

# City of Brookings WORKSHOP Agenda

## CITY COUNCIL

**Monday July 1, 2019, 4:00pm**

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

### **A. Call to Order**

### **B. Roll Call**

### **C. Topics**

1. Crosswalk Enhancements [PWDS, Tony Baron Pg. 2]
  - a. MUTCD on PHBs - Chapter 4F Pedestrian Hybrid Beacons [Pg. 3]
2. Prohibit Camping on Beaches in City [PWDS, Jay Trost, Pg. 7]
  - a. Beach Camping CAR, October 23, 2017 [Pg. 8]
  - b. City Council Meeting Minutes for October 23, 2019 [Pg 10]
3. Urban Renewal Plan – Future Projects [City Manager, Pg. 14]
  - a. Ordinance 02-O-551 – Approving the Urban Renew Plan [Pg. 15]
  - a. 2002 Urban Renewal Plan [Pg. 18]
  - b. 20002 Report on the Urban Renewal Plan [Pg. 36]

### **D. Council Member Requests for Workshop Topics**

### **E. Adjournment**

All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.

*The City Council will meet immediately following in **Executive Session** in the City's Manager's office, under the authority of ORS 192.660(2)(d) "To conduct deliberations with persons designated by the governing body to carry on labor negotiations".*

# CITY OF BROOKINGS

## COUNCIL WORKSHOP REPORT

Meeting Date: July 1, 2019



Signature (submitted by)

Originating Dept: PW/DS



City Manager Approval

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Subject: Crosswalk Enhancements

Background/Discussion: Councilor John McKinney requested the Public Work & Development Services Department research the feasibility of installing crosswalk in pavement warning light systems at locations within the City to be determined. I inquired with Oregon Department of Transportation (ODOT) regarding the in pavement systems and they inform me they are not allowed on any State of Oregon highway. I presented this information at the April 1, 2019 Council Workshop.

Additional information was requested by Councilor McKinney regarding "Pedestrian Hybrid Beacons" (PHB) which is a special type of beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street. Hybrid beacons also include multi-colored light combinations. ODOT informs me the cost of a PHB starts around \$100k per crossing, require meeting traffic signal warrants or specific pedestrian volumes and have specific site requirements similar to a mid-block. A study performed by ODOT traffic engineers would be required in order to determine if a specific pedestrian crossing (to be determined) meets the requirements for placing a PBH. I attached the section from MUTCD on PHBs.

Further discussion specific to the crosswalk at the Theater continued during the April 1, 2019 meeting. It is believed by staff and Councilor McKinney that additional flashing lights at the sidewalk on each side of the crosswalk would enhance visibility for motorists as the flashing lights above the sidewalk are difficult to see certain times of the day depending on angle of the sun. This would require ODOT to tie into the existing flashing beacon and add to the existing crosswalk lighting system. More research would be required to see if this can be accomplished.

Attachments:

a. MUTCD on PHBs - Chapter 4F. Pedestrian Hybrid Beacons

## CHAPTER 4F. PEDESTRIAN HYBRID BEACONS

### Section 4F.01 Application of Pedestrian Hybrid Beacons

#### Support:

- 01 A pedestrian hybrid beacon is a special type of hybrid beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.

#### Option:

- 02 A pedestrian hybrid beacon may be considered for installation to facilitate pedestrian crossings at a location that does not meet traffic signal warrants (see Chapter 4C), or at a location that meets traffic signal warrants under Sections 4C.05 and/or 4C.06 but a decision is made to not install a traffic control signal.

#### Standard:

- 03 If used, pedestrian hybrid beacons shall be used in conjunction with signs and pavement markings to warn and control traffic at locations where pedestrians enter or cross a street or highway. A pedestrian hybrid beacon shall only be installed at a marked crosswalk.

#### Guidance:

- 04 If one of the signal warrants of Chapter 4C is met and a traffic control signal is justified by an engineering study, and if a decision is made to install a traffic control signal, it should be installed based upon the provisions of Chapters 4D and 4E.
- 05 If a traffic control signal is not justified under the signal warrants of Chapter 4C and if gaps in traffic are not adequate to permit pedestrians to cross, or if the speed for vehicles approaching on the major street is too high to permit pedestrians to cross, or if pedestrian delay is excessive, the need for a pedestrian hybrid beacon should be considered on the basis of an engineering study that considers major-street volumes, speeds, widths, and gaps in conjunction with pedestrian volumes, walking speeds, and delay.
- 06 For a major street where the posted or statutory speed limit or the 85th-percentile speed is 35 mph or less, the need for a pedestrian hybrid beacon should be considered if the engineering study finds that the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding total of all pedestrians crossing the major street for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4F-1 for the length of the crosswalk.
- 07 For a major street where the posted or statutory speed limit or the 85th-percentile speed exceeds 35 mph, the need for a pedestrian hybrid beacon should be considered if the engineering study finds that the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding total of all pedestrians crossing the major street for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4F-2 for the length of the crosswalk.
- 08 For crosswalks that have lengths other than the four that are specifically shown in Figures 4F-1 and 4F-2, the values should be interpolated between the curves.

