

**Advance Packet for
January 25, 2016 City Council Meeting**

1. Quasi-Judicial Public Hearing On MOD-1-15/MPD-1-04, Request To Extend The Expiration Date For The Lone Ranch Master Plan.

Documents: [LONE RANCH CAR.PDF](#), [LONE RANCH.ATT.A.FINAL ORDER.PDF](#),
[LONE RANCH.ATT.B.PC PACKET.PDF](#), [LONE RANCH.ATT.D.TEST PC.PDF](#), [LONE RANCH.ATT.C.SUP PC.PDF](#)

2. Public Notice

Documents: [LONE RANCH PUBLIC NOTICE.PDF](#)

*Obtain [Public Comment Forms](#) on this website or at City Hall prior to the meeting. Return completed forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 104days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: January 25, 2016

Originating Dept: PWDS -Planning

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

Subject: Request to modify condition of approval #1 to extend the expiration period for the Lone Ranch Master Plan.

Recommended Motion Options: A motion to approve File MOD-1-15/MPD-1-04 to modify condition of approval #1 as requested as well as approve the Final Order, Findings of Fact, and the revised conditions of approval as provided with staff report.

Financial Impact: None at this time. Upon development, additional property taxes will be generated.

Background/Discussion:

Property Location, Zoning, Land Use:

The subject property, Assessor's map 40-14-00 tax lots 2400, 2401, and 2404, is located adjacent to the eastern boundary of Hwy 101 approximately 0.8 miles north of its intersection with Carpenterville Road and is zoned Master Plan of Development (MPD). Beyond Hwy 101 to the west are parcels zoned Curry County Public Facilities (Samuel Boardman State Park), to the north, east, and south are resource parcels zoned Curry County Forestry/Grazing and to the southeast are several smaller parcels zoned County Rural Residential. Rainbow Rock Condominiums are located to the southwest.

The subject property is vacant with the exception of a 10 acre parcel developed with a community college campus, Southwestern Oregon Community College (SWOCC).

Prior land use actions:

On October 25, 2004, City Council approved the Lone Ranch Master Plan. It was subsequently appealed and finally remanded by LUBA to the City Council for final action and approval on August 22, 2005. The approval authorized 540 single family detached homes, 150 single family attached home (townhouses), a 2.43 acre convenience commercial area and a 10 acre college site on 553 acres of land. The Lone Ranch Master Plan was approved for implementation in phases with detailed development plans (DDP). The 15 year approval period will expire in August, 2020. This approval is the subject of the modification request.

A Detailed Development Plan (DDP-1-08) received final approval in February, 2009. The approval was to site a college campus for Southwestern Oregon Community College (SWOCC), create a ten acre parcel and plat a street, Lone Ranch Parkway. This project was completed in March, 2012.

A second Detailed Development Plan (DDP-1-10) received final approval in February, 2011. The request was for approval to create 163 residential lots, a continuation of Lone Ranch Parkway, 21 new platted streets and two additional lots approved for grading. The preliminary plat map approval for this project has expired but an extension was granted for the detailed development plan portion of the project in February, 2014; with an expiration date of February, 2016. A request was granted by the Planning Commission in November, 2015, to modify a condition of approval to allow additional time for this development to move forward as originally approved. The new expiration date is February, 2022.

Request for modification to condition #1 of Lone Ranch Master Plan to allow additional time:

In response to the down turn of the economy, the financial crisis, and a lower projected growth rate for the Brookings area, the applicant is requesting modification of condition #1 to extend the master plan approval period by 12 years. The effective period of a master plan of development found in BMC Section 17.70.120 (**Attachment B, Exhibit A-6**) does not contain a maximum number of years in which a master plan needs to be completed. The original approval duration of 15 years for development of the Lone Ranch Master Plan reflected the housing market in 2004 when the original approval was requested.

The extension of time for development will not change the physical site plan, nor will it amend the city's findings of the original approval. The original final order and conditions of approval (**Attachment B, Exhibit A-5**) will remain in force with the exception of Condition #1, if approved.

The Master Plan of Development District provides that changes to zoning ordinances, policies and standards adopted after the date of approval of the plan shall not apply to the development during the duration of the plan. This provides assurances to the applicant of the right to proceed with the development in substantial conformity with the plan. Therefore, the Lone Ranch Master Plan and subsequent detailed development plans are reviewed under the Land Development Code in effect in 2004.

In 2010, the City Council adopted revisions to grant additional extensions of time for approvals due to the downturn in the economy. The revisions for extensions include, but were not limited to subdivisions, partitions and planned communities as well as master plans of development. City Council also adopted revisions for modifications of master plans and detailed development plans to have them consistent with the minor change process for other applications. To resolve confusion and ambiguity, the adopted revisions contained specific criteria to address when considering elements for a modification.

The City suggested and the applicant has agreed to use the process outlined in the current BMC Section 17.70.120 *Effective period of a master plan of development approval* and Section 17.70.130 *Modification of a master plan of development* for review of the modification request.

Land use criteria:

Brookings Municipal Code (BMC), Land Development Code (Ord. 06-O-572)
Section 17.70.120 Effective period of master plan of development (MPoD) approval
Section 17.70.130 Modification of a master plan of development (MPoD)

Applicants findings:

The applicant states in the findings that a \$1.5 million, 16 inch waterline has been constructed, reaching from Carpenterville Road to Lone Ranch Parkway. The waterline currently serves SWOCC. According to the applicant, a water line was extended from Highway 101 to Rainbow Rock Condominiums property line, which will allow them, if they wish, to connect to city

water. Also \$570,000 of sewer improvements have been installed. Necessary studies have been maintained by updating and refining the project wetland studies as well as updating surveys for Marbled Murrelets and Spotted Owls. To date, according to the applicant, the investment in Lone Ranch and public improvements exceeds \$5 million.

The applicant cites in the findings that the housing market has been in a prolonged down cycle due in part to the financial crisis and down turn of the economy. Documents in support of this were provided by the applicant as exhibits to the findings (**Attachment B, Exhibit A-2**). Attachment B, Exhibits A-4 and A-5, provided by staff, offer additional information. In 2005 when the Lone Ranch project was approved, the projected annual population growth rate adopted in Brookings Comprehensive Plan, Goal 10 Housing was 3.0 %. The applicant has provided the most recent population forecast prepared by Portland State University which shows the Brookings area to have a projected annual growth rate of 0.7% for the next 20 years. The reduction in the growth rate affects the projected absorption of housing. Although the Lone Ranch project has the potential to offer a variety of housing choices and prices, the applicant is concerned with the absorption rate of housing, given the slow recovery of the economy.

ANALYSIS:

Following is the relevant criteria and analysis.

“17.70.130 Modification of a master plan of development (MPoD).

This section identifies the processes by which an approved MPoD may be modified. The section goes on to state that a modification may request a change to the plot/plan or the conditions of approval. The applicant is requesting a change to a condition of approval #1 to extend the approval period. In a modification, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change.

BMC 17.70.130 The modification request must be accompanied by:

- A. *A revised plot plan or plat showing the proposed changes and how they compare to the originally approved project; or*
- B. *If the modification does not change the physical site plan of the project, a text explaining the desired change must be submitted.*
- C. *The applicant must provide findings for the following criteria:*
 1. *Address how the requested modification relates to the approved project and any impacts that will result.*
 2. *Address any impact to adjoining properties.*
 3. *Address the effect on city services and facilities.*

Analysis: The applicant is requesting modification to Condition #1 to extend the approval period of the master plan for Lone Ranch by 12 years. The applicant states the requested modification has no effect or impact on any substantial provisions of the approval and does not propose any changes to the plot plan or plat. To comply with **BMC 17.70.130(B)** the applicant has submitted a narrative of the desired change (**Attachment B, Exhibit A-2**).

The applicant states the requested 12 year extension will allow sufficient time to complete provisions that have not been completed due to the continuing financial crisis and housing market decline of the past nine (9) years. The applicant has provided materials prepared by experts in the field regarding the financial crisis as well as the *Coordinated Population Forecast* prepared by Portland State University to support the request.

A draft of the proposed revision for condition # 1 follows: Text ~~stricken~~ is deleted and text that is **bold** is added.

Approval of this Master Plan will expire in ~~15 years~~ **on August 22, 2032.** ~~or in four (4) years from approval, unless a Detailed Development Plan (DDP) pursuant to Section 70, Master Plan Development District, of the Land Development Code, is submitted and approved by the Planning Commission and construction of the DDP shall start within three years of approval.~~ **The first detailed development plan (DDP-1-08) was approved in 2009, and construction was completed in March, 2012.** Each subsequent DDP must be filed within four (4) years of the completion of the previously approved DDP, or the master plan will expire. If the conditions at the time warrant, the Planning Commission may extend the ~~15 year Master Plan permit or the four (4) year DDP permit period for an additional two year period~~ at the request of the applicant.

DDP-1-08 for SWOCC has been completed and the time periods for that approval are no longer needed. The process for granting extensions of DDPs is found in Section 17.70.200 and is included as conditions of approval for each DDP. The provision is not necessary in the master plan.

BMC 17.70.130

C. The applicant must provide findings for the following criteria:

- 1. Address how the requested modification relates to the approved project and any impacts that will result.*
- 2. Address any impacts to adjoining properties.*
- 3. Address the effect on city services and facilities.*

Analysis: (C)(1) *Address how the requested modification relates to the approved project and any impacts that will result.*

This criterion requires the applicant to identify the specific change within the project resulting from the modification and then identify how the change impacts the project. The request for additional time is procedural and does not change substantive matters such as the site plan, other conditions of approval, or the city's findings in the original approval.

During the remaining five (5) year approval period, the remainder of the project except for the SWOCC campus must be completed. This includes 540 single family homes, 150 attached townhomes, and the commercial area. The applicant states in the findings that with the downturn in the housing and financial markets, this timeline is impractical. With the Portland State University projected annual growth rate of 0.7% for the next 20 years, it is unlikely that the new homes would be absorbed by the market and reach full occupancy in this timeframe. The requested modification allows an additional 12 years for build out.

The applicant also expressed concerns in the findings that with the current expiration date (2020), lenders are not willing to commit the required funds to create a large project with the relatively small population of the Brookings area, with the population forecast, and with the current sluggish housing market. The applicant advises that considerable input from experts was considered in this schedule.

The city has a very limited amount of larger vacant properties for residential development. A recent article in the local newspaper identified a shortage of rentals in the Brookings area for new employees needed for the then proposed expansion of Curry Medical Center as well as new employees needed at Pelican Bay State Prison. The Lone Ranch project will provide a variety of housing opportunities for the local workforce, retirees wanting to move to the area, students, and potential second home owners (vacation homes). Being within the city limits, this is where the city is expected to grow. Expiration of this project will further delay needed housing opportunities.

In addition to the applicant's efforts, a great deal of time and effort was spent by professional staff, the Planning Commission and City Council as well as state and federal agencies on the Lone

Ranch project. Allowing the project to expire would put the process back to the beginning, waiting for an unknown time in the future for development of the site. Approval of the modification request for additional time will allow the project to continue to move forward as originally approved.

Analysis: (C)(2) *Address any impacts to adjoining properties.*

The subject property is adjoined on the north and east by parcels with a county zoning of Forestry/Grazing. These lands are outside the Brooking Urban Growth Boundary and are committed to resource uses. Any additional time granted for development will have no impact on these parcels.

There are several residential properties not located in the city limits to the south and southeast. Development of the MPoD requires construction of an extensive system of open spaces and a multi-use path network. These systems will reach adjoining properties and could provide some benefit to them. Postponing the development means these properties may wait longer for the construction of public trails. Upon completion of the sewer infrastructure, the residential properties could request connection after requesting and being annexed into the City. The delay in development time continues the conditions in effect at the time of original approval and the current conditions for these residential properties.

Analysis: (C)(3) *Address the effect on city services and facilities.*

Staff concurs with the applicant's findings that the request for an extension of time relates solely to the time under which the development can occur. The granting of the modification for an extension will not change the required provisions for city services and will not increase staff time utilized for the project from the original approval. Critical sewer connections identified in the City's facilities plan will be completed during the construction of the project.

Findings:

Criterion 1-Effect of the requested modification on the master plan.

Response: The modification for extension of time is procedural and does not change substantive matters such as the site plan, the conditions of approval other than condition #1, or the city's findings. Approval of the modification will allow the project to continue to move forward consistent with the original MPoD approval.

Criterion 2 – Effect of the requested modification on adjoining property holders.

Response: Approval of the modification for extension of time will not create any impacts on adjoining properties that did not exist at the time of the original MPoD approval.

Criterion 3 – Effect of the requested modification on City services and facilities.

Response: Granting the modification for the extension of time will not change the required provisions for city services and will not increase staff time utilized for the project beyond the original approval. The extension will allow additional time for the sewer infrastructure to be completed.

Planning Commission review and concerns raised by the public:

The Planning Commission considered the request for modification of condition #1 on the agenda of its scheduled public hearing on November 17, 2015. Following presentation of the staff report, testimony from the applicant, and testimony from the public, the Planning Commission unanimously recommended approval to City Council. The following are responses to issues raised by the public during the Planning Commission review process.

State and Federal agencies not notified.

Response: The modification request proposes to only revise condition #1 related to the time the development can occur. It does not request modification of other conditions and they remain in effect. Required studies and any state/federal/local permits or approvals remain the same. The modification does not affect those agencies. However, the agencies were notified of the public hearing before City Council regarding the matter.

SWOCC campus not connected to public sewer.

Response: The preliminary approval granted by the Department of Environment Quality (DEQ) for effluent disposal contained language that the public sewer main would be installed within a certain time frame. The installation permit allowed for effluent to discharge into a holding tank that must then be pumped for final disposal. Although SWOCC was required to record a document stating they will connect to the public sewer when it becomes available, the DEQ permit does not contain language regarding time limits. DEQ was contacted and they advised that SWOCC's permit would expire in 2017, but would be renewed if a complete application were received prior to that expiration. The Lone Ranch Master Plan was approved prior to DEQ's approval of sewage disposal for SWOCC. The requested modification has no impact on the renewal of the DEQ permit for disposal of sewage from SWOCC.

Goal 6, Water, and Goal 16, Estuary, were never adequately addressed.

Response: The Lone Ranch Master Plan was scrutinized during numerous Planning Commission and City Council hearings. After being appealed to LUBA and remanded to the City for further consideration, final approval was granted in 2005. The water source was addressed in this process.

In the review process for a modification, review is limited to the area proposed to be modified and any impacts from the change, in this case additional time allowed for development of the project. The request does not change the physical site plan, nor amend the city's findings of the original final approval. No request has been made to change conditions or findings dealing with the water source. The original final order and all conditions, with the exception of the requested revisions to condition #1, will remain in force.

Future request for extensions of time should require public notice and hearing.

Response: The current BMC Section 17.70.120, *Effective period of master plan of development (MPoD) approval* requires public notice and hearings for the Planning Commission to grant extensions. The requested modification does not propose a different process for future extensions.

Conclusions:

The applicant has provided findings addressing the criteria (**Attachment B, Exhibit A-2**). The Applicant's findings together with Staff analysis and responses to the above criteria demonstrate the application meets the modification requirements. The original final order with conditions of approval dated August 22, 2005, will remain in effect in addition to the proposed amended condition of approval #1.

Final Order:

A draft Final Order with Findings of Fact and Conditions of Approvals are provided for consideration.

Policy Considerations: None.

- Attachment(s):
- A. Draft final order
 - B. Exhibit A -Planning Commission packet
 - A-1 Staff report
 - A-2 Applicant's findings
 - A-3 Goal 10 Housing
 - A-4 Curry Coastal Pilot, *Rental Shortage Grips Area*
 - A-5 Final Order with conditions of approval for MPD-1-04
 - A-6 BMC Sections 17.70.120 and 17.70.130
 - A-7 Agency comments
 - A-8 Citizen comments
 - C. Exhibit B -Planning Commission supplemental packet
 - D. Exhibit C -Testimony submitted at Planning Commission hearing

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

In the matter of Planning Commission File No. MOD-1-15/MPD-1-04; a request for modification to File MPD-1-04, a Master Plan of Development; U.S. Borax, Inc., Owner/Applicant; Ed Trompke, Jordan Ramis PC, Representative.) Final ORDER and Findings of Fact)

ORDER approving a request for modification of condition #1 for Master Plan of Development approval for Lone Ranch Master Plan to extend the approval period to August 22, 2032. The subject property is a 553 acre parcel of land located on the east side of Highway 101 starting approximately 0.8 miles north of Carpenterville Road; Assessor's map 40-14 & Index, tax lots 2400, 2401, & 2404; zoned Master Plan of Development (MPD).

WHEREAS:

1. The Planning Commission duly accepted the application filed in accordance with Chapter 17.70 Master Plan Development (MPD) District, Brookings Municipal Code; and,
2. The Brookings Planning Commission duly considered the above described application on the agenda of its scheduled public hearing on November 17, 2015; and,
3. Recommendations were presented by the Planning Manager in the form of a written Staff Report dated November 6, 2015, and by oral presentation, and evidence and testimony was presented by the Applicant at the public hearing; and,
4. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Report and recommended that the City Council approve the request; and,
5. The Brookings City Council duly considered the above described application in a public hearing at a regularly scheduled public meeting held on January 25, 2016, and it is a matter of record; and,
6. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the City Council, upon a motion duly seconded, accepted the Planning Commission's recommendation and approved the requested modification to Condition #1 of MOD-1-04.

THEREFORE, LET IT BE HEREBY ORDERED that the application for modification to Condition #1 of MOD-1-15/MPD-1-04 is approved. This approval is supported by the following findings and conclusions:

ANALYSIS AND FINDINGS

“17.70.130 Modification of a master plan of development (MPoD).

This section identifies the processes by which an approved MPoD may be modified. The section goes on to state that a modification may request a change to the plot/plan or the conditions of approval. The applicant

is requesting a change to a condition of approval #1 to extend the approval period. In a modification, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change.

BMC 17.70.130 *The modification request must be accompanied by:*

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Analysis: The applicant is requesting modification to Condition #1 to extend the approval period of the master plan for Lone Ranch by 12 years. The applicant states the requested modification has no effect or impact on any substantial provisions of the approval and does not propose any changes to the plot plan or plat. To comply with **BMC 17.70.130(B)** the applicant has submitted a narrative of the desired change (**Attachment B, Exhibit A-2**).

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DDP-1-08 for SWOCC has been completed and the time periods for that approval are no longer needed. The process for granting extensions of DDPs is found in Section 17.70.200 and is included as conditions of approval for each DDP. The provision is not necessary in the master plan.

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Analysis: (C)(1) *Address how the requested modification relates to the approved project and any impacts that will result.*

This criterion requires the applicant to identify the specific change within the project resulting from the modification and then identify how the change impacts the project. The request for additional time is procedural and does not change substantive matters such as the site plan, other conditions of approval, or the city's findings in the original approval.

During the remaining five (5) year approval period, the remainder of the project except for the SWOCC campus must be completed. This includes 540 single family homes, 150 attached townhomes, and the commercial area. The applicant states in the findings that with the downturn in the housing and financial markets, this timeline is impractical. With the Portland State University projected annual growth rate of 0.7% for the next 20 years, it is unlikely that the new homes would be absorbed by the market and reach full occupancy in this timeframe. The requested modification allows an additional 12 years for build out.

The applicant also expressed concerns in the findings that with the current expiration date (2020), lenders are not willing to commit the required funds to create a large project with the relatively small population of the Brookings area, with the population forecast, and with the current sluggish housing market. The applicant advises that considerable input from experts was considered in this schedule.

The city has a very limited amount of larger vacant properties for residential development. A recent article in the local newspaper identified a shortage of rentals in the Brookings area for new employees needed for the then proposed expansion of Curry Medical Center as well as new employees needed at Pelican Bay State Prison. The Lone Ranch project will provide a variety of housing opportunities for the local workforce, retirees wanting to move to the area, students, and potential second home owners (vacation homes). Being within the city limits, this is where the city is expected to grow. Expiration of this project will further delay needed housing opportunities.

In addition to the applicant's efforts, a great deal of time and effort was spent by professional staff, the Planning Commission and City Council as well as state and federal agencies on the Lone Ranch project. Allowing the project to expire would put the process back to the beginning, waiting for an unknown time in the future for development of the site. Approval of the modification request for additional time will allow the project to continue to move forward as originally approved.

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Analysis: (C)(3) *Address the effect on city services and facilities.*

Staff concurs with the applicant's findings that the request for an extension of time relates solely to the time under which the development can occur. The granting of the modification for an extension will not change the required provisions for city services and will not increase staff time utilized for the project from the original approval. Critical sewer connections identified in the City's facilities plan will be completed during the construction of the project.

Findings:

Criterion 1-Effect of the requested modification on the master plan.

Response: The modification for extension of time is procedural and does not change substantive matters such as the site plan, the conditions of approval other than condition #1, or the city's findings. Approval of the modification will allow the project to continue to move forward consistent with the original MPoD approval.

Criterion 2 – Effect of the requested modification on adjoining property holders.

Response: Approval of the modification for extension of time will not create any impacts on adjoining properties that did not exist at the time of the original MPoD approval.

Criterion 3 – Effect of the requested modification on City services and facilities.

Response: Granting the modification for the extension of time will not change the required provisions for city services and will not increase staff time utilized for the project beyond the original approval. The extension will allow additional time for the sewer infrastructure to be completed.

Planning Commission review and concerns raised by the public:

The Planning Commission considered the request for modification of condition #1 on the agenda of its scheduled public hearing on November 17, 2015. Following presentation of the staff report, testimony from the applicant, and testimony from the public, the Planning Commission unanimously recommended approval to City Council. The following are responses to issues raised by the public during the Planning Commission review process.

State and Federal agencies not notified.

Response: The modification request proposes to only revise condition #1 related to the time the development can occur. It does not request modification of other conditions and they remain in effect. Required studies and any state/federal/local permits or approvals remain the same. The modification does not affect those agencies. However, the agencies were notified of the public hearing before City Council regarding the matter.

SWOCC campus not connected to public sewer.

Response: The preliminary approval granted by the Department of Environment Quality (DEQ) for effluent disposal contained language that the public sewer main would be installed within a certain time frame. The installation permit allowed for effluent to discharge into a holding tank that must then be pumped for final disposal. Although SWOCC was required to record a document stating they will connect to the public sewer when it becomes available, the DEQ permit does not contain language regarding time limits. DEQ was contacted and they advised that SWOCC's permit would expire in 2017, but would be renewed if a complete application were received prior to that expiration. The Lone Ranch Master Plan was approved prior to DEQ's approval of sewage disposal for SWOCC. The requested modification has no impact on the renewal of the DEQ permit for disposal of sewage from SWOCC.

Goal 6, Water, and Goal 16, Estuary, were never adequately addressed.

Response: The Lone Ranch Master Plan was scrutinized during numerous Planning Commission and City Council hearings. After being appealed to LUBA and remanded to the City for further consideration, final approval was granted in 2005. The water source was addressed in this process.

