

CITY OF BROOKINGS

URBAN RENEWAL PLAN

Brookings Urban Renewal Agency

July, 2002

Adopted by the Brookings Common Council

**August 12, 2002; Amended December 10, 2010 by
Resolution 10-R-948**

CITY OF BROOKINGS URBAN RENEWAL PLAN

ACKNOWLEDGEMENTS

This urban renewal plan was prepared with funding assistance from a grant by the U.S. Dept of Agriculture and Oregon Economic Development Department. Citizens of Brookings participated in five workshops leading to the preparation of the renewal Plan and Report. Members of the Downtown Development Committee were active in promoting and attending all public workshops. The Committee members are:

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BROOKINGS URBAN RENEWAL PLAN

TABLE OF CONTENTS

	Page
100. INTRODUCTION	1
200 DEFINITIONS	1
300. BOUNDARY DESCRIPTION.....	2
400. RELATIONSHIP TO LOCAL OBJECTIVES	2
500. PROPOSED LAND USES.....	5
600. OUTLINE OF DEVELOPMENT	5
700. DESCRIPTION OF PROJECTS TO BE UNDERTAKEN	6
800. PROPERTY ACQUISITION PROCEDURES.....	9
900. DEVELOPER OBLIGATIONS	10
1000. RELOCATION	11
1100. PLAN AMENDMENTS	11
1200. MAXIMUM INDEBTEDNESS	12
1300. FINANCING METHODS	12
1400. CITIZEN PARTICIPATION	13

100. INTRODUCTION

The Brookings Urban Renewal Plan consists of Part One - Text and Part Two - Exhibits. The Brookings City Council acts as the Urban Renewal Agency of the City of Brookings, Oregon.

This Plan has been prepared pursuant to Oregon Revised Statute (ORS) Chapter 457, the Oregon Constitution, and all applicable laws and ordinances of the State of Oregon and City of Brookings respectively. All such applicable laws and ordinances are made a part of this Plan, whether expressly referred to in the text or not.

The Urban Renewal Area is a single geographic area with a single contiguous boundary in which a variety of activities and projects are contemplated to eliminate blight and the causes of blight and intended to create an environment in which the private sector may develop uses compatible with the purposes of this plan.

This Urban Renewal Plan for the Brookings Urban Renewal Area was approved by the City Council of the City of Brookings on August 12, 2002 by Ordinance No. 02-O-551.

200. DEFINITIONS

The following definitions will govern the construction of this Plan unless the context otherwise requires:

"Area" means the area included within the boundaries of the Brookings Urban Renewal District.

"Bonded Indebtedness" means any formally executed written agreement representing a promise by a unit of government to pay to another a specified sum of money, at a specified date or dates at least one year in the future.

"City" means the City of Brookings, Oregon.

"City Council" means the City Council of the City of Brookings, Oregon.

"Comprehensive Plan" means the City's Comprehensive Land Use Plan and its implementing Ordinances, policies and development standards.

"County" means the County of Curry, State of Oregon.

"Displaced" person or business means any person or business who is required to relocate as a result of action by the Urban Renewal Agency to vacate a property for public use or purpose.

"Disposition and Development Agreement" means an agreement between the Urban Renewal Agency and a private developer which sets forth the terms and conditions under which will govern the disposition of land to a private developer.

"Exhibit" means an attachment, either narrative or map, to the Urban Renewal Plan for the Brookings Urban Renewal Area, Part Two - Exhibits.

"ORS" means Oregon Revised Statute (State Law) and specifically Chapter 457 thereof.

"Plan" means the Urban Renewal Plan for the Brookings Urban Renewal Area, Parts One and Two.

"Planning Commission" means the Planning Commission of the City of Brookings, Oregon.

"Project, Activity or Project Activity" means any undertaking or activity within the Renewal Area, such as a public improvement, street project or other activity which is authorized and for which implementing provisions are set forth in the Urban Renewal Plan.

"Report" refers to the report accompanying the urban renewal plan, as provided in ORS 457.085 (3)

"Redeveloper" means any individual or group acquiring property from the Urban Renewal Agency or receiving financial assistance for the physical improvement of privately or publicly held structures and land.

"State" means the State of Oregon.

"Text" means the Urban Renewal Plan for the Brookings Urban Renewal Area, Part One - Text.

"Urban Renewal Agency" means the Urban Renewal Agency of the City of Brookings, Oregon.