### Section 4F.02 Design of Pedestrian Hybrid Beacons

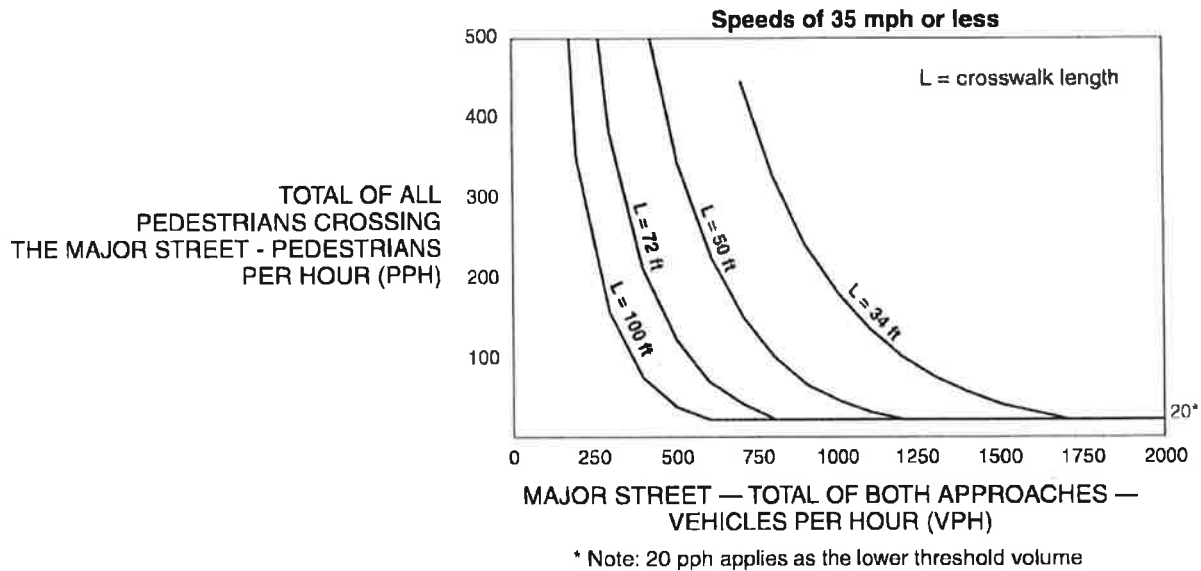
#### Standard:

- 01 Except as otherwise provided in this Section, a pedestrian hybrid beacon shall meet the provisions of Chapters 4D and 4E.
- 02 A pedestrian hybrid beacon face shall consist of three signal sections, with a CIRCULAR YELLOW signal indication centered below two horizontally aligned CIRCULAR RED signal indications (see Figure 4F-3).
- 03 When an engineering study finds that installation of a pedestrian hybrid beacon is justified, then:
- A. At least two pedestrian hybrid beacon faces shall be installed for each approach of the major street,
  - B. A stop line shall be installed for each approach to the crosswalk,
  - C. A pedestrian signal head conforming to the provisions set forth in Chapter 4E shall be installed at each end of the marked crosswalk, and
  - D. The pedestrian hybrid beacon shall be pedestrian actuated.

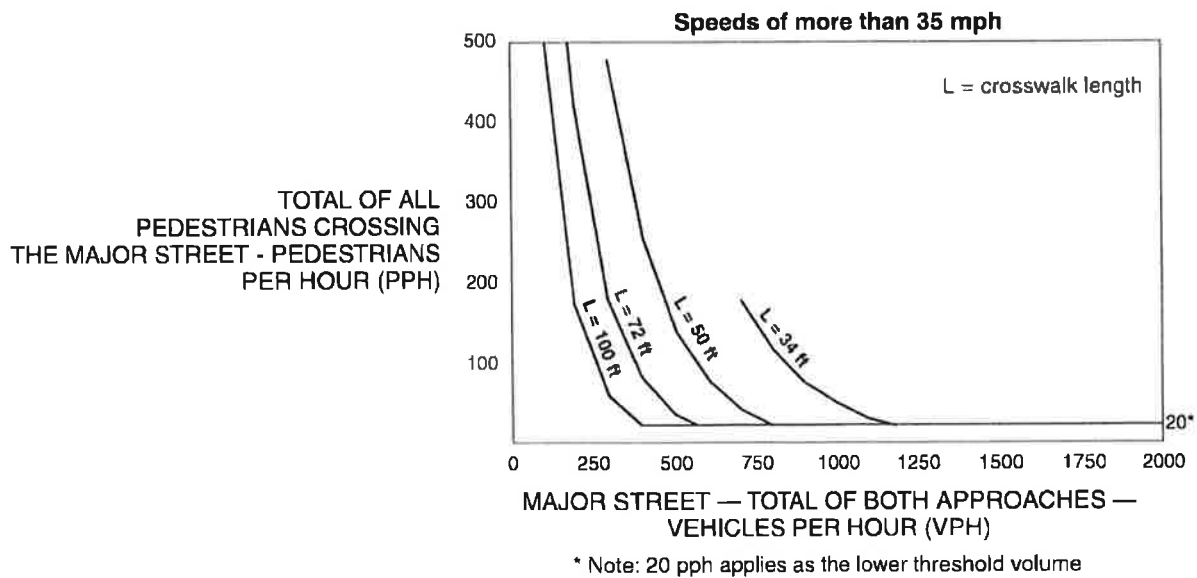
#### Guidance:

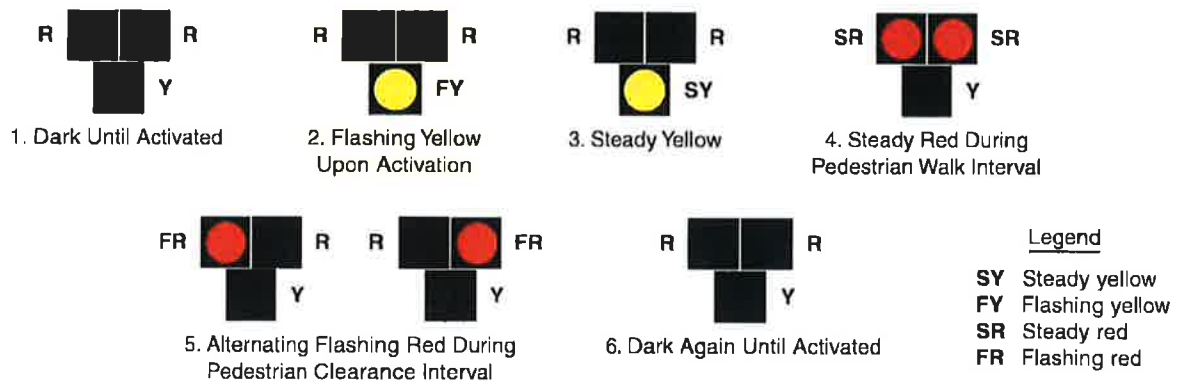
- 04 When an engineering study finds that installation of a pedestrian hybrid beacon is justified, then:
- A. The pedestrian hybrid beacon should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs,

**Figure 4F-1. Guidelines for the Installation of Pedestrian Hybrid Beacons on Low-Speed Roadways**



**Figure 4F-2. Guidelines for the Installation of Pedestrian Hybrid Beacons on High-Speed Roadways**



**Figure 4F-3. Sequence for a Pedestrian Hybrid Beacon**

B. Parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the marked crosswalk, or site accommodations should be made through curb extensions or other techniques to provide adequate sight distance,

C. The installation should include suitable standard signs and pavement markings, and

D. If installed within a signal system, the pedestrian hybrid beacon should be coordinated.

05 On approaches having posted or statutory speed limits or 85th-percentile speeds in excess of 35 mph and on approaches having traffic or operating conditions that would tend to obscure visibility of roadside hybrid beacon face locations, both of the minimum of two pedestrian hybrid beacon faces should be installed over the roadway.

06 On multi-lane approaches having a posted or statutory speed limits or 85th-percentile speeds of 35 mph or less, either a pedestrian hybrid beacon face should be installed on each side of the approach (if a median of sufficient width exists) or at least one of the pedestrian hybrid beacon faces should be installed over the roadway.

07 A pedestrian hybrid beacon should comply with the signal face location provisions described in Sections 4D.11 through 4D.16.

**Standard:**

08 A CROSSWALK STOP ON RED (symbolic circular red) (R10-23) sign (see Section 2B.53) shall be mounted adjacent to a pedestrian hybrid beacon face on each major street approach. If an overhead pedestrian hybrid beacon face is provided, the sign shall be mounted adjacent to the overhead signal face.

**Option:**

09 A Pedestrian (W11-2) warning sign (see Section 2C.50) with an AHEAD (W16-9P) supplemental plaque may be placed in advance of a pedestrian hybrid beacon. A warning beacon may be installed to supplement the W11-2 sign.

**Guidance:**

10 If a warning beacon supplements a W11-2 sign in advance of a pedestrian hybrid beacon, it should be programmed to flash only when the pedestrian hybrid beacon is not in the dark mode.

**Standard:**

11 If a warning beacon is installed to supplement the W11-2 sign, the design and location of the warning beacon shall comply with the provisions of Sections 4L.01 and 4L.03.