In the review process for a modification, review is limited to the area proposed to be modified and any impacts from the change, in this case additional time allowed for development of the project. The request does not change the physical site plan, nor amend the city's findings of the original final approval. No request has been made to change conditions or findings dealing with the water source. The original final order and all conditions, with the exception of the requested revisions to condition #1, will remain in force.

Future request for extensions of time should require public notice and hearing.

Response: The current BMC Section 17.70.120, *Effective period of master plan of development (MPoD) approval* requires public notice and hearings for the Planning Commission to grant extensions. The requested modification does not propose a different process for future extensions.

CONCLUSIONS

The findings submitted by the applicant together with the staff analysis and responses to the criteria demonstrate the application meets the modification requirements and are adequate to support the approval for modification of Condition #1 to allow additional time for the master plan to move forward as originally approved.

LET IT FURTHER BE OF RECORD that the City Council APPROVED the requested modification of Condition #1 as requested in File # MOD-1-15/MPD-1-04.

Dated this 25th day of January, 2016.

Ron Hedenskog, Mayor

ATTEST:

Donna Colby-Hanks, Planning Manager

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Modification to Approval Lone Ranch Master Plan of Development. HEARING DATE: November 17, 2015
REPORT DATE: November 6, 2015
FILE NO: MOD-1-15/MPD-1-04 ITEM NO: 5.2

GENERAL INFORMATION

PROPERTY OWNER/
APPLICANT: U.S. Borax

REPRESENTATIVE: Ed Trompke, Jordan Ramis, PC

REQUEST: A request for a modification of condition of approval #1 to extend the expiration period for the Lone Ranch Master Plan.

TOTAL LAND AREA: 553 acres.

LOCATION: The subject property is located on the east side of Highway 101 approximately 0.8 miles north of Carpenterville Road.

ASSESSOR'S MAP NUMBER: Map 40-14 & Index; Tax lots 2400, 2401 & 2404.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: Master Plan of Development (MPD)

PROPOSED: Same.

SURROUNDING: West of Highway 101 – County Public Facilities (PF); surrounding property on the north, east, and south is zoned County Forestry/Grazing (FG) with a smaller parcels to the southeast zoned County Rural Residential (RR).

COMP. PLAN: Master Plan of Development (MPD).

LAND USE INFORMATION

EXISTING: Vacant with the exception of a 10 acre parcel developed with a community college campus, Southwestern Oregon Community College (SWOCC).

PROPOSED: Master Plan of Development

SURROUNDING: West of Highway 101 – vacant parkland (Samuel Boardman State Park) except for the

Rainbow Rock Condominiums; North and East – Vacant, Cape Ferrelo area further north; South – Residential uses and a manufactured home park.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property, other interested parties, and published in the local newspaper.

LAND USE CRITERIA: **Brookings Municipal Code (BMC), Land Development Code (Ord. 06-O-572) Section 17.70.120 Effective period of master plan of development (MPoD) approval.**
Section 17.70.130 Modification of a master plan of development (MPoD).

PROPOSAL

In response to the down turn of the economy, the financial crisis, and the lower projected growth rate for the Brookings area, the applicant is requesting modification of Condition #1 to extend the master plan approval period by 12 years. The effective period of a master plan of development found in BMC Section 17.70.120 (**Attachment E**) does not contain a maximum number of years in which a master plan needs to be completed. The original approval duration of 15 years for development of the Lone Ranch Master Plan reflected the housing market at the time. The Planning Commission made a recommendation which was adopted by City Council in that approval. This modification request will follow the same process.

The extension of time for development will not change the physical site plan, nor will it amend the city's findings of the original approval. The original final order and conditions of approval (**Attachment D**) will remain in force with the exception of Condition #1, if approved.

BACKGROUND INFORMATION

On October 25, 2004, City Council approved the Lone Ranch Master Plan. It was subsequently appealed and finally remanded to the City Council for final action and approval on August 22, 2005. The approval established 540 single family detached homes, 150 single family attached home (townhouses), a 2.43 acre convenience commercial area and a 10 acre college site on 553 acres of land. The 15 year approval period will expire in August, 2020.

A Detailed Development Plan (DDP-1-08) received final approval in February, 2009. The approval was to site a college campus for Southwestern Oregon Community College (SWOCC), create a ten acre parcel and plat a street, Lone Ranch Parkway. This project was completed in March, 2012.

A second Detailed Development Plan (DDP-1-10) received final approval in February, 2011. The request was for approval to create 163 residential lots, a continuation of Lone Ranch Parkway, 21 new platted streets and two additional lots approved for grading. The preliminary plat map approval for this project has expired but an extension was granted for the detailed development plan portion of the project in February, 2014. The approved extension will expire in February, 2016.

The applicant states in the findings that a \$1.5 million, 16 inch waterline has been constructed, reaching from Carpenterville Road to Lone Ranch Parkway. The waterline currently serves SWOCC. A water line was extended from Highway 101 to Rainbow Rock Condominiums property line, which will allow them, if they wish, to connect to city water. Applicant has also installed \$570,000 of sewer improvements. They continue to maintain necessary studies by updating and refining the project wetland studies as well as updating surveys for Marbled Murrelets and Spotted Owls. To date, the investment in Lone Ranch and public improvements exceeds \$5 million.

The applicant cites in the findings that the housing market has been in a prolonged down cycle due in part to the financial crisis and down turn of the economy. Documents in support of this were provided by the applicant as exhibits to the findings (**Attachment A**). Attachments B and C, provided by staff, offer additional information. In 2005 when the Lone Ranch project was approved, the annual population growth rate adopted in Brookings Comprehensive Plan, Goal 10 Housing (**Attachment B**) was 3%. The applicant has provided the most recent population forecast (**Attachment A, Exhibit 6**) prepared by Portland State University which shows the Brookings area is expected to have an annual growth rate of 0.7% for the next 20 years. The reduction in the growth rate affects the absorption of housing. Although the Lone Ranch project offers a variety of housing choices and prices, the applicant is concerned with the absorption rate of housing, given the slow recovery of the economy.

The Master Plan of Development District provides that changes to zoning ordinances, policies and standards adopted after the date of approval of the plan shall not apply to the development during the duration of the plan. This provides assurances to the applicant of the right to proceed with the development in substantial conformity with the plan. Therefore, the Lone Ranch Master Plan and subsequent detailed development plans are reviewed with the Land Development Code in effect in 2004.

In 2010, City Council adopted revisions to grant additional extensions of time for approvals due to the downturn in the economy. The revisions for extensions include, but were not limited to subdivisions, partitions and planned communities as well as master plans of development. City Council also adopted revisions for the modification of master plans and detailed development plans to have them consistent with the minor change process for other applications. To resolve confusion and ambiguity, the adopted revisions contained specific criteria to address when considering elements for a modification.

The City suggested and the applicant has agreed to use the process outlined in the current BMC Section 17.70.120 *Effective period of a master plan of development approval* and Section 17.70.130 *Modification of a master plan of development* for review of the modification request.

ANALYSIS

Following is the relevant criteria and analysis.

“17.70.130 Modification of a master plan of development (MPoD).

This section identifies the processes by which an approved MPoD may be modified. The section goes on to state that a modification may request a change to the plot/plan or the conditions of approval. The applicant is requesting a change to a condition of approval to extend the approval period. In a modification, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change.

BMC 17.70.130 *The modification request must be accompanied by:*

- A. *A revised plot plan or plat showing the proposed changes and how they compare to the originally approved project; or*
- B. *If the modification does not change the physical site plan of the project, a text explaining the desired change must be submitted.*
- C. *The applicant must provide findings for the following criteria:*
 1. *Address how the requested modification relates to the approved project and any impacts that will result.*
 2. *Address any impact to adjoining properties.*
 3. *Address the effect on city services and facilities.*

Analysis: The applicant is requesting modification to Condition #1 to extend the approval period of the master plan for Lone Ranch by 12 years. The applicant states the requested modification has no effect or impact on any substantial provisions of the approval and does not propose any changes to the plot plan or plat. To comply with **BMC 17.70.130(B)** the applicant has submitted a narrative of the desired change (**Attachment A**).

The applicant states the requested 12 year extension will allow sufficient time to complete provisions that have not been completed due to the continuing financial crisis and housing market decline of the past nine (9) years. The applicant has provided materials prepared by experts in the field regarding the financial crisis as well as the *Coordinated Population Forecast* prepared by Portland State University to support the request.

A draft of the proposed revision for condition # 1 follows: Text ~~stricken~~ is deleted and text that is **bold** is added.

Approval of this Master Plan will expire ~~in 15 years on August 22, 2032, or in four (4) years from approval, unless a Detailed Development Plan (DDP) pursuant to Section 70, Master Plan Development District, of the Land Development Code, is submitted and approved by the Planning Commission and construction of the DDP shall start within three years of approval.~~ **The first detailed development plan (DDP-1-08) was approved in 2009, and construction was completed in March, 2012.** Each subsequent DDP must be filed within four (4) years of the completion of the previously approved DDP, or the master plan will expire. If the conditions at the time warrant, the Planning Commission may extend the ~~15-year Master Plan permit or the four (4) year DDP permit period for an additional two-year period~~ at the request of the applicant.

DDP-1-08 for SWOCC has been completed and the time periods for that approval are no longer needed. The process granting extensions of DDPs is found in Section 17.70.200 and are included in the conditions of approval for DDPs. The provision is not necessary in the master plan.

BMC 17.70.130

C. *The applicant must provide findings for the following criteria:*

1. *Address how the requested modification relates to the approved project and any impacts that will result.*
2. *Address any impacts to adjoining properties.*
3. *Address the effect on city services and facilities.*

Analysis: (C)(1) *Address how the requested modification relates to the approved project and any impacts that will result.*

This criterion requires the applicant to identify the specific change within the project resulting from the modification and then identify how the change impacts the project. The request for additional time is procedural and does not change substantive matters such as the site plan, other conditions of approval, or the city's findings in the original approval.

During the remaining five (5) year approval period, the remainder of the project except for the SWOCC campus must be completed. This includes 540 single family homes, 150 attached townhomes, and the commercial area. The applicant states in the findings that with the downturn in the housing and financial markets, this timeline is impractical. With the Portland State University projected annual growth rate of 0.7% for the next 20 years, it is unlikely that the new homes would be absorbed by the market and reach full occupancy in this timeframe. The requested modification allows an additional 12 years for build out.

The applicant also expressed concerns in the findings that with the current expiration date (2020), lenders are not willing to commit the required funds to create a large project with the relatively small population of the Brookings area, with the population forecast, and with the current sluggish housing market. The applicant advises that considerable input from experts was considered in this schedule.

The city has a very limited amount of larger vacant properties for residential development. A recent article in the local newspaper (**Attachment C**) identified a shortage of rentals in the Brookings area for new employees needed for the expansion of Curry Medical Center as well as new employees needed at Pelican Bay State Prison. The Lone Ranch project will provide a variety of housing opportunities for the local workforce, retirees wanting to move to the area, students, and potential second home owners (vacation homes). Being within the city limits, this is where the city is expected to grow. Expiration of this project will further delay needed housing opportunities.

In addition to the applicant's efforts, a great deal of time and effort was spent by professional staff, the Planning Commission and City Council as well as state and federal agencies on the Lone Ranch project. Allowing the project to expire would put the process back to the beginning, waiting for an unknown time in the future for development of the site. Approval of the modification request for additional time will allow the project to move forward as originally approved.

Analysis: (C)(2) *Address any impacts to adjoining properties.*

The subject property is adjoined on the north and east by parcels with a county zoning of Forestry/Grazing. These lands are outside the Brookings Urban Growth Boundary and are committed to resource uses. Any additional time granted for development will have no impact on these parcels.

There are several residential properties not located in the city limits to the south and southeast. Development of the MPoD requires construction of an extensive system of open spaces and a multi-use path network. These systems will reach adjoining properties and could provide some benefit to them. Postponing the development means these properties may wait longer for the construction of public trails. Due to these properties not being in the city limits, they cannot connect to city sewer until they request and are annexed into the city. The delay in development time continues the conditions in effect at original approval and the current conditions for these residential properties.

Analysis: (C)(3) *Address the effect on city services and facilities.*

Staff concurs with the applicant's findings that the request for an extension of time relates solely to the time under which the development can occur. The granting of the modification for an extension will not change the required provisions for city services and will not increase staff time utilized for the project from the original approval. If the modification is approved, the project will complete critical sewer connections identified in the City's facilities plan.

FINDINGS

Criterion 1-Effect of the requested modification on the master plan.

Response: The extension of time is procedural and does not change substantive matters such as the site plan, the conditions of approval, or the city's findings. Approval of the modification will allow the project to move forward consistent with the original MPoD approval.

Criterion 2 – Effect of the requested modification on adjoining property holders.

Response: Approval of the extension of time will not create any impacts on adjoining properties that did not exist at the time of the original MPoD approval.

Criterion 3 – Effect of the requested modification on City services and facilities.

Response: Granting the extension will not change the required provisions for city services and will not increase staff time utilized for the project beyond the original approval. The extension will allow for the sewer infrastructure to be completed.

CONCLUSIONS

The applicant has provided findings addressing the criteria (**Attachment A**). The Applicant's findings together with Staff analysis and responses to the above criteria demonstrate the application meets the modification requirements. The original final order with conditions of approval dated August 22, 2005, will remain in effect in addition to the proposed amended condition of approval.

RECOMMENDATION

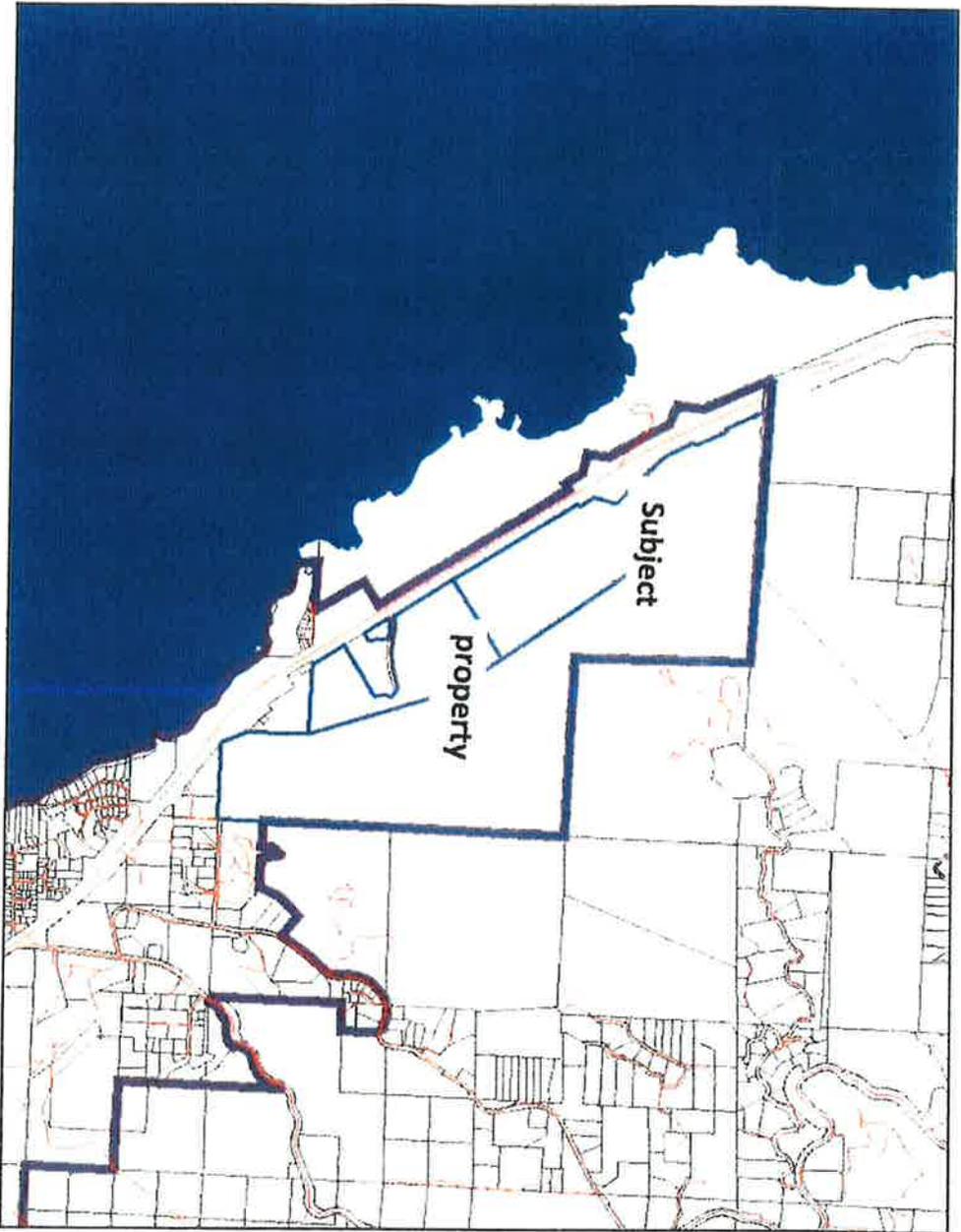
Staff supports a Planning Commission **favorable recommendation** of File MOD-1-15/MPD-1-04 to City Council, based on the findings and conclusions stated in the staff report, provided by the Applicant, and subject to the amended condition of approval.

Attachments:

Packet Page

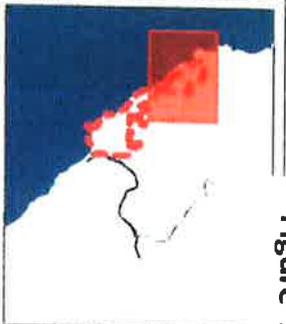
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Lone Ranch



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

Map center: 42° 5' 40" N, 124° 19' 55" W



Legend

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



Scale: 1:30,000

Figure 1

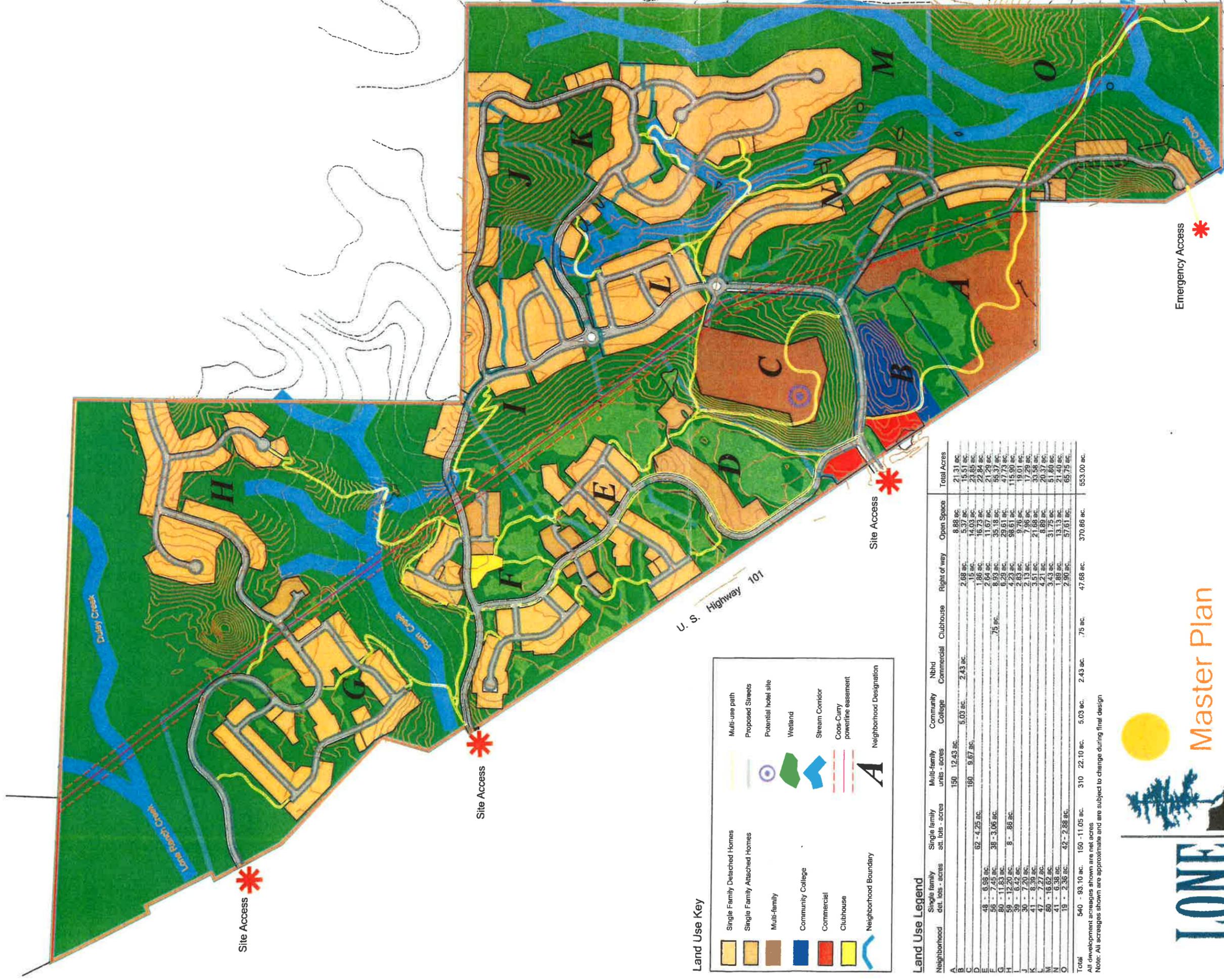


Figure 2

Land Use Key

[Orange Box]	Single Family Detached Homes	[Yellow Box]	Multi-use path
[Light Orange Box]	Single Family Attached Homes	[Blue Box]	Proposed Streets
[Brown Box]	Multi-family	[Green Box]	Potential hotel site
[Blue Box]	Community College	[Green Box]	Wetland
[Red Box]	Commercial	[Blue Box]	Stream Corridor
[Yellow Box]	Clubhouse	[Red Box]	Coos-Curry powerline easement
[Blue Box]	Neighborhood Boundary	[Blue Box]	Neighborhood Designation

Land Use Legend

Neighborhood	Single family det. lots - acres	Single family att. lots - acres	Multi-family units - acres	Community College	NBhd Commercial	Clubhouse	Right of way	Open Space	Total Acres
A			150	12.43 ac.	5.03 ac.	2.43 ac.		8.88 ac.	21.31 ac.
B			160	9.67 ac.			2.68 ac.	5.37 ac.	15.51 ac.
C							1.15 ac.	14.03 ac.	23.89 ac.
D		62 - 4.25 ac.					1.86 ac.	16.73 ac.	22.84 ac.
E		38 - 3.06 ac.					2.64 ac.	11.67 ac.	21.29 ac.
F							8.93 ac.	35.18 ac.	55.37 ac.
G						.75 ac.	6.29 ac.	29.61 ac.	47.73 ac.
H		59 - 12.20 ac.					4.23 ac.	98.61 ac.	115.90 ac.
I		39 - 6.42 ac.					2.83 ac.	9.76 ac.	19.01 ac.
J		30 - 7.20 ac.					2.13 ac.	7.96 ac.	13.58 ac.
K		41 - 8.39 ac.					3.51 ac.	21.88 ac.	33.58 ac.
L		47 - 7.27 ac.					4.21 ac.	8.89 ac.	20.37 ac.
M		60 - 16.62 ac.					3.43 ac.	31.75 ac.	51.80 ac.
N		41 - 6.36 ac.					1.89 ac.	13.13 ac.	21.40 ac.
O		19 - 2.36 ac.					2.90 ac.	57.61 ac.	65.75 ac.
Total	540 - 93.10 ac.	150 - 11.05 ac.	310	22.10 ac.	5.03 ac.	2.43 ac.	47.68 ac.	370.86 ac.	553.00 ac.