"Urban Renewal Area", "Brookings Urban Renewal Area", or "Renewal Area" means the geographic area for which this Urban Renewal Plan has been approved. The boundary of the Renewal Area is described in Exhibits made a part of this plan.

300. BOUNDARY DESCRIPTION

The boundary of the renewal area is shown in Exhibit 1, attached to this plan. A legal description of the project boundary is included as Attachment "A" of this plan. If inconsistencies exist between Exhibit 1 and Attachment A, Attachment A governs.

400. RELATIONSHIP TO LOCAL OBJECTIVES

The purpose of this Renewal Plan is to eliminate blighting influences found in the Renewal Area, to implement goals and objectives of the City of Brookings Comprehensive Plan, assist in meeting the City's economic development objectives through rehabilitation of older and historic structures, redevelopment of key sites, improving transportation and utility facilities in the renewal area, assisting with the construction of needed public facilities, and creating public amenities.

The Urban Renewal Plan relates to the following local goals and objectives:

A. Promote Private Development

Goal: To promote private development, redevelopment, and rehabilitation within the urban renewal area to help create jobs, tax revenues, and self-sustaining, vital, and vibrant commercial districts.

Objectives:

1. Enhance the environment for development and investment through improvements to streets, streetscapes, parks, and public buildings and spaces.
2. Assist property owners in rehabilitating buildings so they can accommodate more intensive and dynamic commercial activity.
3. Help create economic vitality by creating activities and encouraging uses that bring a significant number of potential shoppers and investors.

B. Rehabilitate Building Stock

Goal: To upgrade the stock of existing structures in the renewal area which contribute to its small-town character, but are run down or do not meet current Code requirements.

Objectives:

1. Improve the appearance of existing buildings in order to enhance the overall aesthetics of the renewal area.
2. Help in improving the safety of older buildings in regard to seismic stability, fire safety, building code compliance and accessibility to persons with disabilities.
3. Redevelop buildings and areas that are inconsistent with the goals and objectives of this plan in manners that benefit the entire economic development effort and property owners.

C. Improvements to Streets, Streetscapes, and Open Spaces

Goal: To improve existing streets and construct missing street links to improve connectivity, improve and enhance beaches, parks, and other public open spaces as an integral part of the district, and to enhance livability.

Objectives:

1. Enhance streetscapes by installing street lighting, street furniture, banners, planters and other amenities.
2. Reconstruct existing roadways and sidewalks where needed and in a manner meeting the objectives of this Plan.
3. Construct new streets to provide connectivity and encourage private investment.
4. Address and improve pedestrian safety in the renewal area.
5. Improve pedestrian and bicycle access to and through the renewal area. Create pedestrian spaces that are attractive areas for residents and employees, that stimulate economic activity, and enhance livability..

D. Utility Improvements

Goal: Improve and repair utilities to allow efficient development of the area.

Objectives:

1. Construct or reconstruct utilities (including water, sewer, and storm sewer) as

necessary to encourage and permit development of private properties and public amenities.

E. Parking

Goal: Develop convenient, attractive parking facilities close to shopping, entertainment, and business destinations.

Objectives:

1. Construct public parking to support businesses and activities in the Renewal area

F. Public Facilities

Goal: Maintain, remodel, and construct public parks and open spaces, public facilities, and public safety facilities

Objectives:

1. Ensure that public safety facilities within the renewal area are adequate to support and protect existing and proposed development in the renewal area.
2. Evaluate the adequacy of other public facilities serving the renewal area.

G. Housing

Goal: Provide for new housing units in livable mixed-income neighborhoods Support housing development that is geared to support the Area's employment generation goals.

Objectives:

1. Provide a wide range of housing opportunities to accommodate households at all income levels, including low income, moderate-income, and market-rate rental and owner-occupied housing, which support prospective residential markets in, adjacent to, and near the Area.
2. Provide assistance to help maintain, and assist in the rehabilitation of the stock of existing housing in the renewal area.
3. Assist in the development of quality housing for a range of household incomes that are representative of the City as a whole.

H. Public Art

Goal: Assist in funding a program of art in public spaces within the renewal area.

Objectives:

1. Provide a set-aside of urban renewal funds for art in public spaces within the urban renewal area.

I. Signage

Goal: Make it easy for residents and especially visitors to find and utilize public and commercial facilities within the area.

