



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

November 1, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Brookings Plan Amendment
DLCD File Number 005-06 D



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 14, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative
Steve Oulman, DLCD Transportation Planner
Dianne Morris, City of Brookings

<paa> ya/ph

FORM 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Brookings**

Local file number: **LDC-2-06**

Date of Adoption: **10/22/2007**

Date Mailed: **10/24/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/22/2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Revisions to the City's Land Development Code - Chapter 17.171-Neighborhood Circulation Plans.
(Codification of the Brookings Municipal Code resulted in new citations-formerly cited as "Section 172".)

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD # 005-06(D) (15580)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

N/A

Local Contact: **Dianne Morris**

Phone: (541) 469-1138 Extension:

Address: **898 Elk Dr.**

Fax Number: **541-469-3650**

City: **Brookings**

Zip: **97415-**

E-mail Address: **dmorris@brookings.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

In the Matter of an Ordinance adding)
Chapter 17.171, Neighborhood)
Circulation Plans to the Brookings) Ordinance 07-O-585
Municipal Code.)

The City of Brookings ordains as follows:

Chapter 17.171, Neighborhood Circulation Plans, of the Brookings Municipal Code, is added to read as follows:

Chapter 17.171
NEIGHBORHOOD CIRCULATION PLANS

Sections:

Section 17.171.010	Purpose
Section 17.171.020	Adoption of Neighborhood Circulation Plan
Section 17.171.030	Dawson Tract Neighborhood circulation plan standards

17.171.010 Purpose. A neighborhood circulation plan may be created for a specific area in the City to address existing and proposed streets. The plan will provide for the optimum traffic flow considering the special limitations and opportunities present in the particular neighborhood.

17.171.020 Adoption of Neighborhood Circulation Plan. Neighborhood circulation plans may be developed for appropriate areas. Such plans shall identify the street classification, projected Average Daily Traffic (ADT), existing condition, design criteria and right-of-way and roadway width of all existing and projected street systems within the neighborhood circulation plan area. Within an adopted neighborhood circulation plan, right-of-way and roadway widths can be either the standards of BMC 17.170.060 or the standards of the circulation plan, provided that once a standard has been established for a street segment, the remainder of the street will be constructed at that standard.

17.171.030 Dawson Tract neighborhood circulation plan standards.

A. Dawson Tract right-of-way and roadway width standards. Street right-of-way and roadway widths shall conform to the values shown in Table 17.171.030 or the standard right-of-way and road widths in Table 17.170.030. The Dawson Tract standards shall apply to all public and private streets in the Dawson Tract area, as defined in the Dawson Tract neighborhood circulation plan. Once a standard has been established by construction for any street segment, the remaining portion of the street shall be constructed at that standard.

B. Dawson Tract Neighborhood Circulation Plan Map. The Neighborhood Circulation Plan map (See Figure 17.171.030-1) is to be used in conjunction with the Neighborhood Circulation Plan standards in Table 17.171.030. In the event of a conflict between the map and the table of standards, the table shall govern.

1. The Neighborhood Circulation Plan offers alternative right-of-way and roadway widths for the main loop road of the Dawson Tract system (Dawson Road (North), Dawson Road (West), the Skyline-Passley connection, and Passley (See Table 17.171.030). Pacific Heights (Dawson South), Shorewood Terrace, Ridgeway Street, and Skyline Drive are already developed to the standard minimum (See Table 17.171.030). North of Dawson Road North, Blueberry Drive (portion) and Holmes Court are also developed to the standard minimum.
2. For the area within the Dawson Road/Skyline/Passley loop, Type A and Type B cul-de-sac access streets are shown conceptually for single owner sites (See Figure 17.171.030-3). At sites where Type A or Type B access is shown serving properties with two or more tax lots, the location is required, as shown, subject to amendment per BMC 17.171.020 (B).
3. For the area north of Dawson Road North, a Holmes Drive-Blueberry Lane loop is anticipated. For determination of the Holmes Drive, Blueberry Lane loop right-of-way and roadway widths, an amendment to the Dawson Tract Neighborhood Circulation Plan Map will be required, per BMC 17.171.020 (B). In addition, Lane, Place and Private Drive access shall be developed as required to serve future property divisions. Right of way and roadway widths, and location of these future streets shall be approved by the Planning Commission as part of tentative plan approval. Approval shall be determined by the estimated average daily traffic (ADT), right-of-way and roadway widths shown in the Dawson Tract Right-of-Way and Roadway Widths Table 17.171.030.
4. For "landlocked" tax lots located to the east of Passley Road, Lane, Place, and Drive, access in some combination will be required for service in order to further develop these sites, although no location is shown on the Neighborhood Circulation Plan map. Access location, right-of-way, and roadway width shall be approved by the Planning Commission as part of tentative plan approval. Approval shall be determined by the estimated average daily traffic (ADT), right-of-way and roadway widths shown in the Dawson Tract Right-of-Way and Roadway Widths Table 17.171.030.

