AGENDA & Notice of Planning Commission Work Session Meeting

The Planning Commission of the City of Newport will hold a work session meeting at **6:00 p.m., Monday, October 22, 2012,** at the Newport City Hall, Conference Room "A", 169 SW Coast Hwy., Newport, OR 97365. A copy of the meeting agenda follows.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder, 541-574-0613.

The City of Newport Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the work session.

NEWPORT PLANNING COMMISSION
Monday, October 22, 2012, 6:00 P.M.

AGENDA

A. Unfinished Business.

1. Continued discussion about annexation and UGB amendments for the City reservoir properties and discussion for the old quarry site off NE 71st St.

B. Adjournment.

Notice of Cancellation of Planning Commission Meeting

Due to lack of agenda items, the City of Newport Planning Commission meeting scheduled for 7:00 p.m. on **Monday, October 22, 2012**, **WILL NOT BE HELD**. There will be a 6:00 p.m. work session, however.

City of Newport

Community Development Department

Memo

To: Newport Planning Commission/Commission Advisory Committee

From: Derrick Tokos, Community Development Director

Date: October 18, 2012

Re: City Reservoir UGB Amendment

Attached you will find two emails from the Department of Land Conservation and Development Commission regarding the potential reservoir Urban Growth Boundary (UGB) amendment. The first lists the criteria that they believe the City must satisfy. The most significant take away, is that they will be focused on our justification for "need" under the priority statute. Other findings that we will have to prepare to satisfy our own Comprehensive Plan, such as the goal exception analysis, will not be an issue for them.

The second email is a preliminary response to the packet of information that I put together for the October 8th work session. Some of the issues the agency raises were addressed in the packet in summary form; however, the city will need to respond in much greater detail. With that in mind, I am enclosing background information to assist Commission members on getting up to speed with respect to the Comprehensive Plan and related facility plans for park and water services as they will be integral to a successful proposal to amend the UGB.

For parks, I have enclosed a copy of the Comprehensive Plan goal and policies along with excerpts from the 1993 Park System Master Plan that are relevant to the reservoir and need for regional park and open space lands. Similarly, for water services, attached is a copy of the Comprehensive Plan goal and policies, and Sections 3 and 5 of the 2008 Water System Master Plan which describe regulatory requirements and the City's existing water system.

Again, my objective in passing this information along is to provide an opportunity for Commission members to become familiar with the issues and ask questions of staff as we work towards putting a draft UGB amendment application together. That application would be presented to the Commission at a future work session. It would then need to be scheduled as an action item to initiate the UGB amendment process.

In response to feedback at the last work session, staff will present a revised map at Monday's work session that sets the boundaries of the proposed UGB expansion based upon the need for managing the City's water system instead of simply aligning it with City land ownership. We are planning to spend some time on the methodology as well.

Attachments

NEWPORT UGB EXPANSION FOR WATER STORAGE AND RESERVOIR SITE – NECESSARY ANALYSIS

Prepared by Gordon Howard
DLCD Urban Specialist
October 15, 2012

DISCLAIMER: This memo represents my own interpretation of the McMinnville Court of Appeals decision from July, 2011. The "Need" section is customized to reflect Newport's particular public facility issue, but the "Location" section is generic, to be used for all urban growth boundary expansions. I cannot guarantee that this interpretation is authoritative or final.

NEED

1. PREPARE AND ADOPT A POPULATION FORECAST

2. DEMONSTRATE A NEED FOR THE PUBLIC FACILITY USE AND THE REASON SUCH USE MUST BE LOCATED INSIDE AN URBAN GROWTH BOUNDARY

3. SPECIFY CHARACTERISTICS SUCH AS PARCEL SIZE, PROXIMITY, OR TOPOGRAPHY, NECESSARY FOR LAND TO BE SUITABLE FOR THE IDENTIFIED NEED

4. DEMONSTRATE THAT THE NEED CANNOT BE ACCOMMODATED ON LAND THAT IS ALREADY INSIDE THE URBAN GROWTH BOUNDARY

LOCATION

1. START WITH AMOUNT OF NEEDED LANDS

2. DETERMINE STUDY AREA OF CANDIDATE LANDS – CATEGORIZE CANDIDATE LANDS UNDER THE FOUR PRIORITIES OF 197.298(1) (URBAN RESERVE, EXCEPTION+COMPLETELY SURROUNDED RESOURCE LANDS EXCEPT FOR HIGH-VALUE FARMLAND, MARGINAL LAND, RESOURCE LANDS)

3. LOOK AT FIRST PRIORITY – URBAN RESERVE LANDS

    A. APPLY THE FOLLOWING FACTORS TO EXCLUDE (OR INCLUDE LOWER PRIORITY) LANDS FROM THE UGB:
        a. Exclude lands that are not buildable
        b. <u>Exclude lands based upon specific land needs (197.298(3)(a))</u>
        c. Exclude lands based upon inability to reasonably provide urban services due to physical constraints (197.298(3)(b))
        d. Include lower priority lands needed to include or provide services to urban reserve lands (197.298(3)(c))
        e. Exclude lands based upon analysis of comparative ESEE consequences (Goal 14, Boundary Location, Factor 3)
        f. Exclude lands based upon analysis of compatibility with agricultural & forest activities (Goal 14, Boundary Location, Factor 4)

B. IF THE AMOUNT OF LAND REMAINING AFTER EXCLUSIONS GREATER THAN THE AMOUNT OF NEEDED LANDS, THEN:

Apply the following factors to pick and choose among the land remaining after exclusions:

a. Efficient accommodation of identified land needs (Goal 14, Boundary Location, Factor 1)
b. Orderly and economic provision of services (Goal 14, Boundary Location, Factor 2)
c. Comparative ESEE consequences (Goal 14, Boundary Location, Factor 3)
d. Compatibility with agricultural and forest activities (Goal 14, Boundary Location, Factor 4)

C. IF THE AMOUNT OF LAND REMAINING AFTER EXCLUSIONS IS LESS THAN THE AMOUNT OF NEEDED LANDS, THEN GO TO THE NEXT LOWER PRIORITY – EXCEPTION LANDS

4. IF NECESSARY, REPEAT PROCESS UNDER #3 FOR SECOND PRIORITY (EXCEPTION) LANDS

5. IF NECESSARY, REPEAT PROCESS UNDER #3 FOR THIRD PRIORITY (MARGINAL) LANDS

6. IF NECESSARY, REPEAT PROCESS UNDER #3 FOR FOURTH PRIORITY (RESOURCE) LANDS AS FOLLOWS:

A. For agricultural lands: class VIII Soils, then class VII, ... finally class I.
B. For forest lands: cubic foot site class VII, then VI, ... finally class I.

Derrick Tokos

From: Howard, Gordon [gordon.howard@state.or.us]
Sent: Tuesday, October 16, 2012 10:21 AM
To: Derrick Tokos
Cc: Wingard, Patrick
Subject: RE: Newport Reservoir and Water Storage Urban Growth Boundary process

Thank you, Derrick, for sending me your memo and requesting comments. Your memo addresses the reservoir, and I understand that there is also a proposal to add a water storage facility at the north end of the city – my comments below are therefore limited to the reservoir issue at this point, but are probably also applicable to the second proposal. Here's what I can provide you:

1. The key threshold issue for Newport to address is: Why does the reservoir need to be within the Urban Growth Boundary? You address this at the beginning of your memo, but your findings should provide greater detail on this issue. Questions that arise (there may be others):
   a. What specifically are the county's conditional use criteria for such uses in a forest zone?
   b. Would putting the reservoir site within the UGB eliminate the need to discuss the impact on forest zoned land adjacent when modifying the facility?
   c. How would the deed restrictions to protect adjacent forest uses affect reservoir operations?
   d. Is there a deficiency in park acreage, or in a particular type of park acreage, that can justify a UGB expansion?
   e. Are all of the lands proposed for addition to the UGB owned by the city? If not, what are the effects on these properties?
2. Once you get past this issue, the arguments for choosing this reservoir site, with an existing reservoir, over other potential reservoir sites, is pretty straightforward. However, your memo addresses the Newport comprehensive plan policies, which are based upon an old version of Goal 14. We would be looking for an analysis based upon the McMinnville decision, the format for which I outlined in my memo to you, that reflects the "new" Goal 14. The new language has only four locational factors instead of seven, and no longer has the "exception" factor from Goal 2. State law requires you to address the current goal language even if your comprehensive plan doesn't include it – however, your existing analysis in the memo may also be necessary to show compliance with your own comp plan.
3. You make mention that the reservoir site may qualify as an "urban reserve." Unless Newport has formally adopted an urban reserve pursuant to state law and rules, the urban reserve designation does not apply, and thus this wouldn't be a "first priority" under ORS 197.298. The later part of your memo seems to acknowledge this anyway.
4. As a practical matter, before you get to this reservoir site, you will need to look at alternative sites in the following order:
   a. Sites within the current UGB
   b. Sites on exception lands
   c. Sites on forest land that has a lower productivity classification than the existing reservoir site

   As I mentioned, you will probably be able to easily eliminate these sites because of the costs and impracticability of relocating a large water reservoir, but you will need to go through this analysis.

I hope this email is helpful to you. I will be in the Salem office today, and then in the Portland office on Wednesday all day and Thursday morning, so please email any response or question to me any of those days, or call me in Salem today.

Gordon Howard | Urban Planning Specialist
Community Services Division
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Office: (503) 373-0050 ext. 259 | Fax: (503) 378-5518

gordon.howard@state.or.us | www.oregon.gov/LCD

From: Derrick Tokos [mailto:D.Tokos@NewportOregon.gov]
Sent: Tuesday, October 16, 2012 9:03 AM
To: Howard, Gordon
Cc: Wingard, Patrick
Subject: RE: Newport Reservoir and Water Storage Urban Growth Boundary process
Importance: High

Gordon,

Thanks for the information. I don't anticipate any process issues, and the City is prepared to address ORS 197.298, as the statute has been interpreted by the courts, as well as the applicable provisions of its Comprehensive Plan.

What would be helpful is if you could provide preliminary feedback on the substance of our reasoning as to how the statutory requirements can be satisfied, as outlined in the memo that I provided (see attached). This will help us to further develop the proposal before we initiate the UGB amendment process.

Our Planning Commission is meeting on 10/22 to further discuss the proposal. If I can get your feedback by close of business tomorrow (or first thing Thursday morning) I can get it into their meeting packets.

Thank you,

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626
fax: 541.574.0644
d.tokos@newportoregon.gov

From: Howard, Gordon [mailto:gordon.howard@state.or.us]
Sent: Monday, October 15, 2012 2:44 PM
To: Derrick Tokos
Cc: Wingard, Patrick
Subject: Newport Reservoir and Water Storage Urban Growth Boundary process

Derrick and Patrick, I've attached a short memo outlining the Urban Growth Boundary amendment process, as I see it, for Newport regarding the reservoir and water storage facility. It reflects the *McMinnville* decision from the Court of Appeals in 2011, along with the changes to Goal 14 that were made in 2005 (which eliminated the "exceptions" process). Please feel free to contact me if you have any questions, either by email or by telephone. If by telephone, please note that I will be in the Portland office on Wednesday and Thursday, so an email would be best, and I can call you back.

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GOALS/POLICIES/IMPLEMENTATION
PARKS AND RECREATION

Goal: The city shall pursue implementation of the Parks System Master Plan, as adopted and made a part of this Comprehensive Plan by the Planning Commission and City Council.

Policy 1: The City of Newport shall periodically review and update the Capital Improvements section of the Park System Master Plan.

Policy 2: The city shall cooperate with other local and state agencies in the establishment of recreation trails.

5. Parking requirements:

   - Dependent upon the activities: Use a minimum of 50 spaces per ballfield and 5 spaces per acre of active use.

6. Site selection criteria:

   - The site should be reasonably central to the area it serves.
   - The park should be located on an arterial or collector street.
   - If possible, the site should have a natural area or heavy landscaped setback to help buffer active uses from adjacent residential areas.

7. Prior to the addition of any community parks, the City should prepare a detailed maintenance cost analysis to determine its impact upon the maintenance system.

REGIONAL PARKS

Definition:

Regional parks are large recreational areas that serve an entire region. They are usually large in size and often include one specific use or feature that makes the park unique. Most of these parks are limited to passive uses only and can attract large numbers of people from a wide region.

Policies and Development Criteria:

1. The regional park should be designed to meet a wide range of activities and interests but should emphasize the features that make it unique.

2. If the site will attract large volumes of traffic, access should be via an arterial street.

3. Facilities in the park will be dependent upon its natural features and its intended use. Possible facilities could include:

   - Viewpoints
   - Trail systems
   - Special or unique physical natural features, such as a lake or river
   - Picnic areas
   - Open play areas
   - Nature interpretative areas
   - Group picnic areas

4. Parking requirements will be dependent upon the activities offered.

5. Location criteria:

   - Location is most often determined by the features it can offer.
   - Access should be from an arterial street if traffic volumes are high.
   - Environmentally sensitive areas are appropriate if protected from active visitor use.
   - These parks can contain heavily wooded or environmentally sensitive areas as long as they are protected from visitor use.

6. Prior to the addition of any regional parks, the City should prepare a detailed maintenance cost analysis to determine its impact upon the maintenance system.

SPECIAL USE AREAS

Definition:

Special use areas are public recreation land occupied by a single purpose facility or activity that does not fit into any of the other categories. Some of the present facilities that fall into this classification include special landscaped areas, sports fields, indoor facilities, waterfront access points, etc.

Policies and Development Criteria:

1. Prior to the addition of any special use area, the City should prepare a detailed maintenance cost analysis to determine its impact upon the maintenance system.

NATURAL OPEN SPACE

Definition:

Natural open space is land left in an undeveloped state where public use is limited. In many cases, environmentally sensitive areas are considered as open space and include wetlands, wildlife habitats, river and creek corridors or land containing unique or endangered plant species.

Policies and Development Criteria:

1. Prior to acquiring an open space site, a thorough site analysis should be made to determine if unique qualities and conditions exist that warrant the open space designation.

2. Where feasible, public access into these areas should be encouraged but environmentally sensitive areas protected from public over-use.

3. Improvements should be kept to a minimum with protection of the natural environment emphasized.

4. The City should place its emphasis on acquiring open space that is environmentally sensitive or otherwise valuable for accessible outdoor recreation.

5. The City should not acquire open space if the primary objective is to stop some other type of development.

PATHWAYS AND TRAILS

Definition:

Pathways and trails are designed to provide walking, bicycling and other non-motorized means of linking various parts of the community. Trails can be designed for a single type of activity or be multi-purpose in nature. They should be more recreation-oriented in nature rather than emphasizing a transportation system. Both paved and unpaved trails are appropriate. Some of the possible recreation trail uses include: bicycle and mountain bike riding, walking, hiking, horseback riding and nature walks.

Policies and Development Criteria:

1. The primary purpose of recreation trails is to provide a recreation experience. However, they can also serve as a means of transportation within the community.

2. Whenever possible, recreation trails should not be part of a street roadway.

3. Recreation trails should be interesting to the user and capitalize on scenery or other enjoyable sights. Trails which follow natural water courses, traverse interesting scenery or cross areas of outstanding beauty should provide an interesting and enjoyable experience for the trail user.

4. Trails should be looped and interconnected to provide a variety of trail lengths and destinations.

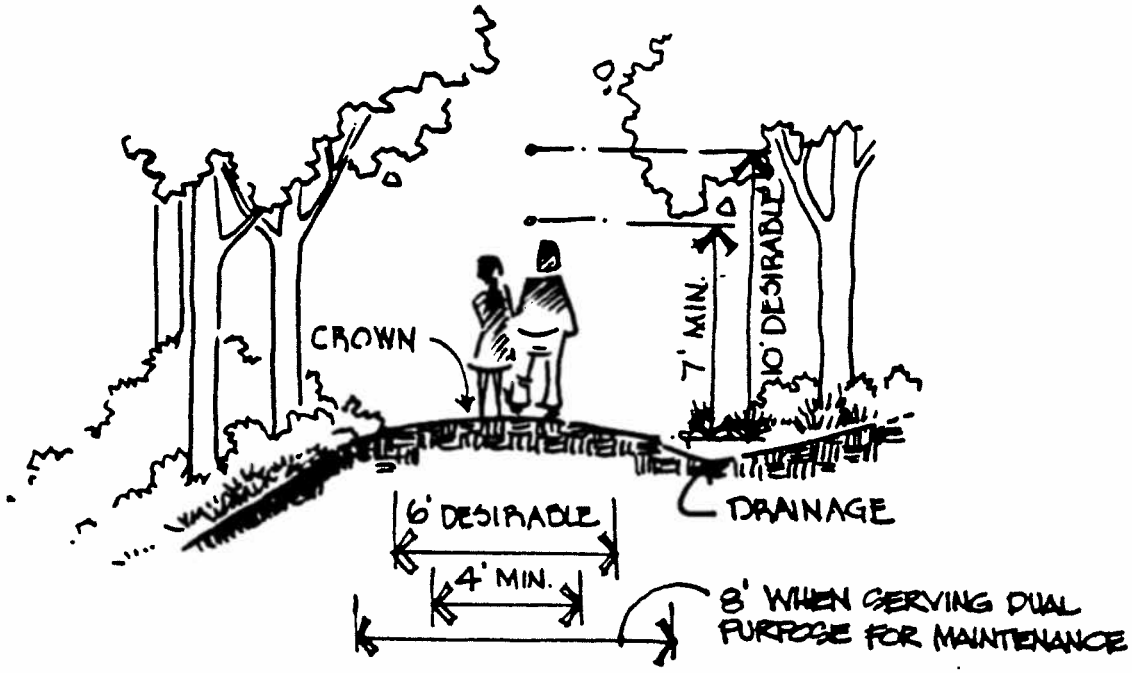
5. Trail routes should take into account soil conditions, surface drainage and other physical limitations that could impact the area from over-use.

6. Where trail routes use existing streets, the pathway should be designed to minimize the conflicts between motorists and the user.

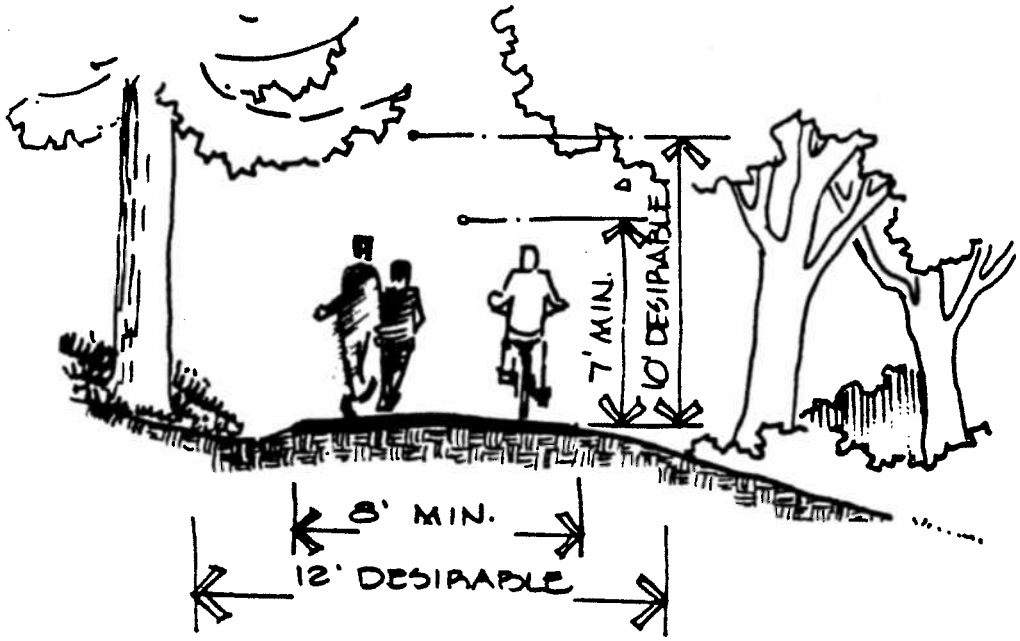
7. Some trails should be designed for the physically disabled.

