOUTH 65°13'52" WEST, 93.2 FEET; THENCE SOUTH  
12°48'3" EAST, 16.4 FEET; THENCE SOUTH 63°12'23" WEST, 19.1 FEET;  
THENCE NORTH 84°13'49" WEST, 28.11 FEET; THENCE SOUTH 71°24'39"  
WEST, 19 FEET; THENCE SOUTH 43°58'13" WEST, 36.23 FEET; THENCE  
SOUTH 37°30' EAST, 3.89 FEET; THENCE SOUTH 51°30' WEST, 85 FEET;  
THENCE NORTH 38°30' WEST, 119.32 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY LINE OF RAILROAD STREET; THENCE  
SOUTH 65°43'40" WEST, 132 FEET MORE OR LESS ALONG SAID RIGHT-  
OF-WAY LINE TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY  
LINE OF OXFORD STREET; THENCE SOUTH, 224 FEET ALONG SAID  
RIGHT-OF-WAY LINE; THENCE EAST, 112.5 FEET; THENCE NORTH, 60  
FEET; THENCE WEST, 147.5 FEET TO A POINT ON THE WEST RIGHT-OF-  
WAY LINE OF MATOT STREET; THENCE SOUTH, 66 FEET MORE OR LESS  
ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE OF THE  
SOUTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED

BY INS 91-2988; THENCE WEST, 59.75 FEET; THENCE SOUTH 68°42' WEST, 56.48 FEET; THENCE SOUTH 0°16' EAST, 54.2 FEET; THENCE EAST, 121.99 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TANBARK ROAD; THENCE SOUTH 0°31'30" EAST, 576.29 FEET MORE OR LESS ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF MEMORY LANE; THENCE SOUTHERLY 50 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF TANBARK ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF MEMORY LANE; THENCE NORTH 31°55'08" WEST, 96.7 FEET ALONG SAID RIGHT-OF-WAY LINE OF MEMORY LANE; THENCE SOUTH 44°29' WEST, 372 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COVE ROAD; THENCE SOUTH 12°44' EAST, 53 FEET MORE OR LESS ALONG SAID RIGHT-OF-WAY LINE OF COVE ROAD TO THE INTERSECTION OF THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 98-640; THENCE NORTH 40°30' WEST, 119.2 FEET; THENCE NORTH 59°53' WEST, 114.7 FEET; THENCE NORTH 77° WEST, 111.1 FEET; THENCE SOUTH 83°55' WEST, 129.7 FEET; THENCE SOUTH 62°20' WEST, 111.3 FEET; THENCE IN A SOUTHERLY DIRECTION 65 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF WHARF STREET. AT A POINT DUE EAST OF THE NORTHERLY RIGHT-OF-WAY LINE OF KING STREET; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE OF WHARF STREET TO THE WESTERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 93-823; THENCE SOUTHERLY 695.68 FEET ALONG SAID PROPERTY BOUNDARY TO THE INTERSECTION OF THE VEGETATION LINE; THENCE FOLLOWING THE VEGETATION LINE AROUND CHETCO POINT TO THE INTERSECTION OF THE SOUTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY BR 129-911; THENCE EASTERLY ALONG SAID PROPERTY BOUNDARY, 368 FEET MORE OR LESS TO THE EASTERLY BOUNDARY OF SAID PARCEL; THENCE NORTH 16°22'57" EAST, 399.96 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WHARF STREET; THENCE EASTERLY 70 FEET MORE OR LESS TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WHARF STREET AND THE EASTERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 01-872; THENCE NORTH 2°29'27" WEST, 282.50 FEET; THENCE NORTH 89°34'18" WEST, 196.86 FEET; THENCE SOUTH, 215 FEET MORE OR LESS TO THE WESTERLY RIGHT-OF-WAY LINE OF WHARF STREET; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY BR 129-911; THENCE NORTH 74°35'06" WEST, 310.32 FEET ALONG SAID PROPERTY BOUNDARY; THENCE NORTH 88°7'34" WEST, 150 FEET MORE OR LESS ALONG SAID PROPERTY BOUNDARY TO THE INTERSECTION OF THE VEGETATION LINE; THENCE NORTHERLY ALONG SAID VEGETATION LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF MILL BEACH ROAD; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHERLY RIGHT-OF-WAY LINE OF

FIFIELD STREET; THENCE WEST, 349 FEET ALONG SAID RIGHT-OF-WAY LINE OF FIFIELD STREET; THENCE NORTH 0°19' WEST, 320.5 FEET; THENCE, SOUTH 89°54'30" WEST, 763.1 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF ARNOLD LANE; THENCE NORTH ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 91-298; THENCE WEST, 1480 FEET MORE OR LESS TO THE INTERSECTION OF THE NORMAL HIGH TIDE LINE; THENCE NORTH ALONG THE NORMAL HIGH TIDE LINE TO THE INTERSECTION OF THE VEGETATION LINE; THENCE ALONG THE VEGETATION LINE TO THE NORTHERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 97-5320; THENCE ALONG SAID PROPERTY BOUNDARY TO THE WESTERLY RIGHT-OF-WAY LINE OF CRISSEY CIRCLE; THENCE ALONG SAID RIGHT-OF-WAY LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 101; THENCE ALONG SAID RIGHT-OF-WAY LINE TO A POINT INTERSECTED BY THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF EASY STREET; THENCE EAST ALONG SAID RIGHT-OF-WAY LINE OF EASY STREET TO THE EASTERLY PROPERTY BOUNDARY OF A PARCEL OF LAND DESCRIBED BY INS 98-211; THENCE SOUTH 14°47'31" EAST, 214.13 FEET ALONG SAID PROPERTY BOUNDARY; THENCE SOUTH 46°34' EAST, 70 FEET; THENCE SOUTH 55°55' EAST, 90 FEET; THENCE SOUTH 79°5' EAST, 190 FEET; THENCE SOUTH 75°46' EAST, 100 FEET; THENCE SOUTH, 90 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM THE PARCEL OF LAND DESCRIBED BY INS 99-2036.

ALL PARCELS OF LAND DESCRIBED BY INS (INSTRUMENT NUMBER), DV (DEED VOLUME), OR BR (BOOK OF RECORDS) ARE AS OFFICIALLY RECORDED IN CURRY COUNTY OREGON.

# **CITY OF BROOKINGS**

## **REPORT ON THE URBAN RENEWAL PLAN**

**Brookings Urban Renewal Agency  
July, 2002**

## **CITY OF BROOKINGS URBAN RENEWAL PLAN**

### **ACKNOWLEDGEMENTS**

This urban renewal plan was prepared with funding assistance from a grant by the U.S. Dept of Agriculture and Oregon Economic Development Department. Citizens of Brookings participated in five workshops leading to the preparation of the renewal Plan and Report. Members of the Downtown Development Committee were active in promoting and attending all public workshops. The Committee members are:

Dr. Jay Patel  
Linda Kelly  
Brian Scott  
Tom Kerr  
Tim Patterson

### **Staff Assistance**

Leroy Blodgett, City Manager  
John Bischoff, City Planner  
Sharon Ridens, Administrative Secretary  
Linda Barker, Community Development Dept. Secretary  
Jeremy McVeety, Special Projects Assistant

### **Urban Renewal Consultant**

Charles Kupper, Spencer & Kupper

# **REPORT ON THE BROOKINGS URBAN RENEWAL PLAN**

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## **REPORT ON THE BROOKINGS URBAN RENEWAL PLAN**

### **PROJECT BACKGROUND**

The primary purpose of the Brookings urban renewal plan is to revitalize the commercial area of the City, and to attract new businesses and jobs to the commercially zoned areas of Brookings. The renewal plan builds upon other work and study efforts focused on this area of Brookings. They include a 1990 urban renewal plan (not adopted), a 1999 ODDA Resource Team Report, a July 2000 local Town Center revitalization study effort (The PROUD Study), and a 2002 Downtown Master Plan by the Urban Design Studio.

The Brookings urban renewal area is larger than either the PROUD study area, or the 2002 Master Plan area, but incorporates those areas within its boundary. The Introduction to the PROUD study forms a good general summary of the current state of conditions within the Brookings Urban Renewal area. It state as follows:

“The commercial area of Brookings can be divided into two distinct parts. The first part is the newer, more modern, area that extends from the north side of Highway 101 to the south side of Railroad Street and from Arnold Lane on the west to Wharf Street on the east. The second part is the old commercial district that extends from the north side of Highway 101 to the north side of Railroad Street and from Wharf Street on the west to Oak Street.

Development in the newer area consists of businesses in buildings that are, for the most part, in good condition on larger lots with room for off-street parking. Most of the streets in this area are improved with curbs, gutters and sidewalks. Businesses in this area consist of a mixture of chain stores like Ray's Market, Fred Meyer, McDonald's, and independent, locally owned stores.

In the older area, most of the businesses are concentrated along Highway 101 and to a lesser extent, Railroad Street. The area between these two streets is developed with residential uses and a few scattered businesses. Even with the exposure enjoyed along the highway, some vacant store fronts can be found at any given time and many of these buildings are in need of renovation. Most of the buildings within the interior are also in need of renovation and some are not worth the effort or cost to refurbish. The streets in this area have very few improvements other than a paved travel way and some water, sewer and storm sewer mains are in need of repair or replacement. Parking for the businesses in this area is also limited, particularly for stores along the highway. The older area of town could be defined as blighted!

Another factor reinforcing the overall need for revitalization was the fact that although thriving, the city is not realizing the potential from the tourist dollars that flow through the

city every day of the year. The poor condition of the downtown core area, the empty store fronts and the lack of convenient parking contribute to the loss of this resource."

The PROUD study wording is cited to show the local awareness and concern over deteriorating conditions within that limited study area. The existence of blighting conditions extends throughout the larger area covered by the Brookings Urban Renewal Plan.

## **DEFINITION OF BLIGHTING CONDITIONS**

ORS 457.010 defines "blight" as follows: (underlining is added for emphasis)

"Blighted areas mean areas which, by reason of deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures, or any combination of these factors, are detrimental to the safety, health or welfare of the community. A blighted area is characterized by the existence of one or more of the following conditions:

"The existence of buildings and structures, used or intended to be used for living, commercial, industrial or other purposes, or any combination of those uses, which are unfit or unsafe to occupy for those purposes because of any one or a combination of the following conditions:

"Defective design and quality of physical construction;

"Faulty interior arrangement and exterior spacing;

"Overcrowding and a high density of population;

"Inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities; or

'Obsolescence, deterioration, dilapidation, mixed character or shifting of uses."

"An economic dislocation, deterioration or disuse of property resulting from faulty planning;

"The division or subdivision and sale of property or lots of irregular form and shape and inadequate size or dimensions for property usefulness and development;

"The laying out of property or lots in disregard of contours, drainage and other physical characteristics of the terrain and surrounding conditions;

"The existence of inadequate streets and other rights-of-way, open spaces and utilities;

"The existence of property or lots or other areas which are subject to inundation by water;

"A prevalence of depreciated values, impaired investments and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered;

"A growing or total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare; or



"A loss of population and reduction of proper utilization of the area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public facilities and services elsewhere."

Note that it is not necessary for each of the cited conditions to be present in the renewal area, or that these conditions be prevalent in each and every sector of the urban renewal area.

## **100. DESCRIPTION OF THE PHYSICAL, SOCIAL AND ECONOMIC CONDITIONS IN THE RENEWAL AREA**

### **100A. PHYSICAL CONDITIONS**

#### **1. Land Area**

The Brookings Renewal Area contains approximately 354 acres of land area. ORS 457.420 provides that the total land area of a proposed urban renewal district, when added to the land area of existing Renewal Areas may not exceed 25% of the City's land area. The City's current land area is approximately 1750 acres. The total of all acreage in renewal areas represents 20.22% of the City's land area. Total renewal area acreage is within the 25% limitation prescribed by ORS 457.420..

#### **2. Existing Land Use and Development**

The Brookings Urban Renewal Area consists primarily of commercial land uses. The next largest land use is for industrial purposes. There are a very limited number of residential uses scattered throughout the project area. Commercial development is concentrated along Chetco Avenue, which runs through the project area. This development is mostly strip commercial, which serves Brookings, and surrounding communities with a range of services, and convenience and comparison shopping opportunities. The Brookings Urban Renewal Area contains 380 tax lots. The zoning of the tax lots is shown in Table 1, below.

<b>BROOKINGS URBAN RENEWAL PLAN</b>		
<b>TABLE 1</b>		
<b>Renewal Area Zoning Breakdown</b>		
<b>Zoning Class</b>	<b>Tax Lots</b>	<b>% of Total</b>
C3	250	65.79%
C4	35	9.21%
C5	1	0.26%
IP	49	12.89%
M2	9	2.37%
R2	11	2.89%
R3	12	3.16%
R16	7	1.84%
P/OS	6	1.58%
<b>TOTALS:</b>	<b>380</b>	<b>100.00%</b>

Table 1 shows that C3 and C4 commercial uses comprise 75% of the uses in the area., while residential uses are only about 8%. The renewal area boundary in fact was drawn with the purpose of creating a plan area that was primarily commercial in nature.

Actions undertaken in the Brookings Urban Renewal Area will help make more productive use of land in the project area.

### **3. Building Conditions**

There are 280 buildings in the Brookings Urban Renewal area. As noted in Table 1, most buildings in the area are zoned for commercial purposes. Visual inspection of building exteriors in the area shows the overall level of building conditions and upkeep is fair to good. However, in scattered pockets, there exist a significant number of buildings in poor condition. The condition of some of these properties may make it economically infeasible to rehabilitate or repair them. The renewal area also contains vacant buildings in various states of repair, and commercial and residential properties in need of exterior repairs to roofing, siding, steps, and exterior trim.

### **4. Conditions - Streets and Sidewalk**

The general level of this basic infrastructure in the project area is more consistent with a rural area than with an urbanized one. A summary conditions report from City staff noted

the following conditions:

Wharf to Oak/Highway 101 to Railroad St.-zoned C-3 (General Commercial).

- Small lots-26 x 89 feet with many older building and houses needing repair or replacement. Infrastructure in poor condition, no street improvements except pavement in most of the area.

King St. between Center St. and Wharf St.-zoned M-2 (General Manufacturing) on west side and I-P (Industrial Park) on the east side.

- Private street in poor repair. Several buildings in poor repair, many yards in general disarray.

Wharf St. to Tanbark Rd./ Railroad St. to the "The Cove" development--zoned I-P (Industrial Park).

- Several old nonconforming houses on west side of Wharf St. No curb gutter or sidewalk on west side of Wharf missing areas of sidewalk on west side. Old dilapidated buildings near Railroad between Wharf St. and Cove Rd.

West end of Wharf St.-zoned R-2 (Two Family Residential).

- Gravel street serving three or four homes.

Cottage St. between Pacific Ave. and Mill St.-zoned I-P (Industrial Park) on the south side and C-3 (General Commercial) on the north side.

- Several old nonconforming houses along the south side of the street. Need curb gutter and sidewalk along south side of the street.

Hillside Ave. between Highway 101 and Valley St.-zoned C-3 (General Commercial).

- Older houses on east side of street. Need curb, gutter and sidewalk on east side.

Valley St. between Hillside Ave. and Pacific Ave.-zoned C-3 (General Commercial) on south side and R-3 (Multiple Family Residential) on north side.

- Need curb, gutter, sidewalk on both sides and new pavement.

Pacific Ave. north of Highway 101-zoned C-3 (General Commercial).

- Needs sidewalk on east side.

South side of Highway 101 north of Spindrift Motel-zoned C-4 (Tourist Commercial)

- Needs curb, gutter and sidewalk from Crissy Circle to Arnold St.

## **5. Conditions - Public Parking**

There is curbside public parking available throughout the urban renewal area, but during

working hours, these spaces are heavily used. There is no public parking lot on Chetco Avenue, and no public parking is readily visible from this main commercial thoroughfare. There is private, off street parking available to patrons of most of the newer strip commercial properties along Chetco Avenue. The lack of accessible and convenient parking is a detriment to investment in the urban renewal area.

#### **6. Conditions - Water and Sewer Services**

Water and sanitary sewer service in the renewal project area is in need of repair and maintenance, but is adequate for existing levels of development.

#### **7. Conditions - Visual Appearance**

The commercial core of Brookings is aligned along Chetco Avenue. Chetco is characterized by a mix of strip commercial development of varying styles and quality, fronted by parking lots, and a mix of older, "main street" commercial properties on very small lots, with curbside parking. The "main street" area has several vacant storefronts, and generally shows more need of repair. There are overhead power lines throughout the area, adding to the visual clutter. Attractive street furniture, signs, banners, trees and landscaping and other visual amenities are rare or non-existent. Physical appearance is not specifically listed as a condition of blight in ORS 457. However, a commercial or residential area that appears visually unpleasant and rundown is detrimental to new investment. Such areas likely are already blighted or is on its way to becoming so.