Objectives:

1. Unify and improve signage
2. Provide public maps of area facilities at strategic locations

J. Economic Development

Goal: Utilize urban renewal funds in ways that will help increase employment, incomes, and the economic vitality of the City of Brookings

Objectives:

1. Assist in creation and retention of businesses in the renewal area, with special emphasis on tourism, recreation, and high technology firms.
2. Assist in attracting or retaining public or non-profit employers, including medical facilities, and governmental and educational services.

K. Downtown Brookings Master Plan

Goal: Utilize this urban renewal plan and urban renewal funds to help implement the Vision and Strategies outlined in the Downtown Brookings Master Plan.

500. PROPOSED LAND USES

A. Land Use Plan

The use and development of land in the Renewal Area shall be in accordance with the regulations prescribed in the Brookings Comprehensive Plan, Zoning Ordinance, Sign Ordinance, Subdivision Ordinance, City Charter, or any other applicable local, county, state or federal laws regulating the use of property in the Urban Renewal Area.

The following plan/zone designations are found within the Renewal Area. Plan area zonings are included in the boundary map, Exhibit One of this Plan.

C-3	General Commercial
C-4	Tourist Commercial
IP	Industrial Park
M-2	General Indus
R-2	Two family residential
R-3	Multi-Family Residential
R-1 through 6	Residential, varying lot sizes
P/OS	Public/Open Space

B. Plan and Design Review

The Urban Renewal Agency shall be notified of any Comprehensive Plan/Zoning amendment application, building permit, conditional use or other development permits requested within the Area. Redevelopers, as defined in this Plan, shall comply with the Redevelopers Obligations, Section 800 of this Plan.

600. OUTLINE OF DEVELOPMENT

The Urban Renewal Project consists of activities and actions which treat the causes of blight and deterioration in the Brookings Urban Renewal Area. Conditions include deficiencies in streets, curbs, and sidewalks, a need for utility improvements, poorly

located and inadequate parking, vacant and poorly maintained buildings, and a lack of new private investment in the project area. The conditions also pose a constraint to future development called for in the Comprehensive Plan, and the Downtown Master Plan. Project activities to treat these conditions include:

- A. Constructing street, curb, sidewalk and pedestrian improvements in the project area
- B. Improving the visual appearance of the area, and provide a safer, more attractive pedestrian environment by constructing:
 - Sidewalks, landscaping, signage, bike racks rest rooms, and other streetscape improvements.
 - Street lighting improvements.
 - Gateway entry improvements.
 - Improved signing in the project area.
- C. Providing incentives to new building investments in the project area.
- D. Providing incentives for the repair and rehabilitation of deficient structures in the project area.
- E. Developing additional parking within the renewal area.
- F. Making improvements to deficient utilities in the project area.
- G. Administration and co-ordination of development in the Renewal Area.

Section 700 provides further description of each urban renewal project to be undertaken within the Urban Renewal Area.

700. DESCRIPTION OF PROJECTS TO BE UNDERTAKEN

In order to achieve the objectives of this Plan, the following activities will be undertaken on behalf of the City by the Urban Renewal Agency in accordance with applicable federal, state, county, and city laws, policies, and procedures. The Renewal Agency may fund these activities in full, in part, or seek other sources of funding for them.

701 PUBLIC IMPROVEMENTS

Public improvements include the construction, repair, or replacement of sidewalks, streets, parking, parks and open spaces, pedestrian amenities, water, sanitary sewer and storm sewer facilities and other public facilities necessary to carry out the goals and objectives of this plan.

701A Public Parks and Open Spaces

The Renewal Agency may participate in funding the design, acquisition, construction or rehabilitation of public spaces, parks or public facilities within the urban renewal area. Projects to be undertaken include:

- Create Central Plaza
- Walkways and plazas
- Local Nature interpretive areas

- Develop a looped pedestrian walkway from downtown to Stout Park, Azalea Park and Chetco Point
- Wetlands Park at Old Mill Pond
- Enhancements to Chetco Point and other parks in the project area

701B Street, Curb, and Sidewalk Improvements

Improvements within the renewal area will require the construction of new street, curb, and sidewalks within the project area. The Renewal Agency may participate in funding sidewalk and roadway improvements including design, redesign, construction, resurfacing, repair and acquisition of right-of way for curbs, streets, and sidewalks, and pedestrian and bicycle paths. Projects to be undertaken include:

- Improvements to street, curb and sidewalk on Railroad, Chetco, Fern, Willow, Spruce, Hemlock, Alder Wharf and other streets in the Area
- Assist local street improvements identified in Brookings Capital Improvements Program (CIP)

701C Public Utilities

The development proposed for the renewal area will require the replacement and construction of water, storm and sanitary sewer facilities. These improvements include

- Sanitary sewer upgrades & replacements identified in Brookings Capital Improvements Program
- Water system upgrades & replacements identified in Brookings Capital Improvements Program
- Storm water system upgrades & replacements identified in Brookings Capital Improvements Program

701D Streetscape Projects

This activity will enable the Renewal Agency to participate in activities improving the visual appearance of the project area. . These improvements may include :

- Accent paving,
- Decorative lighting,
- Street trees, planters, and landscaping
- Furnishings, including benches, trash receptacles, bicycle racks
- Street and directional signage
- Public art
- Gateway Monuments and Landscape Features
- Under grounding of overhead utilities in the renewal area

701E Pedestrian, Bike, and Transit Improvements

These activities will include pedestrian, bicycle and transit connections between the renewal project area, the Port, public parks, and other areas of Brookings. Activities may include bicycle parking and storage, transit stops, covered shelters, transit pullouts, and

other related activities, which will promote pedestrian, bicycle, and public transportation uses in the renewal area. These improvements include:

- Provide new bike paths or lanes in the renewal area
- Provide pedestrian connections to the waterfront

701F Public Parking Facilities

The Agency is authorized to participate in funding the acquisition, construction and enhancement of public parking facilities within the renewal area. The precise location and type of facilities will be decided by further study. Potential parking improvements may include:

- New lot at Fern and Spruce
- New lots at pockets along Railroad Street
- New RV Parking lot

701G Other Public Facilities

To further redevelopment of the area, and renewal project objectives, the Agency may participate in development of public facilities including police and fire facilities, libraries, recreation centers, conference facilities, and community centers. The extent of the Agency's participation in funding such facilities will be based upon an Agency finding on the benefit of that project to the renewal area, and the importance of the project in carrying out Plan objectives. Potential public facilities to be funded include:

- Public Restrooms
- Enhancement of public Museum
- Relocation of City Hall
- Performing Arts Center
- Community Center

702 PRESERVATION AND REHABILITATION

This activity will enable the Renewal Agency to help improve the condition and appearance of buildings in the project area, and encouraging infill and reuse in the project area. The Renewal Agency may participate, through loans, grants, or both, in maintaining and improving exterior and interior conditions of properties within the renewal area.

703 DEVELOPMENT AND REDEVELOPMENT

The Renewal Agency is authorized to provide loans, or other forms of financial assistance to property owners wishing to develop or redevelop land or buildings within the renewal area, or to persons desiring to acquire or lease buildings or land from the Agency. The Agency may make this assistance available as it deems necessary to achieve the objectives of this Plan. Projects receiving Agency assistance may include :

- Assisting development of a new medical facility
- Assisting development of a higher education facilities
- Assisting the construction or expansion of job-creating projects

704 PROPERTY ACQUISITION AND DISPOSITION

In order to carry out the objectives of this Plan, the Renewal Agency is authorized to acquire land or buildings for public and private development purposes. The procedures for acquiring and disposing of property are described in Sections 800 and 900 of this Plan.

705 BELOW MARKET INTEREST RATE LOANS AND INCENTIVES

The Agency, with funds available to it, may promulgate rules, guidelines and eligibility requirements for the purpose of establishing below-market or market rate loan programs, or other incentives to advance the goals and objectives of the Brookings Urban Renewal Plan. Loans or incentives provided by the Agency may be used for rehabilitation of buildings, façade improvements, provision of amenities on private property in compliance with design guidelines and standards, construction of new buildings, pre-development assistance, connecting to underground electrical and communication systems, or other activities approved by the Agency.

706 PLAN ADMINISTRATION

Tax increment funds may be utilized to pay indebtedness associated with preparation of the urban renewal plan, to carry out design plans, miscellaneous land use and public facility studies, engineering, market, and other technical studies as may be needed during the course of the urban renewal plan. Project funds may be utilized to pay for marketing materials and programs to assist in carrying out the objectives of the redevelopment plan. Project funds also may be used to pay for personnel and other administrative costs incurred in management of the renewal plan.