8. The trail system should be designed to link various parts of the community as well as existing park sites.

9. Where appropriate, some consideration should be given to the use of natural materials for surfacing of hiking and nature trails.



NATURE TRAILS



MULTI-PURPOSE TRAILS

Recommendation: (Community Parks)

NRPA Standard:	5-8 acres/1,000 population
Present Ratio:	0.9 acres/1,000 population
Recommended Standard:	1.9 acres/1,000 population

Comments:

The recommended standard of 1.9 acres per 1,000 population represents an increase in community park land. Based on this recommended standard, an additional 9 acres is presently needed and an additional 15 acres will be needed by the year 2010.

Regional Park

Definition:

Regional parks are large recreation areas that serve the City and areas beyond. They are usually large in size and often include areas suitable for outdoor recreation activities such as golfing, picnicking, boating, fishing, swimming, camping and hiking. If located within an urban area, they sometimes offer a wider range of facilities and activities orientated more towards the community itself.

Analysis:

Currently, there are two regional parks in the Newport planning area plus the Pacific Ocean beaches. Yaquina Bay State Park and South Beach State Park are owned and managed by the Oregon Department of Parks and Recreation.

Pacific Ocean Beaches	**177.0 Acres**
South Beach State Park	**310.0 Acres**
Yaquina Bay State Park	**32.0 Acres**
TOTAL	**519.0 Acres**

Determination of the standard:

1. *Comparison to other standards*: The NRPA recommends 5-10 acres per 1000 population. Because the State parks are orientated towards users outside of the area, Newport does not have a regional park for its residents.

2. *Service area*: The service area of a regional park depends upon the facilities and activities it offers.

3. *Survey/Workshops*: The participants of the recreation survey and community workshop meetings indicated a desire to develop the city's reservoirs into a passive use area designed for trail related activities and fishing. At the same time, they were concerned about this type of park being used by the tourist.

4. *User trends*: Opportunities to develop large regional parks seldom occur. A city should consider itself fortunate to have two of these types of parks within the city limits.

Recommendation: **(Regional Parks)**

NRPA Standard:	5-10 acres/1,000 population
Present Ratio:	None
Recommended Standard:	6.0 acres/1,000 population

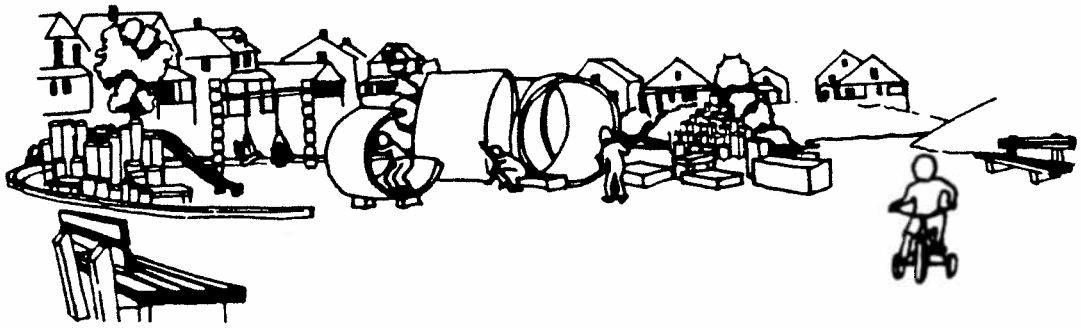
Comments:

The recommended standard of 6.0 acres per 1,000 population means that by the year 2010, there will be a need for approximately 75 acres of land. This additional need could be satisfied by developing a portion of the land around the reservoir into a regional park.

Special Use Areas

Definition:

Special use areas are miscellaneous public recreation areas or land occupied by a specialized facility. Some of the uses that fall into this classification include small or special landscaped areas, community gardens and single purpose sites used for field sports.



Analysis:

In Newport, this classification includes the following sites:

Abbey St. Pier/Bayfront Restrooms	0.6 Acres
Agate Beach Wayside *	17.5 Acres
Betty Wheeler Memorial Fields	2.0 Acres
Don Davis Park	2.7 Acres
Ernest Bloch Memorial Wayside *	1.0 Acres
Fourth & Benton Courts	0.5 Acres
Founding Rock Park	0.1 Acres
Lucky Gap Park	0.5 Acres
Mombetsu Sister City Park	0.6 Acres
Nye Beach Turnaround	1.0 Acres
Yaquina Head Lighthouse *	99.6 Acres
TOTAL	126.1 Acres

* Land not owned by the City of Newport

Determination of the standard:

1. *Comparison to other standards*: There is no specific NRPA standard for special use areas.

2. *Service area*: There is not a defined service area for special use areas considering the various types of facilities it could encompass.

3. *Survey/Workshop:* There were many participants in the community workshops that expressed a need for sports fields and an indoor recreation center. All of these facilities would fall under the category of special use areas.

Recommendation: (Special Use Areas)

NRPA Standard:	None
Present Ratio:	14.5 acres/1,000 population
Recommended Standards:	14.1 acres/1,000 population

Comments:

The standard reflects a decrease in the present ratio. However, by the year 2010, about 30 more acres of land will be needed.

Natural Open Space Areas

Open space is defined as undeveloped land primarily left in its natural environment with recreation uses as a secondary objective. It is usually owned or managed by a governmental agency and may or may not have public access. This type of land often includes steep hillsides, wetlands, large forested areas or other similar spaces. In some cases, environmentally sensitive areas are considered as open space and include wildlife habitats, stream and creek corridors, forested areas or unique or endangered plant species. Development, if any, is usually limited to trails.

Analysis:

Currently, there are two open space sites in the City of Newport. They are:

Mike Miller Park *	**40.0 Acres**
Sam Moore Parkway	**6.0 Acres**
TOTAL	**46.0 Acres**

*** Land not owned by the City of Newport**

When the ratio of open space to population is analyzed, Newport is about average.

Table 28
Existing Open Spaces Levels
Selected Cities

City	Existing Ratio
Newport	**5.3**
Astoria	–
Seaside	–
Lincoln City	–
Reedsport	2.9
North Bend	–
Florence	4.4

Determination of the standard:

1. *Comparison to other standards*: The NRPA does not have a standard just for open space. Compared to most communities with a similar size population, Newport is slightly above average.

2. *Service area*: There is not a defined service area for open space. It is dependent upon the function it serves.

3. *Survey/Workshop:* Several participants of the recreation survey and community workshops identified the need to preserve open space, particularly those that were significant wildlife habitats.

Recommendation: (Open Space)

NRPA Standard	None
Present Ratio:	5.3 acres/1,000 Population
Recommended Standard:	30.1 acres/1,000 Population

Comments:

The recommended standard of 30.1 acres per 1,000 population means that an additional 215 acres of land is needed at the present time. Currently, there is one undeveloped parcel of land off 7th Street that consists of wetlands and steep hillsides. This parcel is approximately 70 acres in size. In addition, there are several other creek and stream corridors that will probably remain as undeveloped land.

Total Park Land

Park sites can be classified into three basic types: (1) sites that are close to most residents such as mini-parks, neighborhood and community parks, (2) sites that serve an area beyond the city such as regional parks and open space areas and (3) special use sites. NRPA suggests that a "core" system of parks consisting primarily of type 1 should range from 6.25 to 10.5 acres per 1,000 population. For Newport the present ratio is 1.7 acres and the standard recommended in this report is 5.1 acres.

In addition to the present inventory of park land, there is an additional 90.5 acres of undeveloped park sites. These include:

Agate Beach Site (60th & Biggs)	3.0 Acres
Agate Beach Site (Blocks 109/110)	6.0 Acres
Big Creek Floodplain	7.5 Acres
Jump-off Joe Site (14th & Spring)	4.0 Acres
7th Street Site	70.0 Acres
TOTAL	90.5 Acres

Recommendation: (Total Park Land)

NRPA Standard:	15-20 acres/1,000 population
Present Park Ratio:	31.9 acres/1,000 Population
Recommended Standard:	55.3 acres/1,000 Population

4. Regional Parks

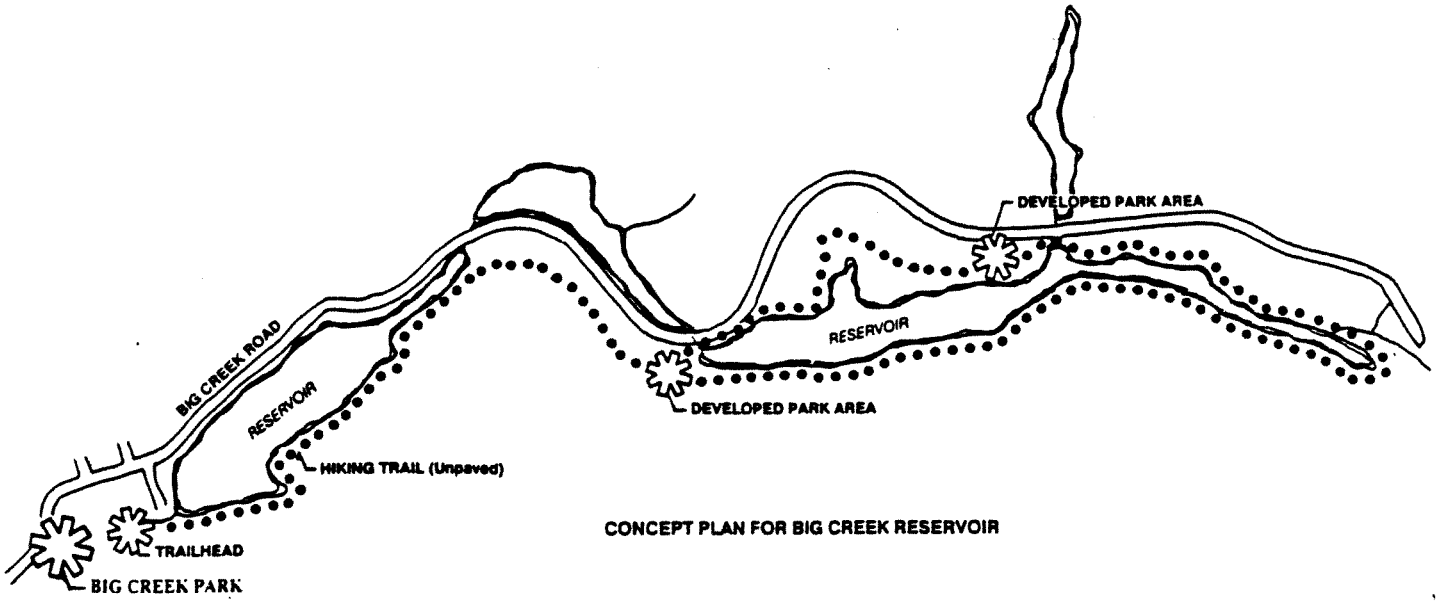
Newport has several regional parks within the area. However, these sites are mostly oriented towards the non resident. The intent of the plan is to develop a regional park facility orientated towards the local residents.

Proposed Big Creek Reservoir Park Site R-1 * 75.0 Acres

Big Creek Reservoir is a 535 acre site located just east of the city limits and consists of three large earth reservoirs and the surrounding watershed. While a majority of the site consists of steep terrain, there are several flat areas along the perimeter of one of the reservoirs that could provide some recreational space. Although the City has not encouraged the use of these reservoirs, they are used informally for fishing. One of the reasons the City has discouraged use in this area is the narrow access road along the edge of a portion of one of the reservoirs. Widening the road could prove to be costly.

Even with the access problem, it is recommended that the City develop a portion along one of the reservoirs into a day use regional park. Because of the terrain, the amount of flat land along the perimeter of the reservoir is limited. Rather than developing one large area, it is recommended that several smaller activity nodes be developed. Each of these areas would be connected by an unpaved trail that completely encircles the three reservoirs and creates a series of loops. Possible facilities for this park could include:

- Paved and unpaved trails
- Fishing dock and piers
- Group picnic areas and shelters
- Parking areas
- Restroom facilities
- Open grass play areas

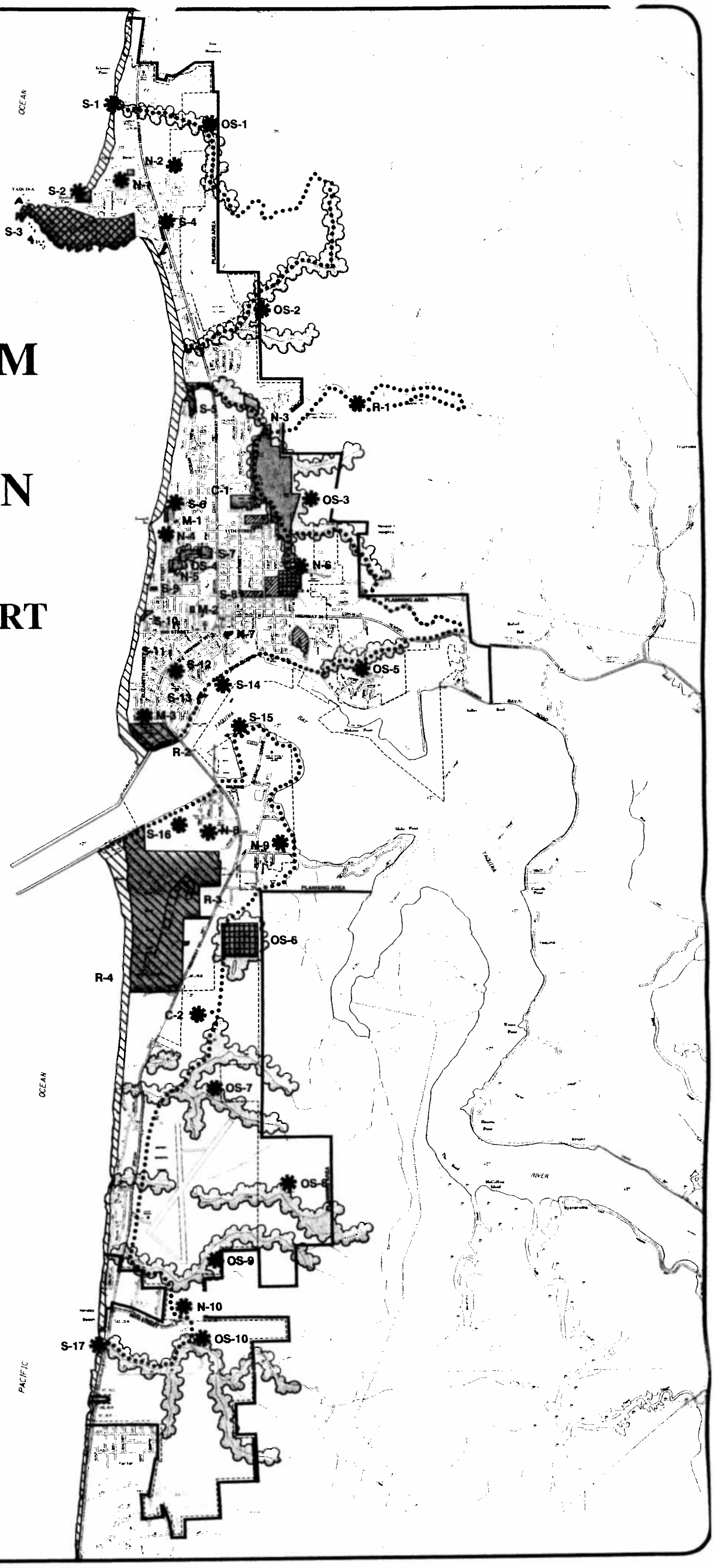


CONCEPT PLAN FOR BIG CREEK RESERVOIR

PARK SYSTEM

MASTER PLAN

CITY OF NEWPORT



LEGEND

- EXISTING PARK LAND
- EXISTING PUBLIC BEACH
- COUNTY PARKS/LANDS
- STATE PARKS/LANDS
- FEDERAL PARKS/LANDS
- EXISTING SCHOOLS
- PROPOSED OPEN SPACE
- PROPOSED SITES
- PROPOSED TRAILS

SITE NUMBER

- M MINI PARKS
- N NEIGHBORHOOD PARK
- C COMMUNITY PARK
- R REGIONAL PARK
- S SPECIAL USE AREA
- OS OPEN SPACE AREA

Site numbers are for reference purposes only.
Please refer to the text for specific discussion on individual sites.

FACILITY PLAN

> The property owner signs an irrevocable consent to annex if outside the city limits and/or agrees to participate in a local improvement district for the essential service.

Policy 5: Upon the annexation of territory to the City of Newport, the city will be the provider of water and sewer service except as specified to the contrary in an urban service agreement or other intergovernmental agreement.

Policy 6: The maps contained in the document entitled "Public Facilities Plan for the City of Newport, Oregon, 1990," prepared by CH2M HILL, INC., are hereby incorporated by reference into this document.

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WATER

Goal: To provide the City of Newport with a high quality water system that will supply residents and businesses with adequate quantities for consumption and fire protection.

Policy 1: The city will comply with state and federal laws concerning water quality.

Policy 2: The water system will be designed and developed to satisfy the water demand of the various users under normal and predictable daily and seasonal patterns of use, and at the same time provide sufficient supplies for most emergency situations.

Policy 3: The city may extend water service to any property within the city's urban growth boundary, and may extend water service beyond the urban growth boundary if the extension of service is not inconsistent with an urban service agreement or other intergovernmental agreement. The city may require a consent to annexation as a condition of providing water service outside the city limits.

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WASTEWATER

Goal: To provide a wastewater collection and treatment system with sufficient capacity to meet the present and future needs of the Newport urbanizable area in compliance with State and Federal regulations.

Policy 1: On-site sewer systems shall not be allowed unless the city's sanitary sewer system is greater than 250 feet away. In any case, a subsurface permit from the Lincoln County Sanitarian must be obtained prior to any development that will rely on an on-site sewer system.