### Section 4F.03 Operation of Pedestrian Hybrid Beacons

**Standard:**

01 Pedestrian hybrid beacon indications shall be dark (not illuminated) during periods between actuations.

02 Upon actuation by a pedestrian, a pedestrian hybrid beacon face shall display a flashing CIRCULAR yellow signal indication, followed by a steady CIRCULAR yellow signal indication, followed by both steady CIRCULAR RED signal indications during the pedestrian walk interval, followed by alternating flashing CIRCULAR RED signal indications during the pedestrian clearance interval (see Figure 4F-3). Upon termination of the pedestrian clearance interval, the pedestrian hybrid beacon faces shall revert to a dark (not illuminated) condition.

- 03 **Except as provided in Paragraph 4, the pedestrian signal heads shall continue to display a steady UPRAISED HAND (symbolizing DONT WALK) signal indication when the pedestrian hybrid beacon faces are either dark or displaying flashing or steady CIRCULAR yellow signal indications. The pedestrian signal heads shall display a WALKING PERSON (symbolizing WALK) signal indication when the pedestrian hybrid beacon faces are displaying steady CIRCULAR RED signal indications. The pedestrian signal heads shall display a flashing UPRAISED HAND (symbolizing DONT WALK) signal indication when the pedestrian hybrid beacon faces are displaying alternating flashing CIRCULAR RED signal indications. Upon termination of the pedestrian clearance interval, the pedestrian signal heads shall revert to a steady UPRAISED HAND (symbolizing DONT WALK) signal indication.**

Option:

- 04 Where the pedestrian hybrid beacon is installed adjacent to a roundabout to facilitate crossings by pedestrians with visual disabilities and an engineering study determines that pedestrians without visual disabilities can be allowed to cross the roadway without actuating the pedestrian hybrid beacon, the pedestrian signal heads may be dark (not illuminated) when the pedestrian hybrid beacon faces are dark.

Guidance:

- 05 *The duration of the flashing yellow interval should be determined by engineering judgment.*

**Standard:**

- 06 **The duration of the steady yellow change interval shall be determined using engineering practices.**

Guidance:


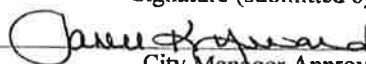
- 07 *The steady yellow interval should have a minimum duration of 3 seconds and a maximum duration of 6 seconds (see Section 4D.26). The longer intervals should be reserved for use on approaches with higher speeds.*

# CITY OF BROOKINGS

## Council WORKSHOP Report

Meeting Date: July 1, 2019

Originating Dept: PW/DS

  
\_\_\_\_\_  
Signature (submitted by)  
  
\_\_\_\_\_  
City Manager Approval

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Subject: Prohibit Camping on Beaches in City

Background/Discussion:

June Podesta, who is a former resident of Maclynn Cove development, expressed concerns at the June 10, 2019 Council meeting regarding unattended camp fires and transient activity on and near Mill Beach. The beach access at this location is owned by the City of Brookings but the beach beyond the vegetation line is managed by the Harris Beach State Park Management unit.

This matter has been discussed numerous times over the past several years. This matter was the subject of a review by the City Council and the Parks and Recreation Commission in 2009 and again in October of 2017. Under Oregon Law, it is legal to camp overnight along the ocean shore to accommodate recreational hikers on the Oregon Coast Trail. The exception to this is beach areas fronting those cities that have requested no camping adjacent to the boundaries of their city. City governments can request, under Oregon Administrative Regulation (OAR) 736-030-0020 to be included on a list of cities where overnight camping is prohibited. The Cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita currently prohibit overnight camping on the beach under this provision.

In order to enact this prohibition, the City must adopt an ordinance prohibiting overnight camping on the beach, and must request that the Oregon Department of Parks and Recreation amend the OAR to include Brookings on the list of cities as indicated above.

In 2009 the City Council declined to request a camping restriction on beaches adjacent to Brookings. In 2017 the City Council again declined to place a restriction on beach camping.

Staff was directed to bring this matter before the Council at a workshop for further discussion.

Attachment(s):

- a. Beach Camping CAR, October 23, 2017
- b. City Council Meeting Minutes for October 23, 2017

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: October 23, 2017

\_\_\_\_\_  
Signature (submitted by)

Originating Dept: City Manager

\_\_\_\_\_  
City Manager Approval

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Subject: Beach Camping

Recommended Motion: Motion to direct the City Manager to contact the Oregon Department of Parks and Recreation to craft appropriate language for an Oregon Administrative Regulation (OAR) to prohibit campfires after midnight on the shoreline adjacent to the City of Brookings between Harris Beach State Park and the Chetco River.