TABLE 17.171.030
Dawson Tract Right-of-Way And Roadway Width

<u>Street Name Or Type</u>	<u>Estimated ADT+</u>	<u>Right of Way Width (FT)</u>	<u>Roadway (curb face to curb face) Width (Ft)</u>	<u>Minimum Sidewalk Width (FT)</u>	<u>Curbs Square Curb (SC) Rolled Curb (RC) Gutter (GT) Gravel Shldr (GS)</u>
Dawson Rd. (North•)	1400	50	28*	4-Both sides Park on north	SC/GT
Dawson Rd. (West•)	800	50	26**	4 - East Side	SC/GT
Pacific Heights••		50	36	5 - Both side	SC/GT
Shorewood Terrace••		50	36	5 - One Side	SC/GT
Skyline Dr.••		50	36	5 - Both sides	SC/GT
Ridgeway St.••		50	36	5 - Both sides	SC/GT
Passley R.	800	50	26**/30*	4 - Both sides	
SC/GT Skyline/Passley Connector	800	50	26**/30*/36	5 - Both sides	SC/GT
Holmes/Blueberry Loop (Future)					
Type A (cul-de-sac) 50 Lot maximum 750 Ft. maximum length	400	45	24**/30*	4 - One side	RC
Type B (cul-de-sac) 12 Lot maximum 400 Ft. maximum length	100	45	20**/30*	4 - One side	RC
Cul-de-sac radius or hammerhead dimensions	See Figure 171.030-3	See Figure 172.020-3	N/A	One side	
Private (private drive) 6 Lot maximum	60	20***	N/A		GS

- Existing, improved one side only.
- Existing, improved both sides.

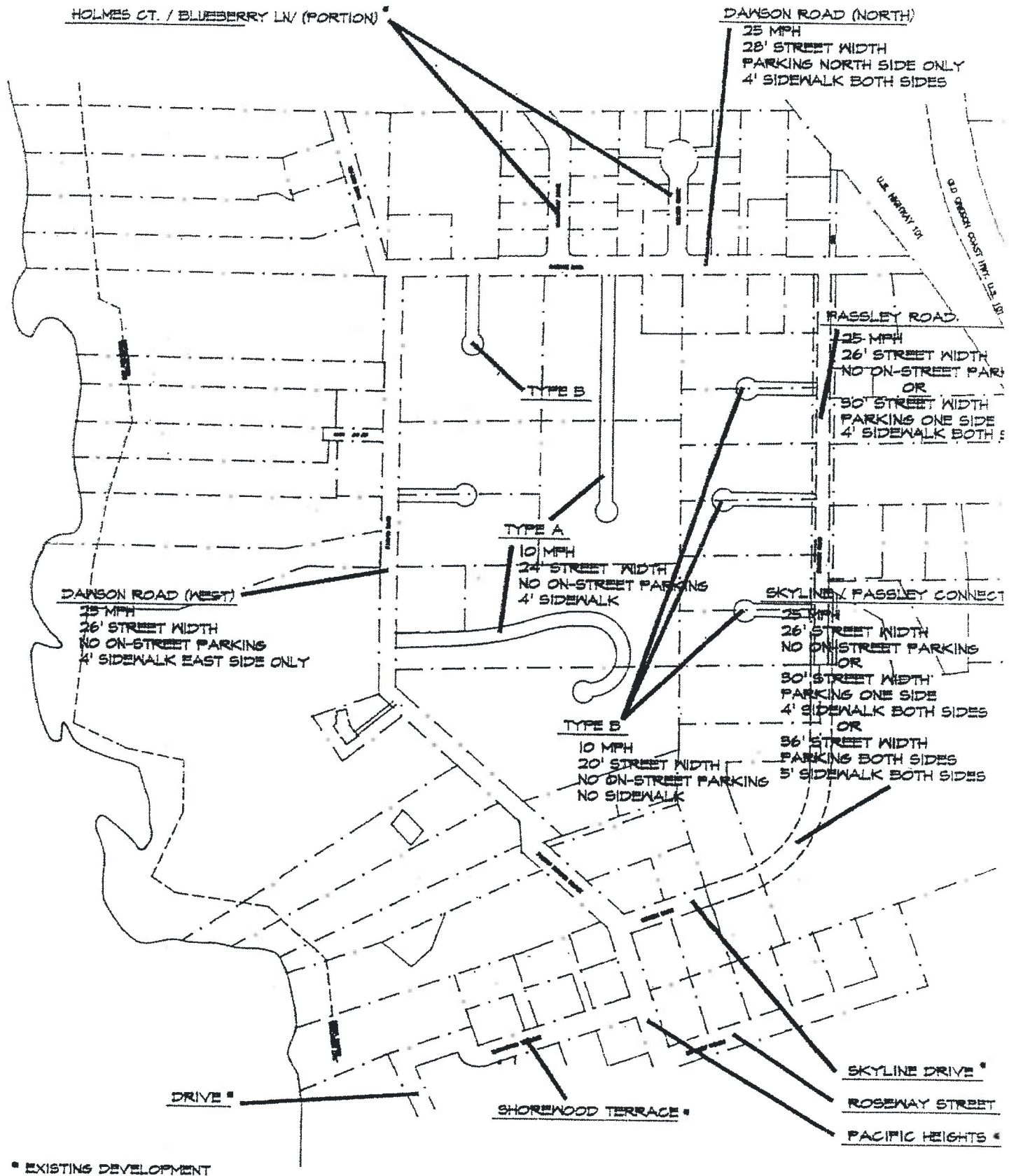
* Parking one side only. Lots serviced by no-parking side shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 17.171.030-2)

** No on-street parking. All lots serviced by no-parking streets shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 17.171.030-2)

*** For properties landlocked, or impacted by steep slopes, geological or soil hazard, or unusual parent parcel dimensions. No on-street parking permitted. Lots serviced by Drives shall provide six (6) off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 17.171.030-2).