Regulatory Environment

Section 3

3.1 Responsibilities as a Water Supplier

Per OAR 333-061-0025, water suppliers are responsible for taking all reasonable precautions to assure that the water delivered to water users does not exceed maximum contaminant levels, to assure that water system facilities are free of public health hazards, and to assure that water system operation and maintenance are performed as required by these rules. This includes, but is not limited to, the following:

- Routinely collect and submit water samples for laboratory analyses at the frequencies and sampling points prescribed by OAR 333-061-0036 "Sampling and Analytical Requirements";
- Take immediate corrective action when the results of analyses or measurements indicate that maximum contaminant levels have been exceeded and report the results of these analyses as prescribed by OAR 333-061-0040 "Reporting and Record Keeping";
- Continue to report as prescribed by OAR 333-061-0040, the results of analyses or measurements which indicate that maximum contaminant levels (MCLs) have not been exceeded;
- Notify all customers of the system, as well as the general public in the service area, when the maximum contaminant levels have been exceeded;
- Notify all customers served by the system when the reporting requirements are not being met, or when public health hazards are found to exist in the system, or when the operation of the system is subject to a permit or a variance;
- Maintain monitoring and operating records and make these records available for review when the system is inspected;
- Maintain a pressure of at least 20 pounds per square inch (psi) at all service connections at all times (at the property line);
- Follow-up on complaints relating to water quality from users and maintain records and reports on actions undertaken;
- Conduct an active program for systematically identifying and controlling cross connections;
- Submit, to the DWP, plans prepared by a professional engineer registered in Oregon for review and approval before undertaking the construction of new water systems or major modifications to existing water systems, unless exempted from this requirement;
- Assure that the water system is in compliance with OAR 333-061-0205 "Water Personnel Certification Rules - Purpose" relating to certification of water system operators.
- Assure that Transient Non-Community water systems utilizing surface water sources or sources under the influence of surface water are in compliance with OAR 333-061-0065 "Operation and Maintenance" (2)(c) relating to required special training.

3.2 Public Water System Regulations

Water providers should always be informed of current standards, which can change over time, and should also be aware of pending future regulations. As of this writing, OAR Chapter 333, Division 61 covering Public Water Systems is over 300 pages in length. This Section is not meant to be a comprehensive list of all requirements but a general overview of the requirements.

Specific information on the regulations concerning public water systems may be found in the Oregon Administrative Rules (OAR), Chapter 333, Division 61. The rules can be found on the Internet at http://oregon.gov/DHS/ph/dwp/rules.shtml where copies of all the rules and regulations can be printed out or downloaded for reference. A summary of Oregon drinking water quality standards is published in "*Pipeline*" (Volume 21, Issue 4, Fall 2006) by the State Drinking Water Program.

Drinking water regulations were established in 1974 with the signing of the Safe Drinking Water Act (SDWA). This act and subsequent regulations were the first to apply to all public water systems in the United States. The Environmental Protection Agency (EPA) was authorized to set standards and implement the Act. With the enactment of the Oregon Drinking Water Quality Act in 1981, the State of Oregon accepted primary enforcement responsibility for all drinking water regulations within the State. Requirements are detailed in OAR Chapter 333, Division 61. The SDWA and associated regulations have been amended several times since inception with the goal of further protection of public health.

SDWA requires the EPA to regulate contaminants which present health risks and are known, or are likely, to occur in public drinking water supplies. For each contaminant requiring federal regulation, EPA sets a non-enforceable health goal, or maximum contaminant level goal (MCLG). This is the level of a contaminant in drinking water below which there is no known or expected health risk. The EPA is then required to establish an enforceable limit, or maximum contaminant level (MCL), which is as close to the MCLG as is technologically feasible, taking cost into consideration. Where analytical methods are not sufficiently developed to measure the concentrations of certain contaminants in drinking water, the EPA specifies a treatment technique instead of an MCL to protect against these contaminants.

Water systems are required to collect water samples at designated intervals and locations. The samples must be tested in State approved laboratories. The test results are then reported to the State, which determines whether the water system is in compliance or violation of the regulations. There are three main types of violations:

(1) MCL violation — occurs when tests indicate that the level of a contaminant in treated water is above the EPA or State's legal limit (states may set standards equal to, or more protective than, EPA's). These violations indicate a potential health risk, which may be immediate or long-term.

(2) Treatment technique (TT) violation — occurs when a water system fails to treat its water in the way prescribed by EPA (for example, by not disinfecting). Similar to MCL violations, treatment technique violations indicate a potential health risk to consumers.

(3) Monitoring and reporting violation — occurs when a system fails to test its water for certain contaminants or fails to report test results in a timely fashion. If a water system does not monitor its water properly, no one can know whether or not its water poses a health risk to consumers.

If a water system violates EPA/State rules, it is required to notify the State and the public. States are primarily responsible for taking appropriate enforcement actions if systems with violations do not return to compliance. States are also responsible for reporting violation and enforcement information to the EPA quarterly.

To comply with the regulations, water systems must provide adequate treatment techniques, operate treatment processes to meet performance standards, and properly protect treated water to prevent subsequent contamination after treatment.

3.3 Current Standards

There are now EPA-established drinking water quality standards for 91 contaminants, including 7 microbials and turbidity, 7 disinfectants and disinfection byproducts, 16 inorganic chemicals (including lead and copper), 56 organic chemicals (including pesticides and herbicides), and 5 radiologic contaminants. These standards either have established MCLs or treatment techniques. In addition, there are secondary contaminant levels for 16 contaminants that represent desired goals, and in the case of fluoride, may require special public notice.

Total Coliform Rule

The total coliform rule was established by the EPA in 1989 to reduce the risk of waterborne illness resulting from disease-causing organisms associated with animal or human waste. Routine samples collected by Oregon public water suppliers are analyzed for total coliform bacteria. The number of monthly samples required varies based on population served. For Newport, a minimum of 10 samples per month is required.

Compliance is based on the presence or absence of total coliforms in any calendar month. Sample results are reported as "coliform-absent" or "coliform-present". If any routine sample is coliform-present, a set of at least three repeat samples must be collected within 24 hours. If any repeat sample is total coliform-present, the system must analyze that culture for fecal coliforms or *E. coli*, and must then collect another set of repeat samples, unless the MCL has been violated and the system has notified the State. Following a positive routine or repeat total coliform result, the system must collect a minimum of five routine samples the following month.

Systems which collect fewer than 40 samples per month are allowed no more than one coliform-present sample per month including any repeat sample results. Larger systems (40 or more samples per month) are allowed no more than five percent coliform-present samples in any month including any repeat sample results. Confirmed presence of fecal coliform or *E. coli* presents a potential acute health risk and requires immediate notification of the public to take protective actions such as boiling or using bottled water. Any fecal coliform-positive repeat sample or *E. coli*-positive repeat sample, or any total coliform-positive repeat sample following a fecal or *E. coli*-positive routine sample is a violation of the MCL.

Surface Water Treatment Rules

All water systems using surface water must provide a total level of filtration and disinfection treatment to remove/inactivate 99.9 percent (3-log) of *Giardia lamblia*, and to remove/inactivate 99.99 percent (4-log) of viruses. In addition, filtered water systems must physically remove 99 percent (2-log) of *Cryptosporidium.* Systems with source water *Cryptosporidium* levels exceeding specified limits must install and operate additional treatment processes.

Filtered water systems must meet specified performance standards for combined filter effluent turbidity levels, and water systems using conventional and direct filtration must also record individual filter effluent turbidity and take action if specified action levels are exceeded. When more than 1 filter exists, each filter's effluent turbidity must be monitored continuously and recorded at least every 15 minutes. The combined flow from all filters must have a turbidity measurement at least every four hours by grab

sampling or continuous monitoring. Turbidity monitoring must occur prior to any storage such as a clearwell or contact tank. Turbidity monitoring equipment must be calibrated using an approved method at least once per quarter. General requirements for systems utilizing conventional or direct filtration are:

- Individual filter turbidity monitored continuously and recorded every 15 minutes or less
- Combined filter turbidity monitored continuously or grab sample taken at least every 4 hours
- Combined filter turbidity less than 1 NTU in 100% of measurements
- Combined filter turbidity less than or equal to 0.3 NTU in 95% of measurements in a month
- Specific follow-up actions if individual filter turbidity exceeds 1.0 NTU twice

General requirements for systems utilizing slow sand, and alternative filtration (membrane filtration and cartridge filtration) are:

- Combined filter turbidity monitored continuously or grab sample taken at least every 4 hours Department may reduce to once per day if determined to be sufficient
- Combined filter turbidity less than 5 NTU in 100% of measurements
- Combined filter turbidity less than or equal to 1 NTU in 95% of measurements in a month
- Department may require lower turbidity values if the above levels cannot provide the required level of treatment

All water systems must meet specified CxT [concentration x time] requirements for disinfection, and meet required removal/inactivation levels. In addition, a disinfectant residual must be maintained in the distribution system.

- Continuous recording of disinfectant residual at entry point to the distribution system. Small system may be allowed to substitute 1-4 daily grab samples.
- Daily calculation of CxT at highest flow (peak hourly flow)
- Provide adequate CxT to meet needed removal/inactivation levels
- Maintain a continuous minimum 0.2 mg/L disinfectant residual at entry point to the distribution system
- Maintain a minimum detectable disinfectant residual in 95% of the distribution system samples (collected at coliform bacteria monitoring points)

Filtered water systems that recycle spent filter backwash water or other waste flows must return those flows through all treatment processes in the filtration plant. Systems wishing to recycle filter backwash water must provide notice to the State including a plant schematic showing the origin, conveyance, and return location of recycled flows. Design flows, observed flows, and typical recycle flows are also required along with a state-approved plant operating capacity.

Disinfectants and Disinfection Byproducts

Disinfection treatment chemicals used to kill microorganisms in drinking water can react with naturally occurring organic and inorganic matter in source water, called DBP precursors, to form disinfection byproducts (DBPs). Some disinfection byproducts have been shown to cause cancer and reproductive effects in lab animals and suggested bladder cancer and reproductive effects in humans. The challenge is to apply levels of disinfection treatment needed to kill disease-causing microorganisms while limiting the levels of disinfection byproducts produced. The primary disinfection byproducts of concern in Oregon are the total trihalomethanes (TTHM) and the haloacetic acids (HAA5).

Disinfection byproducts must be monitored throughout the distribution system at frequencies of daily, monthly, quarterly, or annually, depending on the population served, type of water source, and the

specific disinfectant applied, and in accordance with an approved monitoring plan. Disinfectant residuals must be monitored at the same locations and frequency as coliform bacteria.

Total organic carbon (TOC) is an indicator of the levels of DBP precursor compounds in the source water. Systems using surface water sources and conventional filtration treatment must monitor source water for TOC and alkalinity monthly and practice enhanced coagulation to remove TOC if it exceeds 2.0 mg/L as a running annual average.

Compliance is determined based on meeting maximum contaminant levels (MCLs) for disinfection byproducts and maximum levels for disinfectant residual (MRDLs) over a running annual average of the sample results, computed quarterly.

- TTHM/HAA5 monitoring required in distribution system. One sample per quarter for systems serving 500-9,999 persons. One sample per year in warmest month required for systems serving less than 500.
- MCL for TTHM is 0.080 mg/L. MCL for HAA5 is 0.060 mg/L.
- Any system having TTHM > 0.064 mg/L or HAA5 > 0.048 based on a running annual average must conduct disinfection profiling.
- TOC and alkalinity monitoring in source water monthly. Enhanced coagulation if TOC greater than 2.0 mg/L
- Comply with MRDLs. Limit for chlorine (free Cl_2 residual) is 4.0 mg/L. Limit for chloramines is 4.0 mg/L (as total Cl_2 residual). Limit for chlorine dioxide is 0.8 mg/L (as ClO_2)
- Bromate MCL of 0.010 mg/L
- Chlorite MCL of 1.0 mg/L

Long Term 2 Enhanced Surface Water Treatment Rule

LT2ESWTR was published by the U.S. EPA on January 5, 2006. The Oregon rule is due by January 5, 2010. The rule requires source water monitoring for public water systems that use surface water or ground water under the influence of surface water. Based on the system size and filtration type, systems must monitor for *Cryptosporidium*, *E. coli*, and turbidity. Source water monitoring data will be used to categorize the source water *Crypto* concentration into four "bin" classifications that have associated treatment requirements. Systems serving 10,000 or more people are required to conduct 24 months of *Crypto* monitoring. Systems serving fewer than 10,000 people are required to conduct 12 months of *E. coli* monitoring and 12-24 months of *Crypto* monitoring if E. coli trigger levels are exceeded. The rule provides other options to comply with the initial source water monitoring that include either submitting previous *Crypto* data meeting (grandfathered data) the requirements or committing to provide a total of at least 5.5-log treatment for *Cryptosporidium*. A second round of source water monitoring will follow 6 years after the system makes its initial bin determination.

<u>Critical Deadlines for LT2ESWTR for systems serving less than 10,000 persons include:</u>

Submit sample schedule and sample location description:	July 1, 2008
	July 1, 2010*
Begin first round of source water monitoring:	October 2008
	April 2010*
Submit Grandfathered Data (if applicable):	December 1, 2008
	June 1, 2010*
Submit Bin Classification:	September 2012
Comply with Rule:	October 1, 2014
Begin second round of source water monitoring:	October 1, 2017
	April 1, 2019*

** Cryptosporidium monitoring - applies to filtered systems that exceed E. coli trigger*

Critical Deadlines for LT2ESWTR for systems serving 10,000 to 49,999 persons include:

Submit sample schedule and sample location description:_____January 1, 2008
Begin first round of source water monitoring:_____April 2008
Submit Grandfathered Data (if applicable):_____June 1, 2008
Submit Bin Classification:_____September 2010
Comply with Rule:_____October 1, 2013
Begin second round of source water monitoring: _____October 2016

Stage 2 Disinfectants and Disinfection Byproducts Rule

The Stage 2 DBPR was published by the U.S. EPA on January 4, 2006. The Oregon rule is expected to be finalized on January 4, 2010. The rule builds on existing regulations by requiring water systems to meet disinfection byproduct (DBP) MCLs at each monitoring site in the distribution system. Whereas the Stage 1 Rule controls average DBP levels across distribution systems, the Stage 2 Rule controls the occurrence of peak DBP levels within distribution systems.

The rule requires all community water systems to conduct an Initial Distribution System Evaluation (IDSE). The goal of the IDSE is to characterize the distribution system and identify monitoring sites where customers may be exposed to high levels of TTHM and HAA5. There are four ways to comply with the IDSE requirements: Standard Monitoring, System Specific Study, 40/30 Certification, and Very Small System (VSS) Waiver.

Standard monitoring (SM) is one year of increased monitoring for TTHM and HAA5 in addition to the data being collected under Stage 1 DBPR. These data will be used with the Stage 1 data to select Stage 2 DBPR TTHM and HAA5 compliance monitoring locations. Any system may conduct standard monitoring to meet the Initial Distribution System Evaluation (IDSE) requirements of the Stage 2 DBPR. The number of monitoring sites, the monitoring periods, and monitoring frequency vary depending on population served.

Systems that have extensive TTHM and HAA5 data (including Stage 1 DBPR compliance data) or technical expertise to prepare a hydraulic model may choose to conduct a system specific study (SSS) to select the Stage 2 DBPR compliance monitoring locations.

The term “40/30” refers to a system that during a specific time period has all individual Stage 1 DBPR compliance samples less than or equal to 0.040 mg/L for TTHM and 0.030 mg/L for HAA5 and no monitoring violations during the same period. These systems have no IDSE monitoring requirements, but will still need to conduct Stage 2 DBPR compliance monitoring.

The Very Small System (VSS) Waiver applies to systems that serve fewer than 500 people and have eligible TTHM and HAA5 data. The VSS eligibility does not depend on the actual TTHM and HAA5 sample results. These systems also have no IDSE monitoring requirements, but will still need to conduct Stage 2 DBPR compliance monitoring. 40/30 certifications were previously due for systems larger than 10,000 persons. For systems less than 10,000 persons, the 40/30 due date is April 1, 2008.

Critical Deadlines for Stage 2 DBPR for systems serving less than 10,000 persons include:

Submit SM Plan or SSS Plan:_____April 1, 2008
Complete SM:_____March 31, 2010
Submit IDSE Report:_____July 1, 2010
Begin Compliance Monitoring:_____October 1, 2013

Critical Deadlines for Stage 2 DBPR for systems serving 10,000 to 49,999 persons include:

Submit SM Plan or SSS Plan:_____October 1, 2007 (should be done)
Complete SM:_____September 30, 2009
Submit IDSE Report:_____January 1, 2010
Begin Compliance Monitoring:_____October 1, 2013

Lead and Copper

Excessive levels of lead and copper are harmful and rules exist to limit exposure through drinking water. Lead and copper enter drinking water mainly from corrosion of plumbing materials containing lead and copper. Lead comes from solder and brass fixtures. Copper comes from copper tubing and brass fixtures. Protection is provided by limiting the corrosivity of water sent to the distribution system. Treatment alternatives include pH adjustment, alkalinity adjustment, or both, or adding passivating agents such as orthophosphates.

Samples from community systems are collected from homes built prior to the 1985 prohibition of lead solder in Oregon. One-liter samples of standing water (first drawn after 6 hours of non-use) are collected at homes identified in the water system sampling plan. Two rounds of initial sampling are required, collected at 6-month intervals. Subsequent annual sampling from a reduced number of sites is required after demonstration that lead and copper action levels are met. After three rounds of annual sampling, samples are required every 3 years. The number of initial and reduced samples required is dependant on the population served by the water system.

In each sampling round, 90% of samples from homes must have lead levels less than or equal to the Action Level of 0.015 mg/L and copper levels less than or equal to 1.3 mg/L. Water systems with lead above the Action Level must conduct periodic public education, and either install corrosion control treatment, change water sources, or replace plumbing.

- Have Sampling Plan for applicable homes
- Collect required samples
- Meet Action Levels for Lead and Copper (0.015 mg/L for Lead and 1.3 mg/L for Copper)
- Rule out source water as a source of significant lead levels
- If Action Levels not met, provide corrosion control treatment and other steps

On October 10, 2007 EPA published the 2007 Final Revisions to the Lead and Copper Rule. The Oregon rule is projected for 2009 to 2011. The rule addresses confusion about sample collection by clarifying language that speaks to the number of samples required and the number of sites from which samples should be collected. The rule also modifies definitions for monitoring and compliance periods to make it clear that all samples must be taken within the same calendar year. Finally, the rule adds a new reduced monitoring requirement, which prevents water systems above the lead action level to remain on a reduced monitoring schedule.

Inorganic Contaminants

The level of many inorganic contaminants is regulated for public health protection. These contaminants are both naturally occurring and can result from agriculture or industrial operations. Inorganic contaminants most often come from the source of water supply, but can also enter water from contact with materials used for pipes and storage tanks. Regulated inorganic contaminants include arsenic, asbestos, fluoride, mercury, nitrate, nitrite, and others. A possible future MCL for Nickel is currently being evaluated by EPA.

Compliance is achieved by meeting the established MCLs for each contaminant. Systems that cannot meet one or more MCL must either install treatment systems (such as ion exchange or reverse osmosis) or develop alternate sources of water.