All development acreages shown are net acres
 Note: All acreages shown are approximate and are subject to change during final design



Exhibit 1

LONE RANCH
 Master Plan
 Brookings

Two Centerpointe Dr 6th Fl
Lake Oswego OR 97035
www.jordanramis.com

Phone: (503) 598-7070
Toll Free: (888) 598-7070
Fax: (503) 598-7373

LEGAL MEMORANDUM

TO: City of Brookings Planning Commission

FROM: Ed Trompke

DATE: October 9, 2015

RE: **Modification and extension of development approvals—Lone Ranch Master Plan and Second Detailed Development Plan Application Narrative**
Casefiles MPD-1-04 (Master Plan) & DDP-1-10 (Detailed Development Plan II or DDP II)

Introduction

On behalf of U.S. Borax (the "Applicant"), we are submitting this narrative in support of the request for modification of the terms of two Orders (the "permits"). Specifically, Applicant requests a twelve-year extension of the master plan ("MPoD") and an eight year extension of the second detailed development plan ("DDP II"). Both of these are active City of Brookings entitlements. Each permit restated the then-current code provisions for timing and duration in their approval conditions. Since then, the relevant code sections have been amended, and the modifications requested in this application apply those new code sections. Applicant has requested that the current referenced procedural sections of the code govern this application.

The requested modifications have no effect or impact on any substantive provisions of the development approvals provided for in the permits, or any other aspect of the Lone Ranch project or its site plan. However, the modifications will simply grant the Applicant sufficient time to carry out and complete the substantive provisions that have not been completed due to the continuing financial crisis and housing market decline of the last nine years.

Below is the Applicant's narrative, and findings, demonstrating that the requested modifications satisfy the required criteria under the Brookings Land Development Code ("LDC") in support of both requests.

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I. Important Background Dates

- 2004. Applicant submitted its application for MPoD.
- 2005. MPoD approved after appeal.
- 2008. DDP I filed (Southwestern Oregon Community College).
- 2009. DDP I approved (Southwestern Oregon Community College).
- 2011. DDP II approved (this matter – 163 residential units and site preparation).
- 2012. DDP I completed.
- 2014. Extension of DDP II granted, expires February 1, 2016.

II. Current Permit Expiration Dates

DDP II expiration: In 2014 the city approved a request to extend the DDP II by two years, to February 1, 2016. Applicant continued to commit funds and maintain and update studies necessary for development. This was done despite national and local economic conditions that began deteriorating, starting in 2006¹ and that have not yet fully recovered. Under Condition No. 3 of the permit, the DDP II will expire on February 1, 2016.

MPoD expiration: Under Condition No. 1 of this permit, the MPoD will expire on August 22, 2020.

III. Requested Modifications

MPoD extension: Applicant asks the city to extend the MPoD for twelve years by modifying Condition No. 1 to read as follows (deleted text stricken and added text underlined)(the following also deletes requirements that have been satisfied):

¹ Exhibit 1, The exact date of the housing collapse and financial crisis can be debated , but the *Financial Crisis Inquiry Report* (US Gov't Printing Office, 2011) states "In early 2007, it became obvious that home prices were falling in regions that had once boomed, that mortgage originators were floundering, and more and more families...would be unable to make their mortgage payments," at page 213. While it was obvious in early 2007, the decline started much earlier. See Exhibit 2, National Associated Realtors data, on New Home Sales and Recession Graph.

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1. Approval of this Master Plan will expire ~~in 15 years~~ on August 22, 2032 ~~or in four (4) years from approval, unless a Detailed Development Plan (DDP) pursuant to Section 70, Master Plan Development District, of the Land Development Code, is submitted and approved by the Planning Commission and construction of the DDP shall start within three years of approval. A first detailed development plan (DDP I) was approved in 2009, and construction was completed in March 2012.~~ Each subsequent DDP must be filed within four (4) years of the completion of the previously approved DDP, or the master plan will expire. If the conditions at the time warrant, the Planning Commission may extend the ~~15-year Master Plan permit or the four (4) year DDP permit period for an additional two-year period~~ at the request of the applicant.

With the requested modification, Condition No. 1 will read as follows:

1. Approval of this Master Plan will expire on August 22, 2032. A first detailed development plan (DDP I) was approved in 2009, and construction was completed in March 2012. Each subsequent DDP must be filed within four (4) years of the completion of the previously approved DDP, or the master plan will expire. If the conditions at the time warrant, the Planning Commission may extend the Master Plan at the request of the applicant.

DDP II extension: Applicant asks the city to extend the DDP II by eight years, by modifying Condition No. 2, and to bring Condition No. 2 into line with the current LDC provisions regarding timelines. The modification recognizes that in 2011 the Planning Commission approved the seven-phase DDP II, and that under LDC 17.70.200(B) the Planning Commission may approve a timeline to implement the DDP II. The below changes revise the earlier timeline and conform the permit extension process to the current provisions of the LDC. If approved, Condition No. 2 would read as follows (deleted text stricken, added text underlined):

2. Approval of this Detailed Development Plan will expire ~~three~~ eleven (311) years from the date of initial approval unless the first phase final plat has been recorded in a timely manner and construction has begun. At its discretion and without a public hearing, the Commission may extend the approval ~~one time~~ for a period not to exceed two additional years per extension.

IV. Nature of the Request and Application Processing

The MPoD

Applicant's request to modify the MPoD arises under LDC 17.70.130, which allows Applicant to "request a change to the . . . conditions of approval." The Planning Commission's review is limited to the requested modification and the impacts attributable to it. LDC 17.70.130. For this requested modification, the relevant criteria to be considered are set forth in LDC 17.70.130(C). No other considerations are relevant or to be considered.

The development code does not contain a maximum number of years by which a master plan should be completely constructed. The original permit duration was set by the Planning Commission on a project specific basis that reflected the housing market at the time the MPoD application was submitted.

The extension for the MPoD modifies only a procedural matter, the duration of the permit. The extension does not change the physical site plan, nor does it amend the city's findings of approval for any substantive matter under LDC section 17.70.170. The Planning Commission considers the revised condition under the criteria stated in LDC 17.70.130(C), and forwards its recommendation to the City Council for final decision.

The DDP II

Applicant's request to modify the DDP II arises under LDC 17.70.210, which allows Applicant to "request a change to the . . . conditions of approval." As with the MPoD, the Planning Commission's review is limited to the requested modification and the impacts attributable to it under LDC 17.70.210. For this requested modification, the relevant criteria to be considered are set forth in LDC section 17.17.210(C). Under the LDC, no other considerations are relevant, or to be considered.

For the DDP II, the code does not mandate a certain number of years for the permit duration. Rather, because the Planning Commission previously "approved implementation of the DDP in phases," the Planning Commission has authority to approve a timeline for each phase of the DDP, and the code applies this timeline to the DDP. See, LDC 17.70.200. ("If the planning commission has approved implementation of the DDP in phases, the approved timeline will apply.")

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The DDP II modification request only modifies how the approved permit is administered, without changing substantive matters such as the site plan or the city's findings. The criteria the Planning Commission considers in deciding whether to grant the requested modification to the DDP II, is identical to the criteria the Planning Commission must consider in deciding whether to grant the requested modification/extension to the MPoD. It is simply codified separately, at LDC 17.70.210(C). The process differs, however, in that the Planning Commission's decision will be a final decision on the DDP II modification request.

As the Planning Commission is no doubt aware, the City has been in discussions with the US Department of Housing and Urban Development, along with Applicant, to consider possible development in the DDP II area. This could result in proposals to make minor modifications in the detailed development plans for the affected area. Any such proposals would be considered in a separate request.

Applicant asks the Planning Commission to consider the requested modifications to the MPoD and the DDP II simultaneously, since the facts and criteria are substantially similar or identical. Simultaneous review will save time for the Commission, staff, Applicant, and other interested persons.

V. Background of the Request

Since the city's approval of the first DDP II extension, the Applicant has spent in excess of \$150,000 in the past 2 years to maintain necessary studies. This work includes updating and refining the project wetlands studies in 2014, and updating surveys for Marbled Murrelets, and Spotted Owls, in 2015. Applicant has also prepared a preliminary plat for the first phase of the DDP II, and cleared title to areas of the development site that were previously the location of power line easements.

Applicant also commissioned a housing marketing analysis for Lone Ranch in 2015.

In addition, Applicant has constructed a \$1.5 million, 16" waterline within the paved area of Highway 101, reaching from Carpenterville Road to Lone Ranch Parkway, that currently serves the Southwestern Oregon Community College ("SOCC"). Applicant has also installed \$280,000 worth of gravity sewer lines within the Highway 101 right-of-way, providing a future connection from a point 300 feet south of Lone Ranch Parkway, to the Taylor Creek Crossing, and an additional

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\$290,000 pressure sewer line, 8" in diameter, within the Highway 101 right-of-way from Taylor Creek Crossing to Carpenterville Road. Together these two sewer improvements total \$570,000 for total improvements of \$2.07 million.

Applicant at its own cost, also extended the water line from Highway 101 to the Rainbow Rock Condominiums property line, which will allow them to connect to city water.

To date, Applicant's continuing investments in Lone Ranch and the public improvements associated with it exceed \$5 million.

As stated previously, the housing market has been in a prolonged down cycle.² In June, 2015, when asked "what is the main reason the housing market remains relatively weak?" David Crowe, chief economist for the National Association of Home Builders, summarized the interrelated forces this way:

"The sluggish economic recovery has, until recently, generated weak job growth, which has stunted household formations and housing demand. Factors including access to credit for both builders and buyers, building material supply chain issues, as well as labor and lot shortages have undermined progress along the way, but continued gains in the labor market and the confidence that that will bring will be the key to unleashing several years' worth of pent-up demand in the housing market."³

The Lone Ranch project, which offers housing at a variety of price points, was affected by this depressed economic activity.

Because of the concern with the absorption rate of housing in Brookings, the Planning Commission allowed the DDP II to be implemented in seven phases. With the proposed extension, Applicant must develop an average of about 20 units per year. The eight-year request is a conservative number.

² See attached Exhibit 2, graph of New Home Sales and Recession. Note that 2015 sales are equal to those of earlier recessions. Source: www.CalculatedRiskBlog.com

³ Reported by Bankrate.com, available at <http://www.bankrate.com/finance/economics/economists-what-they-said-06-15.aspx> (June 3, 2015).

The Planning Commission's earlier concern is illustrated by the history of building permits in Brookings since 2011. Applicant believes that the worst of the housing market decline is past and that interest in purchasing houses is slowly reviving.

The following table illustrates the rate of new single family housing construction permits issued by the City of Brookings over the past four years:

Year	# of permits
2012 ⁴	1
2013 ⁵	3
2014 ⁶	5
2015 ⁷	2 (as of June 30, 2015)

According to the Curry Coastal Pilot newspaper, construction costs in 2012 and 2013 ranged "from \$110,000 to \$300,000."⁸ This shows that moderately priced homes are being built and sold.

In summary, given Applicant's demonstrated commitment to the Lone Ranch project, and the documented economic issues, Applicant requests that the duration of the MPoD and the DDP II be extended to allow the MPoD and DDP II to be carried out as originally contemplated by the City and Applicant.

VI. Criteria and Findings

⁴ *Housing Market Improves Slightly*, Curry Coastal Pilot Newspaper, available at <http://www.currypilot.com/News/Local-News/Housing-market-improves-slightly> (July 23, 2013). Exhibit 4

⁵ *Id.*

⁶ City of Brookings, Progress Report for Basic Coastal Management Grant, January 1 to June 30, 2014, and July 1, 2014 to December 31, 2014. Exhibit 5

⁷ City of Brookings, Progress Report for Basic Coastal Management Grant, January 1 to June 30, 2015. Exhibit 5

⁸ *Housing Market Improves Slightly*, Curry Coastal Pilot Newspaper, available at <http://www.currypilot.com/News/Local-News/Housing-market-improves-slightly> (July 23, 2013). See Exhibit 4

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As stated above, the LDC applies the same criteria to both of Applicant's requested modifications. This section identifies those criteria, discusses how they relate to each modification, and presents findings demonstrating how the requested modifications comply with the criteria.

Modification of the MPoD, is allowed, pursuant to LDC 17.70.130. The current provision of the code, last amended in 2010, reads as follows:

An applicant may request a modification of an approved MPoD by submitting an application, appropriate fee, and supporting materials. The planning commission will conduct a public hearing to consider the modification. A modification may request a change to the plot plan/plat or to the conditions of approval. The request must be accompanied by:

A. A revised plot plan or plat showing the proposed changes and how they compare to the originally approved project; or

B. If the modification does not change the physical site plan of the project, a text explaining the desired change must be submitted.

C. The applicant must provide findings for the following criteria:

1. Address how the requested modification relates to the approved project and any impacts that will result.

2. Address any impacts to adjoining properties.

3. Address the effect on city services and facilities.

The planning commission will review the proposed modification based on the criteria in subsection (C) of this section.

In all modifications, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change.

This provision of the LDC provides that the Planning Commission must review the requested modification based on the criteria set forth in 17.70.130(C). It further provides that the Planning Commission's review is limited to the requested modification and the impacts attributable to it. As stated above, for this requested modification, the relevant criteria to be considered are set forth in LDC 17.70.130(C). Under the LDC, no other considerations are relevant or to be considered.

Modification of the DDP II, is allowed, pursuant to LDC 17.70.210. The current provision of this code section, last amended in 2010, reads as follows:

17.70.210 Modification(s) of a detailed development plan (DDP).

A modification to an approved DDP is required when final building and/or construction plans are not in substantial conformance with the adopted DDP. An applicant may request a

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modification of an approved DDP by submitting an application, appropriate fee, and supporting materials. The planning commission will conduct a public hearing to consider the modification. A modification may request a change to the plot plan/plat or the conditions of approval. The request must be accompanied by:

A. A revised plot plan or plat showing the proposed changes and how they compare to the originally approved project; or

B. If the modification does not change the physical site plan of the project, a text explaining the desired change must be submitted.

C. The applicant must provide findings for the following criteria:

1. Address how the requested modification relates to the approved project and any impacts that will result.

2. Address any impacts to adjoining properties.

3. Address the effect on city services and facilities.

The planning commission will review the proposed modification based on the criteria in subsection (C) of this section.

In a modification, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change.

LDC 17.70.210 provides that the Planning Commission must review the requested modification based on the criteria set forth in 17.70.210(C). It further provides that the Planning Commission's review is limited to the requested modification and the impacts attributable to it. As stated above, for this requested modification, the relevant criteria to be considered are set forth in LDC 17.70.210(C). Under the LDC, no other considerations are relevant or to be considered.

The Planning Commission finds that the 2010 amendments to LDC 17.70.130 and 17.70.210 apply to these requested modifications and further find that those two provisions are procedural and not substantive. Additionally, if the alternative extension is granted pursuant to LDC 17.70.200, the Planning Commission finds that the current version of LDC 17.70.200 applies and further finds that it is procedural and not substantive in nature.

Criterion 1, LDC 17.70.130(C)(1) and 17.70.210(C)(1): Address how the requested modification relates to the approved project and any impacts that will result.

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Discussion of the first identical criteria

These identical criteria have two parts. The first part requires Applicant to identify the specific change within the project.

Under the second part, Applicant must identify how the change impacts the project. The LDC does not define the term “impacts.” In that situation the code requires a person to interpret words or phrases “as they are commonly defined in everyday usage.” LDC 17.08.001. To this end the definitions in Webster’s Third New International Dictionary are useful, because this is the dictionary used by the Oregon Supreme Court.⁹ The most relevant definition of the term “impact” in the Webster’s Dictionary is “an impelling or compelling effect.” Thus, the Planning Commission must consider the “compelling effects” of the proposed permit modification.

Findings

a. *Findings as to the MPoD.*

Criterion 1, LDC 17.70.130(C)(1): Address how the requested modification relates to the approved project and any impacts that will result.

The twelve year extension request reflects that the downturn in both the housing market and financial industry has affected the entire 553-acre project. At present, SOCC has been constructed under the MPoD and the DDP I (the first DDP). However, during the remaining MPoD term, the Applicant must complete the rest of the project, all 553 acres, including 540 single family homes, 150 attached townhomes, and the commercial area, in just over four years. That is an impractical and undesirable timeline. Even if the build out occurred pursuant to the currently approved timeline, it is unlikely that the units would be sold within the time period. Under the 2015 Housing Market Study performed by Portland State University, Brookings is expected to grow by 1,584 people over the next twenty years.¹⁰ This is growth of approximately 79 people with primary residences in Brookings per year. Even if vacation homes were included in the projections, it is highly unlikely that the development would reach full occupancy in four years.

⁹ See, e.g., *Pacificorp Power Marketing, Inc. v Dep’t of Revenue*, 340 Or 204, 215, 131 P3d 725 (2006).

¹⁰ 2015 Portland State University Housing Market Study, p. 20. Exhibit 6.

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The requested modification, providing for build out over the next twelve years, more closely tracks projected population forecasts and market reality.

No lender would commit the required funds to create such a large project in a relatively small population and housing market. Lenders consider the absorption rate of building lots and residential structures as an important issue affecting the risk of repayment of loans, when lending for development or construction of either lots or dwellings. The local market would not absorb such an impact in the time remaining under the MPoD. The extension request allows the project scope and schedule to follow the outline set forth in the city's approved planning documents, as reflected in the permit conditions. This schedule received considerable input from the Applicant, city staff, members of the public, and other interested persons, and the requested modification will allow Applicant to follow through on its commitments to these individuals and entities.

During the approval process of the MPoD, a great deal of city effort (including the time and efforts of professional staff, the Planning Commission, and City Council) was spent reviewing the application and approving it. Significant time was also spent working with state agencies and resolving legal changes.

First, the state Land Conservation and Development Commission added the Lone Ranch, along with other lands into the urban growth boundary (UGB). At the time, it was the largest expansion of a UGB in state history, and was appealed up to the Supreme Court. Upon resolution of the litigation, the land was annexed to the City of Brookings, following study and public hearings. Then, the City adopted an ordinance to allow zoning through the use of master plans. The Applicant prepared, and the City reviewed, analyzed, and approved the MPoD. The Applicant helped SOCC by donating the site of the college, and working with SOCC to prepare necessary documents for the land transfer, and the DDP I. Finally, the Applicant prepared, and the City reviewed, analyzed, and approved the DDP II as the economic downturn grew worse.

Allowing this project to expire would put the City back to square one, waiting for an unknown time in the future when someone would propose to develop this site and would require the process to start over.

The delay in development and construction set out in the MPoD has been the result of factors outside of the City's and Applicant's control. The Applicant has proceeded in good faith, at its own

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risk and great expense to continue development under the MPoD, even during challenging times. If the Planning Commission were to deny this application for modification and extension of time, the impact would be negative.

In conclusion, approving the requested extension of the MPoD is consistent with the original project's intent.

b. *Findings as to the DDP II*

Criterion 1, LDC 17.70.210(C)(1): Address how the requested modification relates to the approved project and any impacts that will result.

The eight year extension request reflects that the downturn in both the housing market and financial industry has affected the entire 553-acre project. At present, SOCC has been constructed under the MPoD and the DDP I (the first DDP). However, during the remaining MPoD term, the Applicant must complete 163 single family homes, 150 attached townhomes, and the commercial area, starting construction in the rainy season this year. That is an impractical and undesirable timeline. Even if the build out occurred pursuant to the currently approved timeline, it is unlikely that the units would be sold within the time period. Under the 2015 Housing Market Study performed by Portland State University, Brookings is expected to grow by 1,584 people over the next twenty years.¹¹ This is growth of approximately 79 people with primary residences in Brookings per year. Even if vacation homes were included in the projections, it is highly unlikely that the development would reach full occupancy before the DDP II's expiration date.

The requested modification, providing for build out over the next eight years, more closely tracks projected population forecasts and market reality.

No lender would commit the required funds to create such a large project in a relatively small population and housing market. Lenders consider the absorption rate of building lots and residential structures as an important issue affecting the risk of repayment of loans, when lending for development or construction of either lots or dwellings. The local market would not absorb such an impact in the time remaining under the MPoD. The extension request allows the project scope and schedule to follow the outline set forth in the city's approved planning documents, as reflected

¹¹ 2015 Portland State University Housing Market Study, p. 20. Exhibit 6.

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in the permit conditions. This schedule received considerable input from the Applicant, city staff, members of the public, and other interested persons, and the requested modification will allow Applicant to follow through on its commitments to these individuals and entities.

During the approval process of the MPoD, a great deal of city effort (including the time and efforts of professional staff, the Planning Commission, and City Council) was spent reviewing the application and approving it. Significant time was also spent working with state agencies and resolving legal changes.

First, the state Land Conservation and Development Commission added the Lone Ranch, along with other lands into the urban growth boundary (UGB). At the time, it was the largest expansion of a UGB in state history, and was appealed up to the Supreme Court. Upon resolution of the litigation, the land was annexed to the City of Brookings, following study and public hearings. Then, the City adopted an ordinance to allow zoning through the use of master plans. The Applicant prepared, and the City reviewed, analyzed, and approved the MPoD. The Applicant helped SOCC by donating the site of the college, and working with SOCC to prepare necessary documents for the land transfer, and the DDP I. Finally, the Applicant prepared, and the City reviewed, analyzed, and approved the DDP II as the economic downturn grew worse.

Allowing this project to expire would put the City back to square one, waiting for an unknown time in the future when someone would propose to develop this site and would require the process to start over.

The delay in development and construction set out in the MPoD and the DDP II has been the result of factors outside of the City's and Applicant's control. The Applicant has proceeded in good faith, at its own risk and great expense to continue development, even during challenging times. If the Planning Commission were to deny this application for modification and extension of time, the impact would be negative.

In conclusion, approving the requested extension of the DDP II is consistent with the original project's intent.

Criterion 2, LDC 17.70.130(C)(2) and 17.70.210(C)(2): Address any impacts to adjoining properties.

