



## **AGENDA & Notice of Planning Commission Work Session Meeting**

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The Planning Commission of the City of Newport will hold a work session meeting at **6:00 p.m., Monday, October 8, 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.

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### **NEWPORT PLANNING COMMISSION Monday, October 8, 2012, 6:00 P.M.**

#### **AGENDA**

#### **A. New Business.**

1. Discussion about annexation and UGB amendments for the old quarry site off NE 71<sup>st</sup> St and City reservoir properties.

#### **B. Adjournment.**

# 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 71<sup>st</sup> 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).

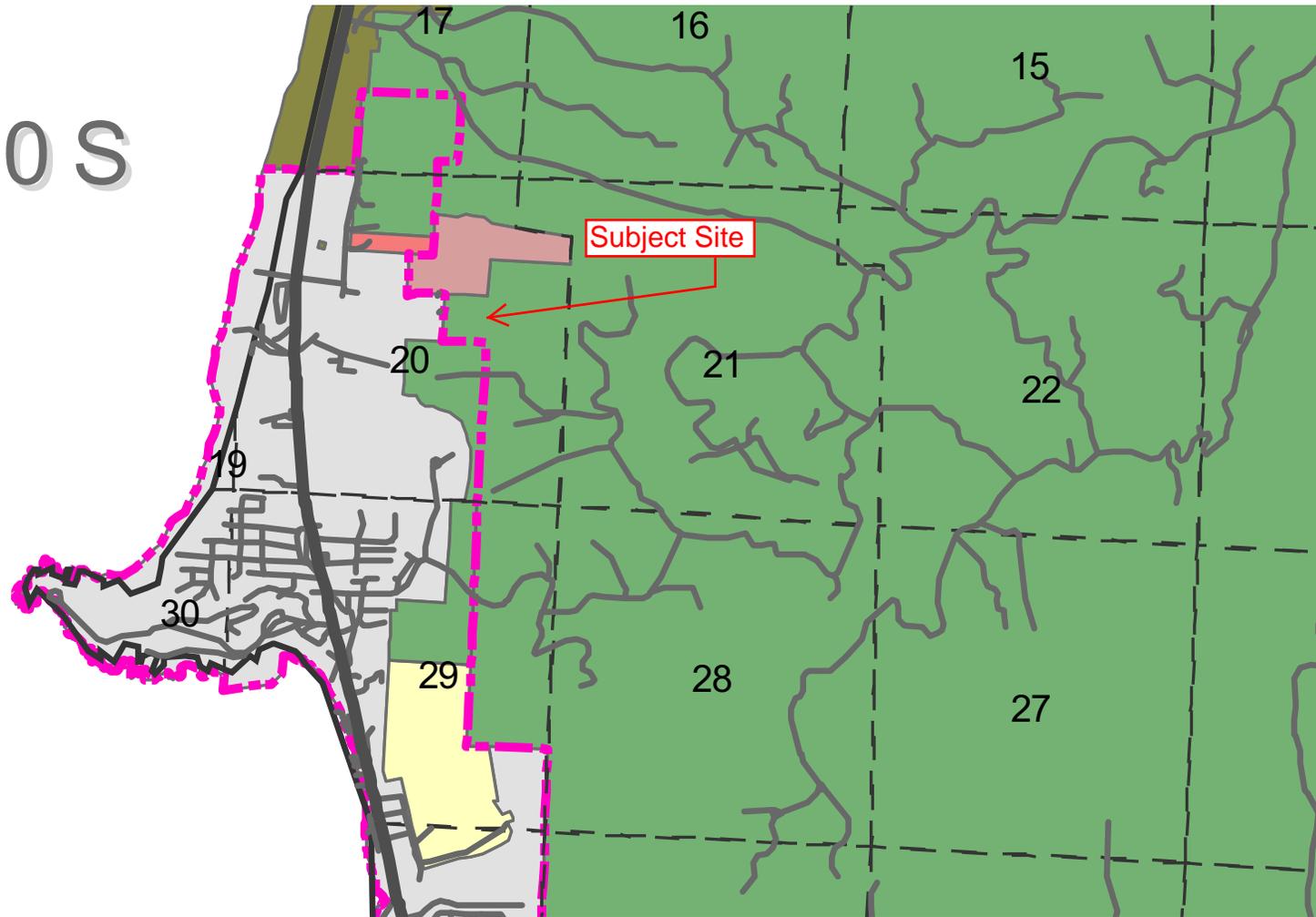
#### Attachment

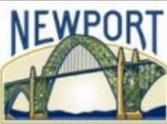
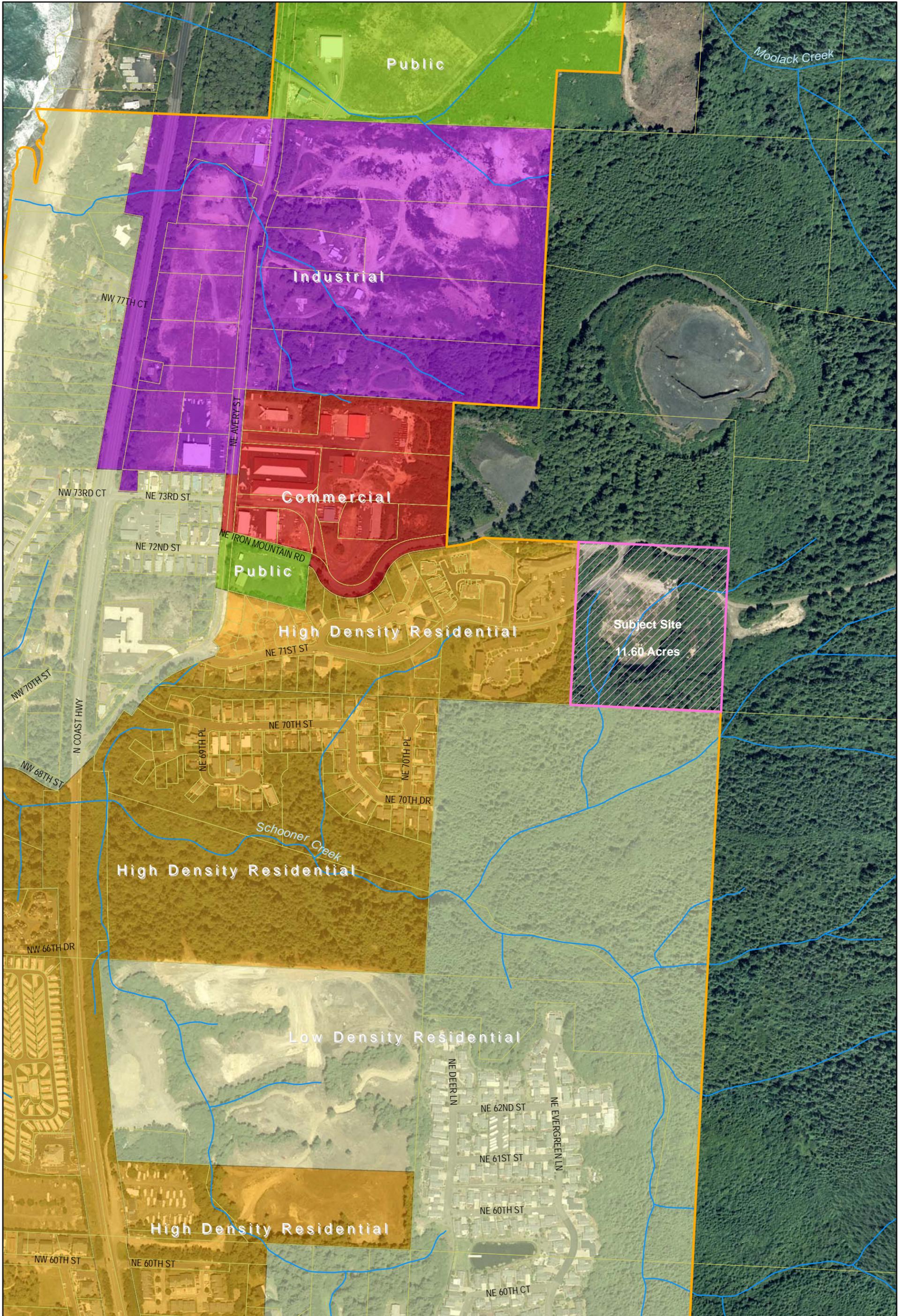
Lincoln County Zoning Map for the property (excerpt)  
Map of the Proposed Expansion Area  
Urbanization and Administration Chapters of the Newport Comprehensive Plan

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

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

T 10 S





**City of Newport**  
**Community Development Department**  
 169 SW Coast Highway  
 Newport, OR 97365  
 Phone: 1.541.574.0629  
 Fax: 1.541.574.0644

**Proposed Urban Growth Boundary Expansion**

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

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



This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.

## 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):**

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**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.
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- > 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.

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**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;