#### **8. Conditions – Land and Building values**

It is anticipated that the 2001-02 tax roll will establish the initial base of assessed values for the Renewal Area. The total assessed valuation for the City of Brookings for that tax year was \$419,732,781. The total assessed value of property within the urban Renewal Area for the 2001-02 tax year is calculated at \$64,687,680 in land and building values. It is estimated personal property, utility, and mobile home values will add approximately 5% more in value, producing a total of \$67,921,350 in values within the Brookings Renewal Area.. The total assessed value Brookings Renewal Area represents 16.17% of the total property valuation within the City of Brookings. Total certified values within all renewal areas therefore are expected to be well within the maximum 25% of total valuation allowed by urban renewal law.

#### **9. Conditions – Investment and Utilization of land**

Real property values within the Renewal Area are largely concentrated in commercial property classifications. The overall value of land to improvements in the Renewal Area is extraordinarily low for an urban area, especially an area that represents the heart of the

City's commercial properties.. The real market value of land in the renewal area is \$37.26 million and the real market value of improvements is \$39.63 million. The ratio of building value to land value barely exceeds 1:1. Mature urban areas, especially those containing the community's commercial core, are expected to exhibit improvement to value ratios in the 4:1 or 5:1 range. While this ratio can not be expected in a community like Brookings, it is most unusual for building values in a developed part of an urbanized area to barely exceed land values. It is even more unusual to find this improvement to land value ratio in Brookings's in an area that takes in much of Brookings' commercial areas. The data points to a lack of investment in the renewal area, depreciated values, and a loss of tax producing ability for the Brookings community.

#### **100B. SOCIAL AND ECONOMIC CONDITIONS**

Census data for the renewal area itself is not available. Census data shows that the percentage of Brookings households with incomes below \$15,000 is 16.6%, reflecting both the high percentage of elderly residing in Brookings, and the high unemployment and under-employment rates common to Oregon's coastal communities. Census data also shows that only about 15% of Brookings population has more than a high school education. The data illustrates that Brookings at this time is not a high-skill, high wage community. The urban renewal effort is an attempt to improve overall economic conditions in the community, as well as the physical conditions in the renewal area.

#### **200. EXPECTED FISCAL, SERVICE AND POPULATION IMPACTS OF PLAN**

Urban renewal plan activities are aimed at alleviating traffic, parking and pedestrian safety problems, at repairing and redeveloping property within the area, and at upgrading lighting, streets, sidewalks, and open space conditions in the Renewal Area. Carrying out the Renewal Plan is not expected to result in any significant population growth impacts for the City of Brookings. The Plan is expected to facilitate planned, orderly growth as anticipated in the Comprehensive Plan. The Plan is not expected to result in a need for any additional police, fire, or other emergency services beyond those already contemplated by the City and other service providers. The Renewal Area boundary includes a proposed housing development. Renewal Plan activities, however, are not expected to influence the timing or scale of these developments. Therefore, carrying out the Plan is expected to have no impacts on the school system. Carrying out the Renewal Plan is not expected to have any significant impact on water and sewer service needs. Project activities are not expected to require the relocation or removal of any residential or commercial properties.

Carrying out the Renewal Plan will require the use of tax increment revenues. The tax impacts of the Renewal Plan are discussed in detail in Section 500 D of this report.

The Renewal Plan is expected to produce positive fiscal and service impacts for Brookings. Among the public benefits of the renewal plan are

- Street and circulation improvements will improve public safety and convenience.
- Infrastructure improvements will provide better utility service, and decrease public maintenance costs
- New businesses will provide additional shopping convenience, and reduce vehicular trips and time.
- Rehabilitation programs will preserve and renew properties in downtown Brookings.
- An increase in construction expenditures, and purchases kept in Brookings will create secondary jobs.
- The Renewal Plan will help the City of Brookings fund a number of projects listed in the City's Capital Improvements Program, Downtown Master Plan and PROUD study.

The public and private investments made in the renewal area are likely to encourage new investment in areas adjacent to the renewal area. The value thus created can not be quantified, but observation of renewal programs around the state indicates that there are spillover investment effects from a successful renewal program. There are other positive effects of a renewal program that do not lend themselves easily to quantification, for they are quality of life issues. Retaining Brookings's small town atmosphere, maintaining the downtown core as the heart of the city, improving cultural and shopping opportunities, and improving the appearance of Brookings all have value to the community. These in fact, have been expressed as important community values, and directly influenced creation of this renewal plan.

The expenditure of tax increment funds is expected to produce new property values for the City of Brookings. The renewal project is estimated to be completed by the year 2027-28. During that period, property values in the renewal area are expected to increase by approximately \$139 million. At current tax rates, the new property values anticipated in the renewal area will contribute over \$1.3 million in property tax revenues in the first year after the project is ended. Of that revenue, approximately \$522,000 will return to the City of Brookings. That property tax revenue will continue to grow as a result of annual assessment increases.

### **300. REASONS FOR SELECTING THE URBAN RENEWAL AREA**

The Urban Renewal Plan Area was selected based on Brookings Comprehensive Plan goals, objectives, and policies and on the existence of blighting conditions within the area. The project area evidences the following characteristics of blight

- A lack of proper utilization of land planned for tax producing purposes.
- Deficiencies in streets, curb, sidewalk, water and sewer services in the project area.
- Deficiencies in public recreation and open space opportunities.

- Poor visual and aesthetic conditions, contributing to a low level of investment in the project area.
- Poor building conditions in the project area.
- A prevalence of low values and lack of investment in the project area, and reduced tax receipts resulting therefrom.

Conditions exist within the Renewal Area which meet the definitions of blight in ORS 457.010. Treating these conditions is the reason for selecting this renewal area

#### **400. RELATIONSHIP BETWEEN EACH PROJECT ACTIVITY AND EXISTING CONDITIONS IN THE PROJECT AREA**

All project activities described in Section 700 of the Plan are intended to correct the deficiencies described in Section 100 of this Report and summarized in Section 300 of this Report.

1. Unpaved streets, or those lacking curbs and sidewalks will be improved throughout the Renewal Area.
2. Assistance for rehabilitation and new development will attract new investment to the area, and improve the building conditions and blighted appearance of the area.
3. Streetscape activities will improve the visual appearance of the area, and provide a better climate for new investment in the project area.
4. Parking improvements will make it easier for tourists and visitors to shop, or take advantage of recreational opportunities, thereby encouraging expenditures and new investments in the area.
5. Improvements to parks, public buildings, and open spaces will treat deficiencies in those areas
6. Administration and planning activities will assure the plan is carried out effectively, and in conformance with applicable requirements

## **500. FINANCIAL ANALYSIS OF PLAN**

### **500A. ESTIMATED PROJECT COST AND REVENUE SOURCES**

Table 2 shows the estimated total costs of the Brookings Urban Renewal Project.. These costs are the total anticipated costs, allowing for 4% inflation during the life of the project.

<b>BROOKINGS RENEWAL PLAN</b>	
<b>Table 2</b>	
<b>Estimated Cost of Project Activities</b>	
	Estimated cost
<b>Public Parks &amp; Open Spaces</b>	<b>\$1,582,500</b>
Create a Central Plaza	
Walkways and Plazas	
Local Nature Interpretive Areas	
Looped walkway from downtown to public parks	
Wetlands Park at Old Mill Pond	
Enhance Chetco Park and other parks in project area	
<b>Streets and Public Utilities</b>	<b>\$3,165,000</b>
Improve Railroad St, Chetco Av, Fern, Willow, Spruce,	
Hemlock, Alder & Wharf Sts	
Assist Street improvements in CIP	
Assist Water, Sewer, Storm improvements in CIP	
<b>Streetscape</b>	<b>\$791,250</b>
Accent Paving	
Decorative lighting	
Street trees , planters, landscaping	
Benches, trash receptacles, bike racks	
Street & Directional signs	
Public art	
Gateway monuments and landscape features	
Under grounding of overhead utilities	
<b>Pedestrian, Bike, &amp; Transit Improvements</b>	<b>\$791,250</b>
New bike paths in renewal area	
Pedestrian connections to waterfront	
<b>Other Public Facilities</b>	<b>\$2,373,750</b>
Public Restrooms	



Enhancement of public museum	
Relocate City Hall	
Performing Arts Center	
Community Center	
<b>Public Parking Facilities</b>	<b>\$791,250</b>
New lot at Fern & Spruce	
New lots at pockets along Railroad St.	
New RV parking lot	
<b>Development and Redevelopment</b>	<b>\$3,165,000</b>
Assist development of new medical facility	
Assist development of higher education facilities	
Assist in construction or expansion of job creating facilities	
<b>Provide Low Interest Rate Loans &amp; Incentives</b>	<b>\$791,250</b>
<b>Preservation &amp; Rehabilitation</b>	<b>\$791,250</b>
<b>Program Administration</b>	<b>\$1,582,500</b>
<b>TOTALS</b>	<b>\$15,825,000</b>

The principal method of funding the project share of costs will be through use of tax increment financing as authorized by ORS 457. Revenues are obtained from anticipated urban renewal bond proceeds and the proceeds of short term urban renewal notes. Table 2 shows that the total costs of project activities are estimated at \$15,825,000. This is the maximum indebtedness figure inserted in the urban renewal plan .

The capacity for urban renewal bonds is based on projections of urban renewal revenues. Anticipated annual revenues are shown in Table 3 of this Report. Table 3 anticipates there will be four long-term bond issues during the life of the plan. Bond will be issued as revenues, project requirements, and overall bond market conditions dictate. In addition, the Renewal Agency will apply for, and make use of funding from other federal, state, local, or private sources as such funds become available.

#### **500B. ANTICIPATED START & FINISH DATES OF PROJECT ACTIVITIES**

The project activities shown in Table 4 will begin in 2003-04. The sequencing and prioritization of individual project activities shown in Table 4 will be done by the Urban Renewal Agency, and any citizen advisory bodies that the Agency calls upon to assist in this process. The priority of projects and annual funding will be as established in the

annual budget process. Completion dates for individual activities may be affected by changes to local economic and market conditions, changes in the availability of tax increment funds, and changes in priorities for carrying out project activities.

It is estimated that all activities proposed in this plan will be completed, and project indebtedness paid off by 2028-29. At that time, the tax increment provisions of this plan can be ended.

#### **500C. ESTIMATED EXPENDITURES AND YEAR OF DEBT RETIREMENT**

It is estimated that the project will collect tax increment revenue between the years 2003-2004 and 2028-29. It is estimated that the project will produce \$20.4 million in tax increment receipts in that period. These funds will be utilized to finance project activities, and pay all debt service costs, including interest, associated with undertaking these project activities.

It is anticipated that available project revenues, and funds accumulated in a special fund for debt redemption will be sufficient to retire outstanding bonded indebtedness in the year 2028, and terminate the tax increment financing provisions of the project. After all project debt is retired, and the project closed out, it is estimated that there will be surplus tax increment funds. These funds will be distributed to taxing bodies affected by this plan, as provided in ORS 457.

Table 3 of this Report shows the anticipated tax increment receipts for each year of the project, and the use of those receipts. Table 3 follows on the next page.

BROOKINGS URBAN RENEWAL PLAN

TABLE 3

RESOURCES AND REQUIREMENTS

**RESOURCES**

	2003	2004	2005	2006	2007	2008	2009	2010
Beginning Balance	\$0	\$8,477	\$3,437	\$10,694	\$4,330	\$9,586	\$15,514	\$19,217
Tax Increment Revenue	\$87,169	\$113,871	\$228,672	\$259,266	\$290,700	\$424,135	\$460,104	\$497,061
Delinquency at 3% average	-\$2,615	-\$3,416	-\$6,860	-\$7,778	-\$8,721	-\$12,724	-\$13,803	-\$14,912
Proceeds of Borrowings	\$0	\$429,000	\$0	\$0	\$0	\$0	\$3,386,000	\$0
Investment Earnings at 4.5%	\$3,923	\$5,506	\$10,445	\$12,148	\$13,276	\$19,517	\$21,403	\$23,233
<b>Total Resources</b>	<b>\$88,477</b>	<b>\$553,437</b>	<b>\$235,694</b>	<b>\$274,330</b>	<b>\$299,586</b>	<b>\$440,514</b>	<b>\$3,869,217</b>	<b>\$524,599</b>

**REQUIREMENTS**

Outlay on Projects	\$80,000	\$450,000	\$125,000	\$170,000	\$190,000	\$325,000	\$3,400,000	\$70,000
 Total project costs funded in year	 \$80,000	 \$450,000	 \$125,000	 \$170,000	 \$190,000	 \$325,000	 \$3,400,000	 \$70,000
Debt Service - borrowing A - 5 yrs @5.75%	\$0	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$0	\$0
Debt Service - borrowing B - 10 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$450,000	\$450,000
Debt Service - borrowing C - 10 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service - borrowing D - 10 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Outlays</b>	<b>\$80,000</b>	<b>\$550,000</b>	<b>\$225,000</b>	<b>\$270,000</b>	<b>\$290,000</b>	<b>\$425,000</b>	<b>\$3,850,000</b>	<b>\$520,000</b>
<b>Total Resources</b>	<b>\$88,477</b>	<b>\$553,437</b>	<b>\$235,694</b>	<b>\$274,330</b>	<b>\$299,586</b>	<b>\$440,514</b>	<b>\$3,869,217</b>	<b>\$524,599</b>
<b>Ending Balance</b>	<b>\$8,477</b>	<b>\$3,437</b>	<b>\$10,694</b>	<b>\$4,330</b>	<b>\$9,586</b>	<b>\$15,514</b>	<b>\$19,217</b>	<b>\$4,599</b>

**BROOKINGS URBAN RENEWAL PLAN**

**TABLE 3 (continued)**

<b>RESOURCES AND REQUIREMENTS</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>RESOURCES</b>									
Beginning Balance	\$4,599	\$16,700	\$12,217	\$11,583	\$13,182	\$9,360	\$8,151	\$5,988	\$4,177
Tax Increment Revenue	\$652,112	\$694,350	\$737,750	\$782,343	\$828,162	\$875,242	\$923,616	\$973,320	\$1,024,391
Delinquency at 3% average	-\$19,563	-\$20,831	-\$22,132	-\$23,470	-\$24,845	-\$26,257	-\$27,708	-\$29,200	-\$30,732
Proceeds of Borrowings	\$0	\$0	\$0	\$2,257,000	\$0	\$0	\$0	\$0	\$5,080,000
Investment Earnings at 4.5%	\$29,552	\$31,997	\$33,749	\$35,727	\$37,860	\$39,807	\$41,930	\$44,069	\$46,286
<b>Total Resources</b>	<b>\$666,700</b>	<b>\$722,217</b>	<b>\$761,583</b>	<b>\$3,063,182</b>	<b>\$854,360</b>	<b>\$898,151</b>	<b>\$945,988</b>	<b>\$994,177</b>	<b>\$6,124,122</b>
<b>REQUIREMENTS</b>									
Outlay on Projects	\$200,000	\$260,000	\$300,000	\$2,300,000	\$95,000	\$140,000	\$190,000	\$240,000	\$5,100,000
Total project costs funded in year	\$200,000	\$260,000	\$300,000	\$2,300,000	\$95,000	\$140,000	\$190,000	\$240,000	\$5,100,000
Debt Service - borrowing A - 5 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service - borrowing B - 10 yrs @5.75%	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$0
Debt Service - borrowing C - 10 yrs @5.75%	\$0	\$0	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Debt Service - borrowing D - 10 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$675,000
<b>Total Outlays</b>	<b>\$650,000</b>	<b>\$710,000</b>	<b>\$750,000</b>	<b>\$3,050,000</b>	<b>\$845,000</b>	<b>\$890,000</b>	<b>\$940,000</b>	<b>\$990,000</b>	<b>\$6,075,000</b>
<b>Total Resources</b>	<b>\$666,700</b>	<b>\$722,217</b>	<b>\$761,583</b>	<b>\$3,063,182</b>	<b>\$854,360</b>	<b>\$898,151</b>	<b>\$945,988</b>	<b>\$994,177</b>	<b>\$6,124,122</b>
<b>Ending Balance</b>	<b>\$16,700</b>	<b>\$12,217</b>	<b>\$11,583</b>	<b>\$13,182</b>	<b>\$9,360</b>	<b>\$8,151</b>	<b>\$5,988</b>	<b>\$4,177</b>	<b>\$49,122</b>

BROOKINGS URBAN RENEWAL  
PLAN

TABLE 3 (continued)

RESOURCES AND REQUIREMENTS

RESOURCES

	2020	2021	2022	2023	2024	2025	2026	2027	2028
Beginning Balance	\$49,122	\$9,353	\$7,521	\$14,711	\$22,943	\$8,659	\$22,278	\$106,528	\$761,102
Tax Increment Revenue	\$1,076,867	\$1,130,786	\$1,041,233	\$1,091,202	\$1,142,545	\$1,195,300	\$1,249,505	\$1,305,202	\$1,362,429
Delinquency at 3% average	-\$32,306	-\$33,924	-\$31,237	-\$32,736	-\$34,276	-\$35,859	-\$37,485	-\$39,156	-\$40,873
Proceeds of Borrowings	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Investment Earnings at 4.5%	\$50,670	\$51,306	\$47,194	\$49,766	\$52,447	\$54,178	\$57,230	\$63,528	\$95,559
Total Resources	\$1,144,353	\$1,157,521	\$1,064,711	\$1,122,943	\$1,183,659	\$1,222,278	\$1,291,528	\$1,436,102	\$2,178,217

REQUIREMENTS

Outlay on Projects	\$160,000	\$175,000	\$75,000	\$125,000	\$500,000	\$525,000	\$510,000	\$0	\$0
	\$160,000	\$175,000	\$225,000	\$280,000	\$600,000	\$750,000	\$0	\$0	\$0
Total project costs funded in year	\$160,000	\$175,000	\$75,000	\$125,000	\$500,000	\$525,000	\$510,000	\$0	\$0
Debt Service - borrowing A - 5 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service - borrowing B - 10 yrs @5.75%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service - borrowing C - 10 yrs @5.75%	\$300,000	\$300,000	\$300,000	\$300,000	\$0	\$0	\$0	\$0	\$0
Debt Service - borrowing D - 10 yrs @5.75%	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000
Total Outlays	\$1,135,000	\$1,150,000	\$1,050,000	\$1,100,000	\$1,175,000	\$1,200,000	\$1,185,000	\$675,000	\$675,000
Total Resources	\$1,144,353	\$1,157,521	\$1,064,711	\$1,122,943	\$1,183,659	\$1,222,278	\$1,291,528	\$1,436,102	\$2,178,217
Ending Balance	\$9,353	\$7,521	\$14,711	\$22,943	\$8,659	\$22,278	\$106,528	\$761,102	\$1,503,217

Debt  
retired

#### **500D. IMPACT OF TAX INCREMENT FINANCING**

The passage of Ballot Measure 50 changed Oregon's property tax system, and the impacts of urban renewal on taxpayers, and other taxing bodies. Prior to BM50, collection of tax increment revenues for a renewal agency resulted in an increase in the taxpayer's property tax rate. Taxing bodies suffered no revenue losses, unless there was overall compression of property tax revenues.