- Sample quarterly for Nitrate (reduction to annual may be available)
- Communities with Asbestos Cement (AC) pipe must sample every 9 years for Asbestos
- Sample annually for Arsenic. New MCL of 0.010 mg/L effective January 2006
- Sample annually for all other inorganics. Waivers are available based on monitoring records showing three samples below MCLs. MCLs vary based on contaminant

Organic Chemicals

Organic contaminants are regulated to reduce exposure to harmful chemicals through drinking water. Examples include acrylamide, benzene, 2,4-D, styrene, toluene, and vinyl chloride. Major types of organic contaminants are Volatile Organic Chemicals (VOCs) and Synthetic Organic Chemicals (SOCs). Organic contaminants are usually associated with industrial or agricultural activities that affect sources of drinking water supply, including industrial and commercial solvents and chemicals, and pesticides. These contaminants can also enter from materials in contact with the water such as pipes, valves and paints and coatings used inside water storage tanks.

At least one test for each contaminant from each water source is required during every 3-year compliance period. Public water systems serving more than 3,300 people must test twice during each 3-year compliance period for SOCs. Public water systems using surface water sources must test for VOCs annually.

Compliance is achieved by meeting the established MCL for each contaminant. Quarterly follow up testing is required for any contaminants that are detected above the specified MCL. Only those systems determined by the State to be at risk must monitor for dioxin. Water systems using polymers containing acrylamide or epichlorohydrin in their water treatment process must keep their dosages below specified levels. Systems that cannot meet one or more MCL must either install or modify water treatment systems (such as activated carbon and aeration) or develop alternate sources of water.

- At least one test for each contaminant (for each water source) every 3-year compliance period
- Sample twice each compliance period for each SOCs when system over 3,300 people
- Test VOCs annually
- Quarterly follow up testing required for any detects above MCL
- Maintain polymer dosages in treatment process below specified levels
- MCLs vary based on contaminant

Radiologic Contaminants

Radioactive contaminants, both natural and man-made, can result in an increased risk of cancer from long-term exposure and are regulated to reduce exposure through drinking water. Rules were recently revised to include a new MCL for uranium (30 μg/L), and to clarify and modify monitoring requirements. Initial monitoring tests, quarterly for one year at the entry point from each source, were to be completed by December 31, 2007 for gross alpha, radium-226, radium-228 and uranium. A single analysis for all four contaminants collected between June 2000 and December 2003 will substitute for the four initial samples. Gross alpha may substitute for radium-226 if the gross alpha result does not exceed 5 pCi/L and may substitute for uranium monitoring if the gross alpha result does not exceed 15 pCi/L. Subsequent monitoring is required every three, six, or nine years depending on the initial results, with a return to quarterly monitoring if the MCL is exceeded. Compliance with MCLs is based on the average of the four

initial test results, or subsequent quarterly tests. Community water systems than cannot meet MCLs must install treatment (such as ion exchange or reverse osmosis) or develop alternate water sources.

3.4 Future Water System Regulations

The 1996 Safe Drinking Water Act (SDWA) requires EPA to review and revise as appropriate each current standard at least every six years. Data is continually collected on contaminants currently unregulated in order to support development of future drinking water standards. Drinking water contaminant candidate lists (CCL) are prepared and revised every five years. The first DWCCL was published on March 2, 1998 which included 51 chemicals and 9 microbials. In 2003, EPA decided not to regulate any of the 9 microbials from the initial list. In 2005 EPA published the second CCL consisting of the remaining 51 contaminants from the first list. The Agency published the preliminary regulatory determinations for 11 of the 51 contaminants listed on the second CCL in April of 2007. EPA has started the process to develop the third Contaminant Candidate List (CCL3) to help identify unregulated contaminants that may require a national drinking water regulation in the future. The EPA must publish a decision on whether to regulate at least five contaminants from the CCL every 5 years. As a result, additional contaminants can become regulated in the future.

In addition, rule revisions and new rules will occur to further address health risks from disinfection byproducts and pathogenic organisms. Rules such as the Long-Term Stage 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) and the Stage 2 Disinfectants/Disinfection Byproducts Rule (State 2 DBPR) have recently gone into effect at the federal level and require systems to begin planning for compliance. New and revised drinking water quality standards are mandated under the 1996 federal SDWA. Known future standards (and their likely EPA promulgation date) include:

- Radon Rule (2009)
- Distribution Rule, including revised coliform bacteria requirements (2010)

Water suppliers should be aware of and familiar with these mandates and deadlines, and plan strategically to meet them. DHS, under the Primacy Agreement with the EPA, has up to two years to adopt each federal rule after it is finalized. Water suppliers generally have at least three years to comply with each federal rule after it is finalized; however, some of these rules will likely establish a significant number of compliance dates for water suppliers that will occur prior to state adoption of the rules. These “early implementation” dates will likely have to be implemented in Oregon directly by the EPA, because the state program will not yet have the rules in place or the resources to carry them out.

These anticipated rules are described generally below. Additional details will be found in the final EPA rules once they are promulgated.

Radon Rule

All community water systems using groundwater sources will conduct quarterly initial sampling at distribution system entry points for one year. Subsequent sampling will occur once every 3 years. The Radon MCL is expected to be 300 pCi/L. An alternative MCL (AMCL) of 4,000 pCi/L is proposed if the State develops and adopts an EPA-approved statewide Multi-Media Mitigation (MMM) program. Local communities may have the option of developing an EPA-approved local MMM program in the absence of a statewide MMM program, and meeting the AMCL.

Distribution Rule

Under this rule, current requirements for coliform bacteria will be revised, emphasizing fecal coliforms and *E. coli*, and focusing on protection of water within the distribution system. The rule will apply to all public water systems and will involve identifying and correcting sanitary defects and hazards in water systems and using best management practices for disinfection to control coliform bacteria in the system.

3.5 Water Management and Conservation Plans

The Municipal Water Management and Conservation Planning (WMCP) program provides a process for municipal water suppliers to develop plans to meet future water needs. Municipal water suppliers are encouraged to prepare water management and conservation plans, but are not required to do so unless a plan is prescribed by a condition of a water use permit; a permit extension; or another order or rule of the Commission. These plans will be used to demonstrate the communities' needs for increased diversions of water under the permits as their demands grow. A master plan prepared under the requirements of the Department of Human Resources Drinking Water Program or the water supply element of a public facilities plan prepared under the requirements of the Department of Land Conservation and Development which substantially meets the requirements of OAR 690-086-0125 to 690-086-0170 may be submitted to meet the requirements for WMCPs. Rules for WMCPs are detailed in OAR 690, Division 86.

A WMCP provides a description of the water system, identifies the sources of water used by the community, and explains how the water supplier will manage and conserve supplies to meet future needs. Preparation of a plan is intended to represent a pro-active evaluation of the management and conservation measures that suppliers can undertake. The planning program requires municipal water suppliers to consider water that can be saved through conservation practices as a source of supply to meet growing demands if the saved water is less expensive that developing new supplies. As such, a plan represents an integrated resource management approach to securing a community's long-term water supply.

Many of the elements required in a plan are also required under similar plans by the Drinking Water Section of the state Department of Human Services (water system master plans) and Department of Land Conservation and Development (public facilities plans). Water providers can consolidate overlapping plan elements and create a single master plan that meets the requirements of all three programs.

Every municipal water supplier required to submit a WMCP shall exercise diligence in implementing the approved plan and shall update and resubmit a plan consistent with the requirements of the rules as prescribed during plan approval. Progress reports are required showing 5-year benchmarks, water use details, and a description of the progress made in implementing the associated conservation or other measures.

The WMCP shall include the following elements:

1) Water System Description including infrastructure details, supply sources, service area and population, details of water use permits and certificates, water use details, customer details, system schematic, and leakage information.

2) Water Conservation Element including description of conservation measures implemented and planned, water use and reporting program details, progress on conservation measures, and conservation benchmarks.

3) Water Curtailment Element including current capacity limitations and supply deficiencies, three or more stages of alert for potential water shortages or service difficulties, levels of water shortage severity and curtailment action triggers, and specific curtailment actions to be taken for each stage of alert.

4) Water Supply Element detailing current and future service areas, estimates of when water rights and permits will be fully exercised, demand projections for 10 and 20 years, evaluation of supply versus demand, and additional details should an expansion of water rights be anticipated.

Failure to comply with rules for WMCPs can result in enforcement actions by the Water Resources Department Director. Enforcement actions can include requirements for additional information and planning, water use regulation, cancellation of water use permits, or civil penalties under OAR 690-260-0005 to 690-260-0110.

Existing Water System

Section 5

5.1 Raw Water Supply

5.1.1 Water Rights

The City of Newport holds 7 water use permits allowing for a total of 19.24 cfs from various streams. Figure 5.1.1 (located at end of Section) illustrates the location of the various water rights held by Newport and the approximate location of their points of diversion.

Table 5.1.1 – Water Rights Summary

Source Name	Application	Permit	Certificate	Priority Date	POD Rate (cfs)
Blattner Creek	S72	S20	1012	5/10/1909	0.54
Nye Creek	S8970	S5882	8603	5/14/1923	1.5
Nye Creek	S9224	S6197	9113	10/15/1923	0.7
Hurbert Creek	S9221	S6194	9112	10/15/1923	0.1
Big Creek	S11156	S7722	9127	10/27/1926	10.0
Siletz River	S39121	S29213	~	9/24/1963	6.0
Jeffries Creek	S44381	S33151	57650	1/9/1968	0.4
					19.24
Storage	**Application**	**Permit**	**Certificate**	**Priority Date**	**Storage (acre-feet)**
Big Creek Res. #1	S26388	S20703	21357	8/31/1951	200
Big Creek Res. #2	S43413	S33127	48628	3/24/1967	310
Big Creek Res. #2	S43413	S33127	48628	6/5/1968	35
Big Creek Res. #2	S52204	S38220	~	7/19/1974	625

Currently, the City can only utilize the Blattner Creek, Siletz River, and Big Creek water rights. The Nye Creek and Hurbert Creek rights from 1923 are no longer in use and cannot be practically implemented due to their distance from the treatment plant and nature of development. In the past the City has set up pumping and diversion equipment to divert part or all of their Jeffries Creek water right but has not done so for several years.

Storage rights are held for two reservoirs on Big Creek upstream from the water treatment plant. The Blattner Creek water right flows into Big Creek Reservoir #2 (upper reservoir) by gravity. The Siletz right is diverted and pumped into the Big Creek Reservoir #2 through over 5 miles of piping. Water from the upper Reservoir #2 flows into the lower Reservoir #1 where the Big Creek Pump Station is located to pump all available water rights to the treatment plant.

During the heart of the summer months, the only water right that is currently capable of providing the City with a supply of raw water is the 6.0 cfs right on the Siletz River due to inadequate flows in Big Creek and Blattner Creek. System demand in excess of 6.0 cfs is met at these times through the use of water in the Reservoirs which was stored during previous wetter months.

5.1.2 Water Quality

Raw water data for Newport is measured at the treatment plant following withdrawal from the lower reservoir. Water from Big Creek and the Siletz is able to settle in the reservoirs prior to being diverted for treatment at the water plant. The settling that occurs in the reservoirs results in low raw water turbidity however it is possible that higher iron, manganese, and color levels also result. Natural alkalinity is low thus requiring supplemental alkalinity through lime addition when using alum for coagulation. A summary of the basic raw water quality parameters for 2004-2007 data is provided as follows:

Table 5.1.2 – Raw Water Quality Parameters, 2004-2007

	Temp (°C)	pH	Turbidity (NTU)	Color (SU)	Iron (mg/L)	Mn (mg/L)	Alkalinity (mg/L)	TOC (mg/L)
Average	14.5	7.0	1.5	34	0.5	0.04	11	1.53
Max	22.4	7.8	6.6	86	1.8	0.13	20	2.45
Min	4.5	6.5	0.6	2	0.1	0.01	6	0.96

During summer months, the lower Big Creek Reservoir experiences levels of iron and manganese exceeding the secondary maximum contaminant levels of 0.3 mg/L and 0.05 mg/L for iron and manganese respectively. This, combined with warmer temperatures and shallow depths where algae and other plant life thrive, results in periods of relatively poor water quality and difficult treatment.

5.1.3 Siletz River Intake Structure and Transmission

The City of Newport owns and operates an intake on the Siletz River. The intake is a large concrete structure located on the side of the river. The Newport intake is located adjacent to and immediately upstream of another large intake owned and operated by Georgia Pacific Lumber. A smaller intake is located just upstream and is owned and operated by the City of Toledo.

The Siletz intake was started up in 1994 in order to divert water from the Siletz River and pump it into the Big Creek drainage basin. When the intake was constructed, approximately 29,000 lineal feet of 16-inch ductile iron transmission pipe and approximately 1,000 feet of 18-inch steel pipe was installed to connect the intake to the upper Big Creek reservoir. Velocity in the 16-inch transmission piping at the full water right of 6 cfs (2693 gpm) is 4.3 feet per second.

The screening at the intake consists of two drum-type Johnson screens designed to prevent large debris and juvenile fish from entering the wetwell of the intake pump station. Each Johnson screen is 30-inches in diameter and designed to be raised and lowered to allow for maintenance of the screens.

During the winter months, the intake has generally sat idle because sufficient water is available in the Big Creek basin and the cost of pumping from the Siletz is unnecessary. The intake has a history of silt and sand buildup within the wetwell due to the highly turbid winter water conditions. This has generally required manual cleaning and removal in the spring to prepare the intake for use during the summer months.

There are three pumps located within the Siletz intake. Each pump has a 200 horsepower, 460-volt, 3-phase, 1800-rpm vertical motor manufactured by U.S. Motors. Each pump is a Fairbanks Morse 12M, 7-stage, CT head vertical turbine pump rated for 1000 gpm at 560 feet total dynamic head (TDH). With two pumps running at once the station output is approximately 2200 gpm with a discharge pressure exceeding 200 psi.

The original pumps are water lubricated meaning that a portion of the pumped water is circulated around the shaft and seals for lubrication. Due to the highly turbid water, the grit and silt in the raw water has created a maintenance problem with wear on the shafts and seals. At the time this study was being prepared, the City was in the process of investigating new pumps that will utilize a food-grade oil lubrication system for the shafts and seals. This should reduce the wear and maintenance issues related to the water lubricated systems.

A single VFD is included in the pump station to allow the City to control the rate and output of one or the other of two pumps with the third pump delivering its full capacity. This flexibility allows the City to adjust flows depending on their needs and the available water in the river.

Operating pressures are on the order of 200 psi as measured on the discharge side of the intake pumps. Consequently the risk of water hammer within the transmission main is significant at startup and shutdown. In order to protect against damage associated with water hammer, the intake facility includes a large pressure vessel housed in a separate building (shown in the foreground of the adjacent photo). The pressure vessel provides surge dampening to absorb the shock and force of water hammer so that it does not damage piping or fittings along the transmission main or within the pump station itself.

The Siletz intake is in good condition and has been well maintained. The pumps are slightly undersized for the total permitted water right but have been sufficient for past needs. Small solids handling pumps could be added to facilitate silt removal prior to summer pumping. Shut-off valves or gates to isolate the wetwell from the river cannot be added since a flooded wetwell is required to prevent uplift during high river conditions.

Drawbacks of the Siletz intake as a raw water source include the fact that water turbidity is high in the winter months and that a significant amount of energy is required to lift water from the Siletz to Big Creek. This is offset by the fact that raw water in Big Creek is relatively good even in the winter months

due to the calming effect of the reservoir. Also, winter rains tend to produce enough water in the Big Creek basin to eliminate the need to pump from the Siletz River when water turbidity is high.

In order to pump the entire 2693 gpm water right from the Siletz, all three of the existing pumps must run together and the discharge pressure would be approximately 230 psi. The pumps are now 15 years old and replacement should be planned during the planning period. When new pumps are required, it is recommended that they be sized such that two pumps running together provide the full water right with a third pump in standby. This will likely require 300 Hp motors.

5.1.4 Big Creek Reservoirs and Dams

The water right on Big Creek dates back to 1926 with the right on Blattner Creek dating back to 1909. However, it was not until 1951 that the original Big Creek dam was constructed with the intention of impounding flows in the Big Creek basin so that the City would have more water available during the drier summer months.

The original earthen dam (1951) impounded approximately 200 acre-feet of water. This reservoir, now referred to as the lower reservoir (Reservoir #1), is the location from which the City diverts water from the Big Creek basin to be treated at the water treatment plant. The original treatment facility and raw water intake were constructed concurrently.

In 1969, the second dam was built to create the upper Big Creek reservoir (Reservoir #2). In 1976, the upper reservoir was expanded by raising the new dam to create a total storage capacity of around 970 acre-feet. Together, the upper and lower reservoirs provide about 1,200 acre-feet of storage. A simple outlet and control structure is located near the upper dam which releases water to the lower reservoir.

The upper reservoir #2 is relatively deep (as compared to the lower reservoir #1) and free from weeds and other plant growth in the water. The lower reservoir is much shallower which results in warmer summer temperatures. At some point in the past, Brazilian Elodea was introduced to the lower reservoir. The Elodea has propagated and expanded to fill much of the reservoir. This condition, along with the warmer water temperatures, has resulted in taste and odor problems as well as other water quality concerns for the City. Additionally, natural iron and manganese and annual turnover (due to thermocline) within the reservoirs has presented treatment challenges in recent years following a reduction in the prechlorination dose used at the treatment plant.

Extreme care should be taken to avoid introducing water from the lower reservoir into the upper reservoir to prevent Brazilian Elodea from contaminating the upper reservoir as well.

5.1.5 Big Creek Pump Station and Transmission

The City constructed a new pump station on the lower Big Creek reservoir in 1974 to serve as a raw water intake for the water treatment plant. The raw water pump station is constructed on piles and is accessed by a gang plank from the lower dam structure.

The pump station houses 3 turbine style pumps. The horsepower rating and estimated capacity of each pump is as follows:

(2) 7.5 horsepower pumps.....~1,000 gpm
(1) 25 horsepower pump .....~2,200 gpm

The pumps are low head pumps that lift the water a short distance to the nearby Big Creek treatment plant.

The raw water intake has been in a declining condition though some recent upgrades have been made in an effort to maintain and extend the useful life of the intake.

To improve the operational control at the plant, a VFD was recently added to the intake system so that the flow rate into the plant can be carefully controlled and tuned. This has improved the operation of the clarifiers and reduced the amount of water overflowing from the filters.

5.2 Water Treatment Facilities

The purpose of this section is to provide a detailed description of the existing treatment facilities at the City of Newport. Each system component will be described and an effort made to characterize the existing capacity and condition of each component. Where applicable, deficiencies with treatment components will be discussed.

5.2.1 Raw Water Chemical Addition

Raw water piping enters the treatment plant site between the two existing clariflocculators. The piping enters the treatment plant in the lower level where chemicals are injected into the raw water stream followed by flash mixing.

Chemicals added to the raw water stream include alum for coagulation, hydrated lime for pH and alkalinity adjustment, and chlorine for disinfection. For 2007, the average alum dose was 30.7 mg/L and the average dose of lime into the raw water was 11.8 mg/L. (A lime dose of approximately 1.6 mg/L is also added following filtration for final pH adjustment.)