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Discussion of the second identical criteria

Under LDC 17.08.010 the term “Adjoining” refers to properties that have a “common boundary line, except where two or more lots or parcels adjoin only at a corner.”

These criteria use the term “impacts” which, as explained above, is an undefined term in the Code. However, for reasons discussed above, Applicant believes this criteria likewise requires the city to address “any compelling effects” of the modification on adjoining properties.

Findings as to the MPoD modification for extension of time

Criterion 2, LDC 17.70.130(C)(2): Address any impacts to adjoining properties.

Adjacent land uses have not changed since approval of the MPoD and DDP. This includes city and county zoning designations. The adjoining properties to the MPoD area can be characterized as follows:

1. Lands outside the urban growth boundary, zoned for forestry use.
2. Lands to the south along Highway 101, on the west and south sides of the MPoD area.
3. Privately owned land zoned by the County as RR – 10, including Rainbow Rock Trailer Park, to the south east. The trailer park lacks sufficient space for an adequate septic system drain field.
4. The non-adjacent Rainbow Rock Condominiums has a pond for drinking water adjacent to the MPoD area. As noted previously, Applicant extended a water line to the Condominium property line.

The requested modifications will have no impact on lands outside the urban growth boundary and along Highway 101.

Development of the MPoD requires construction of an extensive system of open spaces and a trail network. These systems will reach adjoining property and could benefit some of the adjoining properties.

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Postponing full build-out by 12 years means adjoining owners may wait longer for the Applicant to construct public trails in this part of the city. However, presently the Lone Ranch site is privately owned and undeveloped. The delay does nothing more than continue the status quo and provide a reasonable timeline for construction of the project.

The private properties that are within the Urban Growth Boundary, and outside the city limits are not currently obligated to connect to the sewer, nor is the city obligated to extend sewer service to them. As such, granting the requested modification would not impact these properties.

In conclusion, extending the MPoD maintains the status quo. There are no impacts to adjoining properties that did not exist at the time of the original MPoD approval.

Findings as to the DDP II extension of time

Criterion 2, LDC 17.70.210(C)(2): Address any impacts to adjoining properties.

The properties adjacent to the DDP II area are:

1. The Southwestern Oregon Community College.
2. Highway 101 right-of-way.
 - a. *Effects on the Southwestern Oregon Community College.*

There is no change to the status quo or negative impact to SOCC.

Regarding the Water System

The Applicant completed the water work necessary to connect SOCC to the city water system. SOCC is currently connected to this water system, but the system is sufficient to provide water service to the project areas as well. The existing water system is currently underutilized, resulting in negative impacts that will likely be resolved by the build out and occupancy of the project. Water systems require a minimum rate of flow in order to maintain water quality. When water stagnates, it degrades. Since construction of the water line, City staff must routinely flush the water line from the town to SOCC in order to purge stagnant water from the system. The resulting impact is water

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waste, and use of staff time that could be spent on other things.¹² Extending development time will make occupancy more likely, as demand increases. Occupancy of Lone Ranch property will result in more water users, and make stagnations less likely. Building out in the short time frame remaining under the DDP II will not necessarily result in earlier occupancy, given the reality of current market conditions.

Regarding the Sewer System

Presently, SOCC is not connected to a public sewer and instead discharges waste into a sanitary holding tank that it pumps into trucks for disposal, on a regular basis. SOCC will be unable to connect to public sewer until the improvements, set forth in the DDP II are completed. Thus, build out of the project is critically important.

In conclusion, granting the requested modification to the DDP II does not create any impacts that need to be addressed.

Criterion 3, LDC 17.70.130(C)(3) and 17.70.210(C)(3): Address the effect on city services and facilities.

Discussion of the criterion

This criterion uses two terms which are undefined in the LDC. The first of these is “effect”. According to Webster’s dictionary, cited above, “effect” refers to “something that is produced by an agent or cause,” or also “a resultant condition.”

The second is the undefined phrase “city services and facilities.” The purpose statement of the master plan chapter sheds light on the meaning of this phrase. Notably, a purpose of master planning development is to acceptably minimize “the impacts of the development on the city’s services, infrastructure, transportation systems and neighboring properties” LDC 17.70.010.

Thus, to the extent the requested time extensions produce a “resulting condition” as to city services, infrastructure, or transportation systems, the Applicant should identify those. The effect on neighboring properties is addressed under Criterion 2, the impacts on adjoining properties.

¹² Source: City of Brookings Planning Department.

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Findings as to the MPoD

Criterion 3, LDC 17.70.130(C)(3): Address the effect on city services and facilities.

The requested time extensions relate solely to the time under which the city will administer development activities under this permit. Additionally, if the requested modifications are granted, the project, when built out, will complete the sewer system connection to SOCC that is part of the City's planned facilities for providing services. Granting the requested modification does not increase staff time in any significant way, it just carries out the original intent of the corresponding staff time.

The adjoining properties are outside the city limits and so are not within the purview of this criterion. The impact on adjoining properties is discussed under the analysis and findings for Criterion 2.

In sum, the city's existing procedures will accommodate the longer development schedule with minimal if not negligible expenditure of publicly-funded time or materials, and the modification, if approved, will complete critical sewer connections identified in the City's facilities plan.

Findings as to the DDP II

Criterion 3, LDC 17.70.210(C)(3): Address the effect on city services and facilities.

The requested time extensions relate solely to the time under which the city will administer development activities under this permit. Additionally, if the requested modifications are granted, the project, when built out, will complete the sewer system connection to SOCC that is part of the City's planned facilities for providing services. Granting the requested modification does not increase staff time in any significant way, it just carries out the original intent of the corresponding staff time.

The adjoining properties are outside the city limits and so are not within the purview of this criterion. The impact on adjoining properties is discussed under the analysis and findings for Criterion 2.

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In sum, the city's existing procedures will accommodate the longer development schedule with minimal if not negligible expenditure of publicly-funded time or materials, and the modification, if approved, will complete critical sewer connections identified in the City's facilities plan.

Other Relevant Issues

LDC 17.70.200 provides as follows:

17.70.200 Effective Period of detailed development plan (DDP) approval.

A. Approval of a DDP shall be valid for a three year period from the date of initial approval. If the applicant has not begun construction within this timeframe, the approval shall expire. At its discretion and without a public hearing, the commission may extend the approval for a period not to exceed two additional years per extension.

B. If the planning commission has approved implementation of The DDP in phases, the approved timeline will apply. At its discretion and without a public hearing, the commission may extend the approval for a period not to exceed two additional years per extension.

Thus, the commission has authority to extend the DDP II for two years without a public hearing, by bringing a request for extension under LDC Section 17.70.200. However, after holding a public hearing, the commission may modify the term for a longer period, as requested here. The commission should find that the Applicant is entitled not just to a two year extension under LDC 17.70.200, but also to the eight year modification requested.

The Planning Commission finds sufficient evidence to support a two-year extension under Section 17.70.200, even if an appellate body finds insufficient evidence for an eight-year extension.

VII. Conclusion

Approving the requested time extensions will acknowledge the approximately eight-year period during which large scale real estate development in Curry County was impossible due to the collapse in housing and capital markets. The city and the community lose nothing under these requests.

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By contrast, failure to approve these extensions will delay the project. Rejecting these extensions would cause Applicant (or a potential successor in interest) to duplicate its \$5 million dollar investment to acquire work products ranging from professional engineering, to ecological, economic, and legal consultants, as well as cause the city to duplicate the hundreds (or thousands) of hours its staff and governing officials have invested in analyzing the project at each step of the master planning, and detailed development planning processes. If that result occurs, the city and its residents will not receive the public facilities, vital housing units, and infrastructure improvements which would have been constructed as part of the development, and which are expected by citizens who live in this area within the urban growth boundary.

The Planning Commission should therefore approve the requested modification to the DDP II and recommend approval of the requested modification to the MPoD.

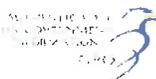
The requested modifications have no effect or impact on any substantive provisions of the development approvals provided for in the permits, or any other aspect of the Lone Ranch project or its site plan. However, the modifications will grant the Applicant sufficient time to carry out and complete the substantive provisions which have not been completed due to the continuing financial crisis and housing market decline of the last nine years.

Complete document can be reviewed
at the Planning Department of
Chetco Community Public Library.

THE FINANCIAL CRISIS INQUIRY REPORT



**Final Report of the National Commission
on the Causes of the Financial and
Economic Crisis in the United States**



OFFICIAL GOVERNMENT EDITION •

THE
FINANCIAL
CRISIS
INQUIRY REPORT

This printing includes all corrections contained in the errata sheet issued by the Commission as found on the FCIC website as of February 25, 2011.

11

THE BUST

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What happens when a bubble bursts? In early 2007, it became obvious that home prices were falling in regions that had once boomed, that mortgage originators were floundering, and that more and more families, especially those with subprime and Alt-A loans, would be unable to make their mortgage payments.

What was not immediately clear was how the housing crisis would affect the financial system that had helped inflate the bubble. Were all those mortgage-backed securities and collateralized debt obligations ticking time bombs on the balance sheets of the world's largest financial institutions? "The concerns were just that if people . . . couldn't value the assets, then that created . . . questions about the solvency of the firms," William C. Dudley, now president of the Federal Reserve Bank of New York, told the FCIC.⁹

In theory, securitization, over-the-counter derivatives and the many byways of the shadow banking system were supposed to distribute risk efficiently among investors. The theory would prove to be wrong. Much of the risk from mortgage-backed securities had actually been taken by a small group of systemically important companies with outsized holdings of, or exposure to, the super-senior and triple-A tranches of CDOs. These companies would ultimately bear great losses, even though those investments were supposed to be super-safe.

As 2007 went on, increasing mortgage delinquencies and defaults compelled the ratings agencies to downgrade first mortgage-backed securities, then CDOs. Alarmed investors sent prices plummeting. Hedge funds faced with margin calls from their repo lenders were forced to sell at distressed prices; many would shut down. Banks wrote down the value of their holdings by tens of billions of dollars.

The summer of 2007 also saw a near halt in many securitization markets, including the market for non-agency mortgage securitizations. For example, a total of \$75 billion in subprime securitizations were issued in the second quarter of 2007 (already down from prior quarters). That figure dropped precipitously to \$27 billion in the third quarter and to only \$12 billion in the fourth quarter of 2007. Alt-A issuance topped \$100 billion in the second quarter, but fell to \$13 billion in the fourth quarter of 2007. Once-booming markets were now gone—only \$4 billion in subprime or Alt-A mortgage-backed securities were issued in the first half of 2008, and almost none after that.²

CDOs followed suit. From a high of more than \$90 billion in the first quarter of 2007, worldwide issuance of CDOs with mortgage-backed securities as collateral plummeted to \$29 billion in the third quarter of 2007 and only \$5 billion in the fourth quarter. And as the CDO market ground to a halt, investors no longer trusted other structured products.³ Over \$80 billion of collateralized loan obligations (CLOs), or securitized leveraged loans, were issued in 2007; only \$10 billion were issued in 2008. The issuance of commercial real estate mortgage-backed securities plummeted from \$232 billion in 2007 to \$12 billion in 2008.⁴

Those securitization markets that held up during the turmoil in 2007 eventually suffered in 2008 as the crisis deepened. Securitization of auto loans, credit cards, small business loans, and equipment leases all nearly ceased in the third and fourth quarters of 2008.

DELINQUENCIES: “THE TURN OF THE HOUSING MARKET”

Home prices rose 15% nationally in 2005, their third year of double-digit growth. But by the spring of 2006, as the sales pace slowed, the number of months it would take to sell off all the homes on the market rose to its highest level in 10 years. Nationwide, home prices peaked in April 2006.

Members of the Federal Reserve’s Federal Open Market Committee (FOMC) discussed housing prices in the spring of 2006. Chairman Ben Bernanke and other members predicted a decline in home prices but were uncertain whether the decline would be slow or fast. Bernanke believed some correction in the housing market would be healthy and that the goal of the FOMC should be to ensure the correction did not overly affect the growth of the rest of the economy.⁵

In October 2006, with the housing market downturn under way, Moody’s Economy.com, a business unit separate from Moody’s Investors Service, issued a report authored by Chief Economist Mark Zandi titled “Housing at the Tipping Point: The Outlook for the U.S. Residential Real Estate Market.” He came to the following conclusion:

Nearly 20 of the nation’s metro areas will experience a crash in house prices; a double-digit peak-to-trough decline in house prices. . . . These sharp declines in house prices are expected along the Southwest coast of Florida, in the metro areas of Arizona and Nevada, in a number of Cali-

ifornia areas, throughout the broad Washington, D.C. area, and in and around Detroit. Many more metro areas are expected to experience only house-price corrections in which peak-to-trough price declines remain in the single digits. . . . It is important to note that price declines in various markets are expected to extend into 2008 and even 2009.

With over 100 metro areas representing nearly one-half of the nation's housing stock experiencing or about to experience price declines, national house prices are also set to decline. Indeed, odds are high that national house prices will decline in 2007.⁶

For 2007, the National Association of Realtors announced that the number of sales of existing homes had experienced the sharpest fall in 25 years. That year, home prices declined 9%. In 2008, they would drop a stunning 17%. Overall, by the end of 2009, prices would drop 28% from their peak in 2006.⁷ Some cities saw a particularly large drop: in Las Vegas, as of August 2010, home prices were down 55% from their peak. And areas that never saw huge price gains have experienced losses as well: home prices in Denver have fallen 18% since their peak.

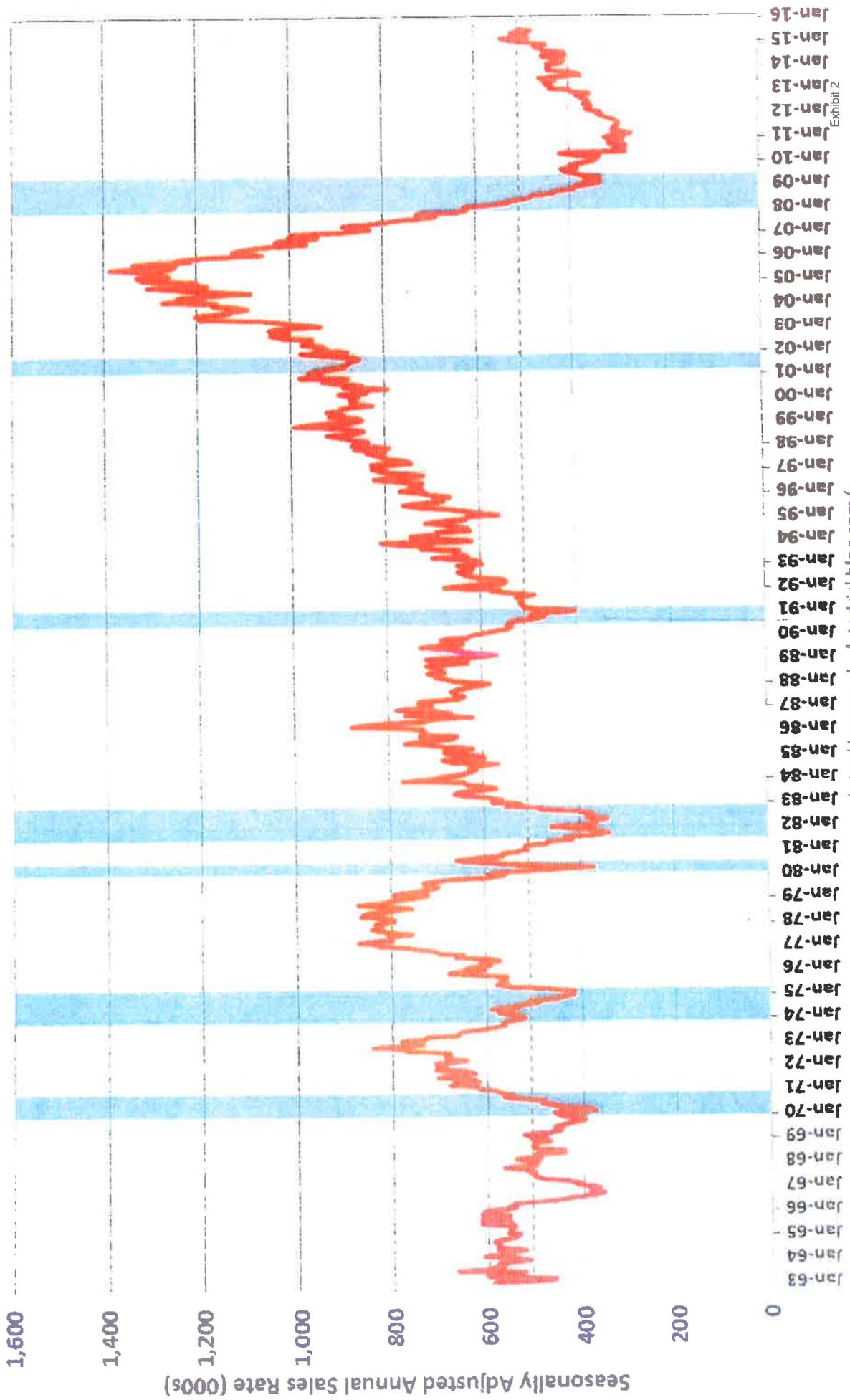
In some areas, home prices started to fall as early as late 2005. For example, in Ocean City, New Jersey, where many properties are vacation homes, home prices had risen 144% since 2001; they topped out in December 2005 and fell 4% in the first half of 2006. By mid-2010, they would be 22% below their peak. Prices topped out in Sacramento in October 2005 and are today down nearly 50%. In most places, prices rose for a bit longer. For instance, in Tucson, Arizona, prices kept increasing for much of 2006, climbing 95% from 2001 to their high point in August 2006, and then fell only 3% by the end of the year.⁸

One of the first signs of the housing crash was an upswing in early payment defaults—usually defined as borrowers' being 60 or more days delinquent within the first year. Figures provided to the FCIC show that by the summer of 2006, 1.5% of loans less than a year old were in default. The figure would peak in late 2007 at 2.5%, well above the 1.0% peak in the 2000 recession. Even more stunning, first payment defaults—that is, mortgages taken out by borrowers who never made a single payment—went above 1.5% of loans in early 2007.⁹ Responding to questions about that data, CoreLogic Chief Economist Mark Fleming told the FCIC that the early payment default rate “certainly correlates with the increase in the Alt-A and subprime shares and the turn of the housing market and the sensitivity of those loan products.”¹⁰

Mortgages in serious delinquency, defined as those 90 or more days past due or in foreclosure, had hovered around 1% during the early part of the decade, jumped in 2006, and kept climbing. By the end of 2009, 9.7% of mortgage loans were seriously delinquent. By comparison, serious delinquencies peaked at 2.4% in 2002 following the previous recession.¹¹

Serious delinquency was highest in areas of the country that had experienced the biggest housing booms. In the “sand states”—California, Arizona, Nevada, and Florida—serious delinquency rose to 3% in mid-2007 and 15% by late 2009, double the rate in other areas of the country (see figure 11.1).¹²

New Home Sales and Recessions



<http://www.calculatedriskblog.com/>

Exhibit 2

advertisement



ECONOMICS

Asking economists: Why is the housing market still looking a little wobbly?

By Doug Whiteman • Bankrate.com

Home sales and new construction have been surprisingly sluggish. In the second-quarter 2015 Bankrate Economic Indicator survey of leading economists, we asked:

What is the main reason the housing market remains relatively weak?



"It isn't weak. Sales and prices are consistent with or above trend. (Housing) starts are low because of a large amount of vacant units."

-- Dean Baker, co-director, Center for Economic and Policy Research

"(The main reason is a) lack of real wage growth for the majority of middle-class workers."



-- Scott Brown, chief economist, Raymond James



"Bad karma has hit housing after the financial crisis. Banks demand very high credit scores to get the best rates. Some existing homeowners are trapped because they are still underwater (that is, they can't sell, so they can't buy). While unemployment is low, there are many workers not even in the labor force. Wage gains and income gains are low. A lot of housing stock in

areas that are less favorable may be hard to sell. Demographics of household formation are on an upswing, but it's a slow upswing. Foreigners have been a big inflow into the U.S. housing market, and now the strong dollar is slowing this flow down. The strong dollar makes housing more expensive to foreigners."

-- Robert Brusca, chief economist, FAO Economics



"(The big reason is a) lack of wealth transferred to millennials from their parents following financial and economic downturn. (That has been) due to a general loss of wealth associated with the reset in housing prices and uneven distribution of economic gains in the current recovery."

-- Joseph Brusuelas, chief economist, McGladrey



"Housing (as measured by residential investment in the gross domestic product accounts) has added to overall GDP growth since 2011, after being a drag on growth from 2006 through 2010. Recoveries from financial bubbles are always slower than usual, and the housing-related financial bubble is no different."

-- John Canally Jr., CFA, chief economic strategist, LPL Financial



"The sluggish economic recovery has, until recently, generated weak job growth, which has stunted household formations and housing demand. Factors including access to credit for both builders and buyers, building material supply chain issues, as well as labor and lot shortages have undermined progress along the way, but continued gains in the labor market and the confidence that that will bring will be the key to unleashing several years' worth of pent-up demand in the housing market."

-- David Crowe, chief economist, National Association of Home Builders





"Household formation was slow until quite recently, mortgage credit has been tight (and still is, relative to the last 10 years) and population/household mobility has been low due to the loss of equity experienced by many owners."

-- Michael Fratantoni, chief economist, Mortgage Bankers Association

"(The primary reasons are) slack in the labor market and its sibling, stagnant wages."



-- Seth Harris, former deputy and acting U.S. secretary of labor; distinguished scholar, Cornell University School of Industrial & Labor Relations



"(The main reason is) hesitant first-time homebuyers."

-- Stuart Hoffman, chief economist, PNC Financial Services Group

"Tight lending conditions are the primary reason for a soft housing market. Potential borrowers still have to jump through way too many hoops to get a loan. The average FICO score of approved mortgages remains elevated compared to pre-recession levels."



-- Robert Johnson, director of economic analysis, Morningstar



"The main reason the housing market remains relatively weak is tightened credit standards. The post-mortgage-crisis changes to mortgage underwriting and down payment requirements removed a significant layer of prospective buyers from the market all at once. Many of these will likely never qualify again under current standards. This development essentially shrank the real estate market, perhaps for decades."

-- Alan MacEachin, corporate economist, Navy Federal Credit Union

"(The No. 1 reason is a) lack of qualified buyers."



-- Daniil Manaenkov, assistant research scientist, University of Michigan Research Seminar in Quantitative Economics



"There are many reasons. If forced to pick a main reason, I would attribute the weakness to continued difficulty in qualifying for a mortgage (too-tight credit standards), even though there has been some improvement on this front over the last several quarters. Running a close second is fear of homeownership among many young people due to the bursting of the housing bubble and uncertain job prospects."

-- Bernard Markstein, president and chief economist, Markstein Advisors

"(The key reason is a) lack of equity, so that many homeowners cannot sell their homes -- limiting supply and sales."