Under Ballot Measure 50, collection of tax increment revenue can impact the potential property tax revenues received by overlapping tax bodies. These taxing bodies will not be able to apply their permanent BM50 tax rates against the new values added within the urban renewal area. As a result, the taxing bodies will forego revenue they otherwise might have had if there was no renewal plan in effect. In addition, the presence of the urban renewal program could impact the tax rates for future local option levies, or exempt bond issues by taxing bodies, for the tax rates for these bonds and levies will be calculated without the incremental values within the urban renewal area.

Table 4 shows the anticipated cumulative incremental values in the Renewal Area over the life of the Plan, and the anticipated property tax revenues foregone as a result of taxing bodies not being able to apply their permanent BM50 tax rates to those values. Table 4 actually presents an absolute worst case picture of revenue foregone, for it assumes that all the new values in the Brookings Renewal Area would occur, even without the investment of urban renewal funds. In fact, however, it is more realistic to assume that the public expenditures on renewal activities will have some effect on the growth of values within the urban renewal area.

#### **Shilo Decision**

In December 2001, the Oregon Supreme Court ruled in favor of the plaintiff in a matter regarding the methodology of calculating the division of taxes that creates tax increment revenue for an urban renewal agency. In May 2002, the Oregon Dept of Revenue (DOR) issued an administrative rule implementing the Supreme Court decision. The administrative rule requires calculation of a tax rate for collection of the tax increment revenue. This "calculated rate" is applied to the shared assessed value of each tax code in the municipality with the urban renewal plan. The shared value in most cases will be the total assessed value of the municipality that adopts the urban renewal plan. The practical effect of the DOR rule is to spread the "calculated rate" over a wide base of values, producing a lower figure than if it were applied to a more restricted base of values.

If this calculated renewal rate causes the imposition of taxes that exceed the 1% (\$10.00 per thousand) limit established by BM5, then general government revenues must be compressed. The limit on taxes imposed, however, is calculated against the real market value of each property, not the assessed value. Since the real market value for most properties is higher than the assessed value, there usually is a "cushion" against compression, even if the general government rate is somewhat higher than \$10.00 per thousand.

Brookings has an extremely low general government tax rate of \$5.005, and a high total assessed value, and it is expected that annual division of tax revenues to the Agency will be relatively low until late in the life of the project. Given those conditions, no compression of general government revenue is anticipated during the life of the renewal project.

#### **HB 3215**

House Bill 3215, passed by the Legislature in 2001, will impact the Brookings Urban Renewal plan. For new renewal plans such as Brookings', the provisions of the bill remove the tax rates for voter approved bonded indebtedness from the formula for calculating tax increment revenues. These tax rates will be phased out of the tax increment revenue formula gradually, as current bond issues are retired. Bond rates currently account for \$1.316 per thousand of the total Measure 50 rate in Brookings. This bond rate is completely phased out by year 20. Increases in assessed values during the same period will reduce the revenue impact of phasing out the bond rates.

#### **Note on Impact on Schools**

*Under the current method of funding K-12 level education, the urban renewal program will not result in revenue losses for those educational units of government.*

When the project is completed, an estimated \$144.7 million in assessed values will be placed back on the tax roll. In the following year, property tax revenues generated by those values are estimated to be approximately \$1.38 million. Given a 3% inflation of values, the revenues foregone by the overlapping taxing bodies will be repaid in a period of twelve years after the project is completed.

The tax impact on each of the overlapping taxing bodies is shown on Table 4 on the following page.

BROOKINGS RENEWAL PLAN	County tax rate	City Rate	Port	Library	4H	Cemetery	School Dist 17C	SWOCC	ESD
TABLE 4	\$0.5530	\$3.7630	\$0.1249	\$0.4256	\$0.1021	\$0.0368	\$3.2494	\$0.7017	\$0.4432
TAX IMPACT ESTIMATE									

Year	Cumulative New Values	Curry County tax foregone	Brookings tax	Port foregone	Library foregone	4H foregone	Cemetery foregone	SD 17C tax foregone	SWOCC tax foregone	ESD tax foregone
2003	\$8,131,449	\$4,497	\$30,599	\$1,016	\$3,461	\$830	\$299	\$26,422	\$5,706	\$3,604
2004	\$10,622,314	\$5,874	\$39,972	\$1,327	\$4,521	\$1,085	\$391	\$34,516	\$7,454	\$4,708
2005	\$21,331,358	\$11,796	\$80,270	\$2,664	\$9,079	\$2,178	\$785	\$69,314	\$14,968	\$9,454
2006	\$24,185,220	\$13,374	\$91,009	\$3,021	\$10,293	\$2,469	\$890	\$78,587	\$16,971	\$10,719
2007	\$27,117,564	\$14,996	\$102,043	\$3,387	\$11,541	\$2,769	\$998	\$88,116	\$19,028	\$12,019
2008	\$39,564,820	\$21,879	\$148,882	\$4,942	\$16,839	\$4,040	\$1,456	\$128,562	\$27,763	\$17,535
2009	\$42,920,103	\$23,735	\$161,508	\$5,361	\$18,267	\$4,382	\$1,579	\$139,465	\$30,117	\$19,022
2010	\$46,367,655	\$25,641	\$174,481	\$5,791	\$19,734	\$4,734	\$1,706	\$150,667	\$32,536	\$20,550
2011	\$60,831,367	\$33,640	\$228,908	\$7,598	\$25,890	\$6,211	\$2,239	\$197,665	\$42,685	\$26,960
2012	\$64,771,479	\$35,819	\$243,735	\$8,090	\$27,567	\$6,613	\$2,384	\$210,468	\$45,450	\$28,707
2013	\$68,819,945	\$38,057	\$258,969	\$8,596	\$29,290	\$7,027	\$2,533	\$223,624	\$48,291	\$30,501
2014	\$72,979,743	\$40,358	\$274,623	\$9,115	\$31,060	\$7,451	\$2,686	\$237,140	\$51,210	\$32,345
2015	\$77,253,936	\$42,721	\$290,707	\$9,649	\$32,879	\$7,888	\$2,843	\$251,029	\$54,209	\$34,239
2016	\$81,645,670	\$45,150	\$307,233	\$10,198	\$34,748	\$8,336	\$3,005	\$265,299	\$57,291	\$36,185
2017	\$86,158,175	\$47,645	\$324,213	\$10,761	\$36,669	\$8,797	\$3,171	\$279,962	\$60,457	\$38,185
2018	\$90,794,775	\$50,210	\$341,661	\$11,340	\$38,642	\$9,270	\$3,341	\$295,029	\$63,711	\$40,240
2019	\$95,558,882	\$52,844	\$359,588	\$11,935	\$40,670	\$9,757	\$3,517	\$310,509	\$67,054	\$42,352
2020	\$100,454,001	\$55,551	\$378,008	\$12,547	\$42,753	\$10,256	\$3,697	\$326,415	\$70,489	\$44,521
2021	\$105,483,736	\$58,333	\$396,935	\$13,175	\$44,894	\$10,770	\$3,882	\$342,759	\$74,018	\$46,750
2022	\$110,651,789	\$61,190	\$416,383	\$13,820	\$47,093	\$11,298	\$4,072	\$359,552	\$77,644	\$49,041
2023	\$115,961,963	\$64,127	\$436,365	\$14,484	\$49,353	\$11,840	\$4,267	\$376,807	\$81,371	\$51,394
2024	\$121,418,167	\$67,144	\$456,897	\$15,165	\$51,676	\$12,397	\$4,468	\$394,536	\$85,199	\$53,813
2025	\$127,024,416	\$70,245	\$477,993	\$15,865	\$54,062	\$12,969	\$4,674	\$412,753	\$89,133	\$56,297
2026	\$132,784,838	\$73,430	\$499,669	\$16,585	\$56,513	\$13,557	\$4,886	\$431,471	\$93,175	\$58,850
2027	\$138,703,671	\$76,703	\$521,942	\$17,324	\$59,032	\$14,162	\$5,104	\$450,704	\$97,328	\$61,473
2028	\$144,785,272	\$80,066	\$544,827	\$18,084	\$61,621	\$14,783	\$5,328	\$470,465	\$101,596	\$64,169
Totals		\$1,115,026	\$7,587,421	\$251,839	\$858,147	\$205,867	\$74,201	\$6,551,838	\$1,414,853	\$893,634



As noted previously, the revenues foregone assume all of the values would occur even without urban renewal investments. This does not appear to be a realistic assumption. Revenues foregone could be reduced if one assumed that some values do not materialize without urban renewal. The totals foregone also may be misleading in another way. The reader should understand that these revenues are foregone annually, over an extended period of time, not all at once. The total does not take into account the fact that dollars twenty years from now are not as valuable as today's dollars. A present value calculation of the revenues foregone, using just a 3.5 % rate would reduce the revenue foregone total by almost 40%. Also, during the plan period, overall values in Brookings will increase, and those value increases will diminish the tax foregone impact on the budgets of taxing bodies.

#### **500E. FINANCIAL FEASIBILITY OF PLAN**

Table 4 in Section 500 of the Report to the Plan shows the estimated costs of project activities at \$15.8 million. The principal source of revenue to carry out project activities will be annual tax increment revenues of the Renewal Agency. Anticipated tax increment revenues are shown in Table 5. The tax increment revenues shown in Table 5 are based on the following assumptions:

1. Approximately \$4.8 million in new values will be available to the Agency at the beginning of the project, from projects under way or completed after Jan 1, 2001.
2. A higher-end condominium development of approximately 130 units will be developed near Chetco Point in three stages, beginning in 2005-06. The units are assumed to have a value of \$88 million in 2002 dollars.
3. Other new additions to real market values are held at \$500,000 annually through the entire plan period.
4. Overall assessed values in the renewal area are indexed upward 2.75% annually.

The revenues shown in Table 3 are expected to be sufficient to carry out all project activities currently shown on the Urban Renewal Plan, and to retire project indebtedness within a 26-year period. It is financially feasible to carry out the Urban Renewal Plan for the Brookings Urban Renewal Area.

## **600. RELOCATION**

### **A. PROPERTIES REQUIRING RELOCATION**

No relocation is anticipated at the adoption of this plan.

### **B. RELOCATION METHODS**

If in the implementation of this Plan, persons or businesses should be displaced by action of the Agency, the Agency shall provide assistance to such persons or businesses to be displaced. Such displacees will be contacted to determine their individual relocation needs. They will be provided information on available space and will be given assistance in moving. All relocation activities will be undertaken and payments made in accordance with the requirements of ORS 281.045 - 281.105 and any other applicable laws or regulations. Relocation payments will be made as provided in ORS 281.060.

### **C. HOUSING COST ENUMERATION**

The Renewal Plan will remove no existing housing units. Approximately 130 units of new housing are expected to develop in the renewal area. These units are expected to be sales housing units with ocean views. They are expected to be priced for sale to upper middle and upper income households.

**In the Matter of an Ordinance of the  
City of Brookings approving the  
Urban Renewal Plan and directing  
that notice of approval be published.**

### Sections:

- Section 1. Findings.  
Section 2. Conclusions.

WHEREAS, the Brookings Urban Renewal Agency (the "Agency") has prepared and has sent to the City Council for its approval an urban renewal plan for an urban renewal area within the boundaries of the City of Brookings which urban renewal plan is known as the Brookings Urban Renewal Plan (the "Plan"); and

WHEREAS, such Plan and its accompanying Report have been prepared in conformity with the requirements of ORS 457.085 and with public involvement in all stages of the development of the Plan; and

WHEREAS, additional notice of the public hearing on adoption of this Plan has been provided as required by ORS 457.120, and

WHEREAS, the Plan and Report were forwarded to the governing body of each tax district affected by the Plan, with an invitation to meet and discuss the plan, or forward comments on the plan, and any comments received by the Renewal Agency have been responded to, and forwarded to the Council for consideration, and

WHEREAS, pursuant to ORS 457.105, on August 5, 2002, the Plan and Report and maximum indebtedness were submitted to the Curry County Commission, and

WHEREAS, the Plan and Report were forwarded to the Brookings Planning Commission for recommendations and the Planning Commission has reviewed the Plan and Report and made certain recommendations with respect thereto; and

WHEREAS, on August 6, 2002, the Brookings Planning Commission recommended approval of the Brookings Urban Renewal Plan; and

WHEREAS, pursuant to ORS 457.095, the Brookings City Council held a public hearing on August 12, 2002 to review and consider the Plan, the Report, the recommendation of the Planning Commission, and public testimony, and

WHEREAS, on the City Council finds the Urban Renewal Plan should be adopted and approved, based on the findings listed below,

NOW THEREFORE, THE CITY OF BROOKINGS DOES ORDAIN AS FOLLOWS:

Section 1.     FINDINGS

1.     That the area described in the Brookings Urban Renewal Plan is blighted.
2.     That rehabilitation and redevelopment is necessary to protect the public health, safety, or welfare of the City of Brookings.
3.     That the Brookings Urban Renewal Plan conforms to the City's Comprehensive Plan as a whole, and provides an outline for accomplishing the projects that the Brookings Urban Renewal Plan proposes.
4.     That provisions have been made to house displaced persons within their financial means and in accordance with ORS 281.045-ORS - 281.105 and, except in the relocation of elderly or handicapped individuals, without displacing on priority lists persons already waiting for existing federally subsidized housing.
5.     That no real property has been identified for acquisition at this time, and therefore, that no findings of necessity have been made at this time.
6.     That the adoption and carrying out of the urban renewal plan is economically sound and feasible.
7.     That the City shall assume and complete any activities prescribed it by the urban renewal plan.
8.     That the Brookings City Council hereby incorporates by reference the Brookings Urban Renewal Plan, attached to this Ordinance as Exhibit "A", as support for its above-mentioned findings.
9.     That the Brookings City Council further relies on the Report on the Brookings Urban Renewal Plan, attached to this Ordinance as Exhibit "B", which is incorporated by reference, the report of the Planning Commission, the public hearing and the entire record before the City Council in this matter.

Section 2      CONCLUSIONS

1.      The Brookings City Council hereby adopts and approves the Brookings Urban Renewal Plan, pursuant to the provision of ORS 457, and directs the City Recorder to publish notice of the adoption of this Ordinance in accordance with the requirements of ORS 457.115.
  
2.      The Brookings City Council directs the City Recorder to record a copy of the Ordinance approving the Brookings Urban Renewal Plan with the Recording Officer of Curry County, Oregon, pursuant to ORS 457.125, and directs the City Recorder to send a copy of this Ordinance to the Urban Renewal Agency for the City of Brookings, Oregon.