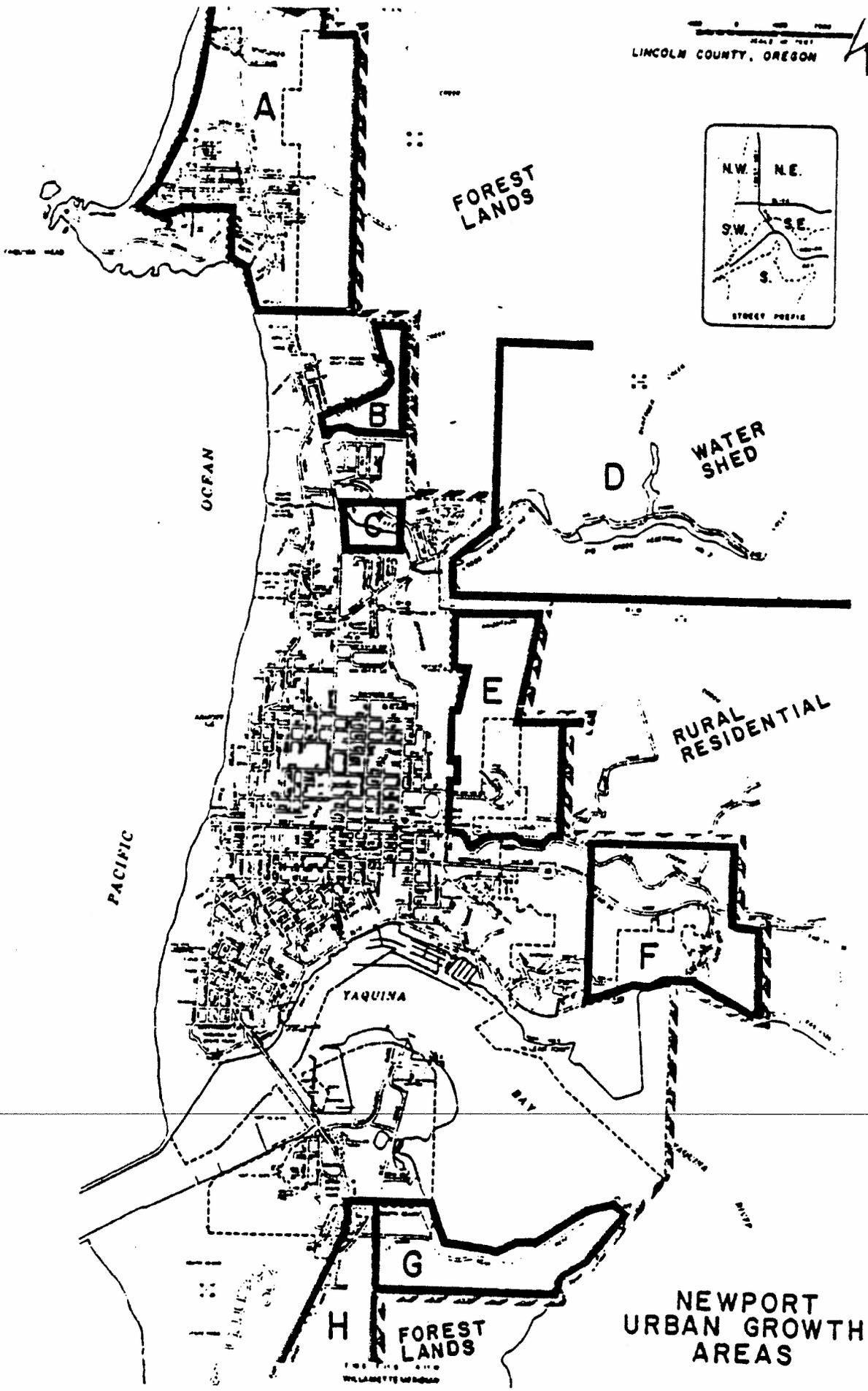
b.) An orderly and economic provision of key urban facilities or services;

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

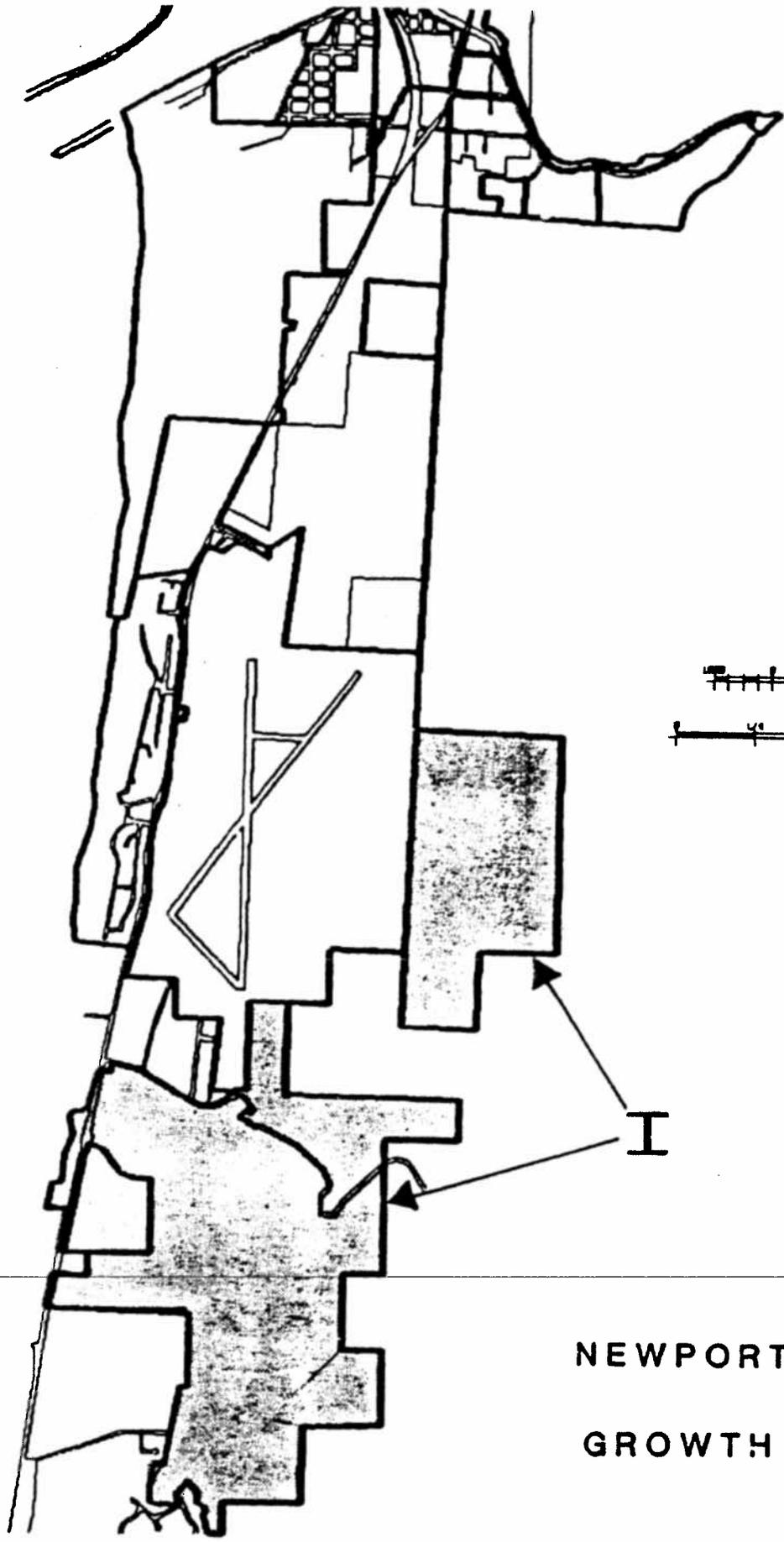
- d.) Environmental, energy, economic and social consequences;
  - e.) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI being the lowest priority;
  - f.) Compatibility of the proposed urban uses with nearby agricultural activities;
  - g.) 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.