Background/Discussion:

The City has received correspondence from Corrine Gist Sills and June Podesta, residents of the MacLynn Cove development, concerning transient camping on Mill Beach. They made a presentation at the City Council meeting of August 14 at which time the matter was referred to a workshop. The City Council conducted a workshop concerning this matter on October 2 at which time they directed staff to return to the City Council with a recommendation.

Participating in the workshop were representatives of the Brookings Public Safety Department (police and fire), Oregon State Police, Coos Forest Protective Association, Oregon State Parks, and the City Parks and Recreation Department.

This matter has been discussed numerous times over the past several years. This matter was the subject of a review by the City Council and the Parks and Recreation Commission in 2009. Under Oregon Law, it is legal to camp overnight along the ocean shore to accommodate recreational hikers on the Oregon Coast Trail. The exception to this is beach areas fronting those cities that have requested no camping adjacent to the boundaries of their city. City governments can request, under Oregon Administrative Regulation (OAR) 736-030-0020 to be included on a list of cities where overnight camping is prohibited. The Cities of Cannon Beach, Lincoln City, Seaside, Newport, Bandon, Gold Beach, Rockaway Beach and Manzanita currently prohibit overnight camping on the beach under this provision.

In order to enact this prohibition, the City must adopt an ordinance prohibiting overnight camping on the beach, and must request that the Oregon Department of Parks and Recreation amend the OAR to include Brookings on the list of cities as indicated above. In 2009 the City Council declined to request a camping restriction on beaches adjacent to Brookings.

The City Manager contacted the City Managers of the cities listed above and posed the following questions:

1. Has this been effective in controlling transients camping on the beach? (This is the reason it is being considered here)
2. What is your enforcement policy? By complaint?



3. Who enforces the restriction? Police?
4. Have you encountered any problems with enforcement?
5. Has this required increased staffing?
6. If you know, what prompted the City to enact this regulation?

Three cities responded to the inquiry. The reasons cited for enacting the restriction varied, but did not include controlling transients. Gold Beach enacted the regulation specifically due to fire concern as the beach vegetation and driftwood is in close proximity to many buildings. Generally, enforcement is by the local Police Department and is handled by complaint...usually a fire complaint. None of the cities reported an impact on staffing. Enforcement action is typically a warning. As to encounters with transients (and not tourists) City Managers report that the parties simply move when contacted and establish a camp somewhere else in the community.

At the meeting of August 14 it was mentioned that the beach camping problem seemed to have abated with the enactment of seasonal fire restrictions. Apparently, the beach is not a desirable place to camp with no campfire. Thus, one approach might be to prohibit fires on the beach year-round after a certain time of day, perhaps midnight when the Mill Beach access is officially closed. Signs would be posted. The Brookings Police Department would be the enforcement agency.

With respect to beach restrictions, the OAR process is handled by the Oregon Department of Parks and Recreation.

The City would be the responsible party for enforcement, even though the beach is not within the City Limits. The Oregon Department of Parks and Recreation has entered into cooperative agreements with local governments to authorize them to enforce local regulations on State lands. This would also be the case in this instance. Additionally, OAR 736-030-0000 states as follows and purports to grant enforcement jurisdiction to cities:

*"Regulations in this division apply to ocean shores adjacent to the coastal cities specified in each rule. The named cities may adopt parallel ordinances to regulate activities on the ocean shores and may enforce such ordinances to the extent they are consistent with the rules in this division. Cities will notify the department of all actions taken under these regulations."*

The regulations within Division 30 include prohibition of horses, dogs off leash, camping, alcoholic beverages, windsailing, fireworks, playing golf, rock climbing, etc.

City Attorney Martha Rice advises that federal and state courts have generally held that government cannot "criminalize" being homeless under both state and federal constitutions. She advises that what this means is that if there is no place for transients to go such as adequate shelter spaces, then the transients cannot be arrested or cited for sleeping on public property. The City Attorney should be consulted as a part of the discussion at the Council meeting.

Attachment(s):

- a. Correspondence from Corrine Gist Sills and June Podesta
- b. Memo dated May 5, 2005 from City Manager Leroy Blodgett
- c. OAR 736-030-0020

**City of Brookings**  
**CITY COUNCIL MEETING MINUTES**  
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415  
**Monday, October 23, 2017**

**Call to Order**

Mayor Pieper called the meeting to order at 7:00 PM.

**Roll Call**

Council present: Mayor Jake Pieper, Councilors Bill Hamilton, Brent Hodges, Councilor Thompson, and Dennis Triglia; a quorum present.

Staff present: City Manager Gary Milliman, City Attorney Martha Rice, Public Works and Development Director Paul Stevens, Parks and Planning Manager Tony Baron, and City Recorder Teri Davis.

Media Present: Jane Stebbins of the Curry Pilot present

Others Present: Nineteen audience members.