        This Ordinance adopted by the Common Council and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_ day of August, 2002.

\_\_\_\_\_  
Bob Hagbom  
MAYOR

ATTEST:

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

## City of Brookings – Police Department



# Memo

**To:** Mayor and City Councilors  
**From:** Police Chief Chris Wallace  
**Through:** Leroy Blodgett, City Manager  
**Date:** August 5, 2002  
**Re:** School Resource Officer Agreement

---

It is time to re-sign the existing School Resource Officer Agreement between the City of Brookings and Brookings-Harbor School District 17C. Officer Marvin Parker has been assigned as the School Resource Officer for the 2002-2003 school year.

After review of the existing contract I recommend that other than correct dates, no changes be made to the contract wording.

The City of Brookings is pleased to continue a long tradition of mutual support with the Brookings-Harbor School District.

### **RECOMMENDATION:**

I recommend you authorize Mayor Bob Hagbom to sign the attached agreement between the Brookings-Harbor School District 17C and the City of Brookings for a School Resource Officer for School Year 2002-2003.

**AGREEMENT BETWEEN THE  
BROOKINGS-HARBOR SCHOOL DISTRICT 17-C  
AND THE CITY OF BROOKINGS  
FOR SCHOOL RESOURCE OFFICER**

THIS AGREEMENT is made and entered into by and between the City of Brookings (City) and the Brookings-Harbor School District (District).

WHEREAS, the City of Brookings and the School District desire a cooperative effort in:

1. Providing a positive image of law enforcement and law enforcement officers for students;
2. Sharing educational resources for instructional programs dealing with law enforcement, health and safety, and drug and alcohol education;
3. Creating an atmosphere of safety and security on school campuses and at school-sponsored activities;
4. Facilitating a more coordinated effort in dealing with youth problems involving school, parents, police, and other community agencies;
5. Assisting school administrators with the District's prohibition of the traffic and use of illegal substances in the District's schools; and
6. Assisting school administrators, as requested, in their work with troubled students.

WHEREAS, the City and the District desire to formalize such a cooperative effort by written agreement; and

WHEREAS, such contracts are authorized under ORS 190.010 et seq.;

NOW, THEREFORE, in consideration of the mutual promise and covenants contained herein, it is mutually agreed as follows:

1. The City shall assign one full-time sworn police officer the position of School/Community Resource Officer (SRO), assigned to the Brookings-Harbor School District during the regular school year (approximately September through mid June).
2. The City and the District shall each name a contact person who will monitor the program. The building principals will be the contact persons at each school to facilitate communication.
3. SROs are employees of the City and subject to the rules and regulations of the City. Program philosophy and general job responsibilities will be mutually determined by the City and the District. General guidance and task supervision are the responsibility of the building principal after assignments have been agreed upon by the SRO's immediate supervisor (City) and building principals and Superintendent.

As a sworn police officer, once involved in an official investigation of criminal activity, the SRO has the following responsibilities:

- 1) Abide by all Federal, State, and local laws and ordinances.
- 2) Report any conflict created by any laws, ordinances, rules, and policies and procedures to the building principal and police supervisor for resolution.
- 3) Perform a thorough investigation of the allegation. Interview and document all involved parties.
- 4) Inform the supervisor of the SRO program of criminal investigations in which the SRO is involved. Depending on the nature of the crime other law enforcement officers may also be notified.
- 5) Present the case to the District Attorney for review at the appropriate times.

Under no circumstances will investigations or referrals to the District Attorney be done without prior knowledge to the school principals and Superintendent.

4. The duties and responsibilities of the SRO shall be as defined below and mutually agreed upon by the City and the District. Such duties shall include, but not be limited to:
  - 1) The SRO will wear the prescribed City uniform of the day with all normal accessories, including a firearm.
  - 2) A marked City patrol unit will be utilized for transportation and support unless otherwise requested by school officials.



- 3) Represent the image of area law enforcement in the School District.
  - 4) Give classroom presentations on topics of mutual interest to the City and the District upon request.
  - 5) Provide information and informal counseling to students as requested by designated school personnel.
  - 6) At the request of the principal, help to establish and maintain a sense of security and order on school campuses by being a visible presence. The SRO shall not, however, act in the capacity of a private security officer.
  - 7) Know and comply with District policies and rules that govern school personnel's work with students in the areas of student confidentiality and rights.
5. The following duties may be assigned as appropriate by the building principal and upon assignment shall be undertaken:
- 1) Make appropriate contacts with parents and other community agencies on such requests.
  - 2) Assist with supervision of after-school activities as requested by the building principal. In accordance with number eight below, the District agrees to reimburse the City for overtime.
  - 3) At the direction of the building principal, conduct motorized patrol of school grounds and nearby streets, and/or direction of traffic at designated points.
  - 4) Enforce criminal laws through investigation and arrests at District schools, and other District properties and building.
  - 5) Enforce District policy as requested.
6. Scheduling of work days, vacation, and other time off during the school year will be aligned with the school calendar and mutually agreed to by the City and the District. Time off during the regular school calendar will be arranged in advance and agreed to by the City and District.
7. The District agrees to reimburse the City for any overtime expenses on specific requests, i.e., dances and athletic events and any other assignment given under Section 6 outside the SRO's normal duty hours. Any overtime expenses generated by the investigation of criminal activities shall be paid by the City.

8. Except as provided for in this contract, the City shall pay the cost of selection, training, salary, benefits, vehicle, and equipment for this program.
9. The District shall pay to the City, one payment in the amount of \$37,000 on or before June 30, 2003, for SRO services. Any other expenses generated beyond an eight-hour work day (e.g., school dances, football games, etc.) by the SRO program will be billed to the District as they occur.
10. SRO shall be available to the City for other assignments during the District's regular vacation period and non-school days.
11. SRO assignments outside of the school responsibilities shall be minimal. In the event that an assigned SRO is unavailable for duty due to court, illness, vacation, training, or other contracted leave of absence, for a period longer than three consecutive work days, the City will assign a replacement during the absence. The SRO will not be replaced when unavailable for assignment due to school-related business, report writing, responding to off campus emergencies or other brief off campus assignments.
12. It is the responsibility of SRO to report schedule conflicts to the building principals as soon as possible.
13. To the extent allowed by law and subject to Paragraph 16, the City covenants and agrees to hold the District, its officer, employees, or agents harmless for all claims whatsoever that are made against the District, its officers, employees or agents, arising out of the City's negligent performance of the duties required by the terms of this contract.
14. To the extent allowed by law and subject to Paragraph 16, the District covenants and agrees to hold the City, its officers, employees or agents harmless from all claims whatsoever that are made against the District, its officers, employees or agents, arising out of the District's negligent performance of the duties required by the terms of this contract.
15. The City and the District mutually covenant and agree that neither party will insure the actions of the other, but rather each party will assume its own responsibility in connection with any claims made by a third party against the City and/or the District.
16. This contract shall be effective upon both parties signing this agreement through June 15, 2003. This contract shall be renewable yearly, subject to negotiations, provided that the party seeking to renew the contract provides the other party with thirty (30) days written notice.
17. Either party may terminate this contract by providing a thirty (30) day notice of termination. The City shall refund any prorata portion of prepaid compensation

which is not earned because of any termination.

18. IN WITNESS WHEREOF, the parties have caused this contract to be executed by the duly authorized officers on the dates hereinafter written.

**CITY OF BROOKINGS**

**BROOKINGS-HARBOR 17C  
SCHOOL DISTRICT**

By: \_\_\_\_\_  
Bob Hagbom, MAYOR

By: \_\_\_\_\_  
Brian Larsson, School Board Chairperson

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST by City Recorder  
this \_\_\_\_ day of \_\_\_\_\_, 2002.

ATTEST by School District Superintendent  
this \_\_\_\_ day of \_\_\_\_\_, 2002.

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

By: \_\_\_\_\_  
Paul Prevenas, Superintendent

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING MINUTES  
City Hall Council Chambers  
898 Elk Drive, Brookings, OR 97415  
July 8, 2002 7:00 p.m.**

- I. Call to Order  
Mayor Bob Hagbom called the meeting to order at 7:02 p.m.
- II. Pledge of Allegiance  
Led by Community Development Director Leo Lightle
- III. Roll Call  
Council Present: Mayor Bob Hagbom, Council President Larry Curry, and Councilor Rick Dentino, a quorum present.  
  
Council Absent: Councilors Frances Johns Kern, Lorraine Kuhn  
  
Staff Present:  
City Manager, Leroy Blodgett, Community Development Director Leo Lightle, Public Works Supervisor Dennis Barlow, Building Official LauraLee Gray, and Administrative Secretary Linda Barker  
  
Media Present: Curry Coastal Pilot Reporter Brian Bullock  
  
Other:  
approximately 3 other citizens
- IV. Ceremonies/Appointments/Announcements
  - A. Announcements
    - 1. Recognition of Dennis Barlow, Public Works Supervisor—twenty year work anniversary, July 1, 1982  
Mayor Hagbom presented a certificate to Dennis Barlow, thanking him for 20 years of dedicated service to the City of Brookings
    - 2. Recognition of Jim Collis—one year and 10 months on the Planning Commission  
Mayor Hagbom presented Jim Collis with a certificate recognizing his service to the City of Brookings while on the Planning Commission. Mayor Hagbom also noted Collis was on the Systems Development Committee for several years and appreciated the time that was given to the City.

3. Proclamation—American Cancer Society's Relay for Life Weekend, July 12 and 13

On behalf of the Relay for Life Steering Committee, Administrative Secretary Linda Barker accepted the proclamation declaring the weekend of July 12 and 13, Relay for Life Weekend, and urge participation in the drive to fight cancer.

4. Yard of the Month/Most Improved Property of the Month

Mayor Hagbom recognized Una Barbour, 901 Barbra Lane, as July Yard of Month recipient. Wade and Danette Christie were recognized as owners of the Most Improved Property of the Month for their efforts at 410 Arnold Lane.

V. Oral Requests And Communications From The Audience

A. Committee and Liaison reports

1. Chamber of Commerce-None

2. Council Liaisons

a. Councilor Dentino attended a review of the Urban Renewal Plan, a Community Agencies meeting, a Harbor Sanitary District board meeting and the board meeting for Pelican Bay Telecommunications.

b. Councilor Curry attended a meeting of the South Coast Watershed Council on July 3 where he heard a presentation by Matt Swanson and Cindy Meyers on restoration projects on south coast rivers and streams. Mayor Hagbom added that applications for federal grants could be made by watershed councils to improve the stream habitat. Some of these are small grants but by utilizing volunteer labor many trees can be purchased and planted.

c. Mayor Hagbom said there would be a League of Women Voters informational meeting on the Borax project, Wednesday, July 10. The same topic will be discussed at the Chamber of Commerce Forum on Thursday. He added that City Manager Blodgett and he would be meeting with Curry County officials to set the date of the public hearing on the finalization of Periodic Review. That date will be announced as soon as it is set.

B. Unscheduled  
None

VI. Staff Reports

A. City Manager

1. Staff is reviewing the draft Urban Renewal Plan that will be presented during the first Council meeting in August.
2. Staff is also working with Pelican Bay Telecommunications on cable television service for the area and the downtown master plan.
3. The Parks and Recreation Commission voted for a favorable recommendation on the Parks Master Plan.
4. All Councilors now have a printed copy of the final budget for Fiscal Year 2002-2003.
5. Projects for Pioneer Road and the downtown parking lot are in the engineering stages. These will be taken to bid shortly and the bids will be presented to the Council for acceptance of low bid.

VII. Consent Calendar

- A. Approval of Council Meeting Minutes—Minutes of June 24, 2002, Regular Council Meeting
  - B. Acceptance of Parks and Recreation Commission Minutes—Minutes of May 23, 2002 Regular Commission Meeting
  - C. Approval of Vouchers (\$181,750.10)
- (end Consent Calendar)

**Councilor Dentino moved, it was seconded, and the Council unanimously voted to approve the Consent Calendar as printed.**

VIII. Remarks From Mayor And Councilors

A. Council

There were no additional remarks from Council.

B. Mayor

There were no additional comments from Council President Larry Curry, on behalf of Mayor.

IX. Adjournment

Councilor Dentino moved, it was seconded, and the Council voted unanimously to adjourn the meeting at 7:20 p.m.

Respectfully submitted:

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Bob Hagbom  
Mayor

ATTEST by City Recorder this \_\_\_\_ day of \_\_\_\_\_, 2002.

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Paul Hughes  
Finance Director/City Recorder

**CITY OF BROOKINGS  
COMMON COUNCIL MEETING MINUTES  
City Hall Council Chambers  
898 Elk Drive, Brookings, OR 97415  
July 22, 2002 7:00 p.m.**

**I. Call to Order**

Council President Larry Curry called the meeting to order at 7:00 p.m.

**II. Pledge of Allegiance**

Led by Finance Director/Recorder Paul Hughes

**III. Roll Call**

Council Present: Council President Larry Curry, Councilors Frances Johns Kern, Lorraine Kuhn, and Rick Dentino, a quorum present.

Council Absent: Mayor Bob Hagbom

Staff Present:

City Manager Leroy Blodgett, Finance Director Paul Hughes, and Administrative Secretary Linda Barker

Media Present: Curry Coastal Pilot Reporter Brian Bullock

Other:

Approximately four other citizens

**IV. PUBLIC HEARING-None**

**V. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE**

**A. Committee and Liaison reports**

**1. Chamber of Commerce-None**

**2. Council Liaisons-These reports were held after the Unscheduled Communications from the audience reported under item No. 3.**

Councilor Johns Kern attended a school board meeting last Monday night. The school board is also concerned about the intersection at Pioneer Road and Pacific Street (reported under item No. 3)

Councilor Dentino reported he was in attendance at the last Harbor Sanitary District meeting which are now held in the evening; a cable forum; the Weast presentation on the Borax project; Relay for Life. He was present, with Mayor Hagbom, at the South Coast



Humane Society grand opening and worked the American Music Festival concert July 14 and will again next Sunday.

Councilor Kuhn attended Relay for Life and the Kite Festival and had fun at both events.

Council President Curry attended the last meeting of the Chetco Watershed Council where plans were set for the Chetco River checkup. Cindy Meyers demonstrated a new thermometer for checking river temperatures.

**B.     Unscheduled**

1.     Hope Hansen, 97832 Titus Lane, expressed concerns about two pedestrian crossings at Pacific Avenue and Pioneer Road where she has witnessed near misses. She talked to the School Board about this who directed her to the city. Hansen said this corner should be a four-way stop. City Manager Blodgett said he will have the Police and Community Development Departments look into this. Councilor Kuhn agreed this is a very treacherous intersection.
2.     Oregon Department of Transportation Representative Lee Sparks, 3500 Stewart Parkway, Roseburg, reported that while he had not been to the Brookings area recently he still has a committed interest in the community and will be attending Council meetings on a more regular basis. Today ODOT installed cameras in connection with the couplet project and additional plans are in the work for cameras that will tie into ODOT's Trip Check web page.

**VI.    STAFF REPORTS**

**A.     City Manager**

1.     Acceptance of proposal from Planners Training Team to hold a one-day training session in Brookings for Planning Commissioners and interested persons.

City Manager Blodgett and Administrative Secretary Barker detailed how the city received a \$3,500 grant from DLCD to conduct a planning commission training session in Brookings. Staff is recommending contracting with Planners Training Team for \$2,900 to hold the session September 21 at the Brookings Inn Conference Room. The remainder of the grant funds will be used for the meeting site costs, office supplies and postage, and personnel costs to hold the session.

**Councilor Kuhn moved, it was seconded and the Council voted unanimously to accept the Planners Training Team proposal and contract with them to present a Planning Commissioners training session in Brookings, September 21.**

2. Schedule special Common Council meeting for awarding of contracts on public parking lot and Pioneer Road improvements.

The bid opening for the public downtown parking lot and improvements to Pioneer Road is July 25 and to expedite the completion of these projects Blodgett asked for a special Council meeting at noon, July 29 to award the contracts. Also to be considered at this meeting would be the lease agreement with Dr. Russ for use of his parking lot next to the public parking lot.

The Council agreed to the special noon meeting on July 29.

3. Other

City Manager Blodgett reminded Councilors of the Urban Growth Boundary meeting beginning at 9:00 a.m., August 30 at Brookings Inn Conference Room.

He also mentioned that both August Council meetings will be very full with the Borax public hearing and considerations for adoption of the Urban Renewal Plan.

**B. Community Development Department**

1. Amendment to the agreement for engineering services between the City of Brookings and Brown and Caldwell

City Manager Blodgett explained the city has a contract with Brown and Caldwell for engineering services for Wastewater System Engineering. Now this contract needs amended to add engineering services to design and install a Supervisory Control and Data Acquisition (SCADA) system. The SCADA system controls pumping, telemeter, control, alarm and monitoring systems for our water and wastewater system.