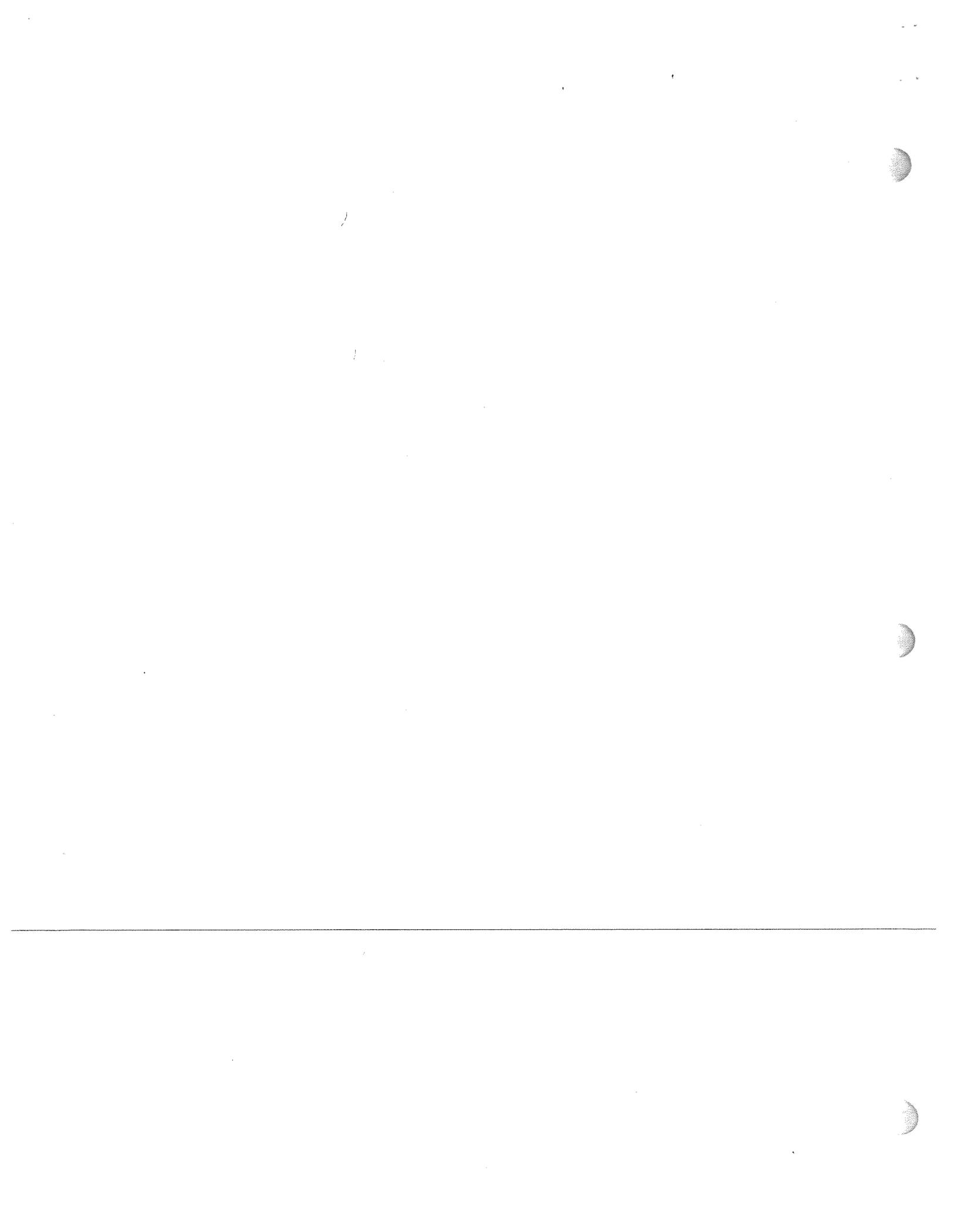
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NEWPORT URBAN  
GROWTH AREAS



## 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<sup>1</sup>

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

<sup>1</sup> 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.

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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:

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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 than 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.

# 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 Involving the City of Newport Water Reservoirs**

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The City is exploring the possibility of expanding the Newport Urban Growth Boundary (UGB) and city limits to include all of its water treatment plant (which is only partially within the city limits) and its storage reservoirs for its domestic water supply. This involves a little over 511 acres of property identified as Tax Lot 600, Section 33, T10S, R11W; Tax Lot 201, Section 33, T10S, R11W; Tax Lot 900, Section 10S, R11W; and Tax Lot 100, Section 34, T10S, R11W (map attached).