-- Joel Naroff, president, Naroff Economic Advisors



"The market is bifurcated. The low end continues to struggle to find demand from first-time buyers, which is holding down sales volume. The mid- and high-end segments are experiencing price appreciation while bidding wars are occurring for the best properties, as supply remains tight."

-- David Nice, economist, Mesirov Financial



"Housing starts have doubled since 2009, and one should not expect a return to the pre-crisis level -- that was too high -- but there is clearly more upside. One key negative has been tight credit."



-- Jim O'Sullivan, chief U.S. economist, High Frequency Economics



"(The main reason?) Low income."

-- Lindsey Plegza, chief economist, Sterne Agee

"(The weakness is mainly due to) tighter lending standards."



-- Lynn Reaser, chief economist, Point Loma Nazarene University



"(The main reason is) a combination of higher prices from low supply and credit constraints."

-- Jeffrey Rosen, chief economist, Briefing.com

"(I see a) changed perception of the value of single-family housing. Multifamily is doing fine."



-- John Silvia, chief economist, Wells Fargo



"The overreach of new and pending financial regulations has weighed on the financial sector overall and on mortgage availability in particular. Weak wage and salary growth and a labor market still not fully healed are



playing significant roles as well."

-- Sean Snaith, director, University of Central Florida Institute for Economic Competitiveness

"A mix of factors (is behind the weakness): modest income growth, unequal income growth, the need for larger down payments, and hesitation by potential homebuyers in the wake of the housing collapse."



-- Phillip Swagel, professor of international economic policy University of Maryland School of Public Policy



"Buyers remain scared of housing as an asset."

-- David Wyss, adjunct professor of economics, Brown University

"(I see a) lack of housing inventory from the cumulative effect of weak home construction. This leads to fewer choices for buyers and pushes up home prices too fast."



-- Lawrence Yun, chief economist, National Association of Realtors



"The principal constraint on housing is the overly tight credit conditions, particularly for first-time homebuyers."

-- Mark Zandi, chief economist, Moody's Analytics

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Housing market improves slightly

July 23, 2013 09:44 pm

Optimistic - but guardedly so — is the buzzword for the local housing market.

After a brutal period since 2008 that devastated the housing industry, things are looking up this year, if only slightly.

In Brookings and throughout Curry County, house sales are up, the number of building permits issued has increased, and the mood is generally optimistic among those in the industry, from realtors to contractors.

“Things are definitely improved this year,” said Rosann Hamilton, who works in the Curry County Department of Public Services. “Not as good as years back, but way better than it once was. It’s showing signs of improvement.”

From July 2012 to June 2013, 25 applications for single family dwellings were filed in Curry County. This is an increase from 2011-2012, when there were only 15 permits, and 2010-2011 when there were 17. In 2008-2009, there were 38 applications for single family dwelling building permits with the county.

It’s the same story in Brookings, with slightly more single family dwelling applications than last year, up to three from only one a year ago. This is after five years of slow activity. The three single family dwellings constructed in Brookings have ranged in estimated construction costs from \$110,000 to \$300,000.

Laura Lee Snook, who works in the building department for the city of Brookings, said a big part of the comeback has been in a couple of lower-income housing projects in the city, as well as several non residential projects over the last few years.

‘Guarded optimism’

Things aren’t as bleak as they have been, but David Frazier, president of the Curry County Home Builder’s Association, said he is looking at the improvements with “guarded optimism.”

“It’s like we’re on a teeter totter, and we are currently at that balanced point. It could really go either way,” Frazier said. “It could go back to how it was in 2009 or tip to something positive.”

When houses aren’t built, it not only hurts contractors and subcontractors, Frazier says it also hurts the suppliers and everyone else in the chain.

“We lost a lot of contractors in the county because of the recession,” Frazier said.

Frazier said the banks need to loosen up their lending policies, perhaps not to the extent they were before the crisis but some loosening would help the industry.

Housing sales increasing

"It started to recover in January of 2012," said Bryan Tillung, president of the Curry County Board of Realtors. "We saw the same results volume in sales in 2012 as we did in 2007. And in 2013 we are on track with 2012 and anticipate it will be better."

While Tillung said sales are up 5.6 percent over last year, the area is not seeing the robust sales that have started to take off in other areas of the country.

"Prices aren't declining but they are not increasing either," Tillung said.

But with economic growth, Tillung said prices will start to increase slightly over a period of several months, if not longer.

The median price for homes in the area is between \$250,000 to \$280,000.

When looking at historical sales performance, Tillung said that the market in Brookings tends to lag behind what is happening in California, Arizona or Medford. He said that in 12 months, the same sort of real estate transactions that are happening there will begin here.

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2014-2015

OREGON COASTAL MANAGEMENT PROGRAM

Department of Land Conservation and Development 635 Capitol St. NE Salem Oregon 97301

Progress Report for Basic Coastal Management Grant

January 1, 2015 to June 30, 2015



Please type

Jurisdiction City of Brookings Grant Number: CZM 14-004

Address: 898 Elk Drive City/State/Zip: Brookings,OR 97415

Phone: (541) 469-1137 Fax: (541) 469-3650

Local Contact Person and Title: Donna Colby-Hanks, Planning Manager

PLEASE BE SURE TO ATTACH YOUR REQUEST FOR INTERIM PAYMENT. Remember to document the matching costs when requesting interim and final payment. The matching costs are expected to be accrued at the same general rate as the reimbursable costs.

This report is important. Your responses will help us to report accurately to the NOAA Office of Ocean and Coastal Resources Management how Oregon spends federal Coastal Zone Management grant funding at the local level. This report is a condition of the terms of your grant agreement with the Department.

Work Program Activities:

- Land Use Decisions:** List (by date, docket or decision #, and title) plan amendments, zone changes, and development (e.g. subdivision or partition) approvals. Please indicate whether these decisions were made by staff, planning commission, or governing body and whether the decision has been appealed or was made pursuant to an appeal.
 - Include staff reports or other decision documents for the items listed, please, if not previously provided to the DLCD field staff. **See attached.**
- Governmental Coordination:** Please briefly describe any significant efforts to coordinate with state, federal and other local jurisdictions, including port districts, with regard to land use planning or decision-making. **See attached.**
- LUCS:** Please list all Land Use Compatibility statements (LUCS) by date, ID#, name, and a brief description made for state and federal permits and authorizations (e.g., DSL, fill and removal permits or Corps of Engineers, Sec. 10 and 404 permits)? **See attached.**
- Building Permits:** Please provide the number of permits issued during the period for 2 single-family dwellings 1 (2 units) 1 multiple-family dwellings 1 commercial building

On-line Training:

During the grant period, did you make use of any portions of the on-line video training for land use planning developed by DLCD? Yes No (Circle one)

If yes, please describe your audience (e.g., planning staff, planning commission, city council/county board), the approximate number of people who viewed the training, how the training was used (e.g., individual access/viewing; group training session).

Individual viewing by Planning Staff. (3)

Financial and Record-Keeping Matters:

By signing this Progress Report the grantee certifies that:

1. Standard accepted accounting and fiscal records have been maintained to track the receipt and expenditure of grant funds. Such records shall be made available upon request, including records that document local contribution (match).
2. Staff time devoted to eligible activities under this grant is accounted for on a daily basis. Timesheets are available for review upon request.

Signature of authorized individual Donna Colby-Hanks

Title Planning Manager

2013-2014

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2014-2015

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Signature of authorized individual _____

Title Planning Manager

Coordinated Population Forecast



2015

Through

2065

**Curry
County**

Urban Growth
Boundaries (UGB)
& Area Outside UGBs



Population Research Center
PORTLAND STATE UNIVERSITY

**Coordinated Population Forecast for Curry County, its
Urban Growth Boundaries (UGB), and
Area Outside UGBs
2015-2065**

**Prepared by
Population Research Center
College of Urban and Public Affairs
Portland State University**

June, 2015

This project is funded by the State of Oregon through the Department of Land Conservation and Development (DLCD). The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

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The Population Research Center and project staff wish to acknowledge and express gratitude for support from the Forecast Advisory Committee (DLCD), the hard work of our staff Deborah Loftus and Emily Renfrow, data reviewers, and many people who contributed to the development of these forecasts by answering questions, lending insight, providing data, or giving feedback.

How to Read this Report

This report should be read with reference to the documents listed below—downloadable on the Forecast Program website (<http://www.pdx.edu/prc/opfp>).

Specifically, the reader should refer to the following documents:

- *Methods and Data for Developing Coordinated Population Forecasts*—Provides a detailed description and discussion of the forecast methods employed. This document also describes the assumptions that feed into these methods and determine the forecast output.
- *Forecast Tables*—Provides complete tables of population forecast numbers by county and all sub-areas within each county for each five-year interval of the forecast period (i.e., 2015-2065). These tables are also located in [Appendix C](#) of this report.

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Executive Summary

Historical

Different growth patterns occur in different parts of the County and these local trends within the UGBs and the area outside UGBs collectively influence population growth rates for the county as a whole.

Curry County's total population has grown slowly since 2000; with an average annual growth rate of less than one percent between 2000 and 2010 (Figure 1); however some of its sub-areas experienced more rapid population growth during the 2000s. Gold Beach posted the highest average annual growth rate at one percent during the 2000 to 2010 period.

Curry County's positive population growth in the 2000s was the result of sporadic net in-migration. Meanwhile an aging population not only led to an increase in deaths, but also resulted in a smaller proportion of women in their childbearing years. This along with more women choosing to have fewer children and have them at older ages has led to fewer births in recent years. The larger number of deaths relative to births caused natural decrease (more deaths than births) in every year from 2000 to 2014. While periods of net in-migration outweighed natural decrease during the last decade, the gap between these two numbers shrank during the later years—bringing population decline from 2009 to 2012.

Forecast

Total population in Curry County as a whole will likely grow at a faster pace in the first 20 years of the forecast period (2015 to 2035), relative to the last 30 years (Figure 1). The tapering of growth rates is largely driven by an aging population—a demographic trend which is expected to exacerbate natural decrease (more deaths than births). As natural decrease occurs, population growth will become increasingly reliant on net in-migration. For the area outside UGBs this will likely lead to population decline during the last 30 years of the forecast period. The remaining sub-areas are expected to see population increase over this same time period.

Even so, Curry County's total population is forecast to increase by nearly 3,900 over the next 20 years (2015-2035) and by more than 4,700 over the entire 50-year forecast period (2015-2065). Sub-areas that showed strong population growth in the 2000s are expected to experience similar rates of population growth during the forecast period.

Figure 1. Curry County and Sub-Areas—Historical and Forecast Populations, and Average Annual Growth Rates (AAGR)

	Historical			Forecast				
	2000	2010	AAGR (2000-2010)	2015	2035	2065	AAGR (2015-2035)	AAGR (2035-2065)
Curry County	21,137	22,364	0.6%	22,521	26,419	27,286	0.8%	0.1%
Brookings ¹	10,634	11,199	0.5%	11,414	12,998	14,850	0.7%	0.4%
Gold Beach	2,837	3,141	1.0%	3,261	4,044	5,575	1.1%	1.1%
Port Orford	1,755	1,807	0.3%	1,837	2,052	2,373	0.6%	0.5%
Outside UGBs	5,911	6,217	0.5%	6,009	7,326	4,488	1.0%	-1.6%

Sources: U.S. Census Bureau, 2000 and 2010 Censuses; Forecast by Population Research Center (PRC).

¹ For simplicity each UGB is referred to by its primary city's name.

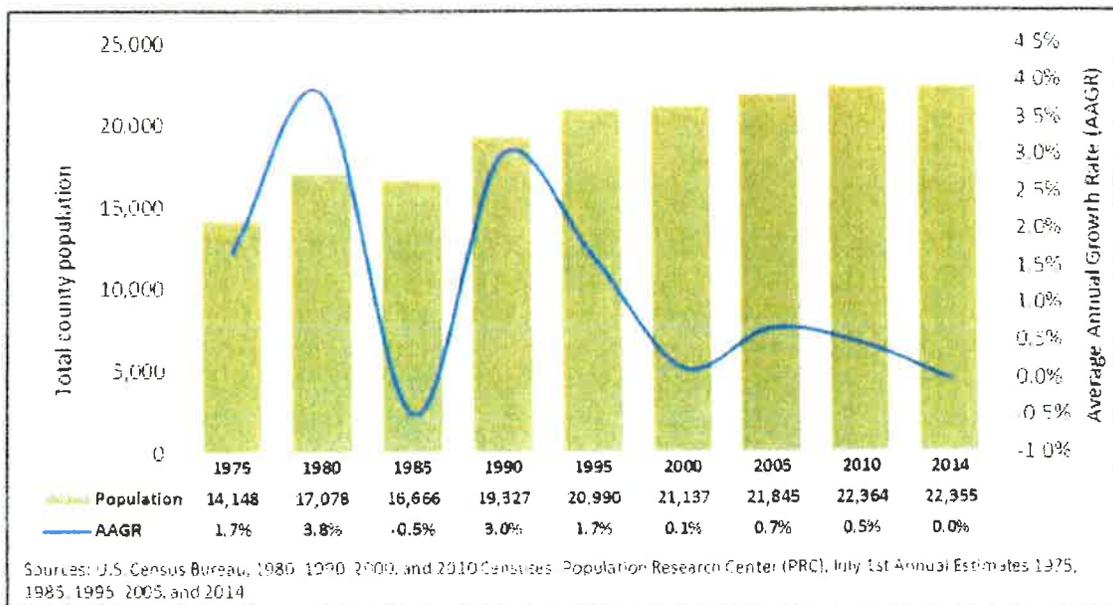
Historical Trends

Different growth patterns occur in different parts of the County. Each of Curry County’s sub-areas was examined for any significant demographic characteristics or changes in population or housing growth that might influence their individual forecasts. Factors that were analyzed include age composition of the population, ethnicity and race, births, deaths, migration, and number of *housing units* as well as the *occupancy rate* and *persons per household (PPH)*. It should be noted that population trends of individual sub-areas often differ from those of the county as a whole. However, in general, population growth rates for the county are collectively influenced by local trends within its sub-areas.

Population

Curry County’s total population grew by about 58 percent between 1975 and 2014—from roughly 14,000 in 1975 to about 22,000 in 2014 (Figure 2). During this approximately 40-year period, the county realized the highest growth rates during the late 1970s, which coincided with a period of relative economic prosperity. During the early 1980s, challenging economic conditions, both nationally and within the county, led to population decline. Again, during the late 1990s and 2000s, challenging economic conditions yielded sharp declines in population growth. Even so Curry County experienced positive population growth over the last decade (2000 to 2010)—averaging just under one percent per year. However in recent years growth rates were negative, leading to population decline between 2010 and 2014.

Figure 2. Curry County—Total Population by Five-year Intervals (1975-2010 and 2010-2014)



Curry County’s population change is the sum of its parts, in this sense countywide population change is the combined population growth or decline within each sub-area. During the 2000s, Curry County’s average annual population growth rate stood at a less than one percent. At the same time Gold Beach,

Curry County's second largest UGB, recorded an average annual growth rate of one percent, while population in the remaining two UGBs, Brookings and Port Orford, increased at rates below that of the county as a whole (Figure 3).

Figure 3. Curry County and Sub-areas—Total Population and Average Annual Growth Rate (AAGR) (2000 and 2010)

	2000	2010	AAGR (2000-2010)	Share of County 2000	Share of County 2010
<i>Curry County</i>	21,137	22,364	0.6%	100.0%	100.0%
Brookings ¹	10,634	11,199	0.5%	50.3%	50.1%
Gold Beach	2,837	3,141	1.0%	13.4%	14.0%
Port Orford	1,755	1,807	0.3%	8.3%	8.1%
Outside UGBs	5,911	6,217	0.5%	28.0%	27.8%

Sources: U.S. Census Bureau, 2000 and 2010 Censuses

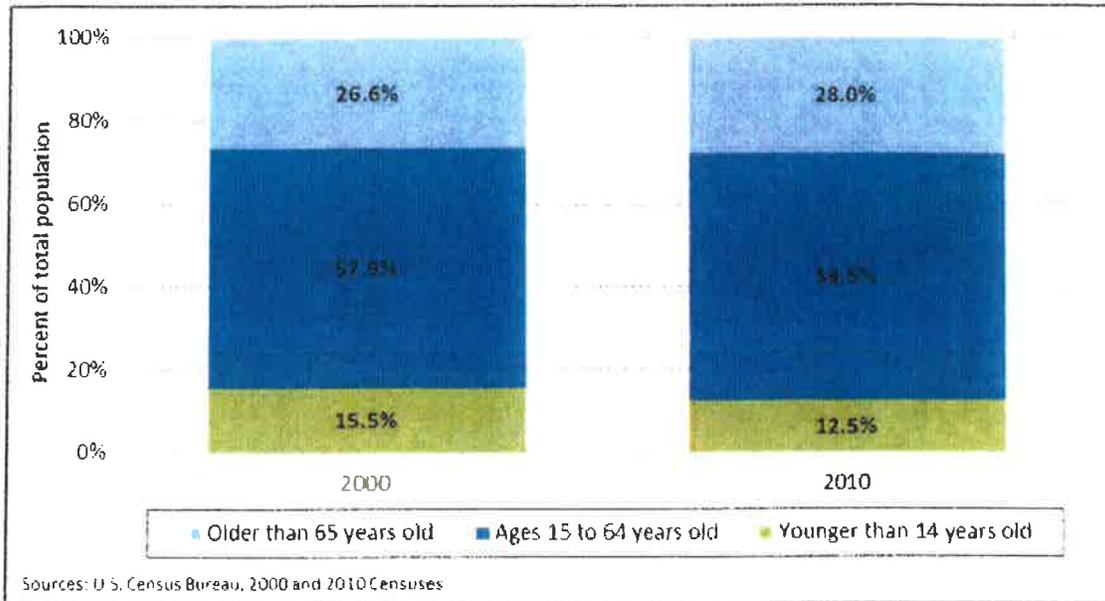
¹ For simplicity each UGB is referred to by its primary city's name.

Age Structure of the Population

Similar to most areas across Oregon, Curry County's population is aging. An aging population significantly influences the number of deaths, but also yields a smaller proportion of women in their childbearing years, which may result in a decline in births. This demographic trend underlies some of the population change that has occurred in recent years. From 2000 to 2010 the proportion of county population 65 or older grew from about 27 percent to 28 percent (Figure 4). Further underscoring the countywide trend in aging—the median age went from about 49 in 2000 to 54 in 2010.¹

¹ Median age is sourced from the U.S. Census Bureau's 2000 and 2010 Censuses

Figure 4. Curry County—Age Structure of the Population (2000 and 2010)



Race and Ethnicity

While the statewide population is aging, another demographic shift is occurring across Oregon—minority populations are growing as a share of total population. A growing minority population affects both the number of births and average household size. The Hispanic population within Curry County increased substantially from 2000 to 2010 (Figure 5), while the White, non-Hispanic population increased by a smaller amount (in relative terms) over the same time period. This increase in the Hispanic population and other minority populations brings with it several implications for future population change. First, both nationally and at the state level, fertility rates among Hispanic and minority women have tended to be higher than among White, non-Hispanic women. Second, Hispanic and minority households tend to be larger relative to White, non-Hispanic households.

Figure 5. Curry County—Hispanic or Latino and Race (2000 and 2010)

Hispanic or Latino and Race	2000		2010		Absolute Change	Relative Change
Total population	21,137	100.0%	22,364	100.0%	1,227	5.8%
Hispanic or Latino	761	3.6%	1,201	5.4%	440	57.8%
Not Hispanic or Latino	20,376	96.4%	21,163	94.6%	787	3.9%
White alone	19,206	90.9%	19,837	88.7%	631	3.3%
Black or African American alone	31	0.1%	62	0.3%	31	100.0%
American Indian and Alaska Native alone	408	1.9%	391	1.7%	-17	-4.2%
Asian alone	144	0.7%	157	0.7%	13	9.0%
Native Hawaiian and Other Pacific Islander alone	21	0.1%	21	0.1%	0	0.0%
Some Other Race alone	29	0.1%	16	0.1%	-13	-44.8%
Two or More Races	537	2.5%	679	3.0%	142	26.4%

Sources: U.S. Census Bureau, 2000 and 2010 Censuses

Births

Historical fertility rates for Curry County don't mirror the decline in total fertility observed for Oregon overall (Figure 6). Furthermore, fertility for younger women in Curry County has remained at a much higher level than for younger women statewide (Figure 7 and Figure 8). Even so, as Figure 7 illustrates, fertility rates for younger women in Curry County are higher in 2010 compared to 2000, and women are choosing to have children at older ages. While the decrease in fertility among younger women largely mirrors statewide changes, county fertility changes are distinct from those of the state in two ways. First, while fertility among younger women did decrease within the county, the drop was less pronounced than for younger women statewide. Second, the increase in total fertility in Curry County during the 2000s runs contrary to the statewide decline during this same period. In addition Curry County's total fertility remains above replacement fertility.

Figure 6. Curry County and Oregon—Total Fertility Rates (2000 and 2010)

	2000	2010
Curry County	1.81	2.11
Oregon	1.98	1.79

Sources: U.S. Census Bureau, 2000 and 2010 Censuses.
Oregon Health Authority, Center for Health Statistics.
Calculations by Population Research Center (PRC).