**Council Johns Kern moved, it was seconded, and the Council voted unanimously to authorize the Mayor to sign Amendment No. 7 to the Agreement for Engineering Services between the City of Brookings and Brown and Caldwell for Wastewater System Engineering.**

## **VII. CONSENT CALENDAR**

- A. Approval of Council Meeting Minutes
  - 1. Minutes of July 8, 2002, Regular Council Meeting
- B. Acceptance of Planning Commission Minutes
  - 1. Minutes of June 4, 2002, Regular Commission Meeting
- C. Approval of liquor license request for The Tea Room, Ron and Frances Alden applicants  
(end Consent Calendar)

There was not a quorum of Councilors present who attended the July 8 Council meeting. For this reason items A and B of the Consent Calendar were removed from it and will be represented at the August 12 meeting.

**Councilor Dentino moved, it was seconded, and the Council voted unanimously to approve a liquor license request for The Tea Room, Ron and Frances Alden applicants.**

## **VIII. ORDINANCES/RESOLUTIONS/FINAL ORDERS**

- A. Resolutions
  - 1. No. 02-R-705, in the matter of a resolution authorizing transfer of appropriations within the General Reserve Fund for 2001-2002 Fiscal Year.

Finance Director Paul Hughes explained the two resolutions he was proposing. The first resolution would authorize transfer of \$80,000 from the contingency line item to the capital outlay category within the General Reserve Fund. During FY 2001/2002 the City completed or began more projects in the Reserve Fund than anticipated. These capital expenditures included work on the Skate Park, fire truck equipment, the downtown parking lot and master plan, a lawn tractor, a vehicle for the Building Department, the parks master plan and funds spent for the new public works shop.

**Councilor Dentino moved, it was seconded, and the Council voted unanimously to approve Resolution No. 02-R-705 authorizing a transfer of appropriations within the General Reserve Fund for 2001/2002 fiscal year.**

- 2. No. 02-R-706, in the matter of a resolution extending the City of Brookings' workers' compensation coverage to volunteers of the City of Brookings.

Each year City County Insurance Services, our workmen's

compensation carrier requires the City Council pass a resolutions specifying the city volunteers covered under the city's workers compensation plan. Our covered city volunteers have not changed.

**Councilor Johns Kern moved, it was seconded, and the Council voted unanimously to approved Resolution No. 02-R-706 extending the City of Brookings' workers' compensatin coverage to volunteers of the City of Brookings.**

**IX. REMARKS FROM MAYOR AND COUNCILORS**

A. Council-none

B. Mayor-absent

**X. ADJOURNMENT**

**Councilor Dentino moved, it was seconded and by unanimous approval the Council adjourned at 7: 35 p.m.**

**CITY OF BROOKINGS**  
**SPECIAL COUNCIL MEETING MINUTES**  
**Brookings City Hall Council Chambers**  
**898 Elk Drive, Brookings, Oregon**  
**July 29, 2002 12:00 p.m.**

**I. Call To Order**

Mayor Bob Hagbom called the meeting to order at 12:00 p.m.

**II. Pledge Of Allegiance**

Led by Linda Barker

**III. Roll Call**

Council Present: Mayor Bob Hagbom, Council President Larry Curry, Councilors Frances Johns Kern, Lorraine Kuhn, and Rick Dentino, a quorum present.

Council Absent: none

Staff Present:

City Manager Leroy Blodgett, Community Development Director Leo Lightle,  
and Administrative Secretary Linda Barker

Other:

One other citizen

Mayor Hagbom called on City Manager Blodgett who reported that while the Brookings and Harbor Fire Departments have twelve firefighters and a contingent of equipment in the Selma area fighting the forest fires there, Brookings is well served with mutual aid from Harbor.

The following agenda items were taken out of order, discussing first, awarding the Pioneer Road Improvement contract; next, negotiating the lease with Dr. Rush to improve and use private property for a public parking lot; and last, awarding the contract for the Downtown Parking Lot construction.

**IV. Awarding of contract for the Public Parking Lot Development (handled last)**

City Manager Blodgett reported one bid was received for the construction of the Public Parking Lot Development. The bid was for \$83,287 from Freeman Rock Enterprises, Inc. The City Engineer (HGE, Inc.) issued changed orders to meet the budgeted amount of \$70,000. The awarding of this contract is contingent upon signing the lease for the downtown parking lot with Dr. Rush.

**Councilor Johns Kern moved, it was seconded, and the Council voted unanimously to award the contract for construction of the Public Parking Lot to Freeman Rock Enterprises, Inc. in the amount of \$70,000.**

**V. Awarding of contract for Pioneer Road Improvements (Handled first)**

The City received one bid on this project, Freeman Rock Enterprises, Inc. for \$249,936. Street System Development Funds will fund 45% of the project and the remaining amount funded from Street Replacement Funds.

Councilor Dentino questioned the finish date of the project. City Manager Blodgett stated the goal is to have one side done before school starts. Survey workers are at the site today and work will commence as soon as the contract is awarded.

**Councilor Kuhn moved, it was seconded, and the Council voted unanimously to award the contract for Pioneer Road improvements to Freeman Rock Enterprises, Inc. in the amount of \$249,936.**

**VI. Approval of property lease between the City of Brookings and Dr. John Rush**

City Manager Blodgett reported the City has been negotiating with Dr. Rush to use his parking lot east of 648 Chetco Avenue for a public parking lot. The proposed lease runs for 30 years at \$1 per year and requires the City to improve and maintain the parking lot. Ten spaces of the lot will be reserved for customers of Dr. Rush's business, The Eye Center. The City and Dr. Rush have substantially agreed on the lease and the two parties will meet July 30 to finalize the lease. City Manager Blodgett recommended authorizing him to continue negotiating and enter into a lease agreement with Dr. Rush to improve and use private property for a private parking lot.

Stating that she wished she had had a copy of the draft lease earlier, Councilor Kuhn questioned whether Dr. Rush could terminate the lease, whether the City would have an entrance that was not on Rush property, and whether the City would be responsible for lighting, fees, permits, water for landscaping and future upkeep. City Manager Blodgett answered that yes, after five years either party could terminate the lease with 180 day written notice. The entrance to the lot will be from Fern Avenue away from Dr. Rush's property. And the City would be responsible for the items Councilor Kuhn mentioned.

Councilor Johns Kern asked if this lease would be recorded on the deed. City Manager Blodgett responded yes and the City would pay the cost of recording.

Tim Patterson, KBSCTV-49, asked whether the City had considered a purchase option. City Manager Blodgett responded that the City has first right of refusal if Dr. Rush decides to sell. Other discussion ensued about regulating parking and architectural details of the lot. The parking lot construction will be about two weeks once the contractor starts working.

**Councilor Dentino moved, it was seconded and the Council voted unanimously to authorize the City Manager to continue negotiations with Dr. Rush and enter into the**

**lease agreement for the parking lot as long as there are no significant changes from the proposed draft. The motion included the condition that if Dr. Rush proposes conditions radically different from those in the draft lease, the City Manager will contact the Councilors before the lease is signed.**

**VII. Adjournment**

Councilor Johns Kern moved, it was seconded, and the Council unanimously agreed to adjourn at 12:40 p.m.

## **PARKS AND RECREATION COMMISSION MEETING MINUTES**

City of Brookings  
898 Elk Drive, Brookings, Oregon  
June 27, 2002 7:00 p.m.

### **Call To Order**

Chair Boynton called the meeting to order with the pledge of allegiance led by Commissioner Canfield.

### **Roll Call**

*Commissioners Present:* Nina Canfield, Dori Blodgett, Lorraine Williams, Bill Boynton, and Pat Sherman.

*Commissioners Absent:* Tony Parrish, and Paul Prevenas

*Councilor Liaison Present:* Councilor Frances Johns Kern.

*Ex Officio Commission Present:* Lisa Nowlin.

*Staff Present:* City Manager Leroy Blodgett, Special Projects Assistant Jeremy McVeety, Community Development Secretary Cathie Mahon, and Dave Lentz, Park Maintenance.

### **Minutes**

*Correction:* Chairman Boynton noted that Frances (Johns) Kern was listed as present but in fact was absent because she was on her honeymoon. All the members expressed congratulations on her marriage. The minutes were approved 5-0, with the correction noted.

Chairman Boynton welcomed the CPW (Community Planning Workshop) group.

### **Public Appearances**

*CPW guest presenters:* Bob Parker; Director of CPW; Jennifer Brost, Project Manager; and Research Associates: Jennifer Curkendall, Heather Goodson, and Gary Leikness.

Jennifer Brost explained the CPW presentation would be an overview of their project; the methodology used for the study; park classifications, inventory; and future needs; a Capital Improvement Program; Fund Strategies; and the Parks Master Plan findings.

Heather Goodson outlined the project stating a survey was mailed to 1200 Brookings-Harbor residents to obtain demographics of the area; input on the usage of recreational facilities; and exercise activities. The survey analysis mirrored the public input for: a swimming pool for year-round use, a community/recreation center, and improvements for facilities, specifically bathrooms.

Ms. Goodson stated that the group appreciated the assistance from Jeremy, pointing out he conducted an inventory of the current park facilities and amenities in the city, the county, the state, and school owned parks. They were able to use the data from Jeremy's inventory to evaluate the current park system and what is needed in the future.



Ms. Goodson concluded CPW's focus was to establish the needs of the communities, pointing out that Brookings is expected to double in size by 2020; evaluate the current activities and amenities of the park system; analyze future needs; and establish goals and actions.

Gary Leikness, research associate, expanded on the results from the survey and an analysis from one of the questions asked: "if you had \$100 to spend, how would you spend it?" The responses were: 35% for "maintenance/improvements to existing facilities", 27% for a new community center, and additional parks and trails. Respondents were asked, "what kind of exercise activities do you participate in?" Of the 10 most popular activities, walking and nature enjoyment were the top two activities, followed by exercise (aerobics, etc), watching sports, dog walking, festivals and fishing.

Gary addressed the public input from the survey and identified the concerns. Identified items for *Stout Park, Bud Cross Park, Easy Manor Chetco Point and Azalea Park* were: upgrading and increase restroom facilities, more picnic areas, better parking areas, increased trails, and maintenance.

Jennifer Curkendall, research associate, outlined 9 *goals and actions* the team established. Highlighted points were: establish a capital improvement program (CIP), repair vandalism, improve public safety, adequate parking, build a new indoor pool and community center, ensure adequate access to parks, secure long term funding, and insuring the parks in Brookings and incorporating additional ones.

Jennifer explained there is currently 55 acres of parkland. She discussed the formula of 10 acres per 1,000 citizens, and for additional parks to be added within the area would result in a figure of between \$50,000 and \$250,000 per acre. The Capital Improvement Program (CIP) was discussed. Looking at the projected improvements to existing parks in Brookings, spanning 5 years, the total could be a low of \$600,000, with a \$1.2 million high. A chart was discussed with the *acquisition park standards and level of service* between 2000 and 2020.

Jennifer concluded by discussing *funding strategies*. The funding options are: donations, grants, partnerships, Systems Development Charge (SDC), establishing a *Park and Recreation District*, and mandatory dedications. She summarized that the residents want a community center and indoor pool, and capital improvements for the next 20 years will cost between \$600,000 and \$1.2 million.

Chair Boynton thanked the team, commending them on an "outstanding" job. He also directed the commission members to re-read the report and if they had any questions or thoughts, to forward them to Jeremy.

A short discussion ensued. Commissioner Sherman discussed Chetco Point Park, stating she noticed some unusual and rare plants recently at the park. She contacted Jennifer Proust, who verified there are some endangered species in the park. The question was raised about identifying them; after further discussion with CPW, it was decided that the variety of plants be identified and included in the report.

Further discussion ensued. Commissioner Canfield made a motion that the CPW report be submitted to City Council as part of the comprehensive plan or become a land use document (LUCD). All members agreed with the motion and voted unanimously.

Bob Parker, Director of CPW, stated it was a pleasure working with the commission, it was a great learning experience, and was delighted to have the report adopted as a policy statement.

The CPW team wanted to thank Jeremy for his work and input on the project. They presented him with a thank-you card and University of Oregon t-shirt.

### **Committee Reports**

*Stout Park:* No report

*Chetco Point Park:* Commissioner Canfield stated she was very happy with the placement of the Porta-Potty.

*Softball/Soccer Fields:* No report.

*Kidtown:* Commission Dori Blodgett reported a "clean-up" day has been organized to have for a group of children rake and pick-up cigarette butts and debris. The tentative date is the morning of July 20<sup>th</sup>. The children will be provided with plastic rakes.

*Skate Park:* City Manager Blodgett reported he recently met with an individual who has offered to contribute money for the paving area around the restrooms. Chairman Boynton added he is pleased with the park; it is looking good, and has noticed the kids are walking on the sidewalks versus skateboarding on them.

### **Liaison Reports**

*Azalea Park:* City Manager Blodgett proposed an on-site meeting at the park with the commission and city staff to discuss layout and placement (the restrooms and snack shack) within the park. The meeting was set for July 10<sup>th</sup>, at 6:30 p.m. in front of the band shell. Commissioner Williams suggested inviting the Rotary Club, Elmo Williams, Dick Keusink, and Public Works Supervisor Dennis Barlow.

*Azalea Park Foundation:* Commissioner Williams reported over 20 volunteers turned out for a successful work party. Rhododendrons were trimmed up.

### **Staff Announcements/Concerns/Follow-ups**

*Financial Report:* No discussion as it was included in the packet.

*Parks & Fields Use Calendar Update:* none

*Other-Azalea Park:* City Manager Blodgett reported on the park overlooking the Port by the bridge (Doc Martin Bridge) maintained by the student of the Leadership Program. The

Leadership class contracted with ODOT (Oregon Department of Transportation) for a sign and to maintain the landscaping. He explained he was apprized the students no longer cared to continue with the agreement, and wanted to turn over the maintenance of the plants and mowing to the city. Leroy responded that the City could not be responsible for maintaining another park area. Public Works has two (2) employees to maintain all of the City parks; we don't have the time or employees to add to their workload.

*Other-Swimming Pool Issue:*

City Manager Blodgett stated he recently met with Councilor Frances (Johns) Kern to discuss the swimming pool issue; money is the basic issue. Land cost could be close to \$400,000; between 2 and 2.5 million dollars would be needed for building the facility. The issue is not simply acquiring the land, or raising building funds. The important factor to consider is "maintenance" of a swimming pool facility.

City Manager Blodgett illustrated several examples to validate his point. The *City of Dallas* built an eight (8) million dollar swimming pool facility five years ago. Today they are faced with the question of having the money for *maintenance*, funding for daily operating costs. Mendocino County did all the right things: they did a feasibility study. They figured they needed 8.5 million dollars for the land and to build the facility. What they failed to figure in was the operating costs. Crescent City is looking at other resources to fund their pool. The City of North Bend has operating costs of \$200,000. They have had to use \$60,000 from the school fund.

Discussion of *operations* continued. If you access operation costs at \$75,000, or \$300,000 annually, over a 20 year period, it would amount to \$6,000,000. And if there's a deficit, can you ask the taxpayer's to pay for that deficit? Having a swimming pool may be the desire of the residents, but the real challenge is raising the money for all three factors. Case in point: the Brookings swimming pool is budgeted at \$73,000 yet it is anticipated to have a \$40,000 deficit.

City Manager Blodgett stated "pools don't make money and they don't break even." He concluded having a swimming pool may be the number one desire of the public/the community, but the real challenge is to get a long term funding mechanism to pay for all three facets: the land, the pool, and especially the operating costs for the facility. It makes more sense to build a community center because staffing is half the cost.

**Commissioner comments:**

Discussion ensued. Commissioner Dori Blodgett suggested the public may need to be educated on the financial aspects of having a swimming pool, that perhaps *The Pilot* could be the vehicle to cover all the issues involved, and include examples and problems other cities have experience. Commissioner Williams posed that perhaps we could work in conjunction with an entity like a YWCA. City Manager Blodgett responded that it take a large population to support a pool.

Chairman Boynton concluded the discussion by stating that the Board continue thinking about the question of raising revenue, keeping in mind the problems discussed at the City of Dallas, and Mendocino County.

There being no further business the Commission adjourned at 8:20 p.m.

Respectfully submitted,



Cathie Mahon  
Recording Secretary

Approved by the Parks and Recreation Commission  
07/25/02 (date)

**MINUTES  
BROOKINGS PLANNING COMMISSION  
REGULAR MEETING  
June 4, 2002**

The regular meeting of the Brookings Planning Commission was called to order by Chair Randy Gorman at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Russ Fritz	Craig Mickelson	Ted Freeman
Randy Gorman	Tom Davis	John Bischoff, Planning Director
Ernie Cofrances	Bruce Nishioka	Cathie Mahon, Secretary

**CHAIRPERSON ANNOUNCEMENTS**

None.