The principal reason that a UGB amendment is being considered is that the City may be forced to reconstruct one, if not both of the reservoirs in the coming years due to structural deficiencies. New water intake facilities, distribution lines, and pumping stations would also be constructed as would a radio transmission tower for our water metering system. These are all conditional uses in the County's T-C zone, which is intended to protect commercial timber opportunities from conflicting uses. These properties are not managed or used for commercial timber purposes and having an additional layer of government (i.e. the County) involved further complicates what will already be a challenging set of regulatory requirements. Further the deed restriction that the City would be compelled to record, acknowledging the rights of neighboring property owner to conduct forest operations, is problematic should such activities adversely impact the City's water supply and distribution system (ref: OAR 660-006-0025(5)(c)).

A second reason is that the property is well suited for use as a public park in so far the activities don't conflict with management of the city's water supply. The property would be placed in a "Public" Comprehensive Plan Designation and given P-1/"Public Structures" zoning. Portions of the property not needed for utility purposes could be placed under a P-3/"Public Open Space" designation, which would restrict the uses to park, open space, and trail activities. The west end of the property borders the Newport UGB and city limits.

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 once DLCDC provides feedback on this assessment.

The properties would also need to be annexed. That is more of a procedural step that can be addressed concurrent with the UGB amendment. Annexing and zoning these properties is a City Council goal for this fiscal year.

## Ownership

The City of Newport owns all of the subject properties.

## 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 major 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 proposal 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 D, the East Big Creek Drainage (city reservoir) Urban Growth Area. This is arguably an urban reserve area within the meaning of the statute. Also, it is relevant to note that this section of the Comprehensive Plan discusses the City's desire to protect its water supply and that the area could eventually be used as a large city park.

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. There are no exception or marginal lands in the vicinity of this area. There are exception lands further to the south; however, they do not possess a natural drainage or the terrain needed to facilitate impoundment of the volume of water required to satisfy the City's water supply needs. For that matter, the City can show that there are no locations inside the City limits that can meet these needs and that alternatives to surface water storage, such as storage tanks, would be cost prohibitive.

The last priority is land designated for forest purposes, which is the current designation for the properties. 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 the City's UGB. In order to provide for this growth the City must be in a position to maintain and upgrade, as needed, its domestic water storage and distribution systems. Bringing the property inside the UGB affords the City the opportunity to setup a regulatory structure that will allow it to more rapidly implement needed changes to these facilities and avoids putting the city in a position where it is limited in how it can respond to circumstances where the quality of its domestic water supply is impacted by nearby forest operations. The City would also demonstrate, by reference to its Comprehensive Plan, that there is a desire and needs for low impact park uses that that would be met by including these properties inside the UGB.

*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 facilities 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 limit options for surface water storage to these properties. This will include technical analysis regarding the water distribution systems capabilities and deficiencies, which should be adequate to address these standards. Similarly, the City will address how designating a portion of the property for a passive park use, much like Forest Park in Portland, is an orderly and economic way of providing for a key public facility, considering such factors as the property's inclusion in the City's Park System Master Plan as a recreational trail areas, its proximity to other city park properties and how it has historically been used for recreational purposes.

*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 maintaining a water treatment plant and surface water storage facilities at this location efficiently accommodates development of land that is already within its UGB. The City will also rely upon its Park System Master Plan as evidence that its citizenry has identified a need for recreational trail and open space use that exceeds the availability of such sites 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, 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.). Big Creek Road, which provides access to the reservoirs, also serves as a haul road for adjoining forest lands. This access will remain. 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” and P-3/“Public Open Space” zoning would allow water utility infrastructure and public parks 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. Some portions of the property, such as land inundated by the reservoirs, likely qualify under this provision.

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 City may pursue a committed exception for some portions of the property if it can establish that requirements of the Oregon Department of Water Resources, Clean Water Act, or other regulatory agencies would prevent a commercially viable timber operation from occurring on these lands because of the impacts that such an activity would have on the City’s domestic water supply.

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 would pursue this exception for the balance of the property.

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 compliance with all applicable Statewide planning Goals (required for Major Amendments under Newport Comprehensive Plan Policy A, Administration of the Plan).

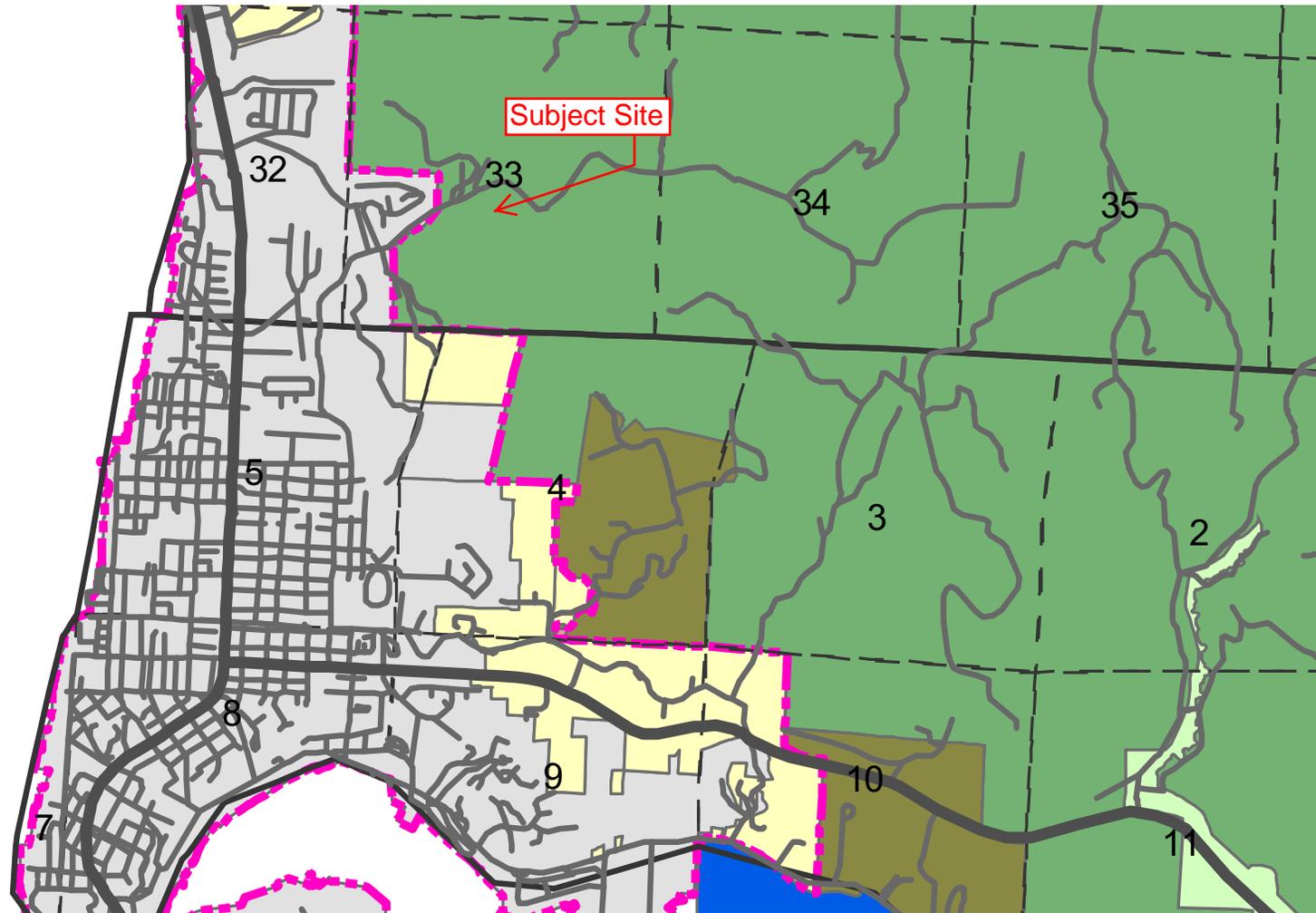
#### Attachment

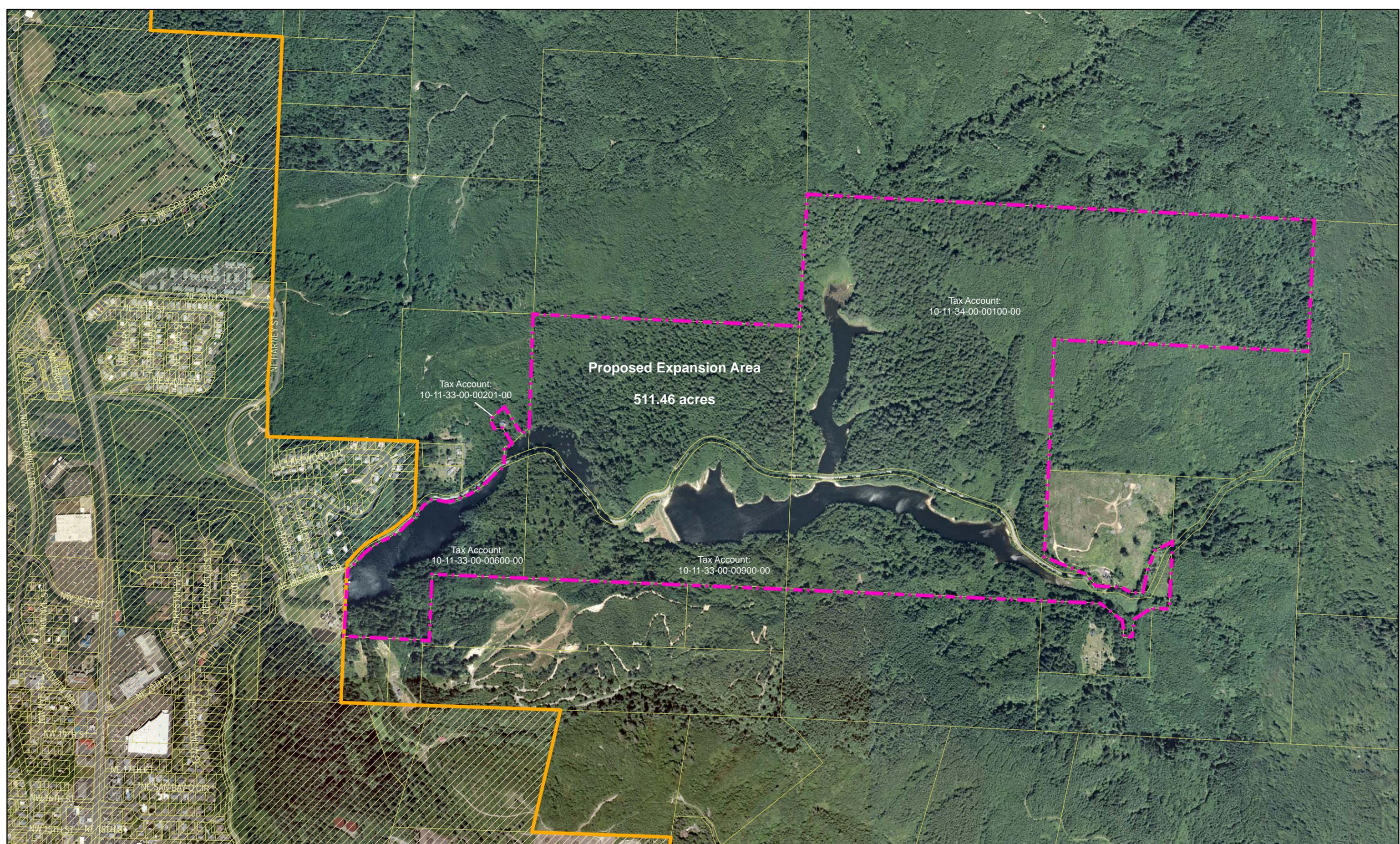
Lincoln County Zoning Map for the property (excerpt)  
Map of the Proposed Expansion Area  
Urbanization and Administration Chapters of the Newport Comprehensive Plan  
Excerpt from the City of Newport’s 1993 Park System Master Plan for the Big Creek Reservoir Park

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

Lincoln County Zoning  
City Water Reservoirs  
Green areas are zoned  
T-C/"Timber Conservation"

***Newport***





**Proposed Expansion Area**  
**511.46 acres**

Tax Account:  
 10-11-33-00-00201-00

Tax Account:  
 10-11-34-00-00100-00

Tax Account:  
 10-11-33-00-00600-00

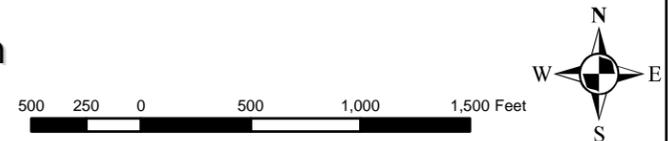
Tax Account:  
 10-11-33-00-00900-00



**City of Newport Community Development Department**  
 169 SW Coast Highway Phone: 1.541.574.0629  
 Newport, OR 97365 Fax: 1.541.574.0644

**Proposed Boundary for Reservoir Annexation**

This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.



## **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.

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**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.

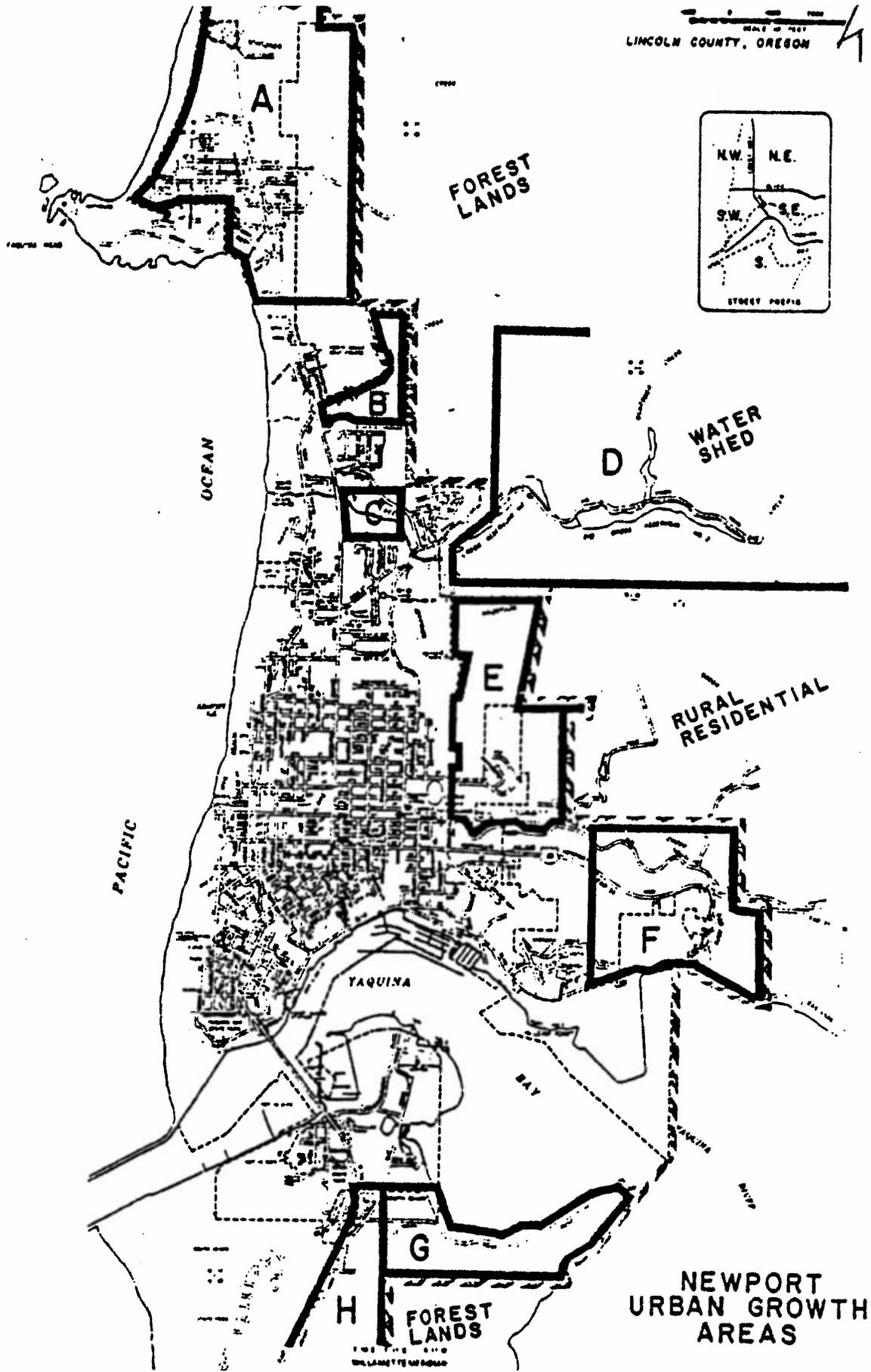
The city and county governing bodies shall hold public hearings on the request. Amendments become final only if both bodies approve the request.

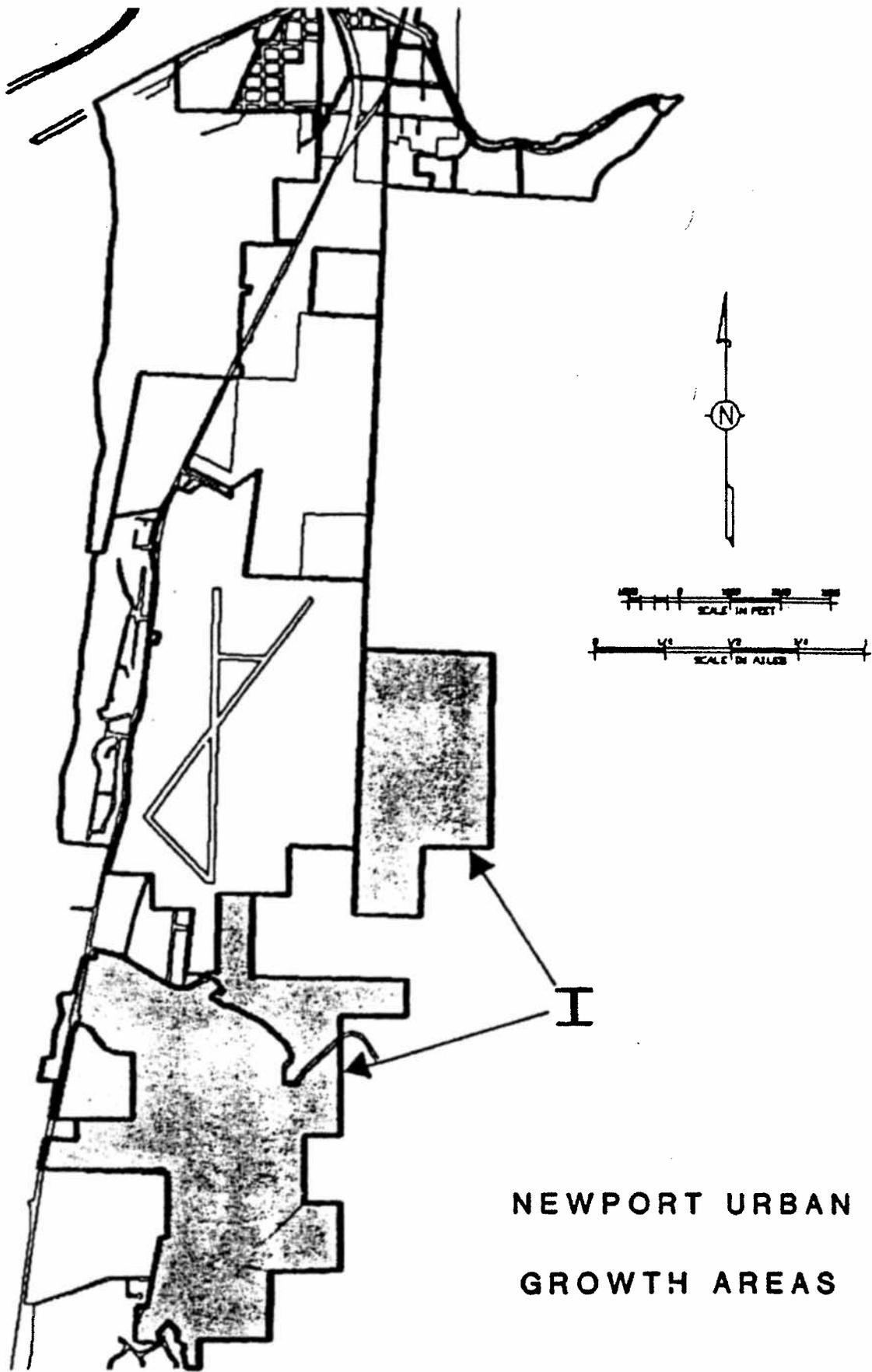
- 5.) Findings shall address the following:
  - a.) There exists a demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;
  - b.) An orderly and economic provision of key urban facilities or services;
  - 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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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<sup>1</sup>

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

<sup>1</sup> 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 than 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.

#### 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