**Scheduled Appearances**

*Housing Study*

City Manager Milliman provided the staff report.

Sam Baugh of South Coast Development Council addressed Council with specific findings of the study.

**Councilor Triglia moved, Councilor Hamilton seconded and Council voted unanimously to accept Housing Needs Assessment prepared by South Coast Development Council and to distribute the report to as wide an audience as possible to promote housing development within the City.**

*Curry Community Health*

Postponed until November 13, 2017 meeting

*Historic Building Survey*

Parks and Planning Manager Baron provided the staff report.

Katie Henry and Jason Allen of the Oregon State Historic Preservation Office provided a presentation regarding why Brookings downtown does not meet the criteria to be designated a historic district, and offering other recommendations for specific buildings that might meet the criteria.

### **Oral Requests and Communications from the audience**

1. Gina Early, of 15589 Cedar Lane, Harbor, addressed Council requesting consideration of an Ordinance prohibiting adult, sexually-oriented establishments within the City limits.
2. Mike Frederick, of 16883 Yellowbrick Road, addressed Council requesting to review the boundaries of the Downtown core district.
3. Mike Horgan, of 335 Memory Lane, addressed Council requesting to removal of a tree in front of his business and also about the lack of enforcement by Oregon Liquor Control Commission on marijuana retail establishments.

### **Staff Reports**

#### ***Beach Camping***

City Manager Milliman presented the staff report.

June Podesta of 200 Macklyn Cove spoke in favor of prohibiting beach camping.  
Cory Sills of 200 Macklyn Cove, #4 spoke thanking Council for considering this action.

Emails provided by Podesta and several other area residents were entered into record.

Council discussed its authority on the matter, enforcement issues of the prohibition, impacts on the community at large, and admonitions about criminalizing homelessness.

**Councilor Thompson moved, Mayor Pieper seconded and Council voted 2-3 with Mayor Pieper and Councilor Thompson voting Aye and Councilors Hamilton, Hodges and Triglia voting Nay to direct the City Manager to contact the Oregon Department of Parks and Recreation to craft appropriate language for an Oregon Administrative Regulation (OAR) to prohibit campfires after midnight on the shoreline adjacent to the City of Brookings between Harris Beach State Park and the Chetco River. Motion failed.**

#### ***Letter of Support for Contour Airlines***

City Manager Milliman presented the staff report.

**Councilor Thompson moved, Councilor Hamilton seconded and Council voted 4-1 with Councilor Triglia voting Nay to authorize the Mayor to sign a letter of support to the Federal Aviation Administration for the selection of Contour Airlines as the commercial air service provided at the Del Norte County Regional Airport.**

#### ***Water and Wastewater Treatment Contract Services***

Public Works and Development Director Stevens presented the staff report.

Mark Haglund of 437 Azalea Park Road, and speaking as an employee of the Treatment Plant, addressed Council in opposition to contracting out the Treatment Plant operations.

Council discussed the particulars and content of the RFP process and indicated its desire that the RFP include a provision for the employment of the City's current employees working in the Treatment Plants.

**Councilor Hodges moved, Councilor Thompson seconded and Council voted unanimously to authorize the City Manager to issue a Request for Proposal to CH2M and Veolia Water North America – West, LLC to provide contract services to maintain and operate the water treatment plant, wastewater treatment plant, water storage reservoirs, lift stations, and pump stations.**

*Response to Request for Information re Infrastructure Projects*

City Manager Milliman presented the staff report.

**Councilor Hodges moved, Councilor Triglia seconded and Council voted unanimously to authorize the City Manager to submit responses to the Request for Information issued by the Regional Solutions program concerning three potential economic development projects as described in this staff report, and authorizing the Mayor to sign a support letter for each project.**

*As Needed Engineering Contract Extension*

Publics Works and Development Director Stevens presented the staff report.

**Councilor Triglia moved, Councilor Thompson seconded and Council voted unanimously to authorize the City Manager to extend the professional services contract for as needed engineering services with The Dyer Partnership Engineers and Planners, Inc. for a period of one year.**

**Resolutions**

*Public Procurement and Contracting Policy*

City Manager Milliman presented the staff report.

**Councilor Triglia moved, Councilor Hodges seconded and Council voted unanimously to adopt Resolution 17-R-1123, adopting the Model Rules for Public Contracting, adopting Public Procurement and Contracting Policy, and designating the City Council as the Local Contract Review Board.**

**Consent Calendar**

1. Approve Council minutes for October 9, 2017
2. Receive Monthly Financial Report for September 2017

Councilor Triglia moved, Councilor Hodges seconded and Council voted unanimously to approve the Consent Calendar.

### **Remarks from Mayor and Councilors**

Councilor Hamilton advised that the water fountain donated to Kidtown by the Lions Club has arrived and will be installed soon. He desires a photo opportunity when complete.