**MINUTES**

By a 6-0 vote (motion: Commissioner Davis; Commissioner Freeman abstaining as he was not present at the May 7, 2002, meeting) the Planning Commission approved the minutes of the May 7, 2002, regular meeting as written.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL**

None

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS**

None.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS**

1. By a 7-0 vote (motion: Commissioner Davis) the Planning Commission approved a conditional use permit to operate a restaurant from an existing building, located at 623 Memory Lane, File No. CUP-6-02); zoned I-P (Industrial Park), Monte and Colleen Harrison, applicants; located on the west side of Cypress Street; more specifically 213 applicants.

All Commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

The action was taken following questions or comments regarding the requests from the following:

Monte Harrison

P. O. Box 765

Port Orford, OR 97465

The applicants waived their right to seven (7) additional days in which to submit written argument.

2. By a 7-0 voted (motion: Commissioner Davis), the Planning Commission approved the Final ORDER and Findings of Fact for File No. CUP-6-02.
3. By a 7-0 vote (motion: Commissioner Davis) the Planning Commission approved Case CUP-9-97/MC-2; a minor change to add 10, 824 square feet to the existing Alzheimer Residential Care Facility; located at 984 Parkview Drive, zoned R-1-6 (Single-family Residential) Dr. Jitendra Patel, applicant; Richard Turi, representative.

A condition was placed on the motion that the encroachment issue between Brookings Church of the Nazarene and Dr. Patel would be resolved prior to occupancy.

All Commissioners present declared ex parte contact due to the site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

The action was taken following questions or comments regarding the requests from the following:

Richard Turi, architect      P. O. Box 1107      North Bend, OR 97459  
Mr. Burkhalter (Church of the Nazarene) 913 Third Street Brookings, OR Brookings,  
OR Brookings, OR 97415

The applicants waived their right to seven (7) additional days in which to submit written argument.

4. By a 7-0 vote (motion: Commissioner Davis) the Planning Commission approved the FINAL ORDER and Findings of Fact for File No. CUP-9-97/MC 2 as amended.
5. By a 7-0 vote (motion Davis) the Planning Commission approved File No. CUP 5-02, a request to construct a fueling facility within the existing Fred Meyer parking lot; located at 324 Fifth Street; zoned C-3 (General Commercial); Fred Meyer, applicant; Chris Ferko, representative; Barghausen Consulting Engineers.

The motion was amended (Davis approved) to included several conditions: additional parking spaces shall be removed (if necessary) for maneuverability of vehicles (traffic flow), and landscaping within the parking lot.

All Commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

This action was taken following questions and comments regarding the request from the following:

Chris Ferko, Project Planner; Barghausen Consulting Engineers      Kent, WA  
James Coombs, Fred Meyer      3800 SE 22<sup>nd</sup>. Avenue      Portland, Oregon

The applicant waived their right to seven (7) additional days in which to submit written argument.

6. By a 7-0 vote (motion Davis) the Planning Commission approved the FINAL ORDER and Findings of Fact for File No. CUP 05-02 as amended.
7. By a 6-0 (motion: Davis) the Planning Commission approved File No. M3-2-02; a request for minor partition to divide a 1.53 parcel into three lots; zoned R-1-6 (Single-family residential, 6,000 square feet); located on the east side of Parkview Drive; Randy Gorman, Inc., applicant.

Before the hearing began Chairman Gorman declared bias and left the bench and the meeting room. Vice-Chair Freeman took the chair.

All Commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

The action was taken following questions and comments regarding the request from the following:

Lloyd Matlock

P. O. Box 8026

Brookings, OR 97415

The applicant waived his right to seven (7) additional days in which to submit written argument.

Chair Gorman returned to the meeting room and resumed the chair.

8. By a 6-0 vote (motion: Davis) the Planning Commissioner approved the Final ORDER and Findings of Fact for File No. M3-2-02 as amended.

## **THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS**

The County Referral section of this agenda was heard after the Final ORDER and Findings of Fact was approved for File No. CR-AD-0208.

By a 7-0 vote (motion: Commissioner Cofrances) the Planning Commission granted a favorable recommendation for File No. CR-AD-0208; a request for a conditional use permit to place a second house on a 2.90 acre parcel of land located on the south side of Hall Way, approximately 580 feet east of Highway 101; zoned C-1 (Light Commercial); applicants Rollande Bullock and Sandra Harper.

## **UNSCHEDULED PUBLIC APPEARANCES**

None

**REPORT OF THE CITIZENS ADVISORY COMMITTEE**

None

**MESSAGES AND PAPERS FROM THE CITY MANAGER**

None

**MESSAGES AND PAPERS FROM THE MAYOR**

None

**REPORT OF THE PLANNING DIRECTOR**

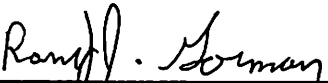
Planning Director Bischoff explained the Commission was invited to a presentation of the draft *urban renewal plan* on June 24<sup>th</sup>. Further information will be provided by the secretary as to time and place.

**ADJOURNMENT**

There being no further business before the Planning Commission, the meeting adjourned at 9.45 p.m.

Respectfully submitted,

**BROOKINGS PLANNING COMMISSION**

  
\_\_\_\_\_  
Randy J. Gorman, Chair



**MINUTES  
BROOKINGS PLANNING COMMISSION  
REGULAR MEETING  
July 2, 2002**

The regular meeting of the Brookings Planning Commission was called to order by Chair Randy Gorman at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

*Commissioners Present:*

Ernie Cofrances	Randy Gorman	John Bishoff, Planning Director
Ted Freeman	Craig Michelson	Cathie Mahon, Secretary
Russ Fritz	Bruce Nishioka	

*Commissioner absent:* Tom Davis.

**CHAIRPERSON ANNOUNCEMENTS**

None.

**MINUTES**

By a 6-0 vote, (motion: Commissioner Freeman) the Planning Commission approved the minutes of the June 4, 2002, regular meeting as written.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL**  
None

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN  
REQUESTS AND COMMUNICATIONS**  
None.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC  
HEARINGS**

1. By a 5-0 vote (motion: Commissioner Michelson;) the Planning Commission approved a minor change to an existing conditional use permit (CUP 2-02) approved April 2, 2002; to redesign an approved auto body repair and paint facility to include a portion of the adjoining lot, located at the corner of Railroad Street and Pacific Avenue; zoned C-3 (General Commercial), William and Cecelia Worlton, applicants; dba Worlton Auto Body, File No. CUP-2-02/MC-1.

A condition was placed on the motion that all vehicles (being worked on) shall be stored in the building.

Commission Freeman declared bias and left the dais and meeting room. All remaining commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

Kevin Patrick	1051 Old County Road	Brookings, OR 97415
Mary Kubick	1024 Seventh Street	Brookings, OR 97415
Vernon Patyk,	619 Meadow Lane	Brookings, OR 97415
entered into the record a letter from:		
John Archuleta	616 Meadow Lane	Brookings, OR 97415
Don Nuss	P. O. Box 1581	Brookings, OR 97415

A recess was declared at 9:00 to give the following participants time to set up their presentation. The meeting reconvened at 9:13 p.m. with the same six members present.

5. By a 6-0 vote (motion: Commissioner Freeman) the Planning Commission will send a favorable recommendation to the City Council regarding File No. ANX-2-02, a request to annex 671 acres into the City of Brookings; located east of Highway 101, north of the city limits within the UGB; U.S. Borax, Inc., applicant; Dennis Boyle, representative.

All Commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

This action was taken following questions and comments regarding the request from the following U.S. Borax representatives:

Dennis Boyle	U.S. Borax, Inc.	26877 Tourney Road	Valencia, CA 91355
Burton Weast	Western Advocates		
	22400 Salamo Road, St.201		West Linn, OR 97068
Marty Stiven	Western Advocates		West Linn, OR 97068
Genc Emre	Otak, Inc., Civil Engineers,		
	17335 SW Boones Ferry Road		Lake Oswego, OR 97035

Additional testimony was given by the following:

Steve Kridelbaugh	President, SWOCC (Southwester Oregon Community College)	
David Itsen	15629 Pedrioli Drive	Brookings, OR 97415
Les Cohen,	Director, Chamber of Commerce	
	324 South Hazel St.	Brookings, OR 97415
Peggy Goergen	Dean of SWOCC	
	1227 Collis Lane	Brookings, OR 97415
Mike Smith	17744 Hwy.101 N. #B101	Brookings, OR 97415
Suzanne Wimberly	P.O. Box 329	Brookings, OR 97415
Pete Chasar	935 Marina Heights Road	Brookings, OR 97415
Catherine Wiley	96370 Dewey Road	Brookings, OR 97415
Yvonne Maitland	15676 Ocean View Drive	Brookings, OR 97415
Steve Witter	P.O. Box 553	Brookings, OR 97415

The applicant waived their right to seven (7) additional days in which to submit written argument.

Saturday, *September 21, 2002*, approximately 8:00 a.m. to 3:00 p.m., to be held at the Best Western Brookings conference room.

**ADJOURNMENT**

With no further business before the Planning Commission, the meeting adjourned at 12:00 p.m.

Respectfully submitted,

**BROOKINGS PLANNING COMMISSION**

  
\_\_\_\_\_  
Randy J. Gorman, Chair

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/02	07/02/2002	43896	1843	Action Industrial Systems	10-00-2005	664.00
07/02	07/02/2002	43897	303	Associated Bag Company	10-00-2005	247.82
07/02	07/02/2002	43898	138	Becco, Inc	10-00-2005	49.00
07/02	07/02/2002	43899	1836	Brett & Amanda Cooper	10-00-2005	2.73
07/02	07/02/2002	43900	730	Brookings Police Reserves	10-00-2005	1,497.77
07/02	07/02/2002	43901	192	Brown & Caldwell	10-00-2005	11,327.06
07/02	07/02/2002	43902	1840	Chetco Federal Credit Union	10-00-2005	125.00
07/02	07/02/2002	43903	183	Colvin Oil Company	10-00-2005	1,451.89
07/02	07/02/2002	43904	182	Coos-Curry Electric	10-00-2005	3,157.13
07/02	07/02/2002	43905	117	Dan's Photo & Cameras	10-00-2005	35.00
07/02	07/02/2002	43906	984	Douglas L Bouwman	10-00-2005	17.88
07/02	07/02/2002	43907	145	EBS Trust	10-00-2005	51.00
07/02	07/02/2002	43908	1831	Edward & Pat Skifstrom	10-00-2005	82.48
07/02	07/02/2002	43909	153	Ferrellgas	10-00-2005	3,923.91
07/02	07/02/2002	43910	105	First Impressions	10-00-2005	324.82
07/02	07/02/2002	43911	298	Freeman Rock Enterprises, Inc	10-00-2005	3,087.50
07/02	07/02/2002	43912	818	Gwen J Morris	10-00-2005	320.00
07/02	07/02/2002	43913		Information Only Check	10-00-2005	.00 V
07/02	07/02/2002	43914	139	Harbor Logging Supply	10-00-2005	440.25
07/02	07/02/2002	43915	131	HGE, Inc	10-00-2005	829.35
07/02	07/02/2002	43916	1838	Irene Flood	10-00-2005	21.02
07/02	07/02/2002	43917	1833	James Robinett	10-00-2005	14.69
07/02	07/02/2002	43918	1846	Janice Lorden	10-00-2005	6.61
07/02	07/02/2002	43919	1834	John Cader	10-00-2005	45.00
07/02	07/02/2002	43920	1505	Kessler/Murphy	10-00-2005	30.57
07/02	07/02/2002	43921	1397	L N Curtis	10-00-2005	2,191.50
07/02	07/02/2002	43922	1847	Leland & Evelyn Pomeroy	10-00-2005	18.43
07/02	07/02/2002	43923	328	Les Schwab Tire Company	10-00-2005	673.06
07/02	07/02/2002	43924	1839	Loring & Jane Cuvreau	10-00-2005	7.88
07/02	07/02/2002	43925	1829	Loyd Anderson	10-00-2005	16.54
07/02	07/02/2002	43926	1844	My-Comm, Inc	10-00-2005	148.70
07/02	07/02/2002	43927	1330	Northwest Uniforms, Inc	10-00-2005	707.41
07/02	07/02/2002	43928	426	Oregon Apparatus Repair	10-00-2005	7,442.52
07/02	07/02/2002	43929	1394	Pam Calloway	10-00-2005	447.62
07/02	07/02/2002	43930	888	Paul's Floor Maintenance	10-00-2005	1,170.00
07/02	07/02/2002	43931	1845	Peter J Lewis	10-00-2005	44.31
07/02	07/02/2002	43932	181	Ramcell of Oregon	10-00-2005	66.15
07/02	07/02/2002	43933	1741	RBF Consulting	10-00-2005	9,679.42
07/02	07/02/2002	43934	214	Regence Life & Health Ins	10-00-2005	243.80
07/02	07/02/2002	43935	1837	Renate Gyuro	10-00-2005	4.38
07/02	07/02/2002	43936	585	Siskiyou Tees	10-00-2005	1,303.25
07/02	07/02/2002	43937	1727	SOS Products	10-00-2005	30.68
07/02	07/02/2002	43938	380	Stadelman Electric	10-00-2005	470.60
07/02	07/02/2002	43939	142	Tidewater Contractors Inc	10-00-2005	280.78
07/02	07/02/2002	43940	170	Umpqua Research Co	10-00-2005	346.50
07/02	07/02/2002	43941	136	United Pipe & Supply Co Inc	10-00-2005	233.23
07/02	07/02/2002	43942	1437	Verizon Communications	10-00-2005	100.72
07/02	07/02/2002	43943	991	Verizon Northwest	10-00-2005	154.24
07/02	07/02/2002	43944	1848	Victoria Marsh	10-00-2005	1.11
07/02	07/02/2002	43945	1841	W C Campbell	10-00-2005	20.84
07/02	07/02/2002	43946	1842	Walter Battaglia	10-00-2005	8.55
07/02	07/02/2002	43947	1830	Ward & Wilma Hughes	10-00-2005	40.31
07/02	07/02/2002	43948	670	Western Equipment Distributors	10-00-2005	102.10
07/02	07/02/2002	43949	269	WW Grainger	10-00-2005	55.56
07/02	07/05/2002	43950	150	Any Time Coffee Service	10-00-2005	43.50
07/02	07/05/2002	43951	138	Becco, Inc	10-00-2005	73.80
07/02	07/05/2002	43952	148	B-H Chamber of Commerce	10-00-2005	3,289.74