As industry health concerns over disinfection byproducts (DBPs) have increased, the City has reduced the level of pre-chlorination (chlorine added prior to filtration) to reduce DBPs in the finished water. The City experimented with potassium permanganate in the past as an alternative oxidant but abandoned its

use due to difficulties in controlling the dosage. As DBPs, taste and odor concerns, and manganese issues have persisted the City recently began efforts to utilize sodium permanganate as an alternative oxidant. While the use of sodium permanganate will allow oxidation without increasing DBPs, it will not alleviate the problem of inadequate chlorine contact time as discussed later.

Alum is stored in a large horizontal cylindrical tank in the lower level of the building and hydrated lime is stored upstairs in dry bags and fed in a volumetric feeder.

5.2.2 Flocculation and Sedimentation

After chemical addition and flash mixing, the raw water piping makes a 180-degree turn and takes the water back out of the building and into a splitter box and divided between the two clariflocculators.

The water treatment facility originally included a single clariflocculator as part of the overall treatment process. The original clariflocculator, constructed in 1952/53, has an inside diameter of 50-feet and a sidewall depth of around 12 feet. The clariflocculator contains an inner flocculation chamber surrounded by an upflow clarifier section. The flocculation chamber has a volume of approximately 31,770 gallons while the clarifier section has a surface area of approximately 1,430 ft^2 and a volume of about 144,500 gallons.

A second clariflocculator was added in 1978-79 as part of an upgrade to the plant and to increase the overall capacity of the water treatment facility. The second unit is of similar size and construction to the first. However, the newer clariflocculator has settled over the years and does not operate properly as the water service in the tank is no longer level with the overflow launders around the tank.

At some point, the City added tube settlers to the clariflocculators to improve the performance of the sedimentation process. Operation of the clariflocculators has historically been a struggle as the units do not function in a balanced or even rate. Water quality is not consistent from each unit nor is the rate of flow. It is only through careful operation that adequate sedimentation is accomplished.

The Recommended Standards for Water Works (10-State Standards) recommend a minimum of 30 minutes detention time within flocculators, 2 to 4 hours detention within clarifiers, and a maximum surface loading rate of 2 gpm/ft^2 for tube settlers. Based on these standards, the two clariflocculators have a combined maximum capacity of 3 MGD. It is estimated that suitable performance can be achieved at flows up to 4.3 MGD with ideal chemical addition however surface overflow rates on the tube settlers would be much higher than optimum for color removal. Essentially, at the current peak summer flow rates of 4 MGD, the maximum capacity of the clariflocculators has been reached.

Due to the age and condition of the structures and equipment, the poor individual performance of the units, and the lack of additional treatment capacity, the clariflocculators are considered to be at the end of their useful lives.

5.2.3 Filtration

Clarified water flows by gravity into the filtration portion of the treatment process consisting of four gravity rapid sand filters. Each filter measures approximately 10.75 feet wide by 21.75 feet in length for a total filter area of approximately 935 square feet.

The original plant (1952-54) was constructed with two filters and two filters were added with the plant expansion in 1978-79. The cast in place concrete filter bays include clay block underdrains (Leopold) and a mixed-media filtration media cross section. To help reduce taste and odor, the City has historically capped the media with a layer of granular activated carbon (GAC).

Filter No. 4 has historically had problems related to structural or foundation issues. These issues have manifested themselves in cracks in the concrete that propagate into the clay underdrains. The filter has consistently experienced short circuiting and turbidity break through as a result of the damaged under-drain system. Replacement underdrain tiles that match the existing tiles are not readily available today.

Other problems with the filters are related to level control difficulties. The overflow piping in the filters has a nearly constant stream of water flowing to the backwash lagoon. This condition has been improved through the installation of a VFD on the raw water intake which has allowed the flow of water to be "tuned" to reduce the overflow waste to a minimum. In addition, the filter feed piping does not provide even flow splitting to the four filters resulting in uneven filter loading.

Current loading rate on the filters under peak summer conditions is approximately 3.0 gpm/ft^2. Increasing the rate on the filters beyond 3 gpm/ft^2 is not recommended thus the filters are at maximum capacity.

The filters are backwashed two filters at a time using finished water from the clearwell. A single 50 HP vertical turbine pump is located in the lower level of the water plant. While the backwash pump has provided good service to the City for nearly 60 years, the location of the pump creates a situation where maintenance or repair of the pump would prove to be very difficult. Failure of the backwash pump would render the plant inoperable after the last filter run was exhausted and such failure has been a growing concern for the City for many years.

5.2.4 Disinfection

Chlorine is injected into the water to provide the required disinfection and free chlorine residual in the distribution system. A combination of pre-chlorination (before treatment) and post-chlorination (after filters) is necessary at the Newport plant to meet disinfection requirements since post-chlorination contact time is insufficient. Pre-chlorination has also been used to help oxidize iron and manganese. Per State and Federal Rules, water must be in contact with the disinfectant for a prescribed amount of time ("contact time") necessary to kill or inactivate microorganisms prior to consumption. In addition, the City must maintain a detectable free chlorine residual in the distribution system at all times.

The Newport facility was originally constructed to utilize gas chlorine for disinfection purposes. However, at some point, the gas chlorine equipment was removed in favor of using liquid sodium hypochlorite for disinfection. Two large plastic double containment tanks are located on the outside of the plant building. The tanks are utilized for storing 12-percent nominal liquid chlorine solution. By the time all of the chlorine is used, the strength of the solution has usually degraded significantly. In recent years, the internal tanks have begun to leak and hypochlorite is visible within the outer secondary containment tank.

Chlorine is fed into the raw and finished water supplies by using simple dosing pumps. Monitoring of chlorine residual is accomplished through online monitoring using a chlorine analyzer. In 2007, an average of 1925 gallons of hypochlorite per month was used. Each gallon of the 12%± hypochlorite used contains the equivalent of 1 pound of chlorine resulting in an average use of 63 ppd. With an average of 2.15 million gallons of water treated per day, the average chlorine dose calculates to a fairly typical 3.5 mg/L including both pre- and post-chlorination.

Following filtration, two separate filtrate lines drop into a clearwell under the building and no combined filtrate pipe exists. Sodium hypochlorite is injected directly into the clearwell since two separate feed pumps and injection points do not exist as would be required for the two separate filtrate lines. Poor mixing results from injection into the clearwell rather than into the filtrate piping. Space constraints make correction of the problem difficult.

Post-chlorination contact time is provided in the below-grade concrete clearwell basin and in the short section of plant discharge piping prior to the first water user. The clearwell is part of the original 1953 plant and measures 32 feet by 36 feet. Water depth in the clearwell is normally around 9 feet but ranges from 8 to 10 feet. There are no baffle walls in the clearwell which allows the water to short-circuit much of the clearwell and travel directly to the service pump suction, resulting in poor contact time efficiency. Past measurements showed a contact time of 15 minutes in the clearwell at 2800 gpm and a total contact time to the first user (nearby City Park) of 20 minutes. The complete lack of mixing makes the results of a single contact time test insufficient to establish a worst case and it is likely that contact time is much less than the tested result at times.

Even though the use of pre-chlorination is causing problems for the City with disinfection byproducts (DBPs), the lack of adequate post-chlorination contact time necessitates the continuance of the procedure. In 2005 several tests showed excessive TTHM and HAA5 (DBPs). In 2007, excessive TTHMs were measured in September however no actual MCL violations occurred. Improvements are needed to increase available contact time after filtration to avoid the necessity of pre-chlorinating just to obtain sufficient contact time.

5.2.5 Instrumentation and Controls

Operation of the existing water treatment facility is relatively manual in nature. Simple controls and analog instruments are still used to control the basic operation of the plant.

Water quality instrumentation is typical to water treatment plants anywhere. Raw and finished water turbidimeters monitor the turbidity of water passing through the treatment process.

pH is monitored by an online pH analyzer. This information is used to make manual adjustments to the lime feed system to adjust the pH of the water.

An online chlorine analyzer monitors the chlorine levels in the clearwell. The chlorine dosage rates are manually adjusted based on the feedback from the analyzer.

In general there is adequate basic instrumentation to operate the facility properly. However, no comprehensive SCADA (supervisory control and data acquisition) system is currently available to operations staff.

5.2.6 Finish Water Pumping

The finished water service pumps are located in the lower level of the water treatment plant. Different combinations of pumps are operated depending on the desired throughput of the water plant. The following finished water pumps are currently utilized in Newport:

200 HP Pump ..... 2,250 gpm at 275 feet TDH
75 HP Pump ..... 700 gpm at 275 feet TDH
250 HP Pump ..... 3,000 gpm at 275 feet TDH

The finished water pumps lift water out of the clearwell and into the system up to the main water tank pressure level at approximately 275 feet of elevation.

5.2.7 Treatment Performance

The water treatment plant in Newport is well operated and generally produces high quality water. Several operational and physical limitations do create challenges for staff as well as water quality problems related to taste, odor, and manganese which results in complaints from customers.

Generally, the water plant is fed with relatively high quality raw water with a low turbidity. The clarifiers, filters, and other system components are generally capable of meeting water quality standards and no recent treatment violations have occurred. TOC reduction over the last few years has ranged from 25% to 47% with an average TOC reduction of 36%. Occasional excessive TTHM and HAA5 levels have been measured in the distribution system but violations have not occurred. Finished water turbidity averages around 0.04 NTU.

The major limiting factors associated with the water treatment process are the age and condition of the equipment and the plant's inability to make sufficient water during peak demand seasons. With plant run times now approaching 24 hours per day to meet summer demands and no reserve capacity remaining, the plant can now be considered undersized and at the end of its useful life.

5.3 Treated Water Storage

Treated water reserves are critical for attenuating peak demands caused by high consumptive use (peak hours) as well as maintaining an adequate reserve for firefighting capabilities. A summary of the City's storage reserves as well as a brief description and evaluation of each tank is provided in this Section.

5.3.1 Storage Summary

The City currently owns and operates seven storage tanks including five steel tanks located throughout the system and two concrete tanks near the City Shops. The tanks are situated at various elevations and serve specific areas (pressure zones) within the system. A summary of each tank is provided below.

Table 5.3.1 - Storage Summary

Name	Nominal Volume	Year Installed	Base Elevation	Overflow Elevation	Diameter (ft)	Height (ft)	Max. Working Volume (gal)	Service Elev. (40-80 psi)	Max. Serv. El. (25 psi static)
Main Tank #1	2.0 MG	1972	241.0	275.0	100	34.75	1,968,187	90' to 183'	217'
Main Tank #2	2.0 MG	1978	241.0	275.0	100	34.75	1,968,187	90' to 183'	217'
Smith Tank	0.25 MG	1958	271.5	302.5	38	31.5	258,755	118' to 210'	245'
Yaquina Hts. Tank	1.6 MG	1993	360.25	410.0	75	51.5	1,627,610	225' to 318'	352'
South Beach Tank	1.3 MG	1998	160.25	200.0	75	41.5	1,297,131	15' to 108'	142'
City Shops Tanks	1.1 MG	1910		219.0			1,100,000	34' to 127'	161'
				Total Maximum Existing Storage			8,219,871		

5.3.2 Main Storage Tanks

The Main Storage Tanks are located south and west of the water treatment plant site at a base elevation of around 241 feet. The tanks are constructed with "Core-ten" steel which is designed to remain unpainted and to form a protective rust layer. The tank interiors are coated with an epoxy paint system for sanitary reasons. The first 2 MG tank was constructed in 1972 and the second was constructed in 1978.

The overflow elevation for both tanks is approximately 275 feet. The tanks provide service pressure and storage volume for a large area of the water system. For the ideal municipal system pressure range of 40 to 80 psi, the Main Tanks can serve elevations between 90 and 183 feet above sea level. Connections to the pressure zone served by the Main Tanks located below 90 feet elevation should have individual pressure reducing valves on the service line while connections above 183 feet would likely need individual booster pumps. Connections above 215 feet should not be allowed since pressures below 20 psi would occur in the main piping. The reservoirs are generally in good condition today and appear to have significant useful life remaining.

5.3.3 City Shops Storage Reservoirs

The oldest reservoirs still being used in the Newport system are the City Shops tanks. The cast-in-place concrete tanks were originally constructed around 1910 as below grade, open air tanks. Eventually, wooden trusses and steel sided buildings were constructed over the open ponds.

The two tanks contain up to 1.1-million gallons of storage when full. The overflow elevation of the tanks is set at around 219 feet.

The existing tanks include interior walkways and planks that allow for inspection and maintenance in the tank. However, this increases the risk for potential contamination from debris falling from boots or other situations possible when people enter the tank interior above the unprotected water surface.

The Shop tanks serve the lower elevation areas on the north side of Yaquina Bay where service from the Main Tanks would provide excessive pressure.

For the ideal municipal system pressure range of 40 to 80 psi, the Shop Tanks can serve elevations between 34 and 127 feet above sea level. Connections to the pressure zone served by the Shop Tanks located below 34 feet should have individual pressure reducing valves on the service line while connections above 127 feet would likely need individual booster pumps or service off other pressure zones. Connections above 160 feet should not be allowed since pressures below 20 psi would occur in the main piping.

The 100-year old Shop tanks should eventually be replaced with a modern conventional tank providing better sealing against foreign objects (birds, insects, mice, etc.).

5.3.4 Smith Storage Tank

The Smith Storage Tank is a 0.25 MG welded steel tank constructed in 1958 near Yaquina Head as part of the old Agate Beach water system. The tank was acquired by the City along with the old water system and was cleaned and refurbished in the late 1990s. The tank serves nearby elevations too high for the Main Tank service zone and allows fire flows to the BLM site. The Smith Tank has an overflow elevation of 302 feet. The tank site is fenced however the secluded area results in trespassers and vandals. A 6-inch Cla-Val Model 210-16 Altitude Valve on the tank inlet functions to close when full to prevent overflow.

For the ideal municipal system pressure range of 40 to 80 psi, the Smith Tank can serve elevations between 118 and 210 feet above sea level. Connections to the pressure zone served by the Smith Tank located below 118 feet should have individual pressure reducing valves while connections above 210 feet would likely need booster pumps. Connections above 245 feet should not be allowed since pressures below 20 psi would occur in the main piping.

The Smith tank will likely need to be repainted around the year 2015 if left in service.

5.3.5 Yaquina Heights Storage Tank

The 1.6 MG Yaquina Heights Tank is a welded steel tank constructed in 1993 with a base elevation of 360 feet and an overflow elevation of 410 feet. The tank serves areas north of the bay and east of downtown which are too high for service off the main pressure zone.

For the ideal municipal system pressure range of 40 to 80 psi, the Yaquina Heights Tank can serve elevations between 225 and 318 feet above sea level. Connections above 350 feet should not be allowed since pressures below 20 psi would occur in the main piping which is prohibited. The Yaquina Heights booster pump station pulls water from the tank and serves the surrounding areas above 318 feet.

The tank is generally in good condition. The tank roof and handrails exhibit significant corrosion and will need refurbishment in the near future. Based on a typical coating life of 20 years, the tank will need to be repainted around the year 2013.

5.3.6 South Beach Storage Tank

The 1.3 MG South Beach Tank is a welded steel tank constructed in 1998 with a base elevation of 160 feet and an overflow elevation of 200 feet. The tank serves areas south of the bay.

For the ideal municipal system pressure range of 40 to 80 psi, the South Beach Tank can serve elevations between 15 and 108 feet above sea level. Connections above 140 feet should not be allowed since pressures below 20 psi would occur in the main piping.

The tank is in good condition but does need pressure washing. Based on a typical coating life of 20 years, the tank will need to be repainted before or around the year 2018.

5.4 Distribution Pumping Facilities

5.4.1 Candletree Pump Station

The Candletree Pump Station (PS) is located on NE 7th Street at an elevation of approximately 187 feet. The Candletree PS serves a large area essentially covering all of east Newport (east of John Moore Road) with a potential for many new homes. The PS was constructed around 1985 to serve the Candletree Park area as a booster pump station but now serves to pump water from the main pressure zone into the Yaquina Heights Storage Tank.

The PS contains two 40 Hp PACO pumps rated for 400 gpm each and one 20 Hp PACO pump rated for 200 gpm. All pumps are single-stage centrifugal type mounted vertically. Fire flows are not required from the pumps (as originally designed) since this protection is now provided by the Yaquina Heights Storage Tank.

On/off control of the pumps is based on water level in the Yaquina Heights Storage Tank determined with a submersible transducer. Suction pressure is 35 to 38 psi and the station discharge pressure is around 100 psi (Hydraulic Grade Line, HGL of 410 feet).

The Candletree PS is in fair condition but is inefficient and becoming antiquated. Refurbishment of the 20-year old PS should occur during the planning period. New pumping equipment can be placed inside the existing building however it will be necessary to maintain service during installation. It is likely that pumps matching the larger pumps in the newer Yaquina Heights BPS will adequately serve 20-year development of the Candletree PS service area.

5.4.2 NE 54th Street Booster Pump Station

The NE 54th St. Booster Pump Station (BPS) is located at the corner of NE 54th Street and NE Lucky Gap Street at an elevation of 165 feet. The station boosts pressure to nearby areas and also functions to fill the Smith Storage Tank (via PRV). The station contains one 20 Hp PACO pump rated for 200 gpm at 170 feet of total dynamic head (TDH) which runs continuously and two 40 Hp PACO pumps rated for 400 gpm at 170' TDH each that run as needed. All pumps are horizontal centrifugals.

Suction pressure ranges from 40 to 45 psi depending on pumping rate and water level in the Main Storage Tanks. Discharge pressure is currently about 115 psi (HGL = 430'). Discharge piping runs north and east of the pump station to serve higher areas while a separate pipe heads west and through a pressure reducing valve (6-inch Cla-Val 90G-01AB W/X101) set to fill the Smith Storage Tank without overflow (downstream setting of approximately 60 psi, HGL = 302'). Pumps are controlled with a flow switch with multiple pumps turning on based on increased demand flow. The smaller 20 Hp pump runs continuously.

The NE 54th St. BPS must provide fire flows to the surrounding service area since no storage tank exists. All three pumps must run simultaneously to provide even marginal fire flows. The majority of homes served by the BPS on the east side of Highway 101 lie in elevations ranging from 170 to 260 feet with a few homes located as low as 150 feet in elevation along the south side of NE 54th Street. To provide a pressure of 44 psi at the high elevations of 260 feet on the east side of the highway, discharge pressure at the pump station could be reduced to 85 psi (HGL = 360').

The NE 54th St. BPS is in good mechanical condition however the constant running of the smaller pump near its shutoff head is inefficient and the discharge pressure of 115 psi is excessive. If the Agate Beach upper storage tank is constructed the BPS can be simplified and converted to an on/off pump station functioning to fill the tank only. The addition of VFD drives and a hydro-pneumatic tank would improve station efficiency in the meantime.

5.4.3 Yaquina Heights Booster Pump Station

The Yaquina Heights BPS is located on the Yaquina Heights Tank site at an elevation of 360 feet. The BPS pulls water from the tank inlet/outlet pipe and boosts pressure to serve surrounding areas too high for gravity service from the tank. Discharge pressure is 65 psi (HGL = 510'). Suction pressure can range from 15 to 21 psi depending on pumping rate and water level in the Yaquina Heights Tank. Ground elevations in the current service area range from 285 to 360 feet.