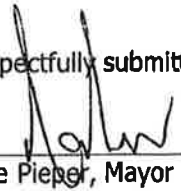
Mayor Pieper requested that the topic of adult, sexually-oriented business be brought to an upcoming Workshop meeting.

Mayor Pieper requested and received Council's agreement on bringing the marijuana retail establishment issues addressed by Mr. Horgan to the next City Council meeting of November 13.

### **Adjournment**

Councilor Hodges moved, Councilor Hamilton seconded, and the meeting adjourned at 9:55 p.m.

Respectfully submitted:

  
\_\_\_\_\_  
Jake Pieper, Mayor

ATTESTED:

this 13<sup>th</sup> day of November 2017:

  
\_\_\_\_\_  
Teri Davis, City Recorder

# CITY OF BROOKINGS

## Council WORKSHOP Report

Workshop Date: July 1, 2019

Originating Dept: City Manager

Signature (submitted by)

  
City Manager Approval

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Subject:

Urban Renewal Plan - Future Projects

Background/Discussion:

The Brookings Urban Renewal Agency (URA) was formed in 2002, and the Urban Renewal Plan was approved by Ordinance 02-O-551.

The URA issued \$3.4 million in Revenue Bonds in 2008 to finance projects within the Urban Renewal Area. The Downtown Beautification project, which included the undergrounding of utilities, was completed in 2011. The realignment of Cove Street occurred in 2013. And most recently, in 2018, Railroad Streets project including stormwater improvements, widening, addition of sidewalks, and paving was completed.

The 2008 dept will be paid off in June 2020. Staff is requesting that we Urban Renewal Plan and begin to prioritize potential future projects, so that staff can research, analyze feasibility and timing, and get cost estimates.

Attachments:

- a. Ordinance 02-O-551, Approving the Urban Renewal Plan
- b. 2002 Urban Renewal Plan
- c. 2002 Report on the Urban Renewal Plan

IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON

<b>In the Matter of an Ordinance of the</b>	)	
<b>City of Brookings approving the</b>	)	
<b>Urban Renewal Plan and directing</b>	)	ORDINANCE NO. 551
<b>that notice of approval be published.</b>	)	

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 12<sup>th</sup> day of Aug., 2002.


First Reading: August 12, 2002

Second Reading: August 12, 2002

Passage: August 12, 2002

Effective Date: September 11, 2002

Signed by me in authentication of its passage this 12<sup>th</sup> day of August, 2002.

  
Bob Hagbom  
MAYOR

ATTEST:

  
Paul Hughes  
City Finance Director/Recorder

# **CITY OF BROOKINGS**

## **URBAN RENEWAL PLAN**

**Brookings Urban Renewal Agency**

**July, 2002**

**Adopted by the Brookings Common Council**

**August 12, 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 August 12, 2002 by Ordinance No. 02-O-551.

## **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**

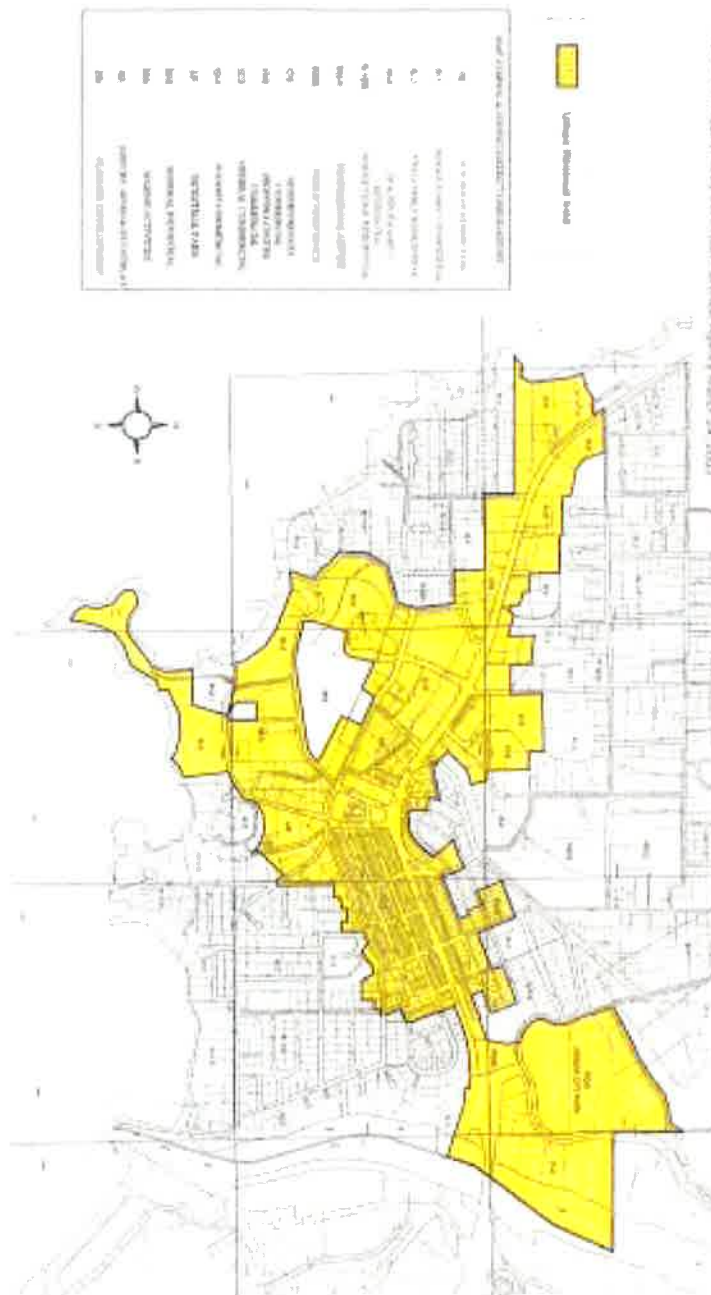
Exhibit 1 .....Map of Plan Boundary & Zoning