Figure 7. Curry County—Age Specific Fertility Rate (2000 and 2010)

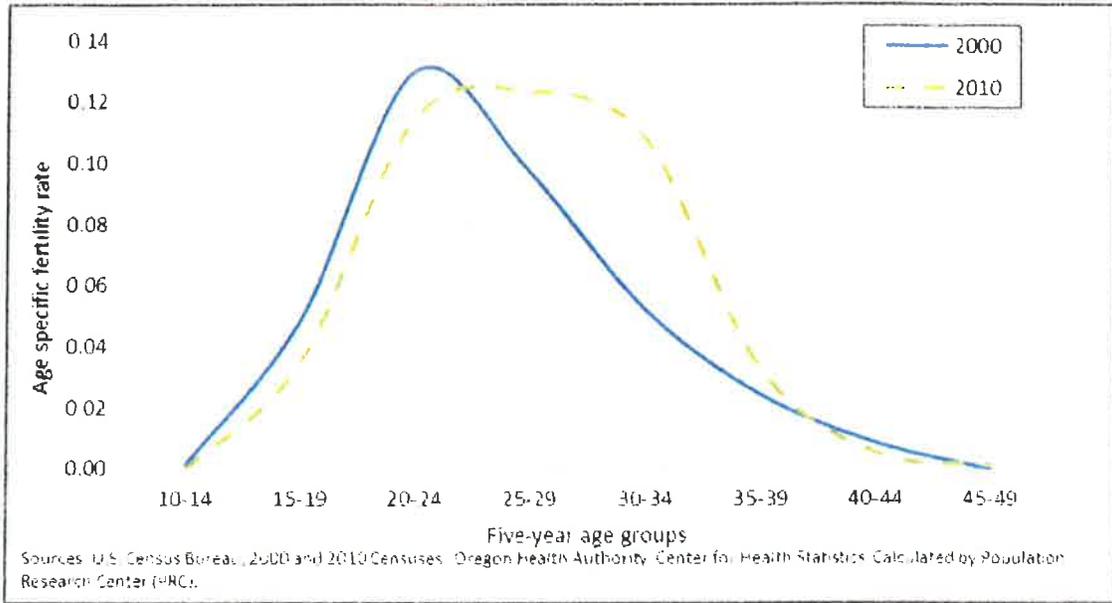


Figure 8. Oregon—Age Specific Fertility Rate (2000 and 2010)

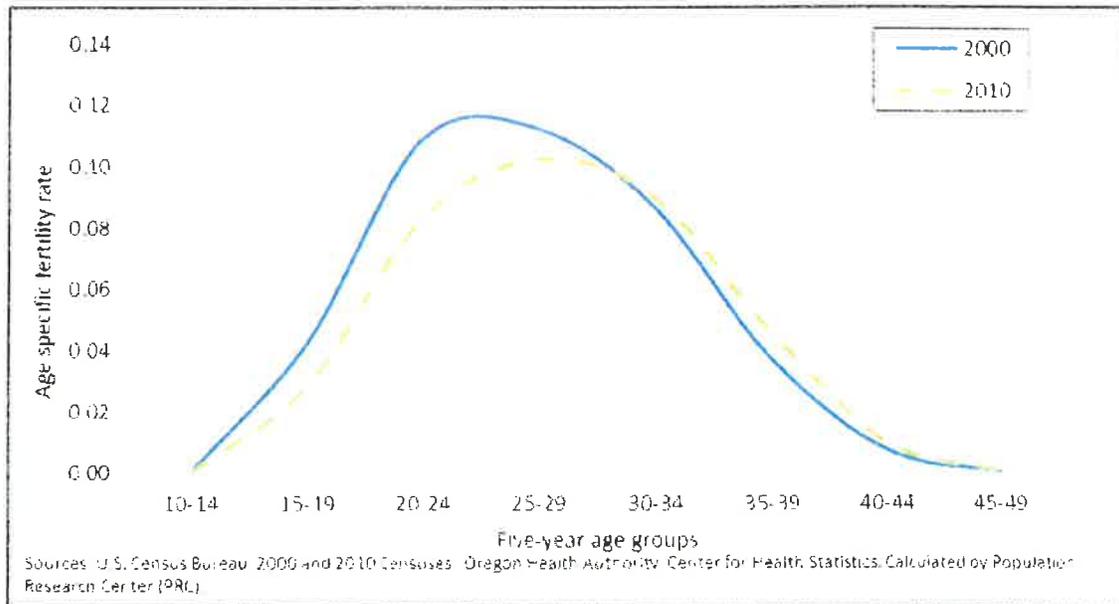


Figure 9 shows the number of births by the area in which the mother resides. Please note that the number of births fluctuates from year to year. For example a sub-area with an increase in births between two years could easily show a decrease for a different time period, especially where numbers

are small; however for the 10-year period from 2000 to 2010 the county as a whole saw an increase in births, while the most populous UGB of Brookings recorded a decrease in births (Figure 9).

Figure 9. Curry County and Sub-Areas—Total Births (2000 and 2010)

	2000	2010	Absolute Change	Relative Change	Share of County 2000	Share of County 2010
<i>Curry County</i>	155	180	25	16.1%	100.0%	100.0%
Brookings ¹	85	57	-28	-32.7%	54.7%	31.7%
Smaller UGBs ²	35	30	-5	-14.6%	22.7%	16.7%
Outside UGBs	35	93	58	164.7%	22.7%	51.7%

Sources: Oregon Health Authority, Center for Health Statistics. Aggregated by Population Research Center (PRC).

¹ For simplicity the Brookings UGB is referred to by its primary city's name.

² Smaller UGBs are those with populations less than 8,000 in forecast launch year.

Deaths

While the population in the county as a whole is aging, more people are living longer. For Curry County in 2000, life expectancy for males was 73 years and for females was 81 years.² By 2010, life expectancy had increased slightly for both males and females. For both Curry County and Oregon, the survival rates changed little between 2000 and 2010—underscoring the fact that mortality is the most stable component of population change. Even so, the total number of countywide deaths increased (Figure 10).

Figure 10. Curry County—Total Deaths (2000 and 2010)

	2000	2010	Absolute Change	Relative Change
<i>Curry County</i>	346	371	25	7.2%

Sources: Oregon Health Authority, Center for Health Statistics. Aggregated by Population Research Center (PRC).

Migration

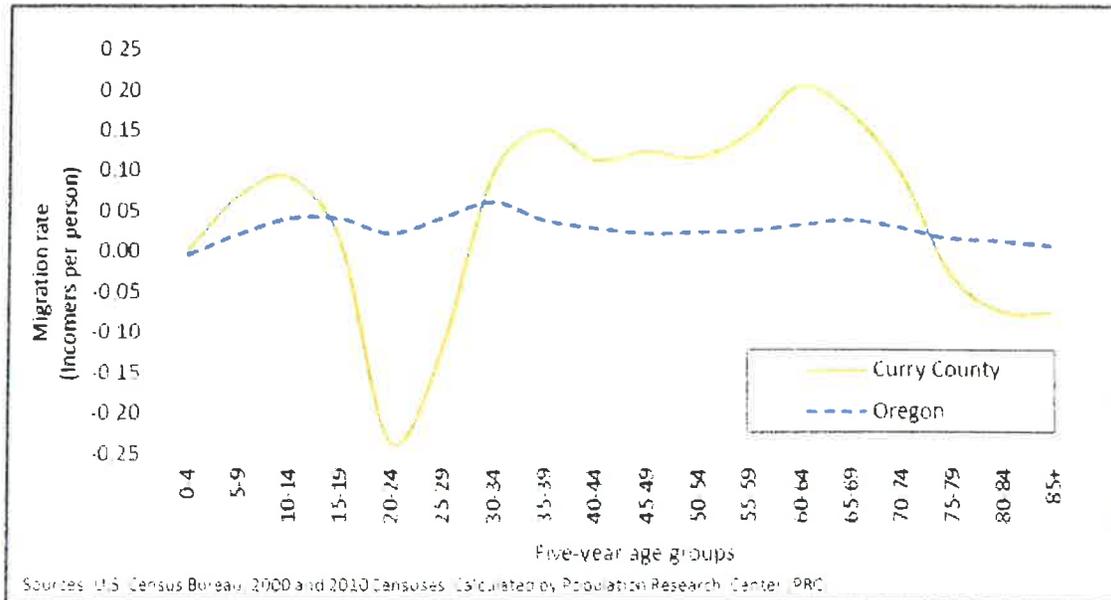
The propensity to migrate is strongly linked to age and stage of life. As such, age-specific migration rates are critically important for assessing these patterns across five-year age cohorts. Figure 11 shows the historical age-specific migration rates by five-year age group, both for Curry County and Oregon. The migration rate is indicated as the number of net migrants per person by age group.

From 2000 to 2010, younger individuals (those in the age groups with the highest mobility levels) moved out of the county in search of employment and education opportunities, as well as military service. At the same time the county attracted a large number of middle-aged to older migrants who likely moved into the county for work-related reasons, moved there to retire, or moved to be closer to family

² Life expectancy is derived using life tables and data from 2000 and 2010 Censuses.

members. However, as these individuals age and need access to better medical services, there is marked net out-migration of elderly persons.

Figure 11. Curry County and Oregon—Five-year Migration Rates (2000-2010)



Historical Trends in Components of Population Change

In summary, Curry County's positive population growth in the 2000s was the result of sporadic net in-migration (Figure 12). Meanwhile an aging population not only led to an increase in deaths, but also resulted in a smaller proportion of women in their childbearing years. This along with more women choosing to have fewer children and have them at older ages has led to fewer births in recent years. The larger number of deaths relative to births caused natural decrease (more deaths than births) in every year from 2000 to 2014. While periods of net in-migration outweighed natural decrease during the last decade, the gap between these two numbers shrank during the later years -- bringing population decline from 2009 to 2012.

Figure 12. Curry County—Components of Population Change (2000-2014)



Housing and Households

The total number of housing units in Curry County increased rapidly during the middle years of the last decade (2000 to 2010), but this growth slowed with the onset of the national recession in 2007. Over the entire 2000 to 2010 period, the total number of housing units increased by about 11 percent countywide; this was more than 1,200 new housing units (Figure 13). Gold Beach captured the largest share of the growth in total housing units, with the area outside UGBs also seeing a large share of the countywide housing growth. In terms of relative housing growth Gold Beach grew the most during the 2000s, its total housing units increased more than 24 percent (374 housing units) by 2010.

The rates of increase in the number of total housing units in the county, UGBs, and area outside UGBs are similar to the growth rates of their corresponding populations. The growth rates for housing may slightly differ than the rates for population because the numbers of total housing units are smaller than the numbers of persons, or the UGB has experienced changes in the average number of persons per household or in occupancy rates. However, the pattern of population and housing change in the county is relatively similar.

Figure 13. Curry County and Sub-Areas—Total Housing Units (2000 and 2010)

	2000	2010	AAGR (2000-2010)	Share of County 2000	Share of County 2010
Curry County	11,406	12,613	1.0%	100.0%	100.0%
Brookings	5,652	5,938	0.5%	49.6%	47.1%
Gold Beach	1,538	1,912	2.2%	13.5%	15.2%
Port Orford	987	1,168	1.7%	8.7%	9.3%
Outside UGBs	3,229	3,595	1.1%	28.3%	28.5%

Sources: U.S. Census Bureau, 2000 and 2010 Censuses

Occupancy rates fluctuate more than PPH. This is particularly true in smaller UGB areas where fewer housing units allow for larger changes—in relative terms—in occupancy rates. From 2000 to 2010 the occupancy rate in Curry County declined slightly; this was most likely due to slack in demand for housing as individuals experienced the effects of the Great Recession and net-migration slowed. A slight drop in occupancy rates was mostly uniform across all sub-areas, but for Brookings, the most populous UGB, where there was a slight increase in the occupancy rate.

Average household size, or PPH, in Curry County was 2.1 in 2010, down from 2.2 in 2000 (Figure 14). Curry County's PPH in 2010 was lower than for Oregon as a whole, which had a PPH of 2.5. PPH varied across sub-areas, with all of them falling between 1.9 and 2.2 persons per household. In 2010 the highest PPH was in Brookings with 2.2 and the lowest in Port Orford at 1.9.

Figure 14. Curry County and Sub-Areas—Persons per Household (PPH) and Occupancy Rate

	Persons Per Household (PPH)			Occupancy Rate		
	2000	2010	Change 2000-2010	2000	2010	Change 2000-2010
Curry County	2.2	2.1	-3.2%	83.7%	82.6%	-1.1%
Brookings	2.2	2.2	-0.5%	84.7%	85.1%	0.4%
Gold Beach	2.2	2.0	-7.0%	82.7%	80.0%	-2.7%
Port Orford	2.1	1.9	-6.8%	86.5%	80.2%	-6.3%
Outside UGBs	2.2	2.1	-4.6%	81.4%	80.6%	-0.9%

Sources: U.S. Census Bureau, 2000 and 2010 Censuses. Calculated by Population Research Center (PRC)

Assumptions for Future Population Change

Evaluating past demographic trends provides clues about what the forecast for the future will look like, and helps determine the realm of likely possibilities. Past trends explain the dynamics of population growth particular to local areas. Relating recent and historical population change to events that influenced the change serves as a gauge for what might realistically occur in a given area over the long term.

Assumptions about fertility, mortality, and migration were developed for Curry County's population forecast as well as the forecasts for larger sub-areas.³ The assumptions are derived from observations based on life course events, as well as trends unique to Curry County and its larger sub-areas. Population change in the smaller sub-areas is determined by the change in the number of total housing units and PPH. Assumptions for housing unit growth, as well as for occupancy rates, are derived from observations of historical building patterns and current plans for future housing development. In addition assumptions for PPH are based on observed historical patterns of household demographics—for example the average age of householder. The forecast period is 2015-2065.

Assumptions for the County and Larger Sub-Areas

During the forecast period, as the population in Curry County is expected to continue to age, birth rates will begin to decline in the near term and continue on this path throughout the forecast period. Total fertility in Curry County is also forecast to decrease, but very slightly, from 2.1 children per woman in 2015 to 2.0 children per woman by 2065. Similar patterns of declining total fertility are expected within the county's larger sub-areas.

Changes in mortality and life expectancy are more stable compared to fertility and migration. One influential factor affecting mortality and life expectancy is the advances in medical technology. The county and larger sub-areas are projected to follow the statewide trend of increasing life expectancy throughout the forecast period—progressing from a life expectancy of 77 years in 2010 to 85 years in 2060. However, in spite of increasing life expectancy and the corresponding increase in survival rates, Curry County's aging population and large population cohort reaching later stages of life will increase the overall number of deaths throughout the forecast period. The larger sub-areas within the county will experience a similar increase in deaths as their population ages, as well.

Migration is the most volatile and challenging demographic component to forecast due to the many factors influencing migration patterns. Economic, social, and environmental factors—such as employment, educational opportunities, housing availability, family ties, cultural affinity, climate change, and natural amenities—occurring both inside and outside the study area can affect both the direction of migration and its volume. Net migration rates will change in line with historical trends unique to Curry County. Net out-migration of younger persons and net in-migration of older individuals

³ County sub-areas with populations greater than 8,000 in the forecast launch year were forecast using the *cohort-component method*. County sub-areas with populations less than 8,000 in forecast launch year were forecast using the *housing-unit method*. See Glossary of Key Terms at the end of this report for a brief description of these methods or refer to the *Methods* document for a more detailed description of these forecasting techniques.

will persist throughout the forecast period. Countywide average annual net migration is expected to increase from 221 net in-migrants in 2015 to 389 net in-migrants in 2035. Over the last 30 years of the forecast period average annual net migration is expected to be steadier, but dropping slightly to 383 net in-migrants by 2065. With natural increase diminishing in its potential to contribute to population growth, net in-migration will become an increasingly important component of population growth.

Assumptions for Smaller Sub-Areas

Rates of population growth for the smaller UGBs are assumed to be determined by corresponding growth in the number of housing units, as well as changes in housing occupancy rates and PPH. The change in housing unit growth is much more variable than change in housing occupancy rates or PPH.

Occupancy rates are assumed to stay relatively stable over the forecast period, while PPH is expected to decline slightly. Smaller household size is associated with an aging population in Curry County and its sub-areas.

In addition, for sub-areas experiencing population growth, we assume a higher growth rate in the near-term, with growth stabilizing over the remainder of the forecast period. If planned housing units were reported in the surveys, then we account for them being constructed over the next 5-15 years. Finally, for county sub-areas where population growth has been flat or declined, and there is no planned housing construction, we hold population growth mostly stable with little to no change.

Supporting Information and Specific Assumptions

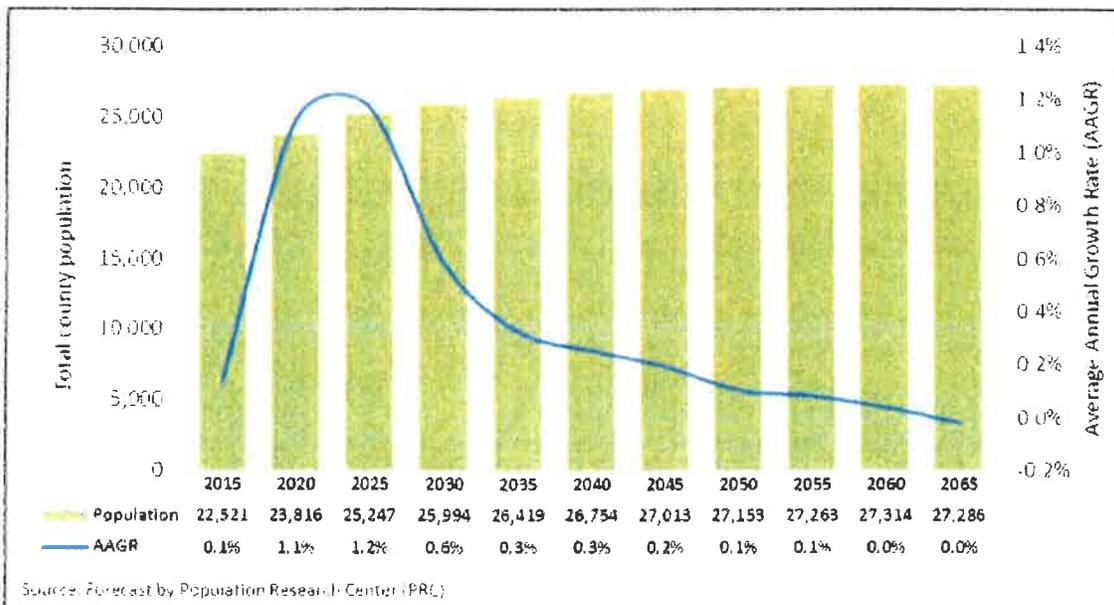
Assumptions used for developing population forecasts are partially derived from surveys and other information provided by local planners and agencies. See [Appendix A](#) for a summary of all submitted surveys and other information that was directly considered in developing the sub-area forecasts. Also, see [Appendix B](#) for specific assumptions used in each sub-area forecast.

Forecast Trends

Under the most-likely population growth scenario in Curry County, countywide and sub-area populations are expected to increase through 2055 and decline slightly over the remainder of the forecast period. The countywide population growth rate is forecast to peak in 2025 and then decline throughout the forecast period. Forecasting tapered population growth is largely driven by an aging population, which is expected to contribute to an increase in deaths, as well as a decrease in births—fewer women within childbearing years (ages 10 to 49). The aging population will in turn contribute to growing natural decrease over the forecast period. Net migration is expected to remain relatively steady throughout the forecast period, not fully offsetting the decline in natural increase. The combination of these factors will likely result in a declining population growth rate as time progresses through the forecast period.

Curry County's total population is forecast to grow by about 4,700 persons (21 percent) from 2015 to 2065, which translates into a total countywide population of 27,286 in 2065 (Figure 15). The population is forecast to grow at the highest rate—approximately 1.1 percent per year—in the near-term (2015-2025). This anticipated population growth in the near-term is based on two core assumptions: 1) Curry County's economy will continue to strengthen in the next five years, and, 2) an increasing number of Baby Boomers will retire to the county. The single largest component of growth in this initial period is net in-migration. More than 3,600 net in-migrants are forecast for the 2015 to 2025 period.

Figure 15. Curry County—Total Forecast Population by Five-year Intervals (2015-2065)



The Brookings UGB is forecast to increase by nearly 1,600 persons from 2015 to 2035, growing from a total population of 11,414 in 2015 to 12,998 in 2035. Growth is expected to occur more slowly for Brookings during the second part of the forecast period, with total population increasing to 14,850 by

2065. Brookings UGB is expected to grow as a share of total county population over the entire 50-year period.

Population outside UGBs is expected to grow by more than 1,300 people from 2015 to 2035, but is expected to decline in population during the second half of the forecast period, losing more than 2,800 people from 2035 to 2065. The population of the area outside UGBs is forecast to decline as a share of total countywide population over the forecast period, composing 27 percent of the countywide population in 2015 and about 16 percent in 2065.

Figure 16. Curry County and Larger Sub-Areas—Forecast Population and AAGR

	2015	2035	2065	AAGR (2015-2035)	AAGR (2035-2065)	Share of County 2015	Share of County 2035	Share of County 2065
Curry County	22,521	26,419	27,286	0.8%	0.1%	100.0%	100.0%	100.0%
Brookings ¹	11,414	12,998	14,850	0.7%	0.4%	50.7%	49.2%	54.4%
Smaller UGBs ²	5,098	6,095	7,949	0.9%	0.9%	22.6%	23.1%	29.1%
Outside UGBs	6,009	7,326	4,488	1.0%	-1.6%	26.7%	27.7%	16.4%

Source: Forecast by Population Research Center (PRC)

¹ For simplicity each UGB is referred to by its primary city's name.

² Smaller UGBs are those with populations less than 8,000 in forecast launch year.

Brookings, Curry County's largest UGB, and the area outside UGBs are expected to capture the largest share of total countywide population growth during the initial 20 years of the forecast period (Figure 17); however the area outside UGBs is forecast to lose population during the final 30 years of the forecast period, while Brookings and the smaller UGBs are all expected to increase in population. The increase in population in the county's UGBs is expected to offset the decrease in population outside UGBs.

Figure 17. Curry County and Larger Sub-Areas—Share of Countywide Population Growth

	2015-2035	2035-2065
Curry County	100.0%	100.0%
Brookings ¹	40.6%	213.7%
Smaller UGBs ²	25.6%	213.8%
Outside UGBs	33.8%	-327.5%

Source: Forecast by Population Research Center (PRC)

¹ For simplicity each UGB is referred to by its primary city's name.

² Smaller UGBs are those with populations less than 8,000 in forecast launch year.

The remaining smaller UGBs are expected to grow by a combined number of nearly 1,000 persons from 2015 to 2035, with a combined average annual growth rate of just under one percent (Figure 16). This growth rate is driven by expectation that Gold Beach will continue to see steady average annual growth of above one percent (Figure 18). Port Orford's population is also forecast to steadily increase over the forecast period, but the average annual rate is expected to be about half of that of Gold Beach. Dissimilar to the larger UGBs and the county as a whole, population growth rates for smaller UGBs are not expected to decline or only decline slightly for the second half of the forecast period (2035 to 2065). The smaller UGBs are expected to collectively add a little more than 1,900 people from 2035 to 2065.

Figure 18. Curry County and Smaller Sub-Areas—Forecast Population and AAGR

	2015	2035	2065	AAGR (2015-2035)	AAGR (2035-2065)	Share of County 2015	Share of County 2035	Share of County 2065
Curry County	22,521	26,419	27,286	0.8%	0.1%	100.0%	100.0%	100.0%
Gold Beach ¹	3,261	4,044	5,575	1.1%	1.1%	14.5%	15.3%	20.4%
Port Orford	1,837	2,052	2,373	0.6%	0.5%	8.2%	7.8%	8.7%
Larger UGBs ²	11,414	12,998	14,850	0.7%	0.4%	50.7%	49.2%	54.4%
Outside UGBs	6,009	7,326	4,488	1.0%	-1.6%	26.7%	27.7%	16.4%

Source: Forecast by Population Research Center (PRC)

¹ For simplicity each UGB is referred to by its primary city's name.

² Larger UGBs are those with populations greater than 8,000 in forecast launch year.

Curry County's smaller sub-areas are expected to compose roughly 26 percent of countywide population growth in the first 20 years of the forecast period (Figure 19); however during the final 30 years of the forecast period, as the area outside UGBs experiences population decline, the smaller sub-areas are expected to record population increase, offsetting the population decline in the non-UGB area.