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/02	07/05/2002	43953	110	Brookings Auto Parts	10-00-2005	30.80
07/02	07/05/2002	43954	313	Brookings Vol Firefighters	10-00-2005	2,083.33
07/02	07/05/2002	43955	1373	Cascade Fire Equipment	10-00-2005	155.97
07/02	07/05/2002	43956	178	Chetco Pharmacy & Gift	10-00-2005	24.75
07/02	07/05/2002	43957	336	Chris Wallace	10-00-2005	35.00
07/02	07/05/2002	43958	820	CMI Business Systems	10-00-2005	203.59
07/02	07/05/2002	43959	182	Coos-Curry Electric	10-00-2005	12,418.35
07/02	07/05/2002	43960	173	Curry Equipment Company	10-00-2005	1,882.68
07/02	07/05/2002	43961	196	DHR Child Support Unit	10-00-2005	203.08
07/02	07/05/2002	43962	250	DHR Child Support Unit	10-00-2005	278.31
07/02	07/05/2002	43963	498	Dictaphone Corp	10-00-2005	1,209.75
07/02	07/05/2002	43964	316	Donald & Roberta Chandler	10-00-2005	548.00
07/02	07/05/2002	43965	773	Environmental Resource Assoc	10-00-2005	212.00
07/02	07/05/2002	43966	1820	Global Computer Supplies	10-00-2005	49.99
07/02	07/05/2002	43967	1849	Grace Brady	10-00-2005	26.00
07/02	07/05/2002	43968		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43969		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43970		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43971		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43972		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43973		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43974		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43975	162	Kerr Hardware	10-00-2005	783.13
07/02	07/05/2002	43976	1850	La Toya Hale	10-00-2005	22.75
07/02	07/05/2002	43977	1015	Leroy Blodgett	10-00-2005	114.60
07/02	07/05/2002	43978	867	Local Gov't Personnel Inst	10-00-2005	557.00
07/02	07/05/2002	43979	911	Nancy Corrigan	10-00-2005	25.66
07/02	07/05/2002	43980	433	NCL of Wisconsin	10-00-2005	156.00
07/02	07/05/2002	43981	334	North Coast Electric	10-00-2005	174.36
07/02	07/05/2002	43982	572	OMFOA	10-00-2005	75.00
07/02	07/05/2002	43983	910	OR Department of Justice	10-00-2005	115.38
07/02	07/05/2002	43984	1132	OR Department of Justice	10-00-2005	391.62
07/02	07/05/2002	43985	1464	OR Department of Justice	10-00-2005	266.77
07/02	07/05/2002	43986	1742	OR Department of Justice	10-00-2005	143.27
07/02	07/05/2002	43987	144	OR Teamster Employers Trust	10-00-2005	8,863.36
07/02	07/05/2002	43988	189	OR Teamster Employers Trust	10-00-2005	17,726.72
07/02	07/05/2002	43989	1853	Oregon Department of Education	10-00-2005	150.00
07/02	07/05/2002	43990	1394	Pam Calloway	10-00-2005	23.93
07/02	07/05/2002	43991	1787	Pape' Machinery	10-00-2005	194.91
07/02	07/05/2002	43992	252	Paramount Pest Control	10-00-2005	35.00
07/02	07/05/2002	43993	205	PERS Retirement	10-00-2005	10,758.46
07/02	07/05/2002	43994	322	Postmaster	10-00-2005	520.00
07/02	07/05/2002	43995		Information Only Check	10-00-2005	.00 V
07/02	07/05/2002	43996	1193	PRN Data Services, Inc	10-00-2005	2,650.00
07/02	07/05/2002	43997	739	Recreonics, Inc	10-00-2005	74.04
07/02	07/05/2002	43998	199	Richard Harper	10-00-2005	300.00
07/02	07/05/2002	43999	1852	Salbasageon Suites	10-00-2005	239.80
07/02	07/05/2002	44000	213	Teamsters Local Union 223	10-00-2005	640.00
07/02	07/05/2002	44001	142	Tidewater Contractors Inc	10-00-2005	170.14
07/02	07/05/2002	44002	821	Toshiba America Info Systems	10-00-2005	310.00
07/02	07/05/2002	44003	696	Trojan Technologies	10-00-2005	4,018.00
07/02	07/05/2002	44004	295	Tsunami Computer Service	10-00-2005	19.95
07/02	07/05/2002	44005	136	United Pipe & Supply Co Inc	10-00-2005	93.00
07/02	07/05/2002	44006	824	Vietnam Veterans of America	10-00-2005	750.00
07/02	07/05/2002	44007	269	WW Grainger	10-00-2005	589.96
07/02	07/10/2002	44008	1550	Academic & Scientific Supply	10-00-2005	71.53
07/02	07/10/2002	44009	167	American Sigma	10-00-2005	360.56

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/02	07/10/2002	44010	138	Becco, Inc	10-00-2005	25.00
07/02	07/10/2002	44011	251	Brookings Sports Unlimited	10-00-2005	220.00
07/02	07/10/2002	44012	149	Carpenter Auto Center	10-00-2005	162.86
07/02	07/10/2002	44013	1373	Cascade Fire Equipment	10-00-2005	304.12
07/02	07/10/2002	44014	1745	Coastal Paper & Supply, Inc	10-00-2005	106.89
07/02	07/10/2002	44015	183	Colvin Oil Company	10-00-2005	1,108.44
07/02	07/10/2002	44016	1776	Community Planning Workshop	10-00-2005	14,000.00
07/02	07/10/2002	44017	1801	Cop Shop Etc	10-00-2005	121.45
07/02	07/10/2002	44018	1867	Country Keepsakes	10-00-2005	57.50
07/02	07/10/2002	44019	1860	Crystal Chesterman	10-00-2005	34.63
07/02	07/10/2002	44020	169	CTR - Roto Rooter	10-00-2005	14,819.60
07/02	07/10/2002	44021	151	Curry Coastal Pilot	10-00-2005	440.60
07/02	07/10/2002	44022	1357	Curry County Clerk	10-00-2005	10.00
07/02	07/10/2002	44023	1855	Curry County Extension & 4H	10-00-2005	16.41
07/02	07/10/2002	44024	195	Curry Transfer & Recycling	10-00-2005	72.28
07/02	07/10/2002	44025	1865	Dana A Berry	10-00-2005	10.43
07/02	07/10/2002	44026		Information Only Check	10-00-2005	.00 V
07/02	07/10/2002	44027	166	Dan's Auto & Marine Electric	10-00-2005	183.47
07/02	07/10/2002	44028	259	Da-Tone Rock Products	10-00-2005	565.76
07/02	07/10/2002	44029	284	Day-Wireless Systems	10-00-2005	81.50
07/02	07/10/2002	44030	185	Del Cur Supply	10-00-2005	199.29
07/02	07/10/2002	44031		Information Only Check	10-00-2005	.00 V
07/02	07/10/2002	44032		Information Only Check	10-00-2005	.00 V
07/02	07/10/2002	44033		Information Only Check	10-00-2005	.00 V
07/02	07/10/2002	44034	499	Fastenal Company	10-00-2005	289.19
07/02	07/10/2002	44035	1864	Frances Reller	10-00-2005	10.31
07/02	07/10/2002	44036	113	Fred Meyer	10-00-2005	106.80
07/02	07/10/2002	44037	1862	Gerald Harris	10-00-2005	5.15
07/02	07/10/2002	44038	1868	Gloria Grimsley	10-00-2005	9.55
07/02	07/10/2002	44039	307	Industrial Steel & Supply Inc	10-00-2005	91.76
07/02	07/10/2002	44040	1828	Ingersol-Rand Company	10-00-2005	54.26
07/02	07/10/2002	44041	1038	Julie Watson	10-00-2005	180.00
07/02	07/10/2002	44042	1859	Kelly & Lea Sevey	10-00-2005	16.82
07/02	07/10/2002	44043	1854	Kokopelli Kayaks	10-00-2005	390.00
07/02	07/10/2002	44044	1858	L W Dennis	10-00-2005	8.28
07/02	07/10/2002	44045	328	Les Schwab Tire Company	10-00-2005	48.74
07/02	07/10/2002	44046	155	Mory's	10-00-2005	123.45
07/02	07/10/2002	44047	334	North Coast Electric	10-00-2005	230.00
07/02	07/10/2002	44048	266	Northern Tool & Equipment Co	10-00-2005	1,827.91
07/02	07/10/2002	44049	683	OR Assoc Chiefs of Police	10-00-2005	12.50
07/02	07/10/2002	44050	852	PaperDirect	10-00-2005	47.93
07/02	07/10/2002	44051	1193	PRN Data Services, Inc	10-00-2005	1,174.60
07/02	07/10/2002	44052	1029	Purchase Power	10-00-2005	215.00
07/02	07/10/2002	44053	1516	Ron Bodman	10-00-2005	2.07
07/02	07/10/2002	44054	879	Rotary International	10-00-2005	350.00
07/02	07/10/2002	44055	1863	Sandi Martell	10-00-2005	11.57
07/02	07/10/2002	44056	1866	Stan Milstone	10-00-2005	11.96
07/02	07/10/2002	44057	604	Susan Frisch	10-00-2005	223.38
07/02	07/10/2002	44058	1861	Tara Hazelton	10-00-2005	3.22
07/02	07/10/2002	44059	406	The Plant Lady	10-00-2005	480.00
07/02	07/10/2002	44060	179	Trew, Cyphers & Meynink	10-00-2005	2,596.00
07/02	07/10/2002	44061	696	Trojan Technologies	10-00-2005	4,028.87
07/02	07/10/2002	44062	161	United Communications Inc	10-00-2005	488.97
07/02	07/10/2002	44063	990	United Parcel Service	10-00-2005	29.63
07/02	07/10/2002	44064	136	United Pipe & Supply Co Inc	10-00-2005	317.10
07/02	07/10/2002	44065	991	Verizon Northwest	10-00-2005	1,518.18
07/02	07/10/2002	44066	652	Wildfire Pacific, Inc	10-00-2005	470.98

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/02	07/10/2002	44067	269	WW Grainger	10-00-2005	1,263.06
07/02	07/10/2002	44068	1851	Xerox Corp, Attn: XMA Dept	10-00-2005	129.00
07/02	07/10/2002	44069	253	Xerox Corporation	10-00-2005	209.84
07/02	07/18/2002	44070	1875	Alco Holding LLC	10-00-2005	20.37
07/02	07/18/2002	44071	100	Anchor Lock & Key	10-00-2005	113.00
07/02	07/18/2002	44072	190	Bankcard Center	10-00-2005	188.14
07/02	07/18/2002	44073	988	Brookings Harbor Ford	10-00-2005	31.42
07/02	07/18/2002	44074	276	Brookings Harbor Medical Ctr	10-00-2005	645.00
07/02	07/18/2002	44075	710	Building Codes Division	10-00-2005	2,904.26
07/02	07/18/2002	44076	370	CCIS	10-00-2005	9,072.73
07/02	07/18/2002	44077	182	Coos-Curry Electric	10-00-2005	1,187.72
07/02	07/18/2002	44078	169	CTR - Roto Rooter	10-00-2005	123.90
07/02	07/18/2002	44079	337	Curry County Health Dept	10-00-2005	15.00
07/02	07/18/2002	44080	1873	Darrell Allsup	10-00-2005	1.99
07/02	07/18/2002	44081	937	Dennis Tippetts	10-00-2005	45.00
07/02	07/18/2002	44082	371	DEQ Business Office	10-00-2005	4,441.00
07/02	07/18/2002	44083	196	DHR Child Support Unit	10-00-2005	203.08
07/02	07/18/2002	44084	250	DHR Child Support Unit	10-00-2005	278.31
07/02	07/18/2002	44085	105	First Impressions	10-00-2005	42.00
07/02	07/18/2002	44086	1655	Gorski/Bruce Bros	10-00-2005	20.63
07/02	07/18/2002	44087	131	HGE, Inc	10-00-2005	372.50
07/02	07/18/2002	44088	307	Industrial Steel & Supply Inc	10-00-2005	73.85
07/02	07/18/2002	44089	1872	Kalmiopsis Chess Club	10-00-2005	80.00
07/02	07/18/2002	44090	1874	Mendenhall	10-00-2005	30.26
07/02	07/18/2002	44091	1876	Michael & Jill Ernest	10-00-2005	40.36
07/02	07/18/2002	44092	1844	My-Comm, Inc	10-00-2005	701.60
07/02	07/18/2002	44093	279	One Call Concepts, Inc	10-00-2005	40.50
07/02	07/18/2002	44094	910	OR Department of Justice	10-00-2005	115.38
07/02	07/18/2002	44095	1132	OR Department of Justice	10-00-2005	391.62
07/02	07/18/2002	44096	1464	OR Department of Justice	10-00-2005	266.77
07/02	07/18/2002	44097	1742	OR Department of Justice	10-00-2005	143.27
07/02	07/18/2002	44098	426	Oregon Apparatus Repair	10-00-2005	130.68
07/02	07/18/2002	44099	1394	Pam Calloway	10-00-2005	315.61
07/02	07/18/2002	44100	311	Paramount Supply Company	10-00-2005	392.80
07/02	07/18/2002	44101	205	PERS Retirement	10-00-2005	10,855.36
07/02	07/18/2002	44102	187	Quality Fast Lube & Oil	10-00-2005	62.50
07/02	07/18/2002	44103	646	Quartermaster	10-00-2005	128.50
07/02	07/18/2002	44104	180	Ray's Food Place	10-00-2005	134.13
07/02	07/18/2002	44105	879	Rotary International	10-00-2005	480.00
07/02	07/18/2002	44106	1242	Schlack & Associates	10-00-2005	421.20
07/02	07/18/2002	44107	1374	United Horticulture Supply	10-00-2005	623.00
07/02	07/18/2002	44108	157	Viking Office Products	10-00-2005	771.86
07/02	07/18/2002	44109	1835	Wamer Shelter Systems, Inc	10-00-2005	225.00
07/02	07/25/2002	44110	1881	AFLAC	10-00-2005	423.20
07/02	07/25/2002	44111	146	Bay West Supply, Inc	10-00-2005	177.92
07/02	07/25/2002	44112	1382	Christopher VanDerschaaf	10-00-2005	190.00
07/02	07/25/2002	44113	183	Colvin Oil Company	10-00-2005	1,436.70
07/02	07/25/2002	44114	182	Coos-Curry Electric	10-00-2005	3,260.91
07/02	07/25/2002	44115	169	CTR - Roto Rooter	10-00-2005	71.00
07/02	07/25/2002	44116	195	Curry Transfer & Recycling	10-00-2005	30.98
07/02	07/25/2002	44117	1880	D & D Lawn Maintenance	10-00-2005	75.00
07/02	07/25/2002	44118	145	EBS Trust	10-00-2005	52.00
07/02	07/25/2002	44119	198	Grants Pass Water Lab	10-00-2005	152.00
07/02	07/25/2002	44120	818	Gwen J Morris	10-00-2005	360.00
07/02	07/25/2002	44121	836	Hawk's Rest Ranch	10-00-2005	175.00
07/02	07/25/2002	44122	131	HGE, Inc	10-00-2005	1,439.11
07/02	07/25/2002	44123	1877	Holly Hess	10-00-2005	20.00

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/02	07/25/2002	44124	1886	Irvin W Baker	10-00-2005	15.15
07/02	07/25/2002	44125	202	League of Oregon Cities	10-00-2005	3,067.20
07/02	07/25/2002	44126	1887	Louise Macrae	10-00-2005	42.39
07/02	07/25/2002	44127	1888	Mariece Clogston	10-00-2005	31.08
07/02	07/25/2002	44128	1890	Marvin Parker	10-00-2005	172.76
07/02	07/25/2002	44129	1885	Mike & Genie Gilliam	10-00-2005	67.18
07/02	07/25/2002	44130	580	OFCA	10-00-2005	65.00
07/02	07/25/2002	44131	888	Paul's Floor Maintenance	10-00-2005	800.00
07/02	07/25/2002	44132	1871	Paulson Eye Care	10-00-2005	20.00
07/02	07/25/2002	44133		Information Only Check	10-00-2005	.00 V
07/02	07/25/2002	44134	293	Petty Cash	10-00-2005	206.29
07/02	07/25/2002	44135	322	Postmaster	10-00-2005	560.20
07/02	07/25/2002	44136	187	Quality Fast Lube & Oil	10-00-2005	73.00
07/02	07/25/2002	44137	1889	Robert Mauldin	10-00-2005	24.24
07/02	07/25/2002	44138	1516	Ron Bodman	10-00-2005	2,444.29
07/02	07/25/2002	44139	1883	Shannon R Zuber	10-00-2005	15.08
07/02	07/25/2002	44140	1891	Shelia Cranston	10-00-2005	11.61
07/02	07/25/2002	44141	1882	Suyon Sleever	10-00-2005	47.07
07/02	07/25/2002	44142	142	Tidewater Contractors Inc	10-00-2005	215.18
07/02	07/25/2002	44143	1857	TP Freight Lines	10-00-2005	140.24
07/02	07/25/2002	44144	696	Trojan Technologies	10-00-2005	4,034.11
07/02	07/25/2002	44145	136	United Pipe & Supply Co Inc	10-00-2005	1,265.75
07/02	07/25/2002	44146	1736	University of Oregon	10-00-2005	3,750.00
07/02	07/25/2002	44147	268	US Filter Company	10-00-2005	353.54
07/02	07/25/2002	44148	1196	USF Reddaway	10-00-2005	56.10
07/02	07/25/2002	44149	991	Verizon Northwest	10-00-2005	154.24
07/02	07/25/2002	44150	1884	Yvonne Dunn	10-00-2005	9.68
Totals:						<u>239,068.02</u>



## BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of July, 2002

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDF's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
3	Single Family Dwelling	\$2,036.50	\$1,323.73	\$0.00	\$8,934.00	\$592,238.00	7	\$4,405,384.00	25	\$3,226,751.50
5	Single Family Addition	\$1,546.50	\$980.21	\$108.26	\$0.00	\$366,334.00	9	\$474,919.00	15	\$257,172.12
0	Single Family Garage-Carport	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	4	\$107,386.20	7	\$75,604.80
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$1,263,965.00	1	\$161,216.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$209,334.00
1	Commercial New	\$170.50	\$110.83	\$11.94	\$0.00	\$24,624.00	2	\$1,090,349.00	2	\$119,987.36
3	Commercial Addition-Change	\$131.00	\$72.53	\$9.17	\$3,026.00	\$14,300.00	9	\$323,754.00	4	\$19,959.00
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$5,000.00	1	\$10,860.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	3	\$10,542,307.00	1	\$2,000.00
0	Building Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	5	\$0.00
0	Misc.-Retaining Wall-Fence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$10,900.00	9	\$29,788.00
12	Total Building Permits	\$3,884.50	\$2,487.30	\$271.92	\$11,960.00	\$997,496.00	32	\$2,720,142.20	71	\$4,112,672.78
6	Mechanical Permits	\$143.85	N/A	\$10.07	N/A	N/A		N/A		N/A
4	Plumbing Permits	\$190.40	N/A	\$13.33	\$0.00	N/A		N/A		N/A
0	Manufactured Home Permits	\$0.00	N/A	\$0.00	\$0.00	N/A		N/A		N/A
22	TOTAL PERMITS	\$4,218.75	\$2,487.30	\$295.31	\$11,960.00	\$997,496.00		\$2,720,142.20		\$4,112,672.78
	Total Year to Date Calculated Fees	\$57,986.50	\$47,685.62	\$4,059.06	\$70,513.00					
	2001 YTD Calculated Fees	\$39,083.70	\$22,903.84	\$2,735.85	\$206,284.00					