**ATTACHMENTS**

Attachment A ..... Boundary Description

# Brookings Urban Renewal Area

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# **CITY OF BROOKINGS**

## **REPORT ON THE URBAN RENEWAL PLAN**

**Brookings Urban Renewal Agency**

**July, 2002**

**Adopted by the Brookings Common Council**

**August 12, 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  
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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.

BROOKINGS URBAN RENEWAL PLAN		
TABLE 1		
Renewal Area Zoning Breakdown		
Zoning Class	Tax Lots	% of Total
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%
TOTALS:	380	100.00%

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 2 will begin in 2003-04. The sequencing and prioritization of individual project activities shown in Table 2 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		2003	2004	2005	2006	2007	2008	2009	2010
<b>RESOURCES</b>									
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
Total Resources		<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>REQUIREMENTS</b>									
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
Total Outlays		<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>
Total Resources		\$88,477	\$553,437	\$235,694	\$274,330	\$299,586	\$440,514	\$3,869,217	\$524,599
Ending Balance		\$8,477	\$3,437	\$10,694	\$4,330	\$9,586	\$15,514	\$19,217	\$4,599

## BROOKINGS URBAN RENEWAL PLAN

TABLE 3 (continued)

RESOURCES AND REQUIREMENTS	2011	2012	2013	2014	2015	2016	2017	2018	2019
<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	\$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
Total Resources	<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
Total Outlays	<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>
Total Resources	\$666,700	\$722,217	\$761,583	\$3,063,182	\$854,360	\$898,151	\$945,988	\$994,177	\$6,124,122
Ending Balance	\$16,700	\$12,217	\$11,583	\$13,182	\$9,360	\$8,151	\$5,988	\$4,177	\$49,122

**BROOKINGS URBAN RENEWAL  
PLAN**

TABLE 3 (continued)

**RESOURCES AND REQUIREMENTS**

	2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>RESOURCES</b>									
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
<b>Total Resources</b>	<b>\$1,144,353</b>	<b>\$1,157,521</b>	<b>\$1,064,711</b>	<b>\$1,122,943</b>	<b>\$1,183,659</b>	<b>\$1,222,278</b>	<b>\$1,291,528</b>	<b>\$1,436,102</b>	<b>\$2,178,217</b>
<b>REQUIREMENTS</b>									
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
<b>Total Outlays</b>	<b>\$1,135,000</b>	<b>\$1,150,000</b>	<b>\$1,050,000</b>	<b>\$1,100,000</b>	<b>\$1,175,000</b>	<b>\$1,200,000</b>	<b>\$1,185,000</b>	<b>\$675,000</b>	<b>\$675,000</b>
<b>Total Resources</b>	<b>\$1,144,353</b>	<b>\$1,157,521</b>	<b>\$1,064,711</b>	<b>\$1,122,943</b>	<b>\$1,183,659</b>	<b>\$1,222,278</b>	<b>\$1,291,528</b>	<b>\$1,436,102</b>	<b>\$2,178,217</b>
<b>Ending Balance</b>	<b>\$9,353</b>	<b>\$7,521</b>	<b>\$14,711</b>	<b>\$22,943</b>	<b>\$8,659</b>	<b>\$22,278</b>	<b>\$106,528</b>	<b>\$761,102</b>	<b>\$1,503,217</b>
									<b>Debt retired</b>

#### **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  
TABLE 4  
TAX IMPACT ESTIMATE

Year	Cumulative New Values	Curry County tax		Brookings tax		Port		Library		4H		Cemetery		SD 17C tax		SWOCC tax		ESD tax	
		foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	foregone	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.