The station equipment is a Grundfos Booster PAQ with on/off control based on pressure in a hydro-pneumatic tank located inside the building. Power supply is 460 volt, 3 phase. Four Grundfos vertical multi-stage centrifugal pumps are utilized including two 25Hp CR90-2-2 rated for 440 gpm at 155' TDH, and two 7.5Hp CRE 16-40 rated for 75 gpm at 230' TDH at full speed. Variable speed drives are used to provide lower flows for typical daily demands.

The station was constructed in 2004 and should need no improvements within the planning period. Painting of the interior ductile iron fittings and the addition of a vertical downflow-flowmeter should be considered.

5.4.4 Lakewood Booster Pump Station

The Lakewood BPS is located on NE Lakewood Drive at an elevation of 130 feet. The station pumps water from the main pressure zone and boosts pressure for the surrounding small neighborhood. The station contains two 10 Hp Cornell close coupled centrifugal pumps that were relocated from an older pump station. An associated pressure tank is located at the top of Lakewood Drive at a ground elevation of around 285 feet. The pumps turn off and on based on pressure switch settings. Discharge pressure at the pump station is approximately 135 psi (HGL = 440') providing a pressure of 65 psi at the pressure tank at the top of the hill.

The Lakewood BPS contains pumps which likely are at the end of their expected service life and which are too small to provide fire protection in the service area. The Lakewood BPS should be replaced as soon as possible during the planning period with equipment designed to provide normal service to 50 lots and to provide fire flows. Discharge pressure should be reduced.

5.4.5 Salmon Run Booster Pump Station

The Salmon Run BPS is located south of NE 71st Street at an elevation of 165 feet. The BPS pulls water from the main pressure zone and boosts for nearby higher elevations. The station contains one 15 Hp PACO pump rated for 180 gpm at 159' TDH and two 25 Hp PACO pumps rated for 420 gpm at 159' TDH each. All pumps are horizontal centrifugal type. On/Off control is based on pressure in a hydro-pneumatic tank located inside the building.

Suction pressures range from 40 to 47 psi depending on pumping rate and water level in the Main Storage Tanks. Discharge pressure of 80 psi in the pressure tank (HGL = 350') provides a pressure of about 52 psi at the top of the service area (elev. 230' ±). The service area is relatively small and is unlikely to increase in size unless service outside the UGB is provided in the future.

Fire flows must be provided by the BPS since no storage exists. With all three pumps running simultaneously approximately 1000 gpm is expected.

The Salmon Run BPS is in good condition and no major improvements should be needed during the planning period.

5.4.6 OCCC Booster Pump Station

During the preparation of this Master Plan, 12-inch waterline extensions and a booster pump station were being constructed to serve South Beach Village and the planned central county campus for the Oregon Coast Community College. The pump station, hereinafter called the OCCC BPS, is located off Southeast 40th Street at a ground elevation of approximately 45 feet. The pump station will serve elevations above the 105 foot elevation limit imposed by the existing South Beach Tank water surface at 200 feet. If the discharge pressure at the station is 100 psi, the service area can extend to elevation 185 feet for 40 psi. Suction pressure is expected to be around 65 psi.

5.5 Distribution Piping System

5.5.1 Pipe Inventory

Newport's distribution system contains a mixture of ductile iron, PVC, asbestos cement, polyethylene, and galvanized pipe totaling over 90 miles. Approximately one-third of the system is 6-inch diameter pipe used primarily for grid loops and installed long ago. A 10-inch main constructed in 1985 runs approximately 4.5 miles north-south along Highway 101. The largest piping is the 16-inch main which runs from the treatment plant to the two main storage tanks, then to the pressure reducing valve station at the corner of N.E. 3rd and N.E. Harney Street, and continues a few hundred feet south. In 1973, the 12-inch bay crossing pipe was constructed to provide service to the South Beach area. Over the years numerous extensions to the 12-inch piping have been constructed to improve flow distribution and fire flow to specified areas in accordance with recommendations in the past Water Master Plan.

The following table provides an inventory of the lengths of various sizes of waterlines within Newport's present distribution system.

Table 5.5.1 – Pipe Inventory, Existing Distribution System

Diameter (inches)	Length (feet)	% Total
2	35,000	7.4%
3	800	0.2%
4	27,500	5.8%
6	154,000	32.4%
8	130,200	27.4%
10	23,900	5.0%
12	85,600	18.0%
14	3,300	0.7%
16	15,600	3.3%
Total	475,900	feet
	90.1	miles

Historically, portions of the City south of Southeast 35th Street were served by the Seal Rock Water District. Recently the City took over service to areas previously served by the District, including Idaho Point and the area south of the bay down to Southwest 68th Street. Areas inside the City south of Southwest 68th Street, including the airport, are still served by the Seal Rock Water District.

A Map of the existing water system is included at the end of this Section as Figure 5.5.1.

5.5.2 Pressure Zones

The Newport service area is separated into 9 pressure zones as necessitated by terrain. The main pressure zone (Main Zone), served by gravity from the Main Storage Tanks with a maximum water service elevation of 275 feet, covers the majority of the town north of the bay extending to the northern City Limits. A pressure reducing station located at NE Harney and 3rd reduces pressure from the main zone to create a hydraulic grade of 219 feet to match the City Shops Tanks level and provide reasonable pressures along the north side of Yaquina Bay (North Bayside Zone). A 12-inch pipe crosses under the bay from the North Bayside Zone and another pressure reducing station, located on SE OSU Drive just south of the bay crossing, reduces pressure again to create a hydraulic grade of 200 feet to match the South Beach Tank water level (South Beach Zone).

In addition to the three large pressure zones served by gravity (once water is pumped from the plant to the Main Tanks), various other zones exist to serve higher elevation areas. The largest of these is that served by pumping water from the Main Zone through the Candletree pump station to the Yaquina Heights Storage Tank with a water surface elevation of 410 feet (Yaquina Heights Zone). A smaller area near the Yaquina Heights Tank, too high for gravity service from the tank, is served through the Yaquina Heights booster pump station (Yaquina Booster Zone). The following table presents the various pressure zones along with the associated hydraulic grade and recommended service elevations.

Table 5.5.2 – Pressure Zone Summary

Pressure Zone	Hydraulic Grade Control	Hydraulic Grade	Maximum Service Elevation (~25 psi static)	Ideal Service Elevation (80 to 40 psi)
Main Zone	Main Storage Tanks	275 feet	215 feet	90 to 180 feet
North Bayside Zone	PRV, NE Harvey and 3rd	219 feet	160 feet	35 to 125 feet
	City Shops Tanks			
South Beach Zone	PRV, SE OSU Drive	200 feet	140 feet	15 to 105 feet
	South Beach Tank			
Yaquina Hts. Zone	Yaquina Hts. Tank	410 feet	350 feet	225 to 315 feet
Yaquina Booster Zone	Yaquina Hts. BPS	510 feet (65 psi)	450 feet	325 to 415 feet
Upper Agate Beach Zone	NE 54th BPS	430 feet (115 psi)	370 feet	245 to 340 feet
Salmon Run Zone	Salmon Run BPS	350 feet (80 psi)	290 feet	165 to 260 feet
OCCC Zone	OCCC BPS			
Lakewood Zone	Lakewood BPS	360 feet (100 psi)	300 feet	175 to 265 feet
Smith Tank Zone	Smith Tank	302.5 feet	245 feet	115 to 210 feet

5.5.3 Fire Protection

The 2007 Oregon Fire Code requires average hydrant spacing of no more than 500 feet when fire flow requirements are 1750-gpm or less, and no more than 250 feet from hydrant to any point on street frontage (Appendix C "Fire Hydrant Locations and Distribution"). Closer spacing is required for greater flows and specific situations such as dead-end streets.

The Newport distribution system contains approximately 520 fire hydrants with fairly uniform coverage. Isolated small areas around the system lack ideal hydrant coverage, however in general the system is well covered. Figures 5.5-2a through 5.5-2c show the locations of existing fire hydrants with a 250-foot radius circle shown to indicate hose reach. Areas outside these circles cannot be reached without utilizing more than 250 feet of fire hose and indicate greater than 500 foot hydrant spacing.

Significant fire flow deficiencies exist in the north end of town due to undersized piping and significant distance from storage tanks. Results of computer hydraulic modeling and associated improvements needed to remedy fire protection problems are presented in Section 7.

City of Newport

Community Development Department

Memo

To: Newport Planning Commission/Commission Advisory Committee

From: Derrick Tokos, Community Development Director DT

Date: October 5, 2012

Re: Assessment of Requirements for an Urban Growth Boundary Expansion to Accommodate Construction of a Water Storage Facility in Agate Beach

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The City intends to install a water storage tank, distribution lines, and radio transmission tower at the old quarry site at the end of NE 71st Street (map attached). It is identified as Tax Lot 1002, Section 31, T10S, R11W and is 11.60 acres in size. The radio transmission equipment is for an electronic metering system. Water pressure in this portion of the City is inadequate for fire suppression purposes requiring that sprinkler systems be installed in structures. Property inside the City lacks the elevation needed to generate adequate pressure for a gravity feed water distribution system. The City considered placing a tank on lower elevation property coupled with a pump station; however, given the frequency of power outages in the area that solution would be unreliable.

The subject property is just outside the Newport Urban Growth Boundary (UGB) and city limits, in what the Newport Comprehensive Plan describes as the Agate Beach growth area. It is under the County's planning jurisdiction and is zoned Timber Conservation (T-C). The planned uses could be permitted in this zone through a County conditional use process. Over the long term, this property appears well suited for inclusion inside the UGB. The property would be placed in a "Public" Comprehensive Plan Designation and given P-1/"Public Structures" zoning. The parcel is bordered by the City on the west and south.

This memo describes the process, criteria, and issues inherent to an Urban Growth Boundary expansion. It is intended as a draft, to be shared with the Department of Land Conservation and Development, County, and others to begin to frame the requirements that must be satisfied. For this work session, I am looking for the Commission's feedback regarding the general direction of the proposal and whether or not it is on board with scheduling a public meeting to initiate the UGB amendment process.

The property would also need to be annexed. That is more of a procedural step that can be addressed concurrent with the UGB amendment.

Ownership

The City of Newport owns the surface property rights. Lincoln County Assessment records indicate that the mineral rights are owned by Forest Capital Partners, LLC. The City should share its plans for constructing a water storage facility at this location with this property owner before proceeding with the UGB amendment as the project could impact their ability to exercise the mineral rights.

Procedural Considerations

The process for expanding the Urban Growth Boundary is described under Policy 4, Urbanization, of the Newport Comprehensive Plan (attached). UGB amendments are broken into two categories, minor and major. The City and County Planning Director's must agree on the designation a proposal falls under. I believe that this is a minor amendment and have asked for County concurrence.

UGB amendments can be initiated by individuals or groups, the City or County Planning Commissions, the Newport City Council or the Lincoln County Board of Commissioners. The City and County Planning Commissions are charged with conducting hearings on the proposals and providing recommendations. Both the City and County governing bodies are required to hold public hearings, and both must agree for an amendment to become final (Policy 4.4).

Amendment Criteria

ORS 197.298 ("The Priority Statute")

This statute sets out the priority for bringing land into the UGB and must be followed sequentially. Top priority lands are those that are designated as urban reserve land under ORS 195.145. The Urbanization Chapter of the Newport Comprehensive Plan shows that this site is within Area A, the Agate Beach Urban Growth Area. We would argue that this is an urban reserve area within the meaning of the statute. Also, it is relevant to note that this section of the Comprehensive Plan discusses deficiencies in the water system in Agate Beach, an issue that is behind the need for this water storage facility.

The next two statutory priorities require that non-resource (i.e. "exception land") or marginal lands be evaluated to see if they can meet the need. Exception lands exist to the north; however, they lack the elevation needed to construct the storage tank. The Iron Mountain Quarry to the north possesses sufficient elevation; however, this is an active aggregate site with excavation, the potential for blasting, and heavy truck traffic that is incompatible with the public infrastructure that we would be looking to construct. There are no marginal lands in the vicinity of Agate Beach.

The last priority is land designated for forest purposes, which is the current designation for the property. This statute recognizes that topographical or physical constraints that prevent urban services from being located on lower priority lands can be used as justification for a UGB amendment involves forest land.

Policy 4.5, Newport Comprehensive Plan

The City must address the findings contained within its Comprehensive Plan along with provisions of Statewide Planning Goal 14 to the extent that they are different. Goal 14 was amended effective April 28, 2006 so its provisions are more current than the Policy 4.5 required findings. Both are listed below along with a brief explanation of how the City might address them should this UGB amendment move forward.

> *Policy 4.5(a): There exists a demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;*
>
> *Goal 14 language: (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments. (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the above.*
>
> The City recently updated its population forecast, along with its housing and commercial and industrial buildable lands inventories. This analysis identifies a demonstrated need for urban housing and employment opportunities within Agate Beach, inside the City UGB. A new water storage tank

and associated distribution lines meets this need by ensuring adequate water pressure is available for development.

Policy 4.5(b): An orderly and economic provision of key urban facilities or services;

Goal 14 language: Orderly and economic provision of public facilities and services.

City will show that these improvements are necessary for it to have adequate capacity to serve lands inside the existing UGB. The City will further demonstrate that alternative locations are not available, considering the prioritization requirements of ORS 197.298. This is largely due to topographical constraints, which require that a water storage facility of this nature be located on higher ground. This will involve technical analysis regarding the water distribution systems capabilities and deficiencies in the Agate Beach area, and should be adequate to address these standards.

Policy 4.5(c): Maximum efficiency of land uses within the current urbanizable area;

Goal 14 language: Efficient accommodation of identified land need.

The alternatives analysis described above will address these standards as well, in that the City will demonstrate that locating a storage tank on this property allows the City to offer water service in a manner that efficiently accommodates development of land that is already within its UGB.

Policy 4.5(d): Environmental, energy, economic and social consequences;

Goal 14 language: Comparative environmental, energy, economic, and social consequences.

There is no material difference between the City policy and Goal 14 language. The City will identify if any significant Goal 5 resources exist on the property (streams, wetlands, aggregate, etc.) and will evaluate the proposed scope of uses permissible under a public plan designation, considering the above factors, to identify if there are any conflicts and the consequences that can be expected.

Policy 4.5(e): Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI being the lowest priority;

Goal 14 language: Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest lands outside of the UGB.

City will establish that the proposed scope of uses is compatible with adjoining forest activities, considering typical forest practices (harvesting of timber, spraying, etc.). Adjacent forest operators possess easement access across this property for the express purposes of harvesting timber, and any use of the site would be subject to those terms. There are no agricultural activities nearby.

Policy 4.5(f): Compatibility of the proposed urban uses with nearby agricultural activities;

City will document that there are no agricultural activities nearby.

g.) Need for housing, employment, opportunities, and livability; and

This is addressed in analysis listed under Policy 4.5(a).

h.) Statewide Planning Goal 2 exception criteria.

Because a "Public" Comprehensive Plan designation, and P-1/"Public Structures" zoning would allow water utility infrastructure as an outright use; whereas, County zoning adopted in accordance with Statewide Planning Goal 4 does not, the City must take an exception to the Goal.

Requirements for qualifying for an exception are outlined under Statewide Planning Goal 2 and ORS Chapter 197.732. There are three types of exceptions, each of which has different standards. A "developed" exception is a circumstance where a property is physically developed to the extent that it is no longer available for uses allowed by the applicable goal, which in this case is Goal 4 which promotes commercial forest uses. That circumstance does not exist on the property.

Another option is what is referred to as a "committed" exception. For a committed exception, a City must demonstrate that the subject parcel while not physically developed, is nonetheless "irrevocably committed" to uses not allowed by Goal 4 because existing adjacent uses and other relevant factors make uses allowed by the goal impracticable. The small size of a property in itself is not justification if it could be used for timber purposes in conjunction with neighboring properties. Ownership is not a factor. Justification for a "committed" exception does not appear to exist in this case.

The last avenue that the City can pursue is a "reasons" exception. To justify a reasons exception the City must establish that reasons justify why the state policy embodied in the applicable goal should not apply. The parameters are discussed extensively under Oregon Administrative Rule (OAR) 660-014-0040, but are essentially the alternatives and Environmental, Social, Energy and Economic (ESEE) analysis discussed above.

City may need to take exceptions to other Statewide Planning Goals. This will become apparent once staff with the Department of Land Conservation and Development provides the City with feedback on this assessment. The summary above focuses on Goal 4 to give the Planning Commission an idea of the nature of the analysis required. A goal exception is implemented in the form of a Comprehensive Plan amendment, and findings will include an evaluation of the proposed amendment as to its compatibility with the surrounding neighborhood and community (required for Minor Amendments under Newport Comprehensive Plan Policy B, Administration of the Plan).

<u>Attachment</u>

Lincoln County Zoning Map for the property (excerpt)
Map of the Proposed Expansion Area
Urbanization and Administration Chapters of the Newport Comprehensive Plan

Note: Copies of relevant Statewide Planning Goals, statutes, and administrative rules to be provided upon request.

URBANIZATION

The Newport urban area includes lands within the city limits. It becomes necessary, however, to identify lands outside those limits that will become available for future growth. With that in mind, the City of Newport and Lincoln County have agreed upon a site specific boundary that limits city growth until the year 2010.

The urban growth boundary (UGB) delineates where annexations and the extension of city services will occur. Converting those county lands within the UGB requires coordination between the county, the property owners, and the city. This section provides the framework and the policies for those conversions and service extensions. The decision makers can also use this section as a guide for implementation of the urbanizing process.

The city and county made the policies of this section as part of a coordinated effort. Involved in the process were the governing bodies and planning commissions of both jurisdictions. The Citizen's Advisory Committee, concerned citizens, and other affected agencies also participated in the process.

Newport Urban Growth Areas:

Land forms are the most important single determinant of the directions in which Newport can grow. Newport is bounded on the west by the Pacific Ocean and on the east by the foothills of the Coast Range. In addition, the city is divided by Yaquina Bay. The only suitable topography for utility service and lower cost urban development is along the narrow coastal plain. Some development has occurred in the surrounding foothills and along the Yaquina River and creek valleys, but this is generally rural development of low density without urban utilities. The preceding inventory indicates a need for additional acres of land by the year 2010 to accommodate expected growth.

A. Agate Beach Area (North Newport/390 Acres):

Inventory. This study area consists of both urbanized and undeveloped land (see map on page 283). Of the 390 acres available for residential development, 225 lie within the unincorporated area of the UGB, and 165 acres are within Newport's city limits. (The urbanized area contains approximately 60 acres.)

The urbanized area was platted in the 1930's, with growth occurring gradually since that time. The area is primarily residential and has a mixture of houses, mobile homes, trailers, and some limited commercial uses along U.S. Highway 101. The area was previously served by the Agate Beach Water System, which frequently failed to meet

federal water quality standards and had inadequate line size and pressure to serve existing customers and projected growth. The City of Newport rebuilt the water system and installed a sewer system at the cost of approximately $1.4 million.

The unincorporated portions of this study area have been included in Newport's UGB to help meet anticipated need for residential land. The land is relatively level, water services and road access are immediately adjacent, and sewer is available. The area has been urbanized to a degree already and is suitable for continued residential development. Much of this area has been platted into 5,000 square foot lots, which are both suitable for mobile home placement and "buildable" as sewer is extended.