DEQ has lifted the requirement to report EDUs connected to the Brookings Wastewater System. We will continue to report monthly EDUs issued for Brookings and Harbor Harbor-  
Brookings-

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

**In the Matter of an Ordinance amending  
the city limits and zoning map of the City  
of Brookings by annexing a 553± acre  
parcel of land and the adjoining Highway  
101 frontage including 1,600± feet of  
Highway 101 between the existing city  
limits and the subject property and  
rezoning the parcel P/OS (Public Open  
Space) on that certain property described  
below.**

***ORDINANCE No. 02-O-549***

**Sections:**

**Introduction.**

**Section 1. Declaration of Annexation.**

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

**Section 3 Declaration of withdrawal from the Cape Ferrelo Fire  
Protection District.**

**Section 4. Uncollected Taxes.**

**Section 5. Submittal to Secretary of State.**

**Section 6. Rezoning.**

**WHEREAS, property owners have petitioned the City of Brookings  
for annexation of the real property 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, written consent petitions for the annexation of the above  
referenced territory 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); and**

**WHEREAS, the approval of the annexation is conditioned that no development shall occur on the property until such time as a Master Plan of Development is approved by the City.**

**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 via the segment of Highway 101 between the existing city limits which will also be annexed and the subject property, be, and the same hereby is annexed to the City of Brookings.**

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

**Section 3. Declaration of Withdrawal from Cape Ferrelo Rural Fire Protection District. That the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby withdrawn from the Cape Ferrelo Rural Fire Protection District upon the annexation of the aforementioned property to the City of Brookings.**

**Section 4. Uncollected Taxes. That all uncollected taxes therefore levied by such district shall become the property of the City of Brookings and be delivered to it upon collection.**

**Section 5. 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 6. Rezoning. Concurrent with the annexation, the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby rezoned from Forest Grazing (FG) Curry**

**County zoning classification to Public Open Space (P/OS) City of  
Brookings zoning classification.**

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

**Passage:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_

**Signed by me in authentication of its passage this \_\_\_\_\_ day  
of \_\_\_\_\_, 2002**

**ATTEST:**

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

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

## EXHIBIT A

### B. Legal Description

#### 1. Parcel I

The Southeast Quarter of Section 23 and the Northeast Quarter of the Northeast Quarter of Section 26, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon, and those portions of the Northeast Quarter of Section 22, the Northwest Quarter of Section 23, the Southwest Quarter of Section 23, the Northwest Quarter of Section 26, the Northwest Quarter of the Northeast Quarter of Section 26, and the Southeast Quarter of the Northeast Quarter of Section 26, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon lying northeasterly of the northeasterly line of U.S. 101.

Contains 553 acres, more or less.

#### 2. Parcel II

That portion of U.S. 101 lying northwesterly of the east line of the West Half of the Southwest Quarter of Section 25, Township 40 South, Range 14 West, Willamette Meridian, and southerly of the north line of the Northeast Quarter of Section 22, Township 40 South, Range 14 West, Willamette Meridian, Curry County, Oregon.

Contains 118 acres, more or less.

CAPE FERRELO

2403  
494.40 AC  
PART.

40 14 14

40 14 13

2300

Subject

22

2497

PARCEL II

2402  
86.24 AC

REMAINDER

PARCEL I

40 14 24

2401  
80.01 AC

2001-14

17-7

PACIFIC OCEAN

2497

SEE MAP

40 14 26

40 14 25

SEE MAP

SEE MAP

SEE MAP

40 14 3

E. LINE  
W 1/2  
SW 1/4  
SECTION 25

HARRIS CREEK

U.S. R.T. 101

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

In the Matter of an Ordinance )  
amending the city limits and zoning )  
map of the City of Brookings by )  
annexing a 1.51 acre parcel of land )  
and rezoning the parcel R-1-6 (Single )  
Family Residential, 6,000 sq. ft. )  
minimum lot size) on that certain )  
property described below.

**ORDINANCE No. 02-O-550**

**Sections:**

**Introduction.**

**Section 1. Declaration of Annexation.**

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

**Section 3. Uncollected Taxes.**

**Section 4. Submittal to Secretary of State.**

**Section 5. Rezoning.**

**WHEREAS, property owners have petitioned the City of Brookings for annexation of the real property 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, written consent petitions for the annexation of the above referenced territory 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);**

**Now, therefore, 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 subject property, be, and the same hereby is annexed to the City of Brookings.

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

**Section 3. Uncollected Taxes.** That all uncollected taxes therefore levied by such district shall become the property of the City of Brookings and be delivered to it 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 from Residential Two 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: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_ day  
of \_\_\_\_\_, 2002

ATTEST:

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

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



## EXHIBIT A

A Tract of land in Government Lot Three (3) Section Thirty-one (31), Township Forty (40) South, Range Thirteen (13) West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a point North 1914.2 feet East and 272.2 feet from the Southwest corner of said Section 31, said point being on the Easterly line of the County Road known as Parkview Drive:

thence following said Easterly line of Parkview Drive North 29 31' East 163.5 feet to the true point of beginning:

thence along said Parkview Drive North 29 31' East 124.9 feet;

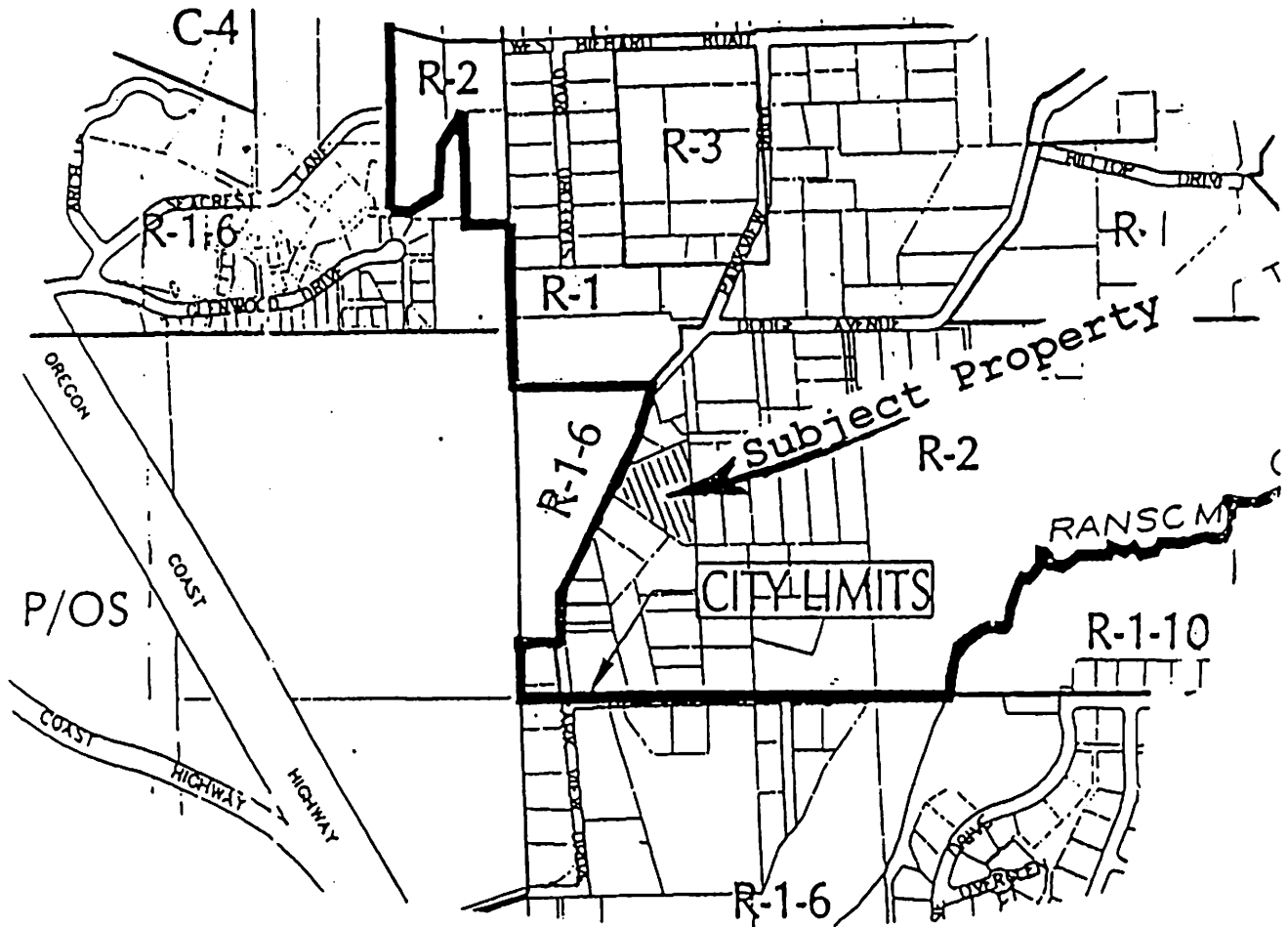
thence North 67 27' East 228.2 feet;

thence South 2 28' East 389.6 feet;

thence West 43.73 feet:

thence North 52 0' West 317.53 feet, more or less, to the point of beginning.

# EXHIBIT B



IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON

**In the Matter of an Ordinance of the  
City of Brookings approving the  
Urban Renewal Plan and directing  
that notice of approval be published.**

ORDINANCE NO. 551

Sections:

- Section 1. Findings.
- Section 2. Conclusions.

WHEREAS, the Brookings Urban Renewal Agency (the "Agency") has prepared and has sent to the City Council for its approval an urban renewal plan for an urban renewal area within the boundaries of the City of Brookings which urban renewal plan is known as the Brookings Urban Renewal Plan (the "Plan"); and

WHEREAS, such Plan and its accompanying Report have been prepared in conformity with the requirements of ORS 457.085 and with public involvement in all stages of the development of the Plan; and

WHEREAS, additional notice of the public hearing on adoption of this Plan has been provided as required by ORS 457.120, and

WHEREAS, the Plan and Report were forwarded to the governing body of each tax district affected by the Plan, with an invitation to meet and discuss the plan, or forward comments on the plan, and any comments received by the Renewal Agency have been responded to, and forwarded to the Council for consideration, and

WHEREAS, pursuant to ORS 457.105, on August 5, 2002, the Plan and Report and maximum indebtedness were submitted to the Curry County Commission, and

WHEREAS, the Plan and Report were forwarded to the Brookings Planning Commission for recommendations and the Planning Commission has reviewed the Plan and Report and made certain recommendations with respect thereto; and

WHEREAS, on August 6, 2002, the Brookings Planning Commission recommended approval of the Brookings Urban Renewal Plan; and

WHEREAS, pursuant to ORS 457.095, the Brookings City Council held a public hearing on August 12, 2002 to review and consider the Plan, the Report, the recommendation of the Planning Commission, and public testimony, and

WHEREAS, on the City Council finds the Urban Renewal Plan should be adopted and approved, based on the findings listed below,

NOW THEREFORE, THE CITY OF BROOKINGS DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS

1. That the area described in the Brookings Urban Renewal Plan is blighted.
2. That rehabilitation and redevelopment is necessary to protect the public health, safety, or welfare of the City of Brookings.
3. That the Brookings Urban Renewal Plan conforms to the City's Comprehensive Plan as a whole, and provides an outline for accomplishing the projects that the Brookings Urban Renewal Plan proposes.
4. That provisions have been made to house displaced persons within their financial means and in accordance with ORS 281.045-ORS - 281.105 and, except in the relocation of elderly or handicapped individuals, without displacing on priority lists persons already waiting for existing federally subsidized housing.
5. That no real property has been identified for acquisition at this time, and therefore, that no findings of necessity have been made at this time.
6. That the adoption and carrying out of the urban renewal plan is economically sound and feasible.
7. That the City shall assume and complete any activities prescribed it by the urban renewal plan.
8. That the Brookings City Council hereby incorporates by reference the Brookings Urban Renewal Plan, attached to this Ordinance as Exhibit "A", as support for its above-mentioned findings.
9. That the Brookings City Council further relies on the Report on the Brookings Urban Renewal Plan, attached to this Ordinance as Exhibit "B", which is incorporated by reference, the report of the Planning Commission, the public hearing and the entire record before the City Council in this matter.

Section 2      CONCLUSIONS

1.      The Brookings City Council hereby adopts and approves the Brookings Urban Renewal Plan, pursuant to the provision of ORS 457, and directs the City Recorder to publish notice of the adoption of this Ordinance in accordance with the requirements of ORS 457.115.
  
2.      The Brookings City Council directs the City Recorder to record a copy of the Ordinance approving the Brookings Urban Renewal Plan with the Recording Officer of Curry County, Oregon, pursuant to ORS 457.125, and directs the City Recorder to send a copy of this Ordinance to the Urban Renewal Agency for the City of Brookings, Oregon.

        This Ordinance adopted by the Common Council and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_ day of August, 2002.

\_\_\_\_\_  
Bob Hagbom  
MAYOR

ATTEST:

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

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

<b>In the matter of Planning Commission File No.</b>	)	<b>Final ORDER</b>
<b>ANX-2-02; application for approval of an annexation,</b>	)	<b>and Findings of</b>
<b>U. S. Borax, Inc., applicant</b>	)	<b>Fact</b>
	)	

**ORDER** approving an application for an annexation of a 553± acre parcel of land and 118 acres of Highway 101 right-of-way located adjacent to the east side of Highway 101 and including 1,600± feet of the highway which completes the connection to the City Limits; Assessor's Map 40-14 & Index, Tax Lots 2000, 2001 and a portion of 2002.

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with Section 148, Annexation, of the Land Development Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its regularly scheduled public hearing on July 2, 2002; and
3. Recommendations were presented by the Planning Director in the form of a written Staff Agenda Report dated June 20, 2002, and by oral presentation, and evidence and testimony was presented by the applicant and the public 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 Agenda 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 August 12, 2002, and 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; and

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

**FINDINGS**

The applicants' findings are the primary findings in this 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 applicant has submitted findings addressing each of the goals of the city's Comprehensive Plan.

2. The applicant has submitted findings addressing the submittal required in Section 148.020, Annexations, of the Land Development Code.
3. The applicant has submitted findings addressing all of the criteria in Section 148.030.
4. The applicant has submitted findings addressing all of the criteria in Section 148.040.

## **CONCLUSIONS**

The materials submitted by the applicant are complete and satisfy all of the criteria presented in Section 148, Annexations, of the Land Development Code, to justify the proposed annexation.

Dated this 12<sup>th</sup> day of AUGUST 2002.

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Bob Hagbom, Mayor

ATTEST:

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John C. Bischoff, Planning Director

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

**In the matter of Planning Commission File No.     ) Final ORDER  
ANX-3-02; application for approval of an annexation,     ) and Findings of  
John Zia, applicant     ) Fact  
   )**

**ORDER** approving an application for an annexation of a 1.51 acre parcel of land located adjacent to the east side of Parkview Dr. adjacent to the City Limits approximately 800 feet north of Hampton Rd.; Assessor's Map 40-13-31CB, Tax Lot 1200.

**WHEREAS:**

1. The Planning Commission duly accepted the application filed in accordance with Section 148, Annexation, of the Land Development Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its regularly scheduled public hearing on July 2, 2002; and
3. Recommendations were presented by the Planning Director in the form of a written Staff Agenda Report dated June 21, 2002, and by oral presentation, and evidence and testimony was presented by the applicant and the public 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 Agenda 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 August 12, 2002, and 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; and

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

**FINDINGS**

The applicants' findings are the primary findings in this 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 meet.

1. The applicant has submitted findings addressing each of the goals of the city's Comprehensive Plan.



2. The applicant has submitted findings addressing the submittal required in Section 148.020, Annexations, of the Land Development Code.
3. The applicant has submitted findings addressing all of the criteria in Section 148.030.
4. The applicant has submitted findings addressing all of the criteria in Section 148.040.

## **CONCLUSIONS**

The materials submitted by the applicant are complete and satisfy all of the criteria presented in Section 148, Annexations, of the Land Development Code, to justify the proposed annexation.

Dated this 12<sup>th</sup> day of AUGUST 2002.

---

Bob Hagbom, Mayor

ATTEST:

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John C. Bischoff, Planning Director