800. PROPERTY ACQUISITION PROCEDURES

The Renewal Agency is authorized to acquire property within the Area, if necessary, by any legal means to achieve the objectives of this Plan. Property acquisition, including limited interest acquisition, is hereby made a part of this Plan and may be used to achieve the objectives of this Plan. All acquisition of property will require an amendment to the plan as set forth in Section 1100 of this Plan

A. Acquisition requiring City Council approval.

Acquisitions described in Section 800A1, and A2 of this plan will require an amendment to this Plan as set forth in Section 1100B 2a of this Plan. The City Council shall ratify the amendment to this Plan by resolution. City Council ratification is required for Renewal Agency acquisitions for the following purposes:

1. Acquisition of land for development by the public or private sector.
2. Acquisition for any purpose that requires the use of the Agency's powers of eminent domain.

B. Acquisition not requiring City Council approval.

Land acquisition not requiring City Council ratification requires a minor amendment to this Plan as set forth in Section 1100 C2 of this Plan. The minor amendment to the Renewal Plan may be adopted by the Renewal Agency by Resolution. The Agency may acquire land without Council ratification where the following conditions exist:

1. Where it is determined that the property is needed to provide public improvements and facilities as follows:
 - a. Right-of-way acquisition for streets, alleys or pedestrian ways;
 - b. Right of way and easement acquisition for water, sewer, and other utilities
 - c. Public parks, open space or parking uses
2. Where the owner of real property within the boundaries of the Area wishes to convey title of such property by any means, including by gift.

C. Properties to be acquired

At the time this plan is prepared, no properties are identified for acquisition. If plan amendments to acquire property are approved, a map exhibit shall be prepared showing the properties to be acquired and the property will be added to the list of properties to be acquired. The list of properties acquired will be shown in this section of the Plan. The map exhibit shall be appropriately numbered and shall be included in Part Two as an official part of this Urban Renewal Plan.

1. The Brookings Urban Renewal Agency is authorized to purchase a 1.99 acre parcel of land owned by the City of Brookings at 220 Wharf Street for the purpose of reselling the property to Bi-Mart Corporation for the development of a 30,000 square foot retail store. The Agency intends to enter into a development agreement with Bi-Mart Corporation which would provide for construction and occupancy of the Bi-Mart store by December 31, 2011. [Resolution 10-R-948, December 27, 2010]

900. REDEVELOPER'S OBLIGATIONS

Redevelopers within the Urban Renewal Area will be subject to controls and obligations imposed by the provisions of this Plan. Redevelopers also will be obligated by the following requirements:

1. The Redeveloper shall develop or redevelop property in accordance with the land-use provisions and other requirements specified in this Plan.
2. The Renewal Agency may require the redeveloper to execute a development agreement acceptable to the Renewal Agency as a condition of any form of assistance by the Renewal Agency. The Redeveloper shall accept all conditions and agreements as may be required by the Renewal Agency.
3. The Redeveloper shall submit all plans and specifications for construction of improvements on the land to the Renewal Agency or its designated agent, for review and approval prior to distribution to reviewing bodies as required by the City.

4. The Redeveloper shall commence and complete the development of such property for the use provided in this Plan within a reasonable period of time as determined by the Agency.
5. The Redeveloper shall not effect any instrument whereby the sale, lease, or occupancy of the real property, or any part thereof, is restricted upon the basis of age, race, color, religion, sex, marital status, or national origin.

1000. RELOCATION

The Agency will provide relocation assistance to all persons or businesses displaced by project activities. Those displaced will be given assistance in finding replacement facilities. All persons or businesses which may be displaced will be contacted to determine such relocation needs. They will be provided information on available space and will be given assistance in moving. All relocation activities will be undertaken and payments made, in accordance with the requirements of ORS 281.045-281.105 and any other applicable laws or regulations.

Relocation payments will be made as provided in ORS 281.060. Payments made to persons displaced from dwellings will assure that they will have available to them decent, safe, and sanitary dwellings at costs or rents within their financial reach. Payment for moving expense will be made to residences and businesses displaced. The Brookings Renewal Agency may contract with Oregon Dept. Of Transportation (ODOT), or other appropriate agencies or parties for assistance in administering its relocation program.