Figure 19. Curry County and Smaller Sub-Areas—Share of Countywide Population Growth

	2015-2035	2035-2065
Curry County	100.0%	100.0%
Gold Beach ¹	20.1%	176.6%
Port Orford	5.5%	37.1%
Larger UGBs ²	40.6%	213.7%
Outside UGBs	33.8%	-327.5%

Source: Forecast by Population Research Center (PRC)

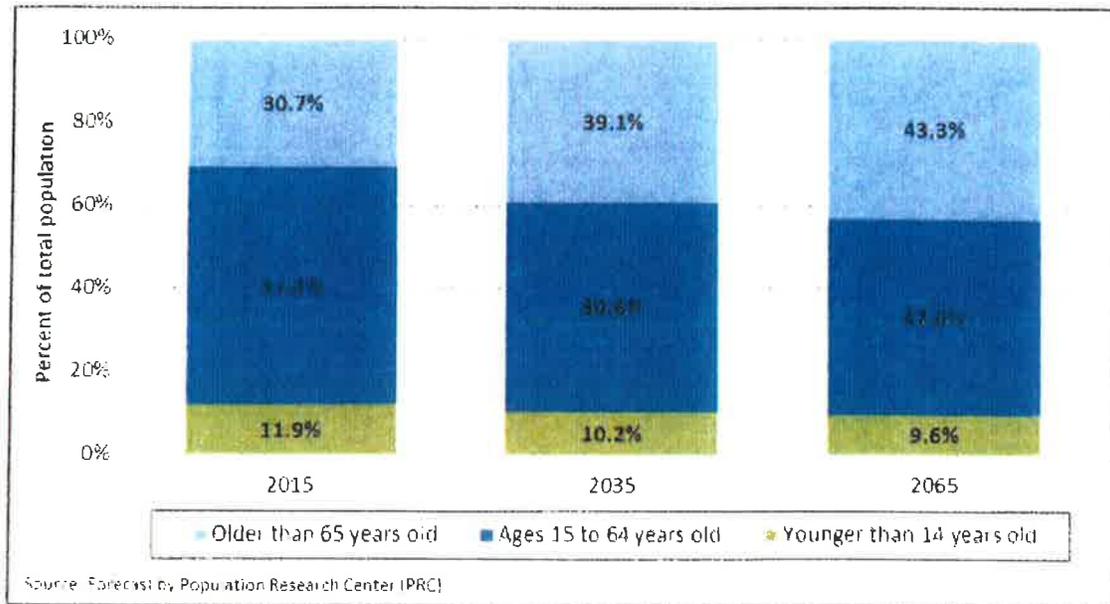
¹ For simplicity each UGB is referred to by its primary city's name.

² Larger UGBs are those with populations greater than 8,000 in forecast launch year.

Forecast Trends in Components of Population Change

As previously discussed, a key factor in both declining births and increasing deaths is Curry County's aging population. From 2015 to 2035 the proportion of county population 65 or older is forecast to grow from about 31 percent to 39 percent. By 2065 about 43 percent of the total population is expected to be 65 or older (Figure 20). For a more detailed look at the age structure of Curry County's population see the final forecast table published to the forecast program website (<http://www.pdx.edu/prc/opfp>).

Figure 20. Curry County—Age Structure of the Population (2015, 2035, and 2065)

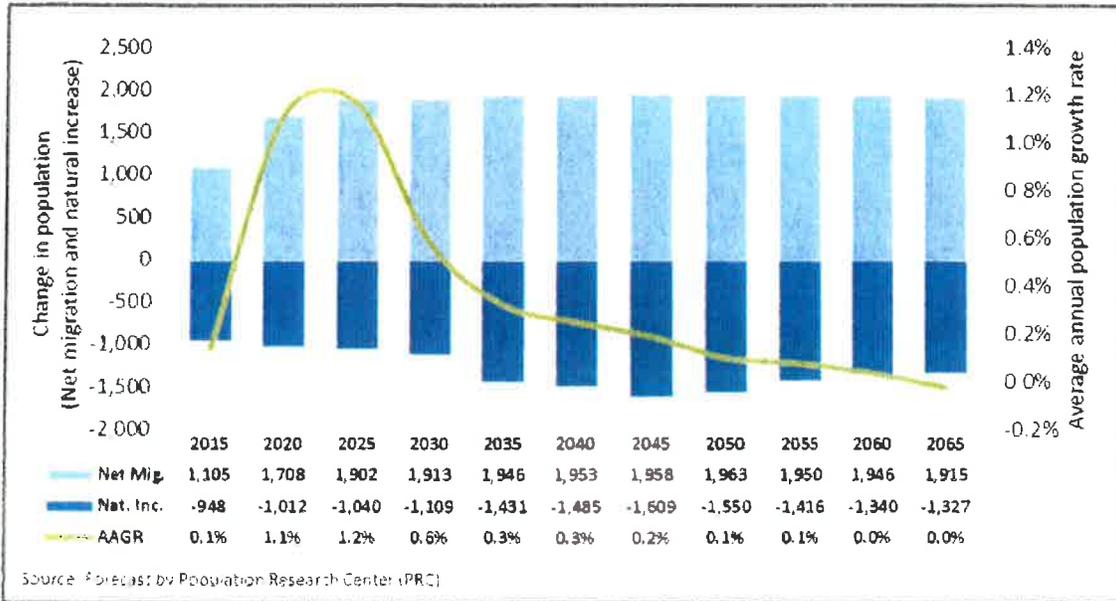


As the countywide population ages—contributing to a slow-growing population of women in their years of peak fertility—and more women choose to have fewer children and have them at an older age, average annual births are expected to remain relatively unchanged over the forecast period; this combined with the rising number of deaths, is expected to cause natural decrease to persist (Figure 21). The total number of deaths countywide are expected to increase more rapidly in the near-term, followed by slower growth during the later years of the forecast period. This pattern of initial growth in the numbers of deaths is explained by the relative size and aging patterns of the Baby Boom and Baby Boom Echo generations. For example, in Curry County, deaths are forecast to begin to increase significantly during the 2025-2035 period as Baby Boomers age out, and peak again in the 2045 as children of Baby Boomers (i.e., the Baby Boom Echo) succumb to the effects of aging.

As the increase in the numbers of deaths outpaces births, population growth in Curry County will become increasingly reliant on net in-migration; and in fact positive net in-migration is expected to persist throughout the forecast period. The majority of these net in-migrants are expected to be middle-aged and older individuals.

In summary, growing natural decrease and steady net in-migration is expected to result in population growth reaching its peak in 2025 and then tapering through the remainder of the forecast period (Figure 21). An aging population will not only lead to an increase in deaths, but a smaller proportion of women in their childbearing years will likely result in a long-term decline in births. Net migration is expected to remain relatively steady throughout the middle years of the forecast period, but will begin to decline slightly during the later years, and therefore is expected to not fully offset the decline in natural increase

Figure 21. Curry County—Components of Population Change, 2015-2065



Glossary of Key Terms

Cohort-Component Method: A method used to forecast future populations based on changes in births, deaths, and migration over time.

Coordinated population forecast: A population forecast prepared for the county along with population forecasts for its city urban growth boundary (UGB) areas and non-UGB area.

Housing unit: A house, apartment, mobile home or trailer, group of rooms, or single room that is occupied or is intended for occupancy.

Housing-Unit Method: A method used to forecast future populations based on changes in housing unit counts, vacancy rates, the average numbers of persons per household (PPH), and group quarter population counts.

Occupancy rate: The proportion of total housing units that are occupied by an individual or group of persons.

Persons per household (PPH): The average household size (i.e., the average number of persons per occupied housing unit for a particular geographic area).

Replacement Level Fertility: The average number of children each woman needs to bear in order to replace the population (to replace each male and female) under current mortality conditions in the U.S. This is commonly estimated to be 2.1 children per woman.

Appendix A: Supporting Information

Supporting information is based on planning documents and reports, and from submittals to PRC from city officials and staff, and other stakeholders. The information pertains to characteristics of each city area, and to changes thought to occur in the future. The cities of Gold Beach and Port Orford, as well as Curry County did not submit survey responses.

Brookings—Curry County						
Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)	Observations about Housing (including vacancy rates)	Planned Housing Development/Est. Year Completion	Future Group Quarters Facilities	Future Employers	Infrastructure	Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes
						Promos: Hinders:

Brookings—Curry County

<p>Highlights or summary of influences on or anticipation of population and housing growth from planning documents and studies</p>	
<p>Other information (e.g. planning documents, email correspondence, housing development survey)</p>	<p>The Smith River Rancheria— federally recognized tribe of Tolowa people—is currently developing 13 manufactured home sites in Brookings. These home sites are targeting low income tribal members. The tribe is planning to develop six more manufactured home sites by 2016.</p>

Appendix B: Specific Assumptions

Brookings

Due to substantial variation in historical total fertility rates (TFR) the average of these rates is assumed for the duration of the forecast period. Survival rates for 2060 are assumed to be a little above those forecast for the county as a whole. Brookings has historically had slightly higher survival rates than observed countywide; this corresponds with a slightly longer life expectancy. Age-specific net migration rates are assumed to generally follow county historical patterns, but at slightly higher rates over the forecast period.

Gold Beach

Annual housing unit growth is assumed to increase in the near-term and then gradually decline over the remainder of the forecast period. Even so the average annual housing unit growth rate is assumed to be a little more than one percent over the forecast period. The occupancy rate is assumed to slightly decline over the forecast period and will average about 80 percent. Average household size is assumed to decline over the forecast period, but only slightly due in part to the larger household size of Gold Beach's growing Hispanic population. Group quarters population is assumed to remain at 58 persons over the forecast period.

Port Orford

Annual housing unit growth is assumed to increase in the near-term and then gradually decline over the remainder of the forecast period. Even so the average annual housing unit growth rate is assumed to be about one percent over the forecast period. The occupancy rate is assumed to slightly decline over the forecast period and will average about 78 percent. Average household size is assumed to decline over the forecast period, but only slightly due in part to the larger household size of Port Orford's growing Hispanic population. Group quarters population is assumed to remain relatively stable, averaging about 20 persons over the forecast period.

Outside UGBs

The forecast for the area outside UGBs in Curry County is determined by the difference between the county and UGB forecasts. Thus the forecast for the area outside UGBs is jointly determined by the forecast assumptions for the county and UGBs.

Appendix C: Detailed Population Forecast Results

Figure 22. Curry County—Population by Five-Year Age Group

Age Group	2015	2020	2025	2030	2035	2040	2045	2050	2055	2060	2065
00-04	868	876	869	859	849	859	850	853	841	836	825
05-09	857	891	900	892	895	904	909	897	889	875	864
10-14	947	908	945	953	957	981	986	989	964	953	934
15-19	990	925	890	926	948	975	993	995	986	959	945
20-24	842	828	793	750	782	789	807	811	815	808	791
25-29	760	813	807	759	718	740	743	751	756	760	756
30-34	973	891	969	946	890	833	856	849	859	865	869
35-39	895	1,177	1,099	1,176	1,150	1,072	1,001	1,018	1,011	1,023	1,031
40-44	1,008	1,055	1,416	1,300	1,394	1,349	1,254	1,158	1,178	1,171	1,185
45-49	1,235	1,205	1,282	1,691	1,555	1,650	1,592	1,465	1,354	1,378	1,373
50-54	1,705	1,455	1,444	1,511	1,997	1,817	1,925	1,838	1,694	1,567	1,596
55-59	2,075	2,030	1,761	1,720	1,807	2,363	2,149	2,256	2,158	1,992	1,845
60-64	2,455	2,567	2,550	2,178	2,135	2,225	2,907	2,622	2,759	2,643	2,445
65-69	2,378	2,776	2,971	2,903	2,492	2,422	2,524	3,268	2,956	3,120	2,995
70-74	1,912	2,345	2,765	2,919	2,860	2,466	2,405	2,487	3,185	2,883	3,025
75-79	1,311	1,618	2,010	2,332	2,382	2,439	2,042	2,042	2,092	2,679	2,410
80-84	788	965	1,213	1,485	1,732	1,798	1,835	1,526	1,516	1,560	1,983
85+	523	494	563	694	874	1,071	1,236	1,328	1,248	1,240	1,416
Total	22,521	23,816	25,247	25,994	26,419	26,754	27,013	27,153	27,263	27,314	27,286

Figure 23. Curry County's Sub-Areas—Total Population

	2015	2020	2025	2030	2035	2040	2045	2050	2055	2060	2065
Brookings UGB	11,414	11,780	12,186	12,616	12,998	13,405	13,704	13,989	14,299	14,601	14,850
Gold Beach UGB	3,261	3,325	3,525	3,823	4,044	4,306	4,563	4,851	5,115	5,352	5,575
Port Orford UGB	1,837	1,891	1,944	1,998	2,052	2,105	2,159	2,213	2,266	2,320	2,373
Outside UGBs	6,009	6,820	7,592	7,557	7,326	6,938	6,587	6,100	5,583	5,041	4,488

Photo Credit: The beach in the evening near Hunter Creek just south of Gold Beach. (Photo No. curD0026) Gary Halvorson, Oregon State Archives.
<http://arcweb.sos.state.or.us/pages/records/local/county/scenic/curry/8.html>

GOAL10 HOUSING

GOAL:

Provision of varied housing types that are safe, sanitary and adequate for all residents of the community.

FINDINGS:

1. Population

A. Trends:

The population trend for the city has been constantly increasing but fluctuating rates. The entire county experienced a population surge during the 1950-60 decade, which was related to substantial increases in timber products employment. In the decade 1960-70, the only areas within the county to experience an increase were in the southern portions of the county, while the county experienced a decrease in its total population. The Brookings Division showed the largest increase in the county from 1970-79 largely because the Harbor unincorporated area (from the Chetco River south to the border) had increased 81% since 1970. In 1988, Brookings experienced a sharp population increase of 15.8 which was attributed primarily to in-migration. In the 1990 census Brookings' population had increased 30% from the 1980 census and by 1993 had increased another 12.9%. In 1980 the estimated population of the Harbor Sanitary District was 1,968 and by 1993 had increased by 48%, to 2,938. In the 1980 census the Harbor Census Designated Place (CDP) was established which corresponded somewhat with the Harbor Sanitation District and the Urban Growth Boundary at that time. Between 1980 and 1990 the Harbor CDP population increased by -25%, however, since the Harbor Sanitary District is within the CDP, this negative growth figure does not accurately reflect the actual growth of the area. The discrepancy may be due to a boundary change of the CDP between census counts.

B. Current Population

According to Portland State University's Center for Population and Census, the 1993 population figure for the city was 4,970. The Harbor Sanitary District population was approximately 2,928. (The Center for Population and Census only provides estimates of city and county populations.)

C. Growth Rate

The selection of a projected growth rate should be based not only on an analysis of historic trends, but also a realistic view of changes in those trends in the future. In the case of the city of Brookings, the figures show a historic compound growth rate of 1.9% or a historic simple growth rate of 2%. It should be noted, however, that the area immediately around Brookings had been growing at a much faster rate. It is expected that the high in-migration rates, characteristics of the Brookings Division, will be increasingly evident in the corporate limits. In 1980 a compound growth rate of 3% was considered the most realistic and selected as the coordinated population projection rate. Between 1980 and 1990 the city's population increased by 30%. The Brookings Urban Growth Boundary Needs Analysis, completed for the UGB expansion, was also based on an annual population growth of 3% until the year 2013 and 2% growth rate thereafter.

Rental shortage grips area

By Jane Stebbins, Pilot staff writer June 16, 2015 08:40 pm

Curry County is experiencing a growing pain it hasn't experienced in quite some time: New jobs drawing people to the area — and nowhere to house them.

And the rental shortage might not ease until at least December, according to one source.

“Suddenly, there's a housing shortage in Brookings,” said Brookings City Manager Gary Milliman in his weekly report. “We have received numerous reports of people looking for both owner and rental housing units in town and can't find the housing they want.”

Want, afford or can't even find, seems to be the problem.

A large number of new employees at Pelican Bay State Prison in Del Norte County, the steady need for new employees at Curry Community Health and the recent start of remodeling to make room for an emergency room at Curry Medical Center have usurped what little was available in the affordable market, he said.

Four new Curry Medical Center employees have resorted to sharing a park model as their only option, Milliman said.

Some people have recently been notified that the home they've been renting is now on the market, as homeowners try to cash in on the blip in the long-flat home sales reports.

Traveling physicians can't find a place to stay.

“And there are no new housing projects in the pipeline,” Milliman reported. “We've had reports of people doubling, tripling and quadrupling up to meet their housing needs, at least temporarily.”

Horror stories

Curry County Juvenile Director Jay Trost and his wife, Mary, know the story all too well.

Trost took a “substantial” pay cut to move here from Arizona last October and spent the next 60 days scouring websites and the Pilot, calling real estate companies and seeking recommendations from his new coworkers.

“I checked every property management company, the Pilot and Craigslist every day,” Trost said. “We called every property management company in Bandon, thinking they might find something in Langlois. We were just hitting roadblock after roadblock. It got to a couple options: Coos Bay, or use a camper until we could find a place. It was super stressful.”

And the family has the ultimate deal-killer: a dog.

They finally found a place in Gold Beach, but it was far from ideal, he said.

“It was a really rough place, and across the street from a known meth house,” Trost said. “But I was literally about to send the deposit down (when) I checked Craigslist one last time. There was a new property in Brookings, it’d been on the site 26 minutes. I called, they said they were OK with dogs — I don’t even care how much it costs, just let me in.”

The pet issue is huge, as well.

Trost understands, as he and his wife have held onto their home in Arizona.

“If you have one (potential) renter who has three cats and two kids, and the other is an older lady who just wants to come home and relax, who are you going to rent to?” he said. “But I’ve never come across so many barriers in trying to find a place to live. It’s nuts. Had I known it was going to be this difficult. ...”

No room at the inns

Monday’s Craigslist had three listings, two being three-bedroom homes in Brookings for \$1,600 a month; the second a two-bedroom, house for \$900 a month.

Those will be snapped up, according to Valerie Quale, the office manager of Coastal Country Property Management in Brookings.

“I had a poor lady call Friday, she was so desperate to find a place, she was in tears,” Quale related. “There is nothing. She said, ‘I have called everyone; what am I supposed to do? I don’t understand. I am so afraid we’re going to be living in a hotel.’”

Her husband is one of many being transferred to Pelican Bay State Prison — and the prison’s next graduating class is in August, likely adding more people to the housing-search pool. The U.S. Coast Guard is reportedly doing various remodels, requiring personnel shifts to and from various ports.

It isn’t low-wage people having difficulty, either, Quale said.

“We’ve had people living in hotels with great jobs,” she said. “There is nowhere to live.”

The situation is a little better in Crescent City — for now. Pelican Bay State Prison, the largest employer in the area, has 1,500 employees, of which a third live in Oregon. The prison has had 80 new employees arrive this year, but others leave, as well, opening housing spots for their replacements.

“So far — knock on wood — all my new employees are saying they have places to live,” said Robert Losacco, who serves as an intermediary between prison employees and the community. “The biggest thing, most of them are young families: a couple kids, a dog, two cats and a goldfish. All these houses designed for families — and every place says no pets.”

The housing market

Homes that have sat vacant on the real estate market for months — if not years — are finally moving, exacerbating the situation, according to local Realtors.

“A lot of people lost their homes to foreclosures and have no option (now) but to rent,” said Century 21 Realtor Kelly McClain. “That’s taken up a lot of the rental market. Other people want to test the market.”

His office gets calls daily, too, from people seeking rental housing.

“You can’t find anything,” McClain said. “Especially if you have a pet. ... You can’t get anything if you have a pet.”

Monday, he said, there were 230 homes available on the Multiple Listing Service (MLS). Of those, 61 are pending sale. Almost 90 homes have closed escrow in the past 90 days — one a day — which means homes are sitting about 7.5 months on the market before they sell.

“That’s a balanced market,” he explained. “If it’s a three-month market, the seller can pretty much name their price.”

“I drove around town yesterday, and there are a few for-sales signs around, but not nearly as many as there were a couple months ago,” Milliman said. “The available stock is being snapped up.”

“Between everyone trying to find a place to live, losing houses to the sales market ... it’s crazy,” Quale said. “It’s kind of scary. Some of these people are so desperate. I have had people call ... a little on the angry ... on the extremely frustrated side.”

She’s had to tell people they might have to wait until December to find something.

“A couple weeks ago, I could’ve placed four traveling nurses and doctors had I had (housing available,)” Quale said. “They have to keep looking. Looking and calling. We’re asking our vacation rental people if in the winter, can we do month-to-month? Where are all these people going to go?”

Few people are complaining about prices, either.

“They’re: ‘What do you have, OK’ and they snag it,” she said. “They don’t care. They just need a place to live.”

Very little is going on in the residential construction realm.

According to Curry County Homebuilders Association past-president Dave Frazier, a few custom homes and no spec homes are being built in the area. Current board president Carlton Strom could not be reached for comment.

In the meantime?

Camping is available in various locations. Blue Coast Inn in Harbor is offering hotel rooms for \$850 a month. RV parks might have spaces.

And there’s always couch-surfing at friend’s houses.

COPY

BEFORE THE PLANNING COMMISSION
CITY OF BROOKINGS, COUNTY OF CURRY
STATE OF OREGON

In the matter of Planning Commission File No. MPD-1-04/Remand; a request for approval of the applicant's response to the issues remanded by the Land Use Board of Appeals for a Master Plan of Development; U.S. Borax, applicant.))))))	Final ORDER and Findings of Fact
---	----------------------------	---

ORDER approving the materials submitted in response to the issues remanded by the Land Use Board of Appeals (LUBA), in the appeal of the city's approval of a Master Plan of Development to establish 540 single family detached homes, 150 single family attached homes (townhouses), a 2.43 acre convenience commercial area, and a 10 acre college campus site on a 553 acre parcel of land located on the east side of Highway 101 approximately 0.80 miles north of Carpenterville Rd.; Assessor's Map 40-14 & Index, Tax Lot 2400, 2401, 2402; zoned MPD (Master Plan Development).

WHEREAS:

1. In its decision of an appeal of the city's approval of the Master Plan of Development the LUBA remanded two items for further review as follows:

- a. The issue of alternate standards for lot size, yard setbacks and building height.
- b. To amend Condition of Approval No. 28 to clarify and strengthen provisions to protect the wetlands and the Western Lily.

2. The applicant submitted to the city materials in response to the issues of this remand as follows:

- a. The letter stating that the applicant will eliminate any request for minimum lot size, lot width, setback or similar standards, but instead is requesting standards that are the same as the standards applied in other zones in the City for similar-type developments; and
- b. Also recommending amendment of Condition of Approval No. 28 to read:

"A hydrologic study shall be provided with each DDP, and any such study must be provided to federal and state agencies responsible for wetlands and endangered species protection. The City will review the hydrologic study to determine compliance with applicable standards relating to storm drainage and to determine any impact on wetlands designated for protection and on western lilies. At the time of DDP review, the City may require changes to the DDP that it determines are needed to protect wetlands and western lilies."