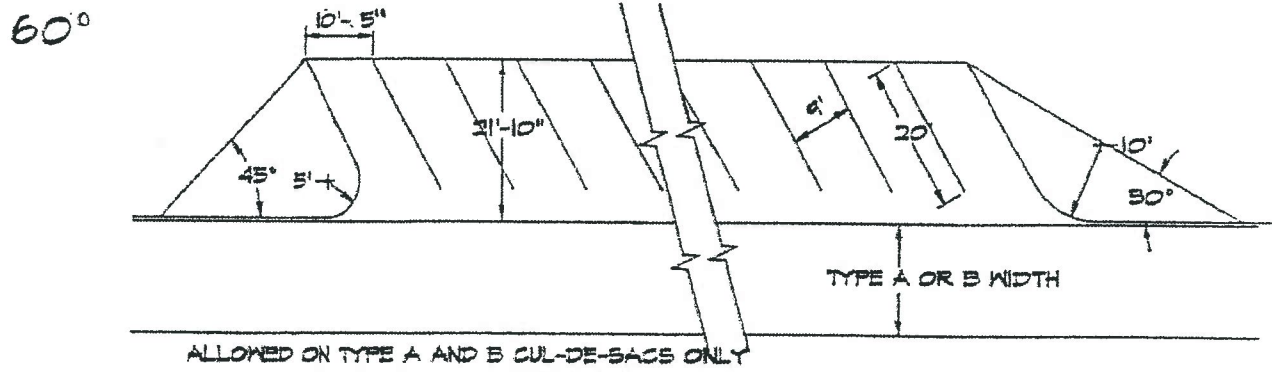
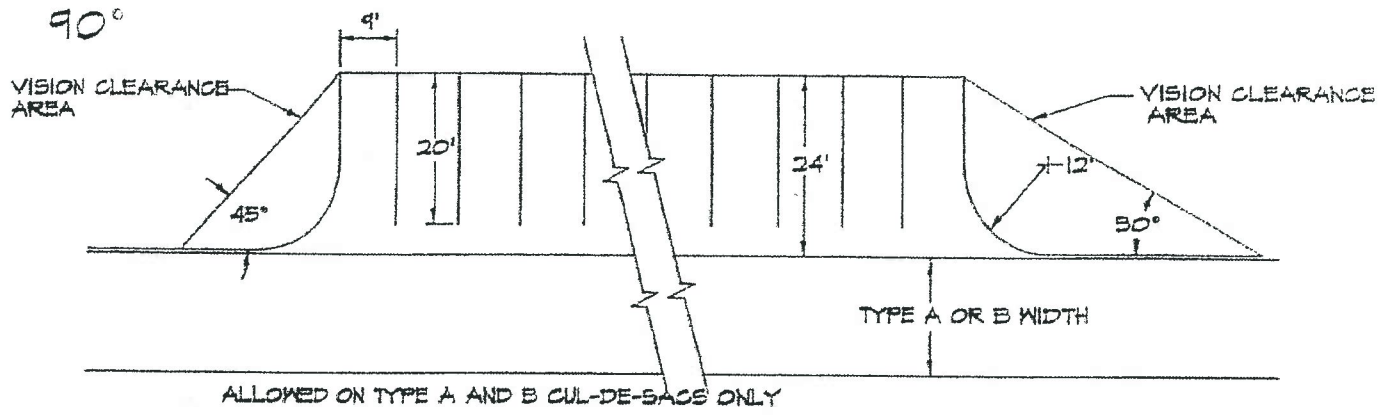
+ ADT = Average Daily Traffic, (for mixed family/retirement area, computed at 8 ADT per dwelling unit).