1100. PLAN AMENDMENTS

It is anticipated that this Renewal Plan will be reviewed periodically during the execution of the Project. The plan may be changed, modified, or amended as future conditions warrant. Types of Plan amendments are:

A. Substantial Amendments

Substantial amendments consist of:

1. Increases in the urban renewal area boundary in excess of one percent (1%.) shall be a substantial amendment requiring approval per ORS 457.095, and notice as provided in ORS 457.120.
2. Increasing the maximum amount of indebtedness to be issued under the plan shall be a substantial amendments requiring approval per ORS 457.095, and notice as provided in ORS 457.120.

B. Other Amendments requiring Council approval

1. The following Plan amendments will require approval per ORS 457.095 but will not require notice as provided in ORS 457.120.
 - a. The addition of improvements or activities which represent a substantial

change in the purpose and objectives of this Plan, and which cost more than \$500,000. The \$500,000 amount will be adjusted annually from the year 2002 according to the "Engineering News Record" construction cost index for the Northwest area.

2. The following Plan amendments must be presented to the Council for approval, but require only approval by a City Council resolution.
 - a. Acquisition of property for purposes specified in Section 800A1 and 800A2 of this plan.

C. Minor Amendments.

Minor amendments may be approved by the Renewal Agency in resolution form. Such amendments are defined as:

1. Amendments to clarify language, add graphic exhibits, make minor modifications in the scope or location of improvements authorized by this Plan, or other such modifications which do not change the basic planning or engineering principles of the Plan.
2. Acquisition of property for purposes specified in Section 800B of this plan.
3. Addition of a project substantially different from those identified in Sections 700 of the Plan or substantial modification of a project identified in Section 700 if the addition or modification of the project costs less than \$500,000 in 2002 dollars.
4. Increases in the urban renewal area boundary not in excess of one percent (1%).

1200. MAXIMUM INDEBTEDNESS

The maximum indebtedness authorized under this plan is fifteen million, eight hundred and twenty-five thousand dollars (\$15,825,000).

1300. FINANCING METHODS

A. General

The Urban Renewal Agency may borrow money and accept advances, loans, grants and other forms of financial assistance from federal, the state, city, county governments or other public body, or from any sources, public or private for the purposes of undertaking and carrying out this Plan. In addition, the Agency may borrow money from, or lend money to a public agency in conjunction with a joint undertaking of a project authorized by this Plan. If such funds are loaned, the Agency may promulgate rules and procedures for the methods and conditions of payment of such loans. The funds obtained by the Agency shall be used to pay or repay any costs, expenses, advances and indebtedness incurred in planning or undertaking project activities or in exercising any of the powers granted by ORS Chapter 457.

B. Tax Increment Financing

Tax increment financing will finance the project in whole or in part. Ad valorem taxes shall be divided as provided in section 1c, Article IX of the Oregon Constitution and ORS 457.420 to ORS 457.460

C. Prior Indebtedness

Any indebtedness permitted by law and incurred by the Urban Renewal Agency or the City in connection with preplanning for this Urban Renewal Plan shall be repaid from tax increment proceeds generated pursuant to this section.

1400. CITIZEN PARTICIPATION

This renewal plan was developed in a series of public workshops conducted in Brookings City Hall. The workshops were noticed in the local newspaper, and posting of public notice at City Hall and other locations. Two of the workshops were held in conjunction with major presentations of the Brookings Downtown Master Plan. The workshops topics included basic information on urban renewal and tax increment financing, development of project goals and objectives, development of a list of project activities, and review of the revenues, costs, and tax impacts of carrying out the project. The results of the workshops were presented to the City Council and Planning Commission in a joint workshop on June 24th, 2002.

The Brookings Planning Commission met to review the Plan In August, 2002. The Brookings City Council scheduled a public hearing on adoption of this Plan on August 12 , 2002. Additional notice on City Council adoption of the Plan was provided, as required by ORS 457.120.

Brookings Urban Renewal Plan

Brookings, Oregon

Part Two-Exhibits

EXHIBITS

Exhibit 1 Map of Plan Boundary & Zoning

ATTACHMENTS

Attachment A Boundary Description

Brookings Urban Renewal Area

Brookings Urban Renewal Boundary
and Zoning Designations

Exhibit 1:

Boundary changes as approved by Urban Renewal Agency Resolution
URA03-R-1 approved by the Urban Renewal Agency March 24, 2003