- c. A two page memo from DKS Associates dropping the request for compact parking, and alternate standards regarding right-of-way width (At the time of original approval the applicant did not realize the right-of-way standards in the Land Development Code were minimum, and thus could be wider. All rights-of-ways in the approved Master Plan are 2 feet wider than the minimum standard and therefore consistent with established City standards. The memo from DKS indicates that the applicant still wishes to retain the approved narrower improvements.
- d. A set of findings, marked Exhibit B, supporting the response contained in the materials described above.

3. The Brookings City Council duly considered the above described materials in a public hearing at a regularly scheduled public meetings held on August 22, 2005, and are a matter of record; and

4. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the City Council, upon a motion duly seconded, approved the materials.

THEREFORE, LET IT BE HEREBY ORDERED that the materials submitted in response to the issues of the remand are approved. This approval is supported by the following findings and conclusions:

FINDINGS

The applicant has submitted the attached set of findings to support the requests described above, Exhibit B. Applicant's proposed findings are hereby adopted as findings. In addition the City Council adopts the following findings:

1. In response to the LUBA remand, the applicant has submitted a request to eliminate all approved alternate lot size, width and setbacks, and building height and to use the existing zoning standards for the type of use proposed.
2. The applicant is dropping the request for compact parking but requesting the right-of-way width and street improvement standards as originally approved by the City Council.
3. The applicant has submitted findings to address the remand issues.

CONCLUSIONS

The findings submitted by the applicant are adequate to support the decision as to the issues that were remanded.

CONDITIONS OF APPROVAL

The original conditions of approval are retained as originally approved except that Condition No. 28 is amended as proposed by applicant.

The conditions of approval are attached to this document and are made apart thereof.

LET IT FURTHER BE OF RECORD that the City Council approved the materials submitted in response to the issues of the remand.

Dated this 22nd day of August, 2005.



Pat Sherman, Mayor

ATTEST:


John C. Bischoff, Planning Director

CONDITIONS OF APPROVAL
LONE RANCH MASTER PLAN
MPD-1-04/Remand
(As Amended by the City Council August 22, 2005)

General Conditions

1. Approval of this Master Plan will expire in 15 years or in four (4) years from approval, unless a Detailed Development Plan (DDP) pursuant to Section 70, Master Plan Development District, of the Land Development Code, is submitted and approved by the Planning Commission and construction of the DDP shall start within three years of approval. Each subsequent DDP must be filed within four (4) years of the completion of the previously approved DDP, or the Master plan will expire. If the conditions at the time warrant, the Planning Commission may extend the 15 year Master Plan permit or the four (4) year DDP permit period for an additional two-year period at the request of the applicant.
2. The conditions stated herein are mandatory and must be completed. Failure to comply with any condition will result in the review and possible revocation of your permit pursuant to Section 70, of the Land Development Code.
3. All subsequent applications for a DDP shall be in substantial conformance with the appropriate area of the approved Master Plan. Any deviation from the approved Master Plan beyond that allowed by Section 70 of the Land Development Code shall require an amendment to the approved Master Plan.
4. Prior to any construction or grading on the site, the applicant shall submit 4 copies of the construction plans to the city staff to be reviewed and approved by the City Engineer. With the exception of the removal of the rock and reclamation in the area of the existing quarry, (ODOT Quarry and college site) the applicant shall submit a DDP for review and approval of the Planning Commission prior to construction or grading for that phase of the construction.
5. Prior to any construction or grading on the site, the contractor will place, in a location visible from an existing public street, a sign containing the name of the contractor, a telephone number and address where the contractor can be reached.
6. The applicant shall consult with all applicable state and federal agencies to develop measures to protect the existing wetlands and the associated western lily.

Conditions Prior To Development of Any College, Commercial or Residential Phase.

To ensure that all infrastructure facilities are in place to support the first phase of development, the following conditions shall be met prior to or simultaneously with the approval of the first phase of construction for either commercial, college or residential development on the site.

7. Prior to any construction within the project area, the applicant shall submit four (4) copies of street construction plans providing access into the site, for review and approval of the City Engineer and an application for a DDP for the street construction for review and approval by the Planning Commission.

8. All streets shall be constructed in the manner and standards set forth in the approved Master Plan for that street segment. Any deviation from that of the approved Master Plan beyond that allowed by Section 70 of the Land Development Code shall require an amendment to the Master Plan document.
9. Prior to any construction within the project area, the applicant shall submit four (4) copies of water system construction plans providing service to the construction site, for review and approval of the City Engineer and an application for a DDP for the water system construction for review and approval by the Planning Commission.
10. All water lines shall be installed pursuant to the provisions set forth in the OAR Chapter 33, Sections 42-200 through 42-243, by the Oregon State Health Division and the City of Brookings Standard Specifications Document.
11. Prior to any construction within the project area, the applicant shall submit four (4) copies of sanitary sewer construction plans providing service to the construction site, for review and approval of the City Engineer and an application for a DDP for the sanitary sewer system construction for review and approval by the Planning Commission.
12. Sanitary sewer installation shall comply with the standards of the State of Oregon Department of Environmental Quality and the provisions of Brookings City Ordinance No. 430, and Standard Specifications Document, dated August 1988.
13. All development shall comply with the state regulations regarding cultural resources, specifically, ORS 358.905 to 358.955, ORS 390.235 to 390.240 and ORS 97.740 to 97.760, to the extent applicable.
14. All street, water, sewer storm drainage and other utility construction to be carried out simultaneously may be included in one DDP for review and approval by the City Engineer and Planning Commission.
15. The project water system shall be developed to connect to the existing city system and allow reverse flows.
16. The applicant shall be prepared to provide a geological report related to the installation and construction of streets and utilities if required by the City Engineer.

Conditions for the Development of Commercial, College or Residential Phases.

17. Prior to the construction of any phase or partial phase of the project the applicant shall submit a DDP pursuant to Section 70 of the Land Development Code, for review and approval by the Planning Commission.
18. Each DDP shall be in significant conformance for that phase or partial phase of the area shown in the approved Master Plan. Any deviation beyond that allowed by Section 70 shall require an amendment to the Master Plan document.

19. Each phase of development shall be complete within itself for access, water service, sewer service, storm drainage, and all utilities, and all streets, services and utilities shall be extended to the furthest limit of the phase to ensure connection to the next phase.
20. Each DDP containing slopes greater than 15% shall include a geological report pursuant to Section 100, Hazardous Building Site/Hillside Development Standards, of the Land Development Code.
21. All appropriate federal and state permits related to the direct impact of development on the waters of the State or U.S. shall be obtained prior to development.
22. Prior to approval of the Detailed Development Plan (DDP), covenants, which are enforceable by the city, protecting Western Lilies shall be provided as part of each DDP, which includes known Western Lily habitat.
23. Prior to construction of any phase that may adversely affect the quality or quantity of water available through the existing Rainbow Rock Service Association (RRSA) surface water supply system, the applicant shall demonstrate how the water and water supply system will not be negatively affected. Each DDP shall evaluate the impact of development on the existing RRSA surface water system, unless RRSA has previously discontinued use of the system.
24. All required improvements to Highway 101 at the Lone Ranch access as identified in the Lone Ranch Transportation Impact Study, dated April 19, 2004 shall be required as part of the ODOT access permit for that entrance. The specific configuration of the improvements to Highway 101 at the southern access will be negotiated between the applicant and ODOT.
25. The applicant shall support any future effort to reestablish the ability for fish passage under Highway 101 for Lone Ranch Creek, Ram Creek and Taylor Creek. "Support" means that the applicant shall not oppose such efforts.
26. If any DDP will result in development that is projected to exceed the 1036 total master plan PM peak hour trips or the 839 net new PM peak hour trips as identified in the Lone Ranch Transportation Impact Study, taking into account traffic generated in previous phases, an additional transportation impact study will be required to be submitted with the DDP application and the DDP may be approved only if consistent with the Transportation System Plan.
27. To assure that the mobility standards are met at the intersection of Highway 101/Carpenterville Road, no DDP should be approved that would exceed the acceptable ODOT mobility standards for Highway 101/Carpenterville Road intersection until the City of Brookings TSP is amended to identify recommend improvements or a change to standards and the Lone Ranch development pays a proportionate share to these improvements. Analysis at Highway 101/Carpenterville Road should be conducted to determine the level of impact for each DDP until the City of Brookings TSP is amended to include the necessary improvements.
28. A hydrologic study shall be provided with each DDP, and any such study must be provided to federal and state agencies responsible for wetlands and endangered species protection. Each successive hydrologic study will cumulatively incorporate and consider the information

provided in the previously prepared hydrologic studies. The City will review the agency comments regarding the hydrologic study to determine compliance with applicable standards relating to storm drainage and to determine compliance with standards relating to the protection of wetlands and western lilies. At the time of DDP review, the City shall require changes to the DDP that it determines are needed to comply with applicable standards and to protect wetlands and western lilies.

29. The applicant shall establish Covenants, Conditions and Restrictions (CC&Rs) requiring the Homeowners' Association or Associations to maintain drainage swales located adjacent to streets that do not have curbs and gutters or other hard drainage systems. The CC&Rs shall provide that the city may enforce the maintenance of the swales, which includes the right to access all properties necessary to conduct the maintenance, either through legal action or by providing the maintenance and billing the Homeowners' Association or Associations. All such expenses, costs, and charges may be enforced by the city as liens against the real properties of individual members of the Homeowners' Association or Associations. The CC&Rs shall also contain a clause stating that any proposed change to this covenant must be approved by the city. The proposed CC&Rs as to the maintenance of the swales and the city's ability to enforce the CC&Rs, must be approved by the city prior to recordation.
30. The Master Plan document is hereby amended to include all changes made by the Errata Sheet dated June 4, 2004 and to indicate that the maximum building height for single family detached and single family attached homes is 30 feet and the maximum building height for multiple family and commercial buildings is 40 feet. The applicant shall provide the city with 4 copies of the amended Master Plan document.

of the MPoD with conditions, or may, by motion, deny the granting of the MPoD. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

17.70.100 Notice of decision.

The city planner shall provide the applicant with a notice of decision and final order in accordance with applicable legal requirements, that includes a written statement of the city council decision, a reference to findings leading to it, any conditions of approval, and appeal period deadline. A notice of decision shall also be mailed to persons who presented testimony orally or in writing at the public hearing. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

17.70.110 Effective date and assurance.

The decision of the city council shall become effective 15 days from the postmark date on the mailing of the final order. Approval of the MPoD shall assure the applicant the right to proceed with the development in substantial conformity with the plan and approval of the DDP, subject to such modifications as may be authorized. Changes to zoning ordinances, policies and standards adopted after the date of approval of the plan shall not apply to the development during the duration of the plan. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

17.70.120 Effective period of master plan of development (MPoD) approval.

If the applicant has not submitted a DDP for the planned development or the first phase within four years from the date of approval, the MPoD shall expire. The applicant has the opportunity to apply for an extension of time prior to the expiration of the approval. The planning commission may grant an extension if the applicant demonstrates there have been delays beyond his/her control such as:

- A. Difficulty obtaining financing due to economic or market conditions;
- B. Delays in obtaining required agency permits;
- C. Lack of available contractors to perform needed work; or
- D. Similar circumstances.

The commission may, at its discretion, extend the period for two additional years per extension, subject to applicable hearing and notice requirements. If, after the approval of the first DDP, substantial construction has not been started or at any time construction has lapsed for a period of three years, the MPoD will expire. Substantial construction in this case means obtaining all necessary permits required by governmental agencies to

commence construction of any structures or needed infrastructure. BMC 17.70.200 describes the approval period for a DDP and requests for an extension of time. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

17.70.130 Modification of a master plan of development (MPoD).

A modification to an approved MPoD is required when a proposed DDP does not meet the standards stated in BMC 17.70.170. An applicant may request a modification of an approved MPoD by submitting an application, appropriate fee, and supporting materials. The planning commission will conduct a public hearing to consider the modification. A modification may request a change to the plot plan/plat or to the conditions of approval. The request must be accompanied by:

- A. A revised plot plan or plat showing the proposed changes and how they compare to the originally approved project; or
- B. If the modification does not change the physical site plan of the project, a text explaining the desired change must be submitted.
- C. The applicant must provide findings for the following criteria:
 - 1. Address how the requested modification relates to the approved project and any impacts that will result.
 - 2. Address any impacts to adjoining properties.
 - 3. Address the effect on city services and facilities.

The planning commission will review the proposed modification based on the criteria in subsection (C) of this section.

In all modifications, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change. [Ord. 10-O-652 § 2; Ord. 03-O-446.PP.]

17.70.140 Detailed development plan (DDP) review procedures.

The applicant can request that each phase or a portion of a phase be reviewed in accordance with the DDP review procedures, so long as each detailed development plan is in substantial conformance with the MPoD. An application filed for a DDP shall address the applicable requirements specified in the approved MPoD for the subject property and include the following additional information.

- A. Graphic Requirements. Must demonstrate the DDP is in substantial conformance with the



City of Brookings - MPD-1-04

MCDONALD John <John.MCDONALD@odot.state.or.us>
To: Lauri Ziemer <lziemer@brookings.or.us>
Cc: Donna Colby-Hanks <dcolbyhanks@brookings.or.us>

Thu, Oct 22, 2015 at 2:17 PM

Lauri,

We have no comments on the proposed time extensions. We assume the original conditions are still in place.

Sincerely,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688

From: Lauri Ziemer [mailto:lziemer@brookings.or.us]
Sent: Wednesday, October 21, 2015 12:54 PM
To: PERRY Dave; ODOT Reg 3 Planning Manager; burtonweast@mac.com
Cc: Donna Colby-Hanks
Subject: City of Brookings - MPD-1-04

Please find attached notices for MOD-1-15/MPD-1-04 and MOD-1-15/DDP-1-10 that will be heard by the City of Brookings Planning Commission at their November 17, 2015 meeting.

Please contact Donna Colby-Hanks, Planning Manager at 541-469-1137 or dcolbyhanks@brookings.or.us if you have comments or questions. Thank you.

Lauri Ziemer
Public Works | Dev. Services



City of Brookings
898 Elk Drive | Brookings, OR 97415

Don & Cherie Mitchell

423 Buena Vista Loop
PO Box 1094
Brookings, OR 97415
October 27, 2015

Donna Colby-Hanks
Planning Director
898 Elk Drive
Brookings, OR 97415

Dear Donna,

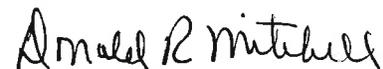
We received the City of Brookings notice of a Planning Commission hearing on November 17, 2015 to consider an extension by US Borax (Rio Tinto) for the implementation of the Detailed Development Plan and Master Plan for the Lone Ranch Development. As an adjoining property owner we strongly support their request for an extension.

We have long felt that the master plan developed by US Borax (Rio Tinto) for the Lone Ranch Development is a model for master plan development in Brookings. The donation of the land to and the subsequent development of the Southeastern Community College campus is source of pride for the community and Curry County.

It is unfortunate that the state of the local economy has been such that very little development has taken place. It would appear economic growth is beginning to rebound in the Brookings/Harbor area and the implementation of the Lone Ranch Development Project over the next 10-12 years would be an important step in that direction.

We urge the Planning Commission to recommend approval for the requested extension of the Lone Ranch Detailed Development and Master Plan to the City Council.

Sincerely,


Donald R Mitchell


Cherie J Mitchell

Catherine Wiley
96370 Duley Creek Rd.
Brookings, OR 97415

✓ To: Brookings Planning Commission

Re: 11/17/15 Planning Commission Agenda Item 5.11

Matter of File No. MOD-1-15/MOD- 1-04, and

Matter of File No. MOD-1-15/DDP-1-10

There is no objection to the requested extensions of the Lone Ranch/Borax Master Plan, or their request to revise/extend the expiration period for the Detailed Development Plan.

However, in accord with the intent of citizen involvement and public transparency, it is requested that any further requests for extensions be made public, with adequate notification and time for public comment as required by all relevant Brookings ordinances.

In addition, after meeting with Donna Colby-Hanks and reviewing files/documents, there are concerns and potential issues of compliance which were not addressed/documentated in the advance package:

1. The ACOE, U.S. Fish and Wildlife Service, Oregon Department of State Lands, State Parks & Recreation/State Historic Preservation Office and DEQ were agencies directly involved in the Borax MPD and/or DDP. None of these agencies were included in the notice/advance package. ODOT was the only agency notified.
2. The applicant's report (Background Information) indicates that, "They continue to maintain necessary studies by updating and refining the project wetland studies as well as updating surveys for Marbled Murrelets and Spotted Owls." These "updated & refined studies" were not submitted, were not found in the Borax file at the City of

Brookings, or made available to me upon request. There is also no mention of any studies concerning the federally endangered Western Lilies.

3. The SWOCC campus is not connected to public sewer. Effluent is discharged into a holding tank. DEQ approved conditional use with a timeline for public sewer connection. The staff findings state that granting the extension will not change the required provisions for city services. There is no indication that DEQ has been notified, or approved this extension.
4. The report includes verification of City water being supplied to SWOCC, via a 16 inch pipeline extended to supply the planned development. It should be noted that Goal 6 and Goal 16 of the City's Comprehensive Plan were never addressed because there were repeated assurances that all water would be provided from water within the site, itself. Therefore, there would be no impacts on Chetco water, or the estuary. The requirement contained in the City Charter requiring that the City provide water to all property within City limits was not known until the Ballot Measure (proposing to change the City Charter) was presented & defeated.

Thank you for your consideration.



Catherine Wiley 11/17/15



SOUTHWESTERN

Oregon Community College

www.socc.edu

Office of the President
541 888-7400 FAX 541 888-3258

B-1

MOD-1-15/MPD-1-04

MOD-1-15/DDP-1-10

November 2, 2015

Donna Colby-Hanks
Planning Director
898 Elk Drive
Brookings, OR 97415

Dear Ms. Colby-Hanks,

We received the City of Brookings notice of a Planning Commission hearing on November 17, 2015 to consider an extension by US Borax (Rio Tinto) for the implementation of the Detailed Development Plan and Master Plan for the Lone Ranch Development. The Curry Campus was part of the Master Plan for the Lone Ranch Development.

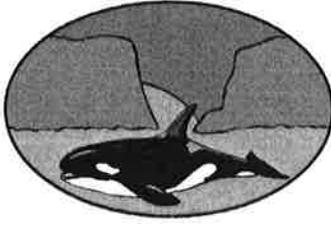
The master plan developed by US Borax (Rio Tinto) for the Lone Ranch Development is a model for master plan development in Brookings. Their donation of the land to Southwestern Community College for the Curry Campus allowed us to create an educational hub and source of pride for the community and Curry County.

Building the campus (a public building) during the recession was challenging, but private development of residential housing ground to a halt and has yet to rebound. When it does the implementation of the Lone Ranch Development Project over the next 10-12 years would be an important step in that direction. The original master plan process was arduous and thorough. It was vetted by all governing agencies and interest groups. No one would have predicted the depth and continued impact of the recession in the Brookings Harbor area would last beyond the typical time frames allowed in the master plan and detailed development process.

We urge the Planning Commission to recommend approval for the requested extension of the Lone Ranch Detailed Development and Master Plan to the City Council.

Sincerely,

Patty Scott, Ed.D.
President



ORCA: Oregon Coast Alliance

P.O.Box 857, Astoria OR 97103

(503) 391-0210

<http://www.oregoncoastalliance.org>

Protecting the Oregon Coast

Nov. 17, 2015

Brookings Planning Commission
c/o Donna Colby Hanks, Planning Manager
City of Brookings Planning Division
898 Elk Drive
Brookings, OR 97415

B-2

MOD-1-15/MPD-1-04

MOD-1-15/DDP-1-10

Via email: Donna Colby-Hanks, dcolbyhanks@brookings.or.us

Re: Borax Time Extension Requests MOD-1-15/MPD-1-04 and MOD-1-15/DDP-1-10

Dear Ms. Colby-Hanks and Members of the Planning Commission,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit corporation whose mission is to protect coastal natural resources and aid communities in maintaining livability.

ORCA is not opposed to the time extensions being requested by the applicant, U.S. Borax, for the Master Plan of Development and the Detailed Development Plan II of the Lone Ranch development.

However, since the proposed time extensions are for some years – twelve years for the MPoD and eight years for the DDP – we do request that future applications for time extensions be given full public notice and opportunity for public comment prior to decision-making. This will ensure that the interested public can participate in time extension requests concerning the Lone Ranch development in the future.

Since a time extension is essentially a re-approval of a project, under conditions that nothing substantive has changed, public participation in future extensions is necessary. The staff reports on both these extensions make it clear there are criteria that must be satisfied in order to grant these extensions; there is exercise of discretion in applying these criteria, which means they are land use decisions. Thus, future time extension requests must be given proper public notice, as these two were.

The Brookings materials for these two applications contain only a letter from the Dept. of Transportation based on notification by the City. Were other relevant agencies

notified? There are several others that have commented during the Lone Ranch process in the past, including the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Dept. of Environmental Quality, and the Water Resources Department – to name a few of the agencies that participated substantively in earlier planning phases, and have requirements that must be followed when the development moves forward. The two federal agencies mentioned have a federal nexus on the Lone Ranch development project based on waters/wetlands and the federally endangered Western lily.

If the City has not contacted these agencies, ORCA recommends they be notified immediately of the proposed time extensions.

Thank you for the opportunity to comment in these proceedings. Please make these comments part of the record and notify Oregon Coast Alliance of further activity on these applications or future time extension requests.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Executive Director



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council on Monday, January 25, 2016, at 7:00 p.m. in the Council Chambers of Brookings City Hall, 898 Elk Drive, Brookings.

In the matter of File No. **MOD-1-15/MPD-1-04**, a request to modify condition of approval (#1) to extend the expiration period for the Lone Ranch Master Plan. In a modification, review shall be limited to the area proposed for modification and the impacts attributed to the proposed change. Owner/Applicant is U.S. Borax and Representative is Ed Trompke, Jordan Ramis PC. The subject property is located adjacent to the eastern boundary of Hwy 101 approximately 0.8 miles north of Carpenterville Road; assessor's map 40-14-00, tax lots 2400, 2401 and 2404. The criteria used to decide this matter are found in Chapter 17.70 Master Plan Development (MPD) District, of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the City Council will make a decision on this matter.

All persons wishing to address this matter will have an opportunity to do so in person at the hearing or by submitting written evidence to the Brookings City Planning staff at the address above. A copy of the staff report prepared for this case will be available for inspection, at no cost, and provided at reasonable cost, seven days prior to the hearing. All documents may be viewed or obtained at the Planning Department at Brookings City Hall.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. If special accommodations are needed please call 469-1137.