Analysis. Because most of this area has been previously platted into 50 x 100 foot lots, land costs can be expected to be lower than in newly platted areas of the city. Many mobile homes and trailers currently exist in this area, and smaller lots are appropriate for mobile homes.

Finding. This area is suitable for continued residential development and is designated residential. In addition, because of the smaller lot sizes and the existence of many mobile homes in the area, a mobile home overlay zone is desirable and compatible with existing uses. Areas of larger acreage on both the east and west side are suitable for high density residential use with the mobile home overlay so that new mobile home parks may be built in the area as outright uses, as well as allowing apartments. Existing commercial development along U.S. Highway 101 should be allowed to remain.

B. Agate Beach Golf Course and Little Creek Drainage Area (North Newport/93 acres):

Inventory. This area lies south and east of the golf course, west of the west line of Section 33, and east of Highway 101, all of which is within the city limits (see map on page 283). The area is generally undeveloped, and it slopes steeply toward Little Creek.

The area has been planned to be served by city water and sewer and a major new road. It is zoned for low and high density residential development.

Analysis. Because of the steep slopes, this is the type of area where a planned development is often appropriate. It borders a mobile home park to the south and is geographically well separated from other areas of conventional housing; therefore, mixed residential development can be considered for the property with little possible conflict.

Finding. Because of the topography, either low density residential development with a planned development overlay or high density residential development would be appropriate designations. However, the former would insure more open space in the long range.

C. West Big Creek Drainage Area (North Newport/40 acres):

Inventory. This area lies south of the Pacific Beach Club, east of U.S. Highway 101, and west of Lakewood Hills (see map on page 283). It has not yet been developed.

Analysis. Much of the area is in a flood plain. However, it has been studied for a planned development and is suitable for high density residential use.

Finding. High density residential will be the designation for this property. The land may be suitable for a planned unit development.

D. East Big Creek Drainage Area (City Reservoir):

Inventory. This area drains into the city reservoir, and the city owns the majority of the land (see map on page 283). There are several smaller private parcels with houses and livestock.

Finding. This area could eventually be used as a large city park or residential area once the reservoir is no longer used for the city water supply. During the planning period, this area should be protected from further residential development.

That land which is not needed for public park land shall be considered for return to the private sector for housing.

E. Jeffries Creek Drainage Area (Northeast Newport/220 Acres):

Inventory. This area is south of the city reservoir, north of Old Highway 20, east of Harney Street, and west of the eastern half of Section 4 (see map on page 283). This area contains the Terrace Heights, Virginia Additions, Kewanee Addition, and the Beaver State Land property. There is very little development in the area as yet. Fifty-five acres lie within Newport's city limits.

Analysis. Platted around the turn of the century, this area has long been planned for low density residential development. Little has occurred so far due to more accessible development closer to Newport. This is no longer the case, and this land is now needed for housing.

Finding. This area has steep slopes, no existing utilities as yet, and will be expensive to develop. However, much of the property will have ocean or bay view. The area is appropriate for low density development.

F. Harbor Heights Area (Southeast Newport/267 Acres):

Inventory. This study area lies east of Harbor Heights to the urban growth boundary and north of Bay Road to the urban growth boundary (see map on page 283). Of its 267 acres, approximately 44 are within Newport's city limits.

Analysis. This is an area where lot sizes might well be raised to a higher minimum to encourage the maintenance of the vegetation that helps stabilize the entire area. This would be a high cost housing area with very low density development.

Finding. The area is steep with some slide potential. Dotted with residential uses, the area commands a view of the bay and is in heavy demand. A low density residential designation is appropriate for this area.

G. Idaho Point Area (South Beach/120 Acres):

Inventory. This area stretches from South Bay Street to the Idaho Point Marina and from S.E. 32nd Street south to the forest lands (see map on page 283).

Analysis. The existing water system is inadequate and is being replaced, along with city sewer. Some of the area is in demand for its bay view, and much of the land could be developed for medium to high cost housing. The topography varies from flat to steeply sloping, with most in the in between category; therefore, development costs will vary.

Finding. The topography in the area varies from flat to steeply sloping, with most of it moderately sloping. The existing water system is inadequate and sewer is not yet available. Some low density residential uses currently exist, and the area has been planned for a mix of low and high density residential.

H. South Beach (South of Newport/560 Acres):

Inventory. The area extends from S.E. 32nd Street to the southern boundary of the Newport Municipal Airport and from the southerly extension of Bay Street to U.S. Highway 101 (see map on page 283).

Analysis. The area has long been planned for urban development and is currently coming along in that manner. Newport has planned for many years to encourage industrial development in South Beach.

Finding. It is the only area for which the city has planned industrial development that would allow non-water related or non-water dependent industrial development. The area will need city sewer and other city services.

I. Wolf Tree Destination Resort (South of Newport/1,000 Acres):

Inventory. The city extended its urban growth boundary and the city limits to include about 1,000 acres for the Wolf Tree Destination Resort consistent with Goal 8 (see map on page 284). The area includes about 800 acres south of the Newport Municipal Airport, with another 200 acres lying east of the airport. The region has a special plan and zoning designation that limits the land for a destination resort.

Analysis. Currently undeveloped except for a few scattered residences, the area has been planned for a destination resort since 1987. The south area is presently in the city limits, but the easterly 200 acres is not. The Wolf Tree property was brought into the UGB and annexed to the city only after a Goal 8 Destination Resort analysis and a limitation on the property to the development of a destination resort. Many state and federal agencies were involved in the process that brought this property into the UGB and the city limits.

Finding. The project complies with Goal 8/"Destination Resort." The property cannot be developed except as a destination resort consistent with state and city law.

Finding. The City of Newport has established its urban growth boundary as indicated on the city's Comprehensive Plan Map (available in the city's Planning Department office), in accordance with the following findings and as demonstrated in the inventory:

> The projected population growth requirements of the City of Newport, as demonstrated in the inventory, cannot be met within the existing city limits.

> In order to provide adequate housing opportunities and needed employment and to plan for a livable environment, there is a need for additional acreage beyond that currently available within the Newport city limits.

> The City of Newport has planned for the urbanization of the UGB area based upon the city's long-range plan and capacity to extend needed facilities and service during the planning period.

> In determining the most appropriate and efficient land uses and densities within the UGB, the City of Newport has considered current development pattern limitations posed by land forms, as well as the city's needs during the planning period.

> In establishing its UGB, the City of Newport has considered and accounted for environmental, energy, economic, and social consequences as demonstrated in the inventory.

> There are no agricultural lands adjacent to the Newport urban growth boundary.

> What alternative locations within the area have been considered for the proposed needs.

****

GOALS/POLICIES/IMPLEMENTATION MEASURES
URBANIZATION

Goal: To promote the orderly and efficient expansion of Newport's city limits.

Policy 1: The City of Newport will coordinate with Lincoln County in meeting the requirements of urban growth to 2010.

Implementation Measure 1: The adopted urban growth boundary for Newport establishes the limits of urban growth to the year 2010.

1.) City annexation shall occur only within the officially adopted urban growth boundary.

2.) The official policy shall govern specific annexation decisions. The city, in turn, will provide an opportunity for the county, concerned citizens, and other affected agencies and persons to respond to pending requests for annexation.

3.) Establishment of an urban growth boundary does not imply that all included land will be annexed to the City of Newport.

Policy 2: The city will recognize county zoning and control of lands within the unincorporated portions of the UGB.

Implementation Measure 2: A change in the land use plan designations of urbanizable land from those shown on the Lincoln County Comprehensive Plan Map to those designations shown on the City of Newport Comprehensive Plan Map shall only occur upon annexation to the city.

1.) Urban development of land will be encouraged within the existing city limits. Annexations shall address the need for the land to be in the city.

2.) Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth allowed in the

city's plans. Those facilities must be available or can be provided to a site before or concurrent with any annexations or plan changes.

Policy 3: The city recognizes Lincoln County as having jurisdiction over land use decisions within the unincorporated areas of the UGB.

Implementation Measure 3: All such decisions shall conform to both county and city policies.

1.) Unincorporated areas within the UGB will become part of Newport; therefore, development of those areas influences the future growth of the city. Hence, the city has an interest in the type and placement of that growth. Lincoln County shall notify the city of any land use decision in the UGB lying outside the city limits. The county shall consider recommendations and conditions suggested by the city and may make them conditions of approval.

2.) The city shall respond within 14 calendar days to notifications by the county of a land use decision inside the adopted UGB. The county may assume the city has comments only if they are received inside of that 14 days.

Policy 4: The development of land in the urban area shall conform to the plans, policies, and ordinances of the City of Newport.

Implementation Measure 4a: The City of Newport may provide water and wastewater services outside the city limits consistent with the policies for the provision of such services as identified in the applicable Goals and Policies of the Public Facilities Element of the Comprehensive Plan.

Implementation Measure 4b: Amendments to UGB Boundaries or Policies. This subsection delineates the procedure for joint city and county review of amendments to the urban growth boundary or urbanization policies as the need arises.

1.) Major Amendments:

a.) Any UGB change that has widespread and significant influence beyond the immediate area. Examples include:

(1) Quantitative changes that allow for substantial changes in the population or development density.

(2) Qualitative changes in the land use, such as residential to commercial or industrial.

(3) Changes that affect large areas or many different ownerships.

b.) A change in any urbanization policy.

2.) Minor Boundary Line Adjustments: The city and county may consider minor adjustments to the UGB using procedures similar to a zone change. Minor adjustments focus on specific, small properties not having significant impact beyond the immediate area.

3.) Determination of Major and Minor Amendments: The planning directors for the city and county shall determine whether or not a change is a minor or major amendment. If they cannot agree, the planning commissions for the city and county shall rule on the matter. The request shall be considered a major amendment if the planning commissions cannot agree.

4.) Initiation, Application, and Procedure: Individual or groups of property owners, agencies that are

affected, the planning commissions, or the city or county governing bodies may initiate amendments. Applicants for changes are responsible for completing the necessary application and preparing and submitting the applicable findings with the application. The planning commissions for the city and county shall review the request and forward recommendations to the Newport City Council and the Lincoln County Board of Commissioners.

The city and county governing bodies shall hold public hearings on the request. Amendments become final only if both bodies approve the request.

5.) Findings shall address the following:

a.) There exists a demonstrated need for the change to ~~accommodate unpredicted population trends, to satisfy urban~~ housing needs, or to assure adequate employment opportunities;

b.) An orderly and economic provision of key urban facilities or services;

c.) Maximum efficiency of land uses within the current urbanizable area;

d.) Environmental, energy, economic and social consequences;

e.) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI being the lowest priority;

f.) Compatibility of the proposed urban uses with nearby agricultural activities;

g.) Need for housing, employment, opportunities, and livability; and

h.) Statewide Planning Goal 2 exception criteria.

6.) Correction of Errors: Occasionally an error may occur. Errors such as cartographic mistakes, misprints, typographical errors, omissions, or duplications are technical in nature and not the result of new information or changing policies. If the Newport City Council and the Lincoln County Board of Commissioners become aware of an error in the map or text of this adopted urbanization program, either body may cause an immediate
amendment to correct the error. Both bodies must, however, agree that an error exists. Corrections shall be made by ordinance after a public hearing. The governing bodies may refer the matter to their respective planning commissions, but that is not required.

Policy 5: The city is responsible for public facilities planning within its urban growth boundary.

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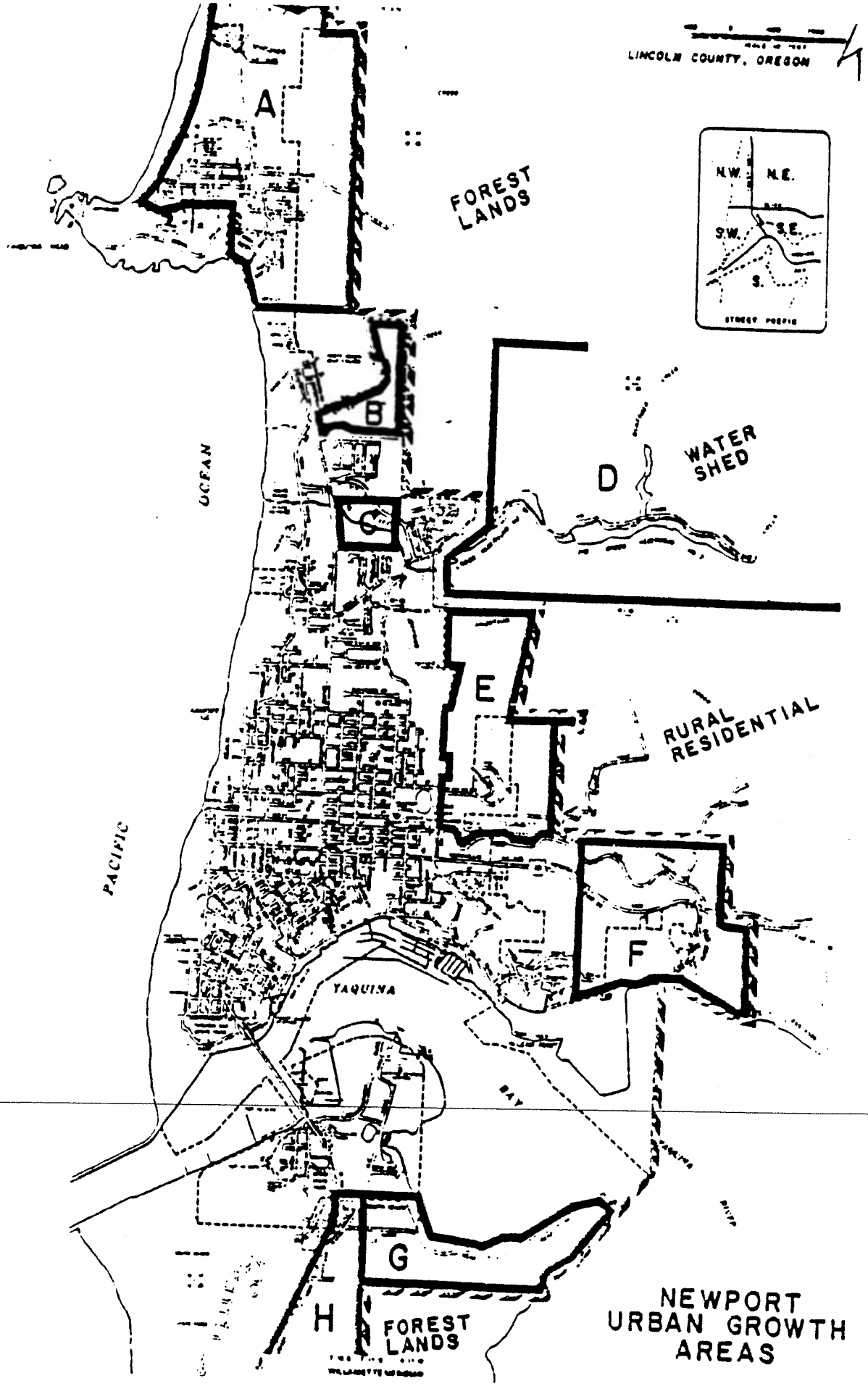
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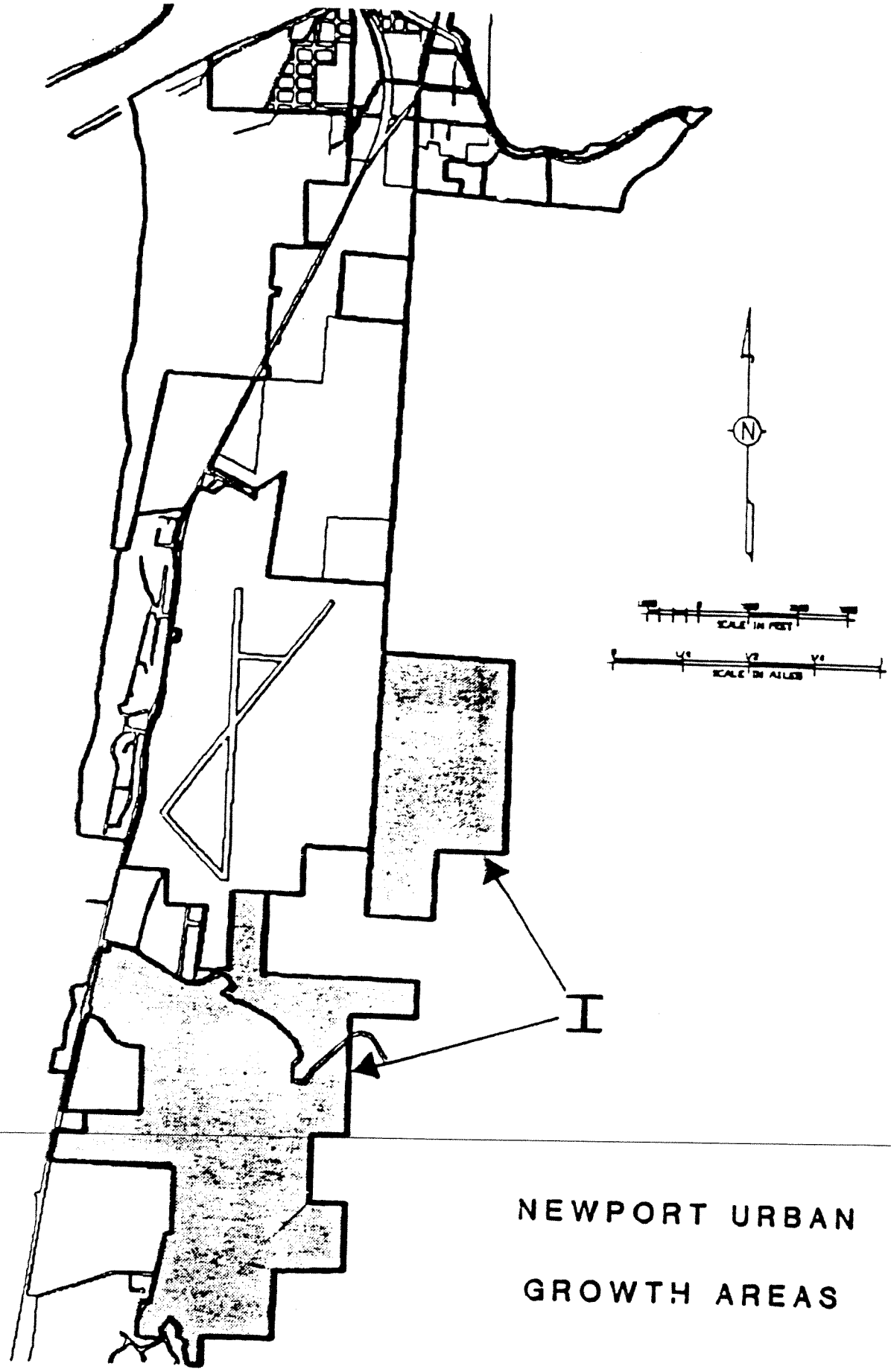

NEWPORT URBAN

GROWTH AREAS

ADMINISTRATION OF THE PLAN

Introduction:

Planning is a process. Because conditions change, the planning process should remain dynamic. Oregon's statewide planning program addresses this need in two ways: First, a post acknowledgement review process exists to assure that local amendments to a state acknowledged plan or implementing ordinance comply with the statewide planning goals; second, a periodic review program mandates the maintenance of local comprehensive plans. Cities must submit their plans every four to seven years to the state, who in turn reviews the plans for consistency and compliance with new rules and statutes.