MAP 171.030 - 1
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
 Map

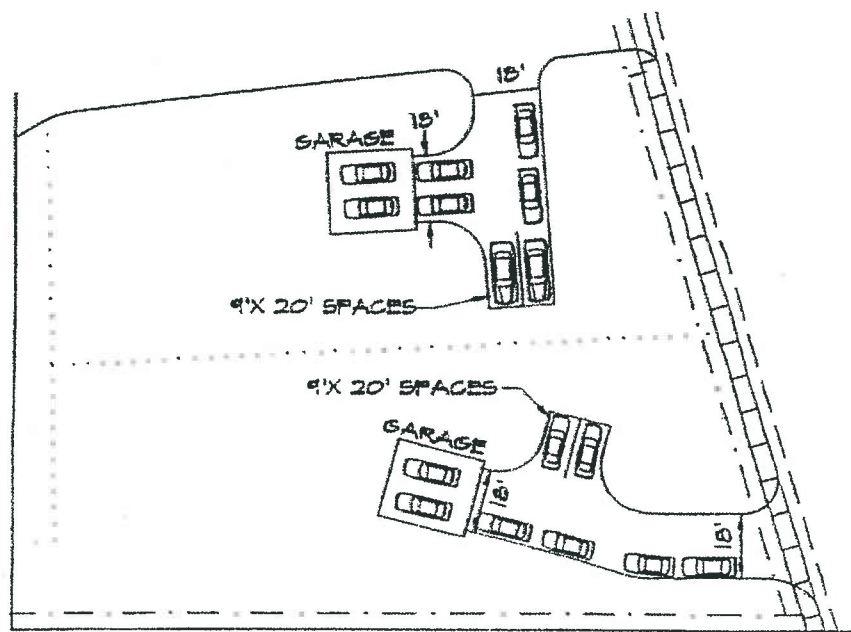


* EXISTING DEVELOPMENT

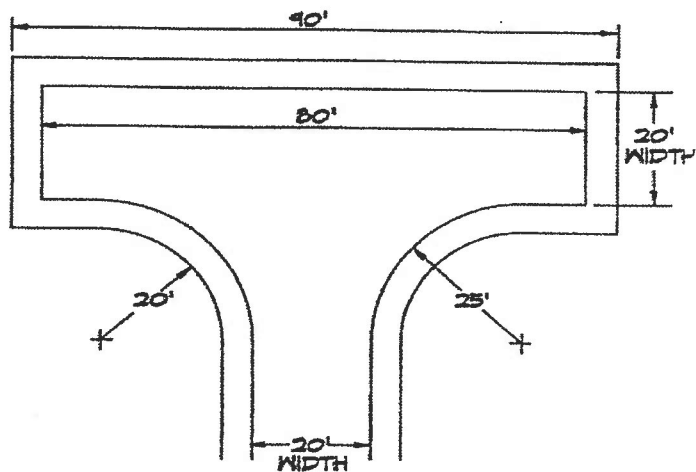
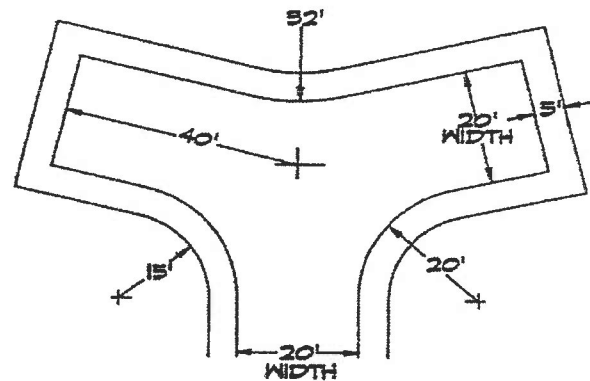
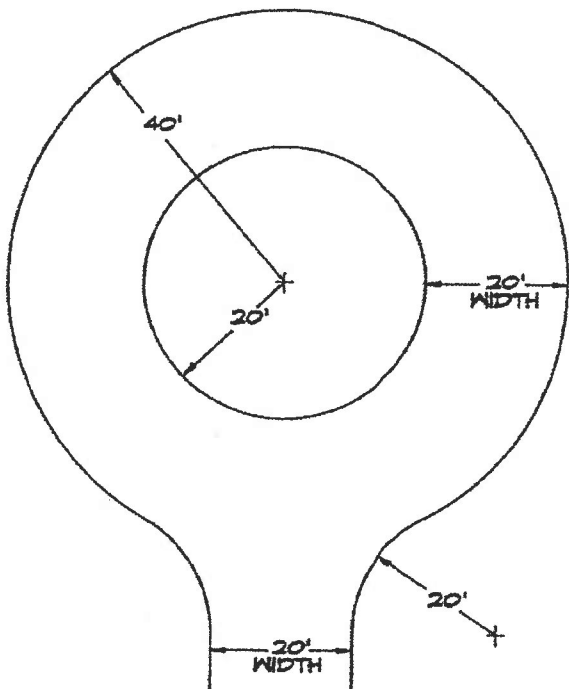
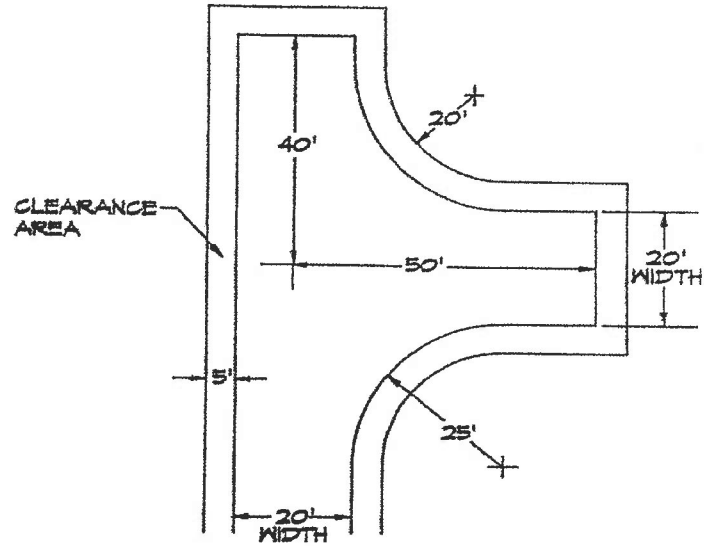
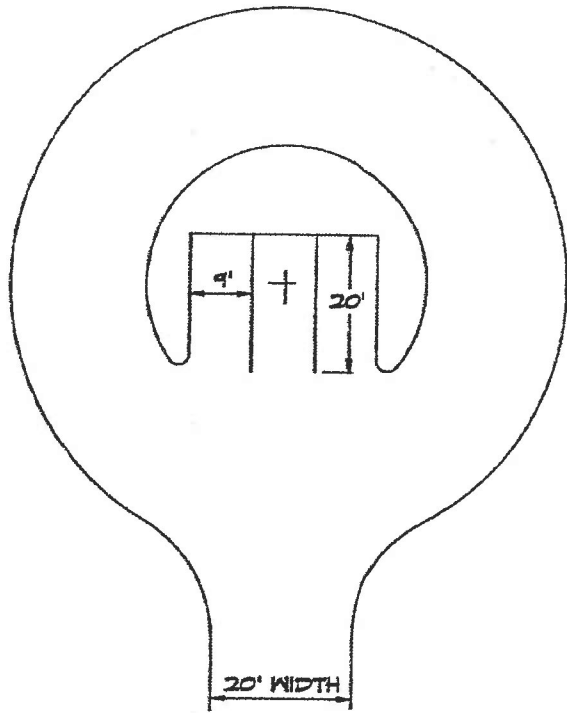
MAP 171.030 - 2
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
 Parking Examples



PARKING ON LOTS



MAP 171.030 – 3
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
Turnaround Options for Type A and Type B Cul-de-Sacs



First reading: October 22, 2007

Second reading: October 22, 2007

Passage: October 22, 2007

Effective date November 21, 2007

Signed by me in authentication of its passage this 23rd day of October, 2007.

Pat Sherman
Pat Sherman, Mayor

ATTEST:

Joyce Hefington
Joyce Hefington, Interim City Recorder

City of Brookings
898 Elk Drive
Brookings, OR 97415

FINDINGS FOR
17.171
NEIGHBORHOOD
CIRCULATION
PLANS



COUNCIL AGENDA REPORT

To: Mayor & City Council
From: Dianne Morris, Planning Director
Date: February 21, 2007
Re: Revisions to the Land Development Code

HEARING
MARCH 12, '07

Subject: Revisions to Section 164, Violations; Section 170, Street Standards; **Section 171, Neighborhood Circulation Plans;** Section 172, Public Improvement Standards and Criteria for Utilities; Section 176, Land Divisions; of the Land Development Code.

Background /Discussion: There are numerous sections in the Land Development Code that are in need of corrections or major revisions. A Land Development Code Committee reviewed and prepared draft versions of the above referenced Sections. The Planning Commission held several hearings to review and make suggested changes to the draft versions. The Planning Commission is forwarding the following Sections with a recommendation to approve the proposed changes.

Interim City Manager, Ken Hobson, is conducting research on Street Standards, Section 170.070, "Street Improvements, deferred". His recommendations will not be ready for the March 12, 2007 hearing and for that reason staff feels review of Section 170 should be postponed until the City Council's March 26, 2007 meeting. Staff will prepare another draft of Section 170 with Ken's suggestions prior to the March 26, 2007 meeting.

Proposed Amendments. The draft sections are such a complete change from the current version it would have been extremely confusing to leave old text with strikethroughs, new text in italics etc. as is often done. Instead staff has provided you with a copy of both the newly revised version, and following that, the current version of each section for you to compare in the review process. The current version of Section 172 has been separated into three new Sections, 170, Street Standards; 171, Neighborhood Circulation Plans; and 172, Public Improvement Standards and Criteria for Utilities. A current version of Section 172 is found following the three newly

revised versions of Sections 170, 171, & 172. Many of the changes were simply to clarify language or put the text in a more understandable format. The following comments will focus on the substantive changes to process or policy. Once a final version of the revisions has been adopted by the City Council, the City's Code Publishing consultants will take care of renumbering etc. to codify the changes into the Municipal Code.

Following this staff report are copies of the draft versions and the current versions of each Section. Following the Sections are the written comments received by the Planning Commission during their hearings.

Section 164, "Violations". (new title) The changes reference other sections where enforcement and penalties are listed to provide consistency in the Land Development Code.

Section 170, "Street Standards". This Section will be reviewed on March 26, 2007 after additional information can be provided to the City Council regarding Section 170.070, "Street improvements, deferred". This Section is currently a part of Section 172, "Public Facilities Improvement Standards and Criteria". These draft revisions made separate sections for streets, utilities, and neighborhood circulation plans.

Section 170.020, "Definitions" was added to clarify terms used in this Section.

Section 170.050, "Street Construction Standards". Current text which describes construction details have been deleted and are proposed to be added to the Public Works document titled "Standard Details and Specifications for Construction".

Section 170.060, "Street Standards", Table 170.060 describes various types of streets. This revision adds a Residential One Way Street, Commercial One Way Street, Hillside Street, and a One Way Hillside Street. These options are designed to provide for challenging topography and other circumstances. There is still authority for the Planning Commission to consider an alternate construction standard but having these street types defined will provide for uniformity in most cases. When an applicant proposes to create a new street the plat is initially reviewed by the Site Plan Committee, which includes the Fire Chief and Public Works. They offer guidance as to which street standard would be appropriate or if an alternate standard is warranted. The Planning Commission then reviews the proposal and has the authority to approve or deny.

Section 170.070, "Street Improvements, Deferred." This Section leaves the provision for Deferred Improvement Agreements (DIA) but eliminates the formula for when this option can be considered. The Planning Commission and City Staff have discussed other options as the "Note" after this section indicates.

Section 170.100, "Access Management". The chart describing various driveway approaches has been removed and is proposed to be included in the Public Works "Standard Details and Specifications for Construction" document. Residential driveway

approaches are addressed in 170.120 in this version. “F” of this Section describes connectivity requirements to provide for continuity in the City’s road system. Other language in this section better defines commercial and shared access.

Section 170.110, “Bicycle and Pedestrian Development Standards”. This Section describes the requirements for provision of bicycle and pedestrian facilities.

Section 171, “Neighborhood Circulation Plans”. This Section is currently included in Section 172, “Public Facilities Improvement Standards and Criteria”. As these standards are specific to one area, the Dawson Tract, having it in a separate section will avoid some confusion that’s occurred in the past.

Section 172, “Public Improvement Standards and Criteria for Utilities”. This Section is currently included in Section 172, “Public Facilities Improvement Standards and Criteria”. Current text which describes construction details have been deleted and are proposed to be added to the Public Works document titled “Standard Details and Specifications for Construction”.

Section 176, “Land Divisions”.

Section 176.040, “Lot Line Adjustments and Lot Line Vacations”. A more complete description of submittal requirements and the filing process have been added to the Lot Line Adjustment portion. The description of submittals and process for Lot Line Vacation has been added. I think it would be best to make Lot Line Vacations a separate item (“176.050”) within this Section.

Sections 176.060, “Partitions” and 176.070, “Subdivisions” have had many “housekeeping” type changes to better explain the submittal process and requirements. The standards for approval for partitions remain the same. For subdivisions, Standards 176.060 C. (4) & (5) have been removed as they are understood without listing as a standard. The last standard listed in the draft version describes timelines for approval of phasing a subdivision. Other standards remain the same. Expiration of preliminary approval, 176.060 H., extends the time to two (2) years from the current one (1) year limitation. Given weather and the complexity of some subdivision infrastructure, it was considered appropriate.

Section 176.080, “Final Subdivision Plat Approval”. The Committee altered the format describing the process and submittals for clarification. Some of the submittal requirements have been combined or eliminated. The approval criterion remains the same except for requiring written confirmation that conditions of approval have been met. Process for recording of the final plat and timelines have been clarified.

Recommendation: The Planning Commission and Staff recommend approval of the changes proposed for the above referenced Sections of the Land Development Code.

Financial Impact(s): None.

City Manager Review and Approval for placement on Council Agenda:



Ken Hobson, Interim City Manager

New Sec. 171

DRAFT

SECTION 171 NEIGHBORHOOD CIRCULATION PLANS

FINAL DRAFT JUNE 29, 2006

Sections:

Section 171.010	Purpose
Section 171.020	Adoption of Neighborhood Circulation Plan
Section 171.030	Dawson Tract Neighborhood circulation plan standards

Section 171.010 Purpose. A neighborhood circulation plan may be created for a specific area in the City to address existing and proposed streets. The plan will provide for the optimum traffic flow considering the special limitations and opportunities present in the particular neighborhood.

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171.030 Dawson Tract neighborhood circulation plan standards.

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- B. Dawson Tract Neighborhood Circulation Plan Map. The Neighborhood Circulation Plan map (See Figure 171.030-1) is to be used in conjunction with the Neighborhood Circulation Plan standards in Table 171.030. In the event of a conflict between the map and the table of standards, the table shall govern.

TABLE 171.030
Dawson Tract Right-of-Way And Roadway Width

Street Name Or Type	Estimated ADT ⁺	Right of Way Width (FT)	Roadway (curb face to curb face) Width (Ft)	Minimum Sidewalk Width (FT)	Curbs
					Square Curb (SC) Rolled Curb (RC) Gutter (GT) Gravel Shldr (GS)
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Holmes/Blueberry Loop (Future)					
Type A (cul-de-sac) 50 Lot maximum 750 Ft. maximum length	400	45	24**/30*	4 - One side	RC
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Cul-de-sac radius or hammerhead dimensions	See Figure 171.030-3	See Figure 172.020-3	N/A	One side	
Private (private drive) 6 Lot maximum	60	20***	N/A		GS

• Existing, improved one side only.

•• Existing improved both sides.

* Parking one side only. Lots serviced by no-parking side shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 171.030-2)

** No on-street parking. All lots serviced by no parking streets shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 171.030-2)

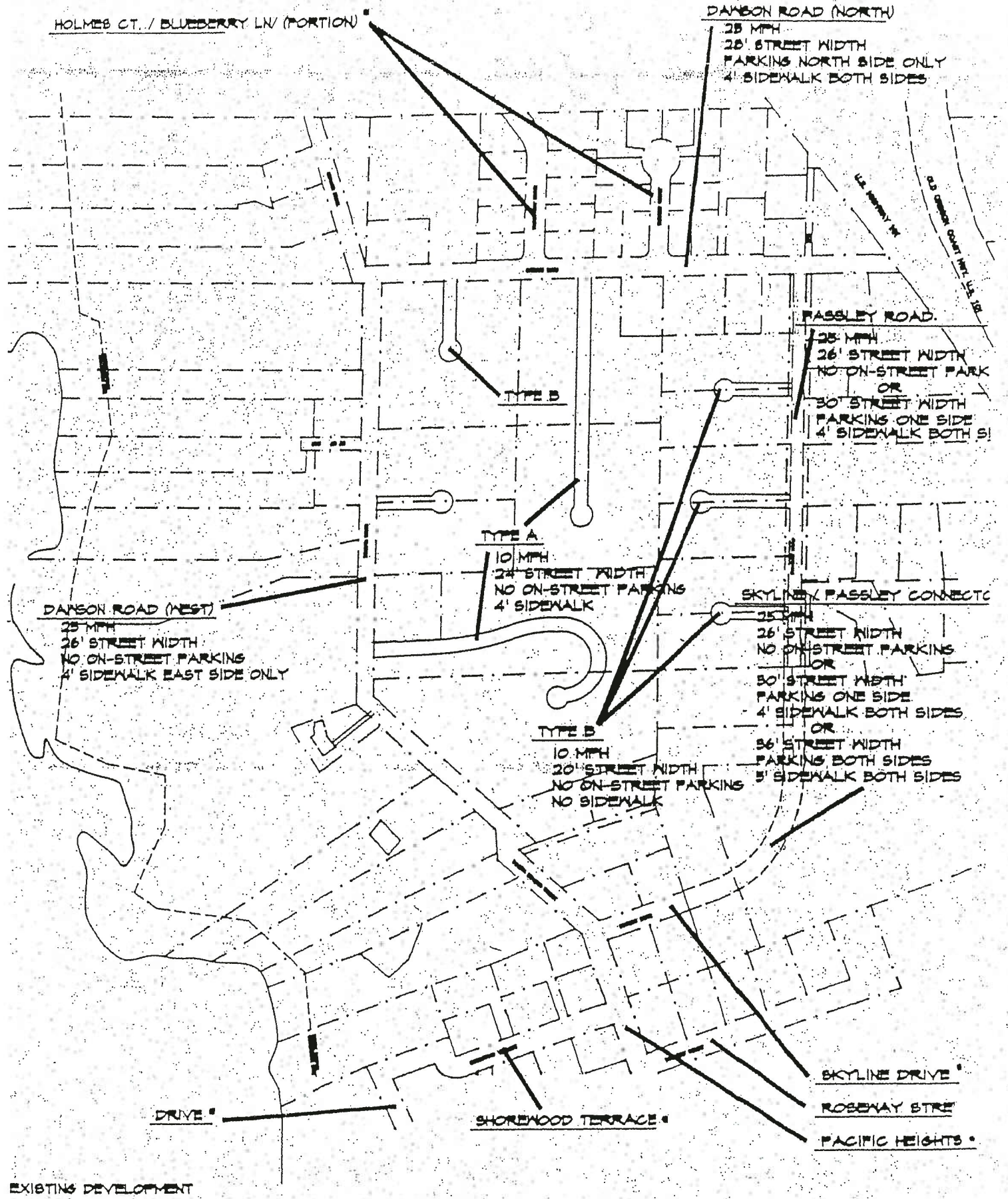
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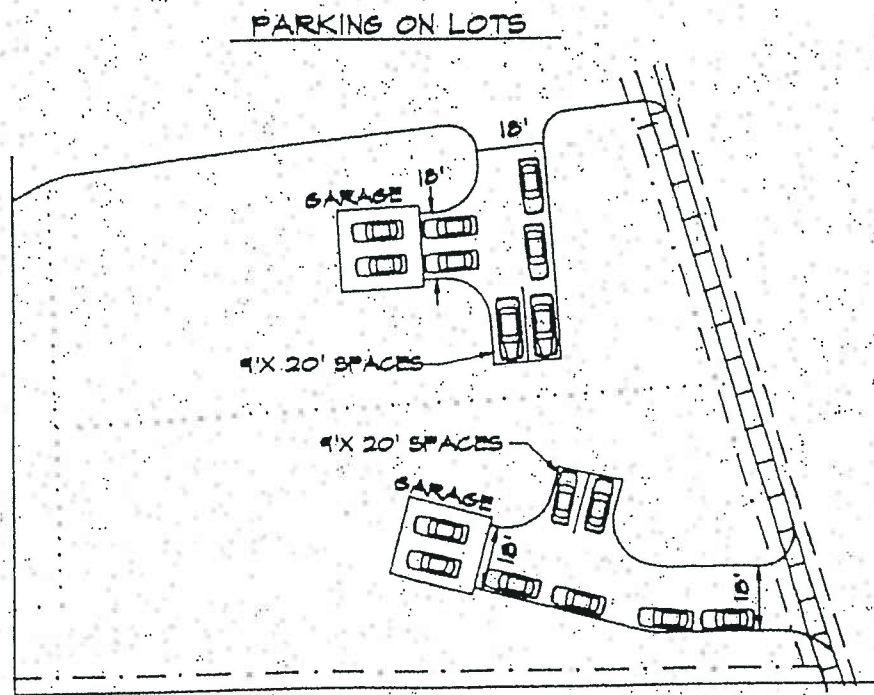
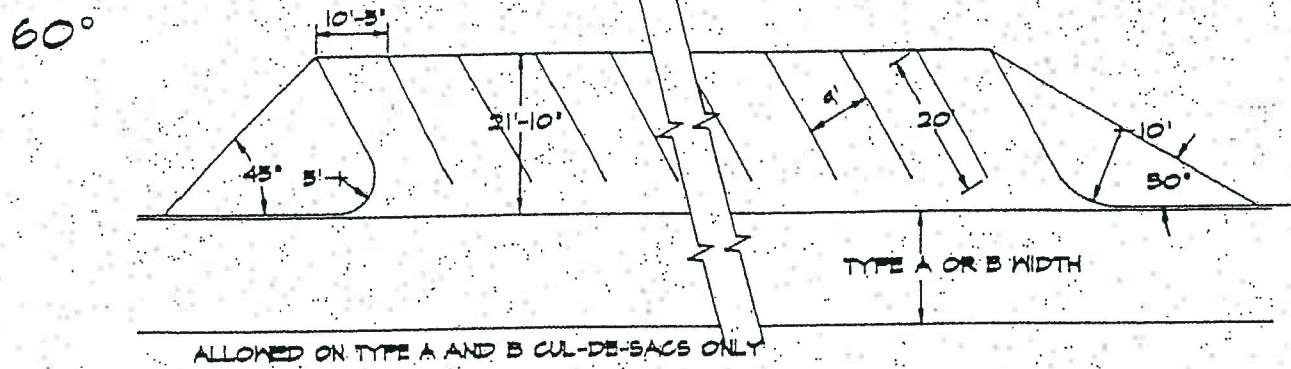
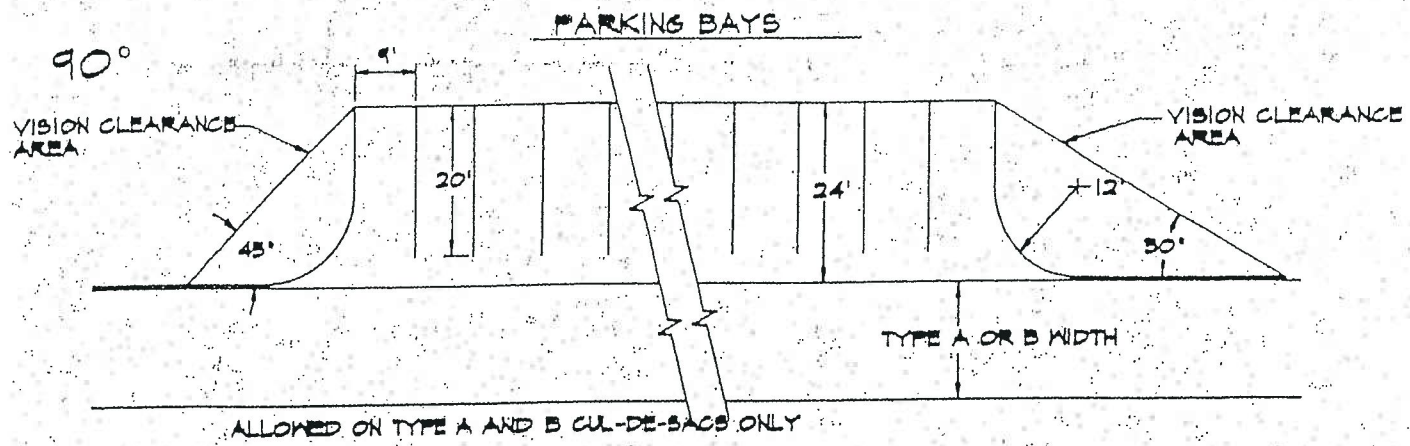
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2. For the area within the Dawson Road/Skyline/Passley loop, Type A and Type B cul-de-sac access streets are shown conceptually for single owner sites (See Figure 171.030-3). At sites where Type A or Type B access is shown serving properties with two or more tax lots, the location is required, as shown, subject to amendment per Section 171.020 (B).
3. For the area north of Dawson Road North, a Holmes Drive-Blueberry Lane loop is anticipated. For determination of the Holmes Drive, Blueberry Lane loop right-of-way and roadway widths, an amendment to the Dawson Tract Neighborhood Circulation Plan Map will be required, per Section 171.020 (B). In addition, Lane, Place and Private Drive access shall be developed as required to serve future property divisions. Right of way and roadway widths, and location of these future streets shall be approved by the Planning Commission as part of tentative plan approval. Approval shall be determined by the estimated average daily traffic (ADT), right-of-way and roadway widths shown in the Dawson Tract Right-of-Way and Roadway Widths Table 171.030.
4. For "landlocked" tax lots located to the east of Passley Road, Lane, Place and Drive access in some combination will be required for service in order to further develop these sites, although no location is shown on the Neighborhood Circulation Plan map. Access location, right-of-way, and roadway width will be approved by the Planning Commission as part of tentative plan approval. Approval shall be determined by the estimated average daily traffic (ADT), right-of-way and roadway widths shown in the Dawson Tract Right-of-Way and Roadway Widths Table 171.030.

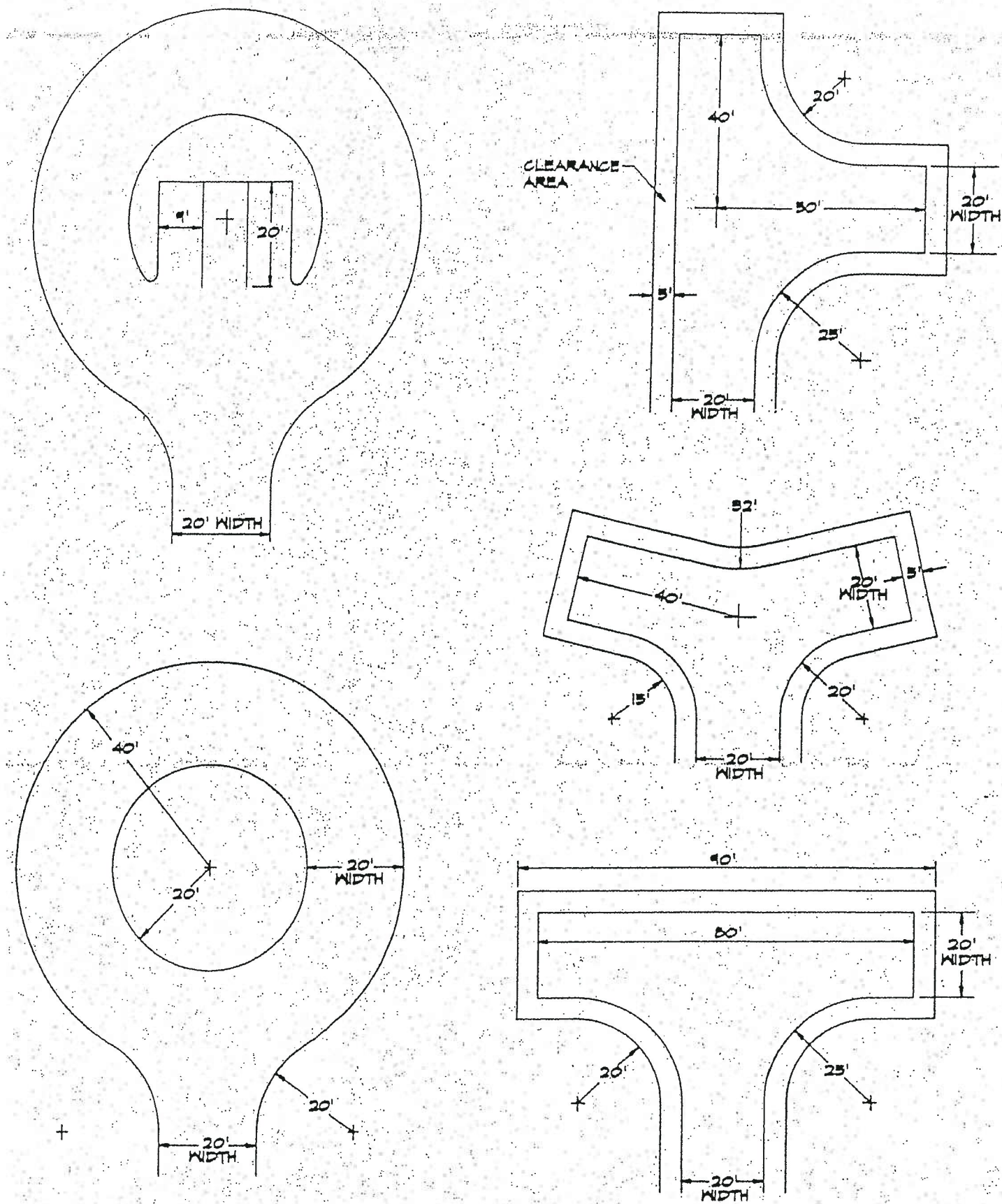
MAP 171.030 - 1
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN MAP



MAP 171.030 - 2
 DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
 PARKING EXAMPLES



MAP 171.030 - 3
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
TURNAROUND OPTIONS FOR TYPE A AND TYPE B CUL-DE-SACS





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