In addition to state requirements, local jurisdictions should have a well defined review and amendment process. That process should attempt to strike a balance between changing circumstances and the need to provide certainty in the rules. This section presents such a process.

There are two types of comprehensive plan changes, text and map.

Text Amendments

Changes to the text of the plan shall be considered legislative acts and processed accordingly. These include conclusions, data, goals and policies, or any other portion of the plan that involves the written word.

Map Amendments[1]

There are three official maps within this plan. They are (1) the General Land Use Plan Map (commonly called the "Comp Plan Map"), (2) the Yaquina Bay Estuary and Shorelands Map (page 272), and (3) the Ocean Shorelands Map (page 50).

Three types of amendments are possible to each of these maps. The first involves wide areas of the map and many different properties, and these are considered major, legislative changes (see the urbanization section on page 273 for definitions). The second usually involves small areas and affects only a few pieces of property. These amendments are considered minor (again, see the urbanization section for definitions), and are quasi-judicial in nature. The third amendment is an amendment based on a demonstrated error in a map designation of a property or the establishment of

1 Map Amendments Section amended by Ordinance No. 1868 (February 17, 2004).

boundaries on one of the maps. Errors may include, but are not limited to cartographic mistakes, scrivener's errors in a description of a designation or boundary, incorrect map designations of property based on an erroneous assumption of property ownership, the need to reconcile conflicts between a comprehensive plan map designation and a zoning map designation of a property, or the need to adjust comprehensive plan designations or boundaries based on the correction of errors in the Urban Growth Boundary under the Newport Comprehensive Plan process for resolution of errors in the Urban Growth Boundary.

Major, minor, and error amendments to any of the three maps shall be processed consistent with the procedure established in 2-6-1/"Procedural Requirements" of the Zoning Ordinance (No. 1308, as amended). Major, minor, and error amendments to the maps shall be accompanied by findings addressing the following:

A. Major Amendments:

1.) A significant change in one or more goal or policy; and

2.) A demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities; and

3.) The orderly and economic provision of key public facilities; and

4.) Environmental, energy, economic, and social consequences; and

5.) The compatibility of the proposed change with the community; and

6.) All applicable Statewide Planning Goals.

B. Minor Amendments:

1.) A change in one or more goal or policy; and

2.) A demonstrated need to accommodate unpredicted population trends, housing needs, employment needs or change in community attitudes; and

3.) The orderly and economic provision of key public facilities; and

4.) The ability to serve the subject property(s) with city services without an undue burden on the general population; and

5.) The compatibility of the proposed change with the

surrounding neighborhood and the community.

C. Error Amendments:

1.) An error was made in the establishment of a map designation or boundary; and,

2.) The correction of the error by the amendment of a map designation or boundary is necessary to resolve an issue created by the error.

Initiation:

A comprehensive plan text revision may be initiated by the Newport City Council, the Newport Planning Commission, the owner (or his/her authorized representative) of any property included in the urban growth boundary, or any resident. Changes proposed by a property owner or resident shall be initiated by the filing of an application for such change. The application shall be on a form prescribed by the City of Newport. Accompanying the application shall be a fee. The City Council shall from time to time set, by resolution, the fees for comprehensive plan changes.

All modifications initiated by a motion of the City Council or an application from a property owner or resident shall be forwarded to the Planning Commission for review and recommendation, who shall review the request and send a recommendation back to the City Council.

Hearings and Notification:

All changes shall be considered by the Planning Commission and City Council at public hearings. Notices and other procedural requirements shall be made in accordance with Section 2-6-1 of the Zoning Ordinance.

The City Council shall hear the matter at a regularly scheduled meeting. If the Council approves the request, they shall pass an ordinance reflecting the change. Denial may be made upon a motion duly seconded and passed by a majority of the Council voting.

Findings of Fact:

All requests for amendments to the data, text, inventories, graphics, conclusions, goals and policies, or implementation strategies shall be accompanied by findings that address the following:

A. Data, Text, Inventories or Graphics:

1.) New or updated information.

B. Conclusions:

1.) A change or addition to the data, text, inventories, or graphics which significantly affects a conclusion that is drawn for that information.

C. Goals and Policies:

1.) A significant change in one or more conclusion; or

2.) A public need for the change; or

3.) A significant change in community attitudes or priorities; or

4.) A demonstrated conflict with another plan goal or policy that has a higher priority; or

5.) A change in a statute or statewide agency plan; and

6.) All the Statewide Planning Goals.

D. Implementation Strategies:

1.) A change in one or more goal or policy; or

2.) A new or better strategy that will result in better accomplishment of the goal or policy; or

3.) A demonstrated ineffectiveness of the existing implementation strategy; or

4.) A change in the statute or state agency plan; or

5.) A fiscal reason that prohibits implementation of the strategy.

Interpretations:

It may become necessary from time to time to interpret the meaning of a word or phrase or the boundaries of a map. Whenever such an interpretation involves the use of factual, policy, or legal discretion, a public hearing before the Planning Commission consistent with the procedural requirements contained in Section 2-6-1 of the Zoning Ordinance (No. 1308, as amended) shall be held.

A ruling for an interpretation shall be approved only if findings are presented that comply with the following:

- The interpretation does not change any conclusion, goal, policy, or implementation strategy.
- The interpretation is based on sound planning, engineering, or legal principles.
- The interpretation is consistent with the Comprehensive Plan.

Additional Map Information:

The official maps shall be identified by the City Council and shall be on file with the City of Newport's Department of Community Planning and Development. A correct and up-to-date original of each map shall be maintained by the planning department. Regardless of the existence of copies of the official maps that may be made or published, the official maps shall be the final authority for determining boundaries for various districts and features.

In the event that an official map becomes damaged, destroyed, lost, difficult to interpret, or outdated, the City Council shall, by ordinance, adopt a new official map, which shall supersede the old one. Adoption of a new official map shall be a legislative matter and shall be processed as such.

Where uncertainty exists as to the boundaries of districts shown on the official maps, the following rules shall apply:

A. Boundaries indicated as approximately following the center line of streets, highways, or alleys shall be construed to follow such center lines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C Boundaries indicated as approximately following city limits shall be construed as following city limits.

D. Boundaries indicated as following shore lines shall be construed to follow the mean higher high water line of such shore lines. In the event of change in the shore line, the boundary shall be construed as moving with the actual shore line.

E. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.

F. Areas below the mean higher high water line or the line of non-aquatic vegetation, whichever is most landward in the

estuarine area, shall be considered to be in the estuarine management unit rather than the adjacent shoreland zone.

G. Boundaries indicated as parallel to or extensions of geographic features indicated in subsections 1 through 6, above, shall be so construed.

H. Distances not specifically indicated on the official maps shall be determined by the scale of the map.

Citizen Involvement:

It is important to involve a cross section of the citizens of Newport in the development and execution of this Comprehensive Plan and its implementing ordinances. For this purpose, a process must be established to assure that citizen involvement is effective. This section is designed to outline such a procedure for the City of Newport.

The City of Newport contains a wide variety of people with many different interests. When developing new plan policies and implementing laws, it is vital to consider the various view of the community or neighborhood that will be affected by the proposal.

Timing is crucial. Too often citizens do not become involved in the planning process until a specific project is proposed. By then it is frequently more difficult to have an affect on the outcome of the project. This is compounded by the legal requirements of quasi-judicial hearings. The complicated criterion and procedural mandates are not "user friendly" and add to the frustration of persons not familiar with the process. As a result, citizens may feel that the planning does not work and they are left with a bad experience.

For developers, the perception is similar. Public hearings place an element of uncertainty in their projects. Sometimes seemingly arbitrary decisions are made, discouraging investment and innovation. Once again, planning is seen as an impediment, a necessary and expensive paper hoop that must be jumped through.

How then can a citizen involvement program be effective? For Newport, with a strong tradition of community pride and awareness, the answer lies in citizen participation in the planning of the community rather than the administration of the plan and ordinances. That means the emphasis should be placed in citizen participation in the legislative, rather than the quasi-judicial, aspect of the planning process.

When the emphasis for citizen involvement is shifted from the quasi-judicial to the legislative, the adversarial nature of the program is reduced. It is no longer the neighborhood versus the

developer but a group of concerned citizens who want a well planned community. The accent is also changed from the strict, legal procedures to more informal fact finding. All voices are encouraged. People have the freedom to explore all the alternatives and consider them fully.

Once a neighborhood or community consensus can be built, ordinances can be formulated that offer clear direction for development. As long as a developer is willing to comply with the community goals, s/he can be assured that approval will be given. Innovation can be considered on a case-by-case basis and looked at in light of objective policy.

With this system, there is a unified approach to community development. This can save the general public and development community a great deal of time and money, not to mention frustration. Planning can then be a positive.

This is not to say that problems and conflicts will not arise. It would be foolish to assume that all community goals and policies will be without ambiguity and that all developers will voluntarily comply with those standards. But the point is to shift the priority away from the antagonistic view of planning and more to the cooperative.

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GOALS/POLICIES/IMPLEMENTATION FOR CITIZEN INVOLVEMENT

Goal 1: To involve citizens in the development and implementation of the city's Comprehensive Plan and its implementing ordinances.

Policy 1: The city shall develop methods of community outreach that encourage participation in the planning process.

Implementation Measure #1: The Planning Commission shall serve as the official citizens' advisory committee to the City Council. Whenever a major change (as determined by the Commission) to the Comprehensive Plan or an implementing ordinance is under consideration, three persons from the community at large shall be designated by the Planning Commission as a Citizens' Advisory Committee.

Implementation Measure #2: The city may promote or assist neighborhood organizations to assist in decision making. When appropriate, the Planning Commission and/or

City Council may hold meetings in neighborhoods affected by the issues under consideration.

Implementation Measure #3: If an important issue needs study, then the Planning Commission or the City Council may call for the formation of an ad hoc committee. The committee shall be appointed by the Mayor and confirmed by the City Council. Effort shall be made to select persons from different sides of the issue.

Policy 2: The city will encourage the participation of citizens in the legislative rather the quasi-judicial stage of plan development and implementation.

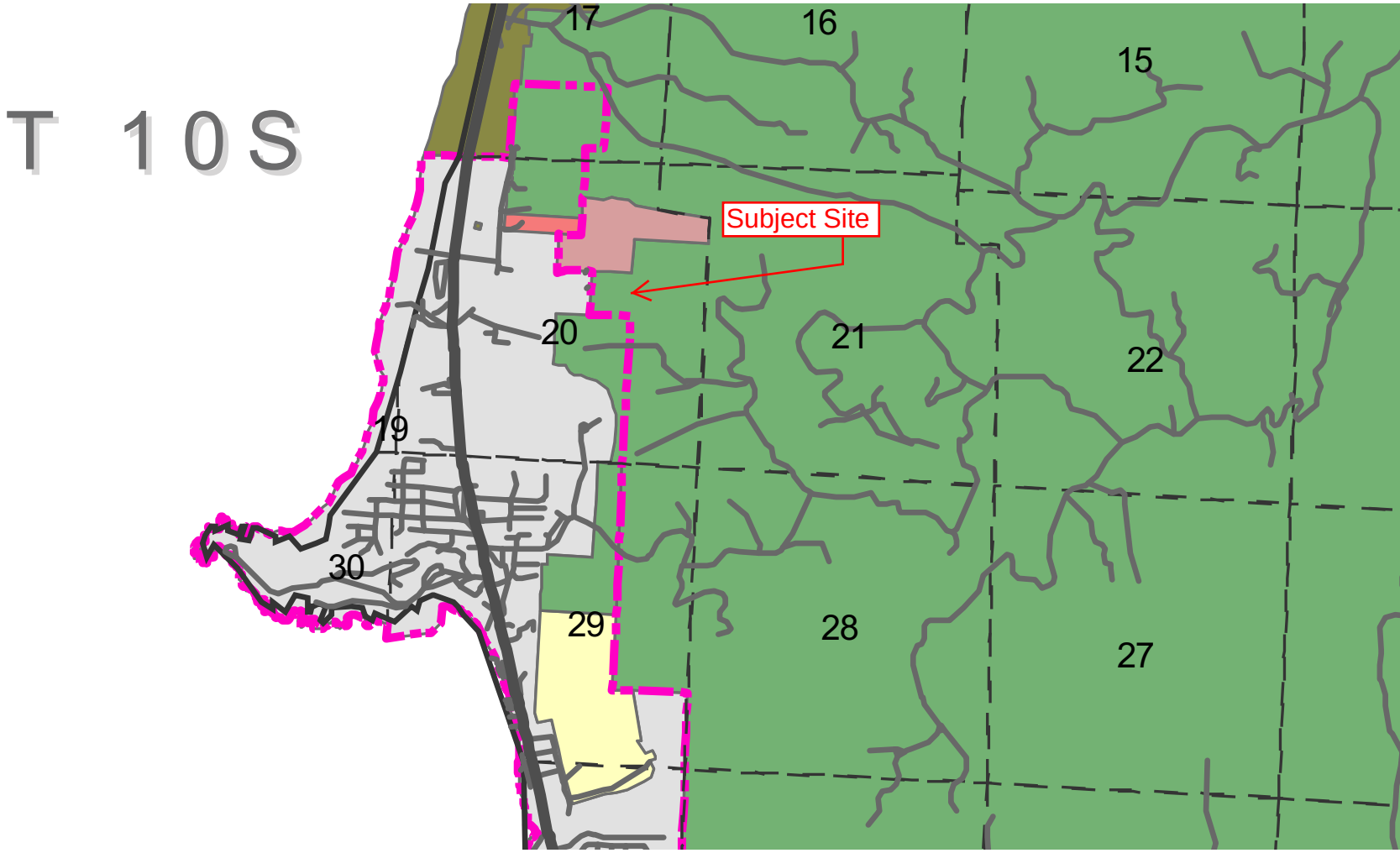
Implementation Measure #1: The city will make reasonable attempts to contact and solicit input in the formulation of comprehensive plan elements and ordinance provisions. The city may use the neighborhood organizations to discuss specific proposals. The media will be used as much as possible to make citizens aware of city policy and actions.

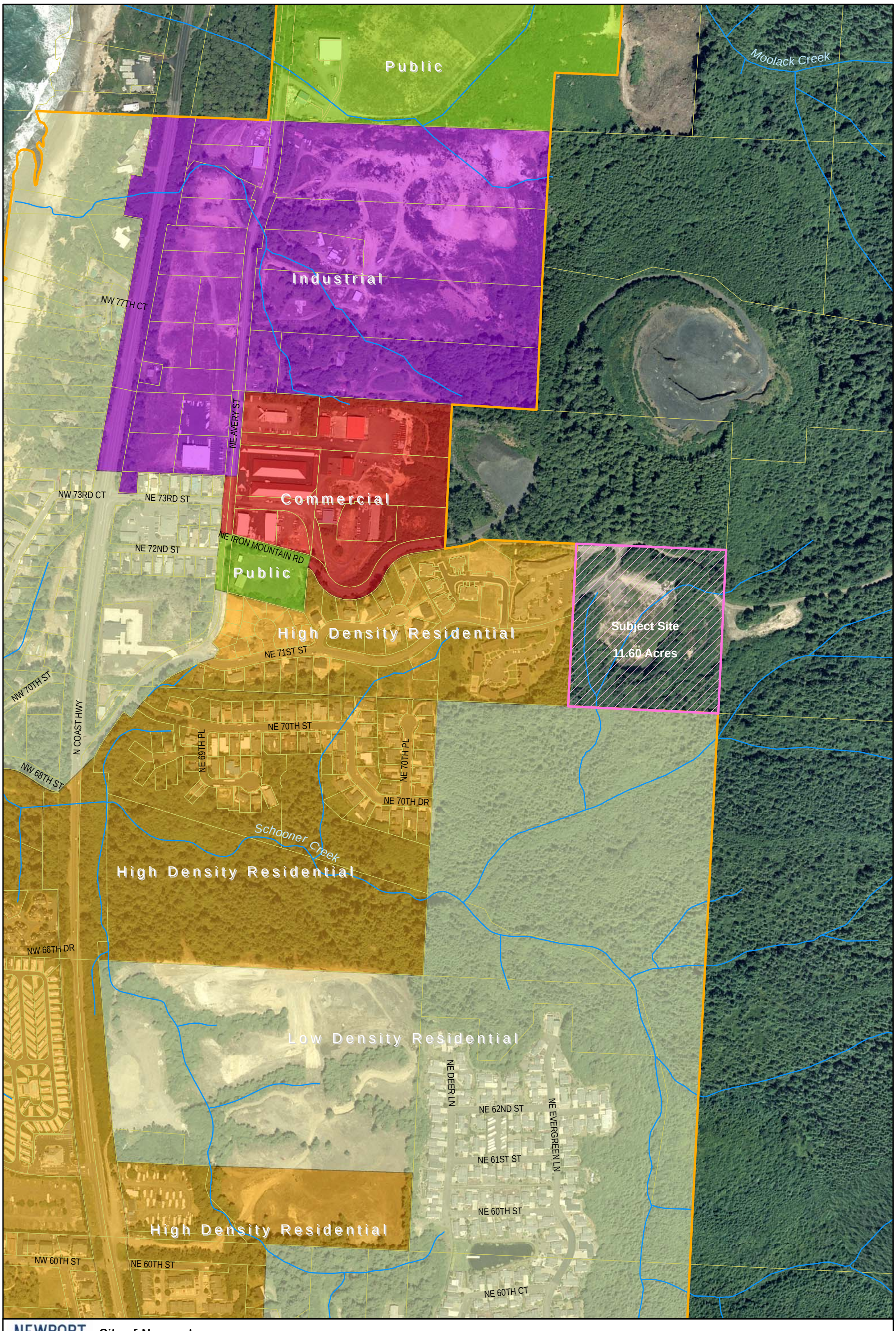
Implementation Measure #2: The city will develop clear and objective standards by which to review development proposals. Those standards should be developed only after a concerted effort by the city to involve citizens in the formulation process.

Implementation Measure #3: The city will rely on its staff to administer the plan and ordinances if clear and objective standards can be developed. If, however, administration of a plan or implementing ordinance provision involves a legal, factual, or policy decision, the decision shall be made by the Planning Commission and/or the City Council after adequate public notice to interested or affected persons.

Implementation Measure #4: The Planning Commission shall serve as the official Committee for Citizen Involvement (CCI). On matters of neighborhood or city-wide significance, the Planning Commission shall make an effort to solicit the input of citizens.

Lincoln County Zoning
Agate Beach Area
Green areas are zoned
T-C/"Timber Conservation"





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Proposed Urban Growth Boundary Expansion

New City Designation:
Public, Public Structures (P-1)

Current County Designation:
Forest, Timber-Conservation (T-C)

N W E S

400 200 0 400